

REPLY FROM HOUSING AND HOME FINANCE AGENCY

HOUSING AND HOME FINANCE AGENCY,
OFFICE OF THE ADMINISTRATOR,
Washington, D.C., March 19, 1965.

Hon. JOHN E. MOSS,
*Chairman, Foreign Operations and Government Information Subcommittee,
Committee on Government Operations, House of Representatives.*

DEAR MR. MOSS: In response to your letter of February 12, I am submitting this Agency's answers to your questions dealing with the "public information" section of the Administrative Procedure Act (5 U.S.C. 1002).

Our reply to your questionnaire is on behalf of the Office of the Administrator (OA), as well as the Housing and Home Finance Agency's constituent units—the Community Facilities Administration (CFA) and the Urban Renewal Administration (URA), and our constituent agencies—the Public Housing Administration (PHA), the Federal Housing Administration (FHA), and the Federal National Mortgage Association (FNMA). The official in our Agency with whom liaison can be maintained with reference to your questions is Charles M. Smith, congressional liaison officer, code 128, extension 4676.

We have attached to our reply two copies of the Agency documents implementing 5 U.S.C. 1002.

Sincerely yours,

ROBERT C. WEAVER, *Administrator.*

1. Title 5 U.S.C. 1002 dealing with publication of information applies to all functions of this Agency. However, the Agency has consistently taken the position that FNMA, a mixed-ownership corporation, is exempt from the requirements of the Administrative Procedure Act. (See report to accompany H.R. 8748, revision of title 5, United States Code, House Committee on the Judiciary, 86th Cong., 2d sess., 5 committee print, 1960. This exemption is academic because FNMA deals only with mortgage sellers with which it has entered into continuing contractual relationships, and utilizes a complete mailing list of such mortgage sellers to keep them fully and currently informed of all FNMA policies and procedures. See also references to FNMA in questions 2(a) and 6, *infra*.)

2(a). Descriptions of Agency central and field office organization are contained in the Federal Register as follows (and revised as necessary):

OA—21 Fed. Reg. 10185 (1956).

URA—21 Fed. Reg. 10185 (1956).

CFA—44 CFR 701.1 et seq.; see also 21 Fed. Reg. 10185 (1956).

FHA—24 CFR Parts 200 et seq., particularly 200.40–200.107.

PHA—28 Fed. Reg. 11206 (1963), as amended, 29 Fed. Reg. 6902, 11136 (1964), 30 Fed. Reg. 1396 (Feb. 10, 1965).

FNMA—24 CFR 1600.0 et seq.

Additional descriptions of Agency central and field office organization are contained in the OA Manual series, volume II, Policies and Procedures of the Administrator (pts. 1 and 2) (revised as necessary); in the HHFA Annual Report (issued annually); in the U.S. Government Organization Manual (issued annually); and the HHFA Chart Book (issued semiannually). There are a number of other descriptive publications published at irregular intervals. These include "HHFA—What It Is, What It Does, the FNMA Information Circular, and publications concerning each specific program in the Agency.

2(b). Statements of the general course and method by which Agency functions are channeled and determined may be found in the Federal Register (see citations under 2(a), *supra*) and in the Urban Renewal manual, which may be purchased from the U.S. Government Printing Office. In addition, the Agency publishes program guides and information fact sheets for every Agency program with a view toward giving prospective participants in the programs readily available information. A sample of each type of publication is enclosed; and all our program guides and information sheets will of course be made available to your subcommittee on request.

2(c). This Agency is not subject to the provisions of 5 U.S.C. 1003 pertaining to rulemaking because its programs deal with public property, loans, grants, benefits, or contracts. However, substantive matters applicable to the general public appear in the Federal Register (see citations under section 2(a), *supra*). In addition, URA publishes in the Federal Register regulations relating to relocation payments to persons displaced by urban renewal operations. (See 24 CFR