Order 12606, The Family, has determined that this rule does not have a potential significant impact on family formation, maintenance, and general well-being, and, thus, is not subject to review under the Order. No significant change in existing HUD policies or programs, as those policies relate to family concerns, will result from promulgation of this rule.

# List of Subjects

24 CFR Part 300

Lawyers, Organization and functions (Government agencies).

24 CFR Part 310

Organization and functions (Government agencies).

24 CFR Parts 320, 330, 340, 350, and

Mortgages.

24 CFR Part 360

Mortgages, Trusts and trustees.

24 CFR Part 380

Mortgages, Trusts and trustees.

24 CFR Part 390

Mortgages, Securities.

Accordingly, Chapter III of Title 24 of the Code of Federal Regulations is amended as follows:

- 1. The subchapter designations and headings are removed from the chapter.
- 2. Part 300 is revised in its entirety, to read as follows:

# PART 300—GENERAL

Sec.

300.1 Scope of chapter.

300.3 Description.

300.5 Creation and status.

300.7 Area of operations.

300.9 Office.

Authority of officers. 300.11

300.13 Power of attorney.

300.15 Exceptions.

300.17 Audits and reports.

Authority: 12 U.S.C. 1723a, unless otherwise noted, and 42 U.S.C. 3535(d).

### § 300.1 Scope of chapter.

This chapter consists of general information and does not purport to set forth all of the procedures and requirements that apply to the operations of the Association. Complete specific information as to any aspect of such operations may be obtained from the office listed in § 300.9.

### § 300.3 Description.

The Government National Mortgage Association (hereinafter in this chapter called the Association) furnishes fiduciary services to itself and other

departments and agencies of the Government, and guarantees privately issued securities backed by trusts or pools of mortgages or loans which are insured or guaranteed by the Federal Housing Administration (FHA), the Department of Veterans Affairs (VA) or the Farmers Home Administration (FmHA). In the course of its business, the Association is commonly referred to as Ginnie Mae or GNMA.

#### § 300.5 Creation and status.

The Association is a Government corporation in the Department of Housing and Urban Development. It is derived from the Federal National Mortgage Association, which was partitioned by the Congress into two corporations effective September 1, 1968, one of which is the Association. The operations of the Association are conducted under its statutory charter contained in title III of the National Housing Act, 12 U.S.C. 1716, et seq.

#### § 300.7 Area of operations.

The Association is authorized to conduct its business in any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.

# § 300.9 Office.

The Association directs its operations from its office located at 451 Seventh Street, SW., Washington DC 20410.

### § 300.11 Authority of officers.

The President, each Vice President, and each Assistant Vice President of the Association are severally expressly empowered in the name of the Association to sign all contracts and other documents, instruments, and writings which call for execution by the Association in the conduct of its business and affairs, and to encumber, mortgage, pledge, convey or otherwise alien any property which the Association may own or in which it may have an estate, right, title or interest. In addition, the President, each Vice President, each Assistant Vice President, the Secretary of the Association, each Assistant Secretary, the Treasurer and the Controller shall have the authority as may be provided in the Bylaws of the Association or as may be delegated to them in a manner not inconsistent with the Bylaws.

# § 300.13 Power of attorney.

In order to efficiently carry out the purposes of the Association, the Association may appoint any person its true and lawful attorney-in-fact by publication in the Federal Register or

by appointment from the President of the Association in writing. Any such attorney-in-fact shall have the power outlined in the publication or appointment.

# § 300.15 Exceptions.

In the conduct of its affairs, in individual cases or classes of cases, the Association reserves the right, consistent with law, without prior notice and at any time, to alter or waive any of the requirements contained in this chapter or elsewhere or to impose other and additional requirements; it further reserves the right, without prior notice and at any time, to amend or rescind any or all of the material set forth herein.

#### § 300.17 Audits and reports.

The Association and its designees may at any reasonable time audit the books and examine the records of any issuer, mortgage servicer, trustee, agent or other person bearing on compliance with the requirements of the Association's programs, and the Association may require reasonable and necessary reports from such persons.
3. Part 310 consisting of § 310.1 is

revised in its entirety, to read as follows:

# PART 310—BYLAWS OF THE **GOVERNMENT NATIONAL** MORTGAGE ASSOCIATION

Authority: 12 U.S.C. 1723 and 42 U.S.C.

#### §310.1 Bylaws of the Association.

The bylaws of the Association shall be duly adopted by the Secretary of Housing and Urban Development pursuant to section 308 of the National Housing Act (12 U.S.C. 1723) and shall govern the performance of the powers and duties granted to or imposed upon the Association by law

4. Part 320 is revised in its entirety, to read as follows:

#### PART 320—GUARANTY OF **MORTGAGE-BACKED SECURITIES**

### Subpart A—Pass-Through Type Securities

Sec.

320.1 General.

320.3 Eligible issuers of securities.

320.5 Securities.

320.7 Mortgages. 320.9

Pool administration.

320.10 Financial reporting. 320.11 Insurance coverage.

320.12 Integrity.

320.13 Guaranty.

320.15 Default.

320.17 Fees

#### Subpart B—Bond-Type Securities

320.21 General.

320.23 Eligible issuers.