



**2020-2021 Presidential
Transition
*Official Briefing Materials***

Departmental Overview



HUD 2020-2021 Presidential Transition *Official Transition Memorandum*

Agency Structure

HUD received \$56.5 billion in discretionary budget authority in 2020 (not including supplementary CARES Act funds), of which \$44.9 billion went to rental assistance programs serving 4.6 million residents. In addition, HUD received \$2.8 billion for grants to homeless assistance grants, \$828 million for grants for Native American and Native Hawaiian housing, and \$3.4 billion for community development grants to local communities. These programs provide safe, stable, and affordable housing, and over half of assisted families are elderly or have a disabled head of household. The Department's programs are critical to addressing the structural gap between household incomes and housing prices and the persistent unaffordability of housing. HUD plays an important role in making housing affordable through its investments in rental vouchers, public and assisted housing, and HUD-funded efforts led by states and localities. These efforts recognize that ensuring a stable supply of affordable housing in safe and quality communities enables low-income families and individuals to live healthy and productive lives. HUD is also a vehicle for advancing sustainable and inclusive growth patterns, communities of choice, energy efficiency, and community and economic development, and for enforcing fair housing, strengthening the nation's mortgage market, as well as reducing homelessness. HUD's annual performance plan sent to the White House and Congress identifies the lower-priority program activities, as required under the GPRA Modernization Act, 31 U.S.C. 1115(b)(10). The performance plan provides information to the White House and Congress on HUD's budget and—the public can access the finalized volume at: <http://www.whitehouse.gov/omb/budget>.

HUD, a Cabinet-level agency created in 1965, is responsible for national policy and programs that address America's housing needs, that improve and develop the nation's communities, and that enforce fair housing laws. It accomplishes its mission through component organizations and offices that administer programs which are carried out through a network of regional and field offices and partnerships with other federal agencies, state and local grantees, and private sector and philanthropic and non-profit organizations.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
MAJOR LEGISLATION ON HOUSING AND URBAN DEVELOPMENT
ENACTED SINCE 1932

1932

Federal Home Loan Bank Act of 1932 (Public Law 72-304, 7/22/32)

Establishes a system of Federal home loan banks with authority to make advances secured by first mortgages to member home-financing institutions.

1933

Home Owners Loan Act of 1933 (Public Law 73-43 6/13/33)

Creates the Home Owners Loan Corporation, which refinances mortgages of homeowners faced with losing their homes during the Depression; authorizes the chartering of Federal savings and loan associations; and broadens the credit activities of the Federal home loan banks.

1934

National Housing Act (Public Law 73-479 6/27/34)

Creates the Federal Housing Administration (FHA) with the authority to insure long-term mortgage loans made by private lending institutions on homes and rental housing, and to insure lenders against loss on smaller loans financing home alterations, repair, and other improvements. Further popularizes the single, low downpayment, long-term, low interest rate amortized mortgage. Establishes the Federal Savings and Loan Insurance Corporation under the Federal Home Loan Bank Board. Also, authorizes the chartering of national mortgage associations to provide a secondary mortgage market. The Federal National Mortgage Association (FNMA or Fannie Mae) was originally chartered under this authority.

1937

United States Housing Act of 1937 (Public Law 75-412 9/1/37)

Authorizes Federal loans and annual contributions to local public housing agencies for low-rent public housing.

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1940

Amendments to the 1937 Act (Public Law 76-671 6/28/40)

Amends the United States Housing Act of 1937 to authorize the use of assisted projects for housing defense and war workers.

"Lanham Act" (Public Law 76-849 10/14/40)

Authorizes appropriation of Federal funds for war housing and community facilities.

1942

Emergency Price Control Act of 1942 (Public Law 77-421 1/30/42)

Authorizes rent control and other emergency provisions.

1944

Servicemen's Readjustment Act (Public Law 78-346 6/22/44)

Authorizes VA home loan guaranty and, later, insurance for veterans to purchase, build, or improve homes.

1947

Reorganization Plan No. 3, 80th Congress

Establishes the Housing and Home Finance Agency (HHFA) to coordinate and supervise Home Loan Bank Board, Federal Housing Administration, and Public Housing Administration functions, and to perform other housing functions. HHFA succeeds the National Housing Agency that had been established in 1942 by Executive Order to coordinate Federal housing operations.

1948

Housing Act of 1948 (Public Law 80-901 8/10/48)

Authorizes FHA insurance of cooperative housing mortgages.

1949

Housing Act of 1949 (Public Law 81-171 7/15/49)

Declares that the general welfare and security of the Nation requires the establishment of a national housing policy to realize, as soon as feasible, the goal of a decent home and a suitable living environment for every American family. Authorizes Federal advances, loans, and grants to localities to assist slum clearance and urban redevelopment. Converts the Public Housing program from its war and defense housing status and substantially expands it by authorizing Federal contributions and loans for up to 810,000 additional units of housing over a six year period. Significantly increases the FHA mortgage insurance program for non-defense housing (during the War and post-war period FHA mortgage insurance primarily was provided for defense housing and veterans).

1950

Housing Act of 1950 (Public Law 81-475 4/20/50)

Authorizes loans for college housing and provides for the disposition of war and veterans' housing provided under the Lanham Act. Liberalizes FHA's mortgage insurance programs for cooperative housing, manufactured housing, and large-scale on-site construction of housing.

1953

Housing and Rent Act of 1953 (Public Law 83-23 4/30/53)

Allows Federal rent controls to expire July 31, 1953, except that for critical defense housing areas, it extends the expiration date to April 30, 1954.

1954

Housing Act of 1954 (Public Law 83-560 8/2/54)

Broadens the slum-clearance and redevelopment program into the Urban Renewal program by including Federal assistance for rehabilitation and conservation of blighted and deteriorating areas. Requires that a community must have a workable program for the prevention and elimination of slums and blight as a prerequisite for Federal assistance for public housing and urban renewal. Authorizes new FHA mortgage insurance programs for housing in urban renewal areas, and for lower-cost housing for displaced families and for servicemen. Enacts a new charter for FNMA under which FNMA would continue to provide a secondary market for FHA and VA mortgages. Provides new assistance for housing programs for low-income families, urban renewal areas, and other special needs. Establishes an urban planning grant program (later "comprehensive planning program").

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1955

Housing Amendments of 1955 (Public Law 84-345 8/11/55)

Liberalizes FHA's cooperative, urban renewal, and displaced family housing programs; authorizes FHA insurance of mortgages for trailer courts; and authorizes a new FHA mortgage insurance program for military housing. Separates the Home Loan Bank Board, including the Federal Savings and Loan Insurance Corporation, from the Housing and Home Finance Agency, and establishes the Board as an independent agency under the new name "Federal Home Loan Bank Board." Authorizes a new public facility loan program and terminates the loan program for public facilities authorized under the Reconstruction Finance Corporation Liquidation Act.

1956

Housing Act of 1956 (Public Law 84-1020 8/7/56)

Authorizes relocation payments to individuals, families, and business concerns displaced by urban renewal. Authorizes a new broad housing research program (the earlier authorized program having been stopped by denial of appropriations).

1959

Housing Act of 1959 (Public Law 86-372 9/13/59)

Establishes FHA mortgage insurance program for privately owned nursing homes. Establishes the Section 202 program, a low interest rate direct Federal loan program for rental housing for the elderly.

1961

Housing Act of 1961 (Public Law 87-70 6/30/61)

Authorizes FHA's section 221(d)(3) below market interest rate (BMIR) rental housing program for low- and moderate-income families. Authorizes grants for the acquisition of open space land to be used for park, recreational, and conservation purposes. Authorizes Federal assistance for mass transportation in the form of planning grants, loans for facilities and equipment, and grants for demonstration programs.

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1964

Urban Mass Transportation Act of 1964 (Public Law 88-365 7/9/64)

Authorizes grants and loans to assist States and local public agencies in financing the acquisition, construction, and improvement of mass transportation equipment and facilities.

Housing Act of 1964 (Public Law 88-560 9/2/64)

Establishes the Section 312 program to provide 3 percent rehabilitation loans to owners or tenants of dwelling units or business property in urban renewal areas. Establishes a Federal-State training program to develop personnel needed for urban development. Authorizes fellowships for the graduate training of professional city planners and urban and housing technicians and specialists.

Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 252 (1964))

Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

1965

Housing and Urban Development Act of 1965, Public Law 89-117 (8/10/65)

Authorizes rent supplement payments to owners of certain private housing units that are occupied by low-income families who are elderly, handicapped, displaced by governmental action, victims of a natural disaster, or occupants of substandard housing. Authorizes annual contributions under the Public Housing program for units leased in privately owned structures for occupancy by low-income families (precursor to Section 8 program). Authorizes rehabilitation grants to be made to owner-occupants of homes in urban renewal areas and federally assisted code enforcement areas. Authorizes matching grants to local public entities for basic water and sewer facilities. Authorizes grants for neighborhood facilities, such as community centers and health stations, as well as grants for the advance acquisition of land for community facilities. Authorizes FHA mortgage insurance for land development.

Department of Housing and Urban Development Act, Public Law 89-174 (9/9/65)

Establishes the Department of Housing and Urban Development.

1966

Demonstration Cities and Metropolitan Development Act of 1966, Public Law 89-754 (11/4/66)

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Authorizes grants and technical assistance to cities for planning and carrying out local model cities programs. Authorizes supplemental grants for certain federally assisted projects in metropolitan areas where the localities within the metropolitan area are cooperatively carrying out all major development in accordance with comprehensive metropolitan-wide planning. Amends FHA mortgage insurance authority for land development to include development of sites for new communities. Authorizes FHA mortgage insurance for group medical practice facilities. Authorizes grants to States to provide technical assistance and information to small communities to help solve local problems.

1968

Civil Rights Act of 1968, Public Law 90-284 (4/11/68)

Establishes the Fair Housing provisions of title VIII, which make it unlawful to discriminate in the sale, rental, or financing of housing, or in the provision of brokerage services. Makes the Secretary responsible for administering these provisions.

Housing and Urban Development Act of 1968, Public Law 90-448 (8/1/68)

Reaffirms the national goal of the 1949 Act of a decent home and a suitable living environment for every American family. Determines that it can be achieved within the next decade by the construction or rehabilitation of 26 million housing units, including six million for low- and moderate-income families.

Authorizes the new Section 235 Homeownership program for lower-income families, which provides subsidies to reduce mortgage interest rates to as low as 1 percent. Authorizes a new credit assistance homeownership program for lower-income families who are unable to meet the credit requirements generally applicable to FHA mortgage insurance programs. Authorizes interest-free loans to cover preconstruction expenses of nonprofit sponsors. Authorizes the new Section 236 Rental and Cooperative-Housing program for lower-income families that provides subsidies to reduce the mortgagor's interest cost on a market rate FHA-insured project mortgage to 1 percent. Establishes a special high-risk insurance fund in FHA, not intended to be actuarially sound, to pay claims on mortgages insured under the several new special mortgage insurance programs for lower-income families.

Authorizes Federal guarantees of the borrowings (including borrowings on the bond market) of private developers of sites for new communities. Authorizes supplementary grants for these new communities in connection with federally aided water, sewer, and open-space land projects.

Partitions the existing FNMA within HUD by (a) transferring FNMA's secondary market operation to a new government-sponsored private corporation, also known as FNMA, and (b) providing that the special assistance and management and liquidating

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functions be administered by a newly established, wholly-owned government corporation, known as the Government National Mortgage Association (Ginnie Mae), within HUD. Confers general regulatory authority and certain specific regulatory powers concerning Fannie Mae on the Secretary. Authorizes Ginnie Mae to guarantee mortgage-backed securities issued by private issuers other than FNMA, where backed by FHA, VA, and some Rural Housing Services (formerly known as the Farmers Home Administration) mortgages or loans. The first mortgage-backed securities guaranteed by Ginnie Mae were issued in 1970.

Provides for the creation of national housing partnerships to encourage greater use of private financial resources in achieving volume production of housing for lower-income families.

Authorizes crime and flood insurance programs (later transferred to FEMA).

Enacts the Interstate Land Sales Full Disclosure Act, which requires developers to satisfy certain registration and disclosure requirements with respect to the sale or lease, by use of mail or by any means in interstate commerce, of a lot in a subdivision of 50 or more lots as part of a common promotional plan.

Architectural Barriers Act of 1968 (Public Law 90-480, 82 Stat. 718 (1968))

The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and useable by persons with disabilities.

Reorganization Plan No. 2 of 1968, House Doc. 262, 90th Congress

Transfers most urban mass transportation assistance authority from HUD to the Department of Transportation.

1969

Housing and Urban Development Act of 1969 (Public Law 91-152 12/24/69)

Amends the United States Housing Act of 1937 to provide that rent in public housing projects may not exceed 25 percent of a tenant's income (Brooke Amendment). Requires that residential structures demolished in any federally assisted urban renewal project be replaced by an equivalent number of new or rehabilitated standard residences. Authorizes mortgage insurance (up to \$10,000 for 12 years) for manufactured housing.

1970

Emergency Home Finance Act of 1970 (Public Law 91-351 7/24/70)

Authorizes \$250 million to be used by Federal Home Loan Banks to reduce their interest charges to savings and loan institutions which, in turn, would make reduced

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interest rate home mortgage loans to low- and middle-income families. This subsidy is primarily intended to increase housing credit availability during a high interest rate credit shortage period.

Expands the mortgage purchase authority of FNMA to include conventional mortgages. Establishes a new secondary market entity, the Federal Home Loan Mortgage Corporation (FHLMC or "Freddie Mac"), in the Federal Home Loan Bank System, to deal in government insured and conventional mortgages. Authorizes interest subsidy payments to FNMA and FHLMC to reduce mortgage payments of middle-income families during high interest rate periods.

Housing and Urban Development Act of 1970 (Public Law 91-609 12/31/70)

Increases assistance for new and existing communities. This program supersedes the new community bond guarantee program authorized in 1968. Consolidates research authorities and provides for the experimental housing allowance demonstration. Made clear that annual contributions contracts for public housing could be amended to include operating subsidies.

1971

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 1/2/71) (Amended in 1988)

Establishes policies governing land acquisition and relocation benefits for all Federal or federally assisted projects carried out by Federal agencies. Requires States to adopt equivalent policies and benefits to qualify for Federal assistance for State projects.

Lead-Based Paint Poisoning Prevention Act, Public Law 91-695 (1/13/71)

Requires the Secretary (in consultation with the Secretary of HEW) to develop and carry out a demonstration and research program to determine (1) the nature and extent of lead-based paint poisoning in the United States, and (2) the methods by which these paints can effectively be removed from surfaces to which children may be exposed.

1972

Title IX of the Education Amendments Act of 1972 (Public Law 92-318, 86 Stat. 373 (1972))

Title IX prohibits discrimination on the basis of sex in any education programs and activities that receive federal financial assistance. HUD enforces Title IX when it relates to housing affiliated with an educational institution.

1973

Veterans Housing (Public Law 93-75 7/26/73)

Eliminates the requirement that the interest rate on VA guaranteed home loans should not exceed the FHA rate. Requires the VA, in establishing its rate, to consult with HUD regarding the rate HUD considers necessary to meet the mortgage market, and to coordinate its interest rate policy with HUD.

Amendment of Lead-Based Paint Poisoning Prevention Act, Public Law 93-151 (11/9/73)

Directs HUD to establish procedures to eliminate, as far as practicable, the hazards of lead-based paint poisoning in (1) existing housing covered by an application for mortgage insurance or housing assistance payments, and (2) all federally-owned properties before their sale for residential use.

Flood Disaster Protection Act of 1973 (Public Law 93-234 12/31/73)

Increases the coverage limits under the National Flood Insurance program. Requires States and local communities, as a condition of future Federal financial assistance, to participate in the Flood Insurance program, and to adopt adequate flood plain ordinances with effective enforcement provisions to reduce or avoid future flood losses. Requires flood insurance for owners of federally-assisted properties that are located in flood hazard areas.

Sections 504 and 508 of the Rehabilitation Act of 1973 (Public Law 93-112 87 Stat. 394 (1973))

Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 508 requires federal agencies to ensure that the electronic and information technology they develop, procure, or use allows individuals with disabilities to have ready access to and use of the information and data that is comparable to that of individuals without disabilities.

1974

Disaster Relief Act of 1974 (Public Law 93-288 5/22/74)

Provides new comprehensive disaster relief measures and repeals the Disaster Relief Act of 1970, except for certain provisions. Authorizes the President to establish a program of disaster preparedness using the services, supplies, and facilities of all appropriate agencies, and to provide technical assistance and grants to States to develop and carry out comprehensive disaster preparedness programs. Authorizes the President to provide temporary housing, either by purchase or lease, and to provide mortgage or rental assistance payments for certain individuals and families.

Housing and Community Development Act of 1974 (Public Law 93-383 8/22/74)

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Establishes the Community Development Block Grant (CDBG) program. Terminates these categorical programs: open space, urban beautification, and historic preservation grants; public facility loans, water and sewer and neighborhood facilities grants; urban renewal and NDP grants; and model cities supplemental grants. Terminates the Section 312 Rehabilitation Loan program (effective one year after the date of enactment of title I) (but the program was later extended periodically until October 1, 1991).

Improves and updates the Public Housing program. Authorizes the new Section 8 program that authorizes HUD to enter into housing assistance payments contracts on behalf of eligible families occupying new, substantially rehabilitated, or existing rental units.

Authorizes the Secretary, on an experimental basis, to insure mortgages under title II of the National Housing Act with varying rates of amortization. Authorizes the insurance of mortgages used to finance the purchase of existing multifamily projects or to refinance existing projects. Authorizes coinsurance of mortgages on a demonstration basis. Directs the Secretary to establish manufactured housing construction and safety standards. Prohibits discrimination in housing and mortgage credit lending on the basis of sex. Authorizes the transfer of HUD-held properties to communities for use in the Urban Homesteading program.

Requires HUD to establish preemptive Federal manufactured home construction and safety standards.

Solar Heating and Cooling Demonstration Act of 1974 (Public Law 93-409 9/3/74)

Directs HUD and NASA to carry out a program for the development and demonstration of solar heating systems and of combined solar heating and cooling systems for use in residential dwellings.

Emergency Home Purchase Assistance Act of 1974 (Public Law 93-449 10/18/74)

Authorizes Ginnie Mae to purchase certain residential mortgages to assist the economy by stimulating housing production and reducing mortgage credit costs in a new section 313 of the National Housing Act, and to guarantee securities based on pools or trusts of mortgages it has purchased under this authority. Provides that, whenever the President finds that inflationary conditions and related governmental actions were having a severely disproportionate effect on the housing industry and the orderly achievement of the national housing goals is threatened, the President must direct Ginnie Mae to make commitments to purchase and to purchase and sell mortgages in accordance with section 313.

Real Estate Settlement Procedure Act of 1974 (RESPA) (Public Law 93-533 12/22/74)

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Requires HUD, in consultation with the VA, FDIC, and FHLBB, to develop a standard form for the statement of settlement costs for use in all federally related mortgage loans. Directs HUD to prepare and distribute booklets to help home buyers better understand the nature and costs of real estate settlement services. Requires lenders to disclose settlement costs at the time of the loan commitment.

Section 109 of Title I of the Housing and Community Development Act of 1974 (Public Law 93-383, 88 Stat. 649 (1974))

Section 109 prohibits discrimination on the basis of race, color, national origin, sex, and religion in any program or activity funded in whole or in part under Title I of the Community Development Act of 1974, which includes Community Development Block Grants.

1975

Emergency Housing Act of 1975 (Public Law 94-50 7/2/75)

Provides HUD with standby authority to co-insure financial institutions against default losses to prevent widespread mortgage foreclosures. Also, authorizes HUD to make emergency mortgage payments directly to mortgagees on behalf of homeowners.

Home Mortgage Disclosure Act of 1975 (HMDA) (Public Law 94-200 12/31/75)

Directs certain depository institutions within SMSAs (Standard Metropolitan Statistical Areas) to publicize the number and total dollar amount of loans originated or purchased both within SMSAs (by census tracts or ZIP codes) and outside SMSAs. Also directs the Federal Reserve Board and HUD to study the feasibility of requiring such information from depository institutions outside SMSAs.

Age Discrimination Act of 1975 (Public Law 94-135, 89 Stat. 728 (1975))

The Age Discrimination Act prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance.

1976

Real Estate Settlement Procedures Act Amendments of 1975 (Public Law 94-205 1/2/76)

Revises coverage and clarifies requirements of RESPA. Amends the definition of "federally related mortgage loan", repeals rigid and onerous advance disclosure provisions, expands the special information booklet requirement to include a more meaningful good faith estimate of settlement costs, adds an exemption for real estate agents and brokers to the anti-kickback provisions, places certain new limits on escrow account requirements, gives HUD greater authority and flexibility in administering the requirements of RESPA, and eliminates provisions unrelated to settlement costs.

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National Consumer Health Information and Health Promotion Act of 1976 (Public Law 94-317 6/23/76)

Reassigns various responsibilities for controlling the use of lead based paint. Assigns to HUD the responsibility for prohibiting the application of lead-based paint in residential structures constructed or rehabilitated by the Federal government or with Federal assistance.

Housing Authorization Act of 1976 (Public Law 94-375 8/3/76)

Extends and amends various HUD programs.

Energy Conservation and Production Act (Public Law 94-385 8/14/76)

Directs HUD to undertake a national demonstration program to determine which forms of financial assistance encourage the installation or implementation of energy conservation and renewable resource measures in existing dwellings.

1977

Supplemental Housing Authorization Act of 1977, Public Law 95-24 (4/30/77)

Authorizes the appropriation of additional funds for public housing, increases the minimum contract term for section 8 payments, and extends a number of HUD programs.

Department of Energy Organization Act (Public Law 95-91 8/4/77)

Creates the Department of Energy and consolidates the energy-related functions of Federal agencies in the new Department. Transfers HUD's authority to develop and promulgate energy conservation standards for new buildings, as well as the authority to conduct energy conservation and renewable-resource demonstrations. HUD retains the authority to implement the promulgated standards.

Housing and Community Development Act of 1977 (Public Law 95-128 10/12/77 & 12/12/77)

Provides that Housing Assistance Plans (HAPs) submitted as a part of CDBG applications must: (1) identify housing stock that is in a deteriorated condition; (2) specify a realistic annual goal for the number of low-income persons to be assisted; (3) assures that a preponderance of persons assisted would be low- and moderate-income; and (4) include as objectives the restoration and rehabilitation of stable neighborhoods and the reclamation of housing stock. Allocates block grants to metropolitan cities and urban counties and to States according to a dual formula, entitling them to receive the greater of amounts calculated under the existing formula or a second formula.

Establishes the Urban Development Action Grant (UDAG) program.

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Directs HUD to exclude from regulation under the National Manufactured Housing Construction and Safety Standards Act of 1974 any structure that the manufacturer certifies is to be used as a fixed residence and meets certain code requirements.

Authorizes the Secretary to provide homeownership counseling services to owners of single family dwellings assisted under title II of the National Housing Act, in addition to homeowners assisted under section 235 of that Act.

Includes the Community Reinvestment Act of 1977 as title VIII of this Act. Its aim is to stop the discrimination known as redlining, named for the practice of drawing red lines around sections of cities where financial institutions refuse to make home mortgage loans.

1978

Inspector General Act of 1978 (Public Law 95-452 10/12/78)

Establishes the Office of Inspector General in HUD and in a number of other Federal agencies.

Housing and Community Development Amendments of 1978 (Public law 95-557 10/31/78)

Makes various changes to the CDBG program, including adding relocation payments and other assistance for eligible activities for displacees.

Establishes a new program under which the Secretary can provide assistance payments to owners of troubled multifamily projects assisted under the section 236, section 221(d)(3) BMIR, or the Rent Supplement programs (Flexible Subsidy program). Directs HUD to assure tenant participation in multifamily housing projects eligible for assistance under the Troubled Projects program. Establishes requirements under section 203 for the management and disposition by HUD of HUD-owned multifamily projects. Directs HUD to seek to maintain all projects in a decent, safe, and sanitary condition and to maintain full occupancy to the greatest extent practicable.

Requires that at least \$50 million of section 202 loan funds be made available for loans for the development of rental housing and related facilities for persons with disabilities (primarily non-elderly). Authorizes the Secretary to contract with PHAs and non-profit corporations to provide congregate services, including personal assistance and meals, to eligible project residents to enable them to be independent and avoid unnecessary institutionalization (Congregate Services Act of 1978).

Establishes the Section 8 Moderate Rehabilitation program.

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Establishes the Neighborhood Reinvestment Corporation to continue the joint efforts of Federal financial supervisory agencies and HUD to promote reinvestment in older neighborhoods through the approach of the Urban Reinvestment Task Force.

Establishes legislative review procedures for HUD regulations under section 7(o) of the HUD Act, including submission of semi-annual agendas of regulations and delayed effective dates for final regulations.

Energy Tax Credit Act of 1978 (Public Law 95-618 11/9/78)

Provides a residential tax credit for qualified energy conservation expenditures and for qualified renewable energy source expenditures.

National Energy Conservation Policy Act (Public Law 95-619 11/9/78)

Authorizes Ginnie Mae to purchase energy conservation improvement loans made to low- and moderate-income families and insured under title I of the National Housing Act. Authorizes HUD to insure loans for energy conserving improvements and solar energy systems in multifamily projects under section 241 of the National Housing Act. Authorizes HUD to enter into ACCs (annual contribution contracts) for financing the installation of energy conserving improvements in existing public housing projects. Also authorizes grants to finance energy conserving improvements in section 202 projects and projects assisted under sections 221(d)(3) and 236 of the National Housing Act.

Reorganization Plan No. 3 of 1978, 95th Congress

Establishes the Federal Emergency Management Agency (FEMA) and transfers to it, among other things, the Flood and Crime Insurance programs.
1979

Department of Education Organization Act (Public Law 96-88 10/17/79)

Creates the Department of Education and transfers to it all HUD functions relating to college housing loans under title IV of the Housing Act of 1950.

Housing and Community Development Amendments of 1979 (Public Law 96-153 12/21/79)

Authorizes recipients of grants under title I of the HCD Act of 1974 to assume all HUD responsibilities for environmental review, decision-making, and action respecting provisions of law, in addition to the National Environmental Policy Act of 1969 (NEPA), which further the purposes of NEPA.

Refines the UDAG program.

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Increases the maximum tenant contribution to rent for public housing units from 25 percent to 30 percent of family income in the case of families with incomes above 50 percent of the area median. Also, increases the maximum tenant contribution to rent for section 8 units to 20 percent of family income in the case of very large lower income families, and to not less than 20 percent, but not more than 30 percent, in the case of other families with incomes between 50 percent and 80 percent of median income.

Increases the number of exemptions from registration under the Interstate Land Sales Full Disclosure Act.

Requires that preference in tenant selection under the Public Housing, Section 8, and Rent Supplement programs be given to families that occupy substandard housing or are involuntarily displaced when they are seeking assistance. Prohibits disposition of public housing projects during, and for 10 years after, the term of the contract for operating subsidies for the projects, unless approved by HUD. Provides for operating subsidies to public housing projects after the expiration of their debt service subsidy, as long as the low-income nature of the project is maintained.

Prohibits the provision of assistance to a project under the Flexible Subsidy program unless the project owner agrees to maintain the low- and moderate-income character of the project for a period at least equal to the remaining term of the project mortgage. Broadens the availability of FHA-insured graduated payment mortgages by modifying otherwise-applicable restrictions on the maximum loan-to-value ratio permitted for such mortgages, and allowing the principal obligation to rise during the mortgage term to an amount higher than the initial appraised value of the property.

Transfers from HUD to FEMA the position of Federal Insurance Administrator.

1980

Energy Security Act (Public Law 96-294 6/30/80)

Creates the Solar Energy and Energy Conservation Bank in HUD. (Solar Energy and Energy Conservation Act of 1980, title V.) Authorizes the bank to provide financial assistance for residential and commercial energy conserving improvements.

Housing and Community Development Act of 1980 (Public Law 96-399 10/8/80)

Establishes the public housing Comprehensive Improvement Assistance program (CIAP) to improve the physical condition of existing public housing projects and to upgrade project management and operation in order to preserve the continued availability of these projects for low-income families.

States as a goal of HUD's property management and disposition program under section 203 of the HCD Amendments of 1978, the preservation of housing units so that at least those that are occupied by low- and moderate-income persons or that are vacant at

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the time of acquisition are available and affordable to these persons. Requires HUD to seek to maintain projects for the purpose of providing rental or cooperative housing for the longest feasible period, unless HUD determines this to be clearly inappropriate on a case-by-case basis. Additionally, extends section 203 coverage to any multifamily rental housing project that is or was insured under the National Housing Act, was subject to a loan under section 202 of the Housing Act of 1959 or section 312 of the Housing Act of 1964, or that was acquired by the Secretary pursuant to any other provision of law.

Revises section 230 of the National Housing Act to authorize the Secretary to make temporary mortgage assistance payments (TMAP) directly to the lender on behalf of the homeowner, if the default is caused by circumstances beyond the homeowner's control and renders the homeowner temporarily unable to correct a mortgage delinquency and resume full mortgage payments.

Amends section 7(o) to extend, from 20 to 30 calendar days of continuous session of Congress, the time period within which rules or regulations published by HUD as final may become effective. In addition, extends from 20 to 30 days the time period within which either the House or the Senate Banking Committee may report out or be discharged from a resolution of disapproval.

Restricts assistance for nonimmigrant student-alien in section 214.

1981

Housing and Community Development Amendments of 1981 (Public Law 97-35 8/13/81)

Replaces the CDBG Entitlement program application process, which involved extensive up-front HUD review, with a system providing funding for entitlement grantees based on a comparatively simple statement of activities, subject to post-audit review by HUD. Establishes the States' program, under which participating States receive a formula grant from HUD for CD activities carried out by nonentitlement communities. Continues the HUD-administered Small Cities program for States electing not to receive a grant under the States' program (only Hawaii remains under this program).

Sets tenant rent formula for section 8 and public housing as the highest of 30 percent of adjusted income, 10 percent of gross income, or welfare rent. Adds section 16 to the 1937 Act to limit to 10 percent (for pre-1981 projects) and to 5 percent (for post-1981 projects) the number of eligible families with incomes between 50 percent and 80 percent of median area income who may be assisted under the Public Housing and Section 8 programs.

Extends the provisions in section 214 of the 1980 Act that restrict assistance for nonimmigrant student-alien to include other classes of non-citizens.

1983

Housing and Urban-Rural Recovery Act of 1983 (Public Law 98-181 11/30/83)

Authorizes a new Housing Voucher Demonstration and the Rental Rehabilitation and Housing Development Grant (HoDAG) programs. Eliminates the requirement for FHA-administered interest rates, and instead, allows FHA to operate under a negotiated interest rate structure. Eliminates the aggregate 20 percent cap on coinsurance because that coinsurance maximizes the role of the private sector, reduces processing time through lender processing, and reduces HUD's exposure to losses through risk sharing. Repeals the Section 8 New Construction and Substantial Rehabilitation programs (except in connection with section 202 projects).

1984

Housing and Community Development Technical Amendments Act of 1984 (Public Law 98-479 10/17/84)

Amends the Housing and Urban-Rural Recovery Act of 1983 mainly to correct or "clarify" it.

1986

Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99-272 4/7/86)

Authorizes public housing debt forgiveness.

Homeless Housing Act of 1986, Title V of H.R. 5313 (99th Cong.), HUD's FY 1987 Appropriation enacted in section 101(g) of Public Law 99-500 (10/18/86), and reenacted in section 101(g) of Public Law 99-591 (10/30/86)

Establishes the Emergency Shelter Grant and Transitional Housing Demonstration programs.

1987

Surface Transportation and Uniform Relocation Assistance Act of 1987 (Public Law 100-17 4/2/87)

Amends the Uniform Relocation Act in various ways. Makes the requirements of the Uniform Relocation Act applicable to the displacement of public housing tenants incident to modernization, demolition, or disposition. Extends coverage to federally assisted rehabilitation projects, including the CDBG, Section 312 Rehabilitation Loan, and Rental Rehabilitation programs.

Stewart B. McKinney Homeless Assistance Act (Public Law 100-77 7/22/87)

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Reauthorizes the Department's two existing homeless assistance programs—the Emergency Shelter Grants and Transitional Housing Demonstration programs. Establishes the Supportive Housing program, consisting of the existing Transitional Housing program and a new Permanent Housing for the Handicapped Homeless Persons program. Also establishes the new Supplemental Assistance for Facilities to Assist the Homeless (SAFAH) program. Authorizes funding for single room occupancy units for the homeless under the Section 8 Moderate Rehabilitation program. Provides for a HUD role on the Interagency Council on the Homeless. Requires HUD to review and approve comprehensive homeless assistance plans as a condition of funding these programs. Also, requires HUD and other Federal agencies to identify underutilized Federal property that is suitable for use for facilities to assist the homeless.

1988

Housing and Community Development Act of 1987 (Public Law 100-242 2/5/88)

Extends and amends various HUD programs. Makes the Housing Voucher program permanent. Provides that Public Housing Modernization program funds be allocated on a formula grant basis, but requires that the allocation formula be enacted by Congress (formula enacted in 1990, P.L. 101-625). Strengthens public housing tenant management and homeownership opportunities. Requires at least 15 percent of the amount available for section 202 loans to be set aside for projects designed for families with persons with disabilities (precursor to the section 811 program). Reduces HUD's flexibility with respect to multifamily housing management and preservation. Enacts ELIHPA, which provides a two-year moratorium on prepayments in connection with eligible low-income housing, but authorizes HUD to offer one or more of eight incentives to maintain the low-income character of the projects. Makes the FHA programs permanent and establishes a 3.8 percent statutory cap on the amount of the one-time, up-front mortgage insurance premium. Authorizes the Fair Housing Initiatives program (FHIP) and the Nehemiah Housing Opportunity program. Authorizes the Enterprise Zone program but does not contain the tax incentives. Terminates the HoDAG, Section 235, and Solar Bank programs.

Indian Housing Act of 1988 (Public Law 100-358 6/29/88)

Establishes a separate title II of the U.S. Housing Act of 1937 for assisted housing for Indian and Alaskan natives. Explicitly authorizes the Mutual Help Homeownership Opportunity program, which already existed as the major Indian homeownership program, for Indians on Indian reservations and in other Indian areas. Authorizes a self-help program for mutual help projects, similar to the existing Mutual Help program, except that it requires families to engage in cooperative efforts with other participating families.

Fair Housing Amendments Act of 1988 (Public Law 100-430 9/13/88)

By amending title VIII of the Civil Rights Act of 1968 (the "Fair Housing Act"), the Act authorizes the Federal government to act on behalf of individual victims of housing

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discrimination, to initiate investigations without formal complaints, and to impose stiff civil penalties on those who discriminate. Preserves the right to a jury trial within the newly established administrative enforcement process, assures Executive Branch discretion to issue charges under title VIII, and centralizes fair housing litigating authority at the Department of Justice. Adds handicap and familial status to the classes already protected by Federal law. Protects the housing choices of older Americans while prohibiting discrimination against families with children. Avoids imposition of unreasonable Federal inspection requirements on the construction of new multifamily housing that is required to include features providing adaptability for use by handicapped persons.

Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100-628 11/7/88)

Includes not only amendments to and authorizations for the various homeless assistance programs (including: Emergency Shelter Grants, Supportive Housing, Supplemental Assistance for Facilities to Assist the Homeless (SAFAH), and Section 8 Moderate Rehabilitation SRO), but also amendments to many other HUD programs. Authorizes HUD and PHA access to State employment agency wage data to verify family incomes, while ensuring protection against its improper use.

Anti-Drug Abuse Act of 1988 (Public Law 100-690 11/18/88)

Addresses the serious problem of criminal drug activity in public housing. Requires public housing leases to contain a provision for termination of tenancy for criminal activity, including drug-related criminal activity, on or near public housing. Makes addressing the problems of drug trafficking and manufacturing of controlled substances in public housing eligible activities under the Bureau of Justice Assistance Block Grant program. Makes leasehold interests in property (not just public housing) subject to forfeiture for certain criminal drug activities under the Controlled Substances Act. Establishes a Public Housing Drug Elimination Pilot program designed to permit HUD to make grants to public and Indian housing agencies for use in eliminating drug-related crime in public housing. Requires HUD to establish, in the Office of Public Housing, a clearinghouse of information regarding drug abuse in public housing, and a regional training program on drug abuse for public housing officials.

Requires all Federal grantees and most Federal contractors to maintain, and certify that they maintain, a drug-free workplace in order to remain eligible for payments and benefits under Federal contracts and grants. Provides for the denial of Federal benefits, in certain circumstances, for individuals convicted of drug trafficking and possession offenses.

Inspector General Act Amendments of 1988 (Public Law 100-504 10/18/88)

Amends Inspector General Act of 1978; expands semiannual reporting requirements, among other things. Establishes IGs in several other agencies.

1989

Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) (Public Law 101-73 8/9/89)

The primary purpose of this legislation is to rescue the savings and loan industry and to protect depositors by imposing strict new capital standards on the thrift industry. However, certain provisions affect HUD.

Establishes the Resolution Trust Corporation (RTC), which, among other things, is responsible for the management, sale, or other disposition of the real property assets of certain insolvent institutions and for making some of these properties available for disposition to low- and moderate-income families. Establishes an Oversight Board that is ultimately responsible for the operations of the RTC. Made the Secretary of HUD a member of the Board.

Establishes the Federal Housing Finance Board to replace the Federal Home Loan Bank Board to regulate the Federal Home Loan Banks and to allocate credit for housing finance. Makes the Secretary of HUD a member of the new Board. Establishes a Community Investment Program and an Affordable Housing Fund under the jurisdiction of the Federal Home Loan Banks.

Reconstitutes the Board of Directors of Freddie Mac to resemble the FNMA Board. Confers general regulatory authority and other specific regulatory powers concerning Freddie Mac on the Secretary of HUD. Requires a GAO study of the need for risk-based capital standards for government-sponsored enterprises (GSEs).

Makes FDIC transfer of assets or liabilities of any institution in default subject to approval of the appropriate Federal banking agency. The Conference Report states that FDIC would work with Ginnie Mae to ensure that the transfer of servicing rights to Ginnie Mae securities would be in accordance with Ginnie Mae's contracts, rules, and program requirements.

Expands reporting requirements under both the Home Mortgage Disclosure Act (HMDA) and Community Reinvestment Act (CRA). Mandates a number of studies and legislative recommendations by Federal banking regulatory agencies with respect to mortgage discrimination.

Department of Housing and Urban Development Reform Act of 1989 (Public Law 101-235 12/15/89)

Reforms HUD programs and management procedures designed to eliminate political influence and restore integrity to program administration. Institutionalizes program monitoring and evaluation. Streamlines congressional review of HUD regulations under section 7(o).

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Reforms FHA programs and procedures, including the termination of land development and investor loan programs and the establishment of an annual audit requirement for FHA financial statements. Extends the prepayment moratorium and amended the prepayment disposition program as authorized by title II of the HCD Act of 1987.

Extends and amends certain HUD programs. Affirms by statute HUD's authority to use market comparability when granting annual rent increases for Section 8 projects.

Establishes the National Commission on Severely Distressed Public Housing and the National Commission on Native American, Alaska Native, and Native Hawaiian Housing.

Authorizes HUD to impose civil money penalties for violations of the requirements of several programs.

1990

Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508 11/5/90)

Makes the FY 1990 FHA mortgage limit of \$124,875 permanent. Authorizes HUD to collect an up-front single family mortgage insurance premium, at the initial level of 2.25 percent of the amount of the original insured principal obligation of the mortgage, with an annual premium of .5 percent of the remaining principal. Makes other amendments to restore actuarial soundness to the Mutual Mortgage Insurance Fund, including a schedule for achieving certain minimum capital ratios. Authorizes auction of multifamily mortgages under section 221(g)(4) of the National Housing Act.

FY 1991 Appropriations Act (Public Law 101-507 11/5/90)

Includes most of the complex arrangements required to move the Section 202 program from a loan program largely using section 8 rental unit assistance to a capital advance program with its own rental assistance.

Cranston-Gonzalez National Affordable Housing Act (NAHA) (Public Law 101-625 11/28/90)

Extends and reforms existing housing programs and establishes new programs to expand opportunities for affordable housing and homeownership, including --

CHAS. Required that certain HUD assistance be provided only to jurisdictions that submit to HUD a comprehensive housing affordability strategy (CHAS) that describes the jurisdiction's housing needs and strategies to meet these needs.

HOME. Establishes the HOME program, which is a block grant program intended to promote public and private sector partnerships to utilize effectively all available resources

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to ensure an adequate supply of affordable housing (primarily rental housing) for very low- and low-income families.

HOPE. Establishes the HOPE programs to provide planning and implementation grants to increase homeownership opportunities for low-income families in public and Indian housing (HOPE I), multifamily properties (HOPE II), and government-held single family homes (HOPE III).

Public/Assisted. Adopts formula funding of public housing modernization programs. Adds lease and grievance provisions intended to assist HUD and PHAs in efforts to evict tenants whose criminal or drug-related activities threaten the health and safety of other tenants. Establishes Family Self-Sufficiency program to promote the use of local strategies to coordinate housing assistance and appropriate supportive services to enable eligible families to achieve economic independence and self-sufficiency.

Preservation/Prepayment. Provides a comprehensive solution under LIHPRHA with respect to low-income housing preservation and prepayment. Balances the contract rights of private owners, the displacement of tenants due to mortgage prepayment, and alternative preservation strategies that provide opportunities for empowerment, self-sufficiency, and homeownership.

Elderly/Disabled. Divides the Section 202 program for elderly persons and persons with disabilities into two separate programs (section 202 program for the elderly and the section 811 program for persons with disabilities) and revises the elderly program to provide capital grants and operating assistance rather than loans coupled with section 8 assistance contracts. Establishes the HOPE for Elderly Independence program which combines housing assistance and supportive services to help the frail elderly avoid premature institutionalization (also known as HOPE V). Revises the Congregate Services program to expand the level of services provided and to improve targeting to the frail elderly.

Homeless. Establishes the Shelter Plus Care program to couple housing assistance with supportive services for homeless persons with disabilities and their families. Establishes a formula grant program for States and localities to address the housing needs of persons with AIDS.

FHA Soundness. Since OBRA of 1990 was enacted before NAHA, sections 323, 324, 325, 331, 332, 334(a), and 336 of NAHA did not take effect. OBRA covers these sections first. (See section 351 of NAHA.)

Stewart B. McKinney Homeless Assistance Amendments Act of 1990 (Public Law 101-645 11/29/90)

Extends and reauthorizes the Interagency Council on the Homeless, which coordinates Federal programs to assist the homeless. Revises the program requiring use of unutilized and underutilized public buildings and real property to assist the homeless. All

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other McKinney Act amendments, which were also included in NAHA, became effective under NAHA since it was signed before this Act.

Americans with Disabilities Act of 1990 (Public Law 101-336, 104 Stat. 337 (1990))

Title II of the ADA prohibits discrimination based on disability in programs and activities provided or made available by public entities. HUD enforces Title II with respect to housing-related programs and activities of public entities, including public housing, housing assistance and housing referrals.

Title III of the ADA prohibits discrimination based on disability in the goods, services, facilities, privileges, advantages, and accommodations of places of public accommodations owned, leased, or operated by private entities. The Department of Justice enforces Title III of the ADA, but certain HUD recipients and private entities operating housing and community development programs are covered by Title III of the ADA.

1991

FY 1992 Appropriations Act (Public Law 102-139 10/28/91)

This is the first HUD regular appropriation in which the requirements of the Federal Credit Reform Act are implemented. Thus, specific provisions are made in loan and guarantee accounts for the subsidy, as compared to an imputed market transaction, in the Federal assistance, and for the HUD operating costs of the activity. (In FY 1988, 75 percent of all Federal guarantee activity was administered by HUD.)

Federal Deposit Insurance Corporation Improvement Act of 1991, Public Law 102-242 (12/19/91)

Generally, the Act's provisions do not directly affect HUD programs. However, it authorizes entities and individuals, other than HUD-approved mortgagees, to serve as delegated processors under the Department's multifamily mortgage insurance program. Establishes an affordable housing program for disposition of government-owned or -held FDIC properties to expand affordable rental and homeownership opportunities.

1992

Dire Emergency Supplemental Appropriation, 1992 (Hurricane Andrew) (Public Law 102-368 9/23/92)

For HUD funding for this emergency appropriation, includes language under which HUD is authorized to waive the provisions of certain laws.

FY 1993 Appropriations Act (Public Law 102-389 10/6/92)

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Provides the authority for an Urban Revitalization Demonstration program ("HOPE VI") involving major reconstruction of severely distressed or obsolete public housing projects, funded at \$300 million for one 1 year. Also, the Act provides consolidated funding for the capital and operating components of the Supportive Housing for the Elderly program, to permit the two subsidies to be "evened out" and thus used by HUD more efficiently.

Fire Administration Authorization Act of 1992 (Public Law 102-522 10/26/92)

Establishes fire safety requirements in federally assisted buildings. Prohibits use of Federal housing assistance in connection with newly constructed or rebuilt multifamily properties that are not in compliance with specified National Fire Protection Association Standards. Prohibits use of housing assistance in connection with any other dwelling unit that is not protected by a hard-wired or battery-operated smoke detector.

Housing and Community Development Act of 1992 (Public Law 102-550 10/28/92)

In general, extends, amends, and establishes numerous housing programs. Establishes comprehensive lead-based paint abatement initiative; establishes a sound regulatory structure for HUD oversight of government-sponsored enterprises (Fannie Mae and Freddie Mac); establishes money laundering provisions; and provides regulatory relief to financial institutions.

Public Housing. Establishes the Revitalization of Severely Distressed Public Housing program to revitalize severely distressed public housing projects by providing planning and implementation grants for the rehabilitation of such projects. Established the Choice in Management program to authorize the transfer of management of distressed public housing projects from troubled public housing agencies to alternative managers.

Assisted Housing. Extends the Moving to Opportunity for Fair Housing program to provide section 8 assistance and housing counseling to enable very low-income families in areas with high concentrations of persons living in poverty to move to areas with low concentrations of persons living in poverty. Establishes a Youthbuild program (also known as HOPE IV) to provide training and employment opportunities to young adults through their involvement in the rehabilitation and construction of low-income housing.

Homeownership. Establishes the section 184 Indian Housing Loan Guarantee program to enable Indian families to construct, acquire, or rehabilitate dwellings located on trust land (but subject to appropriations action). Authorizes use of Section 8 Certificate and Voucher assistance for homeownership. Establishes the Enterprise Zone Homeownership program.

HOME. Makes several amendments to the HOME program, including elimination of restrictions on new construction and loosening of match requirements.

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Multifamily. Establishes a comprehensive planning and assessment process of the financial and physical conditions and needs of multifamily and elderly housing properties. Establishes programs to demonstrate the effectiveness of providing new forms of Federal credit enhancement for multifamily loans. Establishes a Task Force to study standards and obligations governing residency in federally-assisted housing.

Single Family. Increases FHA single family loan limits. Establishes an Energy Efficient Mortgage Pilot program for existing homes.

Elderly/Disabled. Authorizes PHAs to designate public housing for elderly, disabled, and/or mixed populations as needed. Establishes tenant-based assistance program for persons with disabilities under Section 8 rules. Authorizes owners of Section 8 elderly housing projects to provide a preference for elderly families.

Lead-Based Paint. Establishes the Residential Lead-Based Paint Hazard Reduction program to provide grants to reduce and eliminate lead-based paint hazards in housing.

State and Local Programs. Establishes the New Towns Demonstration program to provide assistance to two areas in or near the City of Los Angeles. Enacts the Removal of Regulatory Barriers to Affordable Housing Act of 1992 to provide grants to States to identify and remove regulatory barriers to affordable housing.

Homeless. Amends McKinney programs to require recipients to involve homeless individuals in constructing, renovating, maintaining, and operating assisted facilities and to establish a formal termination of assistance process. Merges the SAFAH program into the Supportive Housing program. Establishes the Safe Havens for Homeless Individuals Demonstration program to assist persons who are seriously mentally ill who are unable or unwilling to participate in mental health treatment programs in a 24-hour residence. Merges the various components of the Shelter Plus Care program and expands the program to include section 8 moderate rehabilitation assistance for single-room occupancy dwellings.

Fannie Mae and Freddie Mac. Clarifies and expands HUD's specific regulatory authorities to ensure that Fannie Mae and Freddie Mac (the "GSEs") carry out their charter responsibilities. Confers on HUD specific authorities to: establish, monitor, and enforce housing goals for mortgage purchases by the GSEs for housing for low- and moderate-income families, housing located in central cities, rural areas, and other underserved areas, and special affordable housing for very low- and low-income families; approve new programs of the GSEs; regulate Fair Housing/anti-redlining requirements applicable to the GSEs and primary lenders; establish reporting requirements applicable to the GSEs concerning their mortgage finance activities; and establish a public use data base to disseminate data on the GSEs' activities. (See title XIII, the Federal Housing Enterprises Financial Safety and Soundness Act of 1992.)

1993

Government Performance and Results Act of 1993 (Public Law 103-62 8/3/93)

Provides for the establishment of strategic planning and performance measurement in the Federal Government.

Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66 8/10/93)

Establishes the Empowerment Zones and Enterprise Communities programs, with tax incentives, and makes permanent the low income housing tax credit and mortgage revenue bond authorities.

Provides authority for Ginnie Mae to set multi-class security guarantee fees in an amount determined appropriate by Ginnie Mae. Provided guidance for implementation of a program under which Ginnie Mae guarantees multi-class securities.

HUD Demonstration Act of 1993 (Public Law 103-120 10/27/93)

Authorizes several demonstrations, including an Innovative Homeless Initiatives Demonstration program, the section 8 pension fund demonstration, and the NCDI program.

FY 1994 Appropriations Act (Public Law 103-124 10/28/93)

Amends the HOPE VI program. Does not include extensive administrative provisions.

1994

"Earthquake/Midwest Flood" Emergency Supplemental Appropriations Act of 1994 (Public Law 103-211 2/12/94)

Provides additional funding for areas affected by California earthquake and Midwest floods, and includes statutory waiver authority.

Multifamily Housing Property Disposition Reform Act of 1994 (Public Law 103-233 4/11/94)

Streamlines the rules governing the management and disposition of HUD-owned multifamily property, by extensively revising section 203 of the 1978 Amendments.

Also: Makes amendments to simplify the HOME program, including simplification of rental housing income targeting and matching requirements and repeal of separate audit requirements. Reduces the HOPE III matching requirement. Expands section 108 loan guarantee eligible activities to include public facilities, and public works and site or other improvements in colonias. Establishes the Economic Development Initiatives program

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under section 108(q) of the 1974 Act, under which HUD may make grants in connection with section 108 guaranteed obligations. Makes several technical amendments. Permits assumption of environmental review responsibilities by States and localities for the lead-based paint program, the 1937 Act programs, special purpose grants under section 107 of the 1974 Act, and the section 542 FHA multifamily risk-sharing and HFA pilot programs.

Sec. 320103(e), Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322 9/13/94)

Amends the criminal penalties in section 901 of the Civil Rights Act of 1968 for violations of the Fair Housing Act in title VIII.

Riegle Community Development and Regulatory Improvement Act of 1994 (Public Law 103-325, 9/23/94)

Includes the Community Development Banking and Financial Institutions Act of 1994 in title I and provides for paperwork reduction and regulatory improvement in title III.

FY 1995 Appropriations Act (Public Law 103-327 9/28/94)

Amends the HOPE VI program. Includes numerous administrative provisions, including:

Limits section 8 contract rent adjustments in cases where the rent exceeds the FMR and in cases where the same family resides in the unit as at the time of the last annual adjustment;

Amends the formula for determining the maximum principal amount of a single family FHA mortgage (the lesser of 95% of the median area house price (for a 1-family house) or 75 percent of the Freddie Mac limit (but not less than the higher of the dollar amount in effect upon enactment or 38 percent of the Freddie Mac Limit).

Provides retroactive flexible authority for Ginnie Mae to determine appropriate fees for the guarantee of multi-class securities backed by mortgage-backed securities guaranteed by Ginnie Mae before February 1, 1993. (See P.L. 103-66 for prospective authority.)

Beginning in FY 1995, requires Ginnie Mae to permit Ginnie Mae II mortgage-backed securities to be eligible as collateral for multi-class securities that it guarantees.

Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (Public Law 103-421 10/25/94)

Provides for disposal of buildings and property at military installations approved for closure, including use for the homeless in certain circumstances (provided for HUD review

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of redevelopment plan). Exempts property covered by this base closure process from section 501 of the McKinney Act, which provides for use of unutilized and underutilized public buildings and real property to assist the homeless.

1995

Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 (Public Law 104-19 7/27/95)

Rescinds more than \$5 billion of HUD funding. Includes administrative provisions that provided additional public housing funding flexibility, suspends the one-for-one public housing replacement requirement, and establishes authority for HUD to reuse recaptured section 8 budget authority.

Housing for Older Persons Act of 1995 (Public Law 104-76 12/28/95)

Amends the Fair Housing Act definition of "housing for older persons" by eliminating the requirement that such housing provide significant facilities and services specifically designed to meet the physical or social needs of older persons. Owners and managers of housing with significant occupancy by older persons had argued that the significant facilities and services requirement made it excessively difficult for them to qualify for the exemption from the Act's prohibition against discrimination against families with children that is available for projects that qualify under the definition. Exempts persons from personal liability for a violation of the Fair Housing Act if the person reasonably relied, in good faith, on the application of the exemption for housing for older persons.

1996

The Balanced Budget Downpayment Act, I (Public Law 104-99 1/26/96)

Permits management and disposition of FHA multifamily properties without regard to other laws; adopts FHA Single Family Assignment Program reforms; required section 8 and public housing minimum rents; suspends Federal preferences; makes numerous other changes.

Housing Opportunity Program Extension Act of 1996 (Public Law 104-120 3/28/96)

Provides for renewal of section 8 contracts. Extends the authority to fund homeownership activities directly under the CDBG program. Extends the HECM FHA single-family mortgage insurance program. Extends the multifamily risk-sharing programs. Enhances safety and security in public and assisted housing (availability of criminal records, ineligibility of illegal drug users and alcohol abusers, etc.). Streamlines procedures for designating public housing for the elderly and for persons with disabilities. Provides assistance for Habitat for Humanity. Makes miscellaneous other amendments.

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FY 1996 Appropriations Act (Public Law 104-134 4/26/96)

Provides funding for the remainder of FY 1996, after a series of temporary funding measures and furloughs. Modifies the preservation and HOPE VI programs. Establishes the supportive services program for public and assisted housing to promote economic independence for families with children and to assist the elderly and the disabled. Includes 30 administrative provisions, including extension and modification of public housing administrative provisions from the Rescissions Act; guidelines for mixed-financed public housing developments; conversion of certain public housing to vouchers; miscellaneous extenders; streamlining of certain section 8 requirements (including the suspension of "take-one, take all"); the public housing/section 8 moving to work demonstration; extension of the FHA multifamily risk-sharing demonstrations; authority to foreclose HUD-held mortgages through third parties and to restructure HUD-held mortgages through HFAs; additional authority to reuse recaptured section 8 budget authority; the new (since revised) mark-to-market demonstration; certain personnel ceilings; lead-based paint amendments; section 8 expiring contract renewal policies; extension of the FHA single family Assignment program reforms; authority to waive the minimum rent requirement under Public Law 104-99 for up to three months for any family; and miscellaneous other amendments.

Church Arson Prevention Act (Public Law 104-155 7/3/96)

Makes subject to criminal sanctions anyone who intentionally defaces, damages, or destroys any religious real property because of the race, color, or ethnic characteristics of any individual associated with that religious property, or attempts to do so. Authorizes HUD to guarantee loans made by financial institutions to assist nonprofit organizations that have been damaged as a result of acts of arson or terrorism.

Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193 8/22/96)

Converts the AFDC program to the Temporary Assistance for Need Families program. Prohibits assistance for aliens who are not qualified aliens from receiving Federal public benefits (but section 214 generally overlaps and continues to govern public and assisted housing). Makes any qualified alien ineligible for any Federal means-tested public benefit for five years from the date of entry (as of November 12, 1996, it appeared that the Administration would confirm that opinion that HUD programs are not considered means-tested public benefits for this purpose, supported by legislative history indicating Congress intends only to cover means-tested public benefits under mandatory programs).

FY 1997 Appropriations Act (Public Law 104-204 9/26/96)

Amends the preservation program, again. Provides additional funding, and includes new conditions, for HOPE VI. Makes direct homeownership assistance permanently eligible under the CDBG program. Makes the colonias set-aside under the State's CDBG program permanent for the four affected border States. Extends the supportive services program for

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public and assisted housing to promote economic independence for families with children and to assist the elderly and the disabled. Establishes a crime security program for public and assisted housing.

Includes 21 administrative provisions, including miscellaneous extenders (including flexible public housing funding and continued suspension of one-for-one public housing replacement requirement and of Federal preferences for public and assisted housing; section 8 contract renewal authority; a new fee formula for the Certificate, Voucher, and Mod Rehab programs; an extension of the FHA single family Assignment program reform; permanent authority to manage and dispose of HUD-owned properties and mortgages held by HUD on terms and conditions set by HUD, notwithstanding any other provision of law (most notably, section 203 of the 1978 Amendments); \$20 million to promote homeownership in targeted geographic areas; policies governing section 8 contract renewals; a recast FHA mark-to-market demonstration; authority for HUD to waive nondiscrimination requirements under the HOME program in connection with the use of HOME funds on lands set aside under the Hawaiian Homes Commission Act, 1920; authority to transfer recaptured section 8 budget authority for use under the preservation and Housing Opportunities for Persons with Aids (HOPWA) programs; a requirement for HUD to maintain public notice and comment rulemaking under 24 CFR part 10; and amendments to section 236 rent and other policies; and miscellaneous other amendments.

Reduces up-front mortgage insurance premium for first-time homebuyers who complete counseling approved by HUD. Authorizes Use of Amounts Borrowed From Family Members for Downpayments on FHA-Insured Loans. Authorizes delegation of Single Family Mortgage Insuring Authority to Direct Endorsement Mortgagees.

Omnibus Consolidated Appropriations Act (Public Law 104-208 9/30/96)

Makes miscellaneous amendments affecting HUD, including buy-out authority; simplification and unification of disclosures required under RESPA; incentives for self-testing by lenders for discrimination under the Fair Housing Act and the Equal Credit Opportunity Act; and modification of section 214 (which restricts the provision of housing assistance for noncitizens).

Native American Housing Assistance and Self-Determination Act (Public Law 104-330 10/26/96)

Establishes a housing block grant program for Native Americans, to be funded beginning in FY 1998. Provides for allocation to be made under a needs-based formula to tribes and tribally designated housing entities after HUD approves both a one-year and five-year Indian housing plan. Beginning in FY 1998, the Act folds the following programs into the new block grant: (a) 1937 Act assistance, (b) Youthbuild, (c) HOME, and (d) McKinney Act homeless assistance. Authorizes Federal guarantees for financing tribal housing activities under the new block grant program. Amends and extended the section 184 Indian Housing Loan Guarantee program. Makes other miscellaneous changes.

1997

Multifamily Assisted Housing Reform and Affordability Act of 1997 (Public Law 105-65 (title V), 10/27/97)

Establishes the Mark-to-Market Program (M2M) and the Office of Multifamily Assistance Restructuring (OMHAR) within HUD to administer this program. Under this program, individual projects in HUD's multifamily portfolio of insured Section 8 housing projects are to be restructured by resetting rents to market levels and reducing mortgage debt, if necessary, to permit a positive cash flow. In addition, the short term and long term physical needs of projects are to be addressed through a debt restructuring process that makes available project income to service debt incurred to make necessary repairs. Legal authority for this debt restructuring process and for OMHAR was to expire on September 30, 2001.

1998

Quality Housing and Work Responsibility Act of 1998 (Public Housing Reform Act) (Public Law 105-276 (Title V), 10/21/98)

Makes significant changes in the public housing and Section 8 tenant-based programs. Substantially deregulates high-performing public housing authorities, decreases poverty concentrations in public housing and promoted mixed-income communities, ensures that a threshold share of units and housing vouchers remain available for the truly needy, and creates incentives for residents to become self-sufficient. QHWRA authorizes a new public housing homeownership program (the Public Housing Homeownership program), as well as the Section 8 Homeownership program. HOPE VI is codified under the Act, as the Department's mixed finance program.

VA-HUD Appropriations Act for Fiscal Year 1999 (Public Law 105-276 10/21/98)

For FY 1999, Congress approves 50,000 new housing vouchers to help individuals and families with worst case housing needs and help families move from welfare to work. This Act also increases FHA's single-family loan limits, giving HUD the opportunity to provide more affordable mortgages to first-time, minority and central-city homebuyers, and substantially amends FHA Single Family Property Disposition requirements. The higher loan limits and simplified downpayment requirements create new opportunities, especially in high cost areas, for borrowers to become first-time homeowners. The property disposition reforms permit FHA to modernize its sales procedures to take advantage of the latest methods to finance the sale and purchase of single-family loans or dwellings from HUD's inventory. This Act also provides authority and funding for the New Approach Anti-Drug Program. Authority and funding has been provided for this program in subsequent appropriations.

1999

Preserving Affordable Housing for Senior Citizens and Families into the 21st Century Act (Public Law 106-74 (title V) 10/20/99)

Enables HUD to develop a broad range of housing options to meet the changing housing needs of senior citizens, and authorizes Mark-up-to-Market, which protects low-income renters by minimizing the number of owners that choose to “opt-out” of the project-based housing assistance program. In the Mark-up-to-Market initiative, project owners, with well-maintained projects in sound financial condition, are permitted to receive increased section 8 assistance payments, if current rents are below market, and to retain a larger portion of project surplus income in exchange for their agreement to continue participation in the project-based section 8 program, thereby preserving a low-income housing resource.

VA-HUD Appropriations Act for FY 2000 (Public Law 106-74 10/20/99)

Congress approves 60,000 new vouchers for FY 2000, demonstrating renewed commitment to reduce the severe shortage of affordable housing. Amends section 202 of the Housing Act of 1959 by the addition of Section 202b and provided appropriations for this program to fund conversion of units in existing section 202 projects for the elderly to assisted living facilities. The main purpose is to facilitate “aging in place” for project residents who are becoming frail after having lived in a section 202 project for a number of years and to avoid moving them to nursing homes. Such assisted living facilities must be licensed under State or local law and must be assisted living facilities as defined in section 232 of the National Housing Act. Established Millennial Housing Commission.

2000

VA-HUD Appropriations Act for Fiscal Year 2001 (Public Law 106-377 10/27/00)

The FY 2001 Appropriations Act fully funds the renewal of all Section 8 contracts, approves 79,000 incremental vouchers, creates a separate account to fund Shelter Plus Care Renewals, expands eligibility of ROSS program to include Native Americans, extends applicability of downpayment simplification provisions, makes enhanced vouchers available to residents of section 8 properties which opted out of program after FY 1996 but prior to FY 2000 appropriations Act, reauthorizes and funds the Interagency Council on the Homeless, makes option to project-base vouchers more flexible and allows PHAs to project-base up to 20 percent of such funds, makes FHA risk sharing programs permanent, among other things.

American Homeownership and Economic Opportunity Act of 2000 (Public Law 106-569 12/27/00)

This Act permits local housing officials to allow families receiving section 8 assistance to aggregate up to a year’s worth of assistance to use toward homeownership;

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modifies provisions aimed at reducing regulatory barriers to affordable housing; assists the elderly and persons with disabilities through enhanced construction and financing programs; revises the manufactured housing program to involve a private consensus committee in the establishment of construction and safety standards and in the issuance of interpretative rules, and expands such program to include requirements relating to installation and dispute resolution; and provides additional housing opportunities for Native Americans and Native Hawaiians, including the establishment of the Native Hawaiian housing grant and loan guarantee programs, among other things.

Consolidated Appropriations Act, 2001 (Public Law 106-554, Appendix D 12/21/00)

H.R. 5662, Community Renewal Tax Relief Act of 2000, incorporated by reference in the Consolidated Act, authorizes the Secretary to designate up to 40 renewal communities, extends and expands empowerment zone incentives, establishes a new markets tax credit, and improves the low-income housing tax credit. H.R. 5666, incorporated by reference, directs the Comptroller General to study and report on certain kinds of risks involving the Federal Home Loan Bank System and on standards proposed by the Federal Housing Finance Board and by the Office of Federal Housing Enterprise Oversight for the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

2001

Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2002 (Public Law 107-73 11/26/01)

Increased mortgage limits for FHA-insured multifamily housing; authorizes FHA to insure hybrid adjustable rate mortgages (ARMs) that have a set interest rate for a fixed number of years and annual rate adjustments thereafter. Fully funded renewal of all Section 8 contracts and made \$144 million available for incremental vouchers for public housing agencies that have at least a 97 percent occupancy rate.

2002

Mark-to-Market Program Extension in Title VI of the Labor, HHS and Education Appropriations Act for FY 2002 (Public Law 107-116 1/10/02)

The statute modified the Mark-to-Market program and extended its life to October 1, 2006. It also extended OMHAR to October 1, 2004, after which its functions are transferred to the Secretary. In addition, the statute requires that the Secretary's authority and responsibilities with respect to such program and office be carried out by the Federal Housing Commissioner.

Native American Housing Assistance and Self-Determination Reauthorization Act of 2002 (Public Law 107-292 7/20/01)

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The Act reauthorized, through Fiscal Year 2007, the NAHASDA program and the Section 184 Indian Housing Loan Guarantee program. It made miscellaneous amendments to NAHASDA related to planning, regulations, and housing related community development.

Downpayment Simplification Act of 2002 (Public Law 107-326 12/4/02)

The Act made the FHA single family downpayment simplification provisions permanent. It annually adjusted FHA multifamily housing loan limits, and it repealed the Ginnie Mae three-percent guarantee fee increase scheduled to take effect in Fiscal Year 2005.

2003

Consolidated Appropriations Act, 2003, Division K, Title II (Public Law 108-7 2/20/03)

This FY2003 Appropriations Act created an appropriations law division within the Office of the Chief Financial Officer, and required the transfer of four attorneys from the Office of General Counsel to that new division.

The Hospital Mortgage Insurance Act of 2003 (Public Law 108-91 10/3/03)

The Act amended the requirements for mortgage insurance for hospitals under the National Housing Act. The Secretary must also conduct a study of the barriers that health care centers must overcome to obtain mortgage insurance.

American Dream Downpayment Act (Public Law 108-186 12/16/03)

This Act authorized downpayment assistance to low-income first-time homebuyers under HUD's HOME Program, and also established a demonstration program for elderly housing for intergenerational families, amended the adjustable rate single family mortgages and loan limit adjustments, reauthorized the HOPE VI program, and amended the Housing and Community Development Act to include the definition of 'insular areas'.

2004

Consolidated Appropriations Act, 2004, Division G, Title II (Public Law 108-199 1/23/04)

The Act included \$87.5 million for the American Dream Downpayment Initiative. The Act also included New Hires legislation, which allows the HHS Secretary to share information from the National Directory of New Hires with HUD. HUD will use this information to verify the employment and income of persons receiving housing assistance from HUD.

Consolidated Appropriations Act, 2005, Division I, Title II (Public Law 108-447 12/08/04)

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This Act provided the first revision to the appropriations account structure for section 8 housing vouchers. Until, FY2005, appropriations provided for vouchers were funded under the Housing Certificate Fund. The FY2005 Appropriations provides for two separate accounts: funding of tenant-based section 8 activities, and funding of project-based section 8 activities.

2005

Energy Policy Act of 2005 (Public Law 109-58 8/08/05)

This Act requires HUD to establish an energy conservation policy for the public housing, HOPE VI, Native American, and assisted housing programs.

Transportation, Treasury, Housing and Urban Development, the Judiciary, and Independent Agencies Appropriations Act, 2006, Division A, Title III (Public Law 109-115 11/30/05)

This Act provided new authority to the Secretary, for FY2006 and FY2007 only, to authorize the of transfer project-based assistance, debt, and statutorily required low-income and very low-income use restrictions from one multifamily housing project to another multifamily housing project.

Native American Housing Enhancement Act of 2005 (Public Law 109-136 12/22/05)

Among other things, this Act makes Indian tribes eligible for Youthbuild grants.

Department of Defense Appropriations Act, 2006, Title X, Division B (Public Law 109-148 12/30/05)

This Act provided supplemental funding for housing vouchers for victims of hurricanes Katrina and Rita and community development funds for disaster relief, long-term recovery, and restoration of infrastructure in the areas most impacted and distressed by the hurricanes. The supplemental funding for housing vouchers for hurricane victims was provided, pursuant to the Secretary's authority under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)), in the form of the Disaster Voucher Program (DVP). The DVP aided families in the transition from the Katrina Disaster Housing Assistance Program (KDHAP), a housing assistance program funded by FEMA through a Mission Assignment with HUD, which was set to expire on January 31, 2006.

The Department of Defense Appropriations Act, 2006 also contains the Support our Scouts Act of 2005 (SOSA) (Division A, Title VIII, Section 8126). SOSA amends Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5309), which outlines the nondiscrimination provisions of the CDBG program. This amendment provides that, subject to the availability of appropriations, a federal agency may not provide less support to certain youth organizations than was provided during the preceding fiscal year. In addition, the Act provides that a state or local government that is a recipient of CDBG funds and has open, limited public, or nonpublic forums may not discriminate against, deny an

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opportunity to meet, or deny equal access to certain youth groups that wish to conduct a meeting or otherwise participate in such forums. Youth groups covered by this amendment include: the Boy Scouts, the Girl Scouts, Big Brothers-Big Sisters of America, the Boys Clubs of America, the Girls Clubs of America, the Civil Air Patrol, the Future Farmers of America, Little League Baseball, and the United States Olympic Committee.

2006

Deficit Reduction Act of 2005 (Public Law 109-171 01/03/06)

Subtitle A of Title II of this Act subjects certain multifamily authorities to appropriations. Previously the Secretary had the general authority to dispose of multifamily properties and multifamily loans through a negotiated sale with a state or local government. The Secretary was also authorized to provide up-front grants to rehabilitate dilapidated multifamily projects from the General Insurance Fund. This Act makes all of these authorities subject to available appropriations through fiscal year 2010. These restrictions do not apply to any transaction that formally commences within one year of the date of enactment.

Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162 01/05/06)

The Act amended the United States Housing Act of 1937 with respect to the public housing and housing choice voucher programs, as well as the Cranston-Gonzalez National Affordable Housing Act and the Stuart B. McKinney Homeless Assistance Act. The Act imposes new limitations on public housing authorities' ability to evict an entire public housing household whenever any member of the household or any household guest engages in drug-related or certain other criminal activity when domestic violence, or the threat thereof, is involved.

National Defense Authorization Act for FY 2006 (Public Law 109-163 1/06/06)

This Act amended the Housing and Urban Development Act of 1968 to add a provision requiring HUD, in consultation with the Departments of Defense and Treasury, to issue a disclosure notice that creditors would provide to certain debtors (or certain proposed debtors) explaining the mortgage and foreclosure rights of service members and their dependents under the Servicemembers Civil Relief Act.

Fiscal 2006 Emergency Supplemental for Iraq/Hurricane Relief (Public Law 109-234 6/15/06)

Provided \$4.5 billion under the Housing and Community Development Act of 1974 for disaster relief, long-term recovery, and restoration of infrastructure in the most impacted and distressed areas related to the consequences of Hurricanes Katrina, Rita, and Wilma.

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Violence Against Women and Department of Justice Reauthorization Act of 2005, Technical Amendments (Public Law 109-271 8/12/06)

This Act makes technical corrections and other amendments to the Violence Against Women and Department of Justice Reauthorization Act of 2005. Most importantly, the VAWA Technical Amendments Act revises the United States Housing Act of 1937. Significantly, the Housing Act of 1937 is amended to allow PHAs and landlords to evict or terminate occupancy rights of assisted housing tenants who commit acts of domestic violence against family members or others.

YouthBuild Transfer Act (Public Law 109-281 9/22/06)

This Act transferred the YouthBuild Program from HUD to the Department of Labor (DOL). The YouthBuild program provides grants for job training and educational opportunities for at-risk youth, who help construct or rehabilitate housing for low-income or homeless families and individuals. This program is an employment and training program for disadvantaged youth therefore, the White House recommended that DOL assume administrative responsibility for the program. The YouthBuild program's statutory authority in the Cranston-Gonzalez National Affordable Housing Act is repealed and transferred to subtitle D of Title I of the Workforce Investment Act.

Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282 9/26/06)

This Act directs the Office of Management and Budget (OMB) to create a searchable database website accessible to the public at no cost. This database will list all entities receiving federal funding above \$25,000. The scope of the website will be limited to data from fiscal year 2007 forward. Under this Act, OMB will operate the website, and the Act mandates full disclosure of those entities receiving federal funding.

The Federal Funding Accountability and Transparency Act does not specifically name HUD or the Secretary of HUD in any of the sections. However, OMB can direct other federal agencies, including HUD, in the implementation and ongoing support for this database website. Under Section (2)(b), federal agencies are required to assist OMB with this process if OMB requests their assistance. HUD is a grant-making agency and any recipient of HUD funding, in the form of grants or contracts (see Section (2)(a)), must report the funding to OMB. Therefore, HUD will be significantly involved in all steps of the process of creating and maintaining this database website.

Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295 10/04/06)

Sections 682-83, 685-688 of the Department of Homeland Security Appropriations Act, 2007 include amendments to the Robert B. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170a) ("Stafford Act"). Section 682 of the 2007 Act requires the implementation of the National Disaster Recovery Strategy. This Strategy requires that the

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Federal Emergency Management Administrator, in coordination with the Secretary of Housing and Urban Development, heads of other appropriate Federal agencies, local government officials, and representatives of appropriate non-governmental organizations, develop, coordinate, and maintain a Strategy to serve as a guide for recovery efforts after major disasters and emergencies.

2007

Preservation Approval Process Improvement Act of 2007 (Public Law 110-35 6/15/07)

The Preservation Approval Process Improvement Act of 2007 (Pub. L. No. 110-35, "Preservation Act") affects the mandatory electronic filing requirements under HUD's Previous Participation process and excludes certain categories of applicants from the filing requirements altogether. The Preservation Act suspends "mandatory" electronic filing of form HUD-2530 under HUD's Active Partners Performance System and the suspension remains in effect until HUD revises its proposed rule to streamline the 2530 process to further reduce burdens and disincentives to potential participants. In addition, the Act suspends all filing requirements under the 2530 process for limited liability corporate investors who own or expect to own an interest in entities, which are allowed or are expected to be allowed, low-income housing tax credits under section 42 of the Internal Revenue Code of 1986.

Energy Independence and Security Act of 2007 (Public Law 110-140 12/19/07)

The Energy Independence and Security Act (Pub. L. No. 110-140, "the Energy Act") requires energy code improvements for manufactured housing, and it adopts the most recent International Energy Conservation Code as the standard for HUD-Code manufactured housing. Additionally, the Energy Act establishes the Office of Commercial High-Performance Green Buildings and requires the Director of this office to ensure full coordination of high-performance green building information and activities within the federal government, by working with the General Services Administration and all relevant agencies, including HUD. The Energy Act amends and updates section 109 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12709) to require that energy efficiency standards in select HUD and USDA projects, including HOPE VI projects, meet or exceed the 2006 International Energy Conservation Code.

According to the Energy Act, HUD must serve as a representative to the Green Building Advisory Committee, which will provide advice and expertise concerning the management of federal building efficiency, leasing, and federal green building performance. The Act requires appropriate personnel to receive training under the Federal Energy Management Program. Lastly, the Energy Act establishes a new Energy Efficiency and Conservation Block Grant program that largely follows the procedures and allocations of the CDBG program, without the accompanying CDBG national objectives.

2008

Recovery Rebates and Economic Stimulus for the American People Act of 2008 (Public Law 110-185 2/13/08)

The Recovery Rebates and Economic Stimulus for the American People Act of 2008 (Pub. L. No. 110-185, “the Economic Stimulus Act”) was passed by Congress to provide stimulus to the housing market and the economy of the United States. Title I provides recovery rebates for individuals and incentives for business investment. Title II provides for a temporary increase in conforming loan and FHA loan limits.

Title II of the Economic Stimulus Act raises the statutory ceiling on the maximum principal obligation of a mortgage originated between July 1, 2007 and December 31, 2008 that may be purchased by the Federal National Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac). Title II also establishes a temporary loan limit increase for FHA-insured mortgages in specified high-cost areas for which a borrower received credit approval by December 31, 2008. It grants the Secretary discretionary authority to increase loan limits in 2008 based upon the size and location of residences in particular areas.

Housing and Economic Recovery Act of 2008, Public Law 110-289 (7/30/08)

The Housing and Economic Recovery Act of 2008 (HERA) makes major reforms that affect the government assistance to the housing market, primarily through two areas: (1) comprehensive reform to the regulation of the government-sponsored enterprises (GSEs); and (2) comprehensive reform to the National Housing Act, which governs HUD’s FHA insurance programs. HERA is a compilation of separate statutes such as the Federal Housing Finance Regulatory Reform Act of 2008, which overhauled regulation of the GSEs, and the FHA Modernization Act, which made long-sought reforms and updates to FHA’s insurance programs, primarily, the single family insurance programs. In addition to these two major reforms, HERA also amended the U.S. Housing Act of 1937, to address regulatory burden on small public housing agencies (PHAs), and made certain reforms to HUD’s affordable housing preservation programs. HERA also introduced three new programs for which HUD has responsibility, two of which are temporary programs. The first temporary program is the Emergency Assistance for the Redevelopment of Abandoned and Foreclosed Homes, which authorizes funding to the 50 States to address the foreclosure crisis. This program is referred to as the Neighborhood Stabilization Program. The second temporary program is the HOPE for Homeowners program, a temporary FHA program designed to assist troubled homeowners keep their homes through mortgage modification. The third program is the Secure and Fair Enforcement (SAFE) Mortgage Licensing Act, which authorizes HUD to oversee that the 50 States establish uniform licensing requirements for loan originators, consistent with the minimum requirements of the SAFE Act, and by the deadlines imposed.

Emergency Economic Stabilization Act of 2008 (Public Law 110-343 10/3/2008)

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The Emergency Economic Stabilization Act of 2008 (EESA) was the statute that authorizes the Secretary of Treasury to purchase and insure certain types of troubled assets for the purposes of providing stability to and preventing disruption in the U.S. economy and financial system. EESA also establishes the Troubled Assets Relief Program, and the oversight board for this program which is the Financial Stability Oversight Board, of which the Secretary of HUD is a member of the Board.

The Native American Housing Assistance and Self-Determination Reauthorization Act of 2008 (Public Law 110-411 10/14/2008)

The Native American Housing Assistance and Self-Determination Reauthorization Act of 2008 (NAHASDA Reauthorization Act) reauthorizes NAHASDA through 2013 and makes several amendments to the statutory requirements governing the Indian Housing Block Grant program and the NAHASDA Title VI Loan Guarantee Program. The NAHASDA Reauthorization Act amends section 106 of NAHASDA to provide that HUD shall “initiate a negotiated rulemaking in accordance with this section by not later than 90 days after enactment of the Act. HUD has initiated the negotiated rulemaking process.

2009

The American Recovery and Reinvestment Act of 2009 (Public Law 110-5 2/17/09)

The American Recovery and Reinvestment Act of 2009 makes appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization. With respect to HUD, appropriations are provided for the following areas: the Public Housing Capital Fund; Native American Housing Block Grants; the Community Development Fund, including additional funding for a second Neighborhood Stabilization Programs; Low-Income Housing Tax Credits to be administered to State Housing Finance Agencies through the formula allocation of the HOME Investment Partnerships Program; Homelessness Prevention; Assisted Housing Stability and Energy and Green Retrofit Investments; and Lead Hazard Control grants.

The Fraud Enforcement and Recovery Act of 2009 (Public Law 111-21 5/20/09)

The Fraud Enforcement and Recovery Act of 2009 (FERA) improves the enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs. First, FERA amends the federal criminal code to include within the definition of “financial institution” a mortgage lending business or any person or entity that makes, in whole or in part, a federally related mortgage loan. The Act defines “mortgage lending business” as an organization that finances or refinances any debt secured by an interest in real estate, including private mortgage companies and their subsidiaries, and whose activities affect interstate or foreign commerce. FERA extends the prohibition against making false statements in a mortgage application to employees and agents of a mortgage lending business.

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The Act authorizes appropriations for the HUD Inspector General to investigate mortgage fraud, and for investigations, prosecutions, and civil and administrative proceedings involving federal assistance programs and financial institutions. The Attorney General, in consultation with the U.S. Postal Inspection Service, the Inspector General for HUD, the Secretary of Homeland Security, and the SEC Commissioner, is required to submit a report to Congress identifying amounts spent for investigations and amounts recovered from criminal or civil restitution, fines, penalties, and other monetary recoveries.

FERA amends the False Claims Act to expand liability under such Act for making false or fraudulent claims to the federal government, and apply liability under such Act for presenting a false or fraudulent claim for payment or approval. It requires persons who violate the Act to reimburse the federal government for the costs of a civil action to recover penalties or damages.

Preventing Mortgage Foreclosures and Enhancing Mortgage Credit (Public Law 111-22 5/20/09)

Preventing Mortgage Foreclosures and Enhancing Mortgage Credit was enacted to prevent mortgage foreclosures and enhance mortgage credit availability. This public law has two main divisions: Division A – The Helping Families Save Their Homes Act of 2009 and Division B – the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act). Division A of the Act accomplishes many goals in order to strengthen the housing sector. First, it amends the National Housing Act to authorize the Secretary of HUD, for mortgages in default or facing imminent default, to modify such mortgages and establish a program for payment of a partial claim to a mortgagee who agrees to apply the claim amount to payment of a mortgage on a 1- to 4-family residence. The Act also grants the Secretary the authority to establish a program for assignment to HUD of a guaranteed mortgage on a 1- to 4-family residence in or facing imminent default. In addition, Division A of the Act authorizes the Secretary to pay the mortgage guaranty, without reduction for any amounts modified, but only upon the assignment, transfer, and delivery to the Secretary of all rights, interest, claims, evidence, and records with respect to the mortgage.

Division A of the Act amends the Foreclosure Prevention Act of 2008, with respect to emergency assistance for the redevelopment of abandoned and foreclosed homes. It authorizes each state that has received certain minimum allocations and has fulfilled certain requirements, to distribute any remaining amounts to areas with homeowners at risk of foreclosure or in foreclosure without regard to the percentage of home foreclosures in such areas.

Division A amends the National Housing Act to modify the HOPE for Homeowners Program. It transfers to the Secretary of HUD, from the current Board of Directors of the HOPE for Homeowners Program, all responsibility to establish HOPE requirements, standards, and prescribe related regulations. The Act replaces the Board of Directors with an Advisory Board, and revises requirements for borrower certifications in applying for insurance of a refinanced eligible mortgage. Division A of the Act authorizes the Secretary

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to pay the servicer of the existing senior mortgage for every loan insured under the HOPE for Homeowners Program, as well as to the originator of each new loan insured under this program. It also establishes a procedure, if feasible, for an auction to refinance eligible mortgages on a wholesale or bulk basis.

The HEARTH Act, Division B of the overall law, consolidates the separate homeless assistance programs carried out under title IV of the McKinney-Vento Homeless Assistance Act (“McKinney-Vento Act”) into a single program with specific eligible activities. Currently, the separate homeless assistance programs consist of the supportive housing program and related innovative programs, the safe havens program, the section 8 assistance program for single-room occupancy dwellings, and the shelter plus care program. The Act codifies into federal law the continuum of care planning process as a required and integral local function, and it establishes a federal goal of ensuring that homeless individuals and families return to permanent housing within 30 days. In addition, the HEARTH Act amends the current Rural Homeless Housing Assistance program under subtitle G of title IV of the McKinney-Vento Act to establish the Rural Housing Stability Assistance Program.

The HEARTH Act provides a new definition for the terms “homeless”, “homeless individual”, and “homeless person”, as well as providing for any individual or family fleeing domestic violence or other dangerous or life threatening conditions. The Act requires relevant parties in a geographic area to establish a collaborative applicant to apply for homeless assistance grants. A collaborative applicant does not have to be a legal entity, and it must design a collaborative process for the development of an application for grants, as well as a process for evaluating the outcomes of projects that receive funding. The Secretary will award grants on a competitive basis using the selection criteria under the Continuum of Care Program to carry out eligible activities. In addition, the Act creates a new Emergency Solutions Grants Program, which replaces the Emergency Shelter Grants Program.

Under the HEARTH Act, the definition of “rural area” is amended, and the Secretary must transfer an amount no less than 5 percent of the amount available under the Continuum of Care to the Rural Housing Stability Assistance Program. Any amounts so transferred and not used for rural grants due to an insufficient number of applications must be transferred back to the Continuum of Care.

No later than 12 months after the date of the enactment of the HEARTH Act, HUD must promulgate regulations governing the operation of the programs that are created or modified by this Act.

2010

Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203 7/21/10)

The Dodd-Frank Wall Street Reform and Consumer Protect Act (Dodd-Frank Act or Act) was enacted to, among other things, promote the financial stability of the United States

by improving accountability and transparency in the financial system, to end 'too big to fail', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices. Key features of the Dodd-Frank are as follows:

Regulation of Credit Risk Retention. The Dodd-Frank Act establishes a new Section 15G of the Securities and Exchange Act of 1934 to require companies that sell mortgage-backed securities to retain at least 5 percent of the credit risk, unless the underlying loans meet standards that reduce riskiness. The Federal banking agencies and the Securities and Exchange Commission (SEC) are responsible for jointly prescribing regulations to require any securitizer to retain an economic interest in a portion of the credit risk for any asset that the securitizer, through the issuance of an asset-backed security, transfers, sells, or conveys to a third party. In addition, the Federal banking agencies, the SEC, HUD, and the Federal Housing Finance Agency (FHFA), will jointly prescribe regulations to require any securitizer to retain an economic interest in a portion of the credit risk for any residential mortgage asset that the securitizer, through the issuance of an asset-backed security, transfers, sells, or conveys to a third party. The Act exempts from the credit risk requirement any residential, multifamily, or health care facility mortgage loan asset, or securitization based directly or indirectly on such an asset, which is insured or guaranteed by the United States or an agency of the United States. This would include FHA and Ginnie Mae, but does not include Fannie, Freddie or the Home Loan Banks. For private sector mortgages, the federal banking agencies, the SEC, HUD, and the Director of the Federal Housing Finance Agency will jointly issue regulations to exempt qualified residential mortgages from the risk retention requirements of this subsection. This group will also jointly define the term "qualified residential mortgage", taking into consideration underwriting and product features that historical loan performance data indicate result in a lower risk of default.

Establishment of Consumer Financial Protection Bureau. The Act authorizes, among other federal agency transfer of functions, the transfer of the following HUD consumer financial protection functions to the new Consumer Financial Protection Bureau: functions relating to the Real Estate Settlement Procedures Act of 1974 (RESPA), the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE), and the Interstate Land Sales Full Disclosure Act. HUD employees who perform these functions will also transfer to the new Bureau. The Secretary of HUD and the Bureau Director will jointly determine the number of employees to be transferred in order to address the transferring functions.

Establishment of Office of Housing Counseling and Housing Counseling Procedures and Functions. The Dodd-Frank Act establishes the Office of Housing Counseling within HUD. The new office will be overseen by the Director of the Office of Housing Counseling, who will be appointed by, and report to, the Secretary. The Director is responsible for all activities and matters relating to homeownership counseling and rental housing counseling. The Secretary must also appoint an advisory committee to provide advice to the Director. The committee will have 12 individuals, appointed for three year terms, which shall equally represent the mortgage and real estate industry, including consumers and housing counseling agencies certified by the Secretary. The Secretary, in consultation with the advisory committee, will establish standards for the materials and forms used by

homeownership and counseling services organizations. The Secretary will also provide for the certification of various computer software programs for consumers to use in evaluating different residential mortgage loan proposals.

Establishment of a Default and Foreclosure Database. The Dodd-Frank Act requires the Secretary of HUD and the Director of the Consumer Financial Protection Bureau, in consultation with the Federal agencies responsible for regulation of banking and financial institutions involved in residential mortgage lending and servicing, to establish and maintain a database of information on foreclosures and defaults on mortgage loans for one- to four unit residential properties and to make the information publicly available.

Protecting Tenants At-Risk in Multifamily Properties. The Dodd-Frank Act provides that the Secretary of HUD shall, in coordination with Treasury, FDIC, the Federal Reserve and FHFA develop a program to protect tenants of at-risk multifamily properties, where feasible, by creating sustainable financing for the properties. No specific funding or funding authorization is provided for this program.

Emergency Mortgage Relief Program. The Dodd-Frank Act authorizes \$1 billion for HUD through the Emergency Homeowners' Relief Fund effective October 1, 2010. The funds are to be used for loans to unemployed borrowers. HUD shall determine the amount of assistance provided that is reasonably necessary to supplement the contributions of the homeowner towards the mortgage payment. Loans shall not exceed \$50,000. The interest rate on any loan or advance of credit shall be fixed for the life of the loan or advance of credit, and shall not exceed the rate of interest that is generally charged for mortgages on single-family housing insured by FHA. Any eligible homeowner who receives a grant or an advance of credit may repay the loan in full, without penalty, by lump sum or by installment payments at any time before the loan becomes due and payable.

Neighborhood Stabilization Program. The Dodd-Frank Act authorizes additional funding for the Neighborhood Stabilization Program, first established under the Housing and Economic Recovery Act of 2008. The Act provides that effective October 1, 2010, \$1 billion, out of Treasury funds not otherwise appropriated, is to be made available for assistance to States and units of local government for redevelopment of abandoned and foreclosed homes. The amounts available are to be based on the NSP formula in HERA and to be established not later than 30 days following enactment of this Act.

Legal Assistance for Foreclosure-Related Issues. The Dodd-Frank Act requires HUD to establish a competitive grant program to provide foreclosure legal assistance to low- and moderate-income homeowners and tenants related to home ownership preservation, home foreclosure prevention, and tenancy associated with home foreclosure. Priority consideration is to be given to State and local legal organizations that are operating in the 125 metropolitan statistical areas with the highest home foreclosure rates. The Dodd-Frank Act authorizes be appropriated \$35,000,000 for each of fiscal years 2011 through 2012 for these grants.

General and Special Risk Insurance Funds Availability Act of 2010 (Public Law 111-228 8/11/10)

Public Law 111-228, authorizes HUD to enter into commitments to guarantee loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), in an amount not exceeding \$20,000,000,000 in total loan principal, any part of which is to be guaranteed. The purpose of this law is to provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of FHA's General and Special Risk Insurance Funds.

Increasing HUD's Flexibility to Set Mortgage Insurance Premiums for Federal Housing Administration Single Family Mortgage Loans (Public Law 111-229 8/11/10)

Public Law 111-229 was enacted to increase the flexibility of HUD with respect to setting and adjusting the amount of premiums charged for FHA single family housing mortgage insurance, and for other purposes. This Act amends section 203(c)(2) of the National Housing, which authorizes FHA to fix premiums charged for the insurance of mortgage to remove the requirement that FHA must establish and collect an annual premium. The amended language authorizes FHA to establish and collect an annual premium but no longer requires such action. Additionally, prior to amendment by Public Law 111-229, section 203(c)(2) of the National Housing Act provided that the amount of the annual premium is not exceed 0.50 percent of the remaining insured principal balance (excluding the portion of the remaining balance attributable to the premium collected under subparagraph (A) and without taking into account delinquent payments or prepayments) for certain periods. Public Law amends the percentage cap to be 1.5 percent.

2011

Section 202 Supportive Housing for the Elderly Act of 2010 (Public Law 111-372 1/4/11)

Public Law 111-372 amends the statutory authority for the refinancing of Section 202 loans for supportive housing for the elderly under section 202 of the Housing Act of 1959. The new authority allows the refinancing of certain low-interest Section 202 loans on a continuing basis, and requires an additional 20-year affordability period in connection with the refinancing of any Section 202 loan. In addition, Public Law 111-372 authorizes new 20-year Section 8 project-based contracts the project rental assistance for supportive housing for the for elderly.

Frank Melville Supportive Housing Investment Act of 2010 (Public Law 111-374 1/4/11)

Public Law 111-374 amends section 811 of the Cranston-Gonzalez National Affordable Housing Act to revise the requirements for supportive housing for persons with disabilities. It repeals the authority of the Secretary to provide tenant-based rental assistance directly to eligible persons with disabilities, and instead authorizes appropriations for such assistance under section 8 (rental voucher program) of the United States Housing Act of 1937. Public Law 111-371 also modifies the requirements for the

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project rental assistance contract, including renewal of, and increases in, annual contract amounts, revises tenant selection procedures, requires a lease between a tenant and a housing owner to be for at least one year, and revises the application of cost limitations developed by the Secretary to supportive housing.

GPRA Modernization Act of 2010 (Public Law 111-352 1/4/11)

GPRA (the acronym is used as the name of the statute) stands for Government Performance and Results Act. Public Law 111-352 updates the Government Performance and Results Act of 1993 (Public Law 103-62). GPRA 1993 requires Federal agencies to engage in project management tasks such as setting goals, measuring results, and reporting their progress. In order to comply with the GPRA, Federal agencies must develop and produce: 5-year strategic plans that must contain a mission statement for the agency as well as long-term, results-oriented goals covering each of its major functions; and annual performance plans that establish the performance goals for the applicable fiscal year, including a brief description of how these goals are to be met, and a description of how these performance goals can be verified; and that review the agency's success or failure in meeting its targeted performance goals.

Public Law 111-353 continues the requirement for Federal agencies to develop and produce strategic plans and annual performance plans but makes several changes, including, but not limited to the following: changing the strategic plan to a 4-year strategic plan, and requiring the update of strategic plan every 4 years; requiring Federal agencies to consult with Congress and stakeholders in the development of their plans, and specifying how such consultation should proceed; requiring the agency's annual performance plan, now called agency performance plan, to accompany the agency's budget proposal submission to the President; requiring Federal agencies to publish their strategic and performance plans and reports in machine-readable formats; and requiring OMB to annually determine whether an agency meets the performance goals in its performance plan, or whether any goals are "unmet."

Consolidated and Further Continuing Appropriations Act, 2012 (Public Law 112-55 11/18/11)

Public Law 112-55 creates the Rental Assistance Demonstration program, which allows public housing and Moderate Rehabilitation properties to convert their existing assistance to long-term property-based rental assistance contracts or project-based voucher contracts. These conversions are limited to 60,000 units and no additional funding is provided. Additionally, properties with recently expired or soon-to-expire Rent Supplement or Rental Assistance Program (RAP) contracts may convert their enhanced vouchers to project-based vouchers.

Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112-78 12/23/2011)

Amends the Housing and Community Development Act of 1992 to require the Director of the Federal Housing Finance Agency (FHFA) to require each GSE to charge a

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guarantee fee in connection with any guarantee of the timely payment of principal and interest on securities, notes, and other obligations based on or backed by mortgages on residential real properties designed principally for the occupancy of from one to four families.

Requires the FHFA Director to prohibit a GSE from consummating any offer for a guarantee to a lender for mortgage-backed securities if: (1) the guarantee is inconsistent with the requirements of this Act; or (2) the risk of loss is allowed to increase, through the lowering of the underwriting standards or other means, for the primary purpose of meeting the requirements of this Act.

Requires direct deposit into the Treasury of any amounts received from fee increases imposed by this Act that are necessary to comply with the minimum increase required by this Act.

Requires the Director to require each GSE, as part of its annual report, to: (1) describe changes made to up-front fees and annual fees as part of the guarantee fees negotiated with lenders, changes to the riskiness of the new borrowers compared to previous origination years or book years, and any adjustments required to improve for future origination years or book years, in order to be in complete compliance with guarantee fee requirements; and (2) assess how the changes in such guarantee fees met the requirements of this title.

Amends the National Housing Act with respect to requirements for each mortgage secured by a 1- to 4-family dwelling that is an obligation of the Mutual Mortgage Insurance Fund. Directs the Secretary, in addition to other required or authorized premiums, to establish and collect through FY2021 annual premium payments of up to 10 basis points of the remaining insured principal balance for any mortgage for which the Secretary collects an annual premium on the remaining insured principal balance.

2012

Biggert-Waters Flood Insurance Reform and Modernization Act of 2012 (Title II of Division F of Public Law 112-141 7/6/2012)

Title II of Division F of Public Law 112-141 reauthorizes and significantly reforms the National Flood Insurance Program (NFIP) for five years through September 30, 2017. The new law at section 100239, amends 42 U.S.C. § 4012a(b)) to allow for private insurance to meet the requirements for flood insurance coverage for purposes of securing a federally-backed mortgage, so long as the private insurance policy extends the same level of coverage as an NFIP policy. The law provides that each Federal agency lender shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence. Although neither HUD nor FHA are Federal agency lenders, the requirement that a Federal agency lender accept private flood insurance coverage if it is determined to be satisfactory may have an impact on FHA-

insured mortgages; FHA is amending its regulations to permit the acceptance of private flood insurance in connection with FHA insured single-family mortgages.

2013

Violence Against Women Reauthorization Act of 2013 (Public Law 113-4 3/07/13)

This Act amends sections 6 and 8 of the United States Housing Act of 1937 to remove domestic violence protections and reorganize those rights under subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.). Subtitle N now provides housing protections for victims of domestic violence, dating violence, sexual assault, and stalking. These protections apply to covered housing programs. These programs include supportive housing for the elderly and persons with disabilities; housing for persons with AIDS; homeless programs; the HOME Investment Partnerships program; the rent supplement program under paragraph (3) of section 221(d) of the National Housing Act; the rent subsidy program under section 236 of the National Housing Act; housing assistance provided under sections 6 and 8 of the United States Housing Act of 1937; rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949; and the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

The various housing protections consist of prohibitions against the denial of admission or assistance or termination of assistance, the termination of assistance based on criminal activity, lease bifurcation, documentation requirements, and providing notice of the rights of individuals covered under the housing programs. In addition, HUD is required to adopt a model emergency transfer plan for public housing agencies and owners or managers of housing assisted under the covered housing programs. This plan must allow tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if the tenant expressly requests the transfer, and the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit. HUD must establish policies and procedures under which a victim requesting an emergency transfer may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937.

Reverse Mortgage Stabilization Act of 2013 (Public Law 113-29 8/9/13)

This law provides for additional safety and soundness protections for HUD's Home Equity Conversion Mortgage (HECM) Insurance Program by authorizing HUD to establish, by notice or mortgagee letter, any additional or alternative requirements that the Secretary, in the Secretary's discretion, determines are necessary to improve the fiscal safety and soundness of the program authorized by section 255 of the National Housing Act, which requirements shall take effect upon issuance.'

2014

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014 (Public Law 113-76 1/17/14)

The FY14 Appropriations Act contained several changes to the United States Housing Act of 1937, affecting the public housing and voucher programs. Section 202 revised the flat rent amount in public housing to be no less than 80 percent of the area Fair Market Rent (FMR). PHAs have the option, in years when the FMR goes down, to decrease rents accordingly. If the new flat rent increases a family's rent payment by more than 35 percent, the rent increase must be phased in so that the increase is no more than 35 percent per year. Section 212 amended the definition of a PHA to include a consortium of such entities. Section 220 allowed PHAs to comply with the requirement to inspect assisted dwelling units during the term of a housing assistance payment (HAP) contract by conducting biennial housing quality inspections instead of annual inspections. PHAs are also able to utilize alternative inspection methods to demonstrate that housing meets the housing quality requirements under the voucher program. Section 238 created a statutory definition of "extremely low-income families," which is defined as very low-income families whose incomes do not exceed the higher of the Federal poverty level or 30 percent of Area Median Income. Section 242 established a cap on the utility allowance for families leasing oversized units. The cap is set at an amount based on family size rather than the size of the unit leased, with the ability to set a higher amount to provide a reasonable accommodation to the family of a person with disabilities, harmonizing the utility allowance standard with the payment standard requirement.

Section 239 also amended the Rental Assistance Demonstration (RAD) authority in the FY2012 appropriations act to extend the deadline for the second component conversions through December 31, 2014.

Workforce Innovation and Opportunity Act of 2014 (Public Law 113-128 7/22/14)

This law overhauls various federal job training programs administered by agencies other than HUD, but it also makes several technical conforming changes to HUD statutes and contains a few provisions referencing HUD programs. Some of the job training programs were changed to adopt the definitions of "homeless children and youths" and "transitional housing" as established in the McKinney-Vento Homeless Assistance Act. Section 103 of the law permits each state to submit a combined plan for activities that join planning for a "core program" (i.e. some non-HUD program) and one or more other related activities, which could include employment or training activities conducted by HUD where a plan is required. Section 121 creates a series of one-stop delivery centers for programs such as HUD's employment and training activities. Section 169 provides that if the Department elects to exercise the option to write a report on training programs for recipients of public housing assistance, the preparation of the report must be coordinated with HUD. Section 171 of the law establishing the Youthbuild program adopts the United States Housing Act of 1937's income-related definitions. Finally, the law strikes references

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to the “Workforce Investment Act of 1998,” which was repealed by the law, in the United States Housing Act of 1937, McKinney-Vento, and section 3 of the Housing and Urban Development Act of 1968, and replaces these references with those to this law (the Workforce Innovation and Opportunity Act).

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2015 (Public Law 113-235 12/16/14)

The FY15 Appropriations Act amends section 24 of the United States Housing Act of 1937 by extending the HOPE VI Program through the end of FY 2015. The law extended the Multifamily Assisted Housing Reform and Affordability Act (MAHRAA) through the end of FY 2017. The act amends the public housing “flat rent” requirements of the 1937 Act to allow the Secretary to approve an alternative fair market rent that more accurately reflects local market conditions. Also, the appropriations act amends the Housing and Community Development Act of 1992 to require section 184 lenders to consider loan modification before declaring default.

The Rental Assistance Demonstration (RAD) authority in the Department of Housing and Urban Development Appropriations Act, 2012, is amended to include under the first component of RAD, an increase in the cap of units converted under to 185,000 and an extension of the application period until September 30, 2018. The second component of RAD is amended to allow for conversions to long-term project-based subsidy contracts under section 8 and an extension of the deadline for such conversions.

Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291 12/19/14)

This law provides, at section 1079, a pilot program to rehabilitate and modify homes of disabled and low-income veterans. The law directs the Secretary to establish a pilot program that awards grants to qualified organizations to rehabilitate and modify the primary residences of these eligible veterans. The grant amount cannot exceed \$1,000,000 to any single qualified organization in a fiscal year. Moreover, a qualified organization receiving a grant is required to contribute towards the housing modifications and rehabilitation services provided in an amount equal to 50 percent of the grant award. A “low-income veteran” is defined by the program to include those veterans whose incomes do not exceed 80 percent of the median income for an area, as determined by the Secretary. A “qualified organization” is defined to include any nonprofit organization that provides nationwide or statewide programs that primarily serve veterans or low-income individuals.

Tax Increase Prevention Act of 2014 (Public Law 113-295 12/19/14)

This law extends three tax provisions relevant to HUD. First, it extends the provision that prevents the amount of principal forgiven in a short sale or foreclosure from being counted as ordinary income through January 1, 2015. Second, it extends through January 1, 2015 the provision that allows borrowers to factor in their mortgage insurance premiums

into their mortgage interest deductions. Third, it extends a provision that provides the minimum 9 percent credit to Low-Income Housing Tax Credit (LIHTC) projects allocated tax credits before January 1, 2015, but not necessarily placed in service. Otherwise, these LIHTC projects would receive a floating rate based on a formula that uses the federal cost of borrowing to establish the credit rate.

2015

The Fixing America's Surface Transportation Act (FAST Act) (Public Law 114-94 12/4/15).

The FAST Act reauthorizes surface transportation funding for the next five years. Additionally, the FAST Act includes a number of HUD-related provisions. First, the act creates a Federal Permitting Improvement Steering Council, comprised of members from specified Executive branch agencies, including HUD, for the purpose of expediting required environmental decisions. The FAST Act also amends the Low-Income Housing Preservation and Resident Homeownership Act of 1990 to allow property owners to refinance properties and to distribute surplus cash and funds accumulated in a residual receipts account, under certain circumstances. Further, the act amends the public housing and Section 8 authorizing statute to no longer require annual reexaminations when at least 90 percent of the income of the family consists of "fixed income. The FAST Act also amends the McKinney-Vento Homeless Assistance Act by authorizing nonprofit organizations to administer permanent housing rental assistance, and by reducing the frequency of required reallocations of Emergency Solutions Grant assistance under the minimum allocation requirements. Further, the act directs the Secretary to establish a demonstration program to reduce energy and water costs through the execution of agreements with entities to carry out projects for energy or water conservation improvements in multifamily units.

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (Public Law 114-113 12/18/15)

The FY16 Appropriations Act waives the 30-day waiting period for the termination or refusal to renew of a tenant in affordable housing when the grounds for such termination or refusal to renew involves a direct threat to the safety of the tenants or employees of the housing or an imminent and serious threat to the property. The Act permits exceptions for alternative water systems that meet State and local building codes that ensure health and safety standards.

The Act directs the Secretary to increase the number of MTW agencies by 100, adding public housing agencies designated as high performing agencies. The law also allows the Secretary to authorize the transfer of existing subsidies and liabilities from obsolete housing for person with disabilities to housing that complies with local Olmstead requirements

The authority for the Rental Assistance Demonstration is amended to make permanent the eligibility of owners of properties assisted under section 101 of the Housing

and Urban Development Act of 1965 (Rent Supplement), section 236(f)(2) of the National Housing Act (Rental Assistance Payments), or section 8(e)(2) of the United States Housing Act of 1937 (Moderate Rehabilitation), to convert to section 8 assistance under the second component of the demonstration.

2016

Housing Opportunity Through Modernization Act of 2016 (HOTMA) (Public Law 114-201 7/29/16)

HOTMA amended many HUD programs, including public housing, FHA's insurance for condominiums, and the HOPWA program. Some changes were relatively small, including changing the terminology used in the project-based voucher statute; and allowing public housing agencies and local redevelopment authorities to be eligible for Emergency Solution Grants.

A significant statutory change in HOTMA was to cap the incomes for families residing in public housing at 120 percent of area median income (AMI). If a family has that income level for two years, they must pay the fair market value for the unit or vacate the unit. HOTMA also allows PHAs to use 10 percent of their housing choice vouchers (above the 20 percent project-based voucher portfolio cap) for project-based vouchers for the homeless, veterans, the elderly, the disabled, or for units in areas where vouchers are difficult to use due to market conditions. HOTMA also increases the age limit for family unification program (FUP) vouchers from 18 to 24 and increases the time such vouchers are available from 18 to 36 months.

HOTMA requires FHA to streamline the project certification requirements applicable to mortgage insurance on condominium projects and provides for additional review or exception processes for requirements regarding the amount of space in a condominium property that may be used for nonresidential or commercial properties.

HOTMA further creates, in the Office of the Secretary, a Special Assistant for Veterans Affairs to coordinate all HUD programs and activities relating to veterans. HOTMA moves all responsibilities for veterans' programs under the Deputy Assistant Secretary for Special Needs to the new office.

HOTMA also amends the HOPWA distribution formula to better reflect the rise and redistribution of people living with HIV.

2017

Transportation, Housing, and Urban Development, and Related Agencies Appropriations Act, 2017 (Public Law 115-31 5/5/17)

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The FY17 Appropriations Act amends the Rental Assistance Demonstration program by extending the authority for conversions under the First Component to September 30, 2020. The Act raises the cap for the number of public housing units eligible for conversion to 225,000.

The FY17 Act also expands the regulatory exemption of HUD's lead-based paint authority—for housing for the elderly or persons with disabilities—by lowering the age threshold from 7 to 6 years of age for children who reside in such units. While all 0-bedroom dwellings were previously exempted from HUD's lead-based paint regulatory authority, the FY17 Act expands coverage to include 0-bedroom dwelling units where children under age 6 reside or are expected to reside.

2018

Consolidated Appropriations Act, 2018 (Public Law 115-141 3/23/18)

The FY18 Appropriations Act amends the Rental Assistance Demonstration program by extending the authority for conversions under the First Component to September 30, 2024. The Act raises the cap for the number of public housing units eligible for conversion to 455,000. The Act also extends eligibility under the Second Component to those projects with a project rental assistance contract under section 202(c)(2) of the Housing Act of 1959.

Economic Growth, Regulatory Relief, and Consumer Protection Act (Public Law 115-174 5/24/18)

The Act streamlines HUD's administration of the family self-sufficiency (FSS) program by allowing participating PHAs to combine their public housing and Housing Choice Voucher FSS accounts, broadening the services that can be provided to FSS participants, and extending the program to tenants who live in privately-owned properties backed by project-based rental assistance.

The Act also streamlines requirements related to program inspections and evaluations, environmental reviews, and troubled property designations for small PHAs (those with no more than 550 vouchered units) in rural areas.

The Act reinstates the Protecting Tenants at Foreclosure Act. It also authorizes HUD to prescribe rules defining the type of loans HUD will insure, guarantee, or administer under the National Housing Act in order to address PACE loans, and it sets new requirements and limits on loans to veterans that are being refinanced. Finally, the Act authorizes the Department of Treasury to use loan guarantees and credit enhancements as part of the Hardest Hit Fund to remediate lead and asbestos hazards in residential properties.

2019

Consolidated Appropriations Act, 2019 (Public Law 116-6 2/15/19)

The FY19 Appropriations Act includes standalone language to create a mobility demonstration program to enable PHAs to administer HCV assistance under section 8(o) of the '37 Act in a manner designed to encourage families receiving such assistance to move to lower-poverty areas and expand access to opportunity areas. The demonstration program is set to terminate on October 1, 2028.

2020

Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116-136 3/27/20)

The CARES Act includes supplemental appropriations to the FY20 appropriations to numerous HUD programs to provide additional funding to prevent, prepare for, and respond to coronavirus disease (COVID-19). The CARES Act provided the following funds:

- HOPWA – \$65 million for additional HOPWA funds to maintain operations and for rental assistance, supportive services and other necessary actions;
- CDBG – \$5 billion to enable nearly 1,240 states, counties, and cities to rapidly respond to COVID-19 and the economic and housing impacts caused by it, including the expansion of community health facilities, childcare centers, food banks, and senior services;
- Emergency Solutions Grants (ESG) – \$4 billion to address the impact of COVID-19 among individuals and families who are homeless or at risk of homelessness, and to support additional homeless assistance, prevention, and eviction prevention assistance;
- Tenant-Based Rental Assistance – \$1.25 billion for additional funds for PHAs to maintain normal operations and take other necessary action during the period that the program is impacted by COVID-19, in addition to administrative expenses and other expenses for Section 8 programs, including Mainstream vouchers;
- Public Housing Operating Fund – \$685 million for PHAs to maintain normal operations and take other necessary actions during the period that the program is impacted by COVID-19; funds are to be combined with FY20 funds and awarded using the Operating Fund formula and may be used for both capital and operating expenses; and
- Native American programs – \$300 million for activities and assistance under title I of NAHASDA and under title I of the Housing and Community Development Act of 1974, including Native American Housing Block Grants, to be distributed using the FY20 formula.

The CARES Act also includes the following general provisions that affect HUD and HUD programs:

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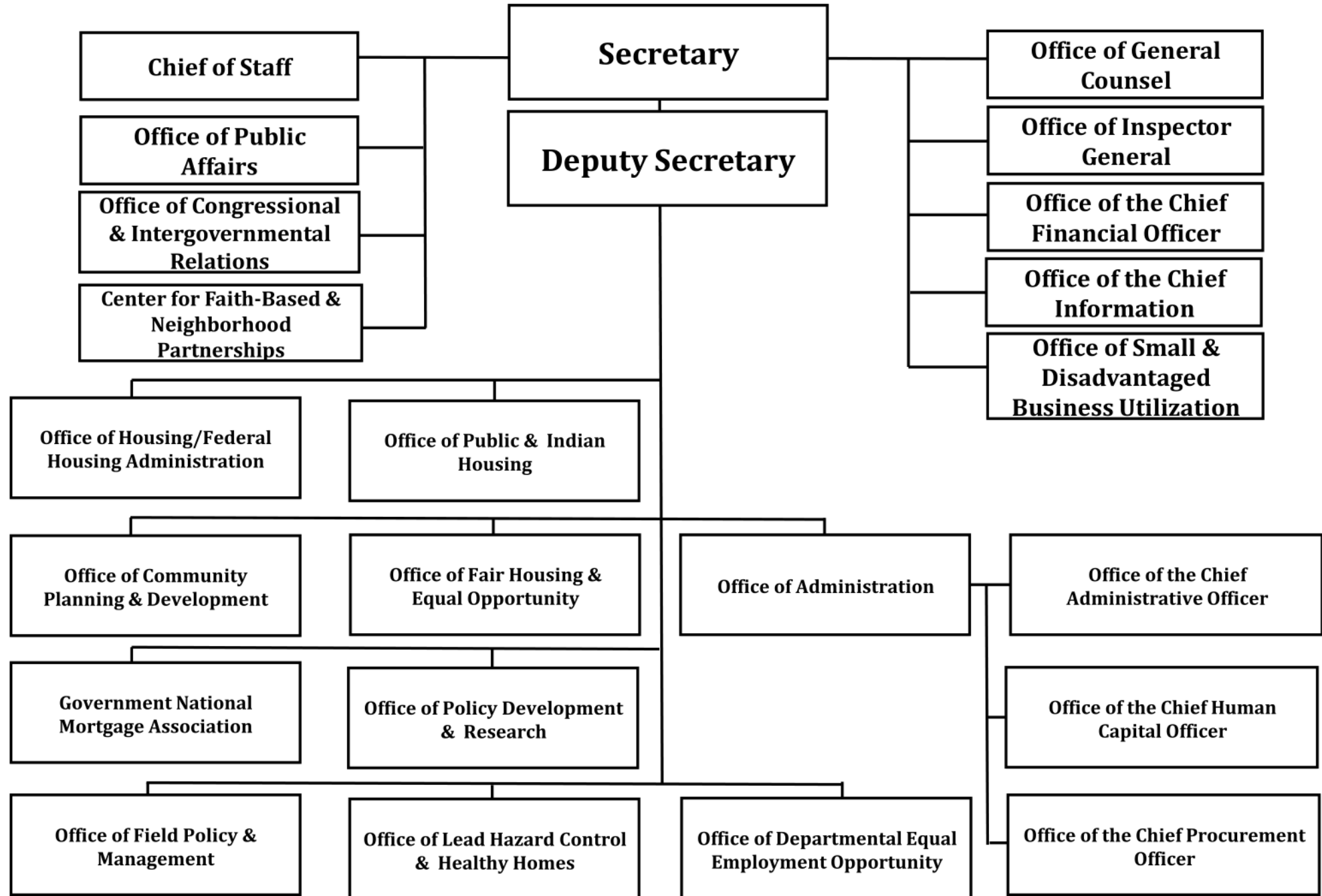
- Section 22004 rescinds and reappropriates funds for a youth homelessness demonstration under the “Homeless Assistance Grants” demonstration in the FY18 appropriations act;
- Section 4010 allows for temporary hiring flexibility for HUD, SEC, and the Commodity Futures Trading Commission to recruit and appoint candidates to fill temporary and term appointments upon a determination that those expedited procedures are necessary and appropriate to prevent, prepare for, or respond to COVID-19;
- Section 4022 provides a foreclosure moratorium for borrowers with Federally backed mortgages experiencing financial hardships due to COVID-19;
- Section 4023 provides the opportunity for multifamily borrowers with Federally backed mortgages experiencing financial hardship to request a forbearance; and
- Section 4024 provides a temporary moratorium on eviction filings.



2021 President's Budget Organization Charts

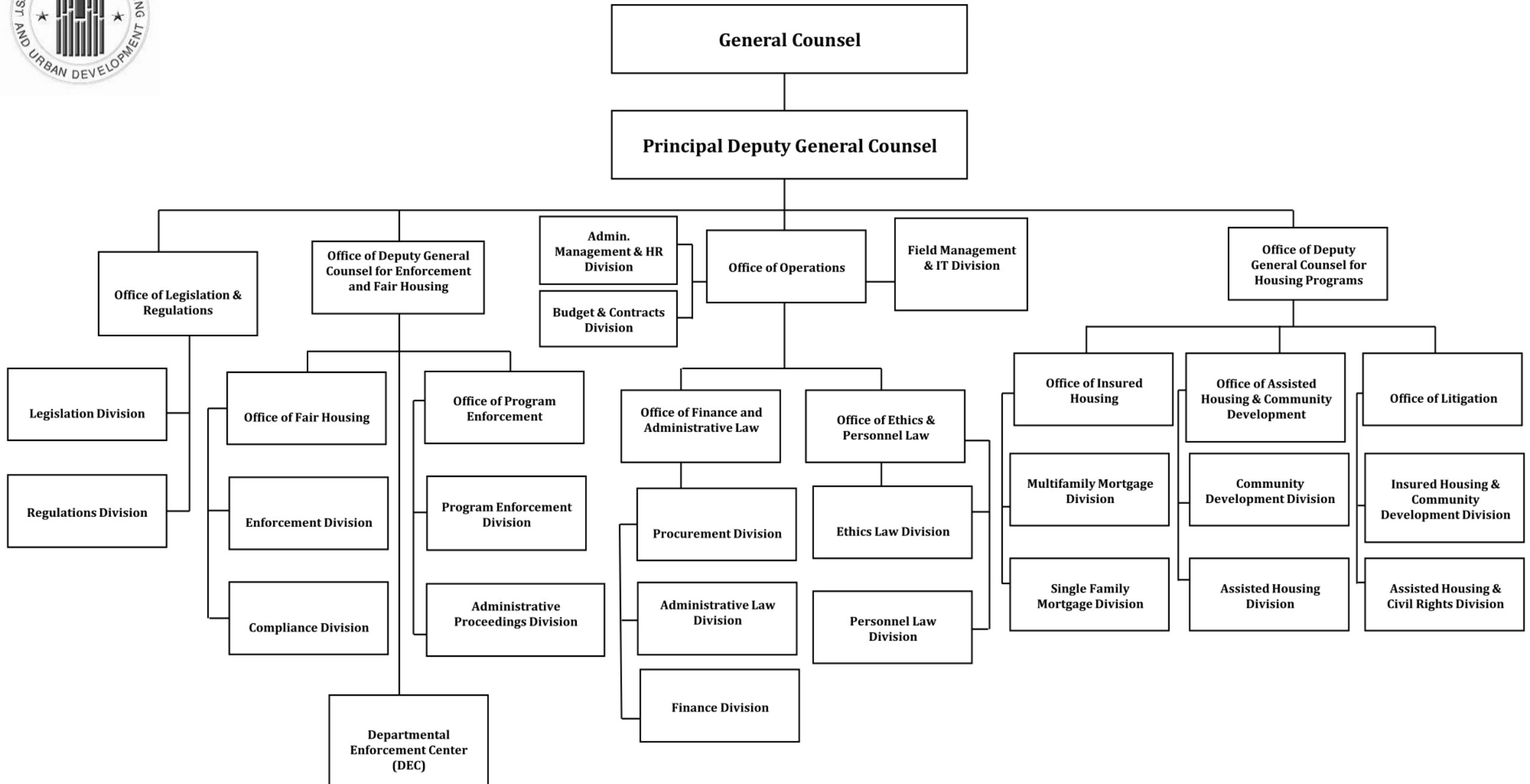


Department of Housing and Urban Development

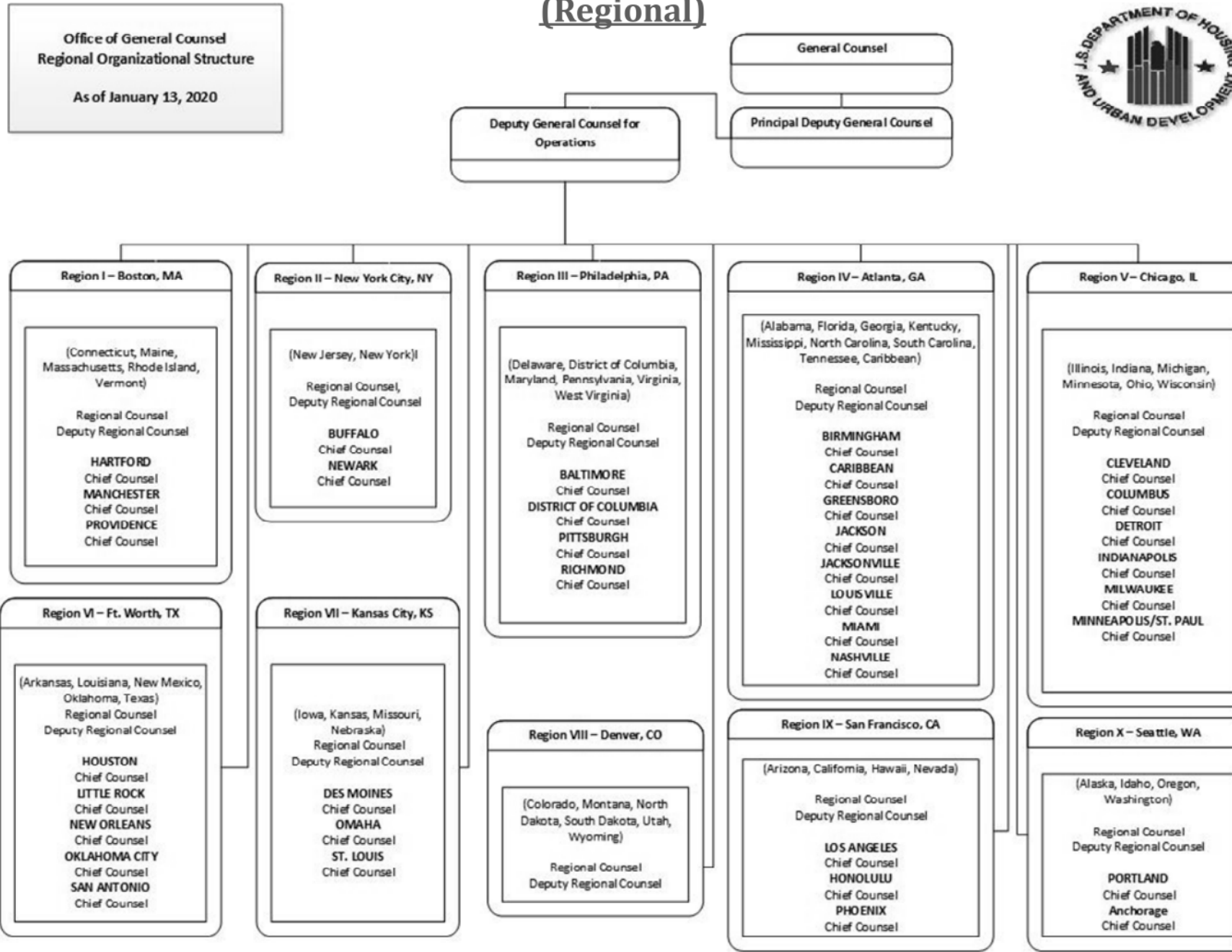




Office of General Counsel (Headquarters)



Office of General Counsel (Regional)

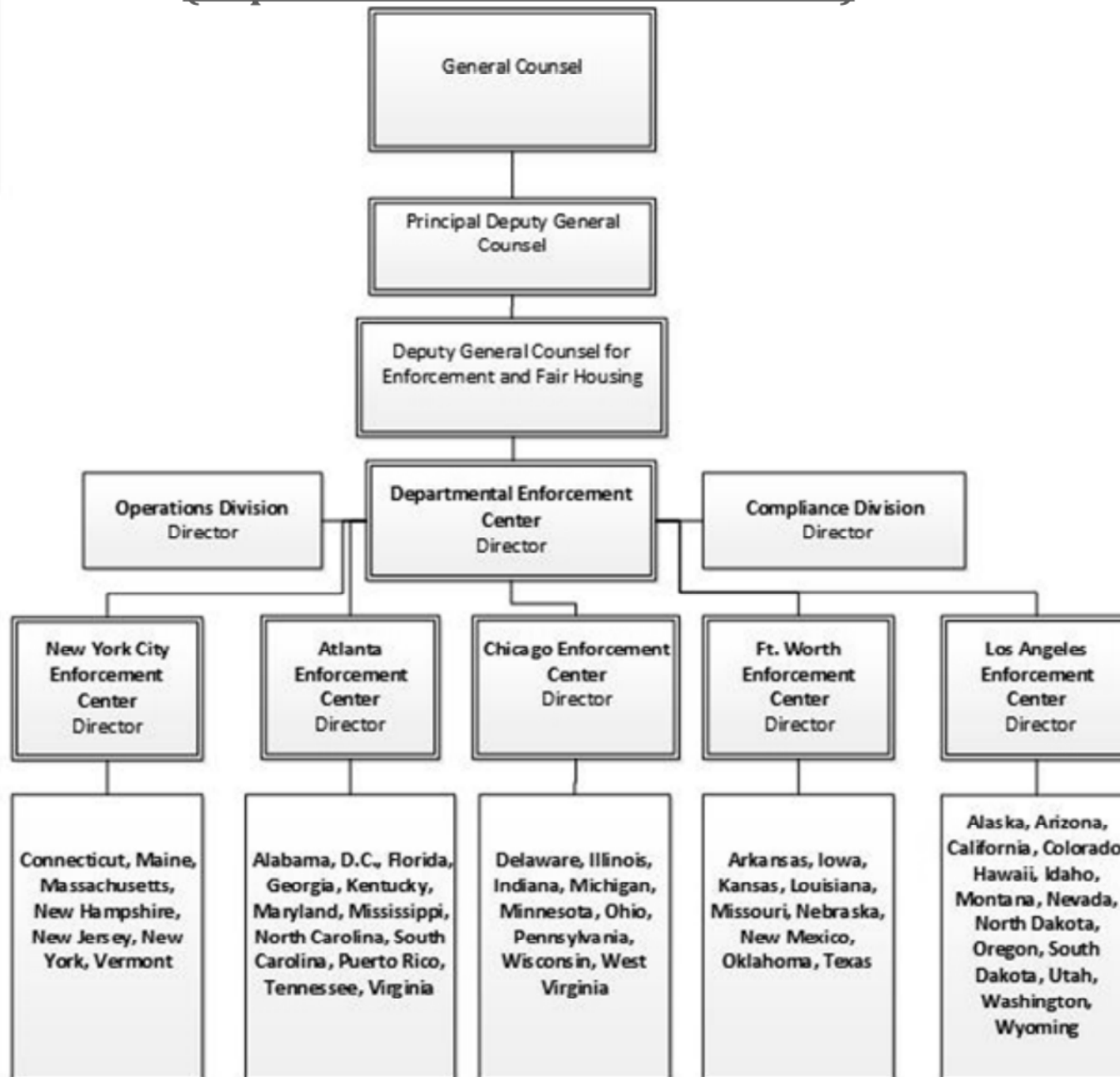


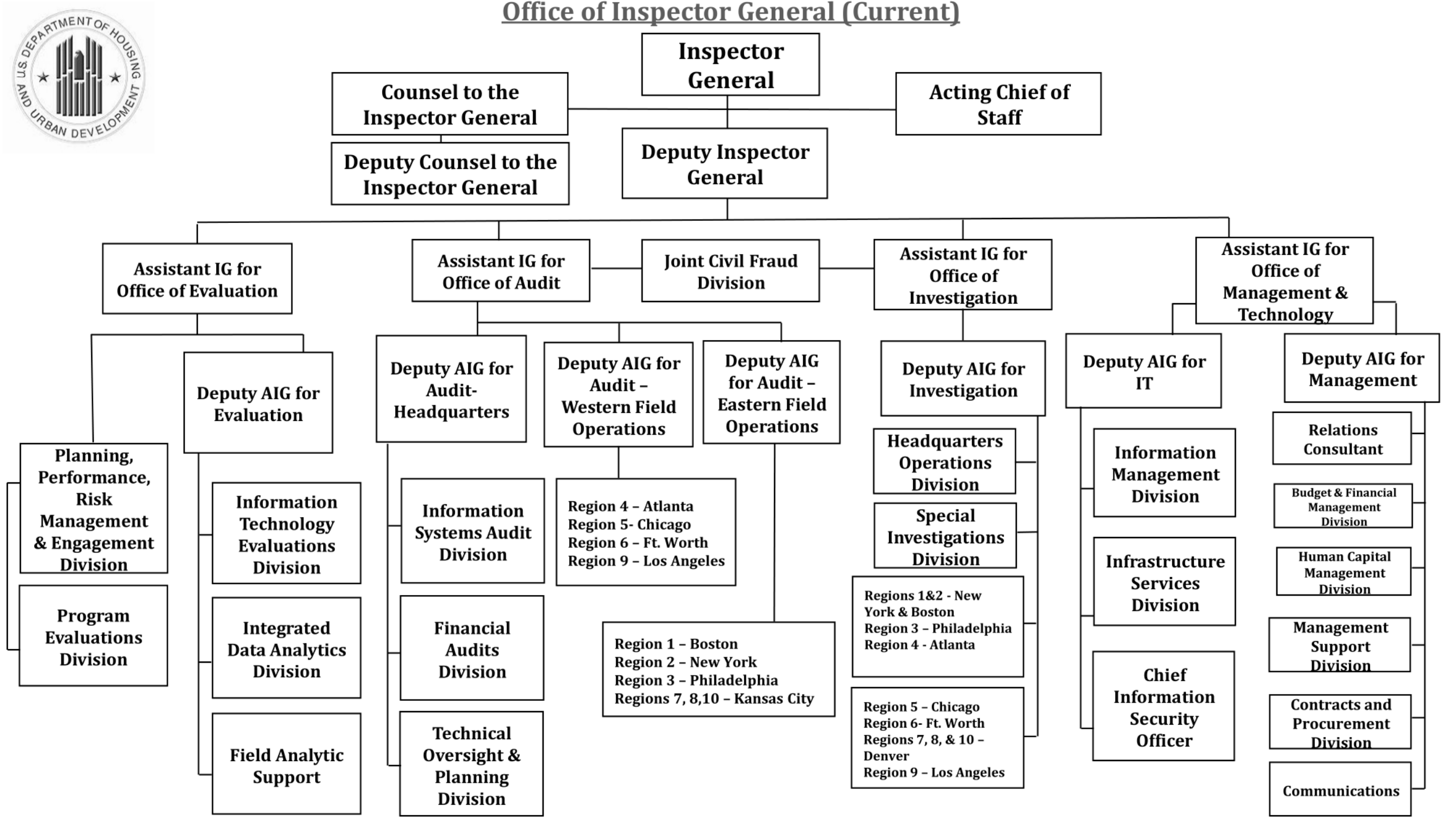
Office of General Counsel
(Departmental Enforcement Center)



Office of General Counsel
Departmental Enforcement Center
Organizational Structure

As of January 13, 2020







Office of Inspector General (Proposed)

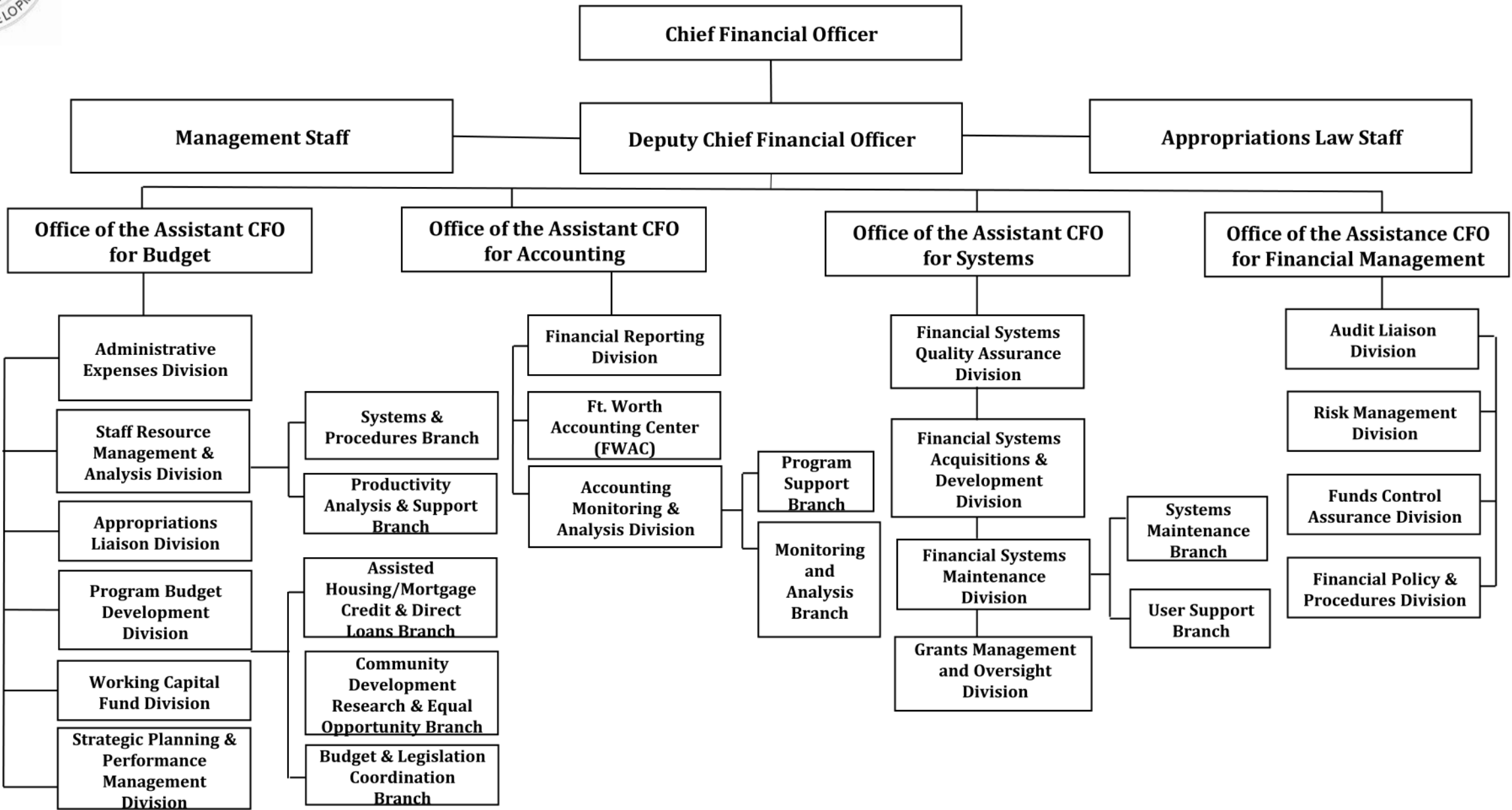
(b)(5) Deliberative Privilege

(b)(5) Deliberative Privilege

(b)(5) Deliberative Privilege



Office of the Chief Financial Officer
(Current)





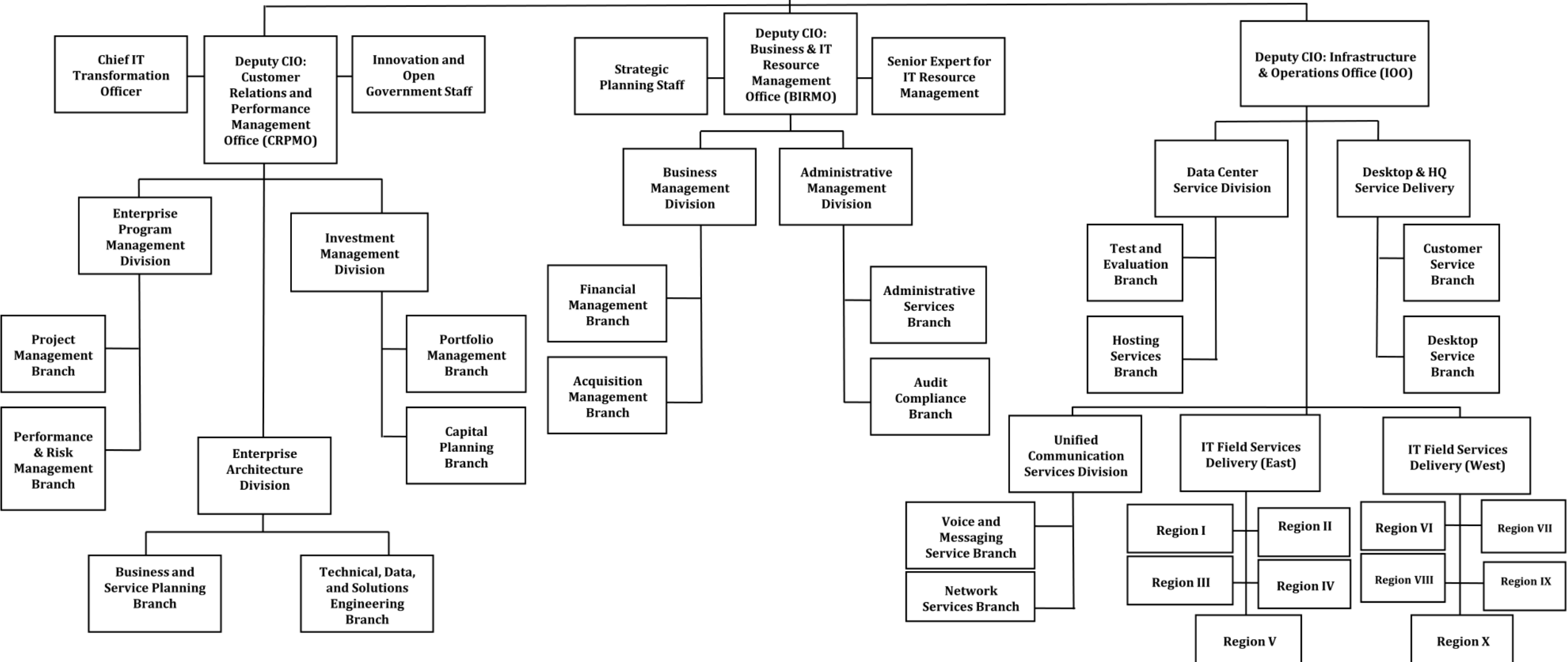
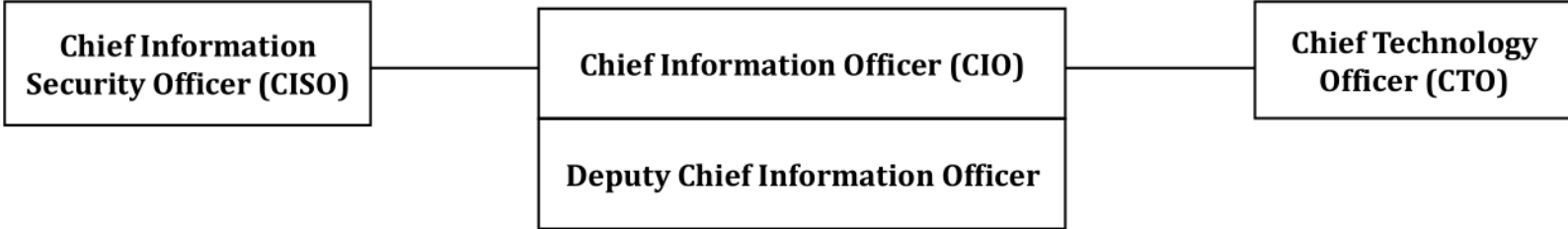
Office of the Chief Financial Officer (Proposed)

(b)(5) Deliberative Privilege

(b)(5) Deliberative Privilege



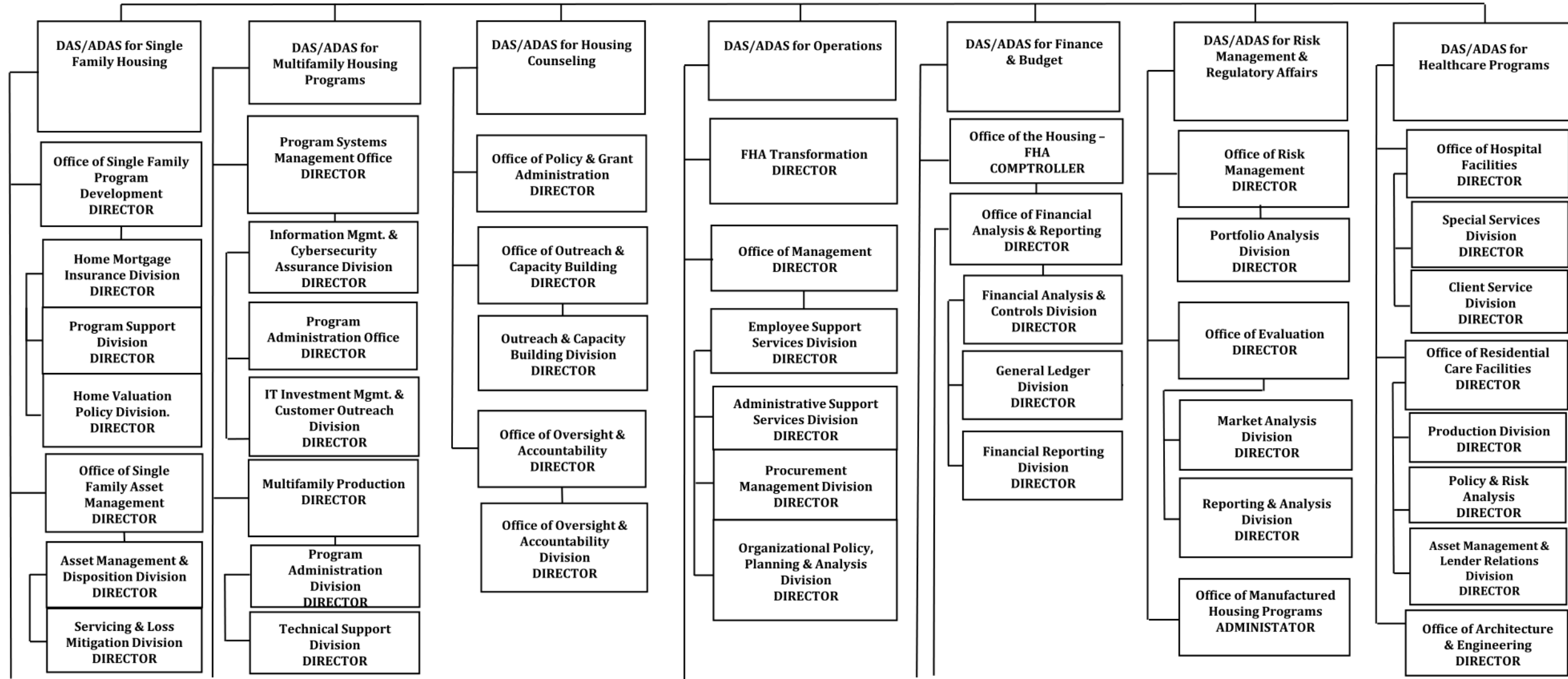
Office of the Chief Information Officer





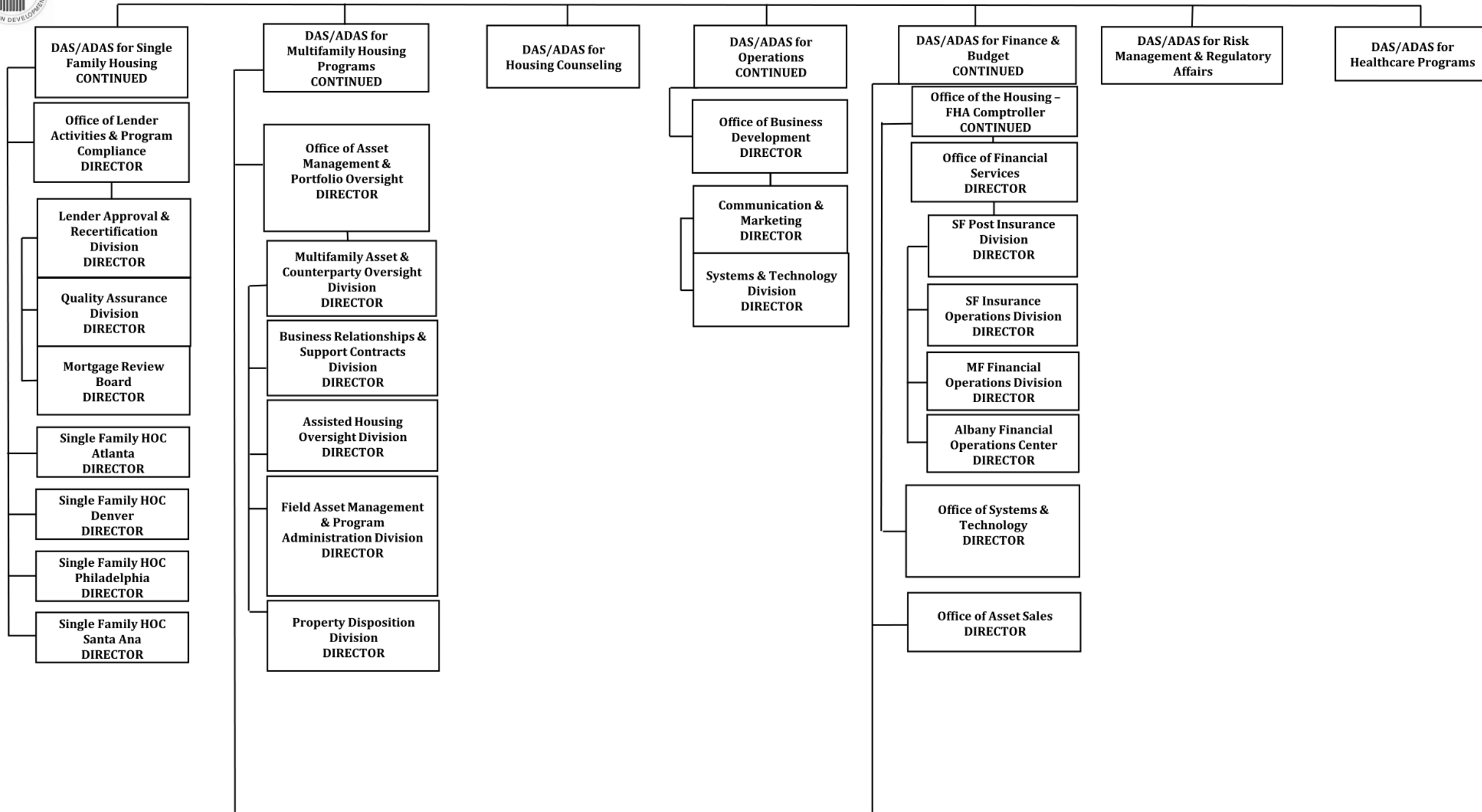
Office of Housing (Current)

ASSISTANT SECRETARY
GENERAL DEPUTY ASSISTANT SECRETARY
ASSOCIATE GENERAL DEPUTY ASSISTANT SECRETARY
CHIEF OF STAFF



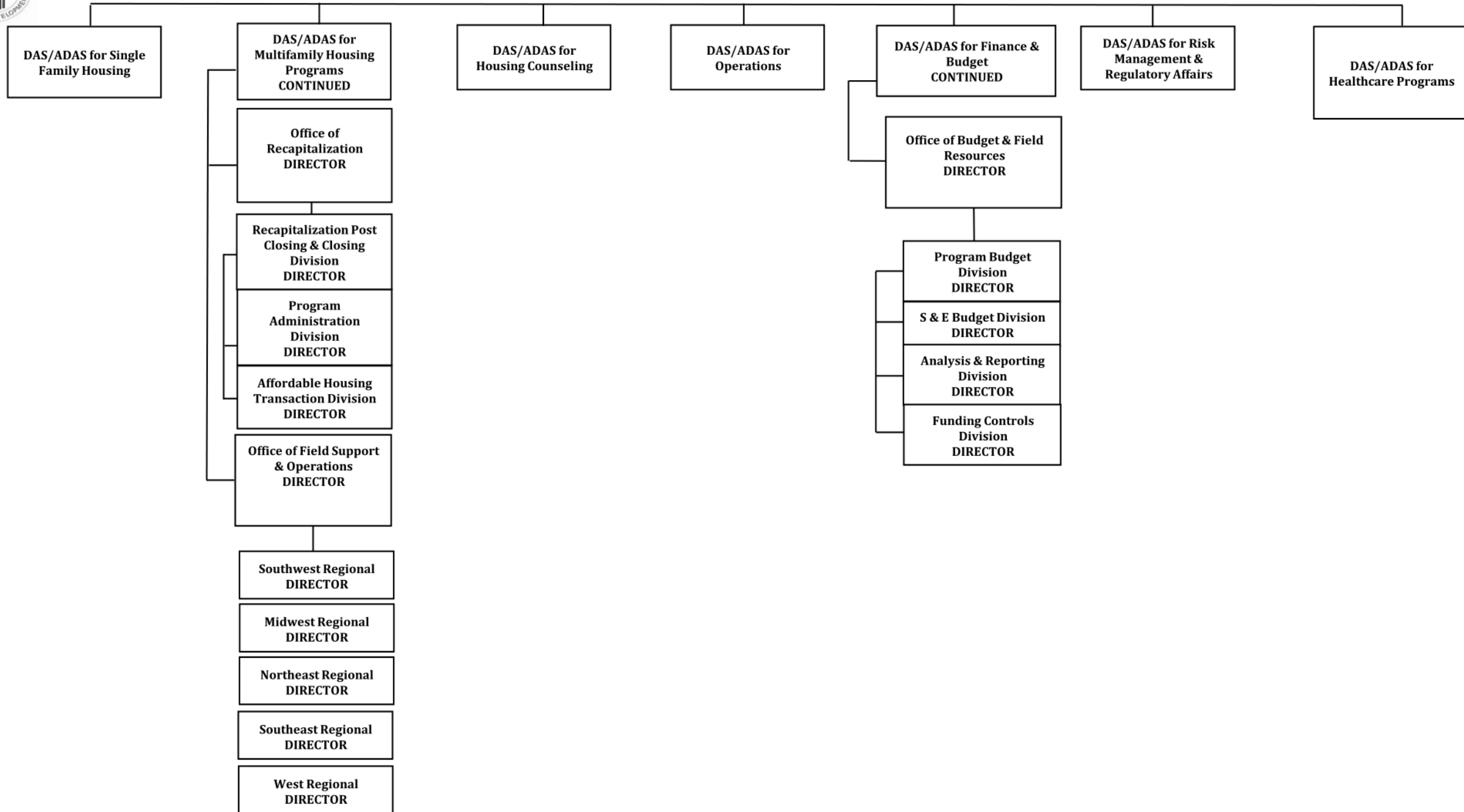


Office of Housing (Current) Continued





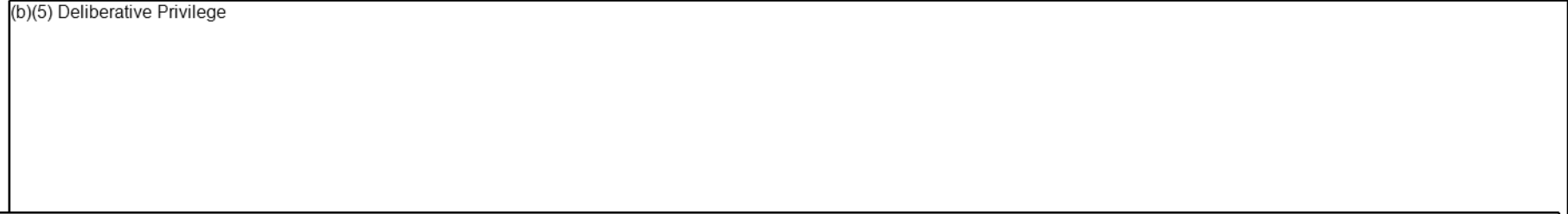
Office of Housing (Current) Continued





Office of Housing (Proposed)

(b)(5) Deliberative Privilege



(b)(5) Deliberative Privilege



Office of Housing (Proposed) Continued

(b)(5) Deliberative Privilege

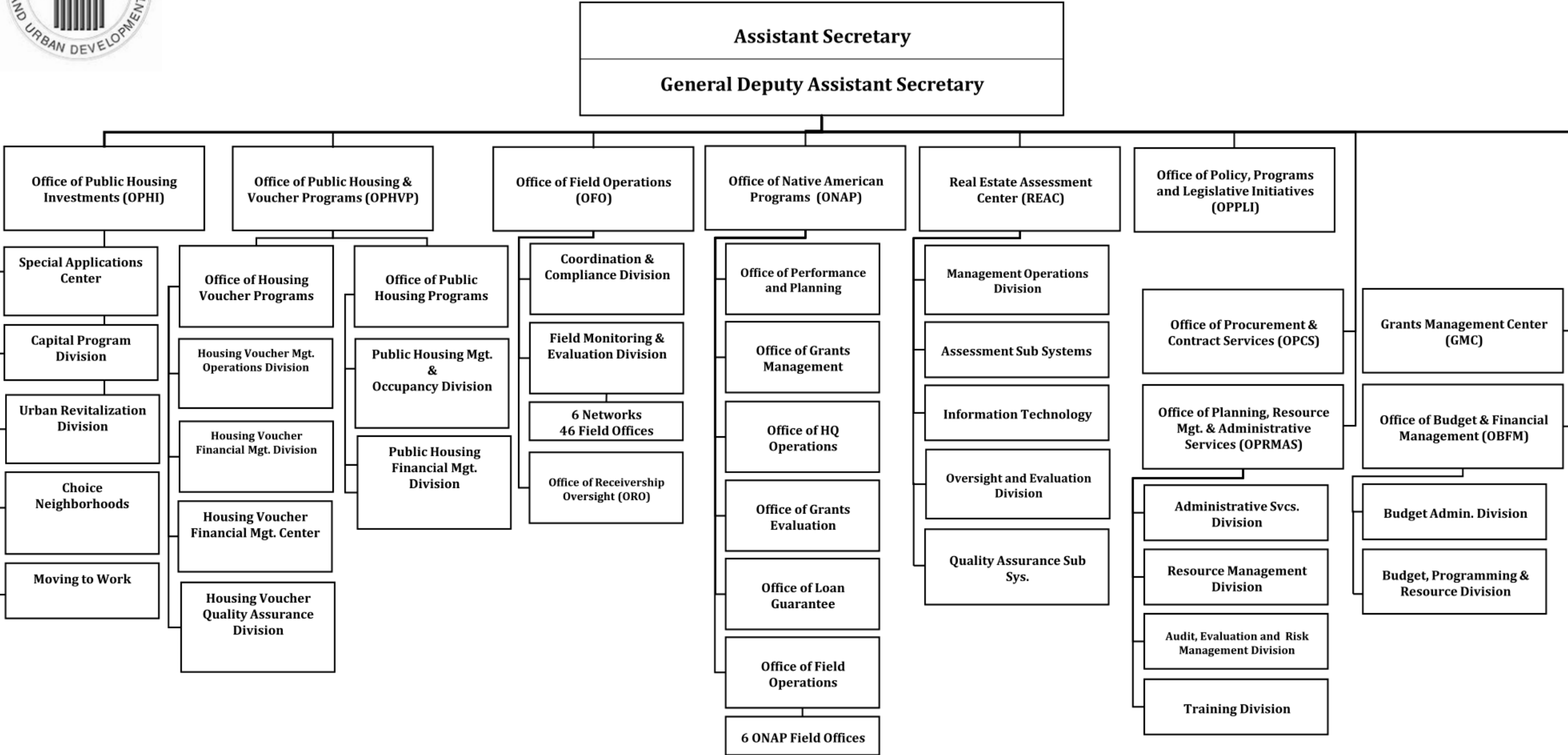


Office of Housing (Proposed) Continued

(b)(5) Deliberative Privilege



Office of Public and Indian Housing (Current)





Office of Public and Indian Housing (Proposed)

(b)(5) Deliberative Privilege

(b)(5) Deliberative Privilege



Office of Community Planning and Development

**Principal Deputy
Assistant Secretary**

**General Deputy
Assistant Secretary**

**Associate General
Deputy Assistant
Secretary**

**DAS for Special
Needs Programs**

**Office of Special Needs
Assistance Programs**

Community Assistance

**Program Coordination
& Analysis**

State Assistance

Office of HIV/AIDS

**DAS for Economic
Development**

**Office of Economic
Development**

**Office of Rural
Housing &
Economic
Development**

**Office of
Community
Renewal**

DAS for Operations

**Office of Field
Management**

**Office of Policy
Development &
Coordination**

**Office of Technical
Assistance &
Management**

Budget

**Systems Development
& Evaluation, System
Support & Operations
Support**

Management

Technical Assistance

**DAS for Grant
Programs**

**Office of Block
Grant Assistance**

**Disaster Recovery &
Special Issues**

Disaster Relief (Term)

**Entitlement
Communities**

Financial Management

State & Small Cities

**Office of
Environment &
Energy
Environmental Staff**

Environmental Review

**Environmental
Planning**

**Office of Affordable
Housing Programs**

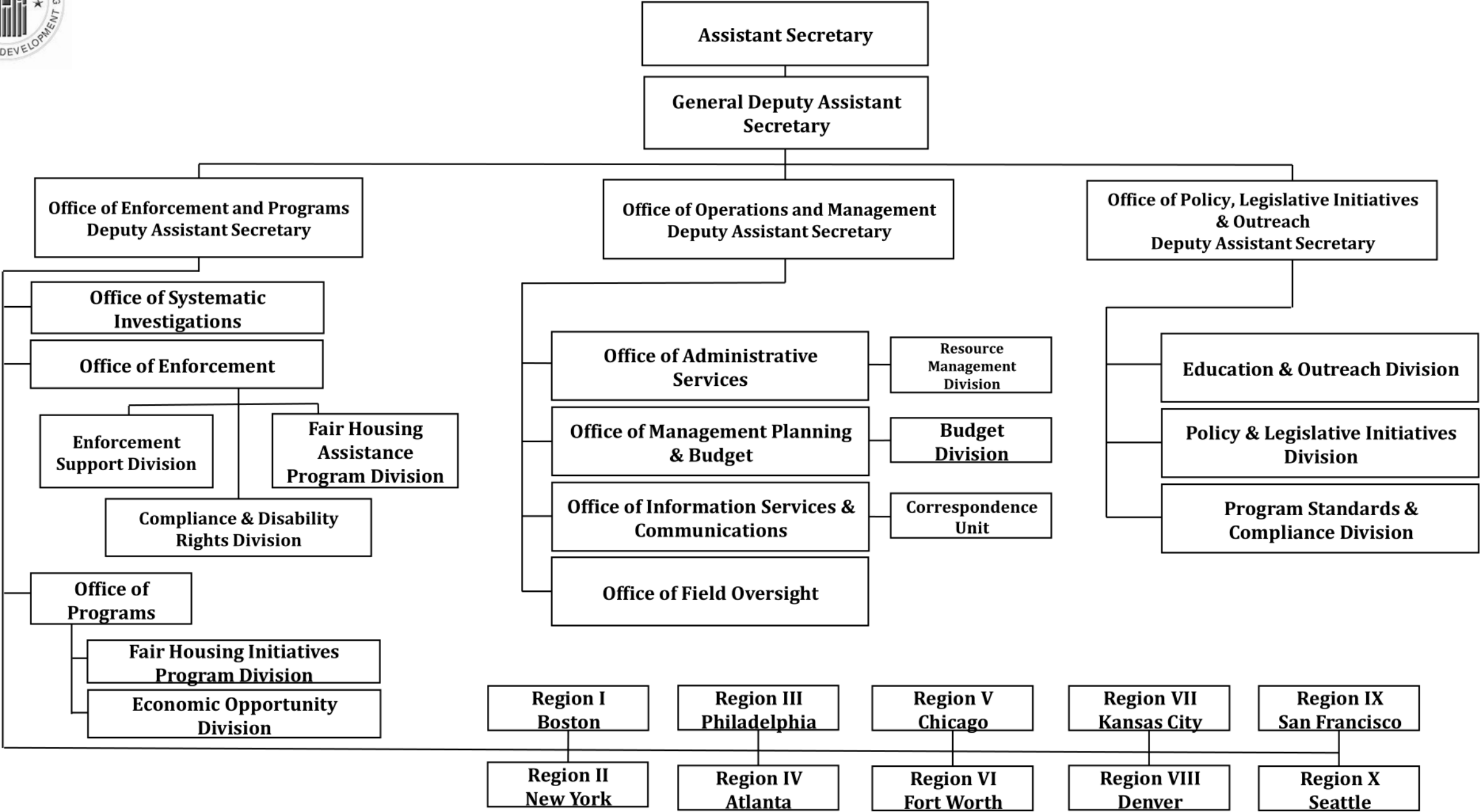
**Financial &
Information Services**

Program Policy

**Relocation & Real
Estate**



Office of Fair Housing and Equal Opportunity





Office of the Assistant Secretary for Administration

**Office of the Assistant
Secretary for
Administration**

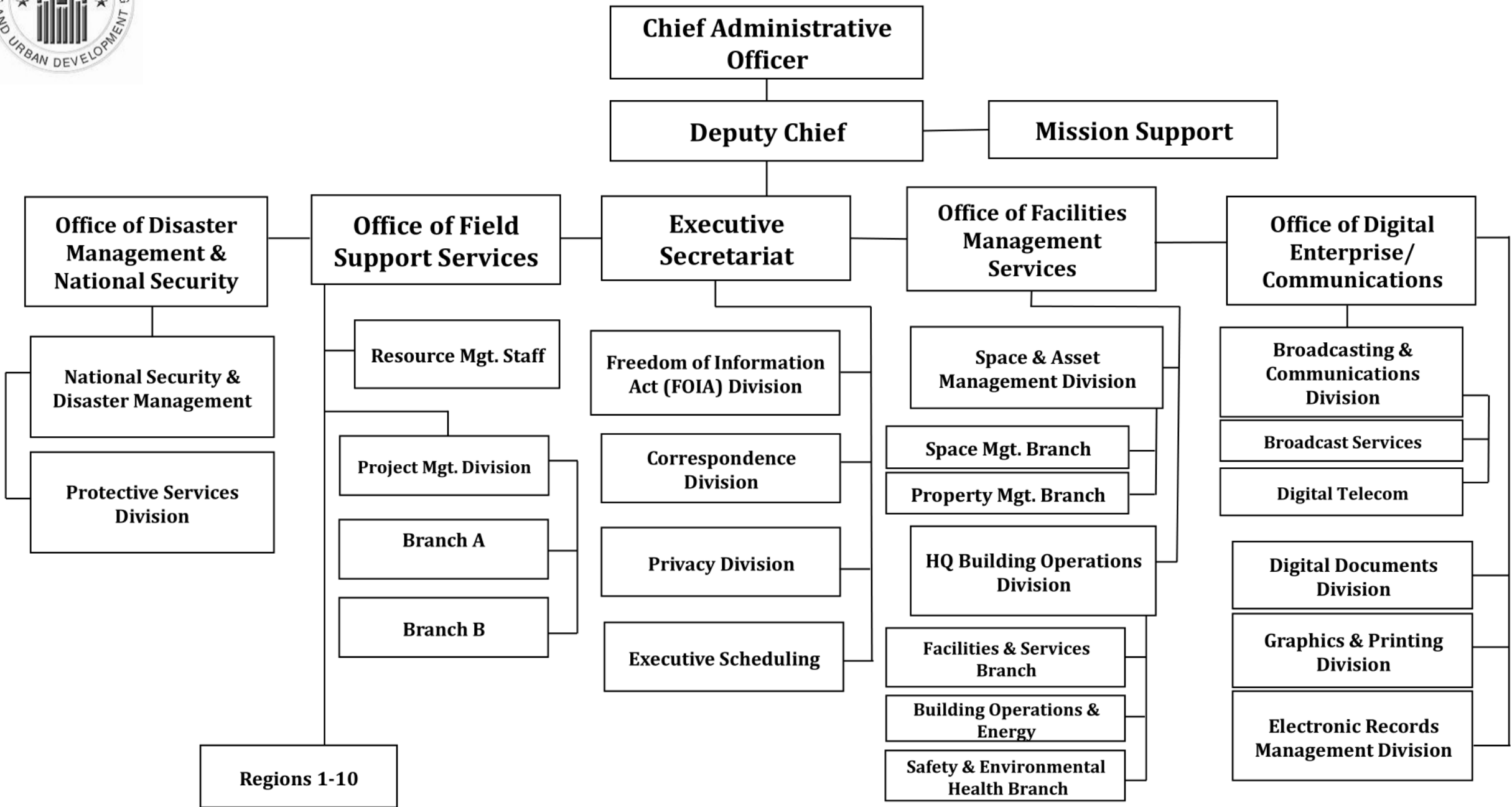
**Office of the Chief
Administrative Officer**

**Office of the Chief Human
Capital Officer**

**Office of the Chief
Procurement Officer**

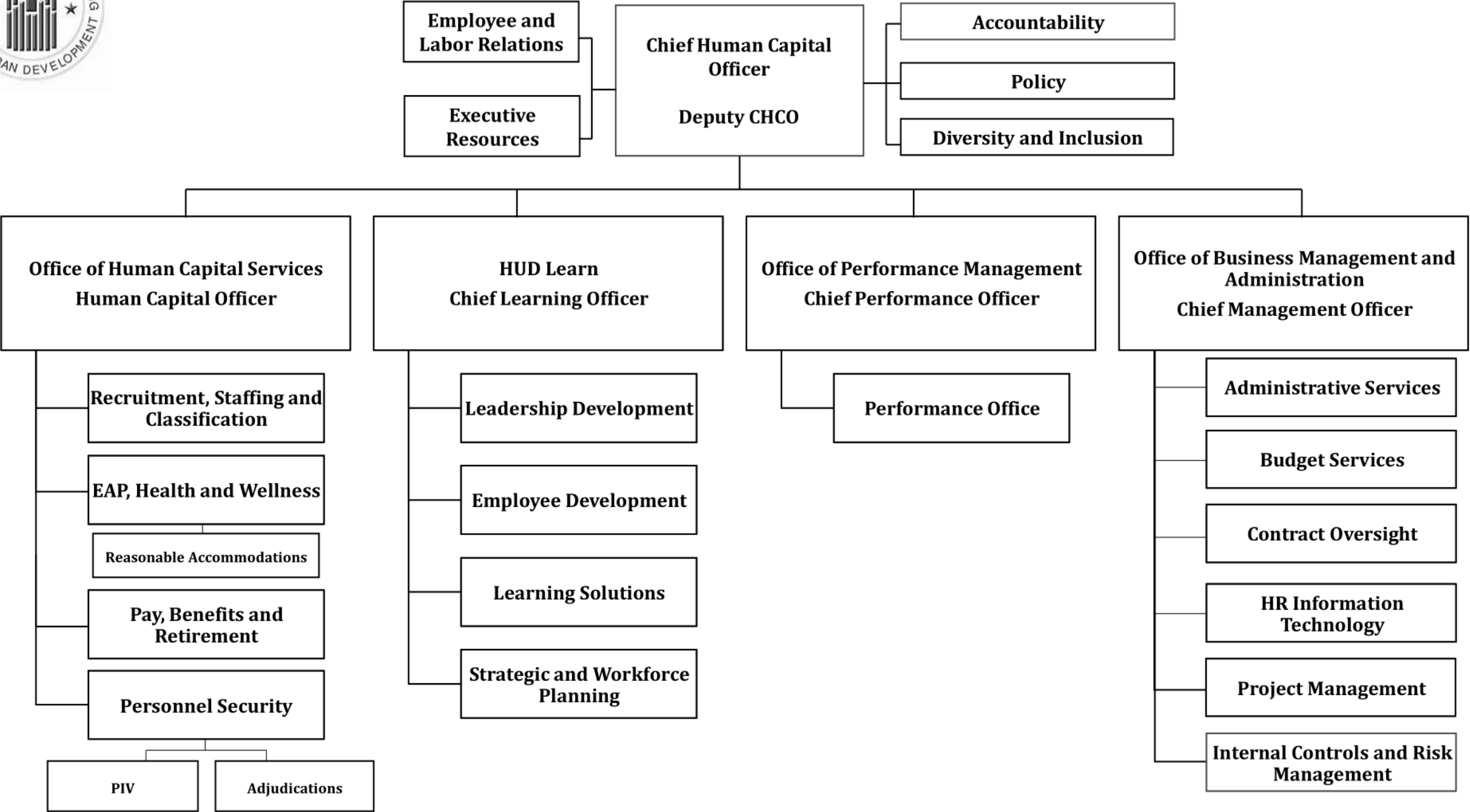


Office of the Chief Administrative Officer



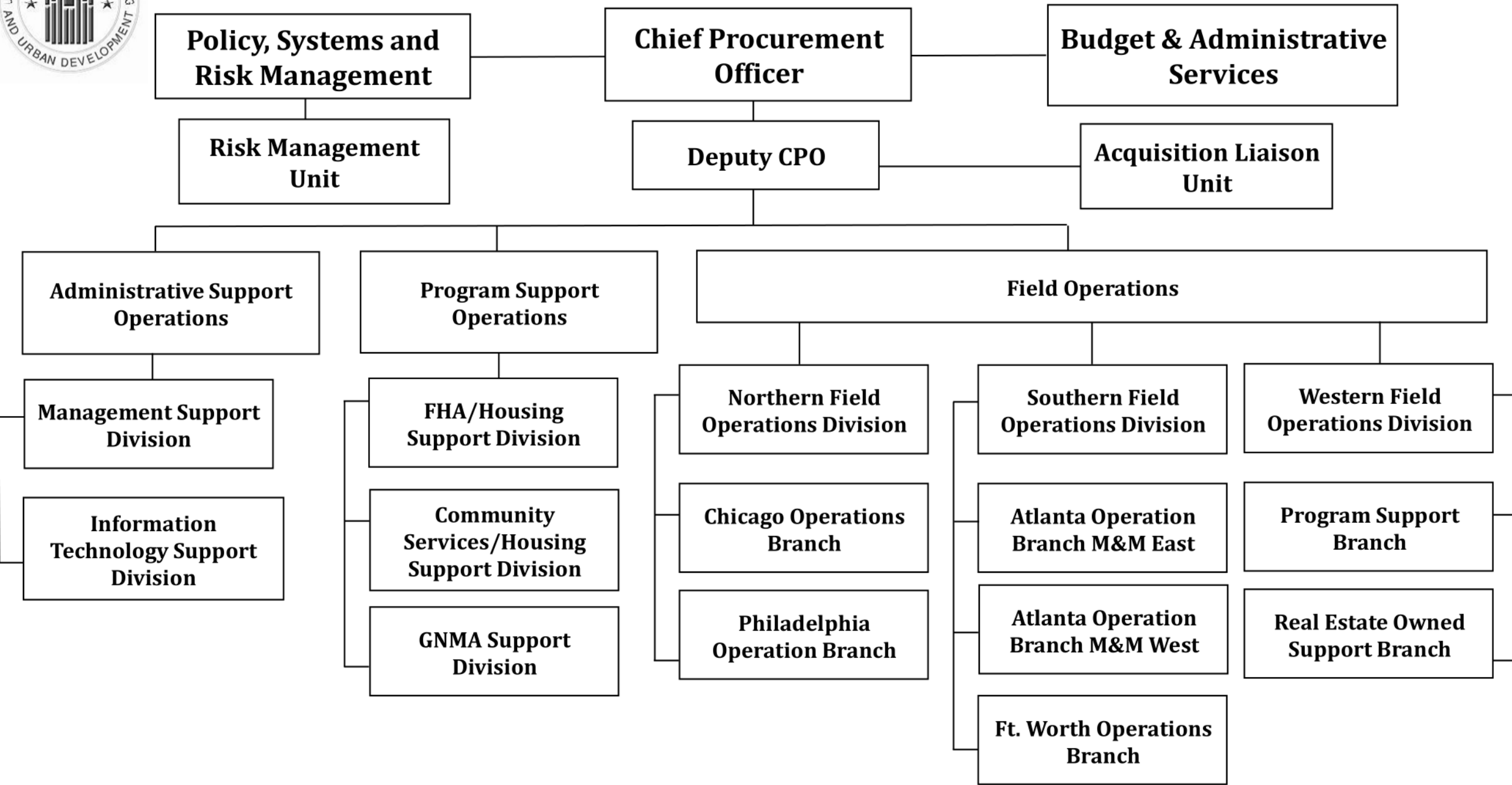


Office of the Chief Human Capital Officer



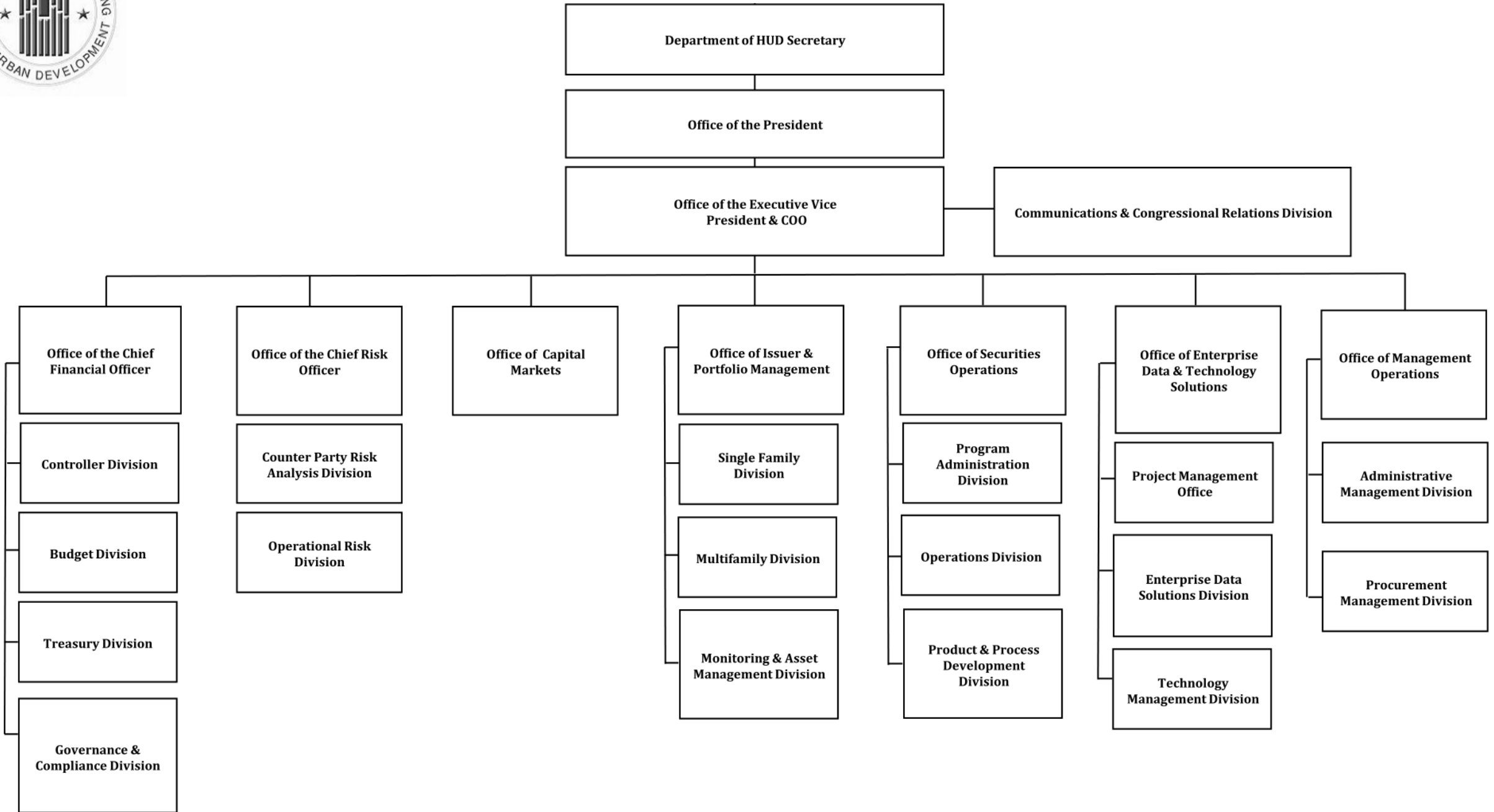


Office of the Chief Procurement Officer



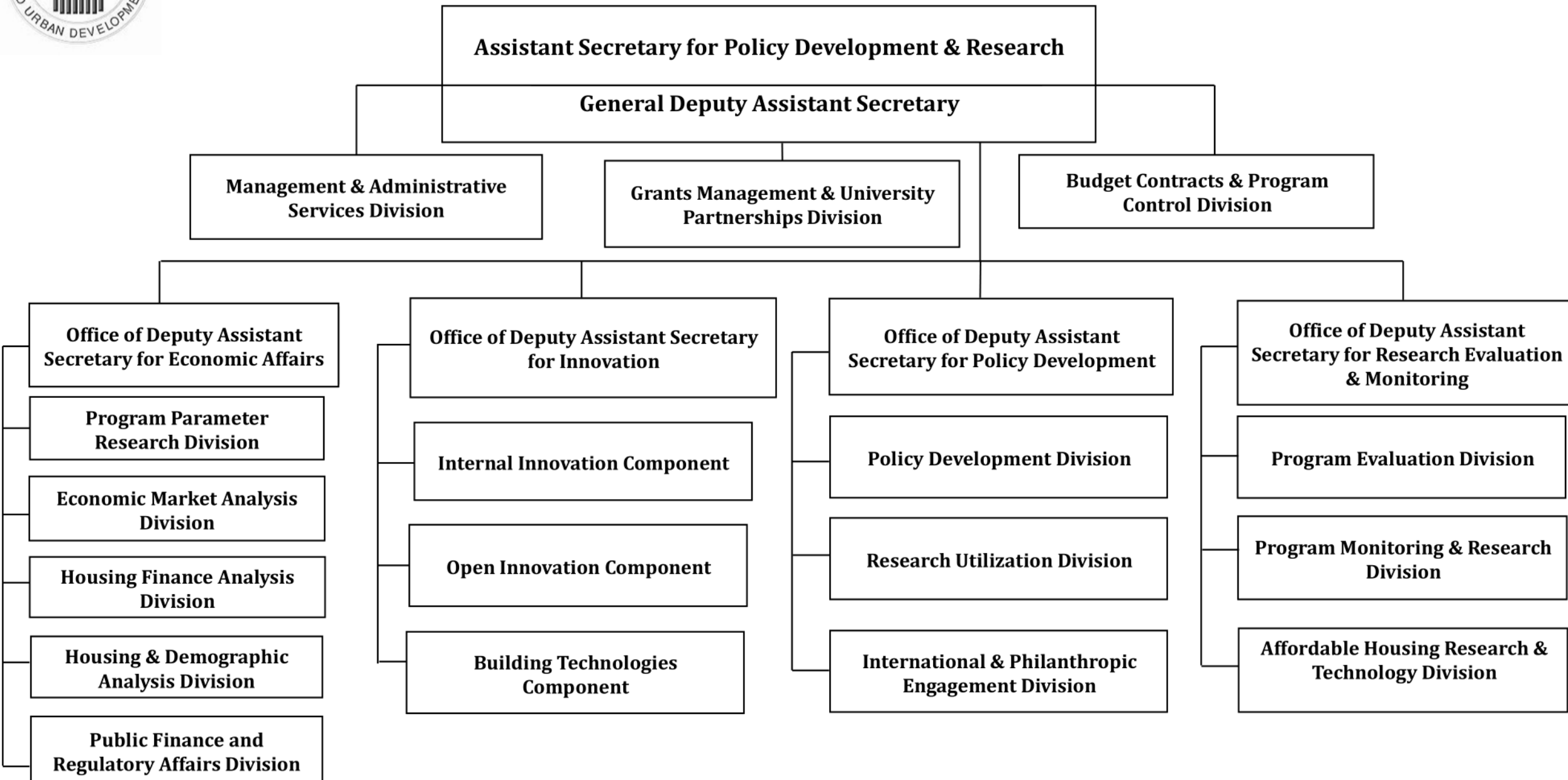


Government National Mortgage Association





Office of Policy Development and Research (Current)





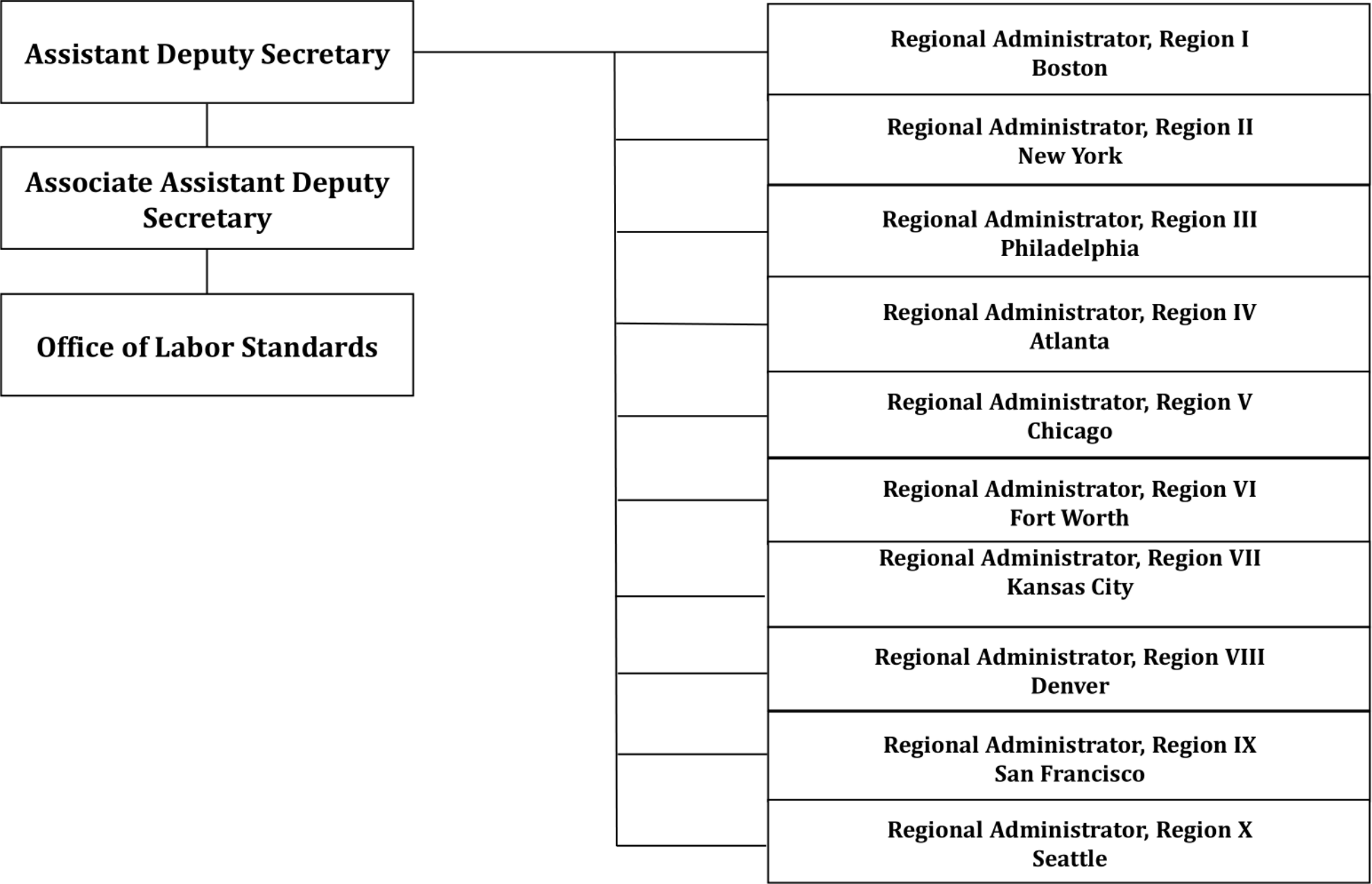
Office of Policy Development and Research (Proposed)

(b)(5) Deliberative Privilege

(b)(5) Deliberative Privilege

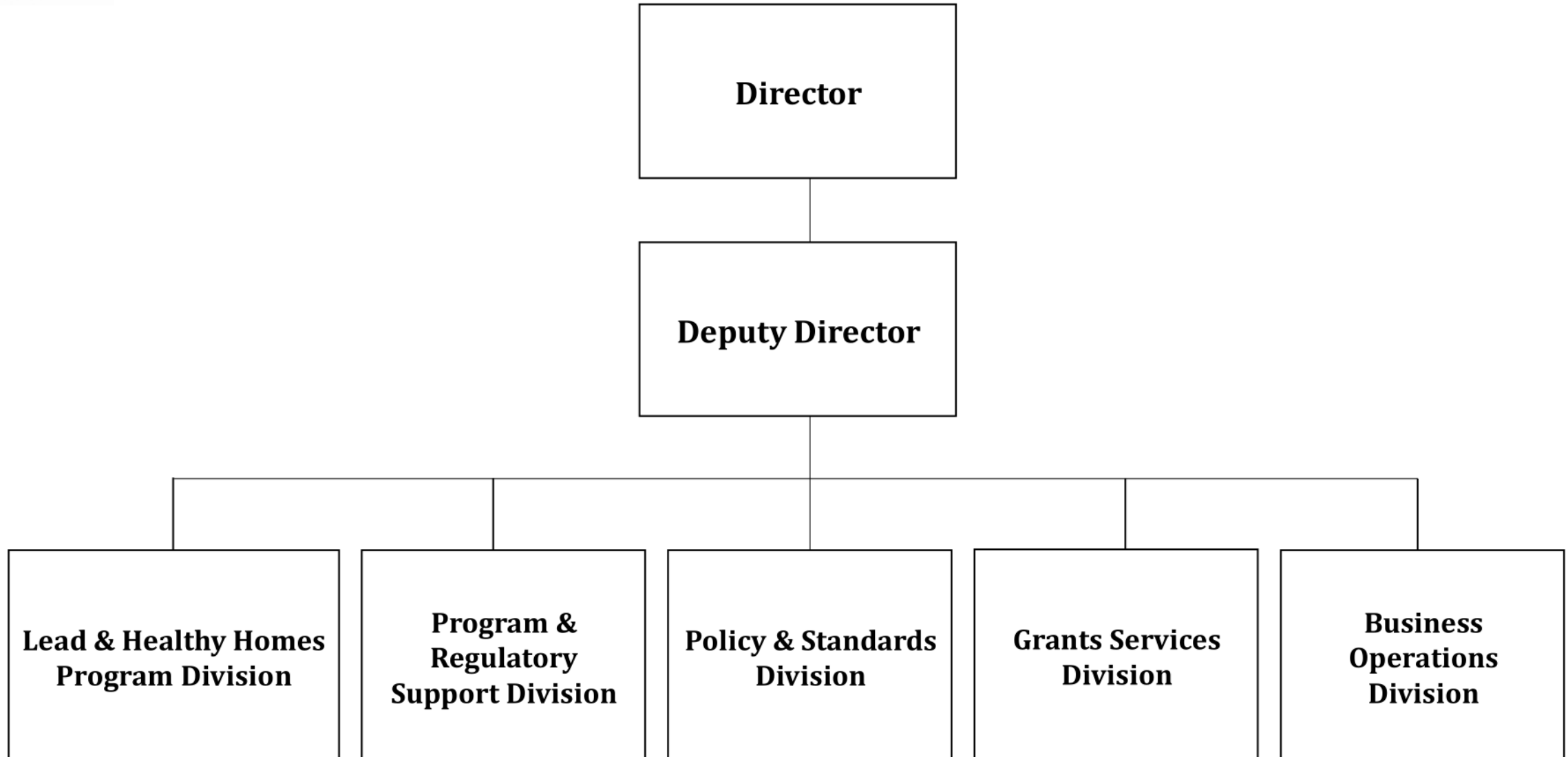


Office of Field Policy Management



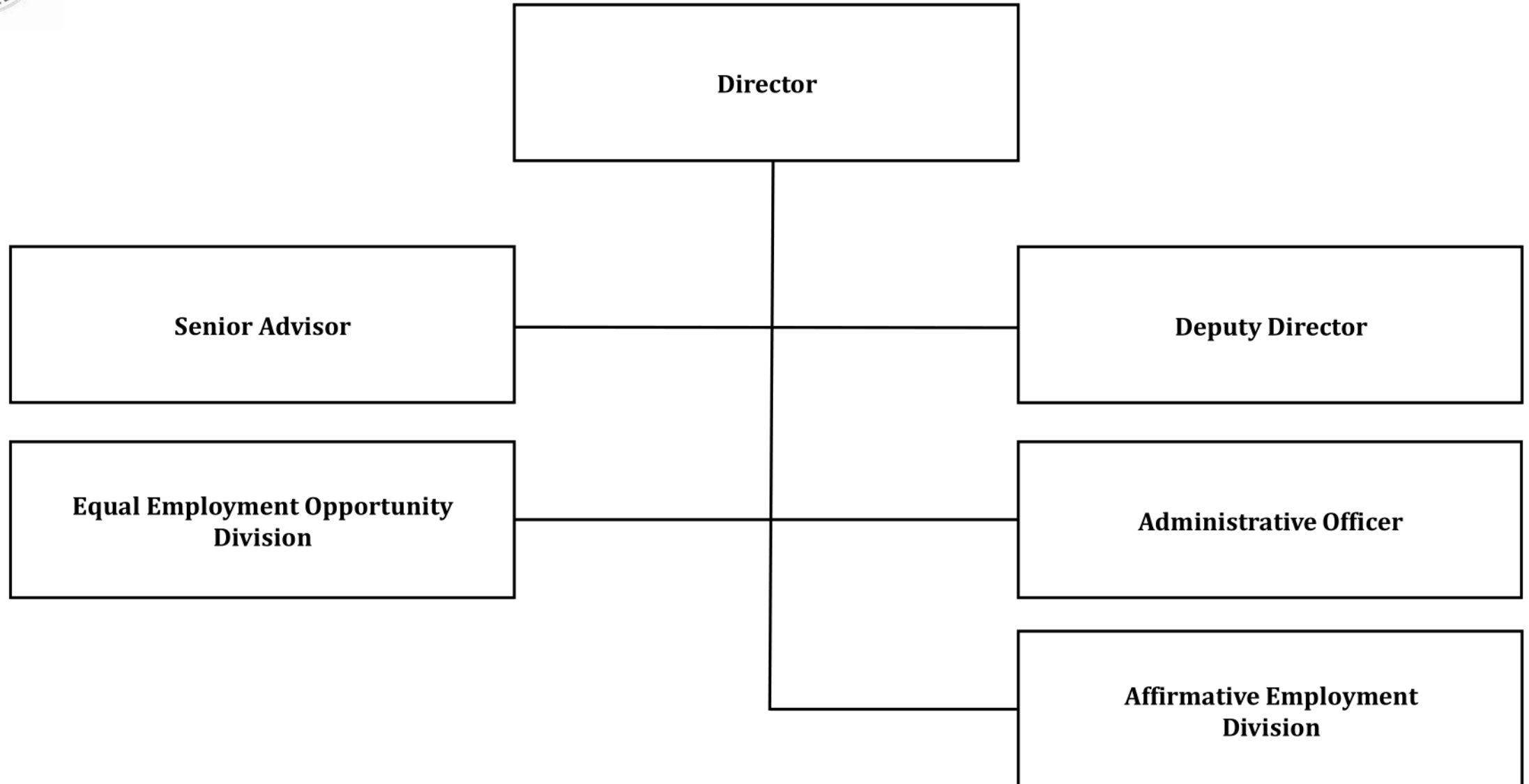


Office of Lead Hazard Control and Healthy Homes



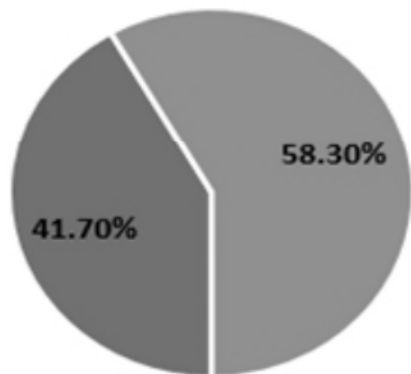


Office of Departmental Equal Employment Opportunity

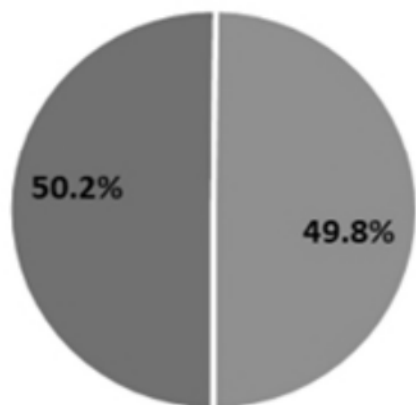


2020 HUD At a Glance

■ MEN ■ WOMEN



■ HQ ■ FIELD

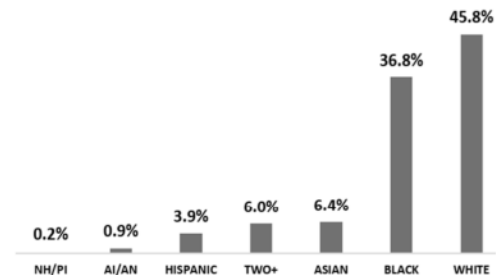


- Number of employees: 7,769
- Senate-confirmed: 8
- SES: 103
- GS: 7636
- Other: 30
- Ratio of GS to SES: 74 to 1

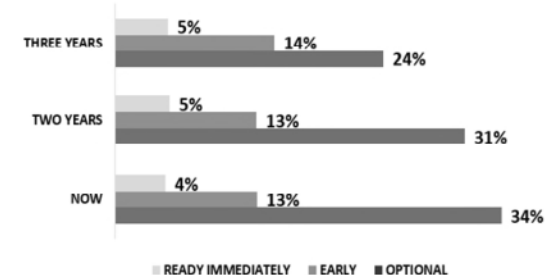
Generations



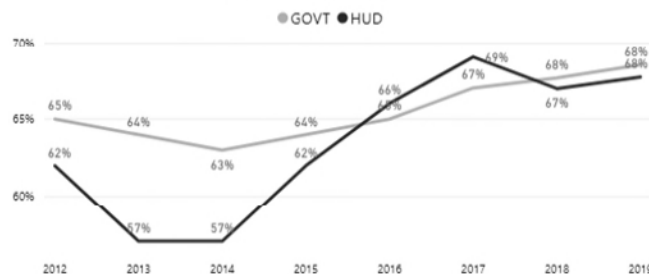
Racial Composition



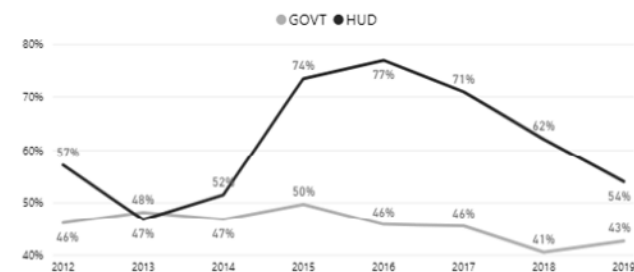
% of Current Workforce Eligible for Retirement



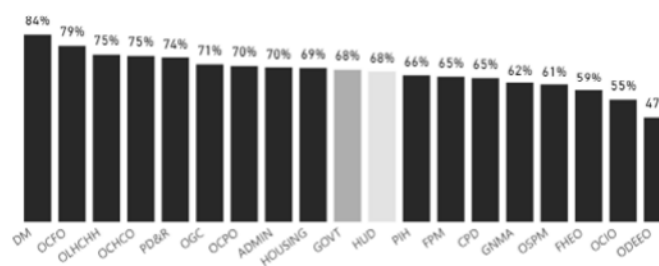
Employee Engagement Index



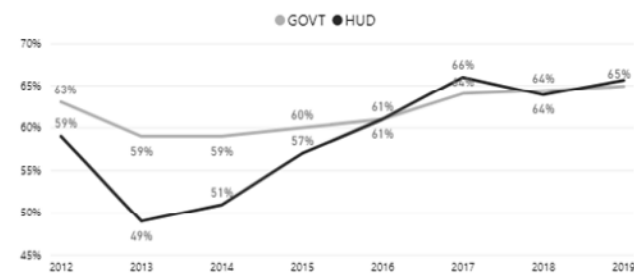
Participation Rate



2019 Employee Engagement Index



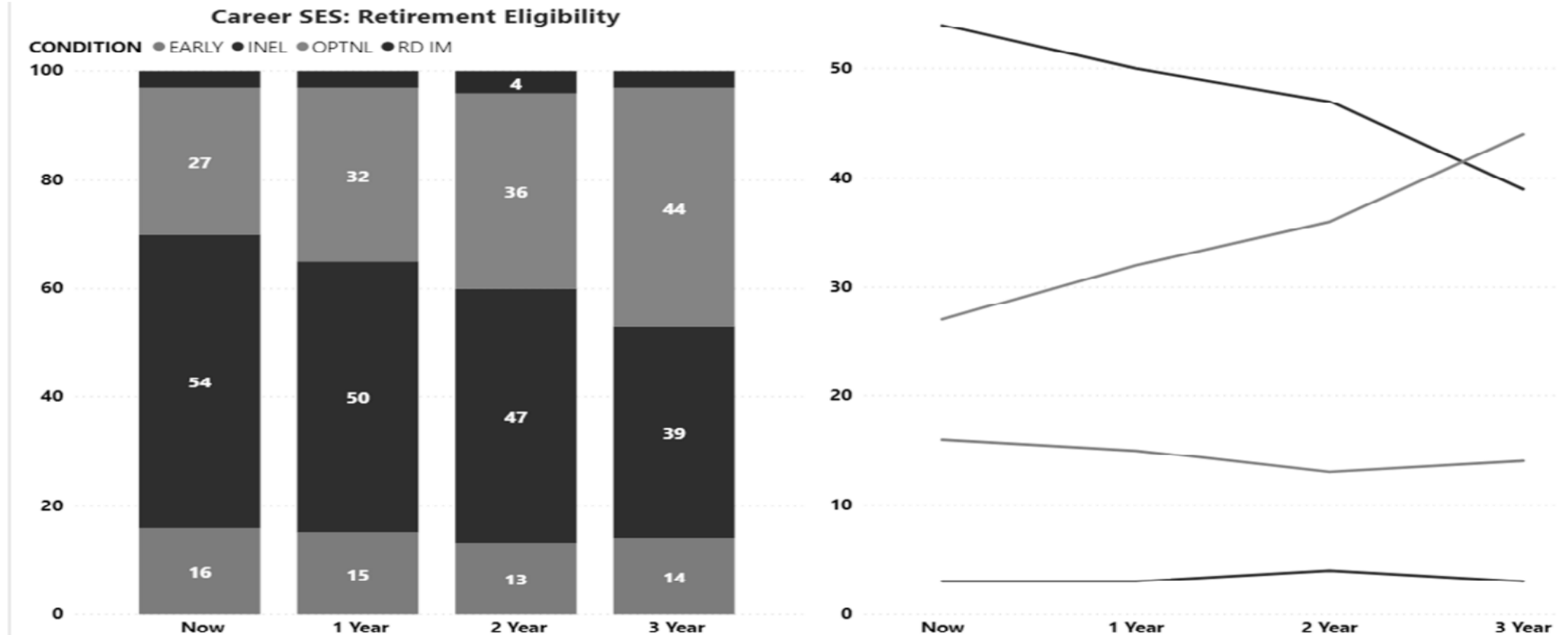
Global Satisfaction Index



2020 Demographic Data Points

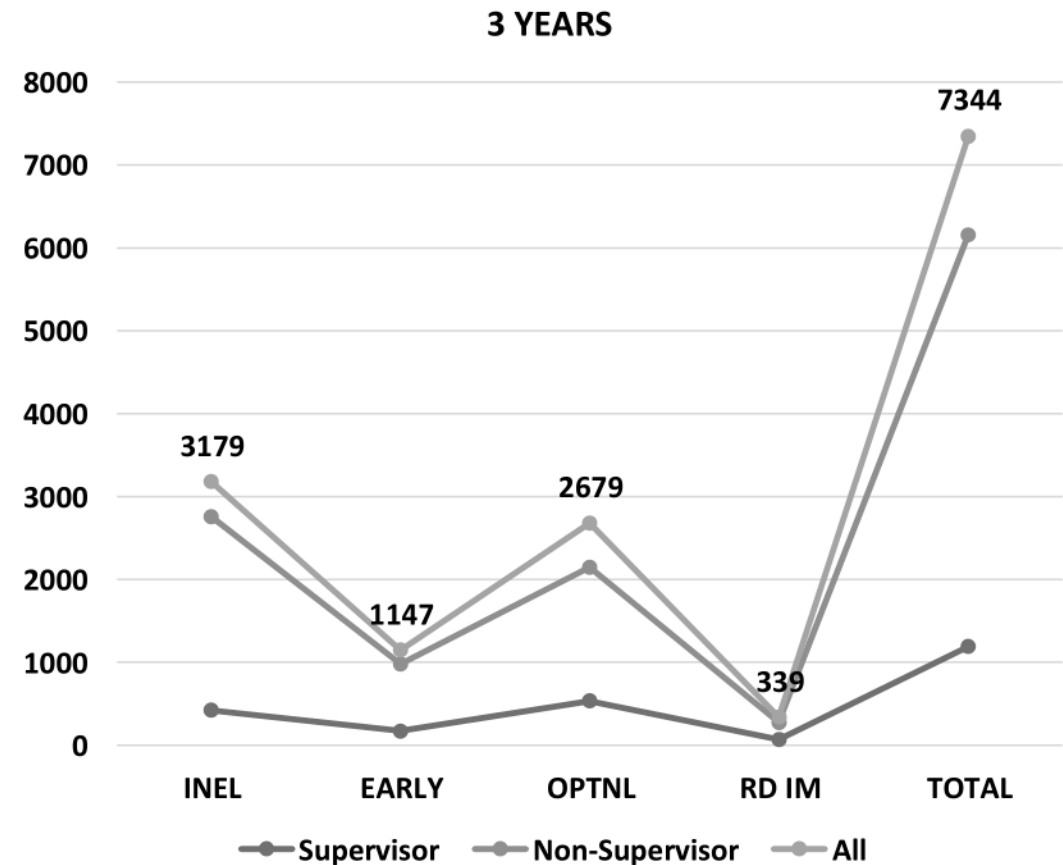
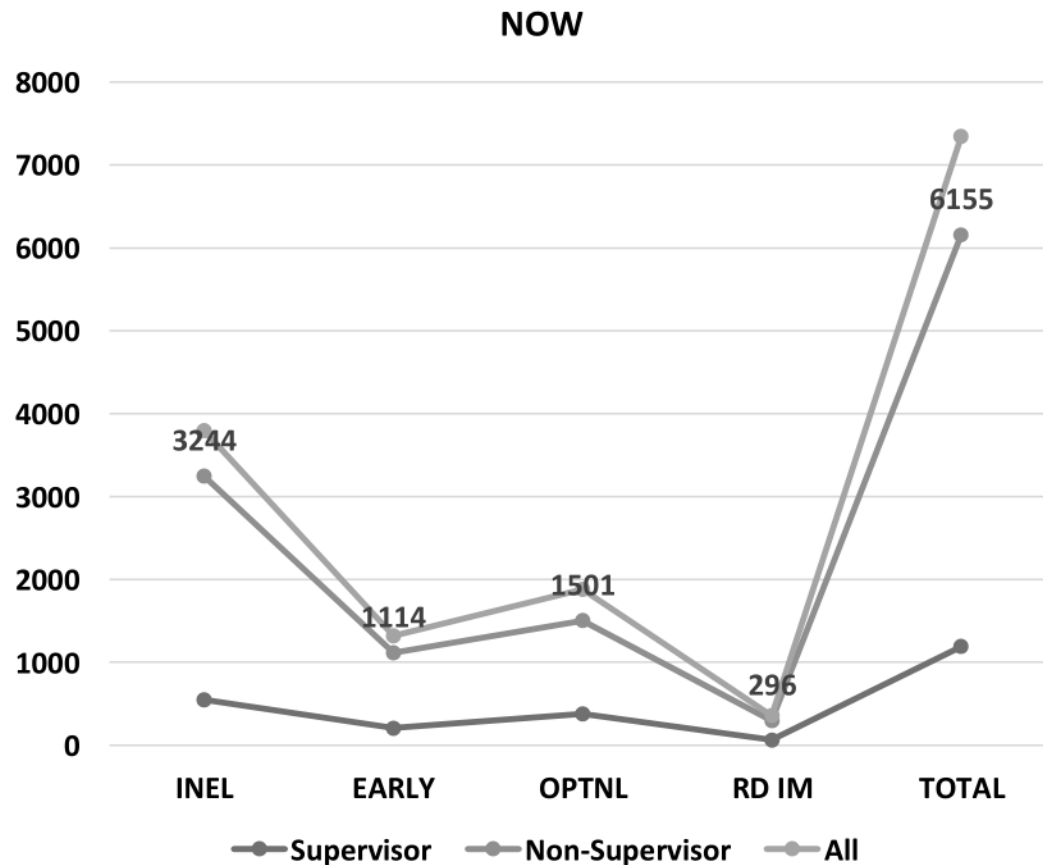
- Number of employees: 7,769
- Average years of service: 16.89
- Average age: 50.68
- Veterans: 1,212
- Supervisors: 1,374

2020 Career SES Retirement Eligibility

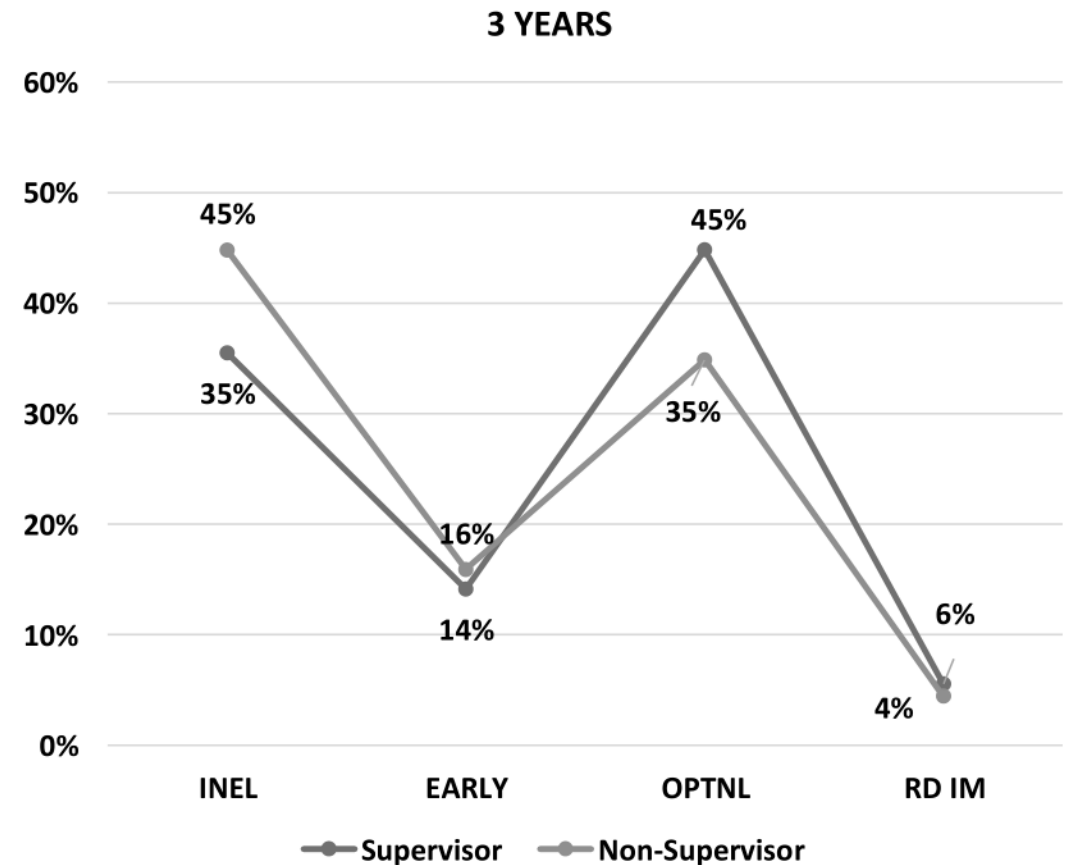
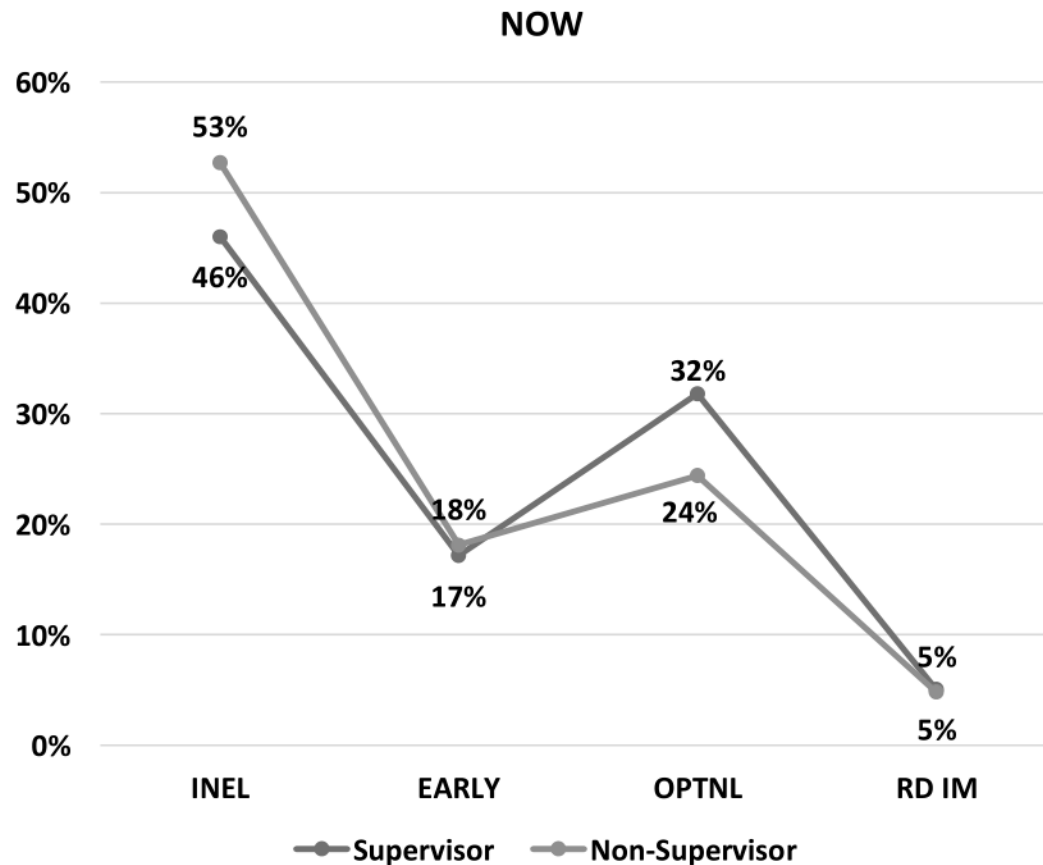


Data current as of FY20, PP18

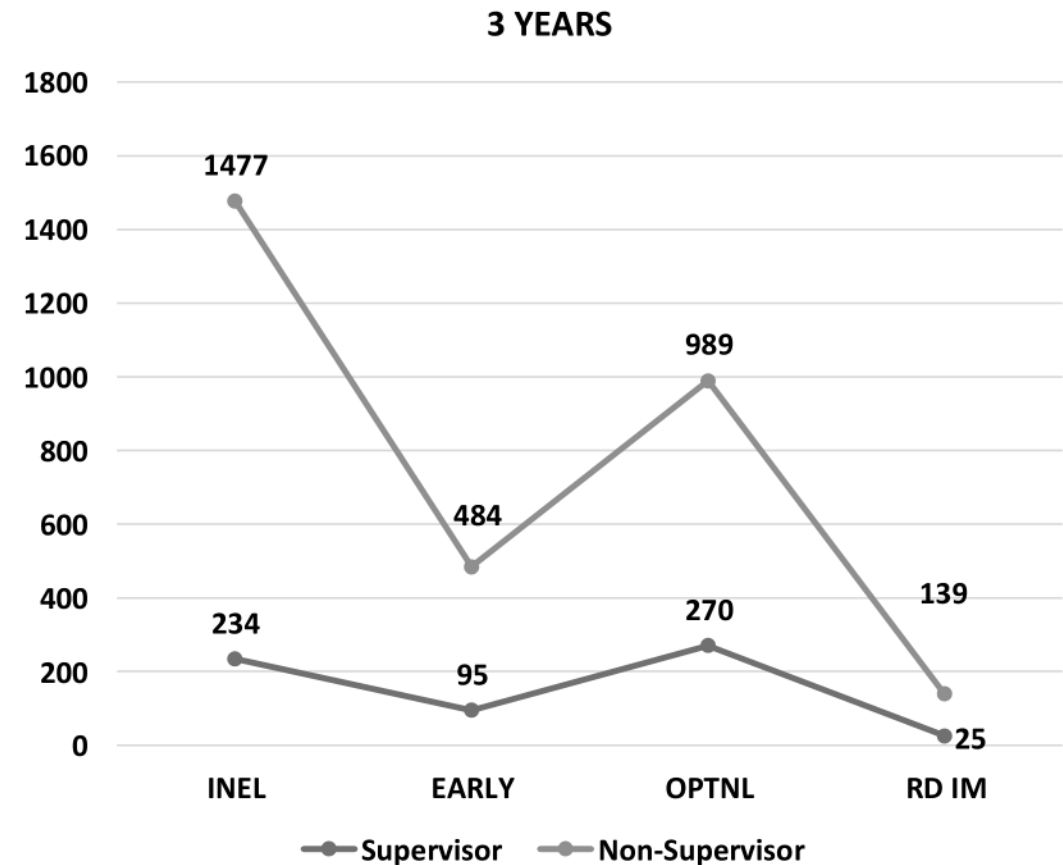
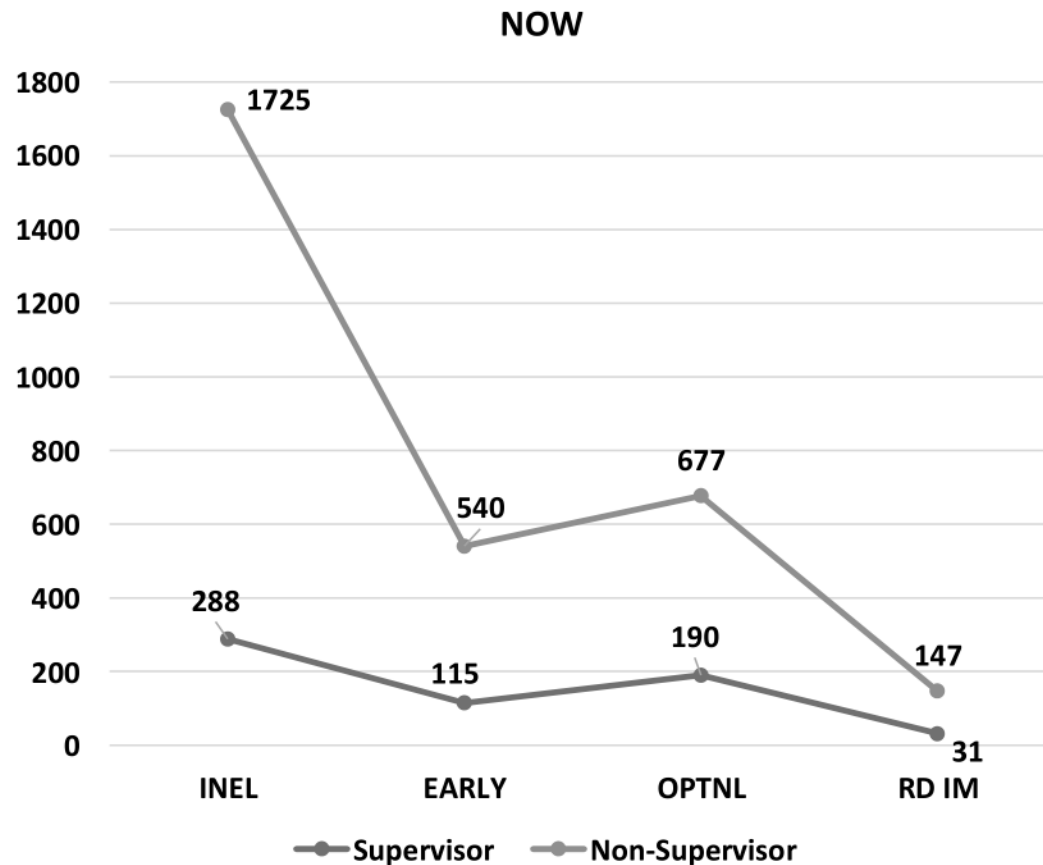
2020 GS Retirement Eligibility: Total #s



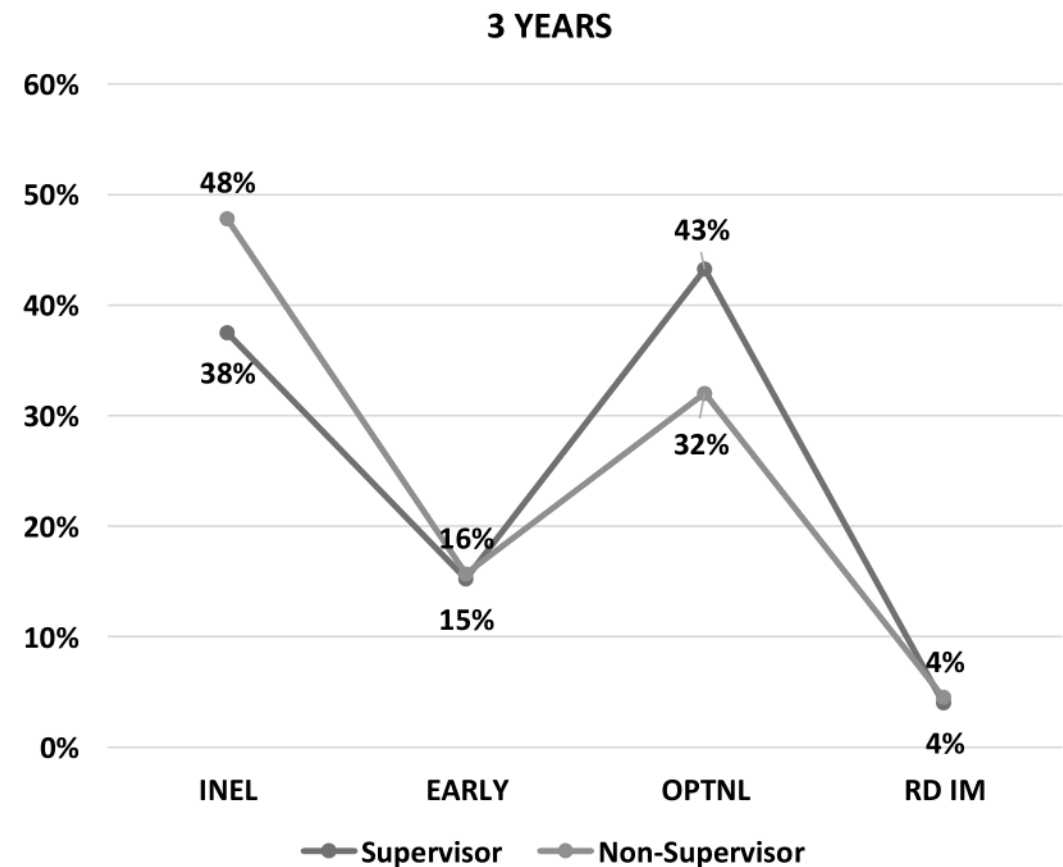
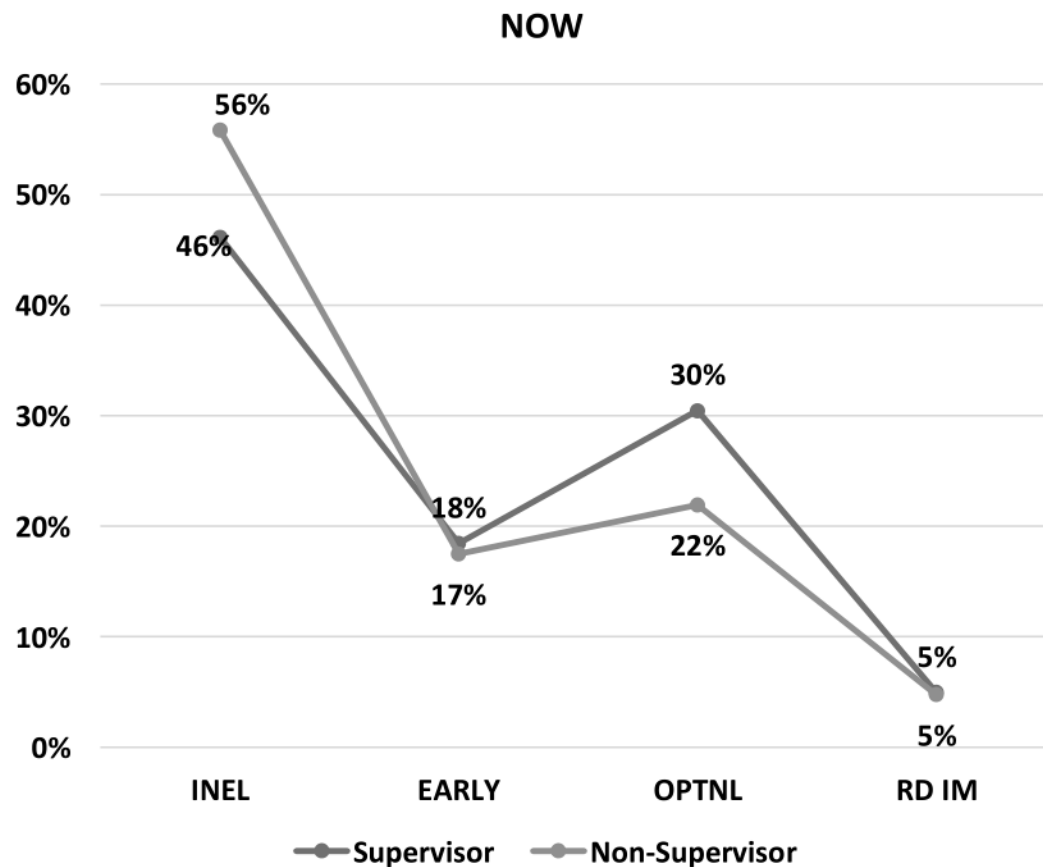
2020 Total GS% by Supervisory Status



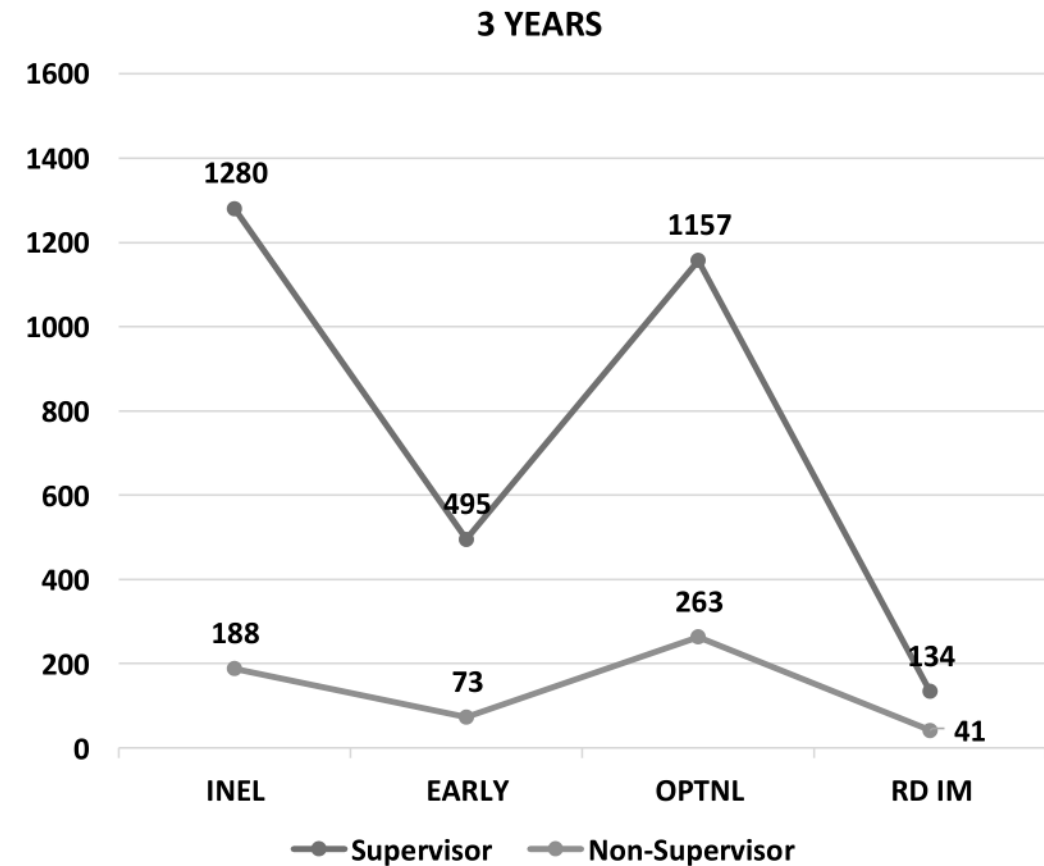
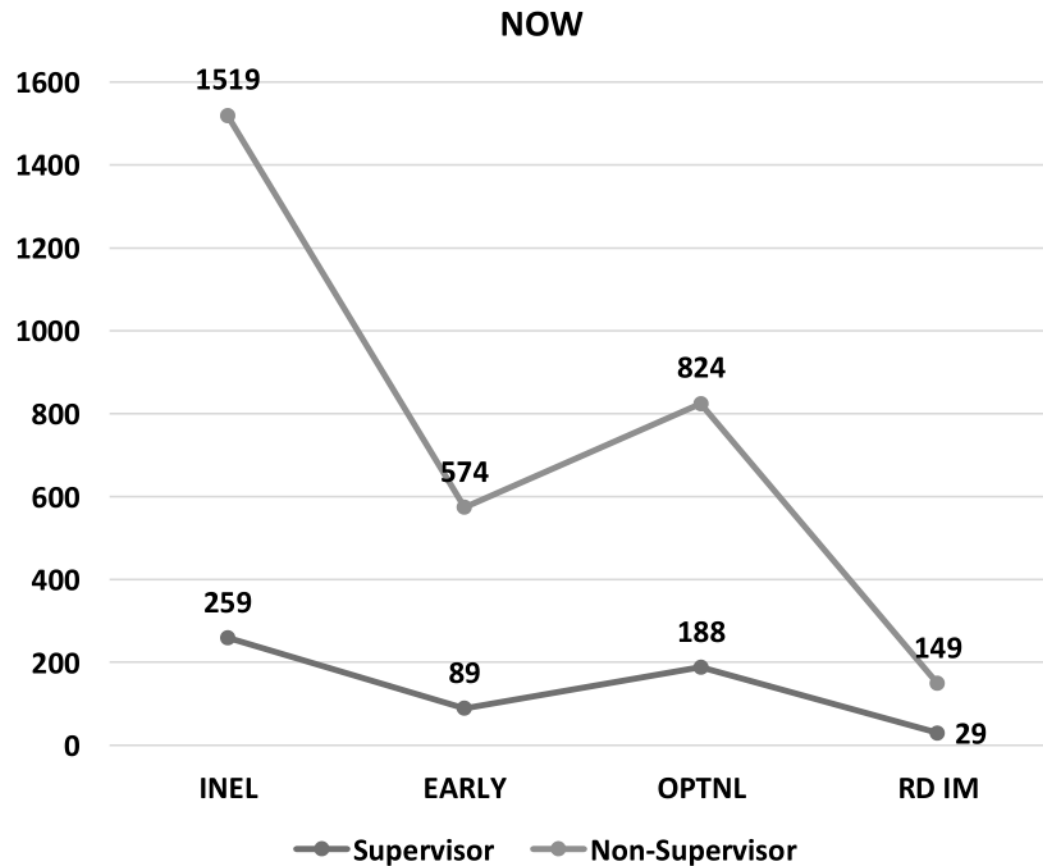
2020 HQ # Retirement Eligible



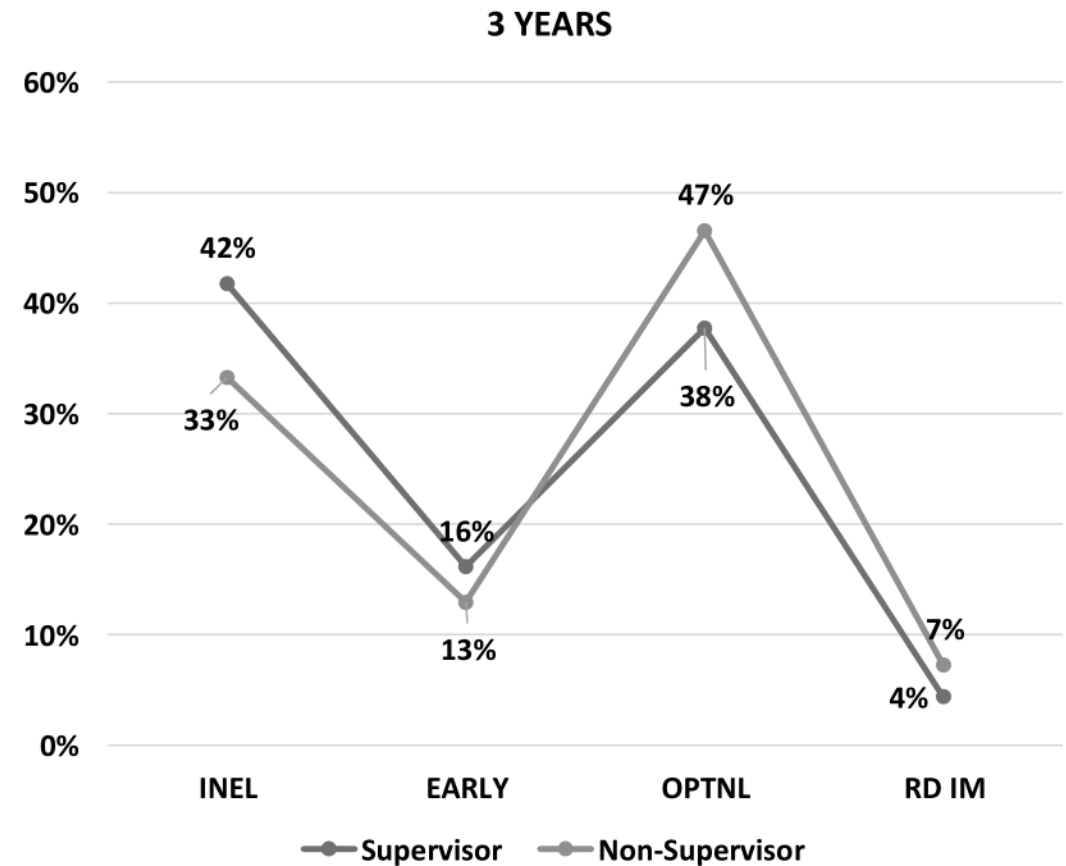
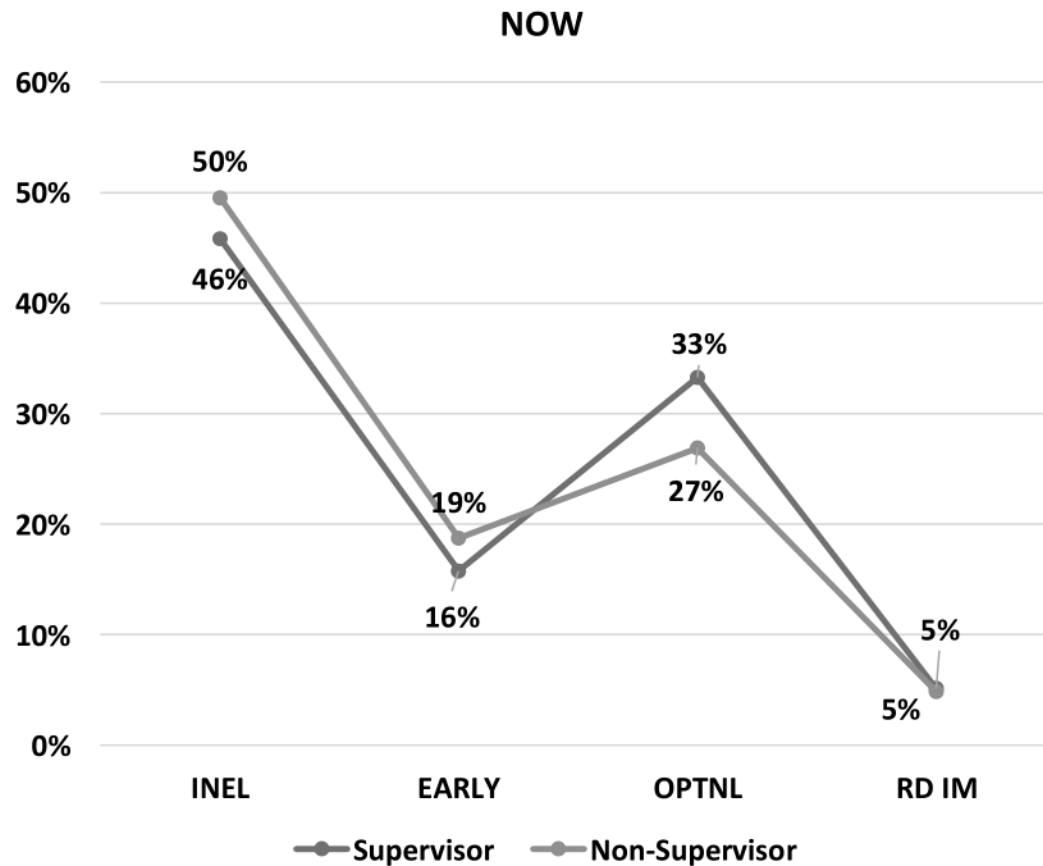
2020 HQ % Retirement Eligible



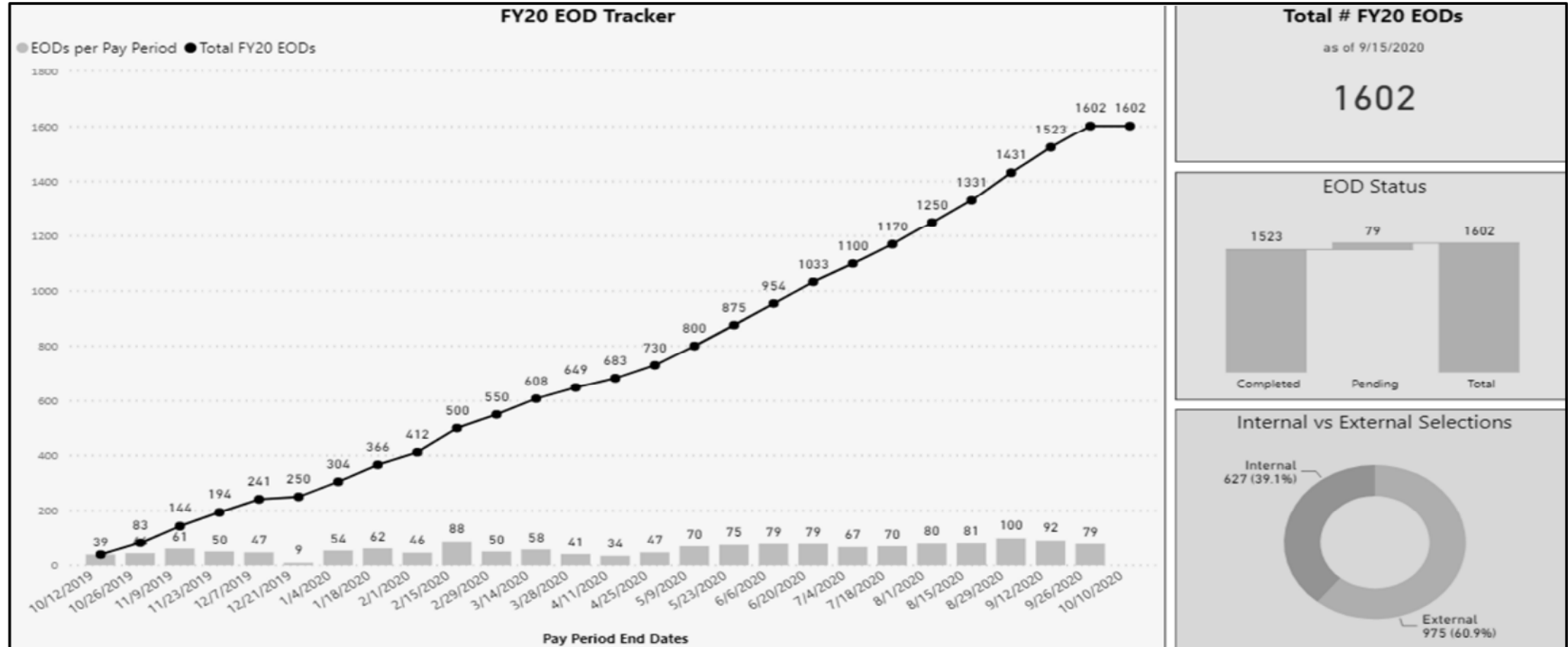
2020 Field # Retirement Eligible



2020 Field % Retirement Eligible



2020 EOD/Hiring Dashboard



Data current as of FY20, PP18

Addendum/Notes

- Data is accurate as of PP18, FY20.
- For the purposes of this brief, SES employees are those coded as ES per OPM guidelines.
- For the purposes of this brief, “supervisors” are those coded as 2 or 4 per OPM guidelines. All others are “non-supervisors”.
- EODs and Hires are NOT the same. An EOD becomes a hire after they enter on duty.

Budget Overview



HUD 2020-2021 Presidential Transition *Official Transition Memorandum*

Budget

This memo provides a tentative overview of the Department of Housing and Urban Development's (HUD) budget, major issues, and timeframes for the 2022 Budget. HUD is part of the Transportation and Housing and Urban Development (THUD) appropriations bill, and receives most of its program and administrative funding through annual appropriations. The budget process is a critical vehicle for establishing and funding housing policy and programs—most of HUD's legislative agenda tends to be enacted through the appropriations process, rather than authorizing legislation. There are a host of issues that will be raised as part of the 2022 policy budget process; a few key issues are covered briefly in this memo.

— *Impact* —

In 2020, HUD received \$57 billion in appropriations, including \$1.6 billion for salaries and expenses, and \$280 million for information technology investments. Public and Indian Housing (PIH) Tenant-Based Rental Assistance receives the largest share of the total, with \$23.9 billion enacted in 2020. Total PIH programs received \$32.4 billion. Housing received about \$13.8 billion in 2020, and Community Planning and Development received \$6.7 billion, including \$3 billion for the Community Development Block Grant Program. The appropriations also provide authority for loan guarantees to support single family and multifamily housing and for Ginnie Mae secondary market mortgage guarantees of timely payment of principal and interest on securities backed by federally-guaranteed loans.

Core Rental Assistance. Roughly 84 percent of HUD's budget is needed solely to renew rental assistance to over 4.6 million residents of HUD-subsidized housing, including housing vouchers, public housing, and grants for homeless assistance programs. Annual costs for these programs are driven by inflation—generally increases are needed each year to support the same number of people. The increasing cost to serve the same number of families puts significant pressure on the budget—often requiring difficult tradeoffs among programs to remain within the Office of Management and Budget's (OMB) guidance. It also impacts negotiations as part of the Congressional budget process. Because budget target estimates are completed roughly 18 months in advance, HUD works with OMB and the Appropriations Committees to provide updated estimates with current data to support negotiations prior to enactment.

Credit Receipts. Both the Federal Housing Administration (FHA) and Ginnie Mae's credit programs generate subsidy receipts. By design for these programs, fees are set to be higher than expected losses on a present value basis. The receipts reflect the expected net gains on new loan guarantees in the budget year; these receipts are critical to the budget process because they offset the total amount of new budget authority requested in the THUD bill—by several billion dollars each year, mostly from the FHA's single family guarantees. The size and variability in receipt estimates can significantly impact the budget process. With the growth of FHA and Ginnie

Mae in recent years following the housing crisis, and the budget “caps” that limit annually appropriated spending, Congress and the Administration have been increasingly reliant on receipts as a means to support critical initiatives while staying within allocated levels. Also, the Administration tends to estimate higher receipts than the Congressional Budget Office, leading to pressure from Appropriations Committees to maintain receipt levels, impacting the ability to enact policy changes. For example, there was significant opposition to HUD’s 2015 reduction in single family premiums, despite the fact that fees were at historic highs, over concerns that it would create a “hole” for appropriators to cover by cutting other programs to make up for lost fee revenue. Whether HUD credit receipts offset appropriation requests is likely to be an issue that OMB considers in the 2022 policy budget process.

Disaster Response. Another major element of HUD’s budget is response to disasters. HUD’s Community Development Block Guarantee Disaster Relief Program (CDBG-DR) is designed to support “unmet needs” of communities affected by disasters. While the Federal Emergency Management Administration (FEMA) and Small Business Administration (SBA) receive appropriations in advance of disasters to support fast response and recovery, CDBG-DR receives supplemental appropriations to provide for “unmet needs” after FEMA and SBA assistance. Some program changes could help improve the efficiency and impact of the program. Currently, most unobligated funds for the CDBG-DR program are designated for Puerto Rico to recover from Hurricane Maria.

CARES Act. In response to the coronavirus pandemic, Congress enacted the CARES Act, which appropriated \$12.4 billion in funds within existing HUD programs to respond to the pandemic. Funds went to rental assistance programs to make sure that Public Housing Authorities and multifamily property owners were able to pay rent for those residents who lost income due to the pandemic, as well as funds for cleaning and other responses to the pandemic. In addition, funds were made available for vulnerable populations through the HOPWA and the Homeless Assistance Grants accounts. States and local governments received funds through the Community Development Block Grant account. To support this, HUD received \$50 million in Salaries and Expenses (S&E) funding. The S&E funding was provided in three buckets: \$35 million was for Department Wide to support salaries and expenses to include Information Technology requirements; \$10 million was provided to the Office of Community Planning and Development for S&E; and \$5 million for the Office of Public and Indian Housing. HUD provides weekly reports on execution of CARES Act funds to both OMB and the Committees on Appropriations.

— *Upcoming Milestones* —

December 2020: current continuing resolution expires on December 11 and will need to continue funding into the fiscal year through some legislative vehicle.

— *Decision Points* —

The 2022 Policy Budget process will require decisions by the Secretary/Deputy Secretary on policy priorities and investments that are consistent with OMB guidance.

— *Contact* —

Emily Kornegay; Assistant Chief Financial Officer (ACFO) for Budget Emily.M.Kornegay@hud.gov
202-402-6824

Daniel Ballard; Deputy ACFO for Budget, 202-402-5827, Daniel.L.Ballard@hud.gov

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
(Dollars in Millions)

PROGRAMS	2019 Enacted	2020 Enacted	2021 President's Budget
TOTAL, Discretionary Budget Authority (Gross)	53,762	56,527	47,942
PUBLIC AND INDIAN HOUSING PROGRAMS	31,015	32,427	28,380
Tenant-Based Rental Assistance	22,598	23,874	23,346
Public Housing Capital Fund	2,775	2,870	-
<i>Public Housing Fund</i>	4,653	4,549	4,244
Choice Neighborhoods	150	175	-
Self-Sufficiency Programs	80	130	190
Native American Programs	755	825	600
Native Hawaiian Housing Block Grant	2	2	-
Indian Housing Loan Guarantee Fund Program Account (Section 184)	1	2	2
Native Hawaiian Housing Loan Guarantee Fund Program Account (Section 184A)	-	-	(2)
HOUSING PROGRAMS	12,794	13,751	14,020
Project-Based Rental Assistance	11,747	12,570	12,642
Housing for the Elderly (Section 202)	678	793	853
Housing for Persons with Disabilities (Section 811)	184	202	252
FHA Administrative Contracts	130	130	130
Housing Counseling Assistance (Section 106)	50	53	45
Rental Housing Assistance (Other Assisted Housing)	5	3	-
Manufactured Housing Fee Trust Fund -- General Fund	12	13	14
Manufactured Housing Fee Trust Fund -- Receipts	(15)	(13)	(16)
Rental Assistance Demonstration	-	-	100
COMMUNITY PLANNING AND DEVELOPMENT	7,698	8,017	3,103
Housing Opportunities for Persons with AIDS	393	410	330
CDBG Entitlement/Non-Entitlement Grants	3,300,000	3,400	-
CDBG - SUPPORT for Patients and Communities Act Activities	-	25	-
HOME Investment Partnerships Program	1,250	1,350	-
Self-Help and Assisted Homeownership Opportunity Program (SHOP)	54	55	-
Homeless Assistance Grants	2,636	2,777	2,773
OTHER	440	458	520
Policy and Development and Research -- Research and Technology	96	98	95
Fair Housing and Equal Opportunity	65	70	65
Office of Lead Hazard Control and Healthy Homes	279	290	360
MANAGEMENT AND ADMINISTRATION	1,687	1,736	1,786
HUD Salaries and Expenses	1,379	1,425	1,497
Government National Mortgage Association (Ginnie Mae) (S&E + Admin Contract Exp.)	28	32	31
Information Technology Fund (Direct Appropriation)	280	280	258
INSPECTOR GENERAL	128	138	133
Office of the Inspector General	128	138	133

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Full Time Equivalents (FTE)¹ -- ACTUAL

(Rounded to whole numbers)

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Executive Offices Subtotal	79	67	69	70	68
Office of Assistant Secretary of Administration ²					
Office of Administration	230	229	228	229	223
Office of the Chief Human Capital Officer	147	143	144	136	131
Office of the Chief Financial Officer	174	175	169	183	194
Office of the Chief Procurement Officer	103	112	108	104	109
Office of Field Policy and Management	341	333	314	312	338
Office of Departmental Equal Opportunity	17	18	18	19	18
Office of General Counsel	582	557	542	522	545
Office of Business Transformation ³	28	32	31	20	0
Office of Chief Information Officer	224	211	195	186	227
Administrative Support Offices Subtotal	1,845	1,810	1,749	1,711	1,785
Community Planning and Development	737	725	694	677	747
Fair Housing and Equal Opportunity	484	496	479	433	451
Lead Hazard Control and Healthy Homes	45	44	47	44	46
Office of Housing	2,602	2,533	2,404	2,372	2,376
Policy Development and Research	138	142	136	136	141
Public and Indian Housing	1,346	1,364	1,286	1,245	1,245
Program Offices Subtotal	5,352	5,304	5,046	4,907	5,006
Working Capital Fund				5	5
HUD Total	7,277	7,180	6,864	6,693	6,864
Government National Mortgage Administration	133	134	148	144	153
Office of Inspector General	611	595	559	547	521

¹ Full-Time Equivalent is the number of hours worked by a full time employee--allowing comparisons of people hours over time and across offices relative to cost.

² In 2021 the Department proposes to consolidate the Offices of Administration, Chief Human Capital Officer and Chief Procurement Officer under the Assistant Secretary of Administration

³ In 2020 the Office of Business Transformation is eliminated and its resources are realigned into the Office of the Chief Financial Officer and the Office of the Assistant Secretary for Administration.



HUD 2020-2021 Presidential Transition *Official Transition Memorandum*

Financial Management

This document provides an overview of the Department of Housing and Urban Development (HUD) financial statement audit cycle. HUD is one of 24 executive agencies required to prepare annual financial statements and be audited by the Office of Inspector General (OIG). Financial statements and Inspector General audit opinions are completed shortly after the end of the fiscal year, and required to be published by November 15 each year. The Federal Housing Administration (FHA) and Government National Mortgage Association (Ginnie Mae) are required to issue stand-alone financial statements, also audited by OIG. The Office of the Chief Financial Officer (OCFO) is responsible for producing HUD's consolidated financial statements, consisting of FHA, Ginnie Mae, and the rest of HUD's programs and offices. The consolidated financial statements along with agency performance data is published in the annual Agency Financial Report (AFR).

— Impact —

HUD was receiving a Disclaimer on its Consolidated Financial Statements since FY 2014, that ended with a Qualified Opinion in FY 2019. Since 2016, HUD has been able to reduce Material Weaknesses from 11 to 1 and Significant Deficiencies from 7 to 3. HUD has been successful in remediating these weaknesses and deficiencies because of the implementation of a 5-year Finance Transformation Plan that began January 2018. The goal of the plan is to achieve financial excellence. The plan was briefed to OMB and the Congress. The Appropriations Committee appropriated \$20 million in FY 19 and \$19 million in FY 20 in support of the Finance Transformation Plan.

OCFO has worked with the Program Offices to ensure this plan was executed on. OCFO set up a Finance Transformation PMO, that was part of the Secretary's Agency Wide Integrity Task Force. During the last three years, this Finance Transformation PMO has met bi-weekly with OCFO executives and Program Office representatives to execute on the objectives and milestones in the Finance Transformation Plan.

The results as mentioned earlier have been remarkable. Not only has HUD been successful at the consolidated level, GNMA was contributing to the Disclaimer and weaknesses in the Consolidated Statements. GNMA has been able to reconcile their non-pooled asset portfolio over the last three years and will likely obtain a clean audit opinion FY 20 which will remove the Qualified Opinion on the Consolidated Statements leading to a clean opinion for all of HUD.

Another notable impact is the implementation and execution of the Accountability Integrity Risk (AIR) initiative. The initiative was designed to put HUD on a path of having a positive Statement of Assurance (SOA) on its financial management processes. OCFO implemented comprehensive internal controls testing program around the financial processes. OCFO strengthened controls through Intelligent Automation, audit remediation, and audit resolution. Currently, we have deployed 18 intelligent automation bots and have 52 bots in various phases. The bots once they are all deployed will save over 40,000 hours of staff time. OCFO conducts bi-weekly audit remediation meetings that focus on the root causes of weaknesses and deficiencies in our financial processes. The audit remediation has been successful piece of the Finance Transformation Plan. Since FY 2017, we have closed almost 1,000 open OIG recommendations. OCFO fully implemented an Enterprise Fraud Risk Management program. The Chief Risk Officer has developed and analyzed enterprise risk profiles for HUD's programs. Finally, OCFO established a HUD CARES Act Compliance

Response Team to monitor the compliance with the statute regarding spending and reporting. HUD was appropriated \$12.4 billion under the CARES Act.

— *Statistics on OIG Financial Statement Audits and Recommendations on All Audit Types* —

<i>Description</i>	<i>FY 2020</i>	<i>FY 2019</i>	<i>FY 2018</i>	<i>FY 2017</i>	<i>FY 2016</i>	<i>FY 2015</i>	<i>FY 2014</i>	<i>FY 2013</i>
Financial Statement Audit Opinion ¹		Qualified	Disclaimer					Qualified
Number of Material Weaknesses ¹		1	5	9	11	9	11	4
Number of Significant Deficiencies ¹		3	4	6	7	8	8	11
Number of Non-compliances ¹		3	5	3	5	6	5	5
Number of New Audit Recommendations ²	228	371	693	877	864	988	1009	810
Number of Recommendations Closed ²	696	730	805	879	760	785	654	921
Number of Open Recommendations ²	1299	1767	2126	2238	2240	2136	1933	1578
Number of Open Active Recommendations ^{2 and 3}	864	1317	1651	1736	1747	1646	1465	1100

Note 1: unique counts of MD, SD and NC are based on OIG reports for HUD Consolidated Audit, GNMA, and FHA. See link to OIG Reports

Note 2: stats are for all OIG audits, not just FS and provided by ALD

Note 3: Recommendation not under judicial review, investigation, needing legislation, or under a repayment agreement

— *Upcoming Milestones* —

November 16, 2020: FY 2020 AFR

February – November 15, 2021: Financial Statement preparation, remediation & audit activities

— *Decision Points* —

Continue with the Finance Transformation to ensure HUD does not digress back to an undisciplined financial environment. The program offices must continue to cooperate with OCFO to ensure that we can build on the success over past three years.

— *Contact* —

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MelaJo Kubacki; Deputy ACFO for Financial Management, OCFO, 202-402-6549, melajo.k.kubacki@hud.gov



Current Leadership Team

Office of the General Counsel**Gayle E. Bohling, Deputy General Counsel for Operations**

Since April 2019, Ms. Bohling has served as the Deputy General Counsel for Operations. In this role, she manages the day-to-day operations of OGC and is responsible for budget formulation and planning, financial and human capital management, field operations, procurement, and development and oversight of information technology support systems within OGC. She oversees the Department's eDiscovery program. She serves as the Alternate Designated Agency Ethics Official pursuant to 5 C.F.R. 7501.102. In addition, she oversees the provision of legal services performed by the ten Regional Offices and the Associate General Counsels for Finance, Procurement and Administrative Law and Finance, and Ethics, Appeals and Personnel Law.

Ms. Bohling has over 30 years of federal service, with over 28 years in HUD's Office of General Counsel. Ms. Bohling began her Federal career with the United States Department of Agriculture as an attorney in the Office of Administrative Law Judges in Washington, D.C. In 1991, Ms. Bohling joined HUD OGC in the Multifamily Mortgage Division, Office of Insured Housing Division, in Headquarters. In 1997, Ms. Bohling transferred to the Kansas City Regional Office of Counsel and was appointed the Regional Counsel in February 2015.

In these various roles, Ms. Bohling has worked with most of HUD's program offices and represented the Department in administrative forums and Federal District Court. Notably, Ms. Bohling led the Regional Disaster Recovery Team in the aftermath of the Joplin May 2011 tornado. She represented the Department in an 8-year receivership of the City of Kansas City, Missouri's largest CDBG/HOME recipient. Ms. Bohling led a team of attorneys that negotiated a \$5 million settlement against the Nation's largest provider of home mortgage loans after complaints of discrimination by women who were on maternity leave or pregnant. The October 2014 settlement was the single largest settlement by the Department involving maternity lending complaints filed under the Fair Housing Act.

Ms. Bohling is a graduate of the University of Kansas where she received a Bachelor of Arts degree. She earned a Juris Doctor degree from The Catholic University of America, Columbus School of Law.

Office of the Chief Financial Officer**George J. Tomchick III, Deputy Chief Financial Officer**

George Tomchick is the Deputy Chief Financial Officer for the Department of Housing and Urban Development (HUD). George has an exceptional breadth of financial and operational experience resulting from over 30 years of serving the federal government. He has held leadership positions at several large federal agencies that serve communities throughout the United States providing grants, subsidies, loans, mortgage insurance, deposit insurance, disaster funding, and national security. In addition, he spent time in the private sector providing subject matter expertise to large agencies that needed assistance

with cost containment and business process re-engineering. At HUD he helped develop and is currently executing a financial transformation plan to remedy material weaknesses and significant deficiencies in HUD's financial statement controls and processes.

Office of Administration

Tiffany Cobb, Senior Advisor

Tiffany Cobb is a Senior Advisor in the Office of the Assistant Secretary for Administration (OASA). As a Senior Advisor, Tiffany is responsible for managing and coordinating policy for the Office of the Chief Administrative Officer (OCAO), the Office of the Chief Human Capital Officer (OCHCO), and the Office of the Chief Procurement Officer (OCPO). Tiffany joined OASA in May of 2020 and was the lead for developing the Coronavirus Pandemic guidance and policy for the Agency. Tiffany works closely with the Assistant Secretary for Administration to facilitate administrative services for the Agency, as well as with the CAO, CHCO, and CPO who oversee a wide range of business areas such as administrative support functions, facilities, human capital management, and procurement of goods and services.

Prior to joining OASA, Tiffany gained 10 years of experience working in the Office of Housing, with various roles in Operations, Single Family Housing, Multifamily Housing, and most recently, the Office of the FHA Commissioner. While in Housing, Tiffany worked on several high-profile projects, including cross-agency programs and projects, and collaborated closely with the Associate General Deputy Assistant Secretary to manage business processes for the Office of Housing's seven program areas.

Tiffany has a well-rounded knowledge of HUD's programs and has been recognized by senior leadership in various capacities. Tiffany holds a Bachelor of Arts degree in Communications and a Master of Science degree in Management, both from Howard University.

Office of Administration

Nancy Corsiglia, Chief Administrative Officer

Nancy Corsiglia is HUD's Chief Administrative Officer. She is responsible for Department-wide facilities management, infrastructure operations and field support services in headquarters and 65 offices Nationwide, well as disaster management, national security, Executive Secretariat and enterprise digital services across the Department. She is a member of the HUD Working Capital Fund Committee, Investment Review Committee, Enterprise Risk Committee and Mortgagee Review Board, as well as the Interagency Federal Credit Policy Council.

Previously, Ms. Corsiglia served as Deputy CIO for Business and IT Resource Management and led successful initiatives to improve the IT contract acquisition process and reduce enterprise risk. She oversaw Department-wide IT budgeting and IT contract

acquisitions and OCIO enterprise risk management, strategic planning, and audit, policy and administrative matters. She also served as Human Capital Office Deputy Assistant Secretary and Chief Management Officer, where she oversaw human capital information systems, project management, contracting, budgeting and administrative services. In prior HUD roles, Ms. Corsiglia served as Ginnie Mae Acting President and its Executive Vice President and Chief Operating Officer, where she led the implementation of enhanced corporate governance and a comprehensive enterprise risk management program. She oversaw all aspects of daily operations and administered the Mortgage-Backed Securities programs and a \$1.8 trillion portfolio of Ginnie Mae guarantees issued, with no guarantee losses, and guided \$500 billion of new guarantee issuance, to achieve \$200 billion of net guarantee portfolio growth.

Ms. Corsiglia also has more than 25 years of prior private sector executive experience in financial services, mortgage finance and risk management. She was a leader in the start-up and successful 20-year growth of the Federal Agricultural Mortgage Corporation. She served in several executive positions, including Executive Vice President and Chief Financial Officer, on the team that built company into a diversified financial guarantor and provider of innovative financial solutions to agricultural and rural lenders, which transformed industry credit delivery and financing and provided competitive pricing advantages to lenders and borrower. She also served as a member of the Board of Directors of the Private National Mortgage Association Mortgage Opportunity Funds. She holds an MBA in Management and Finance from the Tuck School of Business at Dartmouth and an AB in Economics from Smith College.

Office of Administration

Office of the Chief Human Capital Officer

Monica M.P. Matthews, Chief Human Capital Officer

Monica M.P. Matthews became the Chief Human Capital Officer for the U.S. Department of Housing and Urban Development (HUD) in May 2019. She has 30+ years of expertise inclusive of both civilian and uniformed service human resources, with emphasis in the leadership of organizational transformation. Monica's work spans enterprise-wide human resources (HR) operations and program development, HRIT innovation, systems implementation, and integrated human capital solutions. Ms. Matthews oversees the full range of strategic human capital management, services and human resource functions to enable HUD's mission and workforce, which consists of approximately 7,200 employees located at headquarters and its ten regions across the United States.

Prior to joining HUD, Ms. Matthews served as the executive Director, Human Capital Client Services, within the Department of Commerce (DOC) and the Deputy Human Resources Functional Director leading the design of DOC's enterprise human resources service delivery model. Her career also includes joining General Services Administration's, Unified Shared Services Management to lead development of the federal-wide marketplace for integrated talent management solutions, along with various leadership positions within

the National Oceanic and Atmospheric Administration's Workforce Management organization.

Ms. Matthews has a proven track record of improving time to hire along with experience working in business partner models and both commercial and federal shared service environments. She has an intrinsic understanding of the key partnership HR plays across agencies to enable mission and improve client service. As a strategic leader, Monica takes an inclusive approach to maximize solutions, service delivery, and outcomes – transforming strategies into actions, and actions into organizational results.

Office of Administration

Office of the Chief Procurement Officer

Ronald C. Flom, Chief Procurement Officer

Ronald C. Flom has served as the Chief Procurement Officer for the U.S. Department of Housing and Urban Development since March 2019. He is also the Senior Procurement Executive for HUD.

Prior to returning to Federal Government Service, Ron was an advisor to a select list of clients in both the private and public sectors on Federal Government contracting & acquisition management, program management, education & training, and executive leadership. He served as a Director on the Procurement Round Table and was a Strategic Advisor to Government Executives (SAGE) program member for the Partnership for Public Service.

Ron was previously the Associate Director for Management Services at the U.S. Office of Personnel Management from November 2005 through January 2010. He was OPM's Chief Human Capital Officer (CHCO) and served as Senior Procurement Executive for OPM since his appointment to the Senior Executive Service (SES) in December 2003.

Ron was commissioned a second lieutenant in the United States Army in 1974 upon graduation from the University of North Dakota. His Army career spanned 29 years, including 20 years in program management and defense contract management assignments. He received Master of Science degrees from Florida Institute of Technology and the National Defense University. Prior to retiring from the Army in late 2003, he was Commandant of Defense Acquisition University at Fort Belvoir, Virginia.

Office of Policy Development and Research

Todd Richardson, General Deputy Assistant Secretary

Todd Richardson is the senior career official in HUD's research arm of approximately 145 staff that manage national surveys, conduct and manage research and

program evaluations, and develop program parameter data to support HUD's major programs. He is also HUD's Evaluation Officer.

He has developed a number of funding allocations formulas for HUD programs, including the Indian Housing Block Grant Formula, the Neighborhood Stabilization Program formula, and formulas to allocate post-disaster supplemental appropriations. He used data from multiple federal sources to create detailed housing unit damages post Hurricanes Katrina and Sandy. He is also author of a study on how well the Community Development Block Grant targets funds to its intended beneficiaries and has managed numerous program evaluations, including the long-running Moving To Opportunity evaluation that measure the impact on poor families of moving from high poverty neighborhoods to low poverty neighborhoods.

In addition to this work, Mr. Richardson has been a HUD Field Economist in Detroit, Michigan; developed scattered site public housing; and was program administrator for a housing non-profit in Saginaw, Michigan. Todd Richardson has a Master of Public Policy from the University of Michigan.

Office of Fair Housing and Equal Opportunity **David Enzel, General Deputy Assistant Secretary**

David Enzel is an attorney with more than 40 years of management and legal experience at two Federal agencies. He has devoted his career to combatting discrimination and to assisting low and moderate income persons. He currently serves as Deputy Assistant Secretary for Enforcement and Programs at the U.S. Department of Housing and Urban Development (HUD). Mr. Enzel is responsible for the enforcement of the Federal Fair Housing Act, which provides for equal housing opportunity and free and fair housing choice without discrimination based on race, color, religion, sex, national origin, disability or family composition. He also manages two fair housing grant programs.

Mr. Enzel began his career in HUD's Office of General Counsel where he served as Chief Attorney for Fair Housing Enforcement. Following the enactment of the Fair Housing Amendments Act of 1988, which substantially strengthened HUD's fair housing enforcement powers, Mr. Enzel established HUD's fair housing enforcement program. This included drafting implementing regulations, successfully trying the first cases under the Fair Housing Amendments Act and supervising a group of 13 attorneys. In 1991, Mr. Enzel joined the Office of Thrift Supervision, a bureau of the Department of Treasury, where he worked successfully to help resolve the national crisis in the savings and loan industry. He served as Special Counsel to the Chief Counsel at the Office of Thrift Supervision. In that capacity, he also provided legal advice covering a broad variety of issues concerning the legal powers and obligations of savings and loans and holding companies with an emphasis on compliance issues including fair lending, privacy, the Truth in Lending Act and the Community Reinvestment Act. In 1995, Mr. Enzel received an award from the Secretary of the Treasury in recognition of a major accomplishment in combatting lending discrimination.

In April of 2000, Mr. Enzel returned to HUD as Deputy Assistant Secretary for Enforcement and Programs. From 2003 – 2005 Mr. Enzel returned to the practice of law serving as counsel to the Secretary of HUD specializing in labor relations law. From 2005 to 2007, Mr. Enzel served as Deputy Director of HUD's Office of Field Policy Management, which provides overall management, direction and oversight to HUD's field offices nationwide. From 2007 to September 2018, Mr. Enzel served in HUD's Office of Community Planning and Development as Director of the Office of Technical Assistance and Management. In that capacity, Mr. Enzel was responsible for human resources, labor relations, IT and budget functions for a major HUD program area. He also managed HUD's Community Compass technical assistance program which funds technical assistance, capacity building, and data research activities for HUD's customers, including grantees, public housing authorities, and tribes.

Mr. Enzel was born in Pittsburgh, Pennsylvania and holds a B.A., summa cum laude, from the University of Pittsburgh in 1976 and is a member of Phi Beta Kappa. He graduated from the University of Pittsburgh School of Law in 1979. He is a member of the District of Columbia and Pennsylvania bar associations.

Office of Community Planning and Development **Lori Michalski, Acting General Deputy Assistant Secretary**

Ms. Michalski joined HUD in August 2003 and currently serves as the Deputy Assistant Secretary for Operations, Office of Community Planning & Development (CPD). In her current role, Ms. Michalski provides operational support to all program offices in the Office of Community Planning and Development for hiring and recruiting, consultative services, human capital programs, systems and technology, labor relations, facilities, budget and continuous process improvement. Additionally, Ms. Michalski provides oversight of CPD field operations, as well as CPD's technical assistance program and audit resolution and closeout functions.

Prior to joining CPD, Ms. Michalski served as the Deputy Assistant for Housing Operations where she was responsible for helping to establish a quality organization in HUD, promoting the use of Lean Methodology and workflow automation as continuous improvement techniques.

Ms. Michalski has worked for HUD in a variety of positions, including Special Assistant to the FHA Commissioner for Continuous Improvement, Director, Office of Management, and Director, Organizational Policy, Planning and Analysis Division. Ms. Michalski previously worked as a Management and Program Analyst for the Office of the Inspector General for the Department of Transportation (DOT) and in the U.S. Postal Service (USPS) as a Marketing Analyst and an Operations Specialist. Having worked in the USPS for almost 10 years, her responsibilities covered a variety of assignments, from marketing to retail to operations.

Ms. Michalski holds a Bachelor of Arts in Accounting from Strayer University in Virginia and graduated with honors as Summa Cum Laude.

Office of Public and Indian Housing

Dominique Blom, General Deputy Assistant Secretary

Since July 2017, Dominique Blom has served as the General Deputy Assistant Secretary for the Office of Public and Indian Housing (PIH). She is responsible for administering and managing a range of programs for low-income families, including the public housing program, Housing Choice Voucher Program, and programs that serve Native Americans, totaling more than \$30 billion in annual funding. The mission of PIH is to ensure safe, decent, and affordable housing for low-income families; create opportunities for residents' self-sufficiency and economic independence; and ensure fiscal integrity by all program participants.

From 2006 to 2017, Dominique served as the Deputy Assistant Secretary for the Office of Public Housing Investments at HUD. In this capacity, she was responsible for awarding and overseeing the Capital Fund grants, Choice Neighborhood grants, and HOPE VI grants and implementing the Moving to Work demonstration. In addition to working with communities to revitalize distressed neighborhoods, she was responsible for developing policies and regulations governing mixed-finance and mixed-income public housing development, demolitions and dispositions, voluntary and required conversions and community and supportive services.

Prior to becoming the Deputy Assistant Secretary in April 2006, she was the Director of the Office of Urban Revitalization, the office within HUD that administers the HOPE VI and mixed-finance programs. In 2010, Dominique was presented with the Meritorious Executive Rank Award in the Senior Executive Service for sustained superior accomplishment in management of programs of the United States Government and for noteworthy achievement of quality and efficiency in public service. Dominique holds a B.A in Anthropology and Latin American Studies from Stanford University.

Office of the Chief Information Officer

Kevin Cooke, Principal Deputy Chief Information Officer

Mr. Cooke was appointed the Principal Deputy Chief Information Officer at Housing and Urban Development in October 2010. In this role he is responsible for providing leadership and strategic direction for the day-to-day OCIO Operations and partners with the CIO to provide direction, oversight, and management for Information Technology investments that support the diverse portfolio of programs across HUD.

Mr. Cooke has nearly 30 years of experience conceiving, designing and implementing Information Technology (IT) solutions as well as managing IT resources, budgets, contracts, and programs for Federal agencies. Prior to this appointment, Mr. Cooke served as Acting

Deputy Chief Information Officer at the US Department of Energy. While there he was responsible for coordinating policies and procedures to ensure effective, efficient and economical information management planning in support of Department of Energy missions and objectives.

While working in the Department of Energy's Chief Information Office, Mr. Cooke progressed through the roles of Director of IT Office Systems, Director of Human Capital and Administrative Management, and Associate Chief Information Officer for Information Technology Corporate Management.

Mr. Cooke is a graduate of Kentucky State University and the Federal Executive Institute. He has served on the board of the Government Information Technology Executive Council and currently serves on Boards for the Kentucky State University Foundation, the Maryland Center at Bowie State University and the Worldwide Assurance for Employees of Public Agencies (WAEPA).

Office of Lead Hazard Control and Healthy Homes **Matthew Ammon, Director**

Matthew Ammon is the Director of HUD's Office of Lead Hazard Control and Healthy Homes where he worked for 26 years to develop programs to eliminate childhood lead poisoning and to address housing conditions that threaten the health of residents.

He has led the development of robust grant programs and other initiatives to support local efforts to address health and safety hazards in the home. These efforts have been instrumental in creating technical capacity around the country, and have resulted in a decrease of over 70 percent nationwide in the prevalence of elevated blood lead levels among children ages 1-6.

Mr. Ammon has been instrumental in leading the Department to address housing conditions that threaten health by authoring HUD's Healthy Homes Strategic Plan, and led an interagency workgroup to develop an action plan, titled Advancing Healthy Housing – A Strategy for Action, which aligns goals and priorities from numerous federal agencies to create healthy housing.

Mr. Ammon's contributions are also seen on the Federal Radon Action Plan, the Coordinated Federal Action Plan to Reduce Racial and Ethnic Asthma Disparities, the Surgeon General's Call to Action to Promote Healthy Housing, and the National Prevention Council's National Prevention Strategy.

Mr. Ammon has a Bachelor of Science Degree in Environmental Policy from Mary Washington College, and a Master's Degree in Environmental Policy from Johns Hopkins University.

Office of Departmental Equal Employment Opportunity
Tami L. Wright, Acting Director

Tami L. Wright is a native Washingtonian who has worked in the Federal government civil rights community for approximately 37 years. She began her career in civil rights as an employee with the U.S. Department of Transportation, United States Coast Guard prior to their migration to the Department of Homeland Security. However, she spent a majority of her career in the Office of the Secretary, Departmental Office of Civil Rights holding several positions throughout the years resulting in her leadership position as the Associate Director, Compliance Operations Division.

In 2017, Tami joined the U.S. Department Housing and Urban Development, Office of Departmental Equal Employment Opportunity as the Director, Equal Employment Opportunity Division. In March 2020, Tami assumed an additional role as Acting Director, ODEEO where she continues to work actively to implement continuing affirmative employment programs to promote equal employment opportunity, eliminate unlawful workplace discrimination in Federal employment and resolve complaints at the lowest possible level.

Office of Small and Disadvantaged Business Utilization
Jean Lin Pao, Director

Jean Lin Pao is the Director for the Office of Small and Disadvantaged Business Utilization at the U.S. Department of Housing and Urban Development (HUD), serving as the principal advocate for utilizing small and disadvantaged businesses in federal contracting to meet HUD's mission. HUD has achieved unprecedented results in maximizing practicable opportunities for small businesses and received A+/A grades on the Small Business Procurement Scorecard on the administration of its small business programs. Ms. Pao has over twenty-five years of federal experience in small business advocacy, enterprise human capital management, employee engagement and training, budgeting and acquisitions, information technology planning, administration, business management, strategic planning, program evaluation, and policy development.

Previously, she served as the General Deputy Assistant Secretary for HUD's Office of Policy Development and Research and Chief Management Officer/Deputy Assistant Secretary for Business Management and Administration in HUD's Office of the Chief Human Capital Officer. Ms. Pao holds a Bachelor of Arts in urban studies from Barnard College, Columbia University and a Master of Public Policy from the Harris School, University of Chicago. Jean is the recipient of the Presidential Rank Award for Meritorious Service. She is an Excellence in Government Senior Fellow and Partnership for Public Service Outstanding Alumni Award Honoree. She is also a certified executive and leadership coach.

Ginnie Mae
Michael Drayne, Senior Vice President

Michael Drayne is Senior Vice President of Strategic Planning and Policy at Ginnie Mae. As a member of Ginnie Mae's Office of the President, he shares responsibility for the oversight of all of Ginnie Mae's operations.

Mr. Drayne joined Ginnie Mae in 2011, and before assuming his current role spent six years as the head of the Office of Issuer & Portfolio Management, where he was responsible for the management of Ginnie Mae's relationships with the mortgage lenders and servicers who issue securities under Ginnie Mae's mortgage-backed securities program.

A career veteran of the housing finance industry, Mr. Drayne spent 18 years in mortgage banking at Chevy Chase Bank, where he served as Vice President and Director of Secondary Marketing. In addition, he was responsible for managing several other operational units for the bank's nationwide mortgage lending subsidiary. He has spoken and written widely about the U.S. secondary mortgage markets, and the evolution of the post-crisis housing finance industry and its relation to government-insured lending and the capital markets.

Mr. Drayne has a Bachelor of Science Degree in Business Administration and a Master's Degree in Public Management, both from the University of Maryland. He resides in Washington, D.C.

Office of Field Policy and Management
Krista Mills, Deputy Director

Krista Mills joined HUD 22 years ago in the Office of Field Policy and Management (FPM), Kentucky Field Office. For most of her field tenure, she served as either the FPM Field Office Director or the Regional Director for Programs and Compliance in the Office of Fair Housing and Equal Opportunity (FHEO).

In 2016, Ms. Mills accepted a Senior Executive Service position in HUD Headquarters as FHEO's Deputy Assistant Secretary for the Office of Policy, Legislative Initiatives, and Outreach. Her primary responsibility was national implementation of the 2015 Affirmatively Furthering Fair Housing (AFFH) rule.

After the suspension of the AFFH rule in 2018, she assisted the Office of the Chief Human Capital Officer (OCHCO) on a detail as the Acting Chief Human Capital Officer and subsequently as the Acting Deputy Chief Human Capital Officer. Once OCHCO stabilized, she accepted the position as the Deputy Director for FPM in 2020 where she serves today.

Ms. Mills holds a bachelor's degree from the University of North Carolina at Wilmington and a master's degree from the University of Lynchburg, Lynchburg, Virginia.

Office of Field Policy and Management

Robert Forti, Deputy Regional Administrator, Region I
Boston Regional Office

Robert Forti was promoted to Deputy Regional Administrator (DRA) in May of 2020. Prior, he was the Regional Support Manager (RSM) for Region I in the Office of Administration. Mr. Forti served as the Intake Branch Chief for Region I in HUD's Office of Fair Housing and Equal Opportunity supervising a staff of analysts responsible for the intake, processing, and development of housing discrimination complaints for federal investigation throughout New England.

Mr. Forti holds a B.A. in Writing, Literature and Publishing from Emerson College and a Master of Science in Public Affairs from the University of Massachusetts, Boston.

Office of Field Policy and Management

Stephen Murphy, Deputy Regional Administrator, Region II
New York Regional Office

Stephen Murphy has served at HUD for over 22 years during the administrations of four U.S. Presidents. He began in the Office of Public & Indian Housing (PIH) at HUD Headquarters as a Program Analyst in the Office of Field Operations and as a Business Manager at the Real Estate Assessment Center. Mr. Murphy accepted his current position of Deputy Regional Administrator in 2018.

In 2010 Mr. Murphy served as the Senior Advisor to the Regional Administrator in HUD's New York Regional Office and in February of 2012, he served for two years as the Acting Deputy Regional Administrator (DRA) for Region II.

Office of Field Policy and Management

Jane Miller, Deputy Regional Administrator, Region III
Philadelphia Regional Office

Jane Miller began her career with HUD 40 years ago as an auditor with the Office of Inspector General (OIG). Ms. Miller worked in the Office of Multifamily Housing for 25 years in several leadership positions. Ms. Miller was the Multifamily Housing Program Center Director for the Western Pennsylvania HUD Office, with administrative oversight for both Federal Housing Administration (FHA) production and asset management.

Ms. Miller joined the Office of Field Policy and Management (FPM) as the Field Office Director (FOD) in the Pittsburgh Field Office in 2011.

In 2020, Ms. Miller accepted the position of Deputy Regional Administrator (DRA) in the Philadelphia Regional Office for Region III Mid-Atlantic. Ms. Miller holds a bachelor's degree from Duquesne University in Pittsburgh, PA.

Office of Field Policy and Management

**Michael L. Browder, Sr., Deputy Regional Administrator, Region IV
Atlanta Regional Office**

Michael L. Browder, Sr. has served at HUD for 8 years and currently serves as the Region IV Deputy Regional Administrator (DRA). Mr. Browder is responsible for directly advising and assisting the Regional Administrator (RA) in the day to day operation of the largest region in the nation working to ensure HUD's Region IV Offices meets the agency's mission, goals, and performance measures in the delivery of services, products, and programs.

Mr. Browder served as the HUD Public and Indian Housing (PIH) Director and as the HUD Field Office Director (FOD) for the Commonwealth of Kentucky. Before joining federal service, Mr. Browder served as a public housing executive for a Georgia public housing agency and prior to that, an executive for a tribally designated housing entity (TDHE) in Alaska.

Mr. Browder earned an MBA from the University of Missouri-Kansas City and a Bachelor of Science in Business Economics from the University of Utah.

Office of Field Policy and Management

**James A. Cunningham, Deputy Regional Administrator, Region V
Chicago Regional Office**

James (Jim) Cunningham is the Deputy Regional Administrator (DRA) for HUD's Midwest Regional Office. He oversees the operations of seven HUD Field Offices managing the achievement of White House initiatives, Secretarial priorities, and HUD priority goals.

Jim has been with the HUD for 29 years in various capacities in both Headquarters and the Field. Jim started his HUD career as a Presidential Management Intern in HUD Headquarters in the Community Development Block Grant Program (CDBP). He has also worked in three Field Offices and was the Field Office Director (FOD) for the Cincinnati, Ohio Office for 14 years.

He earned a bachelor's degree in political science from the University of Illinois (1987) and a master's degree in public administration from the American University (1991).

Office of Field Policy and Management

**Leslie Bradley, Deputy Regional Administrator, Region VI
Fort Worth Regional Office**

Leslie Bradley became HUD's Region VI Deputy Regional Administrator (DRA) in 2018. As DRA, she assists the Regional Administrator in managing HUD's programs, seven

field offices in addition to the regional office in Fort Worth, TX. Since December 2016, she has served as Interim Co-Chair of Region VI's Regional Interagency Council on Homelessness.

Ms. Bradley started as a Personnel Staffing Clerk then became an Equal Opportunity Specialist in the Office of Fair Housing and Equal Opportunity (FHEO). In 2006, she became the Deputy Director of the FHEO Office of Systemic Investigations. Ms. Bradley returned to the Fort Worth Regional FHEO Office in 2009 as Enforcement Branch Chief and accepted the position of Supervisory Management Analyst in the Office of Field Policy and Management in 2016.

Ms. Bradley received a Bachelor of Arts degree in communications from the University of Texas at Arlington (UTA). In 2013, she became a Senior Fellow after completing the Excellence in Government Fellows Program, a Partnership for Public Service leadership program.

Office of Field Policy and Management
Bruce Ladd, Deputy Regional Administrator, Region VII
Kansas City Regional Office

Bruce Ladd has served in the Office of Field Policy and Management (FPM) as Region VII's Deputy Regional Administrator in Kansas City since 2015. He oversees FPM staff in Des Moines, Kansas City, Omaha and St. Louis.

Prior to 2015, he held leadership positions in the Office of Multifamily Housing for many years. During his tenure, he served as the Acting Hub Director, Operations Officer and a Branch Chief. He implemented the Multifamily Transformation for the Kansas City office prior to joining the FPM leadership team.

Mr. Ladd holds a bachelor's degree from Kansas State University in Manhattan.

Office of Field Policy and Management
Erik Amundson, Deputy Regional Administrator, Region VIII
Denver Regional Office

Erik Amundson has worked for the U.S. Department of Housing and Urban Development across Region VIII for over 21 years and named as the Deputy Regional Administrator (DRA) in 2019. In this capacity he directs the Office of Field Policy and Management (FPM) in Denver, as well as its field offices in the six-state region. Prior to holding this position, he served as the HUD State Director in Montana for more than 10 years, in addition to working as a Management Analyst in the South Dakota HUD office for nearly a decade.

Erik is a graduate of HUD's Emerging Leaders Program and is a mentor for new leaders through the Department's formal mentoring program. During his tenure at HUD, he has also served as a Sustainability Officer, Faith-Based Liaison, and Grant Writing Trainer.

Erik holds a PhD in International Development and has published several articles in peer-reviewed journals on the topics of homelessness, poverty, and migration.

Office of Field Policy and Management

Wayne Sauseda, Deputy Regional Administrator, Region IX San Francisco Regional Office

Wayne Sauseda has been the Deputy Regional Administrator (DRA) for Region IX since 2012. Prior to HUD, he served as Assistant Secretary, California Health and Human Services Agency. Earlier federal-level policy experience includes serving as the Regional Director (Region IX) for the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) where he contributed to the development of the federal strategic plan to end homelessness and as National HRSA Director for Community Based Programs surrounding Washington, D.C.

Mr. Sauseda served as National Chairman and Founding Member of the National Alliance of State and Territorial AIDS Directors (NASTAD) and held appointments to various National Centers for Disease Control and Prevention (CDC) committees.

Mr. Sauseda is a graduate of the University of San Francisco, School of Management.

Office of Field Policy and Management

Michael Look, Deputy Regional Administrator, Region X Seattle Regional Office

Michael Look is the Deputy Regional Administrator for Region X of HUD and oversees the implementation of departmental priorities and the management of customer service in the region. Michael has been the Deputy Regional Administrator since September of 2016.

Prior to coming to HUD, Mr. Look worked for the City of Seattle for 16 years. There he served as manager of the City's Community Development Block Grant (CDBG) program. He then joined the City of Bellevue, Washington before joining the City of Seattle in 2000.

He received his B.A. in political science and history from the University of Washington in 1983 and received a Master of Public Policy degree from the University of California, Berkeley in 1985.

Office of Housing**John Garvin, Acting General Deputy Assistant Secretary, Acting Deputy Federal Housing Commissioner, FHA**

John Garvin serves as General Deputy Assistant Secretary/Deputy Federal Housing Commissioner (acting) in HUD's Office of Housing. In this role, Mr. Garvin oversees and directs programmatic policy development, regulatory revisions, compliance and counterparty oversight; and risk management for the Office of Housing and Federal Housing Administration programs. Mr. Garvin also chairs the FHA Technology Modernization Steering Committee through which, and in coordination with Committee members, he directs FHA's most significant technology and process transformation in its 85-year history. The initiative focuses on digitizing the most critical, high value processes of the loan lifecycle, while continuing to build on the architecture and design patterns established for this modern, cloud-based technology platform.

Mr. Garvin previously served as Deputy Assistant Secretary for Multifamily Housing Programs and as Senior Advisor to the FHA Commissioner. While in the role of Deputy Assistant Secretary for Multifamily Housing Programs and Senior Advisor to the FHA Commissioner, he directed asset management efforts to ensure financial and physical strength of the Multifamily portfolio, including 13,000 FHA-insured properties, contracts for 1.2 million Project-Based Section 8 units, and oversight of the Multifamily lender network.

Earlier in his career, Mr. Garvin was the first President/CEO of the Texas Affiliation of Affordable Housing Providers (TAAHP), where he structured and grew this grassroots statewide trade association into a nationally recognized organization representing the interests of private sector housing providers utilizing housing tax credits and tax-exempt bonds to increase affordable housing choice. He worked with federal and state agencies, investors, syndicators, lenders, property management firms, and developers to promote policies and legislation to improve the efficiency of the housing finance system.

Prior to TAAHP, Mr. Garvin served as Director of Strategic Planning and Housing Resources for the Texas Department of Housing and Community Affairs. In this role he was responsible for conducting ongoing, comprehensive statewide housing needs assessments, needs-based planning fund distribution modeling and compliance reporting to state and federal regulators. Mr. Garvin also developed and implemented a needs- and performance-based strategic planning structure to guide the distribution of limited housing finance resources. Last, he also developed, implemented and monitored single family mortgage products for underserved and vulnerable populations, and the first statewide comprehensive housing counseling program.

Before entering the Housing industry, Mr. Garvin worked for the Japanese Ministries of Foreign Affairs and Education. He earned a Bachelor of Science Degree in Economics from Bentley University (Waltham, MA) and a Master of Arts Degree in Asian Studies from the University of Texas (Austin, TX).

Mr. Garvin's personal dedication to promoting fair housing and housing choice is evidenced by his long-term commitment and service to the board of directors of United Cerebral Palsy/Easter Seals of Texas, Central Texas Homeward Bound, the Rural Rental Housing Association of Texas, and Texas Community Capital.



Congressional Considerations



HUD 2020-2021 Presidential Transition *Official Transition Memorandum*

Office of General Counsel Issues of Congressional Interest

President's Budget for Fiscal Year 2022

The Legislation Division supports the Budget Division of the Office of the Chief Financial Officer to review and draft the legislative proposals and general provisions from the development of HUD's budget. HUD's budget and legislative proposal requests were sent to OMB in the beginning of September for review. These legislative proposals are pending OMB review, expected in mid-November of 2020.

Legislative Proposals from the FY2021 and Prior HUD Budgets

HUD senior leadership in CIR and the Secretary's office identified five legislative proposal priorities for FY20 which they presented to the House Financial Services Committee. The five legislative proposals include:

- Housing – Down payment assistance from government entities that benefit the government entity
- OLHCHH – Lead Abatement Threshold (first proposed in FY19 President's budget)
- OLHCHH – SOHUD Lead Subpoena Authority (first proposed in the FY19 President's budget)
- PIH – HOTMA Replacement Housing (included in FY18 and FY19 President's budget)
- PIH – HOTMA Supportive Services Income-Mixing Exception (included in FY18 and FY19 President's budget)

As of July 2020, these proposals were still pending with House Financial Services minority staff.

COVID-19 Relief Bill

HUD has field multiple technical drafting service requests related to potential COVID-19 relief bills, including a \$15 billion rent relief program administered by the Secretary of the Treasury. None of the proposals have been officially introduced in a COVID-19 bill. HUD has a wish list of potential COVID-19 relief bill legislative proposals that were sent to OMB for review and consideration in April of 2020.

FY21 THUD Annual Appropriations Act

The House of Representatives has passed a HUD FY21 annual appropriations act on July 31, 2020. The Senate THUD subcommittee has not released their THUD bill version, as of September 22, 2020. There is a continuing resolution for FY21 into December 2020.

Housing Finance Reform Administration Proposal

In September of 2019, HUD and the Administration released a report on legislative and administrative proposals to address housing finance reform and the future of the Federal Housing Administration, Ginnie Mae, along with Government Sponsored Entities. The Senate Banking majority staff requested a technical drafting service on legislation to develop a comprehensive bill to effectuate the legislative proposals in the Administration's plan. The draft bill was written by the Legislation Division and presented to GNMA, FHA and CIR for their final policy review.

Community Development Block Grant Disaster Recovery Authorization Legislation

Senator Schatz introduced a bill to authorize the CDBG-DR program called the Disaster Recovery and Resilient Communities Act (S.2301). There is an effort by the HUD OIG and members on both Senate Banking and House Financial Services Committees to authorize the creation of a CDBG-DR program beyond the supplemental disaster appropriations.

Technical Drafting Service Requests

The Legislation Division has received 47 requests from congressional members for review and comment on either proposed or introduced legislation affecting HUD programs during calendar year 2020. These TDS requests and communication do not represent the official position of the Administration. For such position, OMB approval is required for any policy statements.

Making Affordable Housing Work Act

In the Making Affordable Housing Work Act (MAHWA), submitted to Congress in April 2018, HUD has proposed reforming rental assistance to further the following goals: 1) Simplify program administration by determining rents using gross rather than adjusted income; 2) Reduce federal taxpayer costs by encouraging work and stable family formation; and 3) Increase local control and choice.



HUD 2020-2021 Presidential Transition *Official Transition Memorandum*

Fair Housing and Equal Opportunity (FHEO) Issues of Congressional Interest

CARES Act

The CARES Act provided \$12.4 billion to HUD, of these, FHEO received \$2.5 million. These funds were utilized for grants to the Fair Housing Assistance Program (\$1.5 million) to address fair housing issues related to COVID-19 and the Fair Housing Initiatives Program (\$1 million) to educate the public about fair housing issues related to COVID-19.

Budget issues

During FY2020, the Department utilized discretionary authority to transfer a small amount of funds from FHEO's S&E account. In the FY2021 appropriation, Congress restricted the Department from transferring funds from FHEO's S&E account. It should be expected that this congressional interest in FHEO's staffing and budgetary matters will continue.

Affirmatively Furthering Fair Housing

On August 7, 2020, HUD published a final rule titled, "Preserving Community and Neighborhood Choice." The rule replaced the 2015 Affirmatively Furthering Fair Housing rule. The obligation to administer programs in a manner that affirmatively furthers fair housing has been the focus of considerable interest and debate in Congress. It should be expected that this will continue.

Disparate Impact Rule

On September 24, 2020, HUD published a final rule implementing the Fair Housing Act's Disparate Impact Standard. It revises HUD's 2013 discriminatory effects regulation to reflect the Supreme Court's 2015 ruling in *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.* and to provide clarification regarding the application of the standard to State laws governing the business of insurance. This rule has been the focus of considerable interest in Congress. It should be expected that the interest will continue.



Operational Items



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OFFICE OF GENERAL COUNSEL Operational/Pressing Issues

Transition to Electronic Closings

HUD's Office of General Counsel (OGC) has increasingly recognized the need to modernize the FHA multifamily and healthcare closing procedures to better utilize information technology resources already widely adopted in the private sector. The COVID-19 pandemic accelerated this awareness, with the existing protocols modified on an emergency basis to permit FHA endorsements in reliance on documents submitted electronically to HUD as portable document format ("PDF") files. These measures were essential to continuing program operations during the pandemic as employees worked remotely under a mandatory telework directive. Until the pandemic, closings required multiple sets of paper original documents evidencing manual "wet" signatures.

The success of the emergency closing protocols warrants permanent changes to the FHA closing process. In addition to continuing reliance on electronic submissions, these procedures should be expanded to facilitate the use of electronic and digital signature software. The goal is to permit paperless, fully electronic closings in accordance with the federal E-SIGN Act and related state legislation. Implementation will involve the following significant challenges:

- Ensuring HUD has the necessary information technology resources to safely and securely store the expansive list of electronic files that will be necessary to document each closing.
- Drafting and publishing the necessary policy guidance for implementing the fully electronic closing model.
- Developing an internal training curriculum for electronic closings.

A committee composed of supervisory headquarters and field attorneys is spearheading the effort to address these challenges.

Affirmatively Furthering Fair Housing

On August 7, 2020, HUD published the final rule “Preserving Community and Neighborhood Choice” (PCNC) amending HUD’s Affirmatively Furthering Fair Housing (AFFH) regulations. The final rule became effective on September 8, 2020.

The 1968 Fair Housing Act requires that agencies administering housing-related programs do so “in a manner affirmatively to further the purposes” of the Act.¹ Similarly, HUD grantees are generally required to certify that they will “affirmatively further fair housing.” In 1994, HUD issued implementing regulations that required an analysis of impediments to fair housing choice (AI) and updated those regulations again in 2015 to require an Assessment of Fair Housing (AFH). The 2015 final rule created a process for grantees that many regarded as burdensome and costly.

On August 16, 2018, HUD began the rulemaking process to amend the 2015 final rule and issued an advance notice of proposed rulemaking (ANPR) inviting public comments on proposed amendments to HUD’s 2015 AFFH rule. After consideration of the public comments on the ANPR, on January 14, 2020, HUD issued a proposed rule “Affirmatively Furthering Fair Housing” to update HUD’s regulations. HUD received over 19,000 comments on the 2020 AFFH proposed rule.

On July 23, 2020, the Secretary signed and posted the final PCNC rule on HUD’s website. The rule was published in the Federal Register on August 7, 2020 (85 FR 47899) and took effect on September 8, 2020. This final rule did not solicit public comment. Rather, the Secretary waived notice-and-comment rulemaking citing the prior extensive public debate as good cause. In issuing a final rule without prior public-comment, HUD used its general waiver authority under 42 U.S.C. 3535(q) to waive its regulation at 24 CFR part 10, which requires notice-and-comment rulemaking for rules that are otherwise exempt from notice-and-comment under the Administrative Procedure Act.

(<https://www.regulations.gov/docket?D=HUD-2020-0053>). (b)(5) Client Privilege; (b)(5) Deliberative Privilege

(b)(5) Client HUD anticipates (b)(5) Client Privilege; (b)(5) Deliberative Privilege

The PCNC final rule repealed the 1994 AI requirement and 2015 AFH where they appeared in HUD’s regulation and returns to the original understanding of what the statutory AFFH certification was prior to the 1994 regulation: a general commitment that grantees will use the funds to take active steps to promote fair housing. The rule specifically provides that grantee AFFH certifications will be deemed sufficient provided they took any action during the relevant period rationally related to promoting fair housing, such as helping eliminate housing discrimination. Given the scope of the PCNC final rule, the need for finalizing the 2020 AFFH proposed rule was negated and HUD has withdrawn the rule in its Fall 2020 Regulatory Agenda.

HUD’s Implementation of the Fair Housing Act’s Disparate Impact Standard

On September 24, 2020, HUD published the final rule “HUD’s Implementation of the Fair Housing Act’s Disparate Impact Standard.” The final rule is effective on October 26, 2020.

¹ 42 U.S.C. 3608(e)(5).

HUD has long interpreted the Fair Housing Act (“the Act”) to create liability for practices with an unjustified discriminatory effect, even if those practices were not motivated by discriminatory intent. This rule amended HUD’s 2013 disparate impact standard regulation to better reflect the Supreme Court’s 2015 ruling in *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.* and to provide clarification regarding the application of the standard to State laws governing the business of insurance. This rule revised the burden-shifting test for determining whether a given practice has an unjustified discriminatory effect and adds to illustrations of discriminatory housing practices found in HUD’s Fair Housing Act regulations. This final rule also established a uniform standard for determining when a housing policy or practice with a discriminatory effect violates the Fair Housing Act and provides greater clarity of the law for individuals, litigants, regulators, and industry professionals. The Office of Fair Housing and Equal Opportunity (FHEO) is the HUD program office with responsibilities under this regulation.

In 2015, the Supreme Court held that disparate impact claims are cognizable under the Fair Housing Act in *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.*, (*Inclusive Communities*).² *Inclusive Communities* recognized the availability of disparate impact claims under the Fair Housing Act independent of HUD’s 2013 Rule. The Court’s opinion referenced HUD’s 2013 Rule, but the Court did not rely on it for its holding. Rather, the Court undertook its own analysis of the Fair Housing Act and engaged in a discussion of standards for disparate impact claims as well as cognizable constitutional limitations to such claims.

In FY20, HUD issued a new final rule to incorporate the ‘artificial, arbitrary, and unnecessary’ standard as discussed in *Inclusive Communities*, to better effectuate the purposes of the Act (the “Final Rule”).³ Specifically, the rule explained that defendants may show that a challenged policy or practice advances a valid interest and is therefore not artificial, arbitrary, and unnecessary. Plaintiffs would then rebut this showing by proving that a less discriminatory policy or practice exists that would serve that interest. The revisions also included an interpretation of the Fair Housing Act when in conflict with state laws regulating the business of insurance; clarification of vicarious liability; the provision and clarification of examples of acts that constitute discriminatory practices under disparate impact; and implementation of a burden-shifting framework that more closely aligns with the Court’s decision in *Inclusive Communities*.

On September 24, 2020, two fair housing organizations filed a complaint to challenge HUD’s Final Rule and now seek a stay⁴ under § 705 of the Administrative Procedures Act (“APA”) to delay the effective date of HUD’s Final Rule pending judicial resolution of their challenge. Plaintiffs allege that the 2020 Rule violates the Administrative Procedures Act (“APA”), because the new disparate-impact pleading and proof requirements are arbitrary, capricious, and not in accordance with the law. Plaintiffs contend that the 2020 Rule

² 135 S. Ct. 2507 (2015).

³ Implementation of the Fair Housing Act’s Disparate Impact Standard, 85 Fed. Reg. 60288 (September 24, 2020).

⁴ *Massachusetts Fair Housing Center, et al. v. HUD*, No. 3:20-cv-11786 (D. Mass), Dkt.11, (October 6, 2020)

violates the notice and comment requirement of the APA. The complaint further alleges that the 2020 Rule violates the Fair Housing Act, because it contravenes HUD's obligation to affirmatively further fair housing as required by the Act. Upon plaintiffs filing of their motion for preliminary injunction, on October 6, 2020, the court ordered HUD to file any opposition to the preliminary injunction by October 14, 2020 and a hearing was set on Plaintiff's motion for preliminary injunction for October 16, 2020.

Breach of Contract Lawsuits Filed in the U.S. Court of Federal Claims

HUD has observed a relatively recent new trend of plaintiffs' counsel challenging HUD funding decisions by filing breach of contract lawsuits against the United States in the U.S. Court of Federal Claims ("Claims Court"). For example, on January 18, 2017, the Claims Court awarded over \$135 million in damages to over 350 public housing authorities (PHAs) that claimed their public housing operating subsidies were too low in breach of their Section 9 Annual Contributions Contracts (ACCs). *PHADA, et al. v. U.S.*, 130 Fed. Cl. 522, 536 (2017).

On November 15, 2017, over 500 other PHAs filed an identical lawsuit in the Claims Court seeking \$132.6 million in damages, which remains pending on appeal in the Federal Circuit Court of Appeals. *Boaz, et al. v. U.S.*, No. 19-2325 (Fed. Cir.). On February 21, 2020 and September 21, 2020, the government settled for \$2.9 million and \$8.8 million respectively similar suits brought by PHAs, which participated in the Moving to Work (MTW) demonstration and claimed that their low operating subsidies breached their MTW Agreements. *San Antonio v. U.S.*, No. 17-1796C (Fed. Cl.); *New Haven, et al. v. U.S.*, No. 17-1804C (Fed. Cl.). Additionally, on October 10, 2019, a PHA sued in the Claims Court for \$1.7 million in damages, alleging that HUD breached the Section 9 ACC by withholding Section 9 assistance until the PHA meets certain conditions or comes into compliance – this suit remains pending. *Housing Authority of the City of Slidell v. U.S.*, No. 19-1583C (Fed. Cl.).

HUD believes (b)(5) Client Privilege; (b)(5) Deliberative Privilege

(b)(5) Client Privilege; (b)(5) Deliberative Privilege

In HUD's view, (b)(5) Client Privilege; (b)(5) Deliberative Privilege

(b)(5) Client Privilege; (b)(5) Deliberative Privilege

(b)(5) Client Privilege; (b)(5) Deliberative Privilege

E- Discovery Issues

Contractual Issues

OGC manages the Department's electronic discovery ("eDiscovery") Program that ensures the Department complies with the preservation and production requirements for Electronically Stored Information (ESI), paper records, and other evidence imposed by the Federal Rules of Civil Procedure. Currently, the Department has more than 3000 employees or contractors subject to a litigation hold and processes ESI searches for over 900 cases annually. In addition, the Freedom of Information Act (FOIA) Office within the Executive Secretariat, the Office of Departmental Equal Employment Opportunity (ODEEO), the Office of Inspector General (OIG), and Congressional and Intergovernmental Relations (CIR) (for Congressional oversight requests) continue to use the eDiscovery Program to meet their data processing legal and business needs.

HUD intends to

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E- Discovery Capacity Challenges

Following an OIG Report noting that the eDiscovery system required additional capacity given the high volume of the data collection requests, OGC completed a study to determine the Department's capacity need for collecting and processing ESI. The Department's E-Discovery Program currently collects and processes ESI for authorized HUD users. The initial volume driver is the volume of work within the four identified business areas – Litigation, FOIA, OIG and Other (primarily Congressional inquiries). Due to the nature of the requests, the volume cannot be absolutely predicted because the generating sources are outside of the Department's control. HUD can estimate the anticipated volume based on historical trends, but the Department cannot pre-determine or control the volume of the workload or the number of litigation cases. The capacity issues are compounded by the tight deadlines for court-ordered discovery, FOIA, OIG, and Congressional requests. The Department is legally required to meet these deadlines and business requirements or risk significant sanctions or other penalties. Based on historical trends, the capacity study forecasted data preservation requests to increase by 800% and data delivery requests to increase by 1500% by FY22 from the historical trends through FY17. The Department will need to continue to explore ways to increase the capacity of the eDiscovery system to ensure all legal and business requirements continue to be timely met.

Ginnie Mae Issues

LIBOR Cessation and Transition to an Alternative Index/LIBOR Transition Rule

OGC is fully engaged in a large-scale effort to address the cessation of London Interbank Offered Rate (LIBOR) and its replacement with alternative indices. LIBOR will no longer be supported in December 2021. Consistent with other industry participants, Ginnie Mae has adopted the recommendations of the Alternative Rate Recommendation Committee (ARRC) to incorporate fallback provisions in its offering documents and adopt the Secured Overnight Funding Rate (SOFR) as the alternate index to LIBOR. Ginnie Mae, in concert with FHA, continues to explore additional enhancements to its program and systems to ensure a smooth transition from LIBOR to SOFR. OGC continues to work on legal issues that may arise as a consequence of LIBOR's cessation and the need to transition legacy Ginnie Mae securities to an alternative index.

Single Family Housing is drafting a proposed rule to respond to the anticipated phase-out of the LIBOR index, which is expected to be declared "non-representative" (i.e., unreliable) by the U.K. financial regulator in 2021 after participating banks stop contributing the data needed for a reliable index. The LIBOR index is the primary interest rate index used for an FHA-insured forward or reverse adjustable rate mortgage (ARM).

Legal hurdles to the LIBOR phase-out include HUD's statutory and regulatory constraints with respect to ARMs in Section 251 of the National Housing Act (12 U.S.C. 1715z-16), and 24 C.F.R. 203.49, 24 CFR 206.3, and 24 C.F.R. 206.21. Section 251 requires that HUD approve interest rate indices through regulations, that the indices be from generally available published sources, and that the ARM is annually adjusted with certain interest rate caps. The cited regulations must be amended to remove LIBOR and permit only CMT

as an approved index for new ARM originations and permit a spread-adjusted SOFR as an approved replacement index for existing ARMs.

The lack of flexibility in the ARM model mortgage documents for a phase-out event presents another legal hurdle for lenders, as the documents only permit a lender to unilaterally select a new index if the current index is no longer published. LIBOR is expected to continue to be available past the phase-out date even though it will be considered unreliable. For new originations, Single Family Housing is working to amend the model ARM documents to incorporate industry-created fallback language that will give the lender greater flexibility to unilaterally select a HUD-approved replacement index for a future phase-out event. For existing loans, lenders will likely need to amend the ARM documents to select a HUD-approved replacement index once HUD's LIBOR Transition Rule is effective.

Digital Collateral Guide (eGuide)

OGC is assisting Ginnie Mae in implementing a digital collateral guide to allow acceptance of e-notes for FHA single family mortgages. OGC is working closely with Ginnie Mae to ensure that all legal concerns with this process are addressed. OGC continues to provide extensive comments to the eGuide and participates in meetings to address all concerns. As part of this project, OGC is updating an existing agreement between Ginnie Mae and Mortgage Electronic Registration System (MERS) to accommodate e-notes and e-mortgages. FHA Single Family has been looking forward to Ginnie Mae's ability to accept digital mortgages. This will be a game changer for FHA Single Family once Ginnie Mae has this ability as this is a critical functionally for the administration of the program.

Issuer Defaults in COVID-19 Environment

OGC assists Ginnie Mae in preparing for potential issuer defaults in the COVID-19 environment. If a Ginnie Mae issuer were to default under its contractual agreements with Ginnie Mae, Ginnie Mae may decide to terminate that Issuer's ability to continue to participate in its programs. Typically, to effectuate an Issuer termination, a large contingency will travel to the Issuer's offices to effectuate the termination. In light of COVID-19, Ginnie Mae has to explore alternatives to its typical default strategy and ascertain related legal limitations. OGC has been examining this issue.

Environmental Regulation Reform – 24 CFR Parts 50 and 58

Since 2019, OGC (Front Office, Assisted Housing, Administrative Law, and Legislation and Regulation) and Community Planning and Development (through the Office of Environment and Energy) have worked to revise the Department's environmental review regulations at 24 C.F.R. Parts 50 and 58. HUD has prepared the first major revision since 1996 of these environmental regulations in 24 CFR Parts 50 and 58 (with a minor conforming change in Part 55). Parts 50 and 58 implement the statutory requirements of the National Environmental Policy Act (NEPA) and must comply with the Council on Environmental Quality's (CEQ) overarching NEPA regulations at 40 C.F.R. Sections 1500-1508. The revisions respond to two separate bases for action. First, the revision is being undertaken pursuant to HUD's efforts to reduce regulatory burdens as required by

Executive Orders 13771, 13777, and 13878, and in response to comments received in response to a May 2017 HUD request for public comment on regulatory burdens. Second, a final rule amending regulations of the Council on Environmental Quality, published July 16, 2020, requires all Federal agencies to issue proposed revisions to their regulations for implementing the NEPA, to be consistent with the new CEQ regulations, by September 14, 2021. 40 C.F.R Section 1507.3(b). HUD hopes to

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COVID-19 Forbearance and Eviction Moratorium for Single Family properties:

In response to the COVID-19 pandemic, Single Family Housing created a range of loss mitigation options using its administrative authority, which meets or exceeds the requirements of the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"), including the imposition of a foreclosure and eviction moratorium for borrowers and tenants, the extension of forbearance to borrowers impacted by COVID-19, and various permanent loss mitigation home retention options. While the foreclosure and foreclosure-related eviction moratorium in the CARES Act has expired, Single Family Housing has continued to extend its administrative moratorium for all FHA-insured single-family mortgages, except those secured by vacant or abandoned properties, through to December 31, 2020. In addition, Single Family has extended forbearance for borrowers impacted by COVID-19 and has provided streamlined COVID-19 loss mitigation options for FHA-insured loans to prevent borrowers from owing significant lump-sum payments after authorized forbearance periods expire. As FHA has been utilizing its administrative authorities, it has yet to confront the need to interpret the forbearance provisions of the CARES Act, which must be made available during the "Covered Period" notwithstanding the failure of the Act to define such period. The covered period will impact all federally insured or backed loans (i.e., insured or guaranteed by FHA, USDA, VA and those held by Fannie Mae and Freddie Mac). As a result, the definition of the covered period requires coordination across the Federal Government. At present there is no agreement as to the appropriate definition, but options include defining the covered period as the duration of the COVID-19 emergency, the earlier of the COVID-19 emergency termination or Dec. 31, 2020 (the definition of covered period used in Section 4023 of CARES), or some other date that will be proscribed by rulemaking. Discussions will continue until a definition is determined and appropriately communicated with the public or a legislative amendment provides a specific end date for the forbearance offered under section 4022 of the CARES Act.

CARES Act Forbearance for Multifamily Owners. Multifamily Housing published guidance on COVID-related forbearance for multifamily borrowers. Mortgage Letter 2020-09, Implementation of the Coronavirus Aid, Relief, and Economic Security (CARES) Act Forbearance ("ML 2020-09"), published on April 10, 2020, explained the moratorium on eviction and renter protections under the CARES Act and alerted multifamily borrowers, lenders, and servicers of these protections. Housing Notice 20-07 Coronavirus Aid, Relief, and Economic Security (CARES) Act Eviction Moratorium, published on July 1, 2020, extended the moratorium on eviction, along with other renter protections under the CARES Act, and introduced new renter protections through the term of HUD-approved extended forbearance. In support of the forbearance relief provided by the CARES Act, Multi-Family Housing developed forbearance protocols to streamline processing and created

comprehensive guidelines to support multifamily borrowers considering mortgage relief options for properties that experience cash flow shortages as a result of the COVID-19 emergency. ML 2020-09 not only summarizes the standards for requesting forbearance relief under the CARES Act for FHA-insured, risk share, and HUD-held loans, but also provides guidance on post-forbearance repayment, releasing project reserves and other continuing program obligations. As the period of forbearance under the CARES Act expires and owners are being voluntarily extended forbearance by lenders, Multifamily is confronting various issues of legal interpretation surrounding when the loans should be considered delinquent and eligible for payment of a mortgage insurance claim.

Pandemic Response and Eviction Moratorium for Housing Programs

Specific to the pandemic, the Department took action to help renters avoid evictions due to financial hardships resulting from COVID-19. Using its inherent authority, and extended authority under the Cares Act, the Department issued waivers, and provided guidance to grantees to create eviction relief. See for example, Housing Notice 20-07: Coronavirus Aid, Relief, and Economic Security (CARES) Act Eviction Moratorium. For more information, On July 1, 2020, HUD issued Notice H-20-07, *Coronavirus Aid, Relief, and Economic Security (CARES) Act Eviction Moratorium*. This Notice provided background and guidance on HUD's policies and procedures regarding the eviction relief provided to tenants of certain multifamily properties under the CARES Act. Specifically, the Notice extends the moratorium on evictions for all HUD-insured or HUD-held mortgages while under forbearance and also provides guidance on tenant protections for multifamily properties not subject to forbearance and those with HUD-assisted units. Unless rescinded or amended, this Notice will be HUD Multifamily Housing's procedures for the duration of the COVID-19 emergency.<https://www.hud.gov/sites/dfiles/OCHCO/documents/20-07hsgn.pdf>.

Additional guidance included FAQs put out by both PIH and CPD, and the Eviction Prevention and Stability Toolkit put out by PIH. Although the toolkit was developed in response to the CARES Act eviction moratorium expiring, several attachments in the toolkit continue to be available to PHAs, since it was built on best practices from PHAs around the country and existing HUD guidance. For example, PHAs can permit repayment agreements and update repayment agreement policies, adopt policies for retroactive interim reexaminations, provide direct outreach to households behind on rent, review policies on minimum rent and financial hardship exemptions, and position residents to overcome common challenges and barriers to stability by providing residents with a proactive alignment to local resources.

Once the Cares Act waiver authority expired, it has been HUD's position that the

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(b)(5) Deliberative . The CDC EO was based on its own authority (for which the Department has no enforcement authority). Issues related to the CDC EO include (b)(5) Deliberative Privilege

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. For example, looking at the public housing program, from a policy perspective, (b)(5) Deliberative Privilege

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Davis Bacon Labor Standards

The Office of Davis Bacon Labor Standards (DBLS) is the HUD office responsible for oversight and monitoring the selection and use of applicable wage determinations for HUD programs subject to Davis-Bacon wage requirements. Certain HUD programs are made subject to Davis-Bacon wage requirements either through the Davis Bacon Act or a "Davis-Bacon Related Act" (DBRA), including National Housing Act Section 212, which applies Davis-Bacon Wage Rates to specific FHA programs, including Multifamily new construction. Recently the Office of Inspector General issued an audit of this issue and recommended that the DBLS office consult with DOL concerning the appropriate wages to be paid and clarify HUD's policy officially on a go forward basis. (b)(5) Deliberative Privilege

(b)(5) Deliberative Privilege A brief history of the issues is as follows.

DBLS has been the subject of scrutiny by the Department of Labor (DOL) since Fall 2014 when a difference of opinion arose as to the proper application of DB wages to FHA Multifamily projects. Specifically, HUD and DOL leadership have debated whether HUD's published policy, Labor Relations Letter 96-03 and Handbook 1344.1, is the appropriate policy for DBLS's selection of applicable wage determinations for FHA Multifamily projects under NHA 212 or if more general sub-regulatory guidance from DOL (including DOL's All Agency Memoranda 130 and 131, originally published in 1978) should be applied. In short, the application of DOL's subregulatory guidance has led to the imposition of multiple wage determinations when stand-alone construction items exist from the main construction project, and those items meet or *either* 20% of the total project cost or \$1 million USD, whereas the application of HUD's LR 96-03 would more likely result in a single wage determination because LR 96-03 provides that only one wage determination should be applied for most FHA Multifamily projects, either Residential or Building, depending on the number of stories. DOL has asserted that HUD's policy is inconsistent with AAMs 130 and 131. HUD believes that LR 96-03 can be interpreted as consistent with AAMs 130 and 131, which is supported by the fact that LR 96-03 was "issued with the advice and consent of DOL" and its WHD.

Given the continued conflicting interpretations, HUD's DBLS has been inconsistent in its application of wage selection guidance. The result has led to confusion across the country, increased costs and uncertainty for affordable housing developers, and the issuance of the OIG audit report on the subject. Some formal resolution is now necessary to close out the OIG audit and provide the clarity needed by stakeholders.

Procurement Law Issues

Federal Housing Administration (FHA), Real Estate Owned (REO) Management and Marketing (M&M) Procurements

Homes enter FHA's inventory after foreclosure on an FHA-insured loan. These properties are maintained country-wide by Field Service Manager (FSM) contractors and sold by Asset Manager (AM) contractors. The M&M contracts are historically heavily litigated with both pre- and post-award protests and contract administration claims. (b)(5) Deliberative Privilege

(b)(5) Deliberative Privilege. Additionally, litigation is pending at the Civilian Board of Contract Appeals (CBCA) concerning AM 3.7, FSM 3.8, and FSM 3.10 contracts.

Housing Assistance Payment (HAP) Contract Support Services (HAPSS) Procurement (previously known as PBCA)

On March 25, 2014, the Court of Appeals for the Federal Circuit held that HUD must use procurement contracts, rather than cooperative agreements, to procure its Performance Based Contract Administrators (PBCAs) for the Multifamily Housing Section 8 Program. There has been significant Congressional interest in how HUD plans to structure the procurement. Despite the passage of time, the final solicitation has not yet been issued.

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HUD IT Enterprise Architecture Transformation End User Support (HEAT EU) Procurement

HUD originally issued the solicitation for HEAT EU, which includes eDiscovery support, on February 5, 2018. HUD made award on September 30, 2019, which was protested at the Government Accountability Office (GAO) by an incumbent contractor. The protest was dismissed when HUD decided to take corrective action. HUD expects another protest when corrective action is completed and a new award decision is made.

Secretary Held and HECM Loan Servicing Procurements

HUD has a history of unsuccessful contractors servicing the Secretary Held and HECM loans for the National Servicing Center and has been attempting to re-procure these requirements since 2017. Unfortunately, a number of protests (b)(5) Deliberative Privilege

(b)(5) Deliberative Privilege have resulted in awarding multiple, successive sole source contracts to the current (b)(5) Deliberative Privilege contractor, Novad. HUD is in the process of procuring separate contracts for the servicing of Secretary Held and HECM loans. (b)(5) Deliberative Privilege

Novad Management Consulting, LLC v. HUD, Fed. Cl. No. 19-425C, Contract claim

On March 20, 2019, Plaintiff Novad Management Consulting, LLC ("Novad"), a HUD contractor, filed a complaint pursuant to the Contract Disputes Act, 41 USC 7101-7109, in the United States Court of Federal Claims (COFC). Novad is a current contractor charged with servicing HUD's HECM and Secretary Held loan portfolios. The complaint filed at COFC combines a number of claims made to, and denied by, the Contracting Officer, largely related to Novad's understanding of and performance under the contract. Current Status:

Novad filed its original complaint on March 20, 2019, and its First Amended Complaint on April 11, 2019. The Government filed its Answer on June 19, 2019. On December 13, 2019, the Government moved to dismiss certain claims for lack of subject matter jurisdiction. On January 13, 2020, Novad filed a motion to voluntarily dismiss those claims. Novad's motion was granted that day. The discovery period is currently slated to conclude on December 1, 2020.

Assisted Housing and Community Development Issues

Community Development Block Grant – Disaster Recovery (CDBG-DR): Puerto Rico

The Commonwealth of Puerto Rico has received \$20 billion in CDBG-DR funds, administered by the Puerto Rico Department of Housing (PRDOH), to assist with the recovery of the effects of Hurricanes Irma and Maria.

After a disaster, CDBG-DR funds are commonly provided to homeowners to assist with rehabilitating their houses or to owners of rental properties to repair those properties. However, because of the Commonwealth's property rights framework and that title to property is not legally required to be recorded, proof of ownership is sometimes difficult. PRDOH developed the Home Repair, Reconstruction, or Relocation Program (R3 Program) with its CDBG-DR funds. The R3 Program Guidelines divide ownership into two categories, traditional and non-traditional ownership. R3 applicants are required to show proof of clear title or "non-traditional ownership documents" if they seek rehabilitation or reconstruction assistance.

In August 2020, Puerto Rico's Governor executed an Executive Order, OE-2020-063, modifying local rules for the R3 program. The order permits an applicant to submit a Certificate of Ownership if the clear title or other ownership documents are unavailable. PRDOH has indicated that R3 applicants that cannot provide clear title will be required to participate in PRDOH's Title Clearance Program while receiving assistance under the R3 program. PRDOH believes this will speed up recovery. PR stated that its R3 grant agreement will condition assistance on completing the title clearance process. Concerns identified by OGC's Office of Assisted Housing and Community Development (OAHCD) include:

- Although HUD does not have authority to "approve" PR's implementation of this executive order, HUD can advise PR about potential threats of noncompliance and provide technical assistance.
- PR may need to (b)(5) Deliberative Privilege
- PR should plan (b)(5) Deliberative Privilege

Possible Alternative for NYCHA

The New York City Housing Authority (NYCHA) is the largest public housing authority in the United States and is home to 1 in 15 New Yorkers. Over 500,000 New Yorkers are served by NYCHA's public housing and Section 8 programs. Approximately 168,000 families live in NYCHA public housing, including Section 8 residents living in former State and City-funded

developments. Together, NYCHA public housing residents and Section 8 voucher holders occupy 11.6% of the city's rental apartments and comprise 6.5% of NYC's population. If NYCHA were a city, it would rank 32nd in population size in the U.S.

HUD provides NYCHA with roughly \$1 billion in public housing operating subsidies and \$525 million in Capital Fund Program funding each year. The total operating and capital budgets are much larger than this implies. On the operating side, NYCHA also receives about \$1 billion in tenant rent, and has been approved for several Hurricane Sandy-related grants. Under the Section 8 program, NYCHA passes through about \$1 billion in Section 8 Housing Assistance Payment Contract funds to the approximately 26,000 private landlords participating in the program.

NYCHA has made a number of proposals with respect to stabilizing its portfolio by moving from public housing to Section 8 project-based voucher assistance. The current proposal involves public housing disposition under Section 18 of the U.S. Housing Act of 1937 (1937 Act); provision of tenant-protection vouchers (TPVs) to NYCHA based on the section 18 transactions; project-basing the TPVs under Section 8(o)(13) of the 1937 Act and using the project based voucher (PBV) units as the required "comparable housing" for affected families; and use of the non-life threatening (NLT) initial inspection provision to expedite leasing of these units. The proposal raises a significant number of legal questions, including

(b)(5) Deliberative Privilege

HOTMA Income Rule Summary for the 2020-2021 Transition Plan

On September 17, 2019, HUD published proposed regulations at 84 Fed. Reg. 48820 to implement income calculation changes required by sections 102, 103, and 104 of the Housing Opportunity Through Modernization Act of 2016 (HOTMA). HOTMA amended the U.S. Housing Act of 1937, so the proposed rule applies to public housing and Section 8 income calculations. However, to provide consistency among HUD programs, the proposed rule would also make changes to the Housing Trust Fund, HOME Investment Partnership, and Housing Opportunities for Persons with AIDS (HOPWA) programs.

As of September 22, 2020, the HOTMA income rule Working Group is drafting responses to public comments received during the open comment period for the proposed rule. Additionally, the Working Group is working with OGC's Office of Legislation and Regulations (OLR) and OAHCD to revise the rule based on public comments and policy goals to prepare a final rule for publication as soon as possible.

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HUD 2020-2021 Presidential Transition *Official Transition Memorandum*

Fair Housing and Equal Opportunity (FHEO)

Operational/Pressing Issues

Staffing Needs

The majority of FHEO's work is not determined by Departmental policy or grant funding provided by Congress but is required by statute or regulation and not within FHEO's discretion to forgo. In 2010, FHEO had 622 on-board staff, whereas today FHEO has approximately 532, a reduction of 90 staff, or 14 percent, in ten years. This reduction had produced areas of need : Title VIII complaint investigations, fair housing compliance, including for the Rental Assistance Demonstration (RAD) Program, and grant distribution and monitoring of the Fair Housing Initiatives Program (FHIP) and the Fair Housing Assistance Program (FHAP). However, FHEO has been diligently increasing staffing in 2020 and will continue this focus into 2021. FHEO will continue to prioritize the hiring of staffing in field offices to support Compliance Enforcement activities and RAD. The FY2021 expected staff level will be 603. This will help to address certain challenges in the execution of FHEO programs.

Sexual Harassment

On April 12, 2018, HUD and the DOJ joined efforts to create an interagency task force aimed at increasing public awareness of and enforcement of complaints of sexual harassment in housing. The HUD-DOJ Task Force to Combat Sexual Harassment in Housing developed a shared strategy for combatting sexual harassment in housing across the country. It focuses on five key areas: 1) continued data sharing and analysis, 2) joint development of training, 3) evaluation of public housing complaint mechanisms, 4) coordination of public outreach and press strategy, and 5) review of federal policies. While the program has been moving forward successfully, the breadth and scope of the problem of sexual harassment in housing has been significant. The COVID-19 pandemic, including stay at home orders, has increased complaints of sexual harassment. This will continue to require broad effort and substantial support.

Online Advertising

Given the increasing volume of online advertising and the potential for fair housing issues to arise in the context of internet platforms' targeted advertising, FHEO commenced a

Secretary-initiated complaint and later filed a charge of discrimination against Facebook. HUD's investigation discovered that Facebook restricted who receives housing-related ads across the internet based on race, color, religion, sex, familial status, national origin and disability. Facebook mines extensive user data, classifies its users based on protected characteristics or proxies for them and offers advertisers tools to limit which users see ads based on these characteristics. Facebook also selects certain people and not others to receive housing-related ads based on their actual or imputed protected traits and the traits of their associates. Based on this experience, FHEO engaged Google to address these same issues. FHEO has also begun to look at other internet platforms.

Risk Assessment

FHEO is engaged in the implementation of a robust Enterprise Risk Management (ERM) framework for identifying and managing risk. Recently, FHEO began including an integrated governance structure to improve mission delivery, and to focus and align key operational initiatives, resources, staff efforts, and corrective actions toward mitigating key risks and opportunities which are most impactful in meeting Departmental goals. These include creation of a SharePoint-based Consolidated Risk Register with user views for identification and update to risks, issues, strategies and action plans; organizational change management to include training materials and events; risk assessment at operational and management work-unit levels, for use in strategic, management planning, funding IT and performance goals for 2020 to be reflective of FHEO's risk profile, risk appetite, risk tolerance and priorities.

FHEO has identified monitoring its grant-funded programs as Key Risks in the Departmental Consolidated Risk Registry. Funding to provide on-site or remote compliance monitoring and to ensure these activities are conducted by skilled grant monitors supports HUD's Departmental management goals of the integration of Enterprise Risk Management and internal controls.

FHEO developed an Innovation Strategic Plan (ISP) in 2018. The ISP, now underway, is focused on standardizing the use of a Civil Rights Risk Assessment tool and other methods of risk detection to identify and conduct high-impact, on-site compliance reviews of HUD grantees.

In 2020-2021, FHEO is refining the risk tool inputs to align cradle to grave with the department's enterprise risk rubric. Finally, the risk tool goal requires strategically prioritizing workload based on resources and need. FHEO is establishing a national approach to assessing risk. This will include the development of a risk assessment tool for identifying high risk recipients of HUD monies, and the promotion of a consistent, national method for selecting recipients for compliance reviews and fair housing monitoring. This will also consider the current workload by region and identify risk in regions with disproportionate caseloads. In 2019, FHEO identified and requested resources to develop a risk tool. In 2020, FHEO is developing the risk tool and will pilot it in every region for full rollout and utilization in 2021.

The FHEO Priority Activities, ISP goals and the process improvements outlined via those initiatives in 2020-2021, include working with OCIO to make targeted investments in the intake and complaints software system. The enhancement of the HEMS capability will leverage the reach of our existing investigator workforce therefore increasing the number of cases that FHEO is able to perfect and bring to conciliation, administrative enforcement or to Federal Court through the Department of Justice. This will also allow FHEO to leverage the Fair Housing Assistance Program (FHAP) more effectively and provide greater service to the public. The complaint intake process will be analyzed, refined, and standardized across FHEO regions to ensure effective national delivery.

Additionally, once data has been pulled together it will provide FHEO greater granularity and visibility over FHAP and HUD investigations and overall activity within FHEO. Through this shift FHEO seeks to gain efficiencies in workload management of its investigators and provide more time to perfect cases. The investment to dramatically improve the functionality, user experience, and access to the full variety of cases FHEO has mandated authority and oversight will likely increase FHEO's caseload.

Return to Normal Operations

Much of the work of FHEO is conducted face to face. This is particularly true for the investigators and conciliators. Having spent the last seven months readjusting, as the need for social distancing and stay at home orders diminishes, returning to regular operations will present a series of new challenges in ensuring that FHEO workloads are handled effectively and efficiently while employee safety is not jeopardized.



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Office of the Chief Information Officer (CIO)

FY21 Operational/High Priority Areas

PIH Modernization

OCIO will leverage processes and tools developed during FY20 FHA modernization projects to develop and deploy platforms/systems to modernize PIH business processes currently using siloed, end of life, or in some cases paper-based systems.

FHA Modernization

OCIO will continue to work with the Office of Housing to provide improved, modernized tools and working environments building on the successful launch of the FHA Catalyst platform that enables lenders to submit electronic binders to FHA for loan review processes. Additional capabilities are planned and underway to support various processes in the loan lifecycle.

Cyber Security

OCIO will continue to build on the cyber security improvements implemented and begun in FY20 including:

- Implementation of O365 DLP
- Zero based review on all systems
- Audit closures
- 24x7x365 Security Operations Center
- Intelligence threat intel and detection
- cybersecurity training and specialized training

Additionally, the OCIO is looking to

(b)(5) Deliberative Privilege

(b)(5) Deliberative Privilege

Grants Modernization

OCIO will work with HUD program offices to streamline and consolidate multiple grants process support tools currently in use to a modern platform/system(s) that supports full grants lifecycle processing and can be used by all HUD programs.

Workforce

HUD must continue progress begun in FY20 to consolidate IT resources into the OCIO and hire additional IT expertise needed to fill capability gaps and ensure appropriate support for modernization and operational needs. The OCIO is also working on organization realignment and improvement plans to address key changes including

(b)(5) Deliberative Privilege

Infrastructure Modernization

OCIO will continue to build on the infrastructure enhancement initiatives begun in FY20 including:

- Salesforce deployment (i.e. EDD)
- Establishment of enterprise, hybrid Cloud environment and architecture (AWS, Azure)
- Network bandwidth upgrade and configuration to accommodate pandemic telework and future growth of technology
- Deployment of MS Teams



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Agency Priority Goals (APGs)

The Government Performance and Results Act requires HUD to name a subset of the objectives in our four-year Strategic Plan as two-year Agency Priority Goals (APGs). While all objectives report out on past progress and future plans in the Annual Performance Plan and Annual Performance Report (APP/APR), APGs require additional reporting in the APR, quarterly reporting to the public on [performance.gov](https://www.performance.gov), and quarterly data-driven reviews led by the Secretary called Advancing Economic Opportunity Task Force (AEOTF) meetings. The Strategic Planning and Performance Division (SPPD) is the responsible party for developing APGs, publishing the APP/APR, and facilitating AEOTF meetings.

FY 2020-2021 APGs:

- Reduce Homelessness
- Remove Lead-Based Paint Hazards and Other Health Risks from Homes
- Enhance Rental Assistance
- Promote Economic Opportunity

— *Impact* —

Designating a topic area as an APG is your opportunity to signal the Department's highest priorities to HUD Staff, OMB, Congress, and the public. Further, AEOTF meetings on APGs provide you the chance to be more hands on with the data and operations of specific program or topic areas. Performance meetings typically result in mid-course corrections as we strive to hit our targets (from resource shifts to policy changes) and calls to consider new data sources and points.

— *Upcoming Milestones* —

March-May 2021 While the current set of APGs are valid through FY21, you may choose to signal a shift in priorities in the next Annual Performance Plan (under development from March to May 2021).

June 2, 2021 Submit draft FY22-FY23 APGs to OMB.

— *Decision Points* —

What topic areas do you want to consider as APGs? Recommendation: 2 to 4 topic areas

maximum. Initial thoughts requested by February 28, 2021. Follow up conversations to occur throughout Spring 2021.

— *Contact* —

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Agency-Wide Integrity Task Force (AWITF)

In 2017, HUD established the Agency-Wide Integrity Task Force (AWITF) to oversee and manage operational improvements for core Departmental support functions. AWITF meetings provide a forum for HUD's top leadership and senior executives to engage with program office management on organizational performance topics, including priority-setting, risk management, problem identification, and accountability for results. In addition, it supports performance management requirements for the Government Performance and Results Act Modernization Act (GPRAMA).

A central steering committee leads the AWITF with support from the Strategic Planning and Performance Division (SPPD). The steering committee is chaired by the Chief Financial Officer / Performance Improvement Officer (PIO) and consists of HUD's component office heads. Several offices manage operational improvement activities beneath the steering committee. These offices are the Office of the Chief Financial Officer (OCFO), Office of the Assistant Secretary for Administration (OASA), Office of General Counsel (OGC), and Office of the Chief Information Officer (OCIO). SPPD support functions consist of: 1) Supervising the content from the offices; 2) Drafting the briefing document for the CFO in advance of the AWITF meeting; 3) Coordinating logistics; 4) Finalizing office presentation decks; 5) Managing the after-action item process; 6) Providing any program office budget follow up.

— Impact —

AWITF meetings serve a vital purpose by enabling HUD to proactively manage resources and risks across the Department, by each office, through strong enterprise communication, coordination, and analysis. AWITF also fulfills GPRAMA and OMB requirements for the HUD Chief Operating Officer to perform quarterly performance reviews.

— Upcoming Milestones —

January 2021: Next AWITF meeting will be held.

— Decision Points —

Who will serve as the executive officer for the AWITF and covered objectives?

(Recommendation: (b)(5) Deliberative Privilege

(b)(5) Deliberative
Privilege

— *Contact* —

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Advancing Economic Opportunity Task Force (AEOTF)

In 2017, HUD established the Advancing Economic Opportunity Task Force (AEOTF) to oversee and manage the improvement of services delivered by HUD program offices. AEOTF meetings provide a forum for HUD's top leadership and senior executives to engage with program office management on organizational performance topics including priority-setting, risk management, problem identification, and accountability for results. In addition, it fulfills statutory requirements related to Agency Priority Goals (APGs) for the Government Performance and Results Act Modernization Act (GPRAMA).

The AEOTF is led by a central steering committee with support from the Strategic Planning and Performance Division (SPPD). The steering committee is chaired by the Chief Financial Officer / Performance Improvement Officer (PIO) and consists of the heads of HUD's component offices. HUD's program offices manage APGs and other activities beneath the steering committee. These program offices are the Office of Housing / Federal Housing Administration (FHA), Office of Public and Indian Housing (PIH), Office of Community Planning and Development (CPD), Office of Fair Housing and Equal Opportunity (FHEO), Office of Healthy Homes and Lead Hazard Control (OHHLHC), and Office of Policy Development and Research (PDR). SPPD support functions consist of: 1) Supervising the content from the offices; 2) Drafting the briefing document for the CFO in advance of the AEOTF meeting; 3) Coordinating logistics; 4) Finalizing office presentation decks; and 5) Managing the after action item process, providing any program office budget follow up.

— Impact —

AEOTF meetings serve a vital purpose by enabling HUD to proactively manage resources and risks across the Department, by each office, through strong enterprise communication, coordination, and analysis. AEOTF also fulfills GPRAMA and OMB requirements for the HUD Chief Operating Officer to perform quarterly performance reviews.

— Upcoming Milestones —

January 2021: Next AEOTF meeting will be held.

— Decision Points —

Who will serve as the executive officer for the AEOTF and covered objectives?

(Recommendation: (b)(5) Deliberative Privilege)

— *Contact* —

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Legal Authorities Affecting HUD Funding Distribution or HUD Policy Development

This document provides an overview of certain legal authorities that affect the distribution of funds by HUD and HUD's development and implementation of new or revised policy. Some authorities apply to all Federal agencies but others are unique to HUD. The authorities addressed in this document are not exclusive but are ones that frequently arise in funding distribution or policy development.

Requirement to Compete Appropriated Funds (HUD-Only)

In accordance with the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act), except as explicitly otherwise provided in law or except for formula funding, HUD must distribute appropriated funds competitively through a Notice of Funding Availability (NOFA). The HUD Reform Act sets out features that must be contained in the NOFA and also imposes strict confidentiality on the NOFA development process and review of application process.

Agency Collection of Information from the Public Must First Be Approved by the Office of Management and Budget (OMB) (All Federal Agencies)

A Federal agency's collection of information from the public is governed by the Paperwork Reduction Act of 1995 (PRA). All collections of identical information from 10 or more parties, whether in paper or electronic format, whether voluntary or mandatory, whether presented as a survey, must first be reviewed and approved by OMB's Office of Information and Regulatory Affairs (OIRA) before the collection of information may be undertaken. The PRA also applies to agency imposition of recordkeeping requirements on the public. The PRA process takes at a minimum of 120 days and includes two notices published in the Federal Register seeking public comment on the proposed collection.

Requirement for Public Notice and Comment (All Federal Agencies and HUD-Only)

In order for HUD to enforce a requirement not expressly mandated by statute, HUD must issue a rule that undergoes public notice and comment. The Administrative Procedure Act (APA) (5 U.S.C. 551 et seq.) requires public notice and comment on rules for them to have

the force of law. Section 551(4) of the APA defines “rule” broadly, to encompass not only regulations but other requirements that are meant to have general effect.

A publication in the Federal Register is considered sufficient to put all parties on notice of the rulemaking. Comments are often collected through regulations.gov, a website used by many agencies. While the APA does have certain statutory exceptions to notice and comment requirements (e.g., rules related to agency management, loans, grants, or contracts), HUD’s “rule on rules” in 24 CFR part 10 commits HUD to following the APA requirements, despite the statutory exceptions.

Review of Significant Regulatory Actions and Significant Guidance by the Office of Management and Budget (OMB) (All Federal Agencies, except the Independent Regulatory Agencies)

No Federal agency rule determined to be a “significant regulatory action,” as defined by Executive Order 12866, may be issued until the rule has been reviewed and approved by OMB-OIRA. EO 12866 defines “significant regulatory action” as any regulatory action that may: (1) have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866. The review period is generally a 90-day calendar period. HUD NOFAs are not considered a significant regulatory action but do undergo review and approval by OMB’s Housing Branch.

EO 13891 provides that agencies treat guidance documents as non-binding both in law and in practice, except as incorporated into a contract. EO 13891 also requires agencies to take public input into account when formulating certain significant guidance documents and make these documents readily available to the public. HUD is in the process of issuing an Interim Final Rule to implement the changes required by EO 13891 (FR-6192-I-01). This Interim Final Rule will create a new Part 11 in Title 24 of the CFR and establish HUD policy on guidance documents in line with the three principles of EO 13891, outlined above. The new 24 CFR Part 11 generally applies to all HUD programs and guidance, with a few exceptions. OMB-OIRA has the authority to review significant agency guidance documents.

Congressional Prepublication Review of HUD Rules Issued for Comment (HUD Only)

All HUD rules issued for public comment (i.e., proposed and interim rules) are subject to 15-calendar day review by HUD’s Congressional Authorizing Committees before the rule

may be submitted to the Federal Register for publication. This is a review requirement only. The statute does not allow either committee to stop HUD from publishing a rule.

Statutorily 30-Day Delayed Effective Date for all Final Rules (HUD-Only)

The Administrative Procedure Act (APA) which governs Federal agency rulemaking requires that a substantive rule shall not take effect less than 30 days following the rule's publication but provides exceptions to this requirement for: rules which grant or recognizes an exemption or relieves a restriction; interpretive rules and statements of policy; or on the basis of a good cause justification presented by the agency. In contrast to the APA, the Department of HUD Act requires that no HUD rule may become effective until after the expiration of 30 calendar days from the date of publication of the rule and does not list exceptions. HUD can only make a final rule effective in less than 30 days if the Chairs and Ranking Members of HUD's House and Senate Authorizing Committees agree to waive this requirement upon written request of the Secretary.

Prohibition on Conducting a Demonstration/Pilot Program Not Authorized by Statute Until Public Comment Has Been Taken (HUD Only)

HUD cannot commence a demonstration program (sometimes referred to as a pilot) not expressly authorized by statute until a description of the demonstration program is published in the Federal Register and a 60-day period expires following the date of publication, during which time HUD solicits public comment and considers the comments submitted.

— Impact —

These authorities may impede the pace at which funding can be distributed or policy implemented.

— Contact —

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For NOFAs and grants: Dorthera Yorkshire, Director, Office of Grants Management and Oversight, 202-402-4336, Dorthera.Yorkshire@hud.gov

HUD REGULATORY ACTIONS NOT COMPLETED BY DECEMBER 31, 2020

HUD Regulatory Actions Final Rules Expected to be Published by December 31, 2020 (as of October 2020)			
HUD Office	Rule or Policy Action	Description	Last Action
SEC	Equal Participation of Faith-Based Organizations in HUD Programs and Activities: Implementation of Executive Order 13831 (FR-6130)	This rule amends HUD's regulations to implement Executive Order 13831 (Establishment of a White House Faith and Opportunity Initiative). Among other changes, this rule provides clarity regarding the rights and obligations of faith-based organizations participating in HUD's programs. This rule aligns with HUD's goal of implementing its programs and activities consistent with the First Amendment to the Constitution and the requirements of Federal law, including the Religious Freedom Restoration Act.	<p>HUD published this proposed rule on February 13, 2020 and received 2,495 public comments by the close of the comment period. HUD anticipates publishing (b)(5) Deliberative (b)(5) Deliberative Privilege</p> <p>(b)(5) Deliberative Privilege by November 2020.</p>
FHEO	Fair Housing Act Design and Construction Requirements; Compliance with ANSI A117.1 Standards (FR-6138)	This rule amends 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 to the American National Standards for building accessibility. This standard (commonly known as ANSI A117.1) provides the technical standards for the design of housing facilities that are accessible to persons with disabilities. Compliance with the ANSI A117.1 satisfies the accessibility requirements of the Fair Housing Act and its amendments. This rule updates the references to ANSI A117.1 by adopting the 2009 edition of the standards. This rule also designates certain editions of the International Building Code (IBC) as safe harbors under the Fair Housing Act. The IBC is a model building code and not law that has been adopted as law by various states and localities.	<p>HUD published this proposed rule on January 15, 2020 and received 61 public comments by the close of the comment period. HUD anticipates publishing this final rule by December 2020.</p>

FOR HUD INTERNAL USE

HUD Regulatory Actions Final Rules Expected to be Published by December 31, 2020 (as of October 2020)			
HUD Office	Rule or Policy Action	Description	Last Action
OH	Housing Counseling Program: Revision of the Certification Timeline (FR-6215)	Section 106 of the Housing and Urban Development Act of 1968 authorizes HUD to make grants to, or contract with, public or private organizations to provide a broad range of housing counseling services to homeowners and tenants to assist them in improving their housing conditions and in meeting the responsibilities of tenancy or homeownership. Section 106 also directs HUD to provide housing counseling services only through agencies or individuals that have been certified by HUD as competent to provide such services. Prior to August of 2020, HUD's rule stated that participating agencies and counselors must be in compliance with certification requirements by 36 months after publication of a <u>Federal Register</u> notice announcing the commencement of the certification examination. That 36-month grace period ended on August 1, 2020. Due to the COVID-19 national emergency, which has caused the shutdown of the testing centers where housing counselors take the certification examination, a large number of housing counselors would have been unable to get certified by the end of the grace period, resulting in a loss of Federal funding for some HUD-approved housing counseling agencies and loss of the ability to provide counseling that is required or provided in numerous HUD programs. Therefore, the interim rule amended the time period in which to become certified to a new deadline of August 1, 2021.	HUD published this interim rule on August 5, 2020 and received 1 public comment by the close of the comment period. HUD anticipates publishing the final rule by November 2020.
OH	Manufactured Housing Program: Minimum Payments to the States (FR-5848)	This rule revises the minimum payments to States approved as State Administrative Agencies (SAAs) under the National Manufactured Housing Construction and Safety Standards Act of 1974 in order to provide for a more equitable distribution of minimum funding from HUD's appropriation for this program and to minimize the differing per unit payments to the States that have occurred under the current rule. This rule bases the minimum payments to States upon their participation in production or siting of new manufactured homes, including for new manufactured homes both produced and sited in the same State.	HUD published the proposed rule on December 16, 2016 and received 3 public comments by the close of the comment period. HUD anticipates publishing the final rule by November 2020.

FOR HUD INTERNAL USE

HUD Regulatory Actions
Final Rules Expected to be Published by December 31, 2020
(as of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
OH	Update to the Manufactured Housing Construction and Safety Standards Regulations (FR-6149)	This rule amends the Federal Manufactured Home Construction and Safety Standards by adopting certain recommendations made to HUD by the Manufactured Housing Consensus Committee (MHCC). The National Manufactured Housing Construction and Safety Standards Act of 1974 (the Act) requires HUD to publish all proposed revised construction and safety standards submitted by the MHCC. This final rule is largely based on the third set of MHCC recommendations to update and improve various aspects of the Manufactured Housing Construction and Safety Standards. HUD has reviewed those proposals and has made several editorial revisions and correlating additions to the proposals which were reviewed and accepted by the MHCC.	HUD published the proposed rule on January 31, 2020 and received 42 public comments by the close of the comment. HUD anticipates (b)(5) Deliberative Privilege

HUD's Regulatory Actions
Interim Rules Expected to be Published by December 31, 2020
(Not Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
OH	Amendment for the Removal of the Three-Year Requirement Contained in 24 CFR 232.902	This regulatory provision currently includes a three-year bar to mortgage insurance applications for recently constructed residential care facilities. This impediment to needed financing precludes timely consideration of many facilities that may be an excellent credit risk and may strengthen HUD's overall portfolio. This CFR deregulatory amendment will result in the removal of an arbitrary three-year eligibility requirement for Section 232/223(f) applications and will thus position HUD to evaluate applications on newly stabilized residential care facilities. The need for this amendment is particularly urgent in light of COVID-19-related impacts on conventional lending alternatives, as well as a need for facilities that contain the latest updates in the design and construction of HVAC equipment to assist in virus outbreak prevention among vulnerable elderly populations. The amendment will bring HUD's treatment of residential care facilities in line with its treatment of multifamily housing in this respect.	HUD anticipates publishing this interim rule in December 2020.

FOR HUD INTERNAL USE

HUD's Regulatory Actions
Interim Rules Expected to be Published by December 31, 2020
(Not Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
SEC	Implementing Executive Order 13891; Promoting the Rule of Law Through Improved Agency Guidance Documents (FR-6192)	This interim rule implements Executive Order (EO) 13891, “Promoting the Rule of Law Through Improved Agency Guidance Documents.” This EO requires Federal agencies to publish regulations that establish processes and procedures for issuing guidance documents. The interim rule would create a new part 11 in title 24 of the Code of Federal Regulations (CFR) that outlines HUD policy on guidance documents and how HUD designates guidance documents. The interim rule would also establish a procedure by which the public may petition HUD for the withdrawal or modification of guidance documents, and the process for the public to make comments on certain significant guidance documents.	HUD anticipates publishing this interim rule in November 2020.

HUD's Regulatory Actions
Proposed Rules Expected to be Published by December 31, 2020
(Not Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
FHEO	Reconsideration of Third-Party Liability Under the Fair Housing Act (FR-6214)	In 2016, HUD issued a new rule that, among other things, set forth in 24 CFR 100.7 several direct and vicarious liability principles for who may be liable under the Fair Housing Act, which were not previously contained in HUD's regulations. Subsequent developments in case law, primarily the U.S. Court of Appeals for the Second Circuit's December 2019 opinion in <i>Francis v. King's Park Manor</i> , have caused HUD to reconsider its 2016 rulemaking on one of those principles of liability, 24 CFR 100.7(a)(iii), which allows for liability on the part of a housing provider for the actions of a third party (third-party liability). HUD's considered view is now that existing law does not support the interpretive position that the Fair Housing Act creates negligence-based liability for a property owner or manager for discriminatory conduct by a third party who is not a common law agent of such property owner or manager. This proposed rulemaking would strike 24 CFR 100.7(a)(iii) from the regulation while leaving the remainder of the 2016 rulemaking intact. This would better allow courts to develop the Fair Housing Act in the area of third-party liability.	HUD submitted this proposed rule to OMB for formal review under EO 12866 on September 23, 2020. The proposed rule is currently under formal review. HUD anticipates <div style="border: 1px solid black; padding: 2px; width: fit-content;">(b)(5) Deliberative Privilege</div>

FOR HUD INTERNAL USE

HUD's Regulatory Actions
Proposed Rules Expected to be Published by December 31, 2020
(Not Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
CPD	Streamlining Environmental Review Requirements (FR-6117)	This proposed rule would revise HUD's regulations at 24 CFR parts 50 and 58 to update and streamline its requirements to more closely align with the Council on Environmental Quality's July 16, 2020 regulations and comply with the National Environmental Policy Act, the National Historic Preservation Act, and various other environmental resource laws, regulations, and executive orders. It would modernize HUD's regulations by eliminating outdated references and overly burdensome procedural steps while clarifying existing compliance requirements. This proposed rule would also make minor technical changes to 24 CFR parts 51 and 55.	HUD submitted this proposed rule to OMB for formal review under EO 12866 on September 16, 2020. The proposed rule is currently under formal review. HUD anticipates (b)(5) Deliberative Privilege
OH	Acceptance of Private Flood Insurance for FHA-Insured Mortgages (FR-6084)	HUD is proposing to amend Federal Housing Administration (FHA) regulations to allow mortgagors the option to purchase private flood insurance on FHA-insured mortgages for properties located in Special Flood Hazard Areas in satisfaction of the mandatory purchase requirement under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.). Acceptance of private flood insurance would benefit borrowers who want FHA-insured mortgages, by providing them consumer choice, including the opportunity to obtain private flood insurance policies that may be more affordable than NFIP policies. Current FHA regulations do not allow private flood insurance as an option and require mortgagors to obtain and maintain NFIP flood insurance for the duration of the mortgage, to the extent NFIP is available. Overall, this proposed rule would reduce the regulatory restrictions on flood insurance for FHA-insured loans.	HUD submitted this proposed rule to OMB for formal review under EO 12866 on December 20, 2019. The proposed rule is currently under formal review. HUD anticipates publishing this proposed rule in November 2020.

HUD's Regulatory Actions
Proposed Rules Expected to be Published by December 31, 2020
(Not Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
OH	Mortgage Insurance for Mortgage Transactions Involving Downpayment Assistance Programs (FR-6150)	The Housing and Economic Recovery Act of 2008 (HERA) amended the National Housing Act to add a prohibited sources clause, under section 203(b)(9)(C). This requirement prohibits any portion of a borrower's minimum cash investment, as required by section 203(b)(9)(A) from being provided by: (i) the seller or any other person or entity that financially benefits from the transaction, or (ii) any third party or entity that is reimbursed, directly or indirectly, by any of the parties described in clause (i). While section 203(b)(9) prohibits assistance from a seller involved in the transaction, FHA continues to receive questions regarding the prohibition on persons or entities that may financially benefit from the transaction. In particular, FHA has received questions regarding whether downpayment assistance programs operated by government entities are being operated in a fashion that would render such assistance prohibited. This rule would establish through rulemaking the circumstances in which governmental entities are deriving a prohibited financial benefit.	HUD submitted this proposed rule to OMB for formal review under EO 12866 on July 24, 2020. The proposed rule is currently under formal review. HUD anticipates publishing this proposed rule in November 2020.
OH	Manufactured Housing Program: Minimum Payments to the States; Advanced Notice of Proposed Rulemaking and Request for Public Comment (FR-6234)	This Advance Notice of Proposed Rulemaking (ANPR) informs of and seeks public comment on changes that HUD is considering for the minimum payments that HUD distributes to states that participate in the Manufactured Housing Program as State Administrative Agencies (SAAs). HUD is considering two changes intended to achieve more equitable payments that more appropriately reflect state responsibilities and to incentivize continued and new state partnerships: First, HUD is considering payment to each SAA for its participation as partners in each of the various program elements, including SAA roles, participation in joint monitoring, and for administering installation and dispute resolution programs. Second, HUD is considering a change in annual funding from minimum end of Fiscal Year lump sum payments to payments for each operational element at the end of each Fiscal Year, and a 10-year sunset provision for states to strategize and plan for this change.	HUD anticipates publishing the advanced notice of proposed rulemaking by November 2020.

HUD's Regulatory Actions
Proposed Rules Expected to be Published by December 31, 2020
(Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
PIH	Economic Growth Regulatory Relief, and Consumer Protection Act: Implementation of New Physical Conditions Inspection Standards and Changes to Small, Rural Public Housing Agency Assessments (FR-6012)	"The Consolidated Appropriations Act of 2016 directed HUD to implement a single inspection protocol for public housing and voucher units. In addition, Section 209 of the Economic Growth Regulatory Relief and Consumer Protection Act requires that program inspections apply existing physical inspection standards for projects assisted under Section 8 of the 1937 Act to small and predominantly rural Public Housing Agencies. Accordingly, this proposed rule would revise HUD's physical inspection standards for assisted and insured housing programs. Under the proposed rule, a single inspection standard would be adopted in place of the current differing standards that exist across some programs. HUD believes this new standard would provide residents with an assurance that their homes are safe and habitable. Other sections of the proposed rule would streamline, align, and consolidate existing administrative and procedural inspection regulations to ease the burden of properties attempting to comply with numerous, yet similar inspection requirements. The proposed rule also supports the Secretary's commitment to transparency by establishing the requirement for HUD to publish the inspection procedures through federal register notices with the opportunity for public input prior to implementation and at least once every three years.	HUD submitted this proposed rule to OMB for formal review under EO 12866 on January 2, 2020. The proposed rule is currently under formal review. HUD anticipates publishing this proposed rule in November 2020.
PIH	Housing Opportunity Through Modernization Act of 2016 -- Streamlining Housing Choice Voucher (HCV) and Project Based Voucher (PBV) Implementation: Section 101 and 106 (FR-6092)	This rule conforms HUD's regulations for parts of the Housing Opportunity Through Modernization Act of 2016 (HOTMA) affecting Housing Quality Standards (HQS) and the Project-Based Voucher (PBV) program that have already been implemented through notice and implements all remaining HQS and PBV HOTMA provisions. In addition, the rule proposes changes unrelated to HOTMA and includes various streamlining provisions, clarifications, and updates to old regulatory requirements that are no longer applicable.	This proposed rule was submitted to the Federal Register for publication on September 23, 2020. The Federal Register has not yet assigned a publication date for the rule, however, HUD anticipates publication in October 2020.

FOR HUD INTERNAL USE

HUD's Regulatory Actions
Proposed Rules Published but Not Final by December 31, 2020
(Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
PIH	Economic Growth, Regulatory Relief, and Consumer Protection Act -- Changes to Family Self-Sufficiency (FSS) Program (FR-6114)	The Economic Growth, Regulatory Relief, and Consumer Protection Act (the Act) was signed into law on May 24, 2018 (Pub. L. 115-174), amending, among its various provisions, HUD's Family Self-Sufficiency (FSS) program. Section 306 of the Act made multiple amendments to the FSS program, including changing the size calculation for the FSS program, expanding the definition of eligible family to include tenants of certain privately owned projects subsidized with project-based rental assistance, updating the contract of participation, reducing burdens on eligible entities, clarifying escrow account requirements, updating the program coordinator and action plan requirements, and detailing funding award requirements. In addition to the section 306 changes that this proposed rule would make, HUD is proposing changes to reduce burden and streamline the program for both eligible entities and eligible families.	HUD published this proposed rule on September 21, 2020. The public comment period will close on November 20, 2020. <i>HUD was required by statute to amend its regulations by August 1, 2019.</i>
PIH	Housing Opportunity Through Modernization Act of 2016 -- Implementation of Sections 102, 103 and 104 (FR-6057)	Through this rule, HUD would codify the changes Sections 102, 103 and 104 of the Housing Opportunity Through Modernization Act of 2016 (HOTMA) made to the U.S. Housing Act of 1937. These changes affect income determinations and the definitions of income and assets under the Section 8 Project-Based Rental Assistance (PBRA), Housing Choice Voucher (HCV), and the Public Housing programs, the implementation of an asset limitation for these programs, and the establishment of an income limitation for continued occupancy in public housing. In addition, HUD programs with codified provisions that mirror U.S. Housing Act of 1937 provisions amended by HOTMA, such as the HOME and HOPWA programs, will also be affected.	HUD published this proposed rule on September 17, 2019 and received 110 public comments.

HUD's Regulatory Actions
Proposed Rules Published but Not Final by December 31, 2020
(Not Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
CPD	Revised Requirements for Determining an Individual's Sex for Admission or Placement in Facilities Under Community Planning and Development Housing Programs (FR-6152)	This rule provides that grant recipients, subrecipients, owners, operators, managers, and providers (Shelter Providers) under HUD programs which permit single-sex or sex-segregated facilities (such as bathrooms or temporary, emergency shelters and other buildings and facilities with physical limitations or configurations that require and are permitted to have shared sleeping quarters or bathing facilities) may establish a policy, consistent with state and local law, by which such Shelter Provider considers an individual's sex for the purposes of determining accommodation within such shelters and for purposes of determining sex for admission to any facility or portion thereof. The rule permits Shelter Providers to consider a range of factors in making such determinations, including privacy, safety, practical concerns, religious beliefs, any relevant considerations under civil rights and nondiscrimination authorities, the individual's sex as reflected in official government documents, as well as the gender which a person identifies with. The rule does not dictate a required basis for making determinations other than that they be consistent with an overall policy. The rule continues HUD's policy of ensuring that its programs are open to all eligible individuals and families regardless of sexual orientation or gender identity.	HUD published this proposed rule on July 24, 2020 and received 66,291 public comments by the close of the comment period.
OH	Mark-to-Market Program Rent Adjustments (FR-6122)	The Mark-to-Market program preserves affordability and availability of low income rental multifamily properties with federally insured program. The purpose of the Mark-to-Market program is to reduce rents to market levels by restructuring existing debt to levels supportable by these rents. This proposed rule would revise the Mark-to-Market program regulations to clarify that all annual adjustment of restructured rents under the program will be based on an operating cost adjustment factor determined by HUD. The current regulations authorize HUD to approve rent adjustments on a budget basis; however, HUD has never exercised this authority. This policy is reflected in all Mark-to-Market program renewal contracts, which specify that contract rents will be adjusted annually by an operating cost factor and that no other rent adjustments will be made during the term of the contract. The proposed rule will bring greater clarity to the Mark-to-Market program by conforming the regulations to longstanding HUD practice and the terms of the renewal contracts.	HUD published this proposed rule on July 16, 2020 and received 4 public comments by the close of the comment period.

FOR HUD INTERNAL USE

HUD's Regulatory Actions
Proposed Rules Published but Not Final by December 31, 2020
(Not Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
SEC	Housing and Community Development of 1980: Verification of Eligible Status	This rule would make two changes to HUD's regulations implementing section 214 of the Housing and Community Development Act of 1980 (Section 214). Section 214 prohibits the Secretary of HUD from making financial assistance available to persons other than United States citizens, nationals, or certain categories of eligible noncitizens in HUD's public and specified assisted housing programs. The rule would require the verification of the eligible immigration status of all recipients of assistance under a covered program who are under the age of 62. The rule would also specify that individuals who are not in eligible immigration status may not serve as the leaseholder, even as part of a mixed family whose assistance is prorated based on the percentage of members with eligible status.	HUD published this proposed rule on May 10, 2019 and received 30,450 public comments by the close of the comment period.
OH	Section 542(c) Housing Finance Agencies Risk-Sharing Program: Revisions to Regulations (FR-5881)	Through the section 542(c) HFA Risk-Sharing program, HUD enters into risk-sharing agreements with State and local housing finance agencies (HFAs) so that HFAs can provide more insurance and credit for multifamily loans. This rule amends existing regulations for the program so that they better align with policies for other HUD programs, reflect current industry and HUD practices, and conform to statutory amendments. Additionally, this rule provides HUD with greater flexibility in operating the section 542(c) HFA Risk-Sharing program over time, and provides more flexibility for certain HFAs accepting a greater share of the risk of loss on mortgages insured under the program. This rule also updates references and terminology that are now outdated and clarifies certain provisions.	HUD published this proposed rule on March 8, 2016 and received 9 public comments by the close of the comment period. HUD anticipates (b)(5) Deliberative (b)(5) Deliberative Privilege

HUD's Regulatory Actions
Proposed Rules Published but Not Final by December 31, 2020
(Not Statutorily Mandated – As of October 2020)

HUD Office	Rule or Policy Action	Description	Last Action
OH	Streamlining Management and Occupancy Reviews for Section 8 Housing Assistance Programs (FR-5654)	This rule amends existing project-based section 8 regulations related to Management and Occupancy Reviews (MORs) for the following programs: the section 8 Housing Assistance Payments (HAP) Programs for New Construction, Substantial Rehabilitation, and State Housing Agencies; New Construction financed under section 515 of the Housing Act of 1949; the Loan Management Set-Aside Program, the HAP Program for the Disposition of HUD-Owned Projects; and the section 202/8 Program. Under this rule, MORs would be conducted in accordance with a schedule published in the Federal Register and subject to public comment. HUD is making this change in order to reduce the frequency of unnecessary MORs, thereby minimizing interruptions in property operations created by onsite reviews, preserving staff time, and reducing costs. HUD is not pursuing changes to existing section 162 regulations related to Vacancy Payments in this final rule.	HUD published this proposed rule on January 1, 2015 and received 23 public comments by the close of the comment period.
CPD	Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program (FR-5476)	This rule provides for the establishment of regulations for Homeless Management Information Systems (HMIS), the use of which is required by the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009. In addition to consolidating three existing homeless assistance programs administered by HUD under the McKinney-Vento Act into the Continuum of Care program and creating the new Emergency Solutions Grant Program and the Rural Housing Stability Program, the Act codified into law certain data collection requirements integral to HMIS. HMIS is the current information technology system that HUD and its recipients use for existing homeless assistance programs. While HMIS has been in use for several years, this proposed rule proposes the regulatory framework for administration and collection of data under HMIS.	HUD published this proposed rule on December 9, 2011 and received 94 public comments were received by the close of the comment period.

HUD's Regulatory Actions (as of October 2020)
Interim Rules Published but Not Final
(Not Statutorily Mandated)

HUD Office	Rule or Policy Action	Description	Last Action
CPD	HOME Investment Partnerships Program: Updating Grant Accounting Requirements (FR-5792)	HUD's HOME Investment Partnerships Program (HOME program or HOME) provides formula grants to States and units of local government to fund a wide range of activities directed to producing or maintaining affordable housing, both homes and rental housing. This rule finalizes several changes to the HOME program regulations. HUD implemented the changes to the method of determining compliance with the 24-month commitment deadline beginning with fiscal year 2015 HOME grants. Under this approach, when committing funds to a HOME project, participating jurisdictions will select the grant year's funds that will be committed to a specific project. When the participating jurisdiction requests a draw of HOME funds forth at project, the Integrated Disbursement and Information System (IDIS) disburses the funds committed to that project rather than the oldest funds available as is currently the case. New requirements were established to ensure timely commitment and expenditure of program income, repaid funds, and recaptured funds and of funds committed for programs to be administered by State recipients and subrecipients.	HUD published this Interim rule on December 2, 2016 and received 10 public comments.
CPD	Updating Accounting Requirements for the Community Development Block Grants (CDBG) Program (FR-5797)	This rule revises the CDBG regulations to align CDBG accounting methods to the grant accounting system specified in HUD's handbook on CDBG grants. The rule requires grantees, beginning with fiscal year 2015 grants, to track their obligations and expenditures of funds for each specific grant year. This rule makes the necessary regulatory changes to conform to the grant accounting system, such as the time periods of affected grants, records retention, and the calculation of the cap on administrative and planning expenses. These changes are necessary to effectively implement the accounting changes.	The Interim rule was published on November 12, 2015 and 13 public comments were received by the close of the comment period on January 11, 2016.

ACTIVE EXTERNAL BOARDS & COMMISSIONS

This chart contains a list of all external boards and commissions of which HUD is a member. It also contains information about the authority for the group and which official at HUD is serving as the HUD representative for the board or commission.

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Name of Board/Commission	Year created	Authority	HUD Representative
Access & Mobility			
Federal Coordinating Council on Access and Mobility (CCAM) (Executive Order) https://www.transit.dot.gov/ccam/about	2004	<p>Authority: E.O. 13330, “Human Service Transportation Coordination,” signed February 24, 2004 (published February 26, 2004, at 69 FR 9185), codified by section 3006(c) of the Fixing America’s Surface Transportation (FAST) Act (Public Law 114-94, enacted December 4, 2015).</p> <p>Purpose: The CCAM oversees activities and makes recommendations that advance the goals of the Order: simplify customer access to transportation, reduce duplication of transportation services, streamline federal rules and regulations that may impede the coordinated delivery of services, and improve the efficiency of services using existing resources. The CCAM is required by statute to publish a strategic plan for the CCAM expanding on past work.</p> <p>Membership: The Council is made up of specified cabinet-level officials (including the Secretary of HUD), or their designees.</p>	<p>The Secretary, or designee who is either an officer appointed by the President or a full-time employee in a position at least equivalent to a GS-15</p> <p><i>Current HUD Official:</i></p> <p>Seth D. Appleton Assistant Secretary for Policy Development and Research, Department of Housing and Urban Development (June 2019)</p>
Aging			
Federal Interagency Coordinating Committee on Aging (Statute)	2006	<p>Authority: Section 203(c) of the Older Americans Act Amendments of 2006 (Public Law 109-365, enacted September 30, 2006) (42 U.S.C. 3013)</p> <p>Purpose: The Interagency Coordinating Committee on Aging is to focus on broad range of aging issues, with emphasis on housing, supportive services, data collection, technology, and streamlining access to all services. Primary responsibilities of the Committee are: (1) To share information with and establish an ongoing system to improve coordination among federal agencies with responsibility for programs and services for older individuals and recommend improvements to them; and (2) To identify, promote, and implement, best practices and evidence-based programs and service models to assist older individuals in meeting their housing, health care, and other supportive services needs.</p> <p>Membership: The Committee must consist of the Secretary of Labor, HHS, and HUD, and may include other Federal officials directed by the President, or their designees. The Committee will elect a chairperson from among the members of the Committee.</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Federal Interagency Forum on Aging-Related Statistics (Forum) (Memorandum of Understanding) www.agingstats.gov	1986	<p>Purpose: The Forum’s mission is to encourage cooperation and collaboration among Federal agencies to improve the quality and utility of data on the aging population.</p> <p>Membership: Membership is made up of representatives from Federal agencies or offices with knowledge of statistics and a stake in the aging U.S. population. HUD is currently listed as a member agency.</p>	<p>Representative of HUD</p> <p><i>Current HUD Official:</i></p> <p>Meena Bavan Policy Analyst, Office of Assistant Secretary for Policy Development and Research</p>
Air Quality			

September 8, 2020

Name of Board/Commission	Year created	Authority	HUD Representative
<p>Federal Interagency Committee on Indoor Air Quality</p> <p>(Statute)</p> <p>https://www.epa.gov/indoor-air-quality-iaq/federal-interagency-committee-indoor-air-quality</p>	1983	<p>Sec. 403(c) of the Superfund Amendments and Reauthorization Act of 1986 (<u>Public Law 99-499</u>, enacted October 17, 1986) (<u>42 U.S.C. 7401 note</u>)</p> <p>Purpose: The Committee coordinates Federal Indoor Air Quality (IAQ) research, and facilitate the exchange of information among Federal agencies, state & local governments, the research community, the private sector and general public. The statute also creates an advisory group to assist the EPA Administrator in carrying out research.</p> <p>Membership: The Committee is comprised of representatives of Federal agencies “concerned with various aspects of indoor air quality” (no specific agencies named). The advisory committee is made up of non-Federal employees.</p>	<p>Representative of HUD</p> <p><i>Current HUD Official:</i> Office of Lead Hazard Control and Healthy Homes (OLHCHH), Partnership for Advancing Technology in Housing (PATH)</p>
Appraisal			
<p>Appraisal Subcommittee (ASC) of the Federal Financial Institutions Examination Council (FFIEC)</p> <p>(Statute)</p> <p>www.asc.gov</p>	1989	<p>Authority: Title XI of the Federal Financial Institutions Examination Council Act of 1978 (as added by <u>Public Law 101-73</u>, enacted August 9, 1989) (<u>12 U.S.C. 3301</u>, et seq.)</p> <p>Purpose: The ASC protects Federal financial and public policy interests in real estate transactions by requiring that “real estate appraisals utilized in connection with federally related transactions are performed in writing, in accordance with uniform standards, by individuals whose competency has been demonstrated and whose professional conduct will be subject to effective supervision.” The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 expanded the ASC’s general responsibilities.</p> <p>Membership: Sec. 1011 of the Act (<u>12 U.S.C. 3310</u>) requires the ASC to be comprised of the designees of the heads of Federal Financial institution regulatory agencies, the CFPB, and the FHFA. HUD is not specifically mentioned, but the website shows a HUD representative as a member.</p>	<p>Designee of the Secretary</p> <p><i>Current HUD Official:</i> Bobbi Borland, Director, Home Valuation Policy Division, Office of Housing, Single Family Program Development</p>
Children/Youth			
<p>Coordinating Council on Juvenile Justice and Delinquency Prevention</p> <p>(Statute)</p> <p>http://www.juvenilecouncil.gov</p>	1974	<p>Authority: Sec. 206 of the Juvenile Justice and Delinquency Prevention Act (<u>Public Law 93-415</u>, enacted September 7, 1974) (<u>34 U.S.C. 11116</u>)</p> <p>Purpose: The Council coordinates federal juvenile delinquency prevention programs, federal programs and activities that detain or care for unaccompanied juveniles, and federal programs relating to missing and exploited children.</p> <p>Membership: The Council, as restructured by 1992 amendments, is comprised of 10 Cabinet members (including the Secretary of HUD) and other senior Federal officials and 10 non-federal members who are juvenile justice practitioners. The Attorney General serves as the chair.</p>	<p>The Secretary</p>
<p>Federal Interagency Forum on Child and Family Statistics</p> <p>(Executive Order, as amended)</p>	1997	<p>Authority: Sec. 6 of <u>E.O. 13045</u>, “Protection of Children from Environmental Health Risks and Safety Risks,” signed April 21, 1997 (published April 23, 1997, at <u>62 FR 19885</u>), as amended:</p> <ul style="list-style-type: none"> <u>E.O. 13296</u>, April 18, 2003 (published at <u>68 FR 19931</u>). 	<p>HUD representative</p> <p><i>Current HUD Official:</i> Assistant Secretary for</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
http://www.childstats.gov		<p>Purpose: The Forum fosters coordination and collaboration and to enhance and improve consistency in the collection and reporting of federal data on children and families. Also, the Forum aims to improve the reporting and dissemination of information on the status of children and families.</p> <p>Membership: The Forum consists of representatives of unspecified Federal agencies involved in research and activities related to children and families, and is chaired by the Director of OMB. HUD is a participating agency.</p>	Policy Development and Research (PD&R)
<p>Interagency Working Group on Youth Programs (IWGYP)</p> <p>(Executive Order)</p> <p>https://youth.gov/feature-article/federal-collaboration</p>	2008	<p>Authority: E.O. 13459, "Improving the Coordination and Effectiveness of Youth Programs," signed February 7, 2008 (published February 12, 2008, 73 FR 8003).</p> <p>Purpose: The Interagency Working Group is charged with enhancing collaboration with non-Federal entities serving and engaging youth, encouraging strong assessments of youth programs, and promoting interagency collaboration.</p> <p>Membership: The Working Group is composed of heads of Federal agencies (including HUD) and other Federal officials or their designees. The Chair and Vice Chairs are designated by the Secretary of HHS biennially.</p> <p>As of September 8, 2020, there is no evidence that the Working Group is still active.</p>	<p>The Secretary, or designee (full-time Federal officer or employee)</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Communities			
<p>Broadband Opportunity Council</p> <p>(Presidential Memorandum)</p>	2015	<p>Authority: March 23, 2015 Presidential Memorandum entitled "Expanding Broadband Deployment and Adoption by Addressing Regulatory Barriers and Encouraging Investment and Training." [unpublished in Federal Register]</p> <p>Purpose: The Broadband Opportunity Council consults with government and private entities to identify and address regulatory barriers that may unduly impede either wired broadband deployment or wireless broadband infrastructure; encourage further public and private investment in broadband networks and services; promote the adoption and meaningful use of broadband technology; and otherwise encourage or support broadband deployment, competition, and adoption.</p> <p>Membership: The BOC is made up of the heads of designated agencies (including HUD), as their designees. No additional criteria are placed upon the designees. The Secretaries of Commerce and Agriculture are the co-chairs.</p> <p>As of September 8, 2020, there is no evidence that the Council is still active.</p>	<p>The Secretary (or designee)</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Community Development Financial Institutions (CDFI) Community Development Advisory Board	1994	<p>Authority: Sec. 104(d) of the Community Development, Banking and Financial Institutions Act of 1994 (Public Law 103-325, enacted September 23, 1994) (12 U.S.C. 4703(d))</p>	<p>The Secretary (or designee)</p> <p><i>Current HUD Official:</i></p>

September 8, 2020

Name of Board/Commission	Year created	Authority	HUD Representative
<p>(Statute)</p> <p>https://www.cdfifund.gov/about/Pages/advisory-board.aspx</p>		<p>Purpose: The CDFI Fund was created for the purpose of promoting economic revitalization and community development through investment in and assistance to community development financial institutions (CDFIs) by expanding the capacity of financial institutions to provide credit, capital, and financial services to underserved populations and communities in the United States. The Community Development Advisory Board advises the Director of the CDFI Fund on policies regarding the activities of the Fund. The Advisory Board does not advise the CDFI Fund on approving or declining any particular application.</p> <p>Membership: The Board is made up of the heads of specified Cabinet-level agencies (including HUD) or their designees (there are no further criteria for designees) and 9 non-Federal members. The Chair is elected from the members every two years.</p>	<p>John Gibbs, Acting Assistant Secretary, Community Planning and Development,</p>
<p>Community Enterprise Assessment Credit Board</p> <p>(Statute)</p>	<p>1991</p>	<p>Authority: Sec. 223(d) of the Bank Enterprise Act of 1991 (Public Law 102-242, enacted December 19, 1991) (12 U.S.C. 1834a)</p> <p>Purpose: The Community Enterprise Assessment Credit Board issues guidelines by which eligible insured depository institutions may receive a community enterprise assessment credit. The guidelines specify the eligibility requirements for any institution meeting capital standards to receive an assessment credit and to determine the community enterprise assessment credit available to an eligible institution.</p> <p>Membership: The Board is made up of the heads of designated Federal agencies (including HUD) or their designees (with no further criteria for the designees) and two individuals appointed by the President. The Secretary of Treasury serves as Chair of the Board.</p>	<p>The Secretary (or designee)</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
<p>Federal Interagency Council on Social Impact Partnerships</p> <p>(Statute)</p> <p>https://home.treasury.gov/SIPPRA/Council</p>	<p>2018</p>	<p>Authority: Section 2056 of the Bipartisan Budget Act of 2018 (Public Law 115-123, enacted February 9, 2018).</p> <p>Purpose: The Council advises the Secretary of the Treasury on the development, implementation, and specific programmatic and policy matters related to social impact partnership projects. The Council also will certify that each State or local government has entered into a social impact partnership with the Secretary, and provide periodic reports to the Secretary, Congress, and the public on the implementation of the social impact partnership projects.</p> <p>Membership: The Council is made up of officers or employees designated by the heads of specified agencies (including HUD). It is chaired by the Director of the Office of Management and Budget.</p>	<p>An officer or employee designated by the Secretary</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
<p>Federal Interagency Reentry Council (FIRC)</p> <p>(Presidential Memorandum)</p>	<p>2016</p>	<p>Authority: April 29, 2016 Presidential Memorandum entitled, "Promoting Rehabilitation and Reintegration of Formerly Incarcerated Individuals," (published May 4, 2016 at 81 FR 26993).</p>	<p>The Secretary (the General Counsel has represented the Secretary)</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
https://csgjusticecenter.org/nrrc/projects/firc/		<p>Purpose: The FIRC works across Federal entities to promote ways to support successfully reentry and reintegration, improve access to data, and promote regional partnerships across all levels of government.</p> <p>Membership: The FIRC is co-chaired by Attorney General and the Director of the White House Domestic Policy Council and is made up of the heads of specified agencies (including HUD).</p>	
<p>NeighborWorks America</p> <p>(Statute)</p> <p>http://www.nw.org</p>	1978	<p>Authority: Neighborhood Reinvestment Corporation Act (Public Law 95-557, enacted October 31, 1978) (42 U.S.C. 8101)</p> <p>Purpose: NeighborWorks continues the work of the now-defunct Urban Reinvestment Task Force to mobilize public, private, and community resources at the neighborhood level. NeighborWorks supports over 240 nonprofit organizations with technical assistance and provides grants and trainings for professionals in the housing and community development field.</p> <p>Membership: Sec. 8103(a) of the Act (42 U.S.C. 8103) requires the Board of Directors of NeighborWorks must be composed of specified Federal officials, including the Secretary of HUD. Members may designate a PAS official from their agency as a representative.</p>	<p>The Secretary (or designee)</p> <p><i>Current HUD Official:</i></p> <p>Brian D. Montgomery, Deputy Secretary</p>
<p>Task Force on Improving the Lives of Boys and Young Men of Color and Underserved Youth</p> <p>(Presidential Memorandum)</p> <p>https://sites.ed.gov/underservedyouth/</p>	2017	<p>Authority: January 13, 2017 Presidential Memorandum entitled, “Continuing to Expand Opportunity for All Young People,” (published January 19, 2017 at 82 FR 7623). (<i>See also</i> February 24, 2017 Presidential Memorandum entitled, “Creating Ladders of Opportunity for Boys and Young Men of Color,” (published March 7, 2014, at 79 FR 12923).</p> <p>Purpose: The Task Force is the successor to the My Brother’s Keeper Initiative and is a coordinated Federal effort to improve significantly the expected life outcomes for boys and young men of color and their contributions to U.S. prosperity by determining best practices and forming cooperative efforts across all levels of government and the private sector.</p> <p>Membership: The Task Force is made up of the heads of specified agencies (including HUD or their designee, who must be a senior-level, full-time employee of the member’s agency. The Task Force is chaired by the Assistant to the President and Cabinet Secretary.</p> <p>As of September 8, 2020, there is no evidence that the Task Force is still active.</p>	<p>The Secretary (can designate a senior-level official to perform day-to-day Task Force functions)</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
<p>White House Legal Aid Interagency Roundtable (LAIR)</p> <p>(Presidential Memorandum)</p> <p>https://www.justice.gov/lair</p>	2015	<p>Authority: September 24, 2015 Presidential Memorandum entitled, “Establishment of the White House Legal Aid Interagency Roundtable.” [unpublished in Federal Register]</p> <p>Purpose: LAIR increases coordination between Federal agencies serving the vulnerable and underserved to include better access to legal services to increase the availability of meaningful access to justice and advance evidence-based research, data collection, and analysis of civil legal aid and indigent defense to develop best practices.</p>	<p>HUD Representative</p> <p><i>Current HUD Official:</i> General Counsel</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
		<u>Membership:</u> LAIR is made up of representatives from specified agencies (including HUD). No additional criteria are placed upon the representatives.	
White House Opportunity and Revitalization Council (Executive Order)	2018	<p><u>Authority:</u> E.O. 13878, “Establishing the White House Opportunity and Revitalization Council,” signed December 12, 2018 (published December 18, 2018, at 83 FR 65071).</p> <p><u>Purpose:</u> The Council was established to encourage public and private investment in urban and economically distressed areas, including qualified opportunity zones. The Council shall lead joint efforts across executive departments and agencies (agencies) to engage with State, local, and tribal governments to find ways to better use public funds to revitalize urban and economically distressed communities.</p> <p><u>Membership:</u> The Council is made up of certain Federal agency heads and White House officials. The Council shall be chaired by the Secretary of Housing and Urban Development, or his designee.</p>	Secretary (also serves as Chair)
Consumer Protection			
Financial Fraud Enforcement Task Force (Executive Order) http://www.stopfraud.gov/about.html	2009	<p><u>Authority:</u> E.O. 13519, “Establishment of the Financial Fraud Enforcement Task Force,” signed November 17, 2009 (published November 19, 2009, at 74 FR 60123).</p> <p><u>Purpose:</u> This Task Force replaces the Corporate Fraud Task Force created by Executive Order 13271(Corporate Fraud Task Force) of July 9, 2002. The interagency Task Force is to assist the Department of Justice in investigating and prosecuting significant financial crimes, recover the proceeds of such crimes, and ensure just and effective punishment of the guilty parties.</p> <p><u>Membership:</u> Task Force shall consist of “senior-level officials” from Federal agencies and offices (including HUD) and relevant OIGs (explicitly including the HUD OIG). The Task Force is to be chaired by the Attorney General.</p> <p>HUD must provide both a senior-level official and a representative of the Office of Inspector General for HUD.</p> <p>As of September 8, 2020, there is no evidence that the Task Force is still active.</p>	<p>“Senior-level official” and a representative of HUD OIG</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Financial Stability Oversight Board (FinSOB) (Statute) Note: FinSOB is separate from the Financial Oversight Council, of which HUD is not a member.	2008	<p><u>Authority:</u> Section 104 Emergency Economic Stabilization Act of 2008 (EESA) (Public Law 110-343, approved October 3, 2008) (12 U.S.C. 5214).</p> <p><u>Purpose:</u> The Financial Stability Oversight Board (FSOB) is to review policies implemented by the Secretary of Treasury and the Office of Financial Stability, make recommendations, as appropriate, to the Secretary, and report any suspected fraud, misrepresentation, or malfeasance to the Special Inspector General for the Troubled Assets Relief Program (TARP) or the Attorney General of the United States.</p>	The Secretary

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Name of Board/Commission	Year created	Authority	HUD Representative
https://home.treasury.gov/policy-issues/financial-markets-financial-institutions-and-fiscal-service/fsoc		<p>Note: The Board is scheduled to terminate upon the expiration of the 15-day period beginning upon the later of the date that the last troubled asset acquired by the Secretary of Treasury has been sold or transferred out of the ownership or control of the Federal Government; or the date of expiration of the last insurance contract issued under section 102 of EESA (- <u>12 U.S.C. 5212</u>).</p> <p>Membership: The Board consists of the following members: the Chairman of the Board of Governors of the Federal Reserve System; the Secretary of Treasury; the Director of the Federal Housing Finance Agency; the Chairman of the Securities Exchange Commission; and the Secretary of Housing and Urban Development.</p>	
<p>Task Force on Market Integrity and Consumer Fraud</p> <p>(Executive Order)</p> <p>https://www.justice.gov/fraudtaskforce</p>	2018	<p>Authority: <u>E.O. 13844</u>, "Establishment of the Task Force on Market Integrity and Consumer Fraud," signed July 11, 2018 (published July 16, 2018).</p> <p>Purpose: The Task Force will provide guidance and recommendations related to fraud enforcement initiatives and enhancing cooperation among agencies, State, local and tribal authorities, and legislative measure to improve investigations and prosecution of fraud.</p> <p>Membership: The Task Force is made up of members of DOJ. The heads of specified agencies (including HUD) or their designees may be invited to participate for specified functions.</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Criminal Justice			
<p>Federal Interagency Council on Crime Prevention and Improving Reentry</p> <p>(Executive Order)</p>	2018	<p>Authority: <u>E.O. 13826</u>, "Federal Interagency Council on Crime Prevention and Improving Reentry," signed on March 7, 2018 (published March 12, 2018).</p> <p>Purpose: The Council will develop a comprehensive strategy that addresses a range of issues, including mental health, vocational training, job creation, after-school programming, substance abuse, and mentoring to lower recidivism rates, ease incarcerated individuals' reentry into the community, reduce future incarceration costs, and promote positive social and economic outcomes.</p> <p>Membership: The Council is made up of the heads of specified agencies (including HUD) or their designees. It is co-chaired by the Attorney General, the Assistant to the President for Domestic Policy, and the Senior Advisor to the President in charge of the White House Office of American Innovation.</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Disability			
<p>Architectural and Transportation Barriers Compliance Board (Access Board)</p> <p>(Statute)</p> <p>https://www.access-board.gov/</p>	1973	<p>Authority: Sec. 502 of the Rehabilitation Act of 1973 (<u>Public Law 93-112</u>, enacted September 26, 1973) (<u>29 U.S.C. 792</u>).</p> <p>Purpose: The Access Board develops and maintains design criteria for the built environment, transit vehicles, telecommunications equipment, and for electronic and information technology. It also provides technical assistance and training on these</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
		<p>requirements and on accessible design and continues to enforce accessibility standards that cover federally funded facilities.</p> <p><u>Membership:</u> Half of the Board's members are the heads of specified agencies (including HUD). The other half is comprised of members of the public appointed by the President, a majority of whom must have a disability.</p>	
<p>Interagency Autism Coordinating Committee</p> <p>(Statute)</p> <p>https://iacc.hhs.gov/</p>	2006	<p><u>Authority:</u> Sec. 399CC of the Combating Autism Act of 2006 (Public Law 109-416, enacted December 19, 2006) (42 U.S.C. 280i-2). Amended by Sec. 3 of the Autism Collaboration, Accountability, Research, Education, and Support Act of 2019 (Public Law 116-60, enacted September 30, 2019) to state that the Committee must consist of a representatives of Federal Governmental agencies that serve individuals with autism spectrum disorder, such as HUD .</p> <p><u>Purpose:</u> The Committee is a Federal advisory committee that coordinates Federal efforts and provides advice to the Secretary of Health and Human Services on issues related to autism spectrum disorder (ASD). Through its inclusion of both Federal and public members, the IACC helps to ensure that a wide range of ideas and perspectives are represented and discussed in a public forum.</p> <p><u>Membership:</u> The Committee consists of directors, head and representatives of various Federal agencies; and non-federal members appointed by the Secretary of HHS. Specifically, the Committee must consist of representatives of other Federal Governmental agencies that serve individuals with autism spectrum disorder such as HUD.</p>	<p>Representative from HUD</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
<p>Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities</p> <p>(Executive Order)</p> <p>https://www.fema.gov/office-disability-integration-and-coordination</p>	2004	<p><u>Authority:</u> E.O. 13347, "Individuals with Disabilities in Emergency Preparedness," signed July 22, 2004 (published July 26, 2004, at 69 FR 44573)</p> <p><u>Purpose:</u> The Interagency Coordinating Council was created to ensure that the federal government appropriately supports safety and security for individuals with disabilities in disaster situations.</p> <p><u>Membership:</u> The Council is established within the Department of Homeland Security and consists of the heads of executive departments (including HUD), as well as the heads of EPA, GSA, OPM and SSA, or their designees. The Secretary of the Department of Homeland Security chairs the Council.</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Domestic Policy			
<p>Domestic Policy Council</p> <p>(Executive Order, as amended)</p>	1993	<p><u>Authority:</u> E.O. 12859, "Establishment of the Domestic Policy Council," signed August 16, 1993 (published August 19, 1993, at 58 FR 44101), as amended to add additional members:</p> <ul style="list-style-type: none"> • E.O. 13284, January 23, 2003 (published at 68 FR 4075); • E.O. 13500, February 5, 2009 (published at 74 FR 6981); and • E.O. 13569, April 5, 2011 (published at 76 FR 19891). 	<p>The Secretary</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
		<p><u>Purpose:</u> The Domestic Policy Council (DPC) coordinates the formation of non-economic domestic policy and represents the President’s policy priorities to Congress.</p> <p><u>Membership:</u> The DPC is made up of the heads of agencies (including HUD and other Cabinet-level departments).</p>	
<p>Interagency Group on Insular Areas (IGIA)</p> <p>(Executive Order)</p> <p>http://www.doi.gov/oia/igia/index.cfm</p>	2010	<p><u>Authority:</u> <u>E.O. 13537</u>, “Interagency Group on Insular Areas,” signed April 14, 2010 (published April 19, 2010, at <u>75 FR 20237</u>).</p> <p><u>Purpose:</u> The Interagency Group must submit a report annually to the President, making recommendations on policies affecting Guam, American Samoa, the US Virgin Islands, and the Northern Mariana Islands. The Group is to collect information from a wide range of sources, including elected officials and individuals outside the government.</p> <p><u>Membership:</u> The Interagency Group is comprised of the heads of executive departments in <u>5 U.S.C. 101</u> (including HUD) and other agency heads as designated by the co-chairs.</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
<p>White House Council on Strong Cities, Strong Communities</p> <p>(Executive Order)</p>	2012	<p><u>Authority:</u> <u>E.O. 13602</u>, “Establishing a White House Council on Strong Cities, Strong Communities,” signed March 15, 2012 (published March 20, 2012, at <u>77 FR 16131</u>).</p> <p><u>Purpose:</u> The Council better aligns resources and coordinating efforts across executive departments and agencies so that communities across the country have access to comprehensive, localized technical assistance and planning resources to develop and implement their economic vision and strategies.</p> <p><u>Membership:</u> The Council is made up of the co-chairs and the heads of certain named agencies or their designees, who must be a senior-level official who is a full-time officer or employee of the member’s agency. The Secretary of HUD and the Assistant to the President for Domestic Policy are co-chairs.</p> <p>As of September 8, 2020, there is no evidence that the Council is still active.</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Economic Development			
<p>Federal Interagency Investment Working Group (IIWG)</p> <p>(Executive Order)</p> <p>https://www.selectusa.gov/iiwg</p>	2011	<p><u>Authority:</u> <u>E.O. 13577</u>, “Establishment of the SelectUSA Initiative,” signed June 15, 2011 (published June 20, 2011, at <u>76 FR 35715</u>).</p> <p><u>Purpose:</u> The Working Group is to coordinate activities to promote business investment and respond to specific issues affecting business investment decisions. The Working Group is part of the SelectUSA Initiative, a government-wide initiative with the mission of facilitating business investment in the United States in order to create jobs, spurring economic growth, and promoting American competitiveness that support domestic and foreign investment in the United States.</p>	<p>HUD “senior official”</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
		<p><u>Membership:</u> The Working Group shall consist of senior officials from the named Federal agencies and offices (including HUD). The senior official must be named by, and report to, the Deputy Secretary of the agency or his or her equivalent. The Working Group is chaired by the Initiative's Executive Director, coordinating with the Director of the National Economic Council.</p>	
<p>National Economic Council</p> <p>(Executive Order, as amended)</p>	<p>1993</p>	<p><u>Authority:</u> <u>E.O. 12835</u>, "Establishment of the National Economic Council," signed January 25, 1993 (published on January 27, 1993 at <u>58 FR 6189</u>), as amended to add additional members:</p> <ul style="list-style-type: none"> • <u>E.O. 13286</u>, February 28, 2003 (published at <u>68 FR 10619</u>); • <u>E.O. 13499</u>, February 5, 2009 (published at <u>74 FR 6979</u>); and • <u>E.O. 13569</u>, April 5, 2011 (published at <u>76 FR 19891</u>). <p><u>Purpose:</u> The National Economic Council (NEC) (1) coordinates the economic policy-making process with respect to domestic and international economic issues; (2) coordinates economic policy advice to the President; (3) ensures that economic policy decisions and programs are consistent with the President's stated goals and that those goals are being effectively pursued; and (4) monitors implementation of the President's economic policy agenda.</p> <p><u>Membership:</u> The NEC is comprised of specified department and agency heads (including HUD) whose policy jurisdictions impact the nation's economy.</p>	<p>The Secretary</p>
<p>President's Economic Adjustment Committee (EAC)</p> <p>(Executive Order, as amended)</p> <p>http://www.oea.gov/</p>	<p>1992</p>	<p><u>Authority:</u> <u>E.O. 12788</u>, "Defense Economic Adjustment Program," signed January 15, 1992 (published at January 21, 1992, at <u>57 FR 2213</u>), as amended:</p> <ul style="list-style-type: none"> • <u>E.O. 13378</u> (May 21, 2005, <u>70 FR 28413</u>), changing membership and expanding duties <p><u>Purpose:</u> The Defense Economic Adjustment Program assists: (1) substantially and seriously affected communities, businesses, and workers from the effects of major Defense base closures, realignments, and Defense contract-related adjustments; and (2) state and local governments in preventing the encroachment of civilian communities from impairing the operational utility of military installations.</p> <p><u>Membership:</u> The EAC is composed of the heads (or their designated principal deputy) of specified federal departments and agencies (including HUD) that have technical and financial assistance programs available to assist communities, businesses, and/or workers with responding to DoD-driven impacts. The Secretary of Defense is the Chair, and the Secretaries of Labor and Commerce serve as Vice Chairs.</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
<p>White House Initiative for Asian Americans and Pacific Islanders</p> <p>(Executive Order, as amended)</p> <p>https://www.mbda.gov/page/white-house-initiative-asian-americans-and-pacific-islanders</p>	1999 ¹	<p>Authority: E.O. 13515, “Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs,” signed October 14, 1999 (published October 19, 2009, at 74 FR 53635), as amended:</p> <ul style="list-style-type: none"> E.O. 13585 (September 30, 2001, 76 FR 62281) <p>Purpose: The White House Initiative works to improve the quality of life and opportunities for Asian Americans and Pacific Islanders by facilitating increased access to and participation in federal programs where they remain underserved.</p> <p>Membership: The Initiative is made up of senior officials from specified executive departments (including HUD). The Secretary of Education and another member of the Initiative, designated by the President, serve as co-chairs.</p>	<p>HUD senior official</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Education			
<p>Financial Literacy & Education Commission</p> <p>(Statute)</p> <p>https://home.treasury.gov/policy-issues/consumer-policy/financial-literacy-and-education-commission</p> <p>www.mymoney.gov</p>	2003	<p>Authority: Section 513 of the Financial Literacy and Education Improvement Act, Title V of the Fair and Accurate Credit Transactions Act of 2003 (the “FACT Act”) (Public Law 108-159, enacted December 4, 2003) (20 U.S.C. 9702)</p> <p>Purpose: The Financial Literacy and Education Commission is charged with improving financial literacy and education of persons in the United States.</p> <p>Membership: The Secretary of Treasury is head of the Commission, and the Director of Bureau of Consumer Financial Protection (CFPB) serves as Vice-Chair of the Commission. The Commission is composed of the heads of specified Federal agencies (including HUD) or their alternates, who must exercise “significant decisionmaking authority”.</p>	<p>The Secretary (or designee)</p> <p><i>Current HUD Official:</i></p> <p>Sarah Gerecke, Deputy Assistant Secretary for Single Family Housing</p>
<p>Interagency Working Group on American Indian and Alaska Native (AI/AN) Education</p> <p>(Executive Order)</p> <p>https://sites.ed.gov/whiaiane/advisory-council-agencies/agencies/</p>	2011	<p>Authority: E.O. 13592, “White House Initiative on American Indian and Alaska Native Education,” signed December 2, 2011 (published on December 08, 2011 at 76 FR 76603.)</p> <p>Purpose: The Secretary of Education and the Secretary of the Interior will co-chair the Initiative. The Secretary of Education shall appoint an Executive Director who shall be responsible for overseeing implementation of the Initiative.</p> <p>The Interagency Working Group was created as part of the White House Initiative to help expand educational opportunities and improve educational outcomes for all AI/AN students, including opportunities to learn their Native languages, cultures, and histories and receive complete and competitive educations that prepare them for college, careers, and productive and satisfying lives.</p> <p>Membership: The Working Group is made up of senior officials from certain named agencies and those agencies and offices designated by the Secretaries of Education and</p>	<p>HUD “senior official”</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>

¹ While [E.O. 13515](#) is currently the controlling E.O., the Initiative was originally established by [E.O. 13125](#), “Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs” (June 7, 1999 at [64 FR 31105](#)).

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Name of Board/Commission	Year created	Authority	HUD Representative
		<p>Interior. HUD is one such designated agency. The Working Group is chaired by the Initiative's Executive Director, appointed by the Secretary of Education.</p> <p>As of September 8, 2020, there is no evidence that the Working Group is still active.</p>	
<p>Interagency Working Group on Educational Excellence for Hispanics</p> <p>(Executive Order)</p> <p>https://sites.ed.gov/hispanic-initiative/federal-interagency-working-group-fiwg-on-educational-excellence-for-hispanics/</p>	2010	<p>Authority: <u>E.O. 13555</u>, "White House Initiative on Educational Excellence for Hispanics," signed October 19, 2010 (published October 22, 2010, at <u>75 FR 65417</u>), creating a White House Initiative, a Federal Interagency Working Group, and a Presidential Advisory Commission (in which HUD is not a member).</p> <p>Purpose: The Interagency Working Group is charged with supporting and coordinating the effects of the White House Initiative on Educational Excellence for Hispanics. The mission of the Initiative is to help restore the United States to its role as the global leader in education and to strengthen the Nation by expanding educational opportunities and improving educational outcomes for Hispanics of all ages and by helping to ensure that all Hispanics receive a complete and competitive education that prepares them for college, a career, and productive and satisfying lives.</p> <p>Membership: The Working Group consists of senior Federal officials from several named Federal entities, and other departments designated by the President (HUD has been designated). It is chaired by the Executive Director of the Initiative.</p> <p>As of September 8, 2020, there is no evidence that the Working Group is still active.</p>	<p>HUD "senior official"</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
<p>Interagency Working Group on Historically Black Colleges and Universities (HBCU)</p> <p>(Executive Order)</p> <p>https://sites.ed.gov/whhbcu/policy/presidents-board-of-advisors-pba-on-hbcus/</p>	2017	<p>Authority: <u>E.O. 13532</u>, "Promoting Excellence, Innovation, and Sustainability at Historically Black Colleges and Universities," signed February 26, 2010 (published March 3, 2010 at <u>75 FR 9749</u>).</p> <ul style="list-style-type: none"> Revoked and replaced by <u>E.O. 13779</u>, "White House Initiative to Promote Excellence and Innovation at Historically Black Colleges and Universities," signed February 28, 2017 (published March 3, 2017 at <u>82 FR 12499</u>). <p>Purpose: The Interagency Working Group is charged with advancing and coordinating the work of the White House Initiative on HBCUs. The Initiative has two primary missions: to increase the private sector role (including the role of private foundations) in strengthening and upgrading HBCUs and to enhance HBCU's capabilities to serve the nation's young adults.</p> <p>Membership: The Interagency Working Group is chaired by the Executive Director of the White House Initiative and consists of one representative from each agency that is identified by the Secretary of Education as one that regularly interacts with HBCUs (HUD has been identified as one of such agencies).</p> <p>As of September 8, 2020, there is no evidence that the Working Group is still active.</p>	<p>Representative from HUD</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
<p>President's Advisory Commission on Hispanic Prosperity</p> <p>(Executive Order)</p>	2020	<p><u>Authority:</u> E.O. 13935, "White House Hispanic Prosperity Initiative," (published July 14, 2020 at 85 FR 42683).</p> <p><u>Purpose:</u> The mission of the Initiative shall be to improve access by Hispanic Americans to educational and economic opportunities. The functions of the Commission shall be to promote pathways to in-demand jobs for Hispanic American students, including apprenticeships, internships, fellowships, mentorships, and work-based learning initiatives.</p> <p><u>Membership:</u> The Commission shall be composed of not more than 20 members, who shall be appointed by the President. The Commission may include individuals from outside the Federal Government with relevant experience or subject matter expertise in promoting educational opportunities and economic success in the Hispanic American community. The Commission shall also include the following officers, or their designees the Secretary of Commerce; the Secretary of Labor; the Secretary of Housing and Urban Development; the Secretary of Education; and the Administrator of the Small Business Administration.</p>	The Secretary, or designee.
Energy			
<p>Quadrennial Energy Review Task Force</p> <p>(Presidential Memorandum)</p>	2014	<p><u>Authority:</u> January 9, 2014 Presidential Memorandum entitled "<u>Establishing a Quadrennial Energy Review</u>," (published January 14, 2014 at 79 FR 2577).</p> <p><u>Purpose:</u> The Task Force gathers ideas and advice from a range of public and private stakeholders on how to strengthen U.S. energy policy and coordinates the efforts of Federal agencies and offices in developing a Quadrennial Energy Review Report.</p> <p><u>Membership:</u> The Task Force is made up of the heads of specified agencies (including HUD) or their designees. No criteria are placed on the designees. The Task Force is co-chaired by the Director of the Office of Science and Technology Policy and the Director of the Domestic Policy Council.</p> <p>As of September 8, 2020, there is no evidence that the Task Force is still active.</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Environment			
<p>Arctic Executive Steering Committee/Coastal Erosion Working Group</p> <p>(Executive Order)</p>	2015	<p><u>Authority:</u> E.O. 13689, "Enhancing Coordination of National Efforts in the Arctic," signed January 21, 2015 (published January 26, 2015 at 80 FR 4191).</p> <p><u>Purpose:</u> The Coastal Erosion Working Group (CEWG) develops recommendations for the Arctic Executive Steering Committee (AESC) on ways to coordinate the Federal response to coastal erosion and other climate-related hazards to Alaskan Arctic coastal communities.</p> <p><u>Membership:</u> The CEWG is made up of representatives of "relevant" Federal agencies. Representatives from HUD and the Department of the Interior are the co-chairs.</p>	<p>HUD representative</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
		As of September 8, 2020, there is no evidence that the Committee/ Working Group is still active.	
Coastal America Partnership (Memorandum of Understanding) http://www.coastalamerica.gov/	2002	<u>Authority:</u> Coastal America Memorandum of Understanding signed in 1994 and 2002. The Coastal America Partnership is a partnership of ten federal partners working together with state and local government and private organizations to protect, preserve and restore the nation's coasts. The partnership is comprised of those federal agencies with statutory responsibilities for coastal resources or whose operational activities affect the coastal environment. As of September 8, 2020, there is no evidence that the Partnership is still active.	Currently no agency representatives are identified on committee website
Council on Climate Preparedness and Resilience (Executive Order)	2013	<u>Authority:</u> E.O. 13653, "Preparing the United States for the Impacts of Climate Change," signed November 1, 2013 (published November 6, 2013, at 78 FR 66819). <u>Purpose:</u> The Council works across agencies and offices and in partnership with other governmental and private entities to encourage investments in climate change resilience. <u>Membership:</u> The Council is made up of senior officials (Deputy Secretary or equivalent officer) from named Federal agencies (including HUD). The Council is co-chaired by the Chair of the Council on Environmental Quality (CEQ), the Director of the Office of Science and Technology Policy (OSTP), and the Assistant to the President for Homeland Security and Counterterrorism	Deputy Secretary or equivalent officer
Federal Permitting Improvement Council (Statute)	2015	<u>Authority:</u> E.O. 13604, "Improving Performance of Federal Permitting and Review of Infrastructure Projects," signed March 22, 2012 (published March 28, 2012, at 77 FR 18887). Section 41002 of the Fixing America's Surface Transportation (FAST) Act (Public Law 114-94, signed December 4, 2015) (42 U.S.C. 4370m-1). The FAST Act codified and expanded provisions of Executive Order 13604. <u>Purpose:</u> The Council is to establish best practices and model timelines for environmental review. The Council's duties relate primarily to "covered projects", which include projects in certain sectors that likely require investment of more than \$200 million or whose complexity makes the project likely to benefit from enhanced oversight and coordination. <u>Membership:</u> The Council is made up of officials (Deputy Secretary or higher) from specified agencies (including HUD). The Chair is the Executive Director of the National Surface Transportation and Innovative Finance Bureau (in the Department of Transportation), appointed by the President.	Secretary or Deputy Secretary
Green Building Advisory Committee	2007	<u>Authority:</u> Sec. 494 of the Energy Independence and Security Act of 2007 (Public Law 110-140, enacted December 19, 2007) (42 U.S.C. 17123).	Act requires a "representative" of HUD

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Name of Board/Commission	Year created	Authority	HUD Representative
(Statute) https://www.gsa.gov/about-us/organization/office-of-governmentwide-policy/office-of-federal-highperformance-buildings/green-building-advisory-committee		<p>Purpose: The Green Building Advisory Committee provides expert advice concerning the management of Federal buildings in an energy efficient manner.</p> <p><u>Membership</u>: The Committee is made up of representatives of Federal agencies (including HUD) and up to 15 non-Federal members determined by the Federal Director (the GSA official).</p>	<p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Pollinator Health Task Force (Presidential Memorandum)	2014	<p>Authority: June 20, 2014 Presidential Memorandum entitled, “Creating a Federal Strategy to Promote the Health of Honey Bees and Other Pollinators,” (published June 24, 2014 at 79 FR 35903).</p> <p>Purpose: The Task Force develops a National Pollinator Health Strategy to focus Federal efforts on understanding, preventing, and recovering from pollinator losses; expands and coordinates public education activities; and develops recommendations for public-private partnerships.</p> <p><u>Membership</u>: The Task Force is made up of the heads of specified agencies (including HUD) or their designated representatives. No additional criteria are placed upon the designees. The Secretary of Agriculture and the EPA Administrator are the co-chairs of the Task Force.</p> <p>As of September 8, 2020, there is no evidence that the Task Force is still active.</p>	<p>The Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Faith-Based Partnerships			
Interagency Working Group on Faith-Based and Other Neighborhood Partnerships (Executive Order)	2010	<p>Authority: E.O. 13279, “Equal Protection of the Laws for Faith-Based and Community Organizations,” signed December 12, 2002, (published December 16, 2002, at 67 FR 77141), as amended:</p> <ul style="list-style-type: none"> E.O. 13559, November 17, 2010 (published at 75 FR 71319) (established Working Group in the place of agency heads acting alone) <p>Purpose: The mission of the Working Group is to review and evaluate existing regulations, guidance documents, and policies that have implications for faith-based organizations and other organizations.</p> <p><u>Membership</u>: Senior officials of specified Federal agencies (including HUD). The Director of the Office of Faith-Based and Neighborhood Partnerships and a senior official from OMB are co-chairs.</p> <p>As of September 8, 2020, there is no evidence that the Working Group is still active.</p>	<p>Senior Official with knowledge of policies that have implications for faith-based and other neighborhood organizations</p> <p><i>Current HUD Official:</i> Paula Lincoln, Director of HUD’s Center for Faith-Based and Neighborhood Partnerships.</p>
Federal Government Management			
Federal Interagency Sustainability Steering Committee	2007	<p>Authority: E.O. 13423, “Strengthening Federal Environmental, Energy, and Transportation Management,” signed January 24, 2007 (published January 26, 2007, at 72 FR 3919).</p>	Each agency’s Chief Sustainability Officer

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Name of Board/Commission	Year created	Authority	HUD Representative
<p>(Executive Order)</p> <p>https://www.sustainability.gov/</p>		<ul style="list-style-type: none"> Modified by <u>E.O. 13514</u>, “Federal Leadership in Environmental, Energy, and Economic Performance,” signed October 5, 2009 (published October 8, 2009, at <u>74 FR 52117</u>). Both EOs revoked and replaced by <u>E.O. 13693</u>, “Planning for Federal Sustainability in the Next Decade,” signed March 19, 2015 (published March 25, 2015). <p>Purpose: The Steering Committee is to advise the Director of OMB and the Chair of the Council on Environmental Quality on the performance of federal agencies in carrying out their responsibilities to reduce greenhouse gas emissions and achieving sustainability goals.</p> <p><u>Membership</u>: The Steering Committee is made up of the Federal Chief Sustainability Officer and agency Chief Sustainability Officers. The Federal Chief Sustainability Officer, formerly known as the Federal Environmental Executive, is the chair of the Steering Committee. The head of each specified agency (including the Secretary of HUD) is to designate the agency’s Chief Sustainability Officer, who must be an officer compensated the amount equivalent to a level IV of the Executive Schedule.</p>	<p><i>Current HUD Official:</i> No known designee as of September 8th</p>
<p>Federal Privacy Council</p> <p>(Executive Order)</p> <p>https://www.fpc.gov/</p>	<p>2016</p>	<p>Authority: <u>E.O. 13719</u> “Establishment of the Federal Privacy Council,” signed February 9, 2016 (published February 12, 2016, at <u>81 FR 7687</u>) (corrected version published at <u>81 FR 7961</u>).</p> <p>Purpose: The Council is the principal interagency forum to improve the Federal government’s privacy practices. The Council develops recommendations for OMB, coordinates and shares best practices, and makes recommendations to agencies.</p> <p><u>Membership</u>: The Council is chaired by the Deputy Director of OMB and is made up of Senior Agency Officials for Privacy at specified agencies (including HUD).</p>	<p>Senior Agency Official for Privacy</p> <p><i>Current HUD Official:</i> John Bravacos Special Assistant Secretary, Fair Housing and Equal Opportunity</p>
<p>Federal Real Property Council</p> <p>(Executive Order)</p> <p>http://www.gsa.gov/portal/content/104918</p>	<p>2004</p>	<p>Authority: <u>E.O. 13327</u>, “Federal Real Property Asset Management,” signed February 4, 2004 (published February 6, 2004, at <u>69 FR 5897</u>).</p> <p>Purpose: The EO establishes a Senior Real Property Officer at each agency (including HUD). The EO also establishes the Federal Real Property Council (FRPC) to develop guidance for each agency’s asset management plan and to establish performance measures to determine the effectiveness of Federal real property management.</p> <p><u>Membership</u>: The FRPC consists of Senior Real Property Officers (SRPOs) at all agencies (including HUD), the Controller of OMB, the Administrator of General Services, and any other officials or employees permitted by the chair of the Council. The Deputy Director for Management for OMB is the chair of the Council, and OMB provides funding and administrative support to the Council.</p>	<p>Agency Senior Real Property Officer</p> <p><i>Current HUD Official:</i>No known designee as of September 8th</p>
<p>Security Professional Development Executive Steering Committee</p>	<p>2007</p>	<p>Authority: <u>E.O. 13434</u>, National Security Professional Development, signed May 17, 2007, (published May 22, 2007, at <u>72 FR 28583</u>)</p>	<p>The Secretary, or designee, who must be a full-time officer or employee of HUD</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
(Executive Order)		<p>Purpose: The Steering Committee is to coordinate national security professional development programs and guidance from agencies to ensure an integrated approach to such programs.</p> <p><u>Membership</u>: The Steering Committee consists of the heads of specified executive agencies (including the Secretary of HUD), or their designees.</p> <p>As of September 8, 2020, there is no evidence that the Committee is still active.</p>	<p><i>Current HUD Official</i>: No known designee as of September 8th</p>
<p>The Performance Improvement Council (PIC)</p> <p>(Statute)</p> <p>https://pic.gov/</p>	2007	<p>Authority: <u>E.O. 13450</u>, “Improving Government Program Performance,” signed November 13, 2007 (published November 15, 2007, at <u>72 FR 64519</u>) established the PIC, which was then codified by section 9 of the Government Performance and Results Act (GPRA) Modernization Act of 2010 (<u>Public Law 111-352</u>, approved January 4, 2011) (<u>31 U.S.C. 1124</u>).</p> <p>Purpose: The functions of the PIC are, among others, to facilitate the exchange among agencies of practices that have led to performance improvements within specific programs, agencies, or across agencies; coordinate with other interagency management councils; seek advice and information as appropriate from nonmember agencies, particularly smaller agencies; and consider the performance improvement experiences.</p> <p><u>Membership</u>: The PIC is composed of the Deputy Director for Management of OMB (chairperson of the Council); the Performance Improvement Officer (PIO) from each agency (including HUD), other PIOs as determined appropriate by the chairperson; and other individuals as determined appropriate by the chairperson.</p>	<p>HUD’s Performance Improvement Officer</p> <p>Office of the Chief Financial Officer (OCFO)</p> <p><i>Current HUD Official</i>: Irving Dennis, Chief Financial Officer, Office of the Chief Financial Officer</p>
<p>U.S. Chief Financial Officers Council (CFOC)</p> <p>(Statute)</p> <p>https://cfo.gov/</p>	1990	<p>Authority: Sec. 302 of the Chief Financial Officers (CFO) Act of 1990 (<u>Public Law 101-576</u>, enacted November 15, 1990) (<u>31 U.S.C. 901 note</u>)</p> <p>Purpose: The Council advises and coordinates the activities of the agencies of its members on such matters as consolidation and modernization of financial systems, improved quality of financial information, financial data and information standards, internal controls, legislation affecting financial operations and organizations, and any other financial management matter.</p> <p><u>Membership</u>: The CFO Council is made up of the CFOs of Executive agencies (including HUD) and senior officials of OMB and the Department of the Treasury.</p>	<p>Chief Financial Officer</p> <p><i>Current HUD Official</i>: Irving Dennis, Chief Financial Officer, Office of the Chief Financial Officer</p>
Health			
<p>HIV Care Continuum Working Group</p> <p>(Executive Order)</p> <p>https://www.aids.gov/federal-resources/policies/care-continuum/</p>	2013	<p>Authority: <u>E.O. 13649</u>, “Accelerating Improvements in HIV Prevention and Care in the United States Through the HIV Care Continuum Initiative,” signed July 15, 2013 (published July 18, 2013, at <u>78 FR 43057</u>).</p> <p>Purpose: The Working Group coordinates Federal efforts to improve outcomes nationally across the HIV care continuum.</p>	<p>HUD representative</p> <p><i>Current HUD Official</i>: No known designee as of September 8th</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
		<p><u>Membership:</u> The Working Group consists of representatives from named agencies (including HUD), with no further specifications on the representatives. The Working Group is co-chaired by the Director of the Office of National AIDS Policy and the Secretary of HHS or designee.</p> <p>As of September 8, 2020, there is no evidence that the Working Group is still active.</p>	
<p>Interdepartmental Serious Mental Illness Coordinating Committee</p> <p>(Statute)</p> <p>https://www.samhsa.gov/about-us/advisory-councils/ismicc</p>	<p>2016</p>	<p><u>Authority:</u> Section 6031 of the 21st Century Cures Act (<u>Public Law 114-255</u>, enacted December 13, 2016).</p> <p><u>Purpose:</u> The Coordinating Committee is responsible for submitting two reports to Congress and any other relevant Federal department or agency—one submitted not later than December 13, 2017, and the other submitted not later than December 13, 2021. Both reports are to include a summary of advances in research related to the prevention of, diagnosis of, intervention in, and treatment and recovery of serious mental illness. The reports are also to include an evaluation of the effect Federal programs related to serious mental illness have on public health and specific recommendations for actions agencies can take to improve on these effects.</p> <p><u>Membership:</u> The Coordinating Committee is made up of the heads of specified agencies (including HUD) and the Assistant Secretary for Mental Health and Substance Use, in addition to 14 non-Federal public members appointed by the Secretary of Health and Human Services. The Coordinating Committee is chaired by the Secretary of Health and Human Services or designee.</p>	<p>The Secretary, or designee</p> <p>Current HUD Official: No known designee as of September 8th</p>
<p>National Asthma Education Prevention Program (NAEPP) Coordinating Committee</p> <p>(Statute)</p> <p>http://www.nhlbi.nih.gov/about/org/naepp</p>	<p>2000</p>	<p><u>Authority:</u> Section 424B of the Public Health Service Act (as added by section 521 of the Advancement in Pediatric Autism Research Act of 2000) (<u>42 U.S.C. 285b-7b</u>).</p> <p><u>Purpose:</u> The Coordinating Committee identifies all federal programs that carry out asthma-related activities; develops a federal plan for responding to asthma; and submits recommendations to Congress on ways to strengthen and improve the coordination of asthma-related activities of the federal government.</p> <p><u>Purpose:</u> The Coordinating Committee is charged with developing a Federal plan for responding to asthma.</p> <p><u>Membership:</u> The statute requires that “a representative” from HUD be included on the Coordinating Committee, whose membership is otherwise unspecified.</p>	<p>“a representative”</p> <p>Current HUD Official: Office of Lead Hazard Control and Healthy Homes (OLHCHH)</p>

Name of Board/Commission	Year created	Authority	HUD Representative
<p>President’s Committee for People with Intellectual Disabilities (PCPID)</p> <p>(Executive Order)</p> <p>https://www.acl.gov/programs/empowering-advocacy/presidents-committee-people</p>	<p>1966²</p>	<p>Authority: <u>E.O. 12994</u>, “Continuing the President’s Committee on Mental Retardation and Broadening Its Membership and Responsibilities,” signed March 21, 1996 (published March 26, 1996, at <u>61 FR 13047</u>), as amended:</p> <ul style="list-style-type: none"> • <u>E.O. 13309</u> (July 25, 2003, <u>68 FR 44851</u>) expanded membership and responsibilities and renamed the Committee • <u>E.O. 13446</u> (September 28, 2007, <u>72 FR 56175</u>) expanded membership and continued the Committee • <u>E.O. 13811</u> (September 29, 2017, <u>82 FR 46363</u>) extended the Committee through September 30, 2019 <p><u>Purpose:</u> The Committee organizes national planning, stimulates the development of plans, policies and programs, and advances the concept of community participation in the field of intellectual disabilities. PCPID promotes policies and initiatives that support independence and lifelong inclusion of people with intellectual disabilities in their respective communities. The Administration on Intellectual and Developmental Disabilities provides oversight and support for PCPID.</p> <p><u>Membership:</u> The Committee is made up of the heads of specified Federal agencies (including HUD) and citizen members representing a broad spectrum of perspectives, experience, and expertise on intellectual disabilities. The chair is chosen by the President from the non-Federal members.</p>	<p>The Secretary</p>
<p>The President’s Task Force on Environmental Health and Safety Risks to Children</p> <p>(Executive Order, as amended)</p> <p>https://www.epa.gov/children/presidents-task-force-environmental-health-and-safety-risks-children</p>	<p>1997</p>	<p>Authority: <u>E.O. 13045</u>, “Protection of Children from Environmental Health Risks and Safety Risks,” signed April 21, 1997 (published April 23, 1997, at <u>62 FR 19885</u>), as extended³ by:</p> <ul style="list-style-type: none"> • <u>E.O. 13229</u>, October 9, 2001 (published <u>66 FR 52013</u>); and • <u>E.O. 13296</u>, April 18, 2003 (published at <u>68 FR 19931</u>). <p><u>Purpose:</u> The Committee identifies and prioritizes key activities to address children’s environmental health risks and assists in tracking progress by federal agencies in implementing the activities.</p> <p><u>Membership:</u> The Task Force is made up of the heads of specified executive agencies (including HUD) or their designated subordinates (no further criteria for designees). The Secretary of HHS and the Administrator of the EPA serve as co-chairs.</p>	<p>Secretary (or designee)</p> <p><i>Current HUD Official:</i> Office of Lead Hazard Control and Healthy Homes (OLHCHH)</p>

² While E.O. 12994, signed in 1996, is the current governing E.O., E.O. 11280, “Establishing the President’s Committee on Mental Retardation,” signed May 11, 1966 (39 FR 11865), originally established the Committee.

³ The Task Force authority expired in 2005, but the members have continued meeting informally.

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Name of Board/Commission	Year created	Authority	HUD Representative
<p>Working Group on the Intersection of HIV/AIDS, Violence Against Women and Girls, and Gender-related Health Disparities</p> <p>(Presidential Memorandum)</p>	2012	<p><u>Authority:</u> March 30, 2012 Presidential Memorandum entitled “Establishing a Working Group on the Intersection of HIV/AIDS, Violence Against Women and Girls, and Gender-related Health Disparities, (published April 3, 2012 at 77 FR 20277).</p> <p><u>Purpose:</u> The Working Group is to coordinate agency efforts to address issues involving the interaction of HIV/AIDS, violence against women and girls, and gender-related health disparities.</p> <p>The Working Group is to consult with the Presidential Advisory Council on HIV/AIDS, as appropriate.</p> <p><u>Membership:</u> The Working Group is made up of representatives from multiple specified agencies (including HUD). The White House Advisor on Violence Against Women and the Director of the Office of National AIDS Policy serve as co-chairs.</p> <p>As of September 8, 2020, there is no evidence that the Working Group is still active.</p>	<p>The memorandum does not specify the level of HUD membership, simply stating that “a representative” from the named agencies participates.</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Historic Preservation			
<p>Advisory Council on Historic Preservation (ACHP)</p> <p>(Statute)</p> <p>http://www.achp.gov</p>	1966	<p><u>Purpose:</u> 54 U.S.C. 304101, originally passed as section 201 of the National Historic Preservation Act of 1966 (Public Law 89-665, enacted October 15, 1966)</p> <p><u>Authority:</u> The Advisory Council on Historic Preservation (ACHP) promotes the preservation, enhancement, and productive use of our Nation's historic resources and advises the President and Congress on national historic preservation policy.⁴</p> <p><u>Membership:</u> The ACHP consists of 23 statutorily designated members, including seven federal agencies designated by the President as conducting activities that “affect historic preservation.” HUD is one of those 7 agencies. Members can have a designee, who must be “an Assistant Secretary or an officer having major department-wide or agency-wide responsibilities.”</p>	<p>The Secretary or designee</p> <p><i>Current HUD Official:</i></p> <p>Danielle Schopp Director, Office of Environment and Energy</p>
<p>Federal Training Work Group (FTWG)</p> <p>(Statute)</p> <p>http://www.nps.gov/fpi/Training.html</p>	2000	<p><u>Authority:</u> Section 101 of the National Historic Preservation Act (Pub. L. 89-665, enacted Oct. 15, 1996) (54 U.S.C. 303903).</p> <p>The Secretary of the Interior is required, in consultation with appropriate Federal and non-Federal entities, to “develop and implement a comprehensive preservation education and training program.”</p> <p><u>Purpose:</u> The Federal Training Working Group (FTWG) was established to assist Federal Preservation Officers—a position required for each Federal agency by section 110 of the</p>	<p>No representative specified</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>

⁴ Also see [E.O. 13287](#), “Preserve America,” signed March 3, 2003 (published on March 5, 2003, at [68 FR 10635](#)). [E.O. 13287](#) establishes federal policy to provide leadership in preserving America’s heritage by actively advancing the protection, enhancement, and contemporary use of the historic properties owned by the federal government. The policy goals of the E.O. are to be carried out, in part, by the ACHP.

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Name of Board/Commission	Year created	Authority	HUD Representative
		<p>National Historic Preservation Act (54 U.S.C. 306104)—and provide training in subjects related to historic preservation.</p> <p><u>Membership:</u> The FTWG is a monthly meeting of Federal Preservation Officers and representatives of all Federal agencies and interested representatives of state, local, and tribal governments and of not-for-profit organizations.</p>	
Homeland Security			
<p>White House Homeland Security Partnership Council</p> <p>(Executive Order)</p>	2012	<p><u>Authority:</u> E.O. 13629, “Establishing the White House Homeland Security Partnership Council,” signed October 26, 2012 (published November 2, 2012, at 77 FR 66353).</p> <p><u>Purpose:</u> In order to address homeland security challenges, the Council fosters local partnerships between the Federal Government and the private sector, nongovernmental organizations, foundations, community-based organizations, and State, local, tribal, and territorial government and law enforcement.</p> <p><u>Membership:</u> The Council is made up of Federal officials from the agencies that make up the Steering Committee (see below), including HUD. The officials must have an ability to develop, sustain, and institutionalize local partnerships to address policy priorities. The Council is chaired by the Assistant to the President for Homeland Security and Counterterrorism or a designee from the National Security staff.</p> <p>As of September 8, 2020, there is no evidence that the Council is still active.</p>	<p>Field office official</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
<p>White House Homeland Security Partnership Council Steering Committee</p> <p>(Executive Order)</p> <p>https://obamawhitehouse.archives.gov/the-press-office/2012/11/27/fact-sheet-white-house-homeland-security-partnership-council</p>	2012	<p><u>Authority:</u> E.O. 13629, “Establishing the White House Homeland Security Partnership Council,” signed October 26, 2012 (published November 2, 2012, at 77 FR 66353).</p> <p>The Steering Committee provides guidance to the White House Homeland Security Partnership Council (above).</p> <p><u>Membership:</u> The Steering Committee is made up of representatives at the Deputy agency head level of specified agencies (including HUD) or their designees. It is chaired by the chair of the Partnership Council (above)</p> <p>As of September 8, 2020, there is no evidence that the Committee is still active.</p>	<p>Deputy Secretary, or designee</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>
Homelessness			
<p>United States Interagency Council on Homelessness</p> <p>(Statute)</p> <p>http://usich.gov/</p>	1987	<p><u>Authority:</u> Sec. 202 of the McKinney-Vento Homeless Assistance Act (Public Law 100-77, enacted July 22, 1987) (42 U.S.C. 11312)</p> <p>The U.S. Interagency Council on Homelessness (ICH) reviews all federal activities and programs that assist homeless individuals; takes necessary actions to reduce duplication among programs and activities assisting homeless individuals; and monitors, evaluates, and recommends improvements in programs and activities that assist homeless individuals.</p>	<p>The Secretary (or designee)</p> <p><i>Current HUD Official:</i> No known designee as of September 8th</p>

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Name of Board/Commission	Year created	Authority	HUD Representative
		Membership: The agency consists of the heads of specified Federal agencies (including HUD) or their designees (no further criteria for designees). The agency Secretaries that are members of the Council rotate as chairs. HUD's Assistant Secretary for CPD is currently serving as chair.	
Housing			
<p>Interagency Committee on Seismic Safety in Construction (ICSSC)</p> <p>(Statute & Executive Order)</p>	2016	<p>Authority: Section 8 of the Earthquake Hazards Reduction Act of 1977 (as added by section 8(a) of Pub. L. 101-614, Nov. 16, 1990).</p> <p>E.O. 13717, "Establishing a Federal Earthquake Risk Management Standard," signed February 2, 2016 (published February 5, 2016 at 81 FR 6407).</p> <p>Purpose: ICSSC is part of the National Earthquake Hazards Reduction Program (NEHRP) and publishes, at least once every six years, standards for assessing and enhancing earthquake resilience of existing buildings.</p> <p>Membership: The ICSSC is made up of representatives from all federal agencies engaged in "construction, financing of construction, or related activities." Each covered agency is also to appoint at least one Seismic Safety Coordinator to participate in the ICSSC, as appropriate. The ICSSC is chaired by the Director of the National Institutes of Standards and Technology or a designee.</p> <p>Note: HUD seems to be covered by this Order, but does not appear to be currently part of the ICSSC (<i>see also</i> http://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1922.pdf).</p>	<p>The Secretary shall designate one or more Seismic Safety Coordinators and identify them to the Director of NIST.</p> <p><i>Current HUD Official(s):</i> No known designee as of September 8th</p>
<p>Manufactured Housing Consensus Committee</p> <p>(Statute)</p> <p>https://www.hud.gov/program_offices/housing/rmra/mhs/cc1</p>	2000	<p>Authority: Section 604(a)(3) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (as added by section 612 of the Manufactured Housing Improvement Act of 2000) (42 U.S.C. 5403(a)(3))</p> <p>Purpose: The purpose of the Committee is, among other things, to provide periodic recommendations to the Secretary to adopt, revise, and interpret the Federal manufactured housing construction and safety standards and the procedural and enforcement regulations, including regulations specifying the permissible scope and conduct of monitoring.</p> <p>Membership: The Committee is made up of 21 voting members appointed by the Secretary of HUD "qualified by background and experience." The Secretary is also required to appoint one non-voting member to represent the interests of the Secretary.</p>	<p>Representative of the Secretary of HUD</p> <p><i>Current HUD Official:</i> Teresa Payne Administrator, Office of Manufactured Housing Programs (HSG)</p>
<p>The Federal Housing Finance Oversight Board (Oversight Board for FHFA)</p> <p>(Statute)</p> <p>http://www.fhfa.gov</p>	2008	<p>Authority: Sec. 1313A of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (as added by section 1103 of the Housing and Economic Recovery Act of 2008, Pub. L. 110-289, approved July 30, 2008) (12 U.S.C. 4513a)</p> <p>Purpose: The Federal Housing Finance Oversight Board is to advise the Director of the Federal Housing Finance Agency (Director) on strategies and policies.</p>	The Secretary

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Name of Board/Commission	Year created	Authority	HUD Representative
		<u>Membership:</u> The Board consists of 4 members – the Secretary of the Treasury, the Secretary of HUD, the Chairman of the Securities and Exchange Commission, and the Director, who is the Chairperson of the Board.	
White House Council on Eliminating Regulatory Barriers to Affordable Housing (Executive Order) https://www.hud.gov/DrivingAffordableHousing/affordablehousing	2019	<u>Authority:</u> E.O. 13878, “Establishing a White House Council on Eliminating Regulatory Barriers to Affordable Housing,” signed June 25, 2019 (published June 28, 2019, at 84 FR 30853). <u>Purpose:</u> The Council was established to address, reduce, and remove the multitude of overly burdensome regulatory barriers that artificially raise the cost of housing development and help to cause the lack of housing supply. <u>Membership:</u> The Council is made up of certain Federal agency heads and White House officials. The Council shall be chaired by the Secretary of Housing and Urban Development, or his designee.	The Secretary (or designee) (who also serves as Chair)
Pest Management			
Federal Integrated Pest Management (IPM) Coordinating Committee http://escop.info/committee/national-integrated-pest-management-coordinating-committee-nipmcc/	2014	<u>Purpose:</u> The Coordinating Committee is to make recommendations on pest management implementation and facilitate coordination and collaboration between Federal agencies and university research centers. The Coordinating Committee arises out of a USDA program supporting state agricultural experiment stations. <u>Membership:</u> The Coordinating Committee is made up of representatives of multiple Federal agencies (including HUD).	<i>Current HUD official:</i> Peter Ashley, Rachel Riley, Office of Lead Hazard Control and Healthy Homes (OLHCHH)
Rural Areas			
Interagency Task Force on Agriculture and Rural Prosperity (Executive Order) https://www.usda.gov/topics/rural/rural-prosperity	2017	<u>Authority:</u> EO 13790, “Promoting Agriculture and Rural Prosperity in America,” signed April 25, 2017 (published April 28, 2017 at 82 FR 20237). <u>Purpose:</u> The Task Force suggests legislative, regulatory, and policy changes to promote in rural America agriculture, economic development, job growth, infrastructure improvements, technological innovation, energy security, and quality of life, and solicits ideas from state and local officials. <u>Membership:</u> The Task Force is made up of the heads of specified agencies or their designees, who must be a senior-level, full-time official of the member’s agency. It is chaired by the Secretary of Agriculture.	Special Assistant for Congressional and Intergovernmental Relations (not listed in EO)
Veterans			
Council on Veterans Employment (Executive Order) https://www.opm.gov/policy-data-oversight/veterans-	2009	<u>Authority:</u> E.O. 13518, “Employment of Veterans in the Federal Government,” signed November 9, 2009 (published on November 13, 2009, at 74 FR 58533). <u>Purpose:</u> The Council is to advise and assist the President and Director of OPM in establishing and coordinating a government-wide effort to increase the number of veterans employed by the federal government by enhancing recruitment and training, serving as	The Secretary, or designee, who must be a senior official in the agency and a full-time officer or employee

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Name of Board/Commission	Year created	Authority	HUD Representative
services/council-on-veterans-employment/		<p>national forum for the promotion of veterans' employment opportunities, and evaluating the effectiveness of the Veterans Employment Initiative.</p> <p><u>Membership:</u> The Council is made up of the heads of specified agencies (including HUD) and other agencies that the President might designate. The Council is co-chaired by the Secretaries of Labor and Veterans Affairs, with the Director of OPM serving as vice chair.</p>	<p><i>Current HUD Official:</i> No known designee as of September 8th</p>
<p>Veterans Administration Advisory Committee on Homeless Veterans</p> <p>(Statute)</p> <p>http://www.va.gov/ADVISORY/Homeless.asp</p>	<p>2001</p>	<p><u>Authority:</u> 38 U.S.C. 2066, as added by section 5 of the Homeless Veterans Comprehensive Assistance Act of 2001 (Pub. L. 107-95, enacted December 21, 2001)</p> <p><u>Purpose:</u> The Advisory Committee works with the Secretary of Veterans Affairs on a regular basis to provide advice on benefits and services to homeless veterans.</p> <p><u>Membership:</u> The Advisory Committee consists of 15 members appointed by the Secretary of Veterans Affairs and, as ex-officio members, leaders of Federal agencies and other agencies (including HUD) or their representatives.</p>	<p>Secretary or "representative"</p> <p><i>Current HUD Official:</i> Norm Suchar, Director, Office of Special Needs Assistance Programs</p>

HUD's Regulatory Actions (as of October 2020)
Interim Rules Published but Not Final
(Not Statutorily Mandated)

HUD Office	Rule or Policy Action	Description	Last Action
CPD	Housing Trust Fund (FR-5246)	<p>The Housing and Economic Recovery Act of 2008 establishes a Housing Trust Fund to be administered by HUD. The purpose of the Housing Trust Fund is to provide grants to States to increase and preserve the supply of rental housing for extremely low- and very low-income families, including homeless families, and to increase homeownership for extremely low- and very low-income families. On December 4, 2009, HUD published a separate proposed rule to establish the allocation formula for the distribution of Housing Trust Fund grants to States. On October 29, 2010, HUD published for public comment the regulations that will govern the Housing Trust Fund. Consistent with HUD's prior agenda descriptions regarding this rulemaking, HUD issued a single interim final rule for both of these proposed rules. It is HUD's intention to open this interim rule for public comment once funding became available and the grantees gain experience administering the Housing Trust Fund program. HUD intends to open this interim rule for public comment, with a focus on simplifying program regulations and ensuring that HTF is compatible with initiatives such as Opportunity Zones. These comments will inform subsequent proposed rulemaking.</p>	<p>The interim final rule was published on January 30, 2015. HUD intends to</p> <div data-bbox="1656 464 2001 560" style="border: 1px solid black; padding: 2px;">(b)(5) Deliberative Privilege</div>
CPD	Homeless Emergency Assistance and Rapid Transition to Housing: Emergency Solutions Grants Program and Consolidated Plan Conforming Amendments (FR-5474)	<p>This rule continues HUD's implementation of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009. The HEARTH Act consolidates three existing homeless assistance programs administered by HUD under the McKinney-Vento Act into the Continuum of Care program and creates the new Emergency Solutions Grant Program and the Rural Housing Stability Program. This rule provides the regulations to implement the new Emergency Solutions Grant program, which replaced the Emergency Shelter Grants program. While emergency shelter remains an important component of the Emergency Solutions Grant Program, this new program places a greater focus on homelessness prevention and rapid re-housing of people experiencing homelessness or at risk of homelessness.</p>	<p>The interim final was published on December 5, 2011 and 137 public comments were received by the close of the comment period on February 3, 2012.</p>

FOR HUD INTERNAL USE



HUD 2020-2021 Presidential Transition *Official Transition Memorandum*

COVID-19 Agency Response Summary

Resuming Normal Operations Guide

On March 20, 2020, the Department took appropriate steps to slow the spread of coronavirus while ensuring mission critical functions of the Department continued by implementing mandatory telework. In doing so, the Department successfully transitioned all operations to a virtual environment. On April 20, 2020, the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM) issued a joint memorandum, "Aligning Federal Agency Operations with the National Guidelines for *Opening Up America Again*." The Department's guide, *Resuming Normal Operations* ("Guide"), follows guidance set forth by OMB, OPM, and the Centers for Disease Control and Prevention's (CDC); it also incorporates the National Guidelines' ("Guidelines") three-phased approach. The Guide will provide a framework for HUD leadership to use as a *guidance tool* to ramp back up operations to the maximum extent possible, as local conditions warrant, consistent with the National Guidelines. The Guide identifies gating criteria and critical areas of consideration; outlines the Department's three phases; describes roles and responsibilities; and summarizes various communication efforts that will be utilized.

Gating Criteria

In addition to the Guidelines' gating criteria for states and counties, the Agency also considers the following critical areas as we proceed with the three-phases:

- Local shelter-in-place/stay-at-home order(s) have been lifted.
- Virus trends, healthcare capacity, and testing capabilities, meet the Gating Criteria in a given service area.
- Offices are able, and have measures in place, to protect high-risk employees.
- The physical HUD office space is open and not currently closed by the General Services Administration (GSA) or a private building manager.
- Mass transportation is operational, if applicable.
- School and/or summer camp is open.
- Childcare facilities are operating.
- Individual dependent care circumstances.

Additionally, the listed criteria will be *reconsidered* before transitioning to the next phase.

HUD's Three-Phased Approach

Phase I

During Phase I, the agency will transition from *mandatory* telework to *maximum* telework, by location, once regional and Headquarters leadership approve a physical work location for re-entry—at which time, it is voluntary for employees to return to the worksite instead of teleworking; high-risk employees should continue to shelter-in-place with maximum telework flexibilities. In this phase, the following tasks will be completed before employees return to the Weaver Building, regional offices, and field offices: social distancing measures implemented; cleaning and disinfecting; communication plans and training; and employee assessments, including adjusted works schedules and telework schedules.

Phase II

In Phase II, expanded and flexible telework is encouraged whenever possible and feasible with agency operational needs. For high-risk employees and special populations as identified by the CDC, maximum telework flexibilities will continue. In this phase, the following tasks will be completed: implement adjusted work schedules from Phase I, as appropriate, health and safety training, and manager training.

Phase III

In Phase III, normal operations are expected to resume. Employees should return to their duty stations, resume routine telework schedules, and follow policies enacted for operational optimization. Ordinary reasonable accommodation provisions are applicable.

Roles and Responsibilities

There are several key roles that are pivotal for the successful transition into each phase. In the Field, tasks will be completed through collaborative efforts between the designated Office Coordinator, the FPM Regional Administrator (RA) and Deputy Regional Administrator (DRA), the Office of Administration (Admin. or Administration), GSA, and program leadership. At Headquarters, the Office of Administration and the General Deputy Assistant Secretaries (GDAS) will lead all preparation efforts for the Weaver Building, Portals, Potomac Office Center, Washington Office Center, Capitol View, and L'Enfant Plaza, and ensure associated tasks are completed. The HUD Executive Committee will make the final decision on phase transitions for both the Field and Headquarters.

For tasks associated with employee telework schedules, reasonable accommodations, and individual considerations, decisions will be made at the discretion of the immediate supervisor.

Communication

The Department will utilize conference calls and virtual meeting technology to hold agency-wide “Town-Halls” and office-specific “All-Hands Meetings” to provide operational updates and notification of phase transitions to all staff; information related to these events will be sent by Public Affairs on behalf of the Secretary and/or Deputy Secretary.

Further communication includes COVID-19-related instructions for supervisors on how to handle the following scenarios:

- If an employee is ill or feeling sick.
- If an employee has symptoms when they arrive to work or becomes sick during the day.
- If an employee is suspected or confirmed to have COVID-19.
- If an employee has been exposed to COVID-19 from a HUD employee.
- If an employee has been exposed to COVID-19 outside of HUD or indirectly.

Employees may search *Frequently Asked Questions* for additional information.

— Contacts —

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End of 2020-2021
Presidential
Transition
Official Briefing
