



# Federal Register

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**Monday,  
April 24, 2006**

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**Part X**

**Department of  
Housing and Urban  
Development**

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**Semiannual Regulatory Agenda**

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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**


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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**
**24 CFR Subtitles A and B**
**[Docket No. FR-5048-N-01]**
**Semiannual Regulatory Agenda**
**AGENCY:** Department of Housing and Urban Development.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** In accordance with section 4(b) of Executive Order 12866 "Regulatory Planning and Review," as amended, HUD is publishing its agenda of regulations already issued or that are expected 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 early 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, Room 10276, 451 Seventh Street SW., Washington, DC 20410-0500, (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 by Executive Order 13258 (67 FR 9385), requires each agency to publish semiannually an agenda of regulations that the agency has issued or expects to issue, and rules currently in effect that are under agency review. The Regulatory Flexibility Act (5 U.S.C. 601 to 612) requires each agency to publish semiannually a regulatory agenda of rules expected to be proposed or promulgated that are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Both Executive Order 12866, as amended, and the Regulatory Flexibility Act permit incorporation of the agenda required by these two authorities with any other prescribed agenda. Therefore, the agenda set out below combines the information required by Executive Order 12866, as amended, and the Regulatory Flexibility Act. In addition, the agenda contains certain information not required by either the Executive Order or by the Regulatory Flexibility Act that the Department considers useful, both to better inform the public and to enhance the Department's own inventory control over its body of regulations.

Section 610(c) of the Regulatory Flexibility Act requires each agency to publish annually a list of the rules that have a significant economic impact on a substantial number of small entities and that are to be reviewed in accordance with the requirements of section 610 during the succeeding 12 months. Existing regulations that HUD proposes to amend by rules described and published in this agenda are reviewed in accordance with the principles of section 610 of the Regulatory Flexibility Act. The purpose of reviewing existing regulations is to determine whether they should continue without change, or be amended or rescinded. Proposed changes to existing regulations provide the Department with the opportunity to conduct section 610 reviews.

The Department also is subject to certain rulemaking requirements set forth in the Department of Housing and Urban Development Act (42 U.S.C. 3531 et seq.). Section 7(o) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)) requires that the Secretary transmit to the congressional committees having jurisdictional oversight of HUD (the Senate Committee on Banking, Housing, and Urban Affairs, and the House Committee on Financial Services), a semiannual agenda of all rules or regulations that are under development or review by the Department. A rule appearing on the agenda cannot be published for comment before or during the first 15 calendar days after transmittal of the agenda. Section 7(o) provides that if, within that period, either committee notifies the Secretary that it intends to review any rule or regulation 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. However, some regulations and regulatory reviews may have been inadvertently omitted, or may have arisen too late to be included in the published agenda. There is no legal significance to the omission of an item from the agenda. Also, where dates are provided for the next rulemaking actions, the dates are estimates and are not commitments to act on or by the date shown.

In some cases, HUD has withdrawn rules that were placed on previous agendas for which there has been no publication activity. Withdrawal of a rule does not necessarily mean that HUD will not proceed with rulemaking at a later date. Withdrawal allows HUD to further assess the subject matter and determine whether rulemaking is appropriate. Should the Department determine that rulemaking is appropriate for a rule listed as withdrawn under this agenda, the rule will be included in a succeeding semiannual agenda.

For a few rules that have been published, as proposed or interim rules, and therefore require further rulemaking, HUD refers to the timing of the next action stage as "undetermined." That means they are still under review by HUD, including insofar as the determination and timing of the next action stage.

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 numerical order by the part number of the CFR affected. Where a rule affects multiple parts of the CFR, the rule is listed by the first affected part number.

**HUD**

Since the purpose of publication of the agenda is to encourage more effective public participation in the regulatory process by providing the public with early information about the

Department's future regulatory actions, HUD invites all interested members of the public to comment on the rules listed in the agenda.

**Dated:** February 23, 2006.

**Roy A. Bernardi,**

*Deputy Secretary.*

**Office of the Secretary—Proposed Rule Stage**

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1375            | 24 CFR 1 Nondiscrimination in Programs and Activities Receiving Federal Financial Assistance (FR-4981) .....                      | 2501-AD14                    |
| 1376            | 24 CFR 5 Refinement of Income and Rent Determinations in Public and Assisted Housing Programs (FR-4998) ...                       | 2501-AD16                    |
| 1377            | Independent Public Accountant Roster (FR-5054) .....  | 2501-AD20                    |
| 1378            | Public Access to HUD Records Under the FOIA and Production of Material or Provision of Testimony by HUD Employees (FR-5015) ..... | 2501-AD18                    |
| 1379            | 24 CFR 50 Amendments to HUD's Environmental Regulations (FR-4954) .....   | 2501-AD11                    |
| 1380            | Regulatory Amendments to Strengthen Prevention of Predatory Lending Practices (FRS-5014) .....                                    | 2501-AD17                    |
| 1381            | 24 CFR 84 Grants and Agreements—Uniform Requirements for All HUD Programs (FR-4930) .....   | 2501-AD05                    |
| 1382            | 24 CFR 91 Timeliness Expenditure Standards for the Insular Areas Program (FR-5012) .....  | 2501-AD15                    |
| 1383            | 24 CFR 92 HOME Investment Partnerships Program (FR-4833) .....  | 2501-AC94                    |

**Office of the Secretary—Final Rule Stage**

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1384            | 24 CFR 92 American Dream Downpayment Initiative (FR-4832) ..... | 2501-AC93                    |

**Office of the Secretary—Long-Term Actions**

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1385            | 24 CFR 5 Electronic Document Retention and Consumer Disclosure Requirements in HUD-Related Transactions (FR-4686) .....  | 2501-AC79                    |
| 1386            | 24 CFR 25 FHA Lenders and Mortgagees: Prohibiting Misleading Words in Names of Non-Federally Supervised Entities and Strengthening Enforcement of Mortgagee Review Board Sanctions (FR-4765) ..... | 2501-AC95                    |
| 1387            | 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                    |

**Office of the Secretary—Completed Actions**

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1388            | Providing for Electronic Submission of Grant Applications (FR-4875) .....  | 2501-AD02                    |
| 1389            | Release in the Public Use Database Certain Data and Annual Housing Activities Report Information of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation (FR-4947) ..... | 2501-AD09                    |
| 1390            | Consolidated Plan Revisions and Updates (FR-4923) .....  | 2501-AD07                    |
| 1391            | 24 CFR 0005 Eligibility of Students for Assisted Housing Under Section 8 of the U.S. Housing Act of 1937 (FR-5036) .....   | 2501-AD19                    |

## HUD

## Office of Housing—Prerule Stage

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1392            | 24 CFR 203 Accelerated Claims and Asset Disposition Program (FR-4887) ..... | 2502-AI14                    |

## Office of Housing—Proposed Rule Stage

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1393            | 24 CFR 401 Mark-to-Market Program Amendments (FR-4751) .....  | 2502-AH86                    |
| 1394            | 24 CFR 200 Alternative Water Supply System (FR-5017) .....  | 2502-AI37                    |
| 1395            | Requirement for Appraisers on the FHA Appraiser Roster, Technical Amendments (FR-5049) .....          | 2502-AI40                    |
| 1396            | 24 CFR 203 Due Diligence/Quality Control Plans (FR-4846) .....  | 2502-AI02                    |
| 1397            | 24 CFR 203 One Dollar Home Sales to Local Governments (FR 4862) .....                                 | 2502-AI15                    |
| 1398            | Hybrid Adjustable Rate Mortgages—Additional Index (FR-4969) .....                                     | 2502-AI32                    |
| 1399            | Risk-Based Mortgage Insurance Premium Structure (FR-5032) .....                                       | 2502-AI39                    |
| 1400            | HECM Counseling Standardization and Roster (FR-4989) .....  | 2502-AI34                    |
| 1401            | Approval of Condominiums in Puerto Rico on Evidence of Presentment of Legal Documents (FR-5009) ..... | 2502-AI36                    |
| 1402            | Insuring Certain Manufactured Homes as Condominiums (FR-5035-P-01) .....                              | 2502-AI38                    |
| 1403            | 24 CFR 291 Disposition of HUD-Owned, Single-Family Assets in Asset Control Areas (FR-4988) .....      | 2502-AH40                    |
| 1404            | Disposition of HUD-Acquired Single Family Property Amendments (FR-4952) .....                         | 2502-AI27                    |
| 1405            | Manufactured Housing On-Site Construction (FR-4885) .....   | 2502-AI13                    |
| 1406            | 24 CFR 3285 Manufactured Home Installation Program (FR-4812) .....                                    | 2502-AH97                    |

## Office of Housing—Final Rule Stage

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1407            | 24 CFR 200 Hospital Mortgage Insurance Program (FR-4927) .....  | 2502-AI22                    |
| 1408            | 24 CFR 200 Disposition of HUD-Owned Multifamily Projects; Purchaser's Compliance With State and Local Housing Laws and Requirements (FR-4941) ..... | 2502-AI24                    |
| 1409            | Amendments to Prohibition of Property Flipping in HUD's Single-Family Mortgage Insurance Programs (FR-4911) .....                                   | 2502-AI18                    |
| 1410            | Debenture Interest Payment Changes (FR-4945) .....  | 2502-AI41                    |
| 1411            | 24 CFR 212 Housing Counseling Program (FR-4798) .....   | 2502-AH99                    |
| 1412            | 24 CFR 291, Subpart F Disposition of HUD-Acquired, Single-Family Property: Good Neighbor Next Door Sales Programs (FR-4712) .....                   | 2502-AH72                    |
| 1413            | Disciplinary Actions Against HUD-Qualified Real Estate Brokers (FR-4871) .....  | 2502-AI08                    |
| 1414            | 24 CFR 401 Renewal of Expiring Section 8 Project-Based Assistance Contracts (FR-4551) .....   | 2502-AI35                    |
| 1415            | 24 CFR 3280 Model Manufactured Home Installation Standards (FR-4928) .....  | 2502-AI25                    |
| 1416            | 24 CFR 3286 Manufactured Housing Dispute Resolution Program (FR-4813) .....   | 2502-AH98                    |

## Office of Housing—Long-Term Actions

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1417            | 24 CFR 25 Single-Family Mortgage: Lender Compliance and Accountability (FR-4761) .....                                 | 2502-AH87                    |
| 1418            | HUD Multifamily Rental and Health Care Facility Closing Documents (FR-4883) .....                                      | 2502-AI11                    |
| 1419            | 24 CFR 202.5 Establishment of Loan Officer Registry and Establishment of Servicing Approval Agreements (FR-4764) ..... | 2502-AH88                    |
| 1420            | 24 CFR 202.2 Duties and Responsibilities of Loan Correspondents and Sponsors (FR-4762) .....                           | 2502-AH90                    |
| 1421            | 24 CFR 203.43 (b)(1) Home Equity Conversion Mortgages (HECM): Cooperative Housing Developments (FR-4777) .....         | 2502-AH89                    |
| 1422            | Revisions to the Single-Family Mortgage Insurance Program (FR-4831) .....  | 2502-AI03                    |
| 1423            | Home Equity Conversion Mortgages (HECM): Long-Term Care Insurance (FR-4857) .....                                      | 2502-AI04                    |
| 1424            | 24 CFR 3500 et seq RESPA—Improving the Process for Obtaining Mortgages (FR-4727) .....                                 | 2502-AH85                    |

## HUD

## Office of Housing—Completed Actions

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1425            | 24 CFR 203.18 Nonprofit Organization Participation in FHA Single-Family Mortgage Insurance Programs (FR-4702) ..... | 2502-AH71                    |
| 1426            | 24 CFR 202 Revisions to FHA Credit Watch Termination Initiative (FR-4625) .....                                     | 2502-AH60                    |
| 1427            | Notice of Default Reporting (FR-4916) .....   | 2502-AI20                    |
| 1428            | Eligibility of Adjustable Rate Mortgages (FR-4946) .....  | 2502-AI26                    |
| 1429            | Mortgage Insurance Premiums—Downpayment Assistance Programs (FR-4948) .....   | 2502-AI33                    |
| 1430            | Home Equity Conversion Mortgage Insurance (HECM)(FR-4956) .....   | 2502-AI30                    |
| 1431            | Mortgagee Time Limits for Supplemental Claims for Additional Insurance Benefits (FR-4957) .....                     | 2502-AI31                    |
| 1432            | 24 CFR 402 Renewal of Expiring Section 8 Project-Based Assistance Contracts (FR-4551) .....                         | 2502-AH47                    |
| 1433            | Manufactured Home Construction and Safety Standards (FR-4886) .....   | 2502-AI12                    |
| 1434            | Manufactured Housing Program: Minimum Payments to States (FR-4868) .....  | 2502-AI16                    |

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

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1435            | Community Development Block Grant Program; Small Cities Program (FR-5013) ..... | 2506-AC19                    |
| 1436            | 24 CFR 574 Housing Opportunities for Persons With AIDS (HOPWA) (FR-4708) .....  | 2506-AC11                    |

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

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1437            | 24 CFR 570 Prohibition on Use of CDBG Assistance for Job-Pirating Activities (FR-4556) .....   | 2506-AC04                    |
| 1438            | 24 CFR 570 Community Development Block Grant Program Revision of CDBG Eligibility and National Objective Regulations (FR-4699) ..... | 2506-AC12                    |
| 1439            | 24 CFR 583 Supportive Housing Program (FR-4616) .....  | 2506-AC07                    |
| 1440            | Empowerment Zones: Performance Standards for Utilization of Grant Funds (FR-4853) .....  | 2506-AC16                    |

## Office of Community Planning and Development—Completed Actions

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1441            | Self-Help Homeownership Opportunity Program (FR-4949) .....                                       | 2506-AC18                    |
| 1442            | 24 CFR 91 Proposed Timeliness Expenditure Standards for the Insular Areas Program (FR-5028) ..... | 2506-AC20                    |

## Government National Mortgage Association—Final Rule Stage

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1443            | GNMA: Excess Yield Securities (FR-4958) ..... | 2503-AA18                    |

## Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1444            | Design and Construction Requirements; Compliance With ANSI A117.1 Standards (FR-5006) ..... | 2529-AA92                    |
| 1445            | Economic Opportunities for Low- and Very Low-Income Persons (FR-4983) .....                 | 2529-AA91                    |

**HUD**

Office of Fair Housing and Equal Opportunity—Final Rule Stage

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1446            | 24 CFR 115 Certification and Funding of State and Local Fair Housing Enforcement Agencies (FR-4748) ..... | 2529-AA90                    |

Office of Administration—Final Rule Stage

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1447            | 48 CFR 2401 HUD Acquisition Regulation (FR-4705) ..... | 2535-AA26                    |

Office of Administration—Completed Actions

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1448            | 48 CFR 2401 Amendments to the HUD Acquisition Regulation (HUDAR) (FR-5010) ..... | 2535-AA27                    |

Office of Public and Indian Housing—Proposed Rule Stage

| Sequence Number | Title   | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1449            | Revisions to Troubled Agency-Recovery Process (FR-5008) .....   | 2577-AC63                    |
| 1450            | 24 CFR 903 Streamlining Public Housing Programs (FR-4990) .....   | 2577-AC59                    |
| 1451            | 24 CFR 903 Implementation of Violence Against Women Act of 1995 for HUD Programs Under the U.S. Housing Act of 1937 (FR-5056) ..... | 2577-AC65                    |
| 1452            | Capital Fund Program (FR-4880) .....  | 2577-AC50                    |
| 1453            | Technical and Conforming Amendments to the Public Housing Homeownership Program (FR-4891) .....                                     | 2577-AC53                    |
| 1454            | Streamlined Mixed Finance Application Review (FR-4924) .....  | 2577-AC55                    |
| 1455            | Energy Performance Contracts (FR-5057) .....  | 2577-AC66                    |
| 1456            | Housing Choice Voucher Program Homeownership Option; Eligibility of Units Not Yet Under Construction (FR-4991) .....                | 2577-AC60                    |
| 1457            | Tax Credit Rents in Project-Based Units (FR-5034) .....   | 2577-AC62                    |
| 1458            | 24 CFR 990 Capital and Operating Funds for Debt Service and Financing Activities (FR-4843) .....                                    | 2577-AC49                    |
| 1459            | Self-Insurance Plans Under the Indian Housing Block Grant Program (FR-4897) .....   | 2577-AC58                    |
| 1460            | Use of Indian Housing Block Grant Funds for Rental Assistance in Low-Income Housing Tax Credit Projects (FR-4999) .....             | 2577-AC61                    |
| 1461            | Use of Census Data in the Indian Housing Block Grant Program (FR-5055) .....  | 2577-AC64                    |

Office of Public and Indian Housing—Final Rule Stage

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1462            | 24 CFR 970 Public Housing Program—Demolition or Disposition of Public Housing Projects (FR-4598) .....   | 2577-AC20                    |
| 1463            | Native American Housing Assistance and Self-Determination Act (NAHASDA): Revisions to the Indian Housing Block Grant Program Formula (FR-4938) ..... | 2577-AC57                    |

Office of Public and Indian Housing—Long-Term Actions

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1464            | 24 CFR 1000 Implementation of Statutory Revisions to NAHASDA (FR-4750) ..... | 2577-AC37                    |

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Office of Public and Indian Housing—Completed Actions

| Sequence Number | Title  | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1465            | 24 CFR 964 Streamlining Public Housing Operations, Including Resident Participation (FR-4657) .....  | 2577-AC26                    |
| 1466            | 24 CFR 972 Conversion of Developments From Public Housing Stock; Methodology for Comparing Costs of Public Housing and Tenant-Based Assistance (FR-4718) ..... | 2577-AC33                    |

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

Proposed Rule Stage

**1375. 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 1972 (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   | 07/00/06 |         |

**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

**1376. REFINEMENT OF INCOME AND RENT DETERMINATIONS IN PUBLIC AND ASSISTED HOUSING PROGRAMS (FR-4998)**

**Priority:** Other Significant

**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 908

**Legal Deadline:** None

**Abstract:** Under the Rental Housing Integrity Improvement Project (RHIP), 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   | 08/00/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ladonna Reed Morton, Office of Public and Indian Housing, Department of Housing and Urban Development  
Phone: 202 708-0614

Gail Williamson, Office of Housing, Department of Housing and Urban Development  
Phone: 202 708-0614

**RIN:** 2501-AD16

**1377. ● 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   | 10/00/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 2501-AD20

**1378. ● PUBLIC ACCESS TO HUD RECORDS UNDER THE FOIA AND PRODUCTION OF MATERIAL OR PROVISION OF TESTIMONY BY HUD EMPLOYEES (FR-5015)**

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 15

**Legal Deadline:** None

## HUD—HUDSEC

## Proposed Rule Stage

**Abstract:** This rule makes changes in the Department's regulations governing production of material or provision of testimony by HUD employees in response to demands made during the course of legal proceedings to provide guidance on the criteria used to evaluate such demands.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 09/00/06 |         |

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

**Agency Contact:** John W Herold, Chief Counsel, Office of Program Enforcement, Department of Housing and Urban Development, Office of the Secretary  
Phone: 202 708-2568

**RIN:** 2501-AD18**1379. 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 4115; 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

**CFR Citation:** 24 CFR 50; 24 CFR 51; 24 CFR 55; 24 CFR 58; 24 CFR 585

**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 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 proposals to allow environmental submissions and notifications to be done electronically.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 09/00/06 |         |

**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**1380. REGULATORY AMENDMENTS TO STRENGTHEN PREVENTION OF PREDATORY LENDING PRACTICES (FRS-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

**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   | 07/00/06 |         |

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

**Agency Contact:** Sandra Fostek, Director, Office of Government Sponsored Enterprises, Office of Housing, Department of Housing and Urban Development  
Phone: 202 708-2224

**RIN:** 2501-AD17**1381. 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   | 12/00/06 |         |

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

**Agency Contact:** Barbara Dorf, Director, Office of Departmental Grants



## HUD—HUDSEC

## Proposed Rule Stage

Management and Oversight, Office of Administration, Department of Housing and Urban Development

Phone: 202 708-0667

Fax: 202 708-0531

RIN: 2501-AD05

### 1382. TIMELINESS EXPENDITURE STANDARDS FOR THE INSULAR AREAS PROGRAM (FR-5012)

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 91; 24 CFR 570

**Legal Deadline:** None

**Abstract:** This rule would set a regulatory timeliness standard for the Insular Areas Program to bring the Insular Areas in line with Entitlement Program Grantees. The regulation would add a section to handle Reallocations of Insular Area funds and would make some technical amendments to extend the applicability of several sections of the CDBG

regulations to the Insular Areas Program.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 07/00/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Local

**Agency Contact:** Stephen Rhodside, Senior Program Officer, Office of Community Planning and Development, Department of Housing and Urban Development  
Phone: 202 708-1322

RIN: 2501-AD15

### 1383. 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   | 12/00/06 |         |

**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: 202 708-2470

RIN: 2501-AC94

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

## Final Rule Stage

### 1384. AMERICAN DREAM DOWNPAYMENT INITIATIVE (FR-4832)

**Priority:** Other Significant

**Legal Authority:** 42 USC 3535(d); 42 USC 12701 to 12839; 42 USC 3601 to 3619; 42 USC 5301 to 5315; 42 USC 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912

**CFR Citation:** 24 CFR 91; 24 CFR 92

**Legal Deadline:** None

**Abstract:** This rule follows publication of, and considers the public comments on, two earlier HUD rules. First, this rule makes final the March 30, 2004, interim rule establishing regulations for a downpayment assistance component under the HOME Investment

Partnerships Program (HOME Program), referred to as the American Dream Downpayment Initiative (ADDI). Through the ADDI, HUD makes formula grants to participating jurisdictions under the HOME Program for the purpose of assisting low-income families achieve homeownership. In addition, this rule also makes final HUD's November 22, 2004, interim rule, which revised and clarified the HOME Program homeownership affordability requirements of the HOME Investment Partnership program.

**Timetable:**

| Action                       | Date     | FR Cite     |
|------------------------------|----------|-------------|
| Interim Final Rule           | 03/30/04 | 69 FR 16758 |
| Interim Final Rule Effective | 04/29/04 |             |

| Action                                | Date     | FR Cite |
|---------------------------------------|----------|---------|
| Interim Final Rule Comment Period End | 06/01/04 |         |
| Final Action                          | 08/00/06 |         |

**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: 202 708-2470

RIN: 2501-AC93

**Department of Housing and Urban Development (HUD)**  
**Office of the Secretary (HUDSEC)**
**Long-Term Actions**
**1385. ELECTRONIC DOCUMENT RETENTION AND CONSUMER DISCLOSURE REQUIREMENTS IN HUD-RELATED TRANSACTIONS (FR-4686)**
**Priority:** Other Significant**Legal Authority:** 12 USC 1701 et seq; 12 USC 1715z-13a; 12 USC 2601 to 2617; 15 USC 1701 to 1706; 15 USC 7001 to 7006; ...**CFR Citation:** 24 CFR 5**Legal Deadline:** None

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

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

**Agency Contact:** Koren McKenzie-John, Attorney-Advisor, Multifamily Mortgage Division, Department of Housing and Urban Development, Office of General Counsel  
Phone: 202 708-4090

**RIN:** 2501-AC79
**1386. FHA LENDERS AND MORTGAGEES: PROHIBITING MISLEADING WORDS IN NAMES OF NON-FEDERALLY SUPERVISED ENTITIES AND STRENGTHENING ENFORCEMENT OF MORTGAGEE REVIEW BOARD SANCTIONS (FR-4765)**
**Priority:** Other Significant**Legal Authority:** 12 USC 1703; 12 USC 1708(c); 12 USC 1708(d); 12 USC 1709(s); 12 USC 1715b; 12 USC 1735(f)-14**CFR Citation:** 24 CFR 25; 24 CFR 202**Legal Deadline:** None

**Abstract:** This rule would prohibit the use of certain misleading or restricted names used by non-federally supervised lenders and mortgagees to increase compliance with existing criminal code prohibitions (18 U.S.C. 709) and to avoid confusion of consumers by lenders and mortgagees who use misleading words in their name to falsely imply that they have some connection with or authorization from the Department of Housing and Urban Development and/or the Federal Housing Administration. In addition, this rule will limit the ability of lenders and mortgagees to evade Mortgagee Review Board sanctions by selling their trade dress, names, and assets to another FHA-approved lender or mortgagee.

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

**Agency Contact:** Phillip A. Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development  
Phone: 202 708-1515

**RIN:** 2501-AC95
**1387. 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, not addressed in the recent rulemaking, 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, Office of Housing, Department of Housing and Urban Development  
Phone: 202 708-2224

Paul S. Ceja, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-0614  
Email: paul\_s\_ceja@hud.gov

**RIN:** 2501-AD12
**Department of Housing and Urban Development (HUD)**  
**Office of the Secretary (HUDSEC)**
**Completed Actions**
**1388. PROVIDING FOR ELECTRONIC SUBMISSION OF GRANT APPLICATIONS (FR-4875)**
**Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 5**Completed:**

| Reason                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 12/29/05 | 70 FR 77292 |
| Final Action Effective | 01/30/06 |             |

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

## HUD—HUDSEC

## Completed Actions

**Agency Contact:** Barbara Dorf  
Phone: 202 708-0667  
Fax: 202 708-0531

**RIN:** 2501-AD02

**1389. RELEASE IN THE PUBLIC USE DATABASE CERTAIN DATA AND ANNUAL HOUSING ACTIVITIES REPORT INFORMATION OF THE FEDERAL NATIONAL MORTGAGE ASSOCIATION AND THE FEDERAL HOME LOAN MORTGAGE CORPORATION (FR-4947)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 81

**Completed:**

| Reason                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 11/10/05 | 70 FR 69022 |
| Final Action Effective | 12/12/05 |             |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sandra Fostek  
Phone: 202 708-2224

**RIN:** 2501-AD09

**1390. CONSOLIDATED PLAN REVISIONS AND UPDATES (FR-4923)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 91

**Completed:**

| Reason                 | Date     | FR Cite    |
|------------------------|----------|------------|
| Final Action           | 02/09/06 | 71 FR 6950 |
| Final Action Effective | 03/13/06 |            |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Local, State

**Agency Contact:** Salvatore Sclafani  
Phone: 202 708-1817

**RIN:** 2501-AD07

**1391. • ELIGIBILITY OF STUDENTS FOR ASSISTED HOUSING UNDER SECTION 8 OF THE U.S. HOUSING ACT OF 1937 (FR-5036)**

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 0005; 24 CFR 0880; 24 CFR 0982

**Legal Deadline:** None

**Abstract:** This rule implements a new law, enacted as part of HUD's fiscal year (FY) 2006 appropriations, that restricts individuals enrolled in an institution of higher education and who meet certain other requirements from receiving assistance under section 8 of the U.S. Housing Act of 1937. The new law directed HUD to issue a final rule within 30 days of enactment of the new law. This rule fulfills the statutory requirement.

**Timetable:**

| Action                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 12/30/05 | 70 FR 77742 |
| Final Action Effective | 01/30/06 |             |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ladonna Reed  
Morton, Office of Public and Indian Housing, Department of Housing and Urban Development  
Phone: 202 708-0614

**RIN:** 2501-AD19

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

**Prerule Stage**

**1392. ACCELERATED CLAIMS AND ASSET DISPOSITION PROGRAM (FR-4887)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1701 et seq; 42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d)

**CFR Citation:** 24 CFR 203; 24 CFR 291

**Legal Deadline:** None

**Abstract:** This notice solicits comments on HUD's Accelerated Claim and Asset Disposition Demonstration (ACD) program before the Department proceeds to issue a proposed rule to codify the requirements for the ACD

program, making it a permanent part of HUD's single family mortgage insurance programs. Under the ACD program, HUD will pay claims upon assignment of certain defaulted mortgage loans ("assets") insured by the Federal Housing Administration (FHA). The purpose of the ACD program is to assist FHA to maximize the recovery on assets sold by HUD. HUD seeks comments on the ACD Demonstration and recommendations for cost-effective, efficient improvements and alternatives.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| ANPRM  | 05/00/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kathleen Malone,  
Director, Asset Sales Staff, Office of Finance and Budget, Department of Housing and Urban Development,  
Office of Housing  
Phone: 202 708-2625

**RIN:** 2502-AI14

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

**Proposed Rule Stage**

**1393. 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            | 12/00/06 |             |

**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: 202 708-0001

**RIN:** 2502-AH86

**1394. • 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 living unit 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 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   | 07/00/06 |         |

**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

**1395. • 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 4250.2, which has been 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   | 06/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
 Phone: 202 708-2121

**RIN:** 2502-AI40

**1396. DUE DILIGENCE/QUALITY CONTROL PLANS (FR-4846)**

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 203

**Legal Deadline:** None

**Abstract:** This regulation would require all FHA approved mortgagees and Loan Correspondents to have in place and implement a Quality Control Plan for the origination and/or servicing of FHA insured mortgages. The Quality Control Plan would have to contain a due diligence procedure to evaluate whole loans or servicing rights purchases. The due diligence would also include specific procedures for reviewing the source of the loans and require an analysis of portfolio risk through a loan level review and sampling methodology. Appropriate actions if a loan or a percentage of loans is not in compliance with FHA requirements would also be required.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 12/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 2502-AI02

**1397. ONE DOLLAR HOME SALES TO LOCAL GOVERNMENTS (FR 4862)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1710; 12 USC 1715z to 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.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 07/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gerard P. Donahoe, Housing Program/Policy Specialist,

## HUD—OH

## Proposed Rule Stage

Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing

Phone: 202 708-1672

RIN: 2502-AI15

### 1398. 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)

**CFR Citation:** 24 CFR 203

**Legal Deadline:** None

**Abstract:** This rule adds the 1-year London Interbank Offered Rate (LIBOR) as an acceptable index for the rate of HUD-Insured Adjustable Rate Mortgage (ARM) products. 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   | 04/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James Beavers, Deputy Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

RIN: 2502-AI32

### 1399. ● RISK-BASED MORTGAGE INSURANCE PREMIUM STRUCTURE (FR-5032)

**Priority:** Other Significant

**Legal Authority:** 12 USC 1709; 12 USC 1710; 12 USC 1715b to 16; 12 USC 1715u; 42 USC 3535(d)

**CFR Citation:** 24 CFR 203

**Legal Deadline:** None

**Abstract:** This rule would permit the Federal Housing Administration to implement a risk-based mortgage insurance premium pricing (MIP)

structure. Risk-based MIP pricing would be based on risk indicators such as credit bureau score, loan-to-value ratio (LTV), loan term, whether down payment assistance is obtained, and other indicators of risk. Risk-based MIP pricing may apply to all three mortgage insurance funds: The Mutual Mortgage Insurance Fund (MMI), the General Insurance Fund (GI), and the Special Risk Insurance Fund (SRI).

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 09/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Bonnie McCloskey, Loan Specialist, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

RIN: 2502-AI39

### 1400. 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   | 07/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

RIN: 2502-AI34

### 1401. ● APPROVAL OF CONDOMINIUMS IN PUERTO RICO ON EVIDENCE OF PRESENTMENT OF LEGAL DOCUMENTS (FR-5009)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1715(b); 12 USC 1715(y); 42 USC 3535(d)

**CFR Citation:** 24 CFR 234

**Legal Deadline:** None

**Abstract:** This rule amends the Department's regulations with respect to condominium ownership mortgage insurance to provide that the date of recordation for purposes of obtaining Federal Housing Administration (FHA) approval of a condominium development in the Commonwealth of Puerto Rico for mortgage insurance under the section 234(c) program is the date the condominium legal documents are presented to the Commonwealth Office of the Property Registry. This rule would enable parties to obtain mortgage insurance upon presentment of legal documents, whether the condominium regime is under construction, proposed for construction, or was established by conversion. The Department believes that instituting a single standard for approval of mortgage insurance will result in a reduction in time and cost, increasing FHA activity and homeownership opportunities in the area.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 07/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

RIN: 2502-AI36

### 1402. ● INSURING CERTAIN MANUFACTURED HOMES AS CONDOMINIUMS (FR-5035-P-01)

**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

## HUD—OH

## Proposed Rule Stage

condominiums. This regulation will amend part 234 to provide that manufactured homes in condominium 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   | 09/00/06 |         |

**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: 202 708-2676

**RIN:** 2502-AI38

#### 1403. 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   | 10/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ivery Himes, Asset Control Program Manager, Office of Asset Management, Single Family Housing, Department of Housing and Urban Development, Office of Housing Phone: 202 708-1672

**RIN:** 2502-AH40

#### 1404. 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 to 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:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 12/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James Everett, Policy Specialist, Asset Management Division, Department of Housing and Urban Development, Office of Housing Phone: 202 708-1672

**RIN:** 2502-AI27

#### 1405. MANUFACTURED HOUSING ON-SITE CONSTRUCTION (FR-4885)

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 3282

**Legal Deadline:** None

**Abstract:** This rule would allow limited on-site completion of new manufactured homes without requiring, under certain circumstances, manufacturers to obtain alternate

construction approvals under the current regulations.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 08/00/06 |         |

**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: 202 708-6401

**RIN:** 2502-AI13

#### 1406. 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                     | 05/00/06 |             |

**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: 202 708-6401

**RIN:** 2502-AH97

**Department of Housing and Urban Development (HUD)  
Office of Housing (OH)**
**Final Rule Stage**
**1407. HOSPITAL MORTGAGE  
INSURANCE PROGRAM (FR-4927)**
**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 200; 24 CFR 242

**Legal Deadline:** None

**Abstract:** This rule would revise the Department's regulations governing the insurance of mortgages on hospitals. The revision adds new requirements to the regulations to reflect statutory changes and changes in business practices with respect to the construction and operation of hospitals.

**Timetable:**

| Action                     | Date     | FR Cite    |
|----------------------------|----------|------------|
| NPRM                       | 01/10/05 | 70 FR 1750 |
| NPRM Comment<br>Period End | 03/11/05 |            |
| Final Action               | 12/00/06 |            |

**Regulatory Flexibility Analysis**
**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 2502-AI22

**1408. 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<br>Period End | 10/04/05 |             |
| Final Action               | 10/00/06 |             |

**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: 202 708-2495

**RIN:** 2502-AI24

**1409. AMENDMENTS TO PROHIBITION  
OF PROPERTY FLIPPING IN HUD'S  
SINGLE-FAMILY MORTGAGE  
INSURANCE PROGRAMS (FR-4911)**
**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 amends HUD's regulations that address the predatory practice of property "flipping" and establishes certain time restrictions regarding the sale of properties whose purchase is being financed with Federal Housing Administration (FHA) mortgage insurance. This rule follows

publication of an interim rule and takes into consideration the public comments received on the interim rule. The final rule broadens the exceptions to the time restrictions on sales to include Government-sponsored enterprises (GSEs), State- and federally chartered financial institutions, nonprofits approved to purchase HUD real estate-owned (REO), single-family properties at a discount with resale restrictions, local and State governments and their instrumentalities, and upon announcement by HUD through issuance of a notice, sales of properties in areas designated by the President as Federal disaster areas.

**Timetable:**

| Action                                      | Date     | FR Cite     |
|---|----------|-------------|
| Interim Final Rule                          | 12/23/04 | 69 FR 77114 |
| Interim Final Rule<br>Comment Period<br>End | 02/22/05 |             |
| Interim Final Rule<br>Effective             | 01/24/05 |             |
| Final Action                                | 07/00/06 |             |

**Regulatory Flexibility Analysis**
**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

**RIN:** 2502-AI18

**1410. DEBENTURE INTEREST  
PAYMENT CHANGES (FR-4945)**
**Priority:** Substantive, Nonsignificant

**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 revises the regulations under the single-family mortgage insurance program with respect to the payment of interest at the debenture rate for mortgage insurance claims. The revisions implement a recent statutory amendment to the National Housing Act that provides for a change in the calculation of the debenture interest on mortgage insurance claims paid in cash.

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**Timetable:**

| Action       | Date     | FR Cite |
|--------------|----------|---------|
| Final Action | 07/00/06 |         |

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

**Agency Contact:** Leslie Bromer, Mortgage Servicing Specialist, Asset Management and Disposition Division, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-1672

**RIN:** 2502-AI41**1411. 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<br>Period End | 02/22/05 |             |
| Final Action               | 08/00/06 |             |

**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: 202 708-0317

**RIN:** 2502-AH99**1412. DISPOSITION OF HUD-ACQUIRED, SINGLE-FAMILY PROPERTY: GOOD NEIGHBOR NEXT DOOR SALES PROGRAMS (FR-4712)****Priority:** Other Significant**Legal Authority:** 12 USC 1701 et seq; 42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d)**CFR Citation:** 24 CFR 291**Legal Deadline:** None

**Abstract:** This rule establishes regulations for HUD's new Good Neighbor Next Door Sales Program. The requirements for the new program are closely modeled on those for HUD's Officer and Teacher Next Door Sales Programs. The Good Neighbor Next Door Sales Program replaces, and builds upon the success of, these two existing sales programs. The purpose of the Good Neighbor Next Door Sales Program is to improve the quality of life in distressed urban communities by encouraging local law enforcement officers, teachers, and firefighters/emergency responders whose daily responsibilities and duties represent a nexus to the needs of the community, to purchase and live in homes in these communities. Although the requirements governing the new Good Neighbor Next Door Sales Program would be similar to the existing requirements for the Officer and Teacher Next Door Sales Programs, HUD is also making several important modifications and improvements to the current requirements.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 09/08/05 | 70 FR 53480 |
| NPRM Comment<br>Period End | 11/07/05 |             |
| Final Action               | 08/00/06 |             |

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

**Agency Contact:** Laurie Maggiano, Asset Management Division, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-1672

**RIN:** 2502-AH72**1413. DISCIPLINARY ACTIONS AGAINST HUD-QUALIFIED REAL ESTATE BROKERS (FR-4871)****Priority:** Other Significant**Legal Authority:** 12 USC 1701 et seq; 42 USC 1441 to 1441a; 42 USC 3535(d)**CFR Citation:** 24 CFR 291**Legal Deadline:** None

**Abstract:** The purpose of this rule is to address real estate broker participation in predatory lending practices targeted at Federal Housing Administration (FHA) borrowers. This rule includes measures to prevent property "flipping," inflated appraisals, falsified gift letters, and fraudulent underwriting. This rule is similar to other removal rules for appraisers, 203k consultants, and nonprofits. (Each has a separate approval/removal rule.) It allows HUD to have a shortened procedure for real estate brokers than 24 CFR part 24 Suspension and Debarment procedures.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 09/17/04 | 69 FR 56118 |
| NPRM Comment<br>Period End | 11/16/04 |             |
| Final Action               | 07/00/06 |             |

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

**Agency Contact:** Ivery Himes, Asset Management Division, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-1672

**RIN:** 2502-AI08**1414. RENEWAL OF EXPIRING SECTION 8 PROJECT-BASED ASSISTANCE CONTRACTS (FR-4551)****Priority:** Other Significant**Legal Authority:** 12 USC 1715z-1; 12 USC 1735f to 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



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## Final Rule Stage

protections in the case of a contract that is not renewed, and establish rent levels when an expiring contract is renewed. Certain other changes to these regulations are being made by a final rule.

**Timetable:**

| Action                     | Date     | FR Cite    |
|----------------------------|----------|------------|
| NPRM                       | 01/12/06 | 71 FR 2126 |
| NPRM Comment<br>Period End | 03/13/06 |            |
| Final Action               | 12/00/06 |            |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 2502-AI35

#### 1415. 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<br>Period End | 06/27/05 |             |
| Final Action               | 07/00/06 |             |

**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: 202 708-6401

**RIN:** 2502-AI25

#### 1416. 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<br>Period End | 04/24/03 |             |
| NPRM                        | 10/20/05 | 70 FR 61178 |
| NPRM Comment<br>Period End  | 12/19/05 |             |
| Final Action                | 07/00/06 |             |

**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: 202 708-6401

**RIN:** 2502-AH98

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

## Long-Term Actions

#### 1417. SINGLE-FAMILY MORTGAGE: LENDER COMPLIANCE AND ACCOUNTABILITY (FR-4761)

**Priority:** Other Significant

**Legal Authority:** 12 USC 1703; 12 USC 1708(c); 12 USC 1708 (d); 12 USC 1709; 12 USC 1709(s); 12 USC 1715(b); 12 USC 1735; 12 USC 1735(f)-14; 42 USC 3535(d)

**CFR Citation:** 24 CFR 25; 24 CFR 202

**Legal Deadline:** None

**Abstract:** The rule would allow the Department to be more restrictive as to who can be an owner or officer of an

FHA-approved lending entity, better hold the owners and principal officers and loan officers accountable for noncompliance, clarify duties and responsibilities of all parties involved in the loan origination process, and update FHA's lender requirements to reflect current operating practices in the mortgage industry.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Phillip A. Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development  
Phone: 202 708-1515

**RIN:** 2502-AH87

#### 1418. HUD MULTIFAMILY RENTAL AND HEALTH CARE FACILITY CLOSING DOCUMENTS (FR-4883)

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 200

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## Long-Term Actions

**Legal Deadline:** None

**Abstract:** This rule will amend certain Federal Housing Administration (FHA) regulations to update these regulations to reflect current HUD policy in the area of multifamily rental projects and health care facilities. In developing a set of comprehensive documents for use in the FHA mortgage programs for multifamily rental projects and health care facilities (excluding hospitals), 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<br>Period End | 10/01/04 |             |

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gains E. Hopkins, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-4090

**RIN:** 2502-AI11

**1419. ESTABLISHMENT OF LOAN OFFICER REGISTRY AND ESTABLISHMENT OF SERVICING APPROVAL AGREEMENTS (FR-4764)**

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 202

**Legal Deadline:** None

**Abstract:** This rule would authorize the Department to establish a loan officer registry and a servicing approval agreement for FHA-approved lenders. The loan officer registry would limit registration of a loan officer to one FHA-approved lender at a time and give the Department the ability to monitor a loan officer. The rule would provide for sanctions against loan officers for poor performance. Also, the rule would clarify that a loan officer must be an employee of a lender. This rule also would create a servicing approval agreement that would require FHA approval. The Department believes that the servicing agreement would enhance its authority to supervise the servicing of FHA-insured

mortgages and to take action against mortgagees that fail to perform required servicing functions. Changes will not apply to the title I insured loan program.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Phillip A. Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development  
Phone: 202 708-1515

**RIN:** 2502-AH88

**1420. DUTIES AND RESPONSIBILITIES OF LOAN CORRESPONDENTS AND SPONSORS (FR-4762)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1703, 1709, 1710; 12 USC 1715b; 12 USC 1715y; 42 USC 3535(d)

**CFR Citation:** 24 CFR 202; 24 CFR 207

**Legal Deadline:** None

**Abstract:** This rule would describe the duties and responsibilities of FHA-approved loan correspondents and sponsors. The Department believes it necessary to delineate clearly the different responsibilities and duties of loan correspondents and sponsors to ensure compliance with FHA program requirements. The rule also would define the terms "origination" and "underwriting."

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Phillip A. Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development  
Phone: 202 708-1515

**RIN:** 2502-AH90

**1421. 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:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

**RIN:** 2502-AH89

**1422. 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.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 11/10/04 | 69 FR 65324 |
| NPRM Comment<br>Period End | 01/10/05 |             |

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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## Long-Term Actions

**Agency Contact:** Joseph McCloskey, Director, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-1672  
**RIN:** 2502-AI03

#### 1423. HOME EQUITY CONVERSION MORTGAGES (HECM): LONG-TERM CARE INSURANCE (FR-4857)

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 206

**Legal Deadline:** None

**Abstract:** This rule would implement a statutory amendment to the National Housing Act that waives payment by a mortgagor of the up-front mortgage insurance premium (MIP) payable at the time of insurance of the mortgage on the mortgagor's property. The amendment authorizes the waiver of the MIP only with respect to a home equity conversion mortgage (HECM) under which the total amount of all future payments to the mortgagor will be used for costs of a qualified long-term care insurance contract that covers the mortgagor or members of the household residing in the property that is subject to the mortgage.

#### Timetable:

| Action                   | Date     | FR Cite     |
|--------------------------|----------|-------------|
| ANPRM                    | 12/03/04 | 69 FR 70344 |
| ANPRM Comment            | 02/01/05 |             |
| Period End               |          |             |
| Next Action Undetermined |          |             |

#### Regulatory Flexibility Analysis Required: No

**Government Levels Affected:** None

**Agency Contact:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

**RIN:** 2502-AI04

#### 1424. 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 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             | 10/28/02 |             |
| Period End               |          |             |
| Next Action Undetermined |          |             |

#### Regulatory Flexibility Analysis Required: Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Gary Cunningham, Deputy Assistant Secretary of Regulatory Affairs & Manufactured Housing, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-6401

**RIN:** 2502-AH85

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

## Completed Actions

#### 1425. NONPROFIT ORGANIZATION PARTICIPATION IN FHA SINGLE-FAMILY MORTGAGE INSURANCE PROGRAMS (FR-4702)

**Priority:** Other Significant

**CFR Citation:** 24 CFR 200; 24 CFR 203; 24 CFR 291

#### Completed:

| Reason    | Date     | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/14/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** Margaret Burns  
Phone: 202 708-2121

**RIN:** 2502-AH71

#### 1426. REVISIONS TO FHA CREDIT WATCH TERMINATION INITIATIVE (FR-4625)

**Priority:** Other Significant

**CFR Citation:** 24 CFR 202

#### Completed:

| Reason                 | Date     | FR Cite    |
|------------------------|----------|------------|
| Final Action           | 01/30/06 | 71 FR 4970 |
| Final Action Effective | 03/01/06 |            |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Phillip A. Murray  
Phone: 202 708-1515

**RIN:** 2502-AH60

#### 1427. NOTICE OF DEFAULT REPORTING (FR-4916)

**Priority:** Other Significant

**CFR Citation:** 24 CFR 203

#### Completed:

| Reason                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 03/31/06 | 71 FR 16231 |
| Final Action Effective | 05/01/06 |             |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Joseph McCloskey  
Phone: 202 708-1672

**RIN:** 2502-AI20

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## Completed Actions

**1428. ELIGIBILITY OF ADJUSTABLE RATE MORTGAGES (FR-4946)**

Priority: Other Significant

CFR Citation: 24 CFR 203

**Completed:**

| Reason                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 12/06/05 | 70 FR 72696 |
| Final Action Effective | 01/05/06 |             |

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Margaret Burns

Phone: 202 708-2121

RIN: 2502-AI26

**1429. MORTGAGE INSURANCE PREMIUMS—DOWNPAYMENT ASSISTANCE PROGRAMS (FR-4948)**

Priority: Other Significant

CFR Citation: 24 CFR 203

**Completed:**

| Reason    | Date     | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/07/06 |         |

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Margaret Burns

Phone: 202 708-2121

RIN: 2502-AI33

**1430. HOME EQUITY CONVERSION MORTGAGE INSURANCE (HECM)(FR-4956)**

Priority: Other Significant

CFR Citation: 24 CFR 206

**Completed:**

| Reason    | Date     | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/16/06 |         |

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Margaret Burns

Phone: 202 708-2121

RIN: 2502-AI30

**1431. MORTGAGEE TIME LIMITS FOR SUPPLEMENTAL CLAIMS FOR ADDITIONAL INSURANCE BENEFITS (FR-4957)**

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 207

**Completed:**

| Reason                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 04/10/06 | 71 FR 18152 |
| Final Action Effective | 05/10/06 |             |

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kimberly Munson

Phone: 202 708-1320

RIN: 2502-AI31

**1432. RENEWAL OF EXPIRING SECTION 8 PROJECT-BASED ASSISTANCE CONTRACTS (FR-4551)**

Priority: Other Significant

CFR Citation: 24 CFR 401; 24 CFR 402

**Completed:**

| Reason                 | Date     | FR Cite    |
|------------------------|----------|------------|
| Final Action           | 01/12/06 | 71 FR 2112 |
| Final Action Effective | 02/13/06 |            |

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Willie Spearmon

Phone: 202 708-3000

RIN: 2502-AH47

**1433. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (FR-4886)**

Priority: Other Significant

CFR Citation: 24 CFR 3280

**Completed:**

| Reason                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 11/30/05 | 70 FR 72023 |
| Final Action Effective | 05/30/06 |             |

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William W.

Matchneer

Phone: 202 708-6401

RIN: 2502-AI12

**1434. MANUFACTURED HOUSING PROGRAM: MINIMUM PAYMENTS TO STATES (FR-4868)**

Priority: Other Significant

CFR Citation: 24 CFR 3284

**Completed:**

| Reason    | Date     | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/06 |         |

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William W.

Matchneer

Phone: 202 708-6401

RIN: 2502-AI16

## Department of Housing and Urban Development (HUD)

## Proposed Rule Stage

## Office of Community Planning and Development (CPD)

**1435. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; SMALL CITIES PROGRAM (FR-5013)**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 5301 to 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

**Abstract:** This rule would implement section 218 of Public Law 108-199, which states that if the State of Hawaii failed to elect by July 31, 2004, to distribute funds under section 106(d)(2) of the Housing and Community Act of 1974 to units of general local government located in the non-entitlement areas in the State of

Hawaii, the Secretary shall, for fiscal year 2005 and thereafter, make grants to the unit of general local government located in non-entitlement areas within the State of Hawaii by use of the same formula that has been used to distribute funds to Hawaii's non-entitlement grantees under the prior regulations.

## HUD—CPD

## Proposed Rule Stage

Grants made under this section shall be subject to the program requirements of section 104 of the Housing and Community Development Act of 1974 in the same manner as such requirements are made applicable to entitlement grants made under section 106(b) of the Housing and Community Development Act if 1974.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 08/00/06 |         |

**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: 202 708-1322

**RIN:** 2506-AC19

**1436. 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.) (AHOA) to provide states and localities with the programs and resources necessary to meet the housing needs of individuals and families with HIV/AIDS. The rule proposes to adjust the formula factor that determines the allocation of 25 percent of funds based on a metropolitan area's higher-than-average incidence of cases of AIDS. In calculating the formula allocation, the proposed change would replace the one-year standard for AIDS surveillance data used to determine the high AIDS incidence to a three-year data standard. This change is intended to moderate unexpected one-year increases or declines in a grantee's formula

allocation and allow for continuity in grant funding. In addition, 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:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 07/00/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** David Vos, Director, Office of HIV/AIDS Housing, Department of Housing and Urban Development, Office of Community Planning and Development

Phone: 202 708-1934

**RIN:** 2506-AC11

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

## Final Rule Stage

**1437. PROHIBITION ON USE OF CDBG ASSISTANCE FOR JOB-PIRATING ACTIVITIES (FR-4556)**

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 570

**Legal Deadline:** None

**Abstract:** The rule implements certain statutory changes by revising HUD's regulations for the Community Development Block Grant (CDBG) program. Specifically, this rule prohibits State and local governments from using CDBG funds for "job pirating" activities that are likely to result in significant job loss. The rule also applies to section 108 loan guarantees and the use of Brownfields Economic Development Initiative and Economic Development Initiative funds with section 108 and CDBG funding. This rule follows publication of an October 24, 2000, proposed rule and takes into consideration the public

comments received on the proposed rule. The rule also provides the public with an additional opportunity to comment on the regulatory job-pirating provisions.

**Timetable:**

| Action                                | Date     | FR Cite     |
|---------------------------------------|----------|-------------|
| NPRM                                  | 10/24/00 | 65 FR 63756 |
| NPRM Comment Period End               | 12/26/00 |             |
| Interim Final Rule                    | 12/23/05 | 70 FR 76361 |
| Interim Final Rule Comment Period End | 02/21/06 |             |
| Interim Final Rule Effective          | 02/21/06 |             |
| Final Action                          | 11/00/06 |             |

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Local, State

**Agency Contact:** Richard J. Kennedy, Office of Block Grant Assistance, Department of Housing and Urban

Development, Office of Community Planning and Development

Phone: 202 708-3587

**RIN:** 2506-AC04

**1438. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM REVISION OF CDBG ELIGIBILITY AND NATIONAL OBJECTIVE REGULATIONS (FR-4699)**

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 570

**Legal Deadline:** None

**Abstract:** This rule will improve the ability of entitlement communities and States' grant recipients to use Community Development Block Grant (CDBG) funds for brownfields activities. The rule will clarify the eligibility of activities involving the cleanup and development of environmentally contaminated properties under section 105(a) of the Housing and Community

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Final Rule Stage

Development Act of 1974. The rule also will increase CDBG recipients' flexibility to undertake activities meeting the national objective of preventing or eliminating slums or blighting conditions. The criteria for meeting the slum/blight national objective will be revised to specifically recognize economic obsolescence of buildings and the presence of environmental contaminants as blighting influences on an area or property. This rule will further clarify the list of activities that may be undertaken to address the slum/blight national objective criteria on a spot basis. Finally, this rule makes corresponding changes in the eligibility regulations governing the section 108 Loan Guarantee component of the CDBG program.

**Timetable:**

| Action                  | Date     | FR Cite     |
|-------------------------|----------|-------------|
| NPRM                    | 07/09/04 | 69 FR 41434 |
| NPRM Comment Period End | 09/07/04 |             |
| Final Action            | 06/00/06 |             |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Local, State

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

**RIN:** 2506-AC12

**1439. 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            | 08/00/06 |             |

**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: 202 708-1226

**RIN:** 2506-AC07

**1440. 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            | 08/00/06 |             |

**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: 202 708-6339

**RIN:** 2506-AC16

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

**Completed Actions**

**1441. SELF-HELP HOMEOWNERSHIP OPPORTUNITY PROGRAM (FR-4949)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 5

**Completed:**

| Reason    | Date     | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/09/06 |         |

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Mary Kolesar

Phone: 202 708-2470

**RIN:** 2506-AC18

**1442. • PROPOSED TIMELINESS EXPENDITURE STANDARDS FOR THE INSULAR AREAS PROGRAM (FR-5028)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 3535(d); 42 USC 3601 to 3619; 42 USC 5301 to 5315; 42 USC 1131 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912; ...

**CFR Citation:** 24 CFR 91; 24 CFR 570

**Legal Deadline:** None

**Abstract:** This rule would implement a regulatory timeliness standard for the Insular Areas Program, as established by the Housing and Community Development Act of 1974 (HCD Act). This rule follows publication of a February 22, 2005, final rule that moved the Community Development Block Grant (CDBG) program assistance for insular areas from section 107 of the HCD Act. The expenditure standards proposed ensure that grantees

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## Completed Actions

carry out their programs in a timely manner. These standards take into consideration and reflect the unique circumstances faced by insular areas in their ability to expend CDBG allocations. This rule would also establish provisions for the distribution of assistance made available either as a result of reductions or if an insular area fails to submit a final statement for CDBG funds. This rule also makes

technical and conforming changes for purposes of the Insular Areas Programs.

**Timetable:**

| Action                                    | Date     | FR Cite |
|---|----------|---------|
| Merged With RIN<br>2501-AD15<br>(FR-5012) | 02/08/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Stephen Rhodside, Senior Program Officer, Department of Housing and Urban Development, Office of Community Planning and Development  
Phone: 202 708-1322

**RIN:** 2506-AC20

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

## Final Rule Stage

**1443. GNMA: EXCESS YIELD SECURITIES (FR-4958)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1721(g); 12 USC 1723a(a); 42 USC 3535(d)

**CFR Citation:** 24 CFR 320

**Legal Deadline:** None

**Abstract:** In furthering its statutory mission of expanding affordable housing in America by linking domestic and global capital markets to the nation's housing markets, the Government National Mortgage Association (Ginnie Mae) is developing a new Excess Yield program under which Ginnie Mae will guarantee Excess Yield Securities. These securities are backed by the excess servicing income relating to one or

more mortgage pools or loan packages underlying previously issued Ginnie Mae mortgage-backed securities. The Excess Yield program will allow qualifying Ginnie Mae issuers to reduce the amount of mortgage servicing rights on their balance sheets, which will in turn reduce the amount of capital they are required to hold against that asset. It will also reduce their need to use costly hedging tools to hedge against fluctuations in the value of their mortgage servicing rights. By increasing the liquidity of mortgage servicing rights for Ginnie Mae issuers, the Excess Yield program should lower the costs of, and encourage the origination of, Government-insured and guaranteed single-family mortgages that back Ginnie Mae mortgage-backed securities.

**Timetable:**

| Action                     | Date     | FR Cite     |
|----------------------------|----------|-------------|
| NPRM                       | 09/14/05 | 70 FR 54450 |
| NPRM Comment<br>Period End | 11/14/05 |             |
| Final Action               | 07/00/06 |             |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Stephen L. Ledbetter, Director, Securities Policy and Research, Department of Housing and Urban Development, Government National Mortgage Association  
Phone: 202 401-8970

**RIN:** 2503-AA18

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

## Proposed Rule Stage

**1444. ● 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 1998 edition of the standards. This rule would also clarify that compliance with the appropriate requirements of the 1986 and 1992 editions also remain sufficient to comply with the requirements of the Fair Housing Act and its amendments.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 08/00/06 |         |

**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

**1445. 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)

## HUD—FHEO

## Proposed Rule Stage

**CFR Citation:** 24 CFR 135**Legal Deadline:** None

**Abstract:** The regulations at 24 CFR part 135 were revised substantially to incorporate the statutory amendments in the Housing and Community Development Act of 1992, to reflect certain changes in the design of the Department's programs that are subject to the section 3 regulations, to clarify the obligations of individuals and entities subject to the requirements of

section 3, and to simplify the Department's administration of section 3 requirements. 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   | 09/00/06 |         |

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

**Agency Contact:** Rafiq Munir, Office of Economic Opportunity, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity  
Phone: 202 708-3633

**RIN:** 2529-AA91
**Department of Housing and Urban Development (HUD)  
Office of Fair Housing and Equal Opportunity (FHEO)**

## Final Rule Stage

**1446. CERTIFICATION AND FUNDING OF STATE AND LOCAL FAIR HOUSING ENFORCEMENT AGENCIES (FR-4748)**
**Priority:** Other Significant**Legal Authority:** 42 USC 3601 to 3619; 42 USC 3535(d)**CFR Citation:** 24 CFR 115**Legal Deadline:** None

**Abstract:** The Fair Housing Assistance Program (FHAP) provides assistance to State and local fair housing enforcement agencies to build an intergovernmental enforcement structure to further fair housing. HUD provides assistance to State and local fair housing enforcement agencies that administer fair housing laws that are

substantially equivalent to the Fair Housing Act (title VIII of the Civil Rights Act of 1968; 42 U.S.C. 3601 to 3619). The FHAP program provides support for complaint processing, training, technical assistance, education and outreach, data and information systems, and other activities that will further fair housing within the State or local agency's jurisdiction. HUD intends to update its part 115 regulations with respect to both the certification of substantially equivalent agencies and the overall administration of the FHAP program.

**Timetable:**

| Action | Date     | FR Cite     |
|--------|----------|-------------|
| NPRM   | 05/18/05 | 70 FR 28748 |

| Action                  | Date     | FR Cite |
|-------------------------|----------|---------|
| NPRM Comment Period End | 07/18/05 |         |
| Final Action            | 12/00/06 |         |

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

**Agency Contact:** Melody Taylor-Blancher, Acting Director, FHAP Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity  
Phone: 202 708-2215

**RIN:** 2529-AA90
**Department of Housing and Urban Development (HUD)  
Office of Administration (OA)**

## Final Rule Stage

**1447. HUD ACQUISITION REGULATION (FR-4705)**
**Priority:** Other Significant**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            | 07/00/06 |            |

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

**Agency Contact:** Fred Graves, Procurement Analyst, Policy and Field Operations 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 Administration (OA)**
**Completed Actions**
**1448. AMENDMENTS TO THE HUD ACQUISITION REGULATION (HUDAR) (FR-5010)**

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

**CFR Citation:** 48 CFR 2401; 48 CFR 2402; 48 CFR 2406; 48 CFR 2408; 48 CFR 2413; 48 CFR 2415; 48 CFR 2416; 48 CFR 2419; 48 CFR 2422; 48 CFR

2426; 48 CFR 2437; 48 CFR 2442; 48 CFR 2446; 48 CFR 2448

**Completed:**

| Reason                 | Date     | FR Cite    |
|------------------------|----------|------------|
| Final Action           | 01/13/06 | 71 FR 2432 |
| Final Action Effective | 02/13/06 |            |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Fred Graves  
Phone: 206 220-5259

**RIN:** 2535-AA27

**Department of Housing and Urban Development (HUD)**  
**Office of Public and Indian Housing (PIH)**
**Proposed Rule Stage**
**1449. • REVISIONS TO TROUBLED AGENCY-RECOVERY PROCESS (FR-5008)**

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 902

**Legal Deadline:** None

**Abstract:** This rule would revise and update HUD's regulations concerning troubled public housing authorities (PHAs). Under current regulations, troubled agencies are referred to the area Troubled Agency Recovery (TARC). The Department has made internal organizational changes and no longer maintains area TARCs. Therefore, this proposed rule would remove all references to TARCs in 24 CFR part 902.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 09/00/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Merrie Nichols-Dixon, Director, Coordination and Compliance Division, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-1141

**RIN:** 2577-AC63

**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   | 12/00/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patricia Arnaudo, Director, Public Housing Occupancy and Management Division, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-0744

LaDonna Reed-Morton, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-0744

**RIN:** 2577-AC59

**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   | 11/00/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patricia Arnaudo, Director, Public Housing Occupancy and Management Division, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-0744

**RIN:** 2577-AC65

**1450. 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 945; 24 CFR 964; 24 CFR 966

**1451. • IMPLEMENTATION OF VIOLENCE AGAINST WOMEN ACT OF 1995 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)

**1452. 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 will implement the regulatory framework for the Capital Fund Program for the capital and management improvement needs of public housing agencies that will govern the use of the assistance made

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## Proposed Rule Stage

available from the Capital Fund formula. The new rule at part 905 will replace and remove several other rules that currently govern a PHA's use of HUD assistance including part 941 (Public Housing Development) and part 968 (Public Housing Modernization). This rule will continue and expand the streamlining of procedures and requirements initiated under the Comprehensive Grant and Comprehensive Improvement programs that are included in part 968.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 11/00/06 |         |

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

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

**RIN:** 2577-AC50**1453. TECHNICAL AND CONFORMING AMENDMENTS TO THE PUBLIC HOUSING HOMEOWNERSHIP PROGRAM (FR-4891)****Priority:** Other Significant**Legal Authority:** 42 USC 1437z-4; 42 USC 3535(d)**CFR Citation:** 24 CFR 906**Legal Deadline:** None

**Abstract:** This rule clarifies that, as permitted by statute, a public housing agency (PHA) may use its capital funds to acquire properties to be used for homeownership.

**Timetable:**

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

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

**Agency Contact:** Dominique Blom, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-8812

**RIN:** 2577-AC53**1454. STREAMLINED MIXED FINANCE APPLICATION REVIEW (FR-4924)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1437z to 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   | 06/00/06 |         |

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

**Agency Contact:** Dominique Blom, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-8812

**RIN:** 2577-AC55**1455. ENERGY PERFORMANCE CONTRACTS (FR-5057)****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 109-58**CFR Citation:** 24 CFR 980**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 980.185 to increase the permissible terms of an energy performance contract from 12 years to 20 years.

**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 07/00/06 |         |

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

**Agency Contact:** Elizabeth Hanson, Deputy Assistant Secretary, Real Estate Assessment Center, Office of Public and

Indian Housing, Department of Housing and Urban Development  
Phone: 202 475-7949

**RIN:** 2577-AC66**1456. 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)**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   | 07/00/06 |         |

**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

## HUD—PIH

## Proposed Rule Stage

**1457. • 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 allow section 8 units with tax credits located in qualified census tracts to receive rent based on the project-based voucher rent ceiling, subject only to HUD's subsidy layering review.**Timetable:**

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

**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**1458. 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   | 09/00/06 |         |

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** William Thorson, Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-1640**RIN:** 2577-AC49**1459. 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)**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 insurance 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            | 01/00/07 |             |

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**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**1460. • 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.**Timetable:**

| Action | Date     | FR Cite |
|--------|----------|---------|
| NPRM   | 08/00/06 |         |

**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**1461. • 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

HUD—PIH

Proposed Rule Stage

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.

**Timetable:**

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

**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)

Final Rule Stage

**1462. PUBLIC HOUSING PROGRAM—DEMOLITION OR DISPOSITION OF PUBLIC HOUSING PROJECTS (FR-4598)**

**Priority:** Other Significant

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

**CFR Citation:** 24 CFR 970

**Legal Deadline:** None

**Abstract:** This rule will revise HUD's regulations regarding demolition and disposition of public housing projects, in accordance with section 531 of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276). This rule will establish the general and specific requirements for HUD approval of demolition and disposition applications, relocation of residents, resident participation in the form of consultation and opportunity to purchase, new requirements regarding resident relocation, the PHA lan and local government consultation and a new authority for a PHA to demolish a small number of their units without a formal application under certain circumstances, referred to as "de minimis" demolition.

**Timetable:**

| Action                  | Date     | FR Cite     |
|-------------------------|----------|-------------|
| NPRM                    | 12/15/04 | 69 FR 75188 |
| NPRM Comment Period End | 02/14/05 |             |
| Final Action            | 09/00/06 |             |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ainars Rodins, Director, Special Applications Center, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 312 886-9754

**RIN:** 2577-AC20

**1463. 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            | 07/00/06 |            |

**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

**Department of Housing and Urban Development (HUD)**  
**Office of Public and Indian Housing (PIH)**
**Long-Term Actions**
**1464. 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

**Department of Housing and Urban Development (HUD)**  
**Office of Public and Indian Housing (PIH)**
**Completed Actions**
**1465. STREAMLINING PUBLIC HOUSING OPERATIONS, INCLUDING RESIDENT PARTICIPATION (FR-4657)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 903; 24 CFR 964; 24 CFR 966

**Completed:**

| Reason                              | Date     | FR Cite |
|-------------------------------------|----------|---------|
| Merged With RIN 2577-AC59 (FR-4990) | 02/13/06 |         |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** LaDonna Reed-Morton  
Phone: 202 708-0744

Patricia Lane  
Phone: 202 708-0713

**RIN:** 2577-AC26

**1466. CONVERSION OF DEVELOPMENTS FROM PUBLIC HOUSING STOCK; METHODOLOGY FOR COMPARING COSTS OF PUBLIC HOUSING AND TENANT-BASED ASSISTANCE (FR-4718)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 972

**Completed:**

| Reason                 | Date     | FR Cite     |
|------------------------|----------|-------------|
| Final Action           | 03/21/06 | 71 FR 14328 |
| Final Action Effective | 04/20/06 |             |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Bessy Kong  
Phone: 202 708-0713

**RIN:** 2577-AC33

[FR Doc. 06-2056 Filed 04-21-06; 8:45 am]

**BILLING CODE** 4210-67-S