

objectives, and are excluded only for a limited period as determined in advance by the IHA;

(ix) Temporary, nonrecurring, or sporadic income (including gifts);

(x) For all initial determinations and reexaminations of income carried out on or after April 23, 1993, reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

(xi) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);

(xii) Adoption assistance payments in excess of \$480 per adopted child;

(xiii) The earnings and benefits to any resident resulting from the participation in a program providing employment training and supportive services in accordance with the Family Support Act of 1988, section 22 of the U.S. Housing Act of 1937 (42 U.S.C. 1437t), or any comparable Federal, State, tribal, or local law during the exclusion period. For purposes of paragraph (2)(xiii) of this definition, the following definitions apply:

(A) *Comparable Federal, State, tribal, or local law* means a program that provides employment training and supportive services and that:

(1) Is authorized by Federal, State, tribal, or local law;

(2) Is funded by Federal, State, tribal, or local government;

(3) Is operated or administered by a public agency; and

(4) Has as its objective assisting participants in acquiring employment skills.

(B) *Exclusion period* means the period during which the resident participates in a program described in this definition, plus 18 months from the date the resident begins the first job acquired by the resident after completion of such program that is not funded by public housing assistance under the U.S. Housing Act of 1937. If the resident is terminated from employment without good cause, the exclusion period shall end.

(C) *Earnings and benefits* means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job;

(xiv) Deferred periodic payments of supplemental security income and social security benefits that are received in a lump-sum payment;

(xv) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes on the dwelling unit;

(xvi) Amounts paid by a State agency to a family with a developmentally

disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

(xvii) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the U.S. Housing Act of 1937. A notice will be published in the **Federal Register** and distributed to IHAs identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.

(3) If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for a shorter period may be annualized subject to a redetermination at the end of the shorter period.

(4) Any family receiving the reparation payments referred to in paragraph (2)(x) of this definition that has been requested to repay assistance under this part as a result of receipt of such payments shall not be required to make further repayments on or after April 23, 1993.

2. On page 18194, in column three, and immediately before § 950.110, subpart A is corrected by adding a new § 950.103, to read as follows:

§ 950.103 Effective date.

In §§ 950.102, paragraphs (2)(ii), (2)(vi), (2)(viii)(D) through (E), (2)(xi), (2)(xii), (2)(xv), and (2)(xvi) of the definition of *Annual income* shall expire and shall not be in effect after May 6, 1996, unless prior to May 6, 1996, HUD publishes changes to those paragraphs in the definition of *Annual income* in § 950.102 or publishes a notice in the **Federal Register** to extend the effective date.

3. On page 18197, in column three, § 950.126 is corrected by revising paragraph (d)(2), to read as follows:

§ 950.126 Establishment of IHAs by tribal ordinance.

(d) * * *

(2) An IHA must certify that the ordinance has been enacted pursuant to any constitutional law or practice and that it has the local cooperation required by law.

4. On page 18202, in column two, § 950.175 is corrected by revising paragraph (d)(1)(iii), to read as follows:

§ 950.175 Indian preference requirements.

(d) * * *

(1) * * *

(iii) Develop and incorporate into their procurement policy, subject to HUD Area ONAP one-time approval, the IHA's method of providing preference. In no instance shall HUD approve a method that provides preference based upon affiliation or membership in a particular tribe or group of tribes. Indian preference methods adopted by an IHA prior to May 10, 1995 that met the Indian preference requirements of program regulations as they existed immediately before May 10, 1995 are considered to have received one-time approval of the HUD Area ONAP.

5. On page 18226, in column two, § 950.437 is corrected by redesignating paragraph (c)(1) as paragraph (c).

6. On page 18229, in column one, § 950.455 is corrected by revising the second sentence in paragraph (c), to read as follows:

§ 950.455 Conversion of rental projects.

(c) *Submission requirements.* * * *

The HUD Area ONAP shall review the request for legal sufficiency; tribal acceptance; demonstration of family interest; evidence that units are habitable, safe, and sanitary; family qualifications as discussed in paragraph (b)(2) of this section; and financial feasibility. * * *

7. On page 18229, in the first column, § 950.458 is corrected by revising the second sentence in paragraph (c), to read as follows:

§ 950.458 Conversion of Mutual Help projects to rental program.

(c) *Submission requirements.* * * *

The HUD Area ONAP shall review the request for legal sufficiency, tribal acceptance, demonstration of family interest, and financial feasibility. * * *

8. On page 18231, in column one, § 950.503 is corrected by revising the second sentence in paragraph (c), to read as follows:

§ 950.503 Conversion of Turnkey III developments.

(c) *Submission requirements.* * * *

The HUD Area ONAP shall review the request for legal sufficiency, tribal acceptance, demonstration of family interest, and financial feasibility. * * *

9. On page 18237, in column one, § 950.553 is corrected by revising paragraph (c), to read as follows:

§ 950.553 Testing and abatement applicable to development.

(c) * * *