

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT**12 CFR Ch. XVII****Unified Agenda of Federal Regulatory and Deregulatory Actions**

AGENCY: Office of Federal Housing Enterprise Oversight.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Office of Federal Housing Enterprise Oversight (OFHEO) hereby publishes the following agenda of regulations, which it will have under development and review during the 12 months following publication, as required by section 4 of Executive Order 12866.

FOR FURTHER INFORMATION CONTACT: Alfred M. Pollard, General Counsel, Office of Federal Housing Enterprise Oversight, 1700 G Street NW., Washington, DC 20552, (202) 414-3788.

SUPPLEMENTARY INFORMATION: OFHEO is an independent office within the Department of Housing and Urban Development and is charged by statute with ensuring that the Federal National Mortgage Association (Freddie Mac) and the Federal Home Loan Mortgage Corporation (Fannie Mae) are adequately capitalized and operating in a safe and sound manner.

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

OFHEO's preamble and its entries will not appear in the printed agenda because publication in the **Federal Register** is mandated only for the agendas required by the Regulatory Flexibility Act (5 U.S.C. 605).

Dated: March 14, 2008.

NAME: James B. Lockhart III,
Director, Office of Federal Housing Enterprise Oversight.

The 10 Regulatory Agendas

Office of Federal Housing Enterprise Oversight - Proposed Rule

Title	Regulation Identifier Number
Conservators and Conservatorship	2550-AA30
Prompt Supervisory Response Corrective Action, Amendment	2550-AA36
Organization and Functions	2550-AA37
Regulatory Reporting Standards--Data Call/Collection	2550-AA39
Rules of Practice and Procedure, Amendment	2550-AA40
Release of Information Amendments	2550-AA42

Office of Federal Housing Enterprise Oversight - Final Rule

Title	Regulation Identifier Number
Risk-Based Capital--Loss Severity, Amendment	2550-AA38

Office of Federal Housing Enterprise Oversight - Long-term Action

Title	Regulation Identifier Number
Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Office of Federal Housing Enterprise Oversight	2550-AA11
Minimum Capital, Amendment	2550-AA18
Corporate Governance--Prohibition on Indemnification Payments	2550-AA32

Office of Federal Housing Enterprise Oversight (OFHEO)

RIN: 2550-AA30

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Title: Conservators and Conservatorship

Abstract: The Office of Federal Housing Enterprise Oversight intends to solicit comments on a proposed regulation governing the appointment of a conservator for either Fannie Mae or Freddie Mac and the operation of the resulting conservatorship.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 1771 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 12 USC 4513, 4515 to 4517, 4619 to 4621

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Office of Federal Housing Enterprise Oversight (OFHEO)

RIN: 2550-AA36

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Title: Prompt Supervisory Response Corrective Action, Amendment

Abstract: The Office of Federal Housing Enterprise Oversight (OFHEO) intends to publish a technical amendment to its Prompt Supervisory Response Corrective Action regulation to amend and revise the developments requiring a prompt supervisory response. In addition, OFHEO will amend the Supervisory Response options to ensure that supervisory actions are transparent. Finally, OFHEO intends to delete an obsolete provision governing capital classifications of the Enterprises before the effective date of the Risk-Based Capital rule. This provision is moot, because the Risk-Based Capital rule is now effective.

Priority: Other Significant **Agenda Stage of Rulemaking:** Proposed Rule

Major: No **Unfunded Mandates:** No

CFR Citation: 12 CFR 1777 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 12 USC 4513(b); 12 USC 4611 to 4619

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 2550-AA35

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Office of Federal Housing Enterprise Oversight (OFHEO)

RIN: 2550-AA37

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Title: Organization and Functions

Abstract: The Office of Federal Housing Enterprise Oversight intends to amend its organizational structure to affirm the establishment of an Office of Supervision and to confirm the position of Director of Supervision.

Priority: Info./Admin./Other **Agenda Stage of Rulemaking:** Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 1700 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 5 USC 552; 12 USC 4513; 12 USC 4526**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 2550-AA33; Related to 2550-AA29; Related to 2550-AA27**Agency Contact:** Isabella W. Sammons

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Office of Federal Housing Enterprise Oversight (OFHEO)**RIN:** 2550-AA39 [View Related Documents](#)**Title:** Regulatory Reporting Standards--Data Call/Collection**Abstract:** This envisioned regulation would implement Regulatory Reporting Standards by setting specific data collection standards and reporting requirements for the Enterprises.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Alfred M. Pollard

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Office of Federal Housing Enterprise Oversight (OFHEO)

RIN: 2550-AA40

 [View Related Documents](#)**Title:** Rules of Practice and Procedure, Amendment**Abstract:** OFHEO intends to solicit comments on a proposal to amend the Rules of Practice and Procedure to align the provisions of this enforcement regulation with current administrative practices that will enhance the transparency of the procedures.**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 1780 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 4501; 12 USC 4513(b); 12 USC 4517; 12 USC 4521; 12 USC 4631 to 4641; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2008	

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.ofheo.gov**Related RINs:** Previously Reported as 2550-AA04**Agency Contact:** Alfred M. Pollard

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E-Mail: apollard@ofheo.gov**Office of Federal Housing Enterprise Oversight (OFHEO)**

RIN: 2550-AA42

 [View Related Documents](#)**Title:** Release of Information Amendments**Abstract:** The Office of Federal Housing Enterprise Oversight (OFHEO) will issue a proposal to revise subparts A, B, C and, D of this rule in an effort to achieve general conformity with other executive offices of the Federal Government. OFHEO will revise the text of subparts A, B, C and, D in full. Revision of subparts E and F will follow. This rule governs OFHEO's basic policies regarding information it maintains and the procedures for obtaining access to such information under the Freedom of Information Act, as amended (5 U.S.C. 552 (FOIA)). When finalized, these changes in the regulation will increase Agency efficiency and ensure consistency in the implementation of the FOIA.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No

CFR Citation: 3 CFR, 1987 Comp., p. 235 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301; 5 USC 552; 12 USC 4513; 12 USC 4522; 12 USC 4526; 12 USC 4639; E. O. 12600

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/0008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.ofheo.gov

Public Comment URL: www.regcomments@ofheo.gov

Related RINs: Related to 2550-AA14; Previously Reported as 2550-AA01

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Office of Federal Housing Enterprise Oversight (OFHEO)

RIN: 2550-AA38

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Title: Risk-Based Capital--Loss Severity, Amendment

Abstract: OFHEO is considering comments on the proposed amendment to Appendix A Subpart B of 12 CFR part 1750. This amendment would strengthen the risk sensitivity of the Enterprises' risk-based capital requirement by correcting the loss severity equations that currently understate losses on certain defaulted single-family conventional and government guaranteed loans. It would also amend treatment of FHA insurance in the econometric model in order to conform the treatment to current law.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

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

Legal Authority: 12 USC 4513; 12 USC 4514; 12 USC 4611; 12 USC 4612; 12 USC 4614; 12 USC 4615; 12 USC 4618; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/05/2007	72 FR 68655
NPRM Comment Period End	03/04/2008	
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.ofheo.gov

Public Comment URL: www.ofheo.gov

Related RINs: Related to 2550-AA35; Related to 2550-AA26; Related to 2550-AA23

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Office of Federal Housing Enterprise Oversight (OFHEO)

RIN: 2550-AA11

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Title: Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Office of Federal Housing Enterprise Oversight

Abstract: The Office of Federal Housing Enterprise Oversight will, upon receipt of requested guidance from the Department of Justice (DOJ), propose a regulation to effectuate section 119 of the Rehabilitation Comprehensive Services and Developmental Disabilities Amendment of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of disability in programs or activities conducted by executive agencies or the United States Postal Service.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 1706 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 29 USC 794

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

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Office of Federal Housing Enterprise Oversight (OFHEO)

RIN: 2550-AA18

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Title: Minimum Capital, Amendment

Abstract: The Office of Federal Housing Enterprise Oversight intends to solicit comments on a proposed amendment to its Minimum Capital regulation to accommodate changes in Generally Accepted Accounting Principles, clarify reporting requirements, and make supervisory monitoring of capital more transparent.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 1750 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 12 USC 4612

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 2550-AA03

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Office of Federal Housing Enterprise Oversight (OFHEO)

RIN: 2550-AA32

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Title: Corporate Governance--Prohibition on Indemnification Payments

Abstract: The Office of Federal Housing Enterprise Oversight intends to solicit comments on a proposed amendment to the existing Corporate Governance regulation to enhance the minimum corporate governance standards applicable to the Enterprises by limiting indemnification payments by the Enterprises. The proposed amendment would clarify that the Enterprises are subject to the same type of limits on indemnification of employees and directors as other federally regulated financial institutions. These limits help to prevent abuses in indemnity payments and help maintain safe and sound operations at the Enterprises.

Priority: Other Significant

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: 12 USC 4513(a); 12 USC 4513(b)(1)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.ofheo.gov

Public Comment URL: www.RegComments@OFHEO.gov

Related RINs: Related to 2550-AA24; Related to 2550-AA20

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