

PROCEDURE NOTICE

NOTICE

**INSERT RD HB-1-3555
(WSAL)**

**SFH GUARANTEED LOAN PROGRAM TECHNICAL
HANDBOOK.** This Instruction is
partially revised due to the publication

Chapter 3:

The following updates were made to HB-1-3555, Chapter 3 to update requirements, make minor grammatical and formatting changes, correct discrepancies, and provide clarification for easier understanding of guidance.

Throughout the document, the term "compliance" was updated to "oversight" and all references to State Office approvals and reviews were updated to reflect the current process.

Paragraph 3.2 - Lender Approval Criteria:

Added the requirement that lenders must provide evidence that all principal officers have at least 2 years of experience.

Added the requirement that all lenders are required to register in the System for Award Management (SAM) system.

In paragraph B, added lender minimum net worth requirements.

Restructured paragraph B for consistency.

Paragraph 3.3 - Application:

Removed reference to State Office approvals and provided the correct email address for lender approval application submissions.

Updated the fourth bullet to clarify that reports of violations should be submitted to the Quality Assurance and Lender Oversight Division and provided the appropriate email address.

Paragraph 3.4 - Agency Review

Added a bullet to clarify the Agency's review of the lender's application includes verifying the lender is registered in SAM.

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Removed reference to Attachment 3-B, Lender Eligibility Guide and Attachment 3-C, New Lender Training and Certification. Also reference to following options available to assist in meeting the training requirements, both bullets have been deleted. Lenders on demand trainings and Guaranteed training programs available to meet the training requirements available from Lender Partner Activities Group.

Updated paragraph A to remove references to State Office staff responsibilities, added that lender access to mandatory trainings will be part of the lender approval process, all staff added after the initial lender approval should complete all mandatory trainings, removed lender to complete New Lender Training and Certification and added upon completion of mandatory trainings the Agency would update the lender pages in GLS, provide contact information for the Lender and Partner Activities Branch, and removed all references to the previous Attachment 3-B and 3-C.

Paragraph 3.7 - Education and Outreach:

Removed references to State Office staff responsibilities.

Added these educational modules are available in addition to the mandatory lender trainings utilized for lender approval and recertification. Also added the Agency has Guaranteed training programs available provided by the Lender and Partner Activities Branch contact information provided for lender requested trainings.

Paragraph 3.8 - Monitoring a Lender's Origination and Servicing of Loans

Removed reference and link to the Compliance Review Guide.

In paragraph B, removed all references to State Office lender reviews.

Paragraph 3.9 - Lender Recertification and Revoking Lender Eligibility

Clarified that the recertification process includes the Agency verifying the lender is registered in SAM and mandatory recertification training.

Updated to reflect the current (electronic) lender recertification process.

Attachment 3-A - Lender Approval Checklist:

Removed references to State Office approvals and provided the correct email address for lender approval application submissions.

Added a request for the principal officers, directors, and senior managers' physical location.

Added CDFI as a "Lender Type" which may be selected.

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Attachment 3-A (Con.)

Updated to include the requirement to submit evidence the lender meets the minimum net worth requirements.

Updated to include the requirement that lenders must provide evidence that all principal officers have at least 2 years of experience.

Updated Training Certification to include the requirement of the New Mandatory Lender Training.

Attachment 3-B - Lender Eligibility Guide

Attachment 3-B removed.

Attachment 3-C - New Lender Training and Certification

Attachment 3-C removed.

Chapter 10:

The following updates were made to HB-1-3555, Chapter 10 to make minor grammatical and formatting changes, correct discrepancies, and provide clarification for easier understanding of guidance.

Paragraph 10.2 - Credit Eligibility Requirements

Clarified in the list of adverse credit items that would render an applicant ineligible

Updated the requirement for delinquent court ordered child support payments subject to collection by administrative offset to implement the requirements of the Lender Participation and Financial Requirements Final Rule.

Updated, for distinction purposes, to address the difference between delinquent court ordered child support payments **that are and are not** subject to an administrative offset.

Attachment 10-A - Credit Matrix

Added at the beginning of the matrix the criteria which would apply to all guaranteed loans titled "Considerations for Credit Analysis" to clarify when the lender becomes aware of potential derogatory or contradictory information that is erroneous or not part of the data submitted to GUS, the loan must be manually downgraded.

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Attachment 10-A - Credit Matrix: Credit Score Validation

Added "when a payment history is reflected" to clarify what history would be considered in order to determine an eligible tradeline to validate credit scores.

Added requirement for credit score validation to "Manually Underwritten Loans without GUS."

Attachment 10-A - Credit Matrix: Credit Exceptions

Removed "document is not required to be submitted to USDA".

Added for clarification that the Lender maybe required to submit credit exception documentation for Agency review along with the applicant's explanation and supporting documentation.

Attachment 10-A - Credit Matrix: Chapter 7 Bankruptcy

Removed the sub header "Chapter 7 BK include a mortgage" and moved the paragraph under sub header to the beginning of the section to serve more as information on mortgages that include Chapter 7 rather than it appearing to be a separate requirement.

Attachment 10-A - Credit Matrix: Credit Matrix: Chapter 11, 12, or 13 Bankruptcy

Added clarification for dismissed Chapter 11, 12, or 13 Bankruptcy plans to distinguish between complete plans.

Revised the section on "Plans in Progress" to notate the overall requirements for Chapter 11, 12, or 13 Bankruptcy plans for all loans and specifics that apply to GUS Accept and Refer files/Manual.

Added the word "Discharged" to completed plans provide further distinction between dismissed plans.

Added for GUS Refer/Manual file, completed plans 12 months or more do not require a credit exception.

Added for GUS Refer/Manual file, completed plans less than 12 months will require a credit exception.

Added a reference to guidance on credit exception section for credit exceptions.

RD HANDBOOK CHANGES
INSERT RD HB-1-3555 (Cont)**Attachment 10-A - Credit Matrix: Delinquent Court Ordered Child Support**

Added "payments are to be brought current, the debt is paid in full, or otherwise satisfied by a documented release of liability" in order to implement the requirements of the Lender Participation and Financial Requirements Final Rule.

Updated, for distinction purposes, to address the difference between delinquent court ordered child support payments **that are and are not** subject to an administrative offset.

Attachment 10-A - Credit Matrix: Federal Taxes

Removed the sub header "Approved Extension" and moved the paragraph under sub header to the beginning of the section to serve more as information on IRS approved extensions rather than it appearing to be a separate requirement.

Added a reference to Chapter 11 for the requirement on monthly repayment requirements for tax repayment agreements.

Attachment 10-A - Credit Matrix: Disputed Accounts: Non-Derogatory

Added language as to when a GUS Accept recommendation would require a manual downgrade.

Attachment 10-A - Credit Matrix: Non-Federal Judgment

Added that the borrower may not prepay scheduled payments in one lump sum to meet the three timely payments requirements in order to be consistent with other repayment plans notated in the Chapter.

Added the requirement that evidence of the repayment agreement and payment history must be retained in loan file.

Chapter 12:

The following updates were made to HB-1-3555, Chapter 12 to make minor grammatical and formatting changes, correct discrepancies, and provide clarification for easier understanding of guidance.

Paragraph 12.4 - Site Requirements

Updated Accessory Dwelling Unit (ADU) to reflect current definition, which mirrors HUDs, added that and ADU should not create potential rental income and that those that support household members are acceptable.

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Updated Multiple Parcels. Added "an improvement that has been built across lot lines is acceptable, with example.

Paragraph 12.5 - Residential Appraisal Reports

Updated the link to the "Fannie Mae and Freddie Mac Uniform Appraisal Dataset Specification Version 1.2."

Under Residential Appraisal Reports, updated to state that appraisals must have been completed within 180 days of closing.

Removed "who utilize the Agency's automated underwriting system, GUS" to be consistent with the Mandatory GUS and LLC final rule."

Under Appraisal transfer updated that appraisal must be no greater than 180 days old at closing.

Under Appraisal Update, updated to state the appraisal is valid for no greater than one year from the effective date of the original appraisal.

Under "Technical Desk Reviews" added reference to the Quality Assurance and Lender Oversight Division.

Paragraph 12.6

Updated water analysis to state must be current and not greater than 150 days old at closing.

Paragraph 12.9

Added statement that lenders are encouraged to provide applicants Form HUD-92564-CN, For Your Protection: Get a Home Inspection.

Updated HUD Handbooks link to HUD site instead of AllRegs (AllRegs being a subscription service).

Included in the first paragraph that Lenders must retain evidence of plans and specification, construction inspections, and thermal standards in their permanent file. This is to clear up some lender confusion and ensure that they are aware that ALL of these are needed. Created a chart to show the options lenders have to meet documentation requirements.

Made reference to new "Repair Escrow and Rehabilitation and Repair with Purchase Comparison" Attachment 12-E

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Clarified that funds that remain in the escrow account, after the completion of all required repairs, must be utilized for an eligible loan purpose or applied to the principal balance of the permanent loan.

Paragraph 12.11

Updated Condominiums to General Condominium Requirements.

Updated that they can be accepted if they can be or have been approved by HUD/FHA, VA, Fannie Mae or Freddie Mac.

Added condominium documentation requirements.

Removed Ineligible Condominium Requirements and stated condominium projects with ineligible characteristics listed under HUD/FHA, VA, Fannie Me or Freddie Mac are ineligible.

Added Acceptability of a Non-Approved Condominium Project.

Removed Site Condominium Eligibility.

Updated Underwriting a Condominium Unit in an Approved Condominium Project to state lender must ensure that condominium meets all requirements for approved condominium projects at time of underwriting and document the requirements.

Added Condominium Project Insurance requirements.

Added a condominium rider must supplement mortgage or Deed of Trust. HOA dues to be included in debt to income ratios.

Clarified in Planned Unit Developments that all homeowners must be part of the HOA and pay lien supported assessments.

Updated to state that condominium projects within a PUD may have separate condo HOA fees in addition to HUD HOA fees, both to be included in debt-to income ratios.

Paragraph 12.13

Updated Lender Requirements to state that lenders submitting the request for commitment are self certifying that they have staff experienced with construction loans, or employ an experienced construction loan management company, and that builders experience is relevant to the type of loan.

Removed lenders to provide Form RD 3555-16.

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Paragraph 12.14

Removed builders credit examination and criminal background check requirements.

Removed acceptable credit history paragraph.

Paragraph 12.17

Removed that land value is based on the value as reported in the Appraisal Report, with no seasoning requirement.

Paragraph 12.28

Added that lenders may utilize Attachment 12-E "Repair Escrow and Rehabilitation with Purchase Comparison" when determining how repairs or rehabilitation to properties may be financed.

Attachment 12-E

Added a "Repair Escrow and Rehabilitation & Repair" chart.

Chapter 17:

The following updates were made to HB-1-3555, Chapter 17 to make minor grammatical and formatting changes, correct discrepancies, and provide clarification for easier understanding of guidance.

Paragraph 17.1 - Introduction:

Removed "processing interest assistance agreements" from the 2nd paragraph (interest assistance is no longer offered).

Revised and moved 3rd paragraph to 17.1B.

Paragraph 17.1 A. - Selling SFHGLP Loans

Changed "lender" to "servicing lender (servicer) for clarification.

Paragraph 17.1 B. - Contracting for Servicing of SFHGLP Loans

Moved paragraph from main introduction and revised for clarification.

Paragraph 17.1 C. - Notifying the Agency of Loan Sales or Servicing Transfers

Revised for clarification and to update the contact for Agency notification.

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Paragraph 17.1 D.- Non-Compliance

Section relocated from 17.3 B.

Paragraph 17.2 A. Ensuring Payment of Loan

Changed "Lenders" to "The USDA approved servicer" and revised language for clarity.

Paragraph 17.2 B. - Handling Late Payments and Fees

Removed bullet point addressing interest assistance (no longer offered) and moved remaining bullet into main paragraph.

Paragraph 17.2 C - Ensuring Payment of Taxes and Insurance

Added language referencing applicable FDIC or NCUA requirements.

Removed specific guidance - covered in chapter 3 and in main paragraph.

Paragraph 17.2 D. - Non Payment of Taxes and/or Insurance

Paragraph removed - covered in "adequate controls."

Paragraph 17.2 E. - Maintaining Hazard and Flood Insurance

Paragraph 17.2 E renumbered to Paragraph 17.2 D.

Minor formatting.

Paragraph 17.2 F. - Assessing Eligibility for Interest Assistance

Removed section as Interest Assistance is no longer offered.

Paragraph 17.2 G.

Removed section as Interest Assistance is no longer offered

Paragraph 17.2 H

Paragraph 17.2 H renumbered to Paragraph 17.2 E

Removed second paragraph referring to reporting requirements when loan is PIF- this is accounted for in the regular monthly reporting. No additional requirements when loan is PIF.

Paragraph 17.2 I

Paragraph 17.2 I renumbered to Paragraph 17.2 F

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Paragraph 17.2 J

Paragraph 17.2 J renumbered to Paragraph 17.2 G

Paragraph 17.2 K

Paragraph 17.2 K renumbered to Paragraph 17.2 H

Paragraph 17.3 - Reporting Requirements

Revised to reflect monthly reposts required for all servicers

Provided link to Servicing section of the Lender Linc Library

Relocated bullet list of servicer reporting requirements from 17.3 A.

Updated Contact for Servicing Branch (formally referred to as NFAOC.

Paragraph 17.3 A

Removed - (contents incorporated in the main 17.3 paragraph.

Paragraph 17.3 B - Non-Compliance

Paragraph 17.3 B relocated to Paragraph 17.1 D

Paragraph 17.4 B. - Advances for Taxes and insurance

Minor language clarification.

Paragraph 17.5 - Insurance Proceeds

Minor formatting. Numbering in place of bullets as the items pertain to a specific order.

Incorporated last "bullet" into number 2.

Paragraph 17.7 A. 2. - Net Proceeds

Reworded for clarity.

Changed bulleted list to numbered as it refers to a specific order.

Paragraph 17.7 A. 4 - Ability to Repay the Loan

Removed "The guaranteed loan should be current and in good standing" - redundant.

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Paragraph 17.7 B. - Processing a Partial Release Request Agency

This section was relocated from 17.7 D.

Added "Request to title for clarity.

Updated Servicing office contact information.

Minor formatting.

Paragraph 17.7 - Servicer Delegated Approval

Paragraph 17.7 B renumbered to Paragraph 17.7 C.

Revised title from "Servicer Delegation" to "Servicer Delegated Approval" for clarity.

Reworded first paragraph for clarification.

Reworded bullet four.

Paragraph 17.7 - Processing a Partial Release - Servicer

Paragraph 17.7 C renumbered to Paragraph 17.7 D.

Minor revisions for clarity.

Removed "default or quarterly" from last bullet (monthly reporting required for all loans.

Paragraph 17.7 D - Partial Release Agency

Paragraph 17.7 D Relocated to 17.7 B.

Paragraph 17.8 - Transfer and assumption

Removed language regarding Agency consent - Assumptions between unrelated individuals rarely occur- covered in the CFR.

Paragraph 17.8 A - Transfer without Assumption

Updated Servicing Office (formerly NFAOC) contact information.

Paragraph 17.8 B - Transfer with Assumption

Removed section - Assumptions between unrelated individuals rarely occur. Requirements for assumptions between related individuals covered under Garn-St. Germain in the following section.

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Paragraph 17.8 C - Garn-St.Germain

Paragraph 17.8 C renumbered to Paragraph 17.8 B.

Relocated the assumption requirements that pertain to all assumptions from the deleted section.

Paragraph 17.8 D - Unauthorized Sale or Transfer

Paragraph 17.8 D renumbered to Paragraph 17.8 C.

Removed first sentence of first paragraph- redundant

Removed first bullet - transferee under Garn-St. Germain is not required to assume the debt

Paragraph 17.8 E - Modification to the Promissory Note and Security Instruments

Paragraph 17.8 E renumbered to Paragraph 17.8 D.

Replaced "must not exceed the interest rate on the initial loan" with must not exceed the current market interest rate" - The lender must pull the loan out of the Ginnie Mae pool (securitize the loan) to do the modification- and once the mod is completed -sell it back to the pool - in order to be accepted, it must be at market rate. The payment may not go up -(covered in chapter 18)

Added reference to HB-1-3555, chapter 18 for guidance of non-performing loans

Paragraph 17.9 - Mineral Leases

Minor wording revision for clarity

Paragraph 17.10 - Unauthorized Assistance

Minor wording revision for clarity

Removed bullet point addressing interest assistance (no longer offered) and moved remaining bullet into main paragraph.

Chapter 18:

The following updates were made to HB-1-3555, Chapter 18 to make minor grammatical and formatting changes, correct discrepancies, and provide clarification for easier understanding of guidance.

Paragraph 18.3 C - Send Certified Letter to the Borrower

Clarified that before an account becomes 60 days past due, if no payment arrangement, lender to send certified letter to borrowers requesting interview for the purpose of resolving delinquency.

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Paragraph 18.3 D - Inspect the Property

Stated by the 60th day of delinquency, lender to inspect the property for occupancy, stated if occupied, curbside inspection is acceptable, if abandoned or servicer deems necessary, interior inspection to be completed.

Paragraph 18.5 - Loss Mitigation Options

Updated USDA LINC hyperlink

Removed section referencing loans dated prior to Oct. 1, 1992, as these loans are at or greater than 30 year loan term.

Paragraph 18.10 C - Reinstatement of Account

Removed reference of interest assistance from agency.

Paragraph 18.12 Reporting Requirements

Updated EDI reporting hyperlink.

Paragraph 18.15 B- Covid 19 Public Health Emergency

Removed to moratorium on foreclosures and evictions being effective through July 21, 2021 and forbearances through 8-1-21, now reflects through the end of the national emergency.

Removed Occupancy Requirements as these are now stated at the beginning of the chapter

Paragraph 18.15 C - Covid-19 Special Relief Alternatives

Clarified rate reduction requirements.

Removed expiration date for Special Relief Measurements.

Attachment 18-A - Loss Mitigation Guide 3A Default Status of Loan

Clarified what it means for an applicant to face "imminent default."

Attachment 18-A 4.F. - Combining Options

Removed section.

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Attachment 18-A 6. - Pre-Foreclosure Sale

Combined Pre-Foreclosure Sale and Deed in Lieu Options

Attachment 18-A 6 I - Duration of PFS Period

Clarified that if a PFS has not occurred within a 90 day period, or within 6 mos. of the date of default, the servicer should review for DIL, if not an option should refer to foreclosure. Removed section L (Failure) as this is stated later in attachment.

Attachment 18-A. 6 O - Deed in Lieu

Listed Deed in Lieu requirements

Attachment 18-A 6 P - Filing a Claim Disposition Cost Analysis Example

Updated Customer Servicing Center to Servicing Office, and updated Estimated REO Marketing Cost

Attachment 18-B - Acceptable Foreclosure Timeframes

Updated Effective Date

Updated foreclosure fees as necessary

Attachment 18-C - Acceptable State Liquidation Costs and Fees

Updated Fees as needed

Removed lenders to provide Form RD 3555-16.

Chapter 19:

The following updates were made to HB-1-3555, Chapter 19 to update servicing requirements for collecting on the guarantee when loss claims occur, the Agency's review process, and minor grammatical and formatting changes.

Paragraph 19.2 - Loss Claim Coverage

Added the exclusion of management fees from appraisal related costs and that reasonable and customary costs are determined by the VA appraisal fee schedule.

Removed "Incentives require Agency concurrence and allowable acquisition and management costs associated with property liquidation."

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Under section 19.2(c)(1), Pre-Foreclosure Sale has been added to section title.

Removed "or the date the proceeds were received, whichever is later" as GLS calculates the 45 days of additional interest beginning with the short sale closing date or the foreclosure sale date.

Paragraph 19.3 - Filing a Loss Claim

Updated the link to access USDA LINC system directly for loss claim payments to <https://usdalinc.sc.egov.usda.gov/RHShome.do>

Removed "The servicer can submit a loss claim as a result of a loss from a pre-foreclosure sale (short sale), a third-party purchase at a foreclosure sale, acquisition through deed-in-lieu, or as a result of a purchase by the servicer at a foreclosure sale. Servicers submit loss claim requests to the NFAOC located in St. Louis, Missouri. Guaranteed servicing contact information can be found at the following website:

<https://www.rd.usda.gov/programs-services/lenders/usda-linc-training-resource-library> as loss claim packages are no longer submitted to the St. Louis office but rather completed electronically via USDA LINC system.

Removed "In order to properly submit loss claims through GLS, servicers are required to establish a System Administrator, sign a Trading Partner Agreement - Addendum E and provide Level II Access eAuthentication for all appropriate staff. For additional guidance, servicers may access RD's SFHGLP Training and Resource Library to review Regulations, Guidelines, Policies, Training Material and System Requirements" in efforts to minimize verbiage in this section and also direct servicers to the USDA Loss Claim Administration User Guide where this same information can be found.

Revised language in section 19.3B to match language that is currently stated in the CFR (3555.353(b) and 3555.354(b) regarding VA Management and Acquisition Factor (also known as the VA Net Value Factor).

Paragraph 19.5 - Agency Review

Removed "Notify the servicer of the results of the loss claim calculation in writing by providing a copy of the Advice of Payment" as servicers are able to review results of the loss claim information via USDA LINC system.

Appendix 1:

Appendix 1 is revised due to the publication of the Final Rule entitled "[Single Family Housing Guaranteed Loan Program](#)" dated August 31, 2022 and with an Effective Date of November 29, 2022.

RD HANDBOOK CHANGES
INSERT RD HB-1-3555 (Cont)**Glossary:**

The following updates were made to HB-1-3555, Glossary, to remove outdated terms and correct formatting and minor grammatical errors.

Replaced "Customer Service Center" with "Servicing Office" to reflect the current name of the St. Louis office and placed in alphabetical order.

Added "Department of Veteran Affairs" and definition.

Removed Reference to Office of Thrift Supervision (OTS).

Clarified the definition of "loan approval official" to remove references to State Office determinations of Loan Approval Authority, since the SFHGLP is now administered through the National Office.

Replaced "MortgageServ" with "LoanServ" to reflect current terminology. Moved to keep in alphabetical order.

Revised Definition of "VA" from "See Veterans Benefits Administration" to "See Department of Veteran Affairs"

Acronyms:

The following updates were made to HB-1-3555, Acronyms, to remove outdated terms and correct formatting and minor grammatical errors.

Removed reference to the Centralized Servicing Center (CSC)

Removed Reference to Office of Thrift Supervision (OTS)

REMOVE

Table of Contents dated 03-09-16:
Pages 1 through 10;
Chapter 3 dated 03-09-16:
Pages 3-1 thru 3-11.
Attachment 3-A;
Attachment B and C removed
Chapter 10 dated 03-09-16:
Pages 10-1 & 10-2;
Attachment 10-A,
Chapter 12 dated 03-09-16:
Pages 12-1 thru 12-44 revised,
Attachment 12-A: Pages 1 & 2,
Attachment 12-B & 12-D;
Chapter 17 dated 03-09-16:
Pages 17-1 thru 17-19;
Chapter 18 dated 03-09-16:
Pages 18-1 thru 18-18;
Attachment 18-A: Pages 1 thru 35;

INSERT

Table of Contents dated 03-09-16:
[Pages 1 thru 10 revised](#);
Chapter 3 dated 03-09-16:
[Pages 3-1 thru 3-11 revised](#),
[Attachment 3-A revised](#),
Chapter 10 dated 03-09-16:
[Pages 10-1 & 10-2 revised](#),
[Attachment 10-A revised](#);
Chapter 12 dated 03-09-16:
[Pages 12-1 thru 12-46 revised](#),
Attachment 12-A: [Pages 1 & 2](#),
[Attachment 12-B & 12-D revised](#),
[Attachment 12-E added](#);
Chapter 17 dated 03-09-16:
[Pages 17-1 thru 17-16 revised](#);
Chapter 18 dated 03-09-16:
[Pages 18-1 thru 18-18 revised](#),
Attachment 18-A: [Pages 1 thru 32](#),

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REMOVE

Chapter 19 dated 03-09-16:
Pages 19-1 thru 19-9;
Appendix 1 dated 03-09-16:
Pages 23 & 24, 25 & 26,
27 & 28, 35 & 36,
37 & 38 and 51 & 52;
Glossary dated 03-09-16:
Pages 1 thru 51;
Acronyms dated 03-09-16:
Pages 1 thru 4.

INSERT

Chapter 19 dated 03-09-16:
[Pages 19-1 thru 19-9;](#)
Appendix 1 dated 03-09-16:
[Pages 23 & 24, 25 & 26,](#)
[27 & 28, 35 & 36,](#)
[37 & 38 and 51 & 52 revised;](#)
Glossary dated 03-09-16:
[Pages 1 thru 54 revised;](#)
Acronyms dated 03-09-16:
[Pages 1 thru 4 revised 11-29-22.](#)

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