



Federal Register

**Monday,
April 30, 2007**

Part X

**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-5134-N-01]

Semiannual Regulatory Agenda

AGENCY: Department of Housing and Urban Development (HUD).

ACTION: Semiannual regulatory agenda.

SUMMARY: In accordance with section 4(b) of Executive Order 12866 "Regulatory Planning and Review," as amended, HUD is publishing its agenda of regulations already issued or that it expects to be issued over the next several months. The agenda also includes rules currently in effect that are under review and describes those 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 advance information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT:

Aaron Santa Anna, Assistant General Counsel for Regulations, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW., Room 10276, Washington, DC 20410-0500; telephone (202) 708-3055. (This is not a toll-free number.) A telecommunications device for hearing- and speech-impaired individuals (TTY) is available at (800) 877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: Executive Order 12866 "Regulatory Planning and Review" (58 FR 51735), as amended, requires each department or agency to publish semiannually an agenda of: (1) regulations that the department or agency has issued or expects to issue, and (2) rules currently in effect that are under departmental or agency review. The Regulatory Flexibility Act (5 U.S.C. 601 to 612) requires each department or agency to publish semiannually a regulatory agenda of rules expected to be proposed or promulgated that are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Executive Order 12866 and the Regulatory Flexibility Act each permits incorporation of the agenda required 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 information not required by either the Executive order or by the Regulatory Flexibility Act that HUD considers useful, to better inform the public, and to enhance HUD's own inventory control over its body of regulations.

Section 610(c) of the Regulatory Flexibility Act requires each department or 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 HUD to conduct a section 610 review.

HUD also is subject to 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 Financial Services) a semiannual agenda of all rules or regulations that are under development or review by HUD. 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 that 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 this agenda, HUD has attempted to list 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 a date is provided for the next rulemaking action, the date is an estimate and is not a commitment to act on or by the date shown.

In some cases, HUD has withdrawn rules that were placed on previous agendas because the rules were never published. Withdrawal of a rule does not necessarily mean that HUD will not proceed with the subject of the rulemaking. Withdrawal merely is an indication that HUD may assess the subject matter further and determine whether rulemaking in that area is appropriate. Following such an assessment, HUD may determine that certain rules listed as withdrawn on today's agenda are appropriate. If that determination is made, such rules will be included in a succeeding semiannual agenda.

In addition, for a few rules that have been published as proposed or interim rules 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 HUD for which both a determination and the timing of the next action stage has not yet been made.

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 implementation of notices of proposed rulemaking; (iii) publication or other implementation of final rules; (iv) long-term rules; and (v) completed actions. Within each grouping, rules are listed in order by the part number of title 24 of the Code of Federal Regulations (CFR) that is affected. Where a rule affects multiple

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parts of the CFR, the rule is listed by the first affected part number.

Since the purpose of publication of the agenda is to encourage more effective public participation in the

regulatory process by providing the public with early information about HUD's future regulatory actions, HUD invites all interested members of the

public to comment on the rules listed in the agenda.

Dated: March 2, 2007.

Roy A. Bernardi,

Deputy Secretary.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1277	24 CFR 1 Nondiscrimination in Programs and Activities Receiving Federal Financial Assistance (FR-4981)	2501-AD14
1278	24 CFR 5 Refinement of Income and Rent Determinations in Public and Assisted Housing Programs (FR-4998) ...	2501-AD16
1279	24 CFR 5, subpart H Independent Public Accountant Roster (FR-5054)	2501-AD20
1280	24 CFR 5 Pet Ownership for the Elderly and Persons With Disabilities (FR-5127)	2501-AD31
1281	24 CFR 15 Revisions to Regulations Governing Business Information Under the Freedom of Information Act (FR-5092)	2501-AD27
1282	24 CFR 24 Revision to Limited Denial of Participation Regulations (FR-5083)	2501-AD28
1283	2 CFR 24 Implementation of OMB Guidance on Non-Procurement Debarment and Suspension (FR-5071)	2501-AD29
1284	24 CFR 25 Mortgagee Review Board (FR-5082)	2501-AD26
1285	24 CFR 26 Hearing Procedures (FR-5084)	2501-AD24
1286	24 CFR 28 Implementation of the Program Fraud Civil Remedies Act of 1986 (FR-5085)	2501-AD25
1287	24 CFR 30 Civil Money Penalties: Certain Prohibited Conduct (FR-5081)	2501-AD23
1288	24 CFR 50 Amendments to HUD's Environmental Regulations (FR-4954)	2501-AD11
1289	24 CFR 92 HOME Investment Partnerships Program (FR-4833)	2501-AC94

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1290	24 CFR 11 Access to Compliance Guidance (FR-5064)	2501-AD21
1291	24 CFR 81 HUD's Regulation of the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac): Housing Goals (FR-4960)	2501-AD12
1292	24 CFR 81 Regulatory Amendments To Strengthen Prevention of Predatory Lending Practices (FR-5014)	2501-AD17
1293	24 CFR 84 Grants and Agreements—Uniform Requirements for All HUD Programs (FR-4930)	2501-AD05

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1294	24 CFR 15 Public Access to HUD Records Under the FOIA and Production of Material or Provision of Testimony by HUD Employees (FR-5015)	2501-AD18
1295	24 CFR 15 Revision of Freedom of Information Act Regulations (FR-5069)	2501-AD22
1296	24 USC 28 Inflation Adjustment of Civil Money Penalty Amounts (FR-5104)	2501-AD30
1297	24 CFR 91 American Dream Downpayment Initiative (FR-4832)	2501-AC93
1298	24 CFR 91 Timeliness Expenditure Standards for the Insular Areas Program (FR-5012)	2501-AD15

Office of Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1299	24 CFR 200 Alternative Water Supply System (FR-5017)	2502-AI37
1300	24 CFR 200 Requirement for Appraisers on the FHA Appraiser Roster, Technical Amendments (FR-5049)	2502-AI40
1301	24 CFR 200 Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing; Administrative Process for Assessment of Insured and Assisted Properties (FR-5070)	2502-AI43
1302	24 CFR 200 Participation and Compliance Requirements (FR-5073)	2502-AI47
1303	24 CFR 200 FHA Appraiser Roster Examination (FR-5112)	2502-AI53

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Office of Housing—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1304	24 CFR 201 Permanent Foundations for Manufactured Housing (FR-5075)	2502-AI45
1305	24 CFR 203 One Dollar Home Sales to Local Governments (FR 4862)	2502-AI15
1306	24 CFR 203 Delinquency, Default, and Loss Mitigation (FR-5102)	2502-AI51
1307	24 CFR 203 Standards for Mortgagor's Investment in Mortgaged Property (FR-5087)	2502-AI52
1308	24 CFR 206 Home Equity Conversion Mortgages—Maximum Claim Amount (FR-5129)	2502-AI49
1309	24 CFR 206 Home Equity Conversion Mortgages—Loan Underwriting Standards and Mandatory Escrow Accounts (FR-5114)	2502-AI50
1310	24 CFR 234 Insuring Certain Manufactured Homes as Condominiums (FR-5035)	2502-AI38
1311	24 CFR 234 FHA Mortgage Insurance for Individuals' Units in Two- and Three-Unit Condominiums (FR-5135)	2502-AI54
1312	24 CFR 266 Housing Finance Agency Risk-Sharing Eligible Projects (FR-5065)	2502-AI42
1313	24 CFR 291 Disposition of HUD-Owned, Single-Family Assets in Asset Control Areas (FR-4988)	2502-AH40
1314	24 CFR 891 Project Design and Cost Standards (FR-5097)	2502-AI48

Office of Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1315	24 CFR 200 Mark-to-Market Program Amendments (FR-4751)	2502-AH86
1316	24 CFR 200 HUD Multifamily Rental and Health Care Facility Closing Documents (FR-4883)	2502-AI11
1317	24 CFR 200 Hospital Mortgage Insurance Program (FR-4927)	2502-AI22
1318	24 CFR 203 Revisions to the Single-Family Mortgage Insurance Program (FR-4831)	2502-AI03
1319	24 CFR 203 and 206 Hybrid Adjustable Rate Mortgages—Additional Index (FR-4969)	2502-AI32
1320	24 CFR 206 HECM Counseling Standardization and Roster (FR-4989)	2502-AI34
1321	24 CFR 214 Housing Counseling Program (FR-4798)	2502-AH99
1322	24 CFR 401 Renewal of Expiring Section 8 Project-Based Assistance Contracts (FR-4551)	2502-AI35
1323	24 CFR 3285 Model Manufactured Home Installation Standards (FR-4928)	2502-AI25
1324	24 CFR 3286 Manufactured Home Installation Program (FR-4812)	2502-AH97
1325	24 CFR 3288 Manufactured Housing Dispute Resolution Program (FR-4813)	2502-AH98

Office of Housing—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1326	24 CFR 200 Disposition of HUD-Owned Multifamily Projects; Purchaser's Compliance With State and Local Housing Laws and Requirements (FR-4941)	2502-AI24
1327	24 CFR 203.43 (b)(1) Home Equity Conversion Mortgages (HECM): Cooperative Housing Developments (FR-4777)	2502-AH89
1328	24 CFR 291 Disposition of HUD-Acquired, Single-Family Property Amendments (FR-4952)	2502-AI27
1329	24 CFR 3500 et seq RESPA—Improving the Process for Obtaining Mortgages (FR-4727)	2502-AH85

Office of Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1330	24 CFR 203 Accelerated Claims and Asset Disposition Program (FR-4887)	2502-AI14
1331	24 CFR 234 Approval of Condominiums in Puerto Rico on Evidence of Presentment of Legal Documents (FR-5009)	2502-AI36

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Office of Community Planning and Development—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1332	24 CFR 570 Community Development Block Grant Program; Small Cities Program (FR-5013)	2506-AC19
1333	24 CFR 583 Supportive Housing Program (FR-4616)	2506-AC07
1334	24 CFR 598 Empowerment Zones: Performance Standards for Utilization of Grant Funds (FR-4853)	2506-AC16

Office of Community Planning and Development—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1335	24 CFR 574 Housing Opportunities for Persons With AIDS (HOPWA) (FR-4708)	2506-AC11

Government National Mortgage Association—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1336	24 CFR 320 Government National Mortgage Association: Mortgage-Backed Securities (MBS) Program—Payments to Securityholders; Book-Entry Procedures; and Financial Reporting (FR-5063)	2503-AA19

Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1337	24 CFR 100 Design and Construction Requirements; Compliance With ANSI A117.1 Standards (FR-5006)	2529-AA92
1338	24 CFR 135 Economic Opportunities for Low- and Very Low-Income Persons (FR-4983)	2529-AA91

Office of Fair Housing and Equal Opportunity—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1339	24 CFR 115 Certification and Funding of State and Local Fair Housing Enforcement Agencies (FR-4748)	2529-AA90

Office of Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1340	48 CFR 2409 HUDAR—Suspension and Debarment Procedures (FR-5098)	2535-AA28

Office of Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1341	48 CFR 2401 HUD Acquisition Regulation (FR-4705)	2535-AA26

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Office of Public and Indian Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1342	24 CFR 902 Revisions to the Public Housing Assessment System (PHAS) (FR-5094)	2577-AC68
1343	24 CFR 903 Streamlining Public Housing Programs (FR-4990)	2577-AC59
1344	24 CFR 903 Implementation of Violence Against Women and Justice Department Reauthorization Act of 2005 for HUD Programs Under the U.S. Housing Act of 1937 (FR-5056)	2577-AC65
1345	24 CFR 905 Capital Fund Program (FR-4880)	2577-AC50
1346	24 CFR 965 Revisions to PHA-Owned or Leased Projects—General Provisions (FR-5096)	2577-AC71
1347	24 CFR 980 Energy Performance Contracts (FR-5057)	2577-AC66
1348	24 CFR 982 Housing Choice Voucher Program Homeownership Option; Eligibility of Units Not Yet Under Construction (FR-4991)	2577-AC60
1349	24 CFR 982 Streamlining Tenant-Based HCVP Assistance and SEMAP (FR-5095)	2577-AC70
1350	24 CFR 983 Tax Credit Rents in Project-Based Units (FR-5034)	2577-AC62
1351	24 CFR 990 Capital and Operating Funds for Debt Service and Financing Activities (FR-4843)	2577-AC49
1352	24 CFR 1000 Use of Indian Housing Block Grant Funds for Rental Assistance in Low-Income Housing Tax Credit Projects (FR-4999)	2577-AC61
1353	24 CFR 1000 Implementation of Statutory Changes to the Indian Housing Block Grant Program (FR-4968)	2577-AC67
1354	24 CFR 1000 Indian Housing Block Grant Program—Annual Performance Due Date Extension (FR-5109)	2577-AC74

Office of Public and Indian Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1355	24 CFR 941 Streamlined Mixed Finance Application Review (FR-4924)	2577-AC55
1356	24 CFR 990 Public Housing Operating Fund Program; Revised Transition Funding Provision for Federal Fiscal Year 2007 (FR-5105)	2577-AC72
1357	24 CFR 990 Public Housing Operating Fund Program; Revised Transition Funding Schedule (FR-5108)	2577-AC73
1358	24 CFR 1000 Native American Housing Assistance and Self-Determination Act (NAHASDA): Revisions to the Indian Housing Block Grant Program Formula (FR-4938)	2577-AC57
1359	24 CFR 1000 Self-Insurance Plans Under the Indian Housing Block Grant Program (FR-4897)	2577-AC58

Office of Public and Indian Housing—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1360	24 CFR 1000 Implementation of Statutory Revisions to NAHASDA (FR-4750)	2577-AC37
1361	24 CFR 1000 Use of Census Data in the Indian Housing Block Grant Program (FR-5055)	2577-AC64

Office of Public and Indian Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1362	24 CFR 902 Revisions to Troubled Agency-Recovery Process (FR-5008)	2577-AC63
1363	24 CFR 906 Technical and Conforming Amendments to the Public Housing Homeownership Program (FR-4891)	2577-AC53
1364	24 CFR 1000 Native American Housing Assistance and Self-Determination Act; Minimum Funding Under the Indian Housing Block Grant Program (FR-5093)	2577-AC69

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

Proposed Rule Stage

1277. NONDISCRIMINATION IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE (FR-4981)

Priority: Other Significant

Legal Authority: 29 USC 794; 42 USC 3535(d); 42 USC 5309; 42 USC 6103; 42 USC 2000d-1

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

Legal Deadline: None

Abstract: This rule would amend the regulations implementing title VI of the Civil Rights Act of 1964 (title VI), section 504 of the Rehabilitation Act of 1973 (section 504), and the Age Discrimination Act of 1975 (Age Discrimination Act). These statutes collectively prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive federal financial assistance. These proposed amendments have been coordinated with the Department of Justice (DOJ) and are consistent with changes made by numerous federal agencies (as coordinated by the DOJ) in a final rule published August 26, 2003.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bryan Greene, Deputy Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development
Phone: 202 619-8046

RIN: 2501-AD14

1278. REFINEMENT OF INCOME AND RENT DETERMINATIONS IN PUBLIC AND ASSISTED HOUSING PROGRAMS (FR-4998)

Priority: Economically Significant
Major under 5 USC 801.

Legal Authority: 42 USC 1437f; 42 USC 3535(d); 42 USC 3543; 42 USC 3544; 42 USC 3608

CFR Citation: 24 CFR 5; 24 CFR 92; 24 CFR 908

Legal Deadline: None

Abstract: Under the Rental Housing Integrity Improvement Project (RHIIIP), HUD is seeking to refine regulations where they are unclear, strengthen internal controls in HUD programs, and facilitate the full implementation of the process of up-front verification of the income of assisted families by public housing agencies.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nicole Faison, Director, Office of Public Housing Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0744

RIN: 2501-AD16

1279. INDEPENDENT PUBLIC ACCOUNTANT ROSTER (FR-5054)

Priority: Other Significant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 5, subpart H

Legal Deadline: None

Abstract: This rule would establish a roster of independent public accountants and public accounting firms (the IPA roster) that would be authorized to perform audits or related services required by HUD. The rule would establish the eligibility criteria for placement on the IPA roster, and would also establish removal procedures for those accountants and accounting firms that fail to maintain eligibility for roster listing. HUD is proposing to establish the IPA roster because the quality and accuracy of financial data submitted to the Department begins with the selection of well-qualified accountants.

Timetable:

Action	Date	FR Cite
NPRM	08/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Hanson, Deputy Assistant Secretary,

Departmental Real Estate Assessment Center (REAC), Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 475-7949

RIN: 2501-AD20

1280. • PET OWNERSHIP FOR THE ELDERLY AND PERSONS WITH DISABILITIES (FR-5127)

Priority: Other Significant

Legal Authority: 42 USC 1701r-1; 42 USC 3535(d)

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: This rule would revise HUD's regulations that apply to service animals in HUD-assisted housing serving elderly and disabled families. Assistance animals work, provide assistance, or perform tasks for the benefit of a person with a disability or are animals that provide support to an individual with an emotional-related disability. These animals, often referred to as service animals, support animals, or therapy animals, provide disability-related functions including, but not limited to, guiding individuals who are vision or hearing-impaired to sounds or noises, providing protection or rescue assistance, pulling a wheelchair, obtaining items, alerting individuals to impending seizures and providing emotional support to persons who have a disability-related need for such support. This rule would conform the assistance animal provisions for HUD-assisted housing that serves elderly and disabled families to the same requirements and procedures that apply to HUD's other public housing programs.

Timetable:

Action	Date	FR Cite
NPRM	07/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bryan Greene, Deputy Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development
Phone: 202 619-8046

RIN: 2501-AD31

HUD—HUDSEC

Proposed Rule Stage

1281. REVISIONS TO REGULATIONS GOVERNING BUSINESS INFORMATION UNDER THE FREEDOM OF INFORMATION ACT (FR-5092)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 15**Legal Deadline:** None

Abstract: This rule clarifies and explains the procedures governing the disclosure of commercial or financial information submitted to the Department under the Freedom of Information Act (FOIA). This rule would revise the regulations on the procedures for release of confidential business information to enable the Department, in cases where a voluminous number of submitters are affected, to notify submitters by posting or publishing notice in a place reasonably likely to accomplish it. This rule also describes the process to be followed by submitters seeking to object to a disclosure of commercial or financial information. HUD is proposing to revise the regulations governing disclosure of commercial or financial information to be more efficient, efficacious, and informative in accordance with Executive Order 13392 on Improving Agency Disclosure of Information.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

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

Agency Contact: Vicky Lewis, Assistant Executive Secretary, Freedom of Information Act, Office of Administration, Department of Housing and Urban Development
Phone: 202 402-3054

RIN: 2501-AD27**1282. REVISION TO LIMITED DENIAL OF PARTICIPATION REGULATIONS (FR-5083)****Priority:** Substantive, Nonsignificant**Legal Authority:** 41 USC 701 et seq; 42 USC 3535(d); 31 USC 6101 note; EO 12689**CFR Citation:** 24 CFR 24**Legal Deadline:** None

Abstract: This rule would revise and update the Department's Limited Denial of Participation regulation. The regulations would be clarified to state that any act or omission that would be cause for debarment would be grounds for the issuance of an Limited Denial of Participation (LDP). Additionally, the proposed rule would remove from the LDP regulations debarment or suspension by another Federal agency as a cause for issuance of an LDP because it is unnecessary as a majority of federal agency suspensions and debarments have Governmentwide effect. Lastly, this proposed rule would reinsert a provision governing the information that is to be considered in deciding whether to terminate, modify, or affirm an LDP, which was inadvertently removed in a previous modification of the regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/07	

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

Agency Contact: Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-3555

RIN: 2501-AD28**1283. IMPLEMENTATION OF OMB GUIDANCE ON NON-PROCUREMENT DEBARMENT AND SUSPENSION (FR-5071)****Priority:** Substantive, Nonsignificant**Legal Authority:** 41 USC 701 et seq; 42 USC 3535(d); 31 USC 6101 note; EO 12544 (3 CFR 1986 Comp p 189); EO 12689 (3 CFR 1989 Comp p 235)**CFR Citation:** 2 CFR 2424; 24 CFR 24**Legal Deadline:** None

Abstract: This rule would relocate HUD's regulations governing nonprocurement debarment and suspension to a new part in title 2 of the Code of Federal Regulations. The relocation is part of a Governmentwide initiative to create one location where the public can find both the Office of Management and Budget (OMB) guidance for grants and agreements and the associated federal agency

implementing regulations. The proposed new part would adopt the OMB guidance on nonprocurement debarment and suspension and supplement it with HUD-specific clarifications and additions. The proposed rule would also make conforming changes to HUD regulations referencing the nonprocurement debarment and suspension regulations. This regulatory action is an administrative simplification that would make no substantive change in HUD policy or procedures for nonprocurement debarment and suspension.

Timetable:

Action	Date	FR Cite
NPRM	03/23/07	72 FR 14016
NPRM Comment Period End	05/22/07	
Final Action	09/00/07	

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

Agency Contact: Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-3555

RIN: 2501-AD29**1284. MORTGAGEE REVIEW BOARD (FR-5082)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1708(c); 12 USC 1708(d); 12 USC 1709(s); 12 USC 1715b; 12 USC 1735f-14**CFR Citation:** 24 CFR 25**Legal Deadline:** None

Abstract: This rule would make changes to the Department's Mortgagee Review Board regulations to reflect statutory directives and amend current practice. This rule would modify the procedures governing sanction hearings to allow matters to move to the hearing officer directly, rather than by referral of the hearing official. The rule would also remove the requirements that the Board approve any action or suspension or debarment. Additional revisions proposed by this rule would remove provisions that unnecessarily duplicate the authorizing statute and would clarify the authority and duties of the Board in taking administrative

HUD—HUDSEC

Proposed Rule Stage

action against FHA-approved mortgagees. This rule would separate and clarify the grounds for administrative action and the factors considered by the Board in evaluating whether to take administrative action, as well as require the mortgagee to address these factors in its response to the Board's notice of violation.

Timetable:

Action	Date	FR Cite
NPRM	07/00/07	

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

Agency Contact: Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-3555

RIN: 2501-AD26**1285. HEARING PROCEDURES (FR-5084)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 26**Legal Deadline:** None

Abstract: This rule would amend the hearing procedures applicable to matters brought by HUD before hearing officers or before Administrative Law Judges (pursuant to the Administrative Procedure Act) to reflect current practice and to conform more closely with statutory requirements and amendments being made simultaneously to 24 CFR parts 25 and 28.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

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

Agency Contact: Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-3555

RIN: 2501-AD24**1286. IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL REMEDIES ACT OF 1986 (FR-5085)****Priority:** Substantive, Nonsignificant**Legal Authority:** 28 USC 2461 note; 31 USC 3801 to 3812; 42 USC 3535(d)**CFR Citation:** 24 CFR 28**Legal Deadline:** None

Abstract: This rule would amend HUD's regulations implementing the Program Fraud Civil Remedies Act of 1986 (PFCRA) to more closely conform the regulations with the statute.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

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

Agency Contact: Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-3555

RIN: 2501-AD25**1287. CIVIL MONEY PENALTIES: CERTAIN PROHIBITED CONDUCT (FR-5081)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1701q-1; 12 USC 1703; 12 USC 1723i; 12 USC 1735f-14; 12 USC 1735f-15; 15 USC 1717a; 28 USC 2461 note; 42 USC 1437z-1; 42 USC 3535(d)**CFR Citation:** 24 CFR 30**Legal Deadline:** None

Abstract: This rule would amend HUD's regulations that govern the imposition of civil money penalties. Specifically, HUD is adding a definition of "ability to pay," which is one of the factors used in determining the appropriateness of any amount of civil money penalties. The revised regulations would also amend the grounds for action against mortgagees and lenders to specifically include failure to comply with indemnification and other agreements with HUD or the Mortgagee Review Board. Additionally, the revised regulation would require respondents, in their responses to the prepenalty notice, to specifically address the factors in determining

appropriateness and amount of civil money penalty, described in 24 CFR 30.80. Finally, this rule would make other changes to conform to the authorizing statutes.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

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

Agency Contact: Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-3555

RIN: 2501-AD23**1288. AMENDMENTS TO HUD'S ENVIRONMENTAL REGULATIONS (FR-4954)****Priority:** Other Significant**Legal Authority:** 12 USC 1707 note; 12 USC 1715z-13a(k); 15 USC 7001 et seq; 25 USC 4226; 42 USC 3535(d); 42 USC 3547; 42 USC 4332; 42 USC 4852; 42 USC 12838; 42 USC 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912; 42 USC 12905(h); 42 USC 1437x; 42 USC 3601 to 3619; 42 USC 4001 to 4028; 42 USC 5301 to 5315; 42 USC 5304(g); 44 USC 101 note; 44 USC 3504 note; 25 USC 4115; Executive Order 11991; Executive Order 11988**CFR Citation:** 24 CFR 50; 24 CFR 51; 24 CFR 55; 24 CFR 58; 24 CFR 91**Legal Deadline:** None

Abstract: This rule would make a number of revisions to HUD's environmental regulations to reduce administrative barriers and speed environmental reviews. This rule would expand HUD's regulatory waiver authority for certain environmental provisions where there is good cause and no adverse environmental impact will result. This change will allow for a more streamlined and user-friendly process for environmental review. The rule also would add an exemption to 24 CFR part 55 (floodplain management) for special projects directed to the removal of architectural barriers of properties located within floodplains. It would also exempt minor repairs or improvements and

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Proposed Rule Stage

special projects to remove architectural barriers for elderly persons and persons with disabilities. In addition, the rule would make a number of minor conforming changes to HUD's environmental regulations. Finally, the rule would request public comments on advance proposals to allow environmental submissions and notifications to be done electronically.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: Walter D. Prybyla, Environmental Review Division, Office

of Community Planning and Development, Department of Housing and Urban Development
Phone: 202 708-1201

RIN: 2501-AD11

1289. HOME INVESTMENT PARTNERSHIPS PROGRAM (FR-4833)

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 change the HOME regulations with respect to Community Housing Development Organization (CHDO) performance measures, CHDO conflict of interest provisions, and other policies related to

CHDOs. It would also clarify the distinction between housing and facilities and make other corrections and clarifications.

Timetable:

Action	Date	FR Cite
NPRM	12/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Virginia Sardone, Director, Program Policy Division, Office of Community Planning and Development, Department of Housing and Urban Development
Phone: 202 402-4606

RIN: 2501-AC94

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

Long-Term Actions

1290. ACCESS TO COMPLIANCE GUIDANCE (FR-5064)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 11

Legal Deadline: None

Abstract: This rule would establish new regulations designed to assist HUD program participants and regulated entities in their compliance with HUD statutes and regulations by providing, in certain circumstances, advance informal legal guidance on matters that may otherwise lead to enforcement actions. Specifically, the regulations would offer participants in HUD programs, including HUD's assistance programs (all forms of assistance) and loan insurance and guarantee programs, and entities regulated under statutes administered by HUD, such as the Real Estate Settlement Procedures Act, the opportunity, under specified conditions, to seek informal legal guidance in the form of interpretative letters or no-action letters (compliance guidance) from HUD.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Camille E. Acevedo, Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-1793

RIN: 2501-AD21

1291. HUD'S REGULATION OF THE FEDERAL NATIONAL MORTGAGE ASSOCIATION (FANNIE MAE) AND THE FEDERAL HOME LOAN MORTGAGE CORPORATION (FREDDIE MAC): HOUSING GOALS (FR-4960)

Priority: Other Significant

Legal Authority: 12 USC 1451 et seq; 12 USC 1716 to 1723h; 12 USC 4501 to 4641; 28 USC 2461 note; 42 USC 3535(d); 42 USC 3601 to 3619

CFR Citation: 24 CFR 81

Legal Deadline: None

Abstract: This rulemaking advises of HUD's intention to develop, by regulation, a provision that recognizes and takes into consideration the impact of certain factors that may impact the GSEs' ability to achieve the housing goals in certain years, and solicits proposals on how such a provision should be structured and implemented.

Timetable:

Action	Date	FR Cite
ANPRM	11/02/04	69 FR 63576
ANPRM Comment	12/17/04	

Period End

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sandra Fostek, Director, Office of Government Sponsored Enterprises Oversight, Office of Housing, Department of Housing and Urban Development
Phone: 202 402-2233

Paul S. Ceja, Assistant General Counsel, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-5085

RIN: 2501-AD12

1292. REGULATORY AMENDMENTS TO STRENGTHEN PREVENTION OF PREDATORY LENDING PRACTICES (FR-5014)

Priority: Substantive, Nonsignificant

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

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Abstract: Pursuant to the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (FHEFSSA), the Secretary is responsible for establishing, monitoring, and enforcing the level of annual housing goals that Fannie Mae and Freddie Mac (two housing Government-Sponsored Enterprises or GSEs) are required to achieve and for determining whether a GSE will receive full, partial, or no credit towards the housing goals for mortgages each purchases or guarantees. The Secretary is also charged with monitoring the GSEs' compliance with the Fair Housing Act. HUD's regulations prohibit goals credit for HOEPA mortgages as defined under the Home Ownership Equity Protection Act and for mortgages with unacceptable terms and conditions as defined in HUD's regulations. The Department enacted these provisions to ensure that the GSEs do not purchase loans that actually harm borrowers and support unfair lending practices. For that reason, HUD determined in its 2000 rulemaking, and reiterated in its 2004 rulemaking, that the GSEs should not receive the incentive of goals credit for purchasing high cost mortgages,

including mortgages with unacceptable features.

Timetable:

Action	Date	FR Cite
NPRM	06/07/06	71 FR 33144
NPRM Comment	08/07/06	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sandra Fostek, Director, Office of Government Sponsored Enterprises Oversight, Office of Housing, Department of Housing and Urban Development
Phone: 202 402-2233

RIN: 2501-AD17

1293. GRANTS AND AGREEMENTS—UNIFORM REQUIREMENTS FOR ALL HUD PROGRAMS (FR-4930)

Priority: Other Significant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 84; 24 CFR 85

Legal Deadline: None

Abstract: Based on a proposal by OMB that would publish, in a single title in the CFR, all of OMB's guidance concerning Federal agency grants and agreements, HUD proposes to simplify the Department's requirements for grants, nonprocurement agreements, and other financial assistance by establishing these standards as uniform for all HUD programs, except when statutory authority provides otherwise. This rule would also make several technical corrections to cross-references.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Barbara Dorf, Director, Office of Departmental Grants Management and Oversight, Office of Administration, Department of Housing and Urban Development
Phone: 202 708-0667

RIN: 2501-AD05

**Department of Housing and Urban Development (HUD)
Office of the Secretary (HUDSEC)****Completed Actions****1294. PUBLIC ACCESS TO HUD RECORDS UNDER THE FOIA AND PRODUCTION OF MATERIAL OR PROVISION OF TESTIMONY BY HUD EMPLOYEES (FR-5015)**

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 15

Completed:

Reason	Date	FR Cite
Final Action	02/26/07	72 FR 8580
Final Action Effective	03/28/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John W. Herold
Phone: 202 708-2568

RIN: 2501-AD18

1295. REVISION OF FREEDOM OF INFORMATION ACT REGULATIONS (FR-5069)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 15

Completed:

Reason	Date	FR Cite
NPRM	10/05/06	71 FR 58994
Final Action	03/15/07	72 FR 12540
Final Action Effective	04/16/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vicky Lewis
Phone: 202 402-3054

RIN: 2501-AD22

1296. • INFLATION ADJUSTMENT OF CIVIL MONEY PENALTY AMOUNTS (FR-5104)

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 2461 note; 31 USC 3801; 12 USC 1701q-1; 12 USC 1703; 12 USC 1723i; 12 USC 1735f-15; 15 USC 1717a; 42 USC 1437z-1; 12 USC 1451 et seq; 12 USC 1716 through 1723h; 12 USC 4501 through 4641; 42 USC 3601 through 3619; 29 USC UC 794; 42 USC 2000d-1; 42 USC 5301 through 5320; 42 USC 6103; 42 USC 3535(d)

CFR Citation: 24 USC 28; 24 USC 30; 24 USC 81; 24 USC 180; 24 USC 3282; 24 CFR 3500

Legal Deadline: None

Abstract: This final rule revises HUD's civil money penalty regulations to make inflation adjustments to the civil money penalties imposed by HUD, as required by statute. The applicable statute mandates the adjustments and the formula used to calculate them.

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Completed Actions

HUD also takes this opportunity to delete duplicative language in its regulation for hearing procedures in civil rights matters.

Timetable:

Action	Date	FR Cite
Final Action	02/06/07	72 FR 5586
Final Action Effective	03/08/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-3555

RIN: 2501-AD30

1297. AMERICAN DREAM DOWNPAYMENT INITIATIVE (FR-4832)

Priority: Other Significant

CFR Citation: 24 CFR 92

Completed:

Reason	Date	FR Cite
Final Action	04/04/07	72 FR 16678
Final Action Effective	05/04/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Virginia Sardone
Phone: 202 402-4606

RIN: 2501-AC93

1298. TIMELINESS EXPENDITURE STANDARDS FOR THE INSULAR AREAS PROGRAM (FR-5012)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 91; 24 CFR 570

Completed:

Reason	Date	FR Cite
Final Action	03/15/07	72 FR 12534
Final Action Effective	04/16/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: Stephen Rhodeside
Phone: 202 402-7375

RIN: 2501-AD15

Department of Housing and Urban Development (HUD)

Proposed Rule Stage

Office of Housing (OH)

1299. ALTERNATIVE WATER SUPPLY SYSTEM (FR-5017)

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: Current HUD mortgage insurance regulations establish minimum property standards for insured single-family housing, which include the requirement that each home with a mortgage to be insured have a "continuous" water supply that is capable of delivering water at a flow of 5 gallons per minute over at least 4 hours. However, in some geographical areas and under certain conditions, it may be beneficial for HUD to insure mortgages for housing where it is not possible for the housing to have a water supply that meets this standard. Therefore, this rule would permit HUD to insure housing with alternative water supplies under certain conditions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Peter Gillispie, Home Valuation Policy Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AI37

1300. REQUIREMENT FOR APPRAISERS ON THE FHA APPRAISER ROSTER, TECHNICAL AMENDMENTS (FR-5049)

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: This rule makes technical amendments to the requirements found in 24 CFR 200.206 to eliminate any outdated reference to Handbook 4150.2, which will be superseded. The rule replaces the outdated handbook reference with a general reference to the Department's directives and policies.

Timetable:

Action	Date	FR Cite
NPRM	12/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Beavers, Acting Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2205

RIN: 2502-AI40

1301. UNIFORM PHYSICAL CONDITION STANDARDS AND PHYSICAL INSPECTION REQUIREMENTS FOR CERTAIN HUD HOUSING; ADMINISTRATIVE PROCESS FOR ASSESSMENT OF INSURED AND ASSISTED PROPERTIES (FR-5070)

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: HUD assesses the physical conditions of multifamily properties and notifies owners of the assessment of their multifamily housing. The owners, under certain circumstances, are provided an opportunity to seek a technical review of HUD's physical condition assessment, and HUD may take action in certain cases where the housing is found not to be in compliance with the physical condition standards. In order to improve uniformity in the technical review

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request process, this rule would make minor changes to the timeframes for requesting technical review. Specifically, this change would implement a standard timeframe for the submission of a request for a technical review for both physical inspection results that are transmitted to the owner via the Internet or by hard copy by certified mail. HUD believes that coordinating the timeframe for the request for a technical review is less confusing to its clients and multifamily field offices.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	

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

Agency Contact: Eric Ramsey, Housing Project Manager, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2549

RIN: 2502-AI43**1302. PARTICIPATION AND COMPLIANCE REQUIREMENTS (FR-5073)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 12 USC 1702 to 1715z-21**CFR Citation:** 24 CFR 200**Legal Deadline:** None

Abstract: This rule proposes to revise HUD's rules on previous participation filings, including a new system of identifying participating parties and their roles—specially newer housing programs and revised hospitals in the rule's coverage—and revise the due process requirements of the rules.

Timetable:

Action	Date	FR Cite
NPRM	04/00/07	

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

Agency Contact: William Hill, Director of Policy and Participations Standards Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2625

RIN: 2502-AI47**1303. ● FHA APPRAISER ROSTER EXAMINATION (FR-5112)****Priority:** Other Significant**Legal Authority:** 12 USC 1702 to 1715z-21**CFR Citation:** 24 CFR 200**Legal Deadline:** None

Abstract: This rule would revise eligibility requirements for candidates who wish to be placed on the Federal Housing Administration (FHA) Appraiser Roster. Only appraisers on the roster may perform required appraisals of properties that are to serve as security for FHA-insured, single-family mortgages. Under the current regulation, candidates must have a State appraisal license or certification; pass a HUD examination on FHA appraisal methods and reporting; and not be included on the General Services Administration's Suspension and Debarment List, HUD's Limited Denial of Participation List, or HUD's Credit Alert Interactive Voice Response System. This rule would revise the current regulation to eliminate the HUD examination requirement. HUD is proposing this change as part of an ongoing effort to align its business practices with the conventional lending industry,

Timetable:

Action	Date	FR Cite
NPRM	08/00/07	

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

Agency Contact: Joyce Richardson, Director, Home Valuation Policy Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2507

RIN: 2502-AI53**1304. PERMANENT FOUNDATIONS FOR MANUFACTURED HOUSING (FR-5075)****Priority:** Other Significant**Legal Authority:** 12 USC 1703; 42 USC 3535(d); 42 USC 5301 to 5320**CFR Citation:** 24 CFR 201; 24 CFR 203**Legal Deadline:** None

Abstract: This rule would amend HUD's regulations governing manufactured homes that are to be the

security for a title II Federal Housing Administration (FHA) insured mortgage. The current regulations contain prescriptive requirements pertaining to permanent foundations that do not provide for flexibility of design. HUD proposes to remove these requirements for both existing and new construction manufactured homes and instead defer to the requirements established by the Model Manufactured Home Installation Standards (Model Installation Standards). (A separate rule would establish the minimum acceptable standards nationwide for the installation and set-up of manufactured homes.) This rule will not supplant the current installation requirements entirely, but will permit them to be used in cases of FHA refinance transactions for any existing manufactured home that is currently security for an FHA-insured loan and which met FHA requirements at the time of the original endorsement. The rule would also amend HUD's regulations governing manufactured homes that are to be security for a title I FHA-insured mortgage. The proposed rule would promote affordable housing.

Timetable:

Action	Date	FR Cite
NPRM	10/00/07	

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

Agency Contact: James Beavers, Acting Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2205

RIN: 2502-AI45**1305. ONE DOLLAR HOME SALES TO LOCAL GOVERNMENTS (FR 4862)****Priority:** Other Significant**Legal Authority:** 12 USC 1710; 12 USC 1715z -11a; 42 USC 3535(d)**CFR Citation:** 24 CFR 203; 24 CFR 291**Legal Deadline:** None

Abstract: This program allows properties that have been offered to the public for sale for 6 or more months and are not presently under a sales contract to be removed from the market and offered exclusively to local governments for \$1 plus closing costs.

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Timetable:

Action	Date	FR Cite
NPRM	12/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gerard P. Donahoe, Housing Program/Policy Specialist, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-3951

RIN: 2502-AI15

1306. • DELINQUENCY, DEFAULT, AND LOSS MITIGATION (FR-5102)

Priority: Other Significant

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

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule would consolidate and amend HUD regulations relating to delinquency, default servicing, and HUD's loss mitigation program. Many of the delinquency, default servicing, and loss mitigation regulations would be redesignated into a new subpart. The rule also includes several new provisions designed to encourage loss mitigation efforts on the part of mortgages. These amendments and reorganizations are designed to provide greater clarity and simplicity about loss mitigation requirements, strengthen efforts to minimize mortgage delinquency, and increase loss mitigation options.

Timetable:

Action	Date	FR Cite
NPRM	08/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Leslie Bromer, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2309

RIN: 2502-AI51

1307. • STANDARDS FOR MORTGAGOR'S INVESTMENT IN MORTGAGED PROPERTY (FR-5087)

Priority: Other Significant

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715z-16; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: Through this rule, HUD submits, for public comment, specific standards governing a mortgagor's investment in property for which the mortgage is insured by the Federal Housing Administration (FHA). Specifically, this rule would codify HUD's longstanding practice, authorized by statute, of allowing a mortgagor's investment to be derived from gifts by family members and certain organizations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Beavers, Acting Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2205

RIN: 2502-AI52

1308. • HOME EQUITY CONVERSION MORTGAGES—MAXIMUM CLAIM AMOUNT (FR-5129)

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 206

Legal Deadline: None

Abstract: This rule changes the date for valuation for the purpose of setting the maximum claim amount from the appraisal report to the closing date.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Beavers, Acting Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2205

RIN: 2502-AI49

1309. • HOME EQUITY CONVERSION MORTGAGES—LOAN UNDERWRITING STANDARDS AND MANDATORY ESCROW ACCOUNTS (FR-5114)

Priority: Other Significant

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

CFR Citation: 24 CFR 206

Legal Deadline: None

Abstract: This rule will establish underwriting standards for borrowers under the Home Equity Conversion Mortgage Insurance (HECM) program and provide mandatory escrow accounts for taxes and insurance for those borrowers not meeting established underwriting criteria. These new standards and requirements will be added to regulations that currently govern the HECM program and will be inserted by adding new section 206.38 to the current provisions of 24 CFR.

Timetable:

Action	Date	FR Cite
NPRM	10/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Betsy McDaniel, Housing Program Specialist, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-4465

RIN: 2502-AI50

1310. INSURING CERTAIN MANUFACTURED HOMES AS CONDOMINIUMS (FR-5035)

Priority: Other Significant

Legal Authority: 12 USC 1715y

CFR Citation: 24 CFR 234

Legal Deadline: None

Abstract: HUD's regulations at 24 CFR part 234 provide for the insurance of condominiums. Section 234.1 of these regulations excepts manufactured homes from being insured as

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condominiums. This regulation will amend part 234 to provide that manufactured homes in condominiums that have received support from State or local governments may be insured as condominiums. The support provided must be significant, tangible, and direct.

Timetable:

Action	Date	FR Cite
NPRM	12/00/07	

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

Agency Contact: Maynard Curry, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2216

RIN: 2502-AI38**1311. • FHA MORTGAGE INSURANCE FOR INDIVIDUALS' UNITS IN TWO- AND THREE-UNIT CONDOMINIUMS (FR-5135)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1715y; 42 USC 3535(d)**CFR Citation:** 24 CFR 234**Legal Deadline:** None

Abstract: This rule would amend the definition of "project" in HUD's condominium regulations to consist of two or more family units. Currently, a project is a structure or structures containing four or more units. There are a number of two and three unit condominiums that would benefit from the availability of FHA mortgage insurance. There appears to be significant risk of loss between projects consisting of four or more units and those consisting of two or more units.

Timetable:

Action	Date	FR Cite
NPRM	12/00/07	

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

Agency Contact: Maynard Curry, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2216

RIN: 2502-AI54**1312. HOUSING FINANCE AGENCY RISK-SHARING ELIGIBLE PROJECTS (FR-5065)****Priority:** Other Significant**Legal Authority:** 12 USC 1707; 24 USC 3535(d)**CFR Citation:** 24 CFR 266**Legal Deadline:** None

Abstract: This proposed rule would revise HUD's regulations governing the Housing Finance Agency Risk-Sharing Program. The proposed rule would amend the regulations to allow for the refinancing of section 202 Direct Loans with project-based section 8 assisted units (or assisted units under other rental assistance agreements) with mortgages that are supported by the actual unit rents being or to be collected, even though such rent may exceed market rents. This proposed rule is intended to facilitate such projects ability to use the proceeds from the refinancing to refinance the existing indebtedness and to carry out repairs or improvements to the property or to provide services to tenants.

Timetable:

Action	Date	FR Cite
NPRM	06/00/07	

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

Agency Contact: Joseph E. Malloy, Deputy Director of Multifamily Housing Development, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development
Phone: 202 402-2524

RIN: 2502-AI42**1313. DISPOSITION OF HUD-OWNED, SINGLE-FAMILY ASSETS IN ASSET CONTROL AREAS (FR-4988)****Priority:** Other Significant**Legal Authority:** 12 USC 1710(h); 42 USC 3535(d)**CFR Citation:** 24 CFR 291**Legal Deadline:** None

Abstract: This rule would implement a program to make available HUD-held, single-family assets for sale to governmental organizations and nonprofits for use in homeownership programs to revitalize certain areas.

Under the program, HUD would identify revitalization areas by applying specified economic and housing criteria. Eligible purchasers, that is, units of general local government and nonprofit organizations, may establish an Asset Control Area within a revitalization area and commit by contract to purchase, at a discount, all HUD-owned, single-family homes that become available in that area for a time frame specified by the contract. By statute, these purchasers are to be given preference. The entities would then improve and sell the assets pursuant to a HUD-approved plan to encourage homeownership and revitalize the area.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

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

Agency Contact: Ivery Himes, Director, Asset Management and Disposition Division, Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-5628

RIN: 2502-AH40**1314. • PROJECT DESIGN AND COST STANDARDS (FR-5097)****Priority:** Substantive, Nonsignificant**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 would revise HUD's regulations that govern the project design and cost standards for HUD's supportive housing for the elderly and persons with disabilities programs. Regulations that establish HUD's supportive housing for the elderly program (Section 202 program) and HUD's supportive housing for persons with disabilities program (Section 811 program) are set forth at 24 CFR part 891. Under part 891, Section 202 and Section 811 project sponsors are prohibited from using HUD funds for certain project amenities including, but not limited to swimming pools, private balconies, dishwashers, and washers and dryers. This rule would remove certain items from the list of restricted

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Proposed Rule Stage

amenities. Specifically, this rule would allow project sponsors to use HUD funds for dishwashers in individual supportive housing units for the elderly and independent living projects for persons with disabilities. In addition, a clarification would be made for Section 811 group homes to allow for

the inclusion of dishwashers and washers and dryers.

Timetable:

Action	Date	FR Cite
NPRM	07/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Aretha Williams, Housing Project Manager, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2480

RIN: 2502-AI48

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

Final Rule Stage

1315. MARK-TO-MARKET PROGRAM AMENDMENTS (FR-4751)

Priority: Other Significant

Legal Authority: PL 107-116, title VI

CFR Citation: 24 CFR 200; 24 CFR 401

Legal Deadline: None

Abstract: This rule would implement a number of changes to the Mark-to-Market program, HUD's mortgage restructuring program for FHA-insured projects with project-based section 8 assistance, to facilitate processing based on statutory changes and HUD's technical operational experience in administering the program.

Timetable:

Action	Date	FR Cite
NPRM	03/14/06	71 FR 13222
NPRM Comment Period End	05/15/06	
Final Action	10/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marilyn E. Carlson, Senior Advisor, FHA, Office of Affordable Housing Preservation, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-4744

RIN: 2502-AH86

regulations to update these regulations to reflect current HUD policy in the area of multifamily rental projects. In developing a set of comprehensive documents for use in the FHA mortgage programs for multifamily rental projects, HUD identified outdated language and policies that not only needed to be changed in closing documents but in HUD's regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/02/04	69 FR 46210
NPRM Comment Period End	10/01/04	
Final Action	09/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John J. Daly, Associate General Counsel for Insured Housing, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 402-1274

RIN: 2502-AI11

1317. HOSPITAL MORTGAGE INSURANCE PROGRAM (FR-4927)

Priority: Other Significant

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

CFR Citation: 24 CFR 200; 24 CFR 242

Legal Deadline: None

Abstract: The rule revises the regulations governing mortgage insurance for hospitals. It updates and incorporates some earlier provisions that currently are not published as part of the FHA regulations. Further, the rule adds new provisions to make them consistent with current industry

practices. The rule also codifies the relevant regulations dealing with hospital mortgage insurance in one part, and therefore makes the regulations more user-friendly.

Timetable:

Action	Date	FR Cite
NPRM	01/10/05	70 FR 1750
NPRM Comment Period End	03/11/05	
Final Action	08/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Roger Miller, Director, Office of Insured Health Care Facilities, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2004

RIN: 2502-AI22

1318. REVISIONS TO THE SINGLE-FAMILY MORTGAGE INSURANCE PROGRAM (FR-4831)

Priority: Other Significant

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

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: In response to a statutory change, this rule revises certain regulations under the Single-Family Mortgage Insurance Program that govern actions by mortgagees with respect to mortgages in default. The rule also amends other regulations under the program to make them consistent with industry practices. The Department believes that these changes will help to increase the administrative efficiency of the Single-Family Mortgage Insurance Program.

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Timetable:

Action	Date	FR Cite
NPRM	11/10/04	69 FR 65324
NPRM Comment Period End	01/10/05	
Final Action	10/00/07	

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

Agency Contact: Leslie Bromer, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2309

RIN: 2502-AI03**1319. HYBRID ADJUSTABLE RATE MORTGAGES—ADDITIONAL INDEX (FR-4969)****Priority:** Other Significant

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715z-16; 12 USC 1715u; 42 USC 3535(d); 12 USC 1715z-20i

CFR Citation: 24 CFR 203 and 206**Legal Deadline:** None

Abstract: This rule adds the London Interbank Offered Rate (LIBOR) as an acceptable index for the rate of HUD-Insured Adjustable Rate Mortgage (ARM) products including forward mortgages and HECM loans. Under current regulations, only the weekly average yield of U.S. Treasury securities, adjusted to a constant maturity of 1 year (commonly referred to as the Constant Maturity Treasury index or CMT), may be used to adjust interest rates on HUD-Insured ARMs.

Timetable:

Action	Date	FR Cite
NPRM	06/19/06	71 FR 35370
NPRM Comment Period End	08/18/00	
Final Action	09/00/07	

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

Agency Contact: James Beavers, Acting Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2205

RIN: 2502-AI32**1320. HECM COUNSELING STANDARDIZATION AND ROSTER (FR-4989)****Priority:** Other Significant

Legal Authority: 12 USC 1715b; 12 USC 1715z to 1720; 42 USC 3535(d)

CFR Citation: 24 CFR 206**Legal Deadline:** None

Abstract: This rule would establish specific standards to ensure the quality of HECM counseling being provided by HUD-approved counseling agencies. The rule would establish a set of requirements for HECM counselors and mandate that only counselors who meet HUD's standards be permitted by HUD to provide HECM counseling.

Timetable:

Action	Date	FR Cite
NPRM	01/08/07	72 FR 870
NPRM Comment Period End	03/09/07	
Final Action	10/00/07	

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

Agency Contact: James Beavers, Acting Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2205

RIN: 2502-AI34**1321. HOUSING COUNSELING PROGRAM (FR-4798)****Priority:** Other Significant

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

CFR Citation: 24 CFR 214**Legal Deadline:** None

Abstract: This rule would establish regulations for the Department's Housing Counseling program, as authorized by the Housing and Urban Development Act of 1968, and for which, the past several years, notices of funding availability are issued on an annual basis. Establishment of regulations would assist homeowners and tenants in improving their housing conditions and in meeting the responsibilities of homeownership and tenancy. This rule would adopt, without substantive change, the housing counseling program

requirements with which grantees and Housing Counseling agencies are already familiar.

Timetable:

Action	Date	FR Cite
NPRM	12/23/04	69 FR 77118
NPRM Comment Period End	02/22/05	
Final Action	09/00/07	

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

Agency Contact: Ruth Roman, Director, Single Family Program Support Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2112

RIN: 2502-AH99**1322. RENEWAL OF EXPIRING SECTION 8 PROJECT-BASED ASSISTANCE CONTRACTS (FR-4551)****Priority:** Other Significant

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

CFR Citation: 24 CFR 401; 24 CFR 402**Legal Deadline:** None

Abstract: This proposed rule would revise current HUD regulations that govern the renewal of expiring section 8 project-based assistance contracts. Specifically, the proposed rule would amend the regulations to include tenant protections in the case of a contract that is not renewed and establish rent levels when an expiring contract is renewed.

Timetable:

Action	Date	FR Cite
NPRM	01/12/06	71 FR 2126
NPRM Comment Period End	03/13/06	
Final Action	12/00/07	

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

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Phone: 202 402-3000

RIN: 2502-AI35

1323. MODEL MANUFACTURED HOME INSTALLATION STANDARDS (FR-4928)**Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 5403; 42 USC 5404; 42 USC 5424**CFR Citation:** 24 CFR 3280; 24 CFR 3285**Legal Deadline:** Final, Statutory, 12 months after receiving standards.

Abstract: This rule would establish new Model Manufactured Home Installation Standards (the Installation Standards) for the installation of new manufactured homes. The National Manufactured Housing Construction and Safety Standards Act of 1974 as amended by the Manufactured Housing Improvement Act of 2000 (the Act), requires that the Secretary establish model Installation Standards within 12 months of receiving proposed model installation standards from the Manufactured Housing Consensus Committee (MHCC).

Timetable:

Action	Date	FR Cite
NPRM	04/26/05	70 FR 21498
NPRM Comment Period End	06/27/05	
Final Action	10/00/07	

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

Agency Contact: William W. Matchneer III, Associate Deputy Assistant Secretary, Office of Regulatory Affairs and Manufactured Housing, Department of Housing and Urban Development, Office of Housing

Phone: 202 402-7249

RIN: 2502-AI25

1324. MANUFACTURED HOME INSTALLATION PROGRAM (FR-4812)**Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 5401 et seq**CFR Citation:** 24 CFR 3286

Legal Deadline: Final, Statutory, December 27, 2005, Program to be established not later than 5 years after enactment of PL 106-569.

Abstract: HUD is required under the Manufactured Housing Improvement Act of 2000 to establish an installation program that includes: (1) Installation standards; (2) the training and licensing of manufactured home installers; and (3) inspection of the installation of manufactured homes. HUD's program will be established in states that do not have their own qualifying installation program.

Timetable:

Action	Date	FR Cite
ANPRM	03/10/03	68 FR 11448
ANPRM Comment Period End	04/24/03	
NPRM	06/14/06	71 FR 34476
NPRM Comment Period End	08/14/06	
Final Action	12/00/07	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: William W. Matchneer III, Associate Deputy Assistant Secretary, Office of Regulatory Affairs and Manufactured Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-7249

RIN: 2502-AH97

1325. MANUFACTURED HOUSING DISPUTE RESOLUTION PROGRAM (FR-4813)**Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 5401 et seq**CFR Citation:** 24 CFR 3288

Legal Deadline: Final, Statutory, December 27, 2005, Program to be established not later than 5 years after enactment of PL 106-569.

Abstract: Under the Manufactured Housing Improvement Act of 2000, HUD is required to establish a program for the timely resolution of disputes among manufacturers, retailers, and installers of manufactured homes regarding responsibility for defects in manufactured homes, and for the issuance of appropriate orders for the correction or repair of defects in manufactured homes that are reported during the one year period beginning on the date of installation.

Timetable:

Action	Date	FR Cite
ANPRM	03/10/03	68 FR 11452
ANPRM Comment Period End	04/24/03	
NPRM	10/20/05	70 FR 61178
NPRM Comment Period End	12/19/05	
Final Action	06/00/07	

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

Agency Contact: William W. Matchneer III, Associate Deputy Assistant Secretary, Office of Regulatory Affairs and Manufactured Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-7249

RIN: 2502-AH98

**Department of Housing and Urban Development (HUD)
Office of Housing (OH)**
Long-Term Actions
1326. DISPOSITION OF HUD-OWNED MULTIFAMILY PROJECTS; PURCHASER'S COMPLIANCE WITH STATE AND LOCAL HOUSING LAWS AND REQUIREMENTS (FR-4941)

Priority: Other Significant

Legal Authority: 12 USC 1701 to 1715z-21; 42 USC 3535(d); 42 USC 3535(i)

CFR Citation: 24 CFR 200; 24 CFR 290

Legal Deadline: None

Abstract: This rule revises HUD's regulations governing the disposition of multifamily projects that are HUD-owned or secured by a HUD-held mortgage that is being foreclosed to implement statutory amendments made by the Consolidated Appropriations Act, 2004. The rule would require a potential purchaser of such a project to certify that all other projects owned by the purchaser, and located in the same city or town as the project being purchased, are in substantial compliance with applicable State or local government housing statutes, regulations, ordinances, and codes. A purchaser of a multifamily project from a State or local government that previously had acquired the property from HUD would also be required to submit evidence of substantial compliance with applicable State or local housing requirements. The rule would also expand the scope of the participation and compliance requirements for HUD's Federal Housing Administration programs to include purchasers of multifamily housing projects from State or local governments, where the property had been previously been acquired by the State or local government from HUD. The rule follows publication of an August 5, 2005, proposed rule and takes into consideration the public comments on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	08/05/05	70 FR 45492
NPRM Comment Period End	10/04/05	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Janet Golrick, Assistant to the Deputy Assistant Director for Multifamily, Department of Housing and Urban Development, Office of Housing

Phone: 202 402-3998

RIN: 2502-AI24

1327. HOME EQUITY CONVERSION MORTGAGES (HECM): COOPERATIVE HOUSING DEVELOPMENTS (FR-4777)

Priority: Other Significant

Legal Authority: 12 USC 1715b; 12 USC 1715z to 1720; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 206

Legal Deadline: None

Abstract: This rule would expand the Home Equity Conversion Mortgage (HECM) program to cover approved cooperative housing developments. The rule would implement an amendment to the National Housing Act that authorizes HUD to insure HECM mortgages in cooperative housing developments. The expansion of the HECM program, in the Department's view, would contribute to the effort to broaden reverse mortgage financing opportunities for elderly homeowners.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Richard Bradley, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2326

RIN: 2502-AH89

1328. DISPOSITION OF HUD-ACQUIRED, SINGLE-FAMILY PROPERTY AMENDMENTS (FR-4952)

Priority: Other Significant

Legal Authority: 12 USC 1710(g); 12 USC 1710(h); 12 USC 1715z -11a; 42 USC 3535(d);

CFR Citation: 24 CFR 291

Legal Deadline: None

Abstract: HUD has a variety of statutory and regulatory property disposition programs. In addition to sales of unoccupied HUD-held assets, these include the following special programs: The Asset Control Area program, the Officer and Teacher Next Door programs, and the single-family occupied conveyance program. This rule will create one integrated set of procedures for property disposition.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Everett, Policy Specialist, Asset Management and Disposition Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-2133

RIN: 2502-AI27

1329. RESPA—IMPROVING THE PROCESS FOR OBTAINING MORTGAGES (FR-4727)

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 24 CFR 3500

Legal Deadline: None

Abstract: In July and August 2005, HUD held seven roundtable discussions about possible changes to HUD's RESPA regulations with industry, including small business entities, consumers, and other interested parties. These roundtables were held at HUD Headquarters and also in the cities of Los Angeles, California, Chicago, Illinois, and Fort Worth, Texas. HUD found the roundtable discussions to be very informative and is considering the comments, issues, and proposals raised by roundtable participants and is contemplating the next steps. At the time of preparation of this agenda, no decision on the next action had been made.

Timetable:

Action	Date	FR Cite
NPRM	07/29/02	67 FR 49134
NPRM Comment Period End	10/28/02	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Gary M. Cunningham, Deputy Assistant Secretary of Regulatory Affairs & Manufactured Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 402-5617

RIN: 2502-AH85

**Department of Housing and Urban Development (HUD)
Office of Housing (OH)**
Completed Actions
1330. ACCELERATED CLAIMS AND ASSET DISPOSITION PROGRAM (FR-4887)

Priority: Other Significant

CFR Citation: 24 CFR 203; 24 CFR 291

Completed:

Reason	Date	FR Cite
ANPRM Comment Period End	10/16/06	
Withdrawn	03/01/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kathleen Malone
Phone: 202 402-3570

RIN: 2502-AI14

1331. APPROVAL OF CONDOMINIUMS IN PUERTO RICO ON EVIDENCE OF PRESENTMENT OF LEGAL DOCUMENTS (FR-5009)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 234

Completed:

Reason	Date	FR Cite
Final Action	04/04/07	72 FR 16688
Final Action Effective	05/04/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Margaret Burns
Phone: 202 402-3989

RIN: 2502-AI36

**Department of Housing and Urban Development (HUD)
Office of Community Planning and Development (CPD)**
Final Rule Stage
1332. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; SMALL CITIES PROGRAM (FR-5013)

Priority: Other Significant

Legal Authority: 42 USC 5301 to 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule would amend HUD's regulations governing the Community Development Block Grant (CDBG) Program for non-entitlement areas in the State of Hawaii. Pursuant to statutory authority, the State of Hawaii elected not to administer funds to units of general local governments located in non-entitlement areas within the state. As a result, the Secretary will make grants to the units of general local government located in Hawaii's non-entitlement areas, employing the same distribution formula as was used under prior regulations. This rule would modify HUD's regulations to clarify how the CDBG program will be implemented in the non-entitlement areas of Hawaii. HUD has also taken the opportunity afforded by this rule to update and streamline the subpart F regulations, particularly with regards to the HUD-administered Small Cities program in New York.

Timetable:

Action	Date	FR Cite
NPRM	01/03/07	72 FR 62
NPRM Comment Period End	03/05/07	
Final Action	10/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: Stephen Rhodside,
Senior Program Officer, Department of
Housing and Urban Development,
Office of Community Planning and
Development
Phone: 202 402-7375

RIN: 2506-AC19

1333. SUPPORTIVE HOUSING PROGRAM (FR-4616)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11381; 42 USC 11389; 42 USC 3535(d)

CFR Citation: 24 CFR 583

Legal Deadline: None

Abstract: The Department of Housing and Urban Development is amending 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:

Action	Date	FR Cite
NPRM	07/20/04	69 FR 43488
NPRM Comment Period End	09/20/04	
Final Action	12/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: Mark Johnston,
Director, Office of Special Needs
Assistance Program, Department of
Housing and Urban Development,
Office of Community Planning and
Development
Phone: 202 402-4487

RIN: 2506-AC07

HUD—CPD

Final Rule Stage

1334. EMPOWERMENT ZONES: PERFORMANCE STANDARDS FOR UTILIZATION OF GRANT FUNDS (FR-4853)**Priority:** Other Significant**Legal Authority:** 26 USC 1391; 42 USC 3535(d)**CFR Citation:** 24 CFR 598**Legal Deadline:** None**Abstract:** This rule will establish performance standards for utilization of the grant funds provided to

Empowerment Zones, including a sufficient level of benefit to residents and use in conjunction with economic development activities consistent with the strategic plan for each Empowerment Zone (EZ).

Timetable:

Action	Date	FR Cite
NPRM	06/08/05	70 FR 33642
NPRM Comment Period End	08/08/05	
Final Action	08/00/07	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Local**Agency Contact:** John Haines, Office of Community Renewal, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 402-4616**RIN:** 2506-AC16**Department of Housing and Urban Development (HUD)
Office of Community Planning and Development (CPD)**

Long-Term Actions

1335. 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 1990 by the AIDS Housing Opportunity Act (12 U.S.C. 12901 et seq.) to provide States and localities with the programs and resources necessary to meet the housing needs of individuals and families with

HIV/AIDS. This regulation would be updated to implement an administrative provision of the Department's appropriation act for FY 2006 and FY 2007 that authorized the use of AIDS data collected over a three year period for determining the formula factor based on the incidence of cases of AIDS. The regulation would update the HOPWA rental assistance requirements to make use of additional provisions and create additional options for grantees for operation of rental assistance programs. The changes would implement provisions used in other HUD programs such as the Housing Choice voucher (Section 8)

program, and thereby modernize the HOPWA regulations, which were last updated in 1994.

Timetable: Next Action Undetermined**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: 202 402-4620**RIN:** 2506-AC11**Department of Housing and Urban Development (HUD)
Government National Mortgage Association (GNMA)**

Proposed Rule Stage

1336. GOVERNMENT NATIONAL MORTGAGE ASSOCIATION: MORTGAGE-BACKED SECURITIES (MBS) PROGRAM—PAYMENTS TO SECURITYHOLDERS; BOOK-ENTRY PROCEDURES; AND FINANCIAL REPORTING (FR-5063)**Priority:** Other Significant**Legal Authority:** 12 USC 1721(g); 12 USC 1723a; 42 USC 3535(d)**CFR Citation:** 24 CFR 320; 24 CFR 350**Legal Deadline:** None**Abstract:** The Government National Mortgage Association ("Ginnie Mae") is

proposing regulations that would restrict the issuance of physical certificates representing Ginnie Mae mortgage-backed securities and would clarify that book-entry securities may be withdrawn from the Federal Reserve book-entry system after Ginnie Mae has approved a request for physical certificates, also known as definitive securities, in the same amount. This rule would also eliminate the requirement for a classified balance sheet.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Thomas R. Weakland, Vice President, Department of Housing and Urban Development, Government National Mortgage Association
Phone: 202 475-4915**RIN:** 2503-AA19

Department of Housing and Urban Development (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Proposed Rule Stage

1337. DESIGN AND CONSTRUCTION REQUIREMENTS; COMPLIANCE WITH ANSI A117.1 STANDARDS (FR-5006)

Priority: Other Significant

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

CFR Citation: 24 CFR 100

Legal Deadline: None

Abstract: This rule would amend HUD's regulations with respect to the design and construction requirements of the Fair Housing Act and its amendments by updating and clarifying the references of the American Standards Institute (ANSI) building standards for accessibility. ANSI standards are the technical standards for the design of housing facilities that are accessible to persons with disabilities. These are commonly known as the ANSI A117.1 standards. Compliance with the ANSI A117.1 building standards for accessibility satisfies the accessibility requirements of the Fair Housing Act and its amendments. The rule would update the references to the ANSI A117.1 building standards to adopt the 2003 edition of the standards. This rule would also clarify that compliance with the appropriate requirements of the 1986, 1992, and 1998 editions suffice

to comply with the requirements of the Fair Housing Act.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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: 202 708-1234

RIN: 2529-AA92

1338. ECONOMIC OPPORTUNITIES FOR LOW- AND VERY LOW-INCOME PERSONS (FR-4983)

Priority: Other Significant

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

CFR Citation: 24 CFR 135

Legal Deadline: None

Abstract: The regulations at 24 CFR part 135 were last 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. This rule would update HUD's section 3 regulations at 24 CFR part 135 to reflect current program practices and better facilitate compliance with the statutory objectives.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Staci Gilliam, Director, Economic Opportunity Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
 Phone: 202 402-3468

RIN: 2529-AA91

Department of Housing and Urban Development (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Completed Actions

1339. CERTIFICATION AND FUNDING OF STATE AND LOCAL FAIR HOUSING ENFORCEMENT AGENCIES (FR-4748)

Priority: Other Significant

CFR Citation: 24 CFR 115

Completed:

Reason	Date	FR Cite
Final Action	04/16/07	72 FR 19070
Final Action Effective	05/16/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Myron Newry
 Phone: 202 708-2288

RIN: 2529-AA90

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

Proposed Rule Stage

1340. • HUDAR—SUSPENSION AND DEBARMENT PROCEDURES (FR-5098)

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 2409

Legal Deadline: None

Abstract: This rule would amend HUD's Acquisition Regulations

(HUDAR) to clarify the applicable suspension and debarment procedures for HUD's procurement contracts. The proposed revision clarifies that the suspension and debarment procedures in 24 CFR part 24 will apply to procurement as well as nonprocurement contracts. The contracting community is familiar with the suspension and debarment procedures in part 24 and this rule is limited to clarifying that these

requirements apply to procurement contracts.

Timetable:

Action	Date	FR Cite
NPRM	07/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

HUD—OA

Proposed Rule Stage

Agency Contact: Fred Graves,
Procurement Analyst, Procurement
Policy Division, Office of the Chief

Procurement Officer, Department of
Housing and Urban Development,
Office of Administration

Phone: 206 220-5259

RIN: 2535-AA28

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

Final Rule Stage

**1341. 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	01/13/06	71 FR 2444
NPRM Comment Period End	03/14/06	
Final Action	09/00/07	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Fred Graves,
Procurement Analyst, Procurement
Policy Division, Office of the Chief
Procurement Officer, Department of
Housing and Urban Development,
Office of Administration
Phone: 206 220-5259

RIN: 2535-AA26

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

Proposed Rule Stage

**1342. REVISIONS TO THE PUBLIC
HOUSING ASSESSMENT SYSTEM
(PHAS) (FR-5094)**

Priority: Other Significant

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

CFR Citation: 24 CFR 902

Legal Deadline: None

Abstract: This rule will revise the regulations for the Public Housing Assessment System (PHAS) to reflect the asset-based management requirements for public housing. The purpose of the PHAS is to provide a management tool for effectively and fairly measuring the performance of a public housing agency (PHA) in essential housing operations, based on standards that are uniform and verifiable. On September 19, 2005, HUD published a final rule amending the regulations for the Public Housing Operating Fund Program to provide a new formula for distributing operating subsidies to PHAs and to establish requirements for PHAs to convert to asset management. The rule would revise the PHAS regulations to reflect the new asset-based management requirements of the September 19, 2005, Operating Fund final rule. In particular, the rule would provide for the assessment of PHAs on a project-

level, rather than on an entity-wide level. Further, the rule would revise the PHAS regulations to assess PHAs according to an asset management model, consistent with the norms of multifamily housing rental management, including the use of project-based budgeting and project-based accounting.

Timetable:

Action	Date	FR Cite
NPRM	10/00/07	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Hanson,
Deputy Assistant Secretary,
Departmental Real Estate Assessment
Center (REAC), Department of Housing
and Urban Development, Office of
Public and Indian Housing
Phone: 202 475-7949

RIN: 2577-AC68

**1343. STREAMLINING PUBLIC
HOUSING PROGRAMS (FR-4990)**

Priority: Other Significant

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

CFR Citation: 24 CFR 903; 24 CFR 941;
24 CFR 945; 24 CFR 964; 24 CFR 966

Legal Deadline: None

Abstract: Public Housing Agencies (PHAs) are required annually to submit a PHA Plan to HUD that outlines the PHA's plans for the coming year. This rule would revise certain program regulations to make them more consistent with HUD's overall objective to streamline public housing programs, facilitate the transition to public housing project-based management, and consider recommendations of the congressionally mandated Harvard Public Housing Cost Study concerning changes to public housing's regulatory environment.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nicole Faison,
Director, Office of Public Housing
Programs, Department of Housing and
Urban Development, Office of Public
and Indian Housing

HUD—PIH

Proposed Rule Stage

Phone: 202 708-0744

RIN: 2577-AC59

1344. IMPLEMENTATION OF VIOLENCE AGAINST WOMEN AND JUSTICE DEPARTMENT REAUTHORIZATION ACT OF 2005 FOR HUD PROGRAMS UNDER THE U.S. HOUSING ACT OF 1937 (FR-5056)

Priority: Other Significant

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

CFR Citation: 24 CFR 903; 24 CFR 960; 24 CFR 966; 24 CFR 982

Legal Deadline: None

Abstract: This rule would revise HUD's regulations for its public and assisted housing programs authorized under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) to conform to the statutory amendments made by the Violence Against Women Act of 2005 (Pub. L. 109-162). The statutory changes will better enable public housing authorities to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.

Timetable:

Action	Date	FR Cite
NPRM	11/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nicole Faison, Director, Office of Public Housing Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0744

RIN: 2577-AC65

1345. CAPITAL FUND PROGRAM (FR-4880)

Priority: Other Significant

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

CFR Citation: 24 CFR 905

Legal Deadline: None

Abstract: This rule would implement the regulatory framework for the Capital Fund Program that will govern the use of the assistance made available from the Capital Fund formula. The

new rule at part 905 would replace and remove several other rules that currently govern a PHA's use of HUD assistance including part 941—Public Housing Development and part 968—Public Housing Modernization. This rule would continue and expand the streamlining of procedures and requirements initiated under the Comprehensive Grant and Comprehensive Improvement programs at part 968.

Timetable:

Action	Date	FR Cite
NPRM	08/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeffrey Riddel, Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-8812

RIN: 2577-AC50

1346. REVISIONS TO PHA-OWNED OR LEASED PROJECTS—GENERAL PROVISIONS (FR-5096)

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 965

Legal Deadline: None

Abstract: This rule would revise 24 CFR 965 to make it consistent with the Energy Act of 2005. Among other policy issues, 24 CFR 965 addresses the following topics: Wage requirements, insurance, integrated pest management, lead-based paint, energy audits, energy performance, contracts, metering, utility allowances, conversions/residents, surcharges, surcharges relief, physical conditions, and fire safety. The Department is also proposing to make changes in support of asset management, related to insurance and HUD-determined wage and other related issues.

Timetable:

Action	Date	FR Cite
NPRM	12/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nicole Faison, Director, Office of Public Housing Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0744

Richard Santangelo, Public Housing Management and Occupancy Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0744

RIN: 2577-AC71

1347. ENERGY PERFORMANCE CONTRACTS (FR-5057)

Priority: Other Significant

Legal Authority: PL 109-58

CFR Citation: 24 CFR 990

Legal Deadline: None

Abstract: The Energy Policy Act of 2006 amended section 9(c)(2)(C) of the U.S. Housing Act of 1937 to allow PHAs to enter into 20-year energy performance contracts. This rule would amend 24 CFR 990.185 to increase the permissible terms of an energy performance contract from 12 years to 20 years.

Timetable:

Action	Date	FR Cite
NPRM	07/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Hanson, Deputy Assistant Secretary, Departmental Real Estate Assessment Center (REAC), Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 475-7949

RIN: 2577-AC66

1348. HOUSING CHOICE VOUCHER PROGRAM HOMEOWNERSHIP OPTION; ELIGIBILITY OF UNITS NOT YET UNDER CONSTRUCTION (FR-4991)

Priority: Other Significant

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

HUD—PIH

Proposed Rule Stage

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

Abstract: This proposed rule would revise HUD's regulations for the homeownership option authorized under the Housing Choice Voucher program. Through the homeownership option, a public housing agency (PHA) may provide voucher assistance for an eligible family that purchases a dwelling unit for residence by the family. The current homeownership option regulations provide that, to be eligible for purchase with voucher assistance, a unit must be either an existing unit or under construction at the time the family enters into the contract for sale. This proposed rule would permit, under certain conditions, the use of voucher homeownership assistance for the purchase of units not yet under construction at the time the family contracts to purchase the home. The revision will expand the housing choices available to families participating in the Housing Choice Voucher program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	

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

Agency Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-0477

RIN: 2577-AC60

1349. STREAMLINING TENANT-BASED HCVP ASSISTANCE AND SEMAP (FR-5095)

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 982; 24 CFR 985**Legal Deadline:** None

Abstract: This rule would propose streamlining revisions to the Housing Choice Voucher Program to enable HUD and PHAs to provide housing assistance to low-income families more effectively and cost-efficiently, and to provide PHAs with the flexibility to adapt their voucher program to local housing conditions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/07	

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

Agency Contact: Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-0477

RIN: 2577-AC70

1350. TAX CREDIT RENTS IN PROJECT-BASED UNITS (FR-5034)

Priority: Other Significant**Legal Authority:** 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 983**Legal Deadline:** None

Abstract: This rule would establish rent levels for Project-Based Unit projects with tax credit inside and outside of Qualified Census Tracts.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	

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

Agency Contact: David Vargas, Director, Office of Housing Voucher Programs, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-2815

RIN: 2577-AC62

1351. CAPITAL AND OPERATING FUNDS FOR DEBT SERVICE AND FINANCING ACTIVITIES (FR-4843)

Priority: Other Significant**Legal Authority:** 42 USC 1437g; 42 USC 3535(d)**CFR Citation:** 24 CFR 905; 24 CFR 990**Legal Deadline:** None

Abstract: This rule would allow public housing agencies (PHAs) to use either Capital or Operating Funds for financing activities, including payments

of debt service and of customary financing costs for the modernization and development of public housing, including public housing in mixed-finance developments. The proposed rule would establish program requirements, submission requirements, and the approval process for PHAs to request authorization from HUD to pledge either the Capital or Operating Funds for debt service payments.

Timetable:

Action	Date	FR Cite
NPRM	07/00/07	

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

Agency Contact: Jeffrey Riddel, Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 401-8812

RIN: 2577-AC49

1352. USE OF INDIAN HOUSING BLOCK GRANT FUNDS FOR RENTAL ASSISTANCE IN LOW-INCOME HOUSING TAX CREDIT PROJECTS (FR-4999)

Priority: Other Significant**Legal Authority:** 25 USC 1401 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

Abstract: This rule would amend the Indian Housing Block Grant (IHBG) program regulations to clarify that IHBG funds may be used for project-based or tenant-based rental assistance in Low-Income Housing Tax Credit (LIHTC) projects on behalf of a tenant receiving assistance under the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996. The rule would also specify the conditions under which such rental assistance may be provided in LIHTC projects. The proposed regulatory amendments will clarify the IHBG program requirements and expand the availability of rental housing to eligible Indian tribal families by facilitating the coordination of LIHTC and IHBG assistance.

HUD—PIH

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Deborah Lalancette, Director, Housing Management Div. Office of Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 303 675-1600

RIN: 2577-AC61

1353. IMPLEMENTATION OF STATUTORY CHANGES TO THE INDIAN HOUSING BLOCK GRANT PROGRAM (FR-4968)

Priority: Other Significant

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

CFR Citation: 24 CFR 1000

Legal Deadline: None

Abstract: The Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) established the Indian Housing Block Grant (IHBG) Program. NAHASDA was subsequently amended several times. In 1998, NAHASDA was amended by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Pub. L. 105-276, approved Oct. 21, 1998). In 2000, the Omnibus Indian Advancement Act (Pub. L. 106-568, approved Dec. 27, 2000) and the American Homeownership and Economic Opportunity Act of 2000 (Pub. L. 106-569, approved Dec. 27,

2000) both amended NAHASDA. In 2002, the Native American Housing Assistance and Self-Determination Reauthorization Act of 2002 (Pub. L. 107-292, approved Nov. 13, 2002), which also amended NAHASDA, was enacted. These statutory amendments affected the IHBG Program. This proposed rule would effectuate certain statutory changes to the IHBG Program, as noted above. HUD will develop this proposed rule with input from interested tribal members through a Negotiated Rulemaking Committee. The NAHASDA amendments that will be the subject of negotiated rulemaking may include environmental provisions, review and audit provisions, noncompliance actions, performance agreements, program income, and the definition of "housing related community development."

Timetable:

Action	Date	FR Cite
Notice	12/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-7914

RIN: 2577-AC67

1354. • INDIAN HOUSING BLOCK GRANT PROGRAM—ANNUAL PERFORMANCE DUE DATE EXTENSION (FR-5109)

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 1000

Legal Deadline: None

Abstract: This rule would extend the deadline date for Indian Housing Block Grant (IHBG) recipients to submit annual performance reports. Through the IHBG program, HUD provides housing assistance to Indian tribes and tribally designated housing entities. Currently, HUD's regulations require IHBG recipients to submit annual reports 60 days after the end of the recipient's program year. HUD believes that extending this deadline by an additional 30 days will provide IHBG recipients with a more reasonable period during which to prepare and submit their reports.

Timetable:

Action	Date	FR Cite
NPRM	03/29/07	72 FR 15002
NPRM Comment Period End	05/29/07	
Final Action	11/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer A Bullough, Director, Office of Grants Evaluation, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-7914

RIN: 2577-AC74

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

Final Rule Stage

1355. STREAMLINED MIXED FINANCE APPLICATION REVIEW (FR-4924)

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 941

Legal Deadline: None

Abstract: This rule will streamline the document submission process currently

required by 24 CFR 941.610 by substituting certifications for a number of currently required documents, and streamlining the mixed finance application process.

Timetable:

Action	Date	FR Cite
NPRM	12/27/06	71 FR 78014

Action	Date	FR Cite
NPRM Comment Period End	02/26/07	
Final Action	07/00/07	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

HUD—PIH

Final Rule Stage

Agency Contact: Sue Wilson, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-8812

RIN: 2577-AC55

1356. • PUBLIC HOUSING OPERATING FUND PROGRAM; REVISED TRANSITION FUNDING PROVISION FOR FEDERAL FISCAL YEAR 2007 (FR-5105)

Priority: Other Significant

Legal Authority: 42 USC 1547a; 42 USC 3535(d)

CFR Citation: 24 CFR 990

Legal Deadline: None

Abstract: On September 19, 2005, the Department published a final rule entitled "Revisions to the Public Housing Operating Fund Program," which established a new formula for determining operating subsidies for public housing agencies (PHAs) and requiring that PHAs with 250 or more units convert to asset management. On October 24, 2005 (70 FR 61366), the Department published a notice in the Federal Register entitled "Revisions to the Public Housing Operating Fund Program; Correction to Formula Implementation Date" (Correction Notice), amending certain implementation dates. This rule modifies the transition funding percentage for Federal Fiscal Year 2007 for PHAs that will experience a decline in funding between the old and new funding formulas.

Timetable:

Action	Date	FR Cite
NPRM	11/24/06	71 FR 68408
NPRM Comment Period End	12/26/06	
Final Action	07/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Hanson, Deputy Assistant Secretary, Departmental Real Estate Assessment Center (REAC), Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 475-7949

RIN: 2577-AC72

1357. • PUBLIC HOUSING OPERATING FUND PROGRAM; REVISED TRANSITION FUNDING SCHEDULE (FR-5108)

Priority: Other Significant

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

CFR Citation: 24 CFR 990

Legal Deadline: None

Abstract: This rule would modify HUD's regulations for transition funding under the Operating Fund Program. The Operating Fund Program, as revised by a September 19, 2005, final rule, adopted a new formula for determining the payment of operating subsidy to public housing agencies (PHAs). Transition funding is based on the difference in subsidy levels between the new formula and the formula in effect prior to the implementation of the September 19, 2005, final rule. As a result of the new formula, PHAs may experience either an increase or decrease in the amount of funding that they receive. For PHAs experiencing a decline in operating subsidy as a result of the new formula, the September 19, 2005, final rule phases-in the reduction over a period of years. This rule would revise the schedule for those PHAs that will experience a decline in funding by extending the transition phase-in period an additional year.

Timetable:

Action	Date	FR Cite
NPRM	11/24/06	71 FR 68404
NPRM Comment Period End	01/23/07	
Final Action	07/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Hanson, Deputy Assistant Secretary, Departmental Real Estate Assessment Center (REAC), Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 475-7949

RIN: 2577-AC73

1358. NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT (NAHASDA): REVISIONS TO THE INDIAN HOUSING BLOCK GRANT PROGRAM FORMULA (FR-4938)

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 make several revisions to the Indian Housing Block Grant (IHBG) Program allocation formula authorized under section 302 of the Native American Housing Assistance and Self-Determination Act of 1996. Through the IHBG Program, HUD provides Federal housing assistance for Indian tribes in a manner that recognizes the right of Indian self-determination and tribal self-government. HUD negotiated the rule with active tribal participation and using the procedures of the Negotiated Rulemaking Act of 1990. The regulatory changes reflect the consensus decisions reached by HUD and the tribal representatives on ways to improve and clarify the current regulations governing the IHBG program formula. The final rule follows publication of a February 25, 2005, proposed rule and takes into consideration the public comments on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	02/25/05	70 FR 9490
NPRM Comment Period End	04/26/05	
Final Action	04/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-7914

RIN: 2577-AC57

1359. SELF-INSURANCE PLANS UNDER THE INDIAN HOUSING BLOCK GRANT PROGRAM (FR-4897)

Priority: Other Significant

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

HUD—PIH

Final Rule Stage

CFR Citation: 24 CFR 1000**Legal Deadline:** None

Abstract: NAHASDA requires Indian Tribes and tribally designated housing entities (TDHEs) who are recipients of HUD funds to provide adequate insurance for housing that benefits from HUD assistance. Experience has shown that private insurance companies have often been unwilling or unable to provide this service at a cost that Tribes and TDHEs can afford. This rule would establish standards for Tribes and

TDHEs to establish self-funded risk management entities to fulfill this vital function.

Timetable:

Action	Date	FR Cite
NPRM	03/07/06	71 FR 11464
NPRM Comment Period End	05/08/06	
Final Action	07/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-7914

RIN: 2577-AC58

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

Long-Term Actions

1360. IMPLEMENTATION OF STATUTORY REVISIONS TO NAHASDA (FR-4750)

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 implement statutory amendments made to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) (NAHASDA) by the American Homeownership and Economic Opportunity Act (Pub. L. 106-569, approved December 27, 2000) and the Omnibus Indian Advancement Act (Pub. L. 106-568, approved December 27, 2000), and the Native American Housing Assistance and Self-Determination Reauthorization Act of 2002 (Pub. L. 107-292, approved November 13, 2002). The rule will update the NAHASDA regulations to conform to self-implementing statutory amendments not reflected in the regulations.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-7914

RIN: 2577-AC37

1361. USE OF CENSUS DATA IN THE INDIAN HOUSING BLOCK GRANT PROGRAM (FR-5055)

Priority: Other Significant

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

CFR Citation: 24 CFR 1000

Legal Deadline: None

Abstract: Senate Report 109-109 accompanying the FY 2006 HUD Departments of Transportation, Treasury, and Housing and Urban Development Appropriations Act (Pub. L. 109-115), approved November 30, 2005, provides for HUD to reassess its decision through notice and comment rulemaking to use multi-race data in the computation of the Need component of the Indian Housing Block Grant (IHBG) program allocation formula. Through the IHBG program, HUD provides Federal housing assistance to Indian tribes in a manner that recognizes the right Indian self-determination and tribal self-

government. Consistent with the language of Senate Report 109-109, this rule would solicit public comment on HUD's use of multi-race data in the computation of the IHBG program allocation formula. HUD's current regulations do not address the use of multi-race or single race census data. Accordingly, at this time, HUD is not proposing a regulatory change. Following HUD's review and consideration of the comments received on this notice, HUD may proceed with rulemaking as necessary.

Timetable:

Action	Date	FR Cite
Notice	12/12/06	71 FR 74748
Comment Period Extended	02/20/07	72 FR 7775
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-7914

RIN: 2577-AC64

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

Completed Actions

1362. REVISIONS TO TROUBLED AGENCY-RECOVERY PROCESS (FR-5008)

Priority: Other Significant

CFR Citation: 24 CFR 902

Completed:

Reason	Date	FR Cite
Merged With: RIN 2577-AC68 (FR-5094)	02/21/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Deborah Hernandez
Phone: 202 708-1141

RIN: 2577-AC63

1363. TECHNICAL AND CONFORMING AMENDMENTS TO THE PUBLIC HOUSING HOMEOWNERSHIP PROGRAM (FR-4891)

Priority: Other Significant

CFR Citation: 24 CFR 906

Completed:

Reason	Date	FR Cite
Withdrawn	02/21/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sue Wilson
Phone: 202 401-8812

RIN: 2577-AC53

1364. NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT; MINIMUM FUNDING UNDER THE INDIAN HOUSING BLOCK GRANT PROGRAM (FR-5093)

Priority: Other Significant

CFR Citation: 24 CFR 1000

Completed:

Reason	Date	FR Cite
Interim Final Rule	10/19/06	71 FR 61866

Reason	Date	FR Cite
Interim Final Rule Effective	11/20/06	
Interim Final Rule Comment Period End	12/18/06	
Merged With RIN 2577-AC57 (FR-4938)	04/05/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rodger Boyd
Phone: 202 401-7914

RIN: 2577-AC69

[FR Doc. 07-01252 Filed 04-27-07; 8:45 am]

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