

FEDERAL HOUSING FINANCE AGENCY**12 CFR Ch. XII****Agenda of Federal Regulatory and Deregulatory Actions**

AGENCY: Federal Housing Finance Agency.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Federal Housing Finance Agency hereby publishes items for the Unified Agenda of Federal Regulatory and Deregulatory Actions, as required by section 4 of Executive Order 12866.

ADDRESSES: Federal Housing Finance Agency, 1700 G Street NW., Washington, DC 20552.

FOR FURTHER INFORMATION CONTACT: Alfred M. Pollard, Office of General Counsel, Federal Housing Finance Agency, 1700 G Street NW., Washington, DC 20552, (202) 414-3778, or Christopher Curtis, Office of General Counsel, Federal Housing Finance Agency, 1625 I Street NW., Washington, DC 20006, (202) 408-2802 (not toll free numbers). The telephone number for the Telecommunications Device for the Deaf (TDD) is (800) 877-8339.

SUPPLEMENTARY INFORMATION: Division A of the Housing and Economic Recovery Act of 2008, Public Law 110-289, 122 Stat. 2654 (2008), titled the Federal Housing Finance Regulatory Reform Act of 2008 (Act), created FHFA as an independent agency of the Federal Government. The FHFA was established on the date of enactment, July 30, 2008, and the Act provides for the abolishment of the Office of Federal Housing Enterprise Oversight (OFHEO) and the Federal Housing Finance Board (FHFB) 1 year after the date of enactment. These agencies, together with the Housing and Urban Development Government-Sponsored Enterprise Mission Teams, are combined to establish FHFA. Regulations of FHFA will be found in 12 CFR chapter XII, parts 1200 to 1299.

FHFA has regulatory authority over the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Home Loan Bank System.

The Internet is the primary means for disseminating FHFA's unified agenda. The complete Unified Agenda will be available online at <http://www.reginfo.gov> in a format that offers users a greatly enhanced ability to obtain information from the Unified Agenda database.

FHFA's preamble and its entries will not appear in the printed agenda because entries printed in the **Federal Register** are limited to any rulemaking identified by the agency as likely to have a significant economic impact on a substantial number of small entities under section 602 of the Regulatory Flexibility Act and to any rulemaking identified for periodic review under section 610 of the Regulatory Flexibility Act.

Dated: September 5, 2008.

NAME: James B. Lockhart III,
Director, Federal Housing Finance Agency.

The 10 Regulatory Agendas

Federal Housing Finance Agency - Proposed Rule

Title	Regulation Identifier Number
Freedom of Information Act Procedures	2590-AA05
Flood Insurance	2590-AA09

Federal Housing Finance Agency - Final Rule

Title	Regulation Identifier Number
Minimum Capital-Temporary Increase	2590-AA01
Federal Home Loan Bank Directors	2590-AA03
Affordable Housing Program for Federal Home Loan Banks	2590-AA04
Golden Parachute Payments and Indemnification Payments	2590-AA08

Federal Housing Finance Agency - Long-term Action

Title	Regulation Identifier Number
Supplemental Standards of Ethical Conduct for Employees of the Federal Housing Finance Agency	2590-AA02
Disclosure of Non-Public Information	2590-AA06
Privacy Act Procedures	2590-AA07

Federal Housing Finance Agency - Completed Action

Title	Regulation Identifier Number
Assessments for Regulated Entities	2590-AA00

Federal Housing Finance Agency (FHFA)

RIN: 2590-AA05

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Title: Freedom of Information Act Procedures

Abstract: The Housing and Economic Recovery Act of 2008 amended section 1311 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992. This amendment resulted in the establishment of the Federal Housing Finance Agency (FHFA). In order for FHFA to establish procedures to facilitate public interaction, this proposed regulation will set forth those procedures for the public to obtain access to information from FHFA under the Freedom of Information Act.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 1202 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: PL 110-289, 122 Stat 2654; 5 USC 301 and 552; 12 USC 4526; EO 12600, 52 FR 23781, 3 CFR, 1987 Comp, p 235; EO 13392, 70 FR 75373, 3 CFR, 2006 Comp, p 216

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/10/2008	73 FR 60192
NPRM Comment Period End	11/10/2008	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Energy Affected: No

RIN Information URL: www.regulations.gov

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Government Levels Affected: No

Federalism: No

Public Comment URL: www.regulations.gov or by email: regcomments@fhfa.gov

Federal Housing Finance Agency (FHFA)

RIN: 2590-AA09

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Title: Flood Insurance

Abstract: The Federal Housing Finance Agency (FHFA) is proposing to issue a proposed Flood Insurance regulation. The proposed regulation would codify the authority and responsibility of FHFA to oversee and enforce the statutory requirements affecting the operations of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation under the Flood Disaster Protection Act of 1973, as amended, and would effect congressionally-mandated adjustments to the civil money penalties applicable to violations of that law.

Priority: Info./Admin./Other

Major: No

CFR Citation: 12 CFR 1250 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 4513, 4536, 4521(a)(4); 28 USC 2461 note; 42 USC 4001 note; 42 USC 4012(a)(f)(3), (4), (5), (8), (9), and (10)

Legal Deadline: None

Agenda Stage of Rulemaking: Proposed Rule

Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
NPRM	10/10/2008	73 FR 60198
NPRM Comment Period End	12/09/2008	73 FR 60198

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Energy Affected: No

RIN Information URL: www.ofheo.gov

Related RINs: Previously Reported as 2550-AA21

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Government Levels Affected: No

Federalism: No

Public Comment URL: via email: RegComments@fhfa.gov

Federal Housing Finance Agency (FHFA)

RIN: 2590-AA01

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Title: Minimum Capital-Temporary Increase

Abstract: The Housing and Economic Recovery Act of 2008 amended section 1362 of the Federal Housing Enterprises Financial Safety and Soundness Act resulting in a new subsection providing for temporary increases in minimum capital levels for the Home Loan Mortgage Corporation, the Federal National Mortgage Association, and the Federal Home Loan Banks (collectively, the Regulated Entities). The interim final regulation with request for comments would set forth the standards the Director of the Federal Housing Finance Agency will use to impose a temporary increase in minimum capital levels for the Regulated Entities.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 1225 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 4612(d); 12 USC 1426(a)(2)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule With Request for Comments	11/00/0008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.govPublic Comment URL: www.regulations.gov or by email: regcomments@fhfa.gov

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Federal Housing Finance Agency (FHFA)

RIN: 2590-AA03

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Title: Federal Home Loan Bank Directors

Abstract: The Housing and Economic Recovery Act of 2008 amended various provisions of section 7 of the Federal Home

Loan Bank Act regarding size and composition of the boards of directors of the Federal Home Loan Banks (FHLBanks). This interim final rule with request for comments would implement those statutory changes and would make appropriate conforming amendments to the existing Finance Board regulations relating to the boards of directors for the FHLBanks.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 1261 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 1426, 1427, and 1432

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	09/26/2008	
Interim Final Rule	09/26/2008	73 FR 55710
Interim Final Rule Comment Period End	11/25/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

Public Comment URL: www.regulations.gov or email: regcomments@fhfa.gov

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Federal Housing Finance Agency (FHFA)

RIN: 2590-AA04

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Title: Affordable Housing Program for Federal Home Loan Banks

Abstract: The Housing and Economic Recovery Act of 2008 amended section 10 of the Federal Home Loan Bank Act, relating to the Affordable Housing Program (AHP) administered by each of the Federal Home Loan Banks. The amendment authorizes, for a 2-year period, the use of AHP subsidy through the homeownership set-aside program to refinance certain qualifying mortgage loans. Such loans must be secured by a first mortgage on a primary residence of any family having an income at or below 80 percent of the median income for the area. The rulemaking would implement those statutory changes and make any appropriate conforming amendments to the existing Finance Board AHP regulations.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 1291 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 1430(j)(2)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	10/17/2008	
Interim Final Rule	10/17/2008	73 FR 61660
Interim Final Rule Comment Period End	12/16/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

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Federal Housing Finance Agency (FHFA)

RIN: 2590-AA08

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Title: Golden Parachute Payments and Indemnification Payments

Abstract: The Housing and Economy Recovery Act of 2008 amended section 4518 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 to provide additional authorities for FHFA in addressing certain compensation and benefits, specifically golden parachute payments and indemnification payments. This amendment added a new paragraph (e)(2) to section 4518 addressing regulation and prohibition of these benefits. FHFA is issuing an interim final rule with request for comments addressing golden parachute payments.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 1231 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 4518(e)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Correction	09/19/2008	73 FR 54309
Interim Final Rule Effective	09/16/2008	73 FR 53356
Interim Final Rule With Request for Comments	09/16/2008	73 FR 53356
Correction	09/23/2008	73 FR 54673
Interim Final Rule Comment Period End	10/31/2008	73 FR 53356
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No
 Small Entities Affected: No
 Energy Affected: No

Government Levels Affected: No
 Federalism: No

RIN Information URL: www.regulations.gov

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Federal Housing Finance Agency (FHFA)

RIN: 2590-AA07

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Title: Privacy Act Procedures

Abstract: The Housing and Economic Recovery Act of 2008 amended section 1311 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992. This amendment resulted in the establishment of the Federal Housing Finance Agency (FHFA). This proposed regulation would implement the provisions of the Privacy Act and provide procedures for requesting and releasing covered information, restricting access to and distribution of such information and for providing notices as required by the Act.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 5 USC 301; 5 USC 552a; 12 USC 4513(b)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No
 Small Entities Affected: No
 Energy Affected: No

Government Levels Affected: No
 Federalism: No

RIN Information URL: www.regulations.gov

Public Comment URL: www.regulations.gov or by email:
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Federal Housing Finance Agency (FHFA)

RIN: 2590-AA00

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Title: Assessments for Regulated Entities

Abstract: The Housing and Economic Recovery Act of 2008 amended section 1316 of the Federal Housing Enterprises Financial Safety and Soundness Act. These amendments removed regulatory provisions that had implemented the authority of the Office of Federal Housing Enterprise Oversight to assess the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the authority of the Federal Housing Finance Board to assess the Federal Home Loan Banks, (collectively, the Regulated Entities). As the Federal Housing Finance Agency (FHFA) is now regulator of these Regulated Entities, this final rule will set forth FHFA's policy and procedures with respect to the establishment and collection of the assessments of the Regulated Entities.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 1206 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 4516

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	09/30/2008	73 FR 56712

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

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