#### E. Regulatory Agenda

This rule was not listed in the Department's Semiannual Agenda of Regulations published on November 14, 1994 (59 FR 57632) under Executive Order 12866 and the Regulatory Flexibility Act.

#### F. Catalog

The Catalog of Federal Domestic Assistance numbers for the programs covered by this rule are 14.850, 14.855, 14.856, and 14.857.

#### List of Subjects

#### 24 CFR Part 813

Grant programs—housing and community development, Rent subsidies, Reporting and recordkeeping requirements, Utilities.

#### 24 CFR Part 905

Aged, Energy conservation, Grant programs—housing and community development, Grant programs—Indians, Indians, Homeownership, Individuals with disabilities, Lead poisoning, Loan programs—housing and community development, Loan programs—Indians, Low and moderate income housing, Public housing, Reporting and recordkeeping requirements.

#### 24 CFR Part 908

Computer technology—automatic data processing, data processing, electronic data processing, Subsidies—grant programs, Rent subsidies.

#### 24 CFR Part 913

Grant programs—housing and community development, Public housing, Reporting and recordkeeping requirements.

Accordingly, title 24, chapters VIII and IX, of the Code of Federal Regulations are amended by amending parts 813, 905, and 913, and by adding a new part 908, consisting of §§ 908.101 through 908.112, as follows:

#### PART 813—DEFINITION OF INCOME, INCOME LIMITS, RENT AND REEXAMINATION OF FAMILY INCOME FOR THE SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS AND RELATED PROGRAMS

1. The authority citation for part 813 continues to read as follows:

**Authority:** 42 U.S.C. 1437a, 1437c, 1437f, 1437n, and 3535(d).

2. In §813.109, a new paragraph (c) is added, to read as follows:

§ 813.109 Initial determination, verification, and reexamination of family income and composition.

\* \* \* \* \*

(c) See 24 CFR part 908 for requirements for transmission of data to HUD.

\* \* \* \* \*

### PART 905—INDIAN HOUSING PROGRAMS

3. The authority citation for part 905 continues to read as follows:

**Authority:** 25 U.S.C. 450e(b), 42 U.S.C. 1437a, 1437aa, 1437bb, 1437cc, 1437ee, and 3535(d).

4. In § 905.315, paragraphs (a) (2) and (3) are redesignated as paragraphs (b) and (c), and a new paragraph (d) is added, to read as follows:

## § 905.315 Initial determination, verification, and reexamination of family income and composition.

(d) See 24 CFR part 908 for requirements for transmission of data to HUD.

5. A new part 908, consisting of §§ 908.101 through 908.112, is added to read as follows:

# PART 908—ELECTRONIC TRANSMISSION OF REQUIRED FAMILY DATA FOR PUBLIC HOUSING, INDIAN HOUSING, AND THE SECTION 8 RENTAL CERTIFICATE, RENTAL VOUCHER, AND MODERATE REHABILITATION PROGRAMS

Sec.

908.101 Purpose.

908.104 Requirements.

908.108 Cost.

908.112 Extension of time.

**Authority:** 42 U.S.C. 1437f, 3535(d), 3543, 3544, and 3608a.

#### § 908.101 Purpose.

The purpose of this part is to require Housing Agencies (HAs) that operate public housing, Indian housing, or Section 8 Rental Certificate, Rental Voucher and Moderate Rehabilitation programs to electronically submit certain data to HUD for those programs. This electronically submitted data is required for HUD Forms HUD–50058, Family Report, and HUD–50058–FSS, Family Self-Sufficiency Addendum.

#### § 908.104 Requirements.

- (a) Automated HAs. Housing agencies that currently use automated software packages to transmit Forms HUD–50058 and HUD–50058–FSS information by tape or diskette to the Department's data processing contractor must convert to telephonic electronic transmission of that data in a HUD specified format by June 30, 1995.
- (b) Nonautomated HAs. Housing agencies that currently prepare and

transmit the HUD-50058 and HUD-50058-FSS information to HUD paper must:

- (1) Complete a vendor search and obtain either:
- (i) The necessary hardware and software required to develop and maintain an in-house automated data processing system (ADP) used to generate electronic submission of the data for these forms via telephonic network: or
- (ii) A service contract for the operation of an automated system to generate electronic submission of the data for these forms via telephonic network;
  - (2) Complete their data loading; and
- (3) Begin electronic transmission by March 2, 1996.
- (c) Electronic transmission of data. Electronic transmission of data consists of submission of all required data fields (correctly formatted) from the forms HUD–050058 and HUD–50058–FSS telephonically, in accordance with HUD instructions. Regardless of whether an HA obtains the ADP system itself or contracts with a service bureau to provide the system, the software must be periodically updated to incorporate changes or revisions in legislation, regulations, handbooks, notices, or HUD electronic transmission data format requirements.
- (d) Service contract. HAs that determine that the purchase of hardware and/or software is not cost effective may contract out the electronic data transmission function to organizations that provide such services, including, but not limited to the following organizations: local management associations and management agents with centralized facilities. HAs that contract out the electronic transmission function must retain the ability to monitor the day-to-day operations of the project at the HA site and be able to demonstrate the ability to the relevant **HUD Field Office.**
- (e) Notwithstanding the provisions of paragraphs (a) and (b) of this section, the Department may approve transmission of the data by tape or diskette if it determines that the cost of telephonic transmission would be excessive.

[Approved by the Office of Management and Budget under control number 2577–0083]

#### § 908.108 Cost.

(a) General. The costs of the electronic transmission of the correctly formatted data, including either the purchase and maintenance of computer hardware or software, or both, the cost of contracting for those services, or the cost of