

such transfers no later than 30 days before such notice takes effect. In FY 2016, HUD continued to utilize the FY 2015 published criteria, which covered authority enacted for both FY 2015 and FY 2016. For FY 2017, HUD continues to utilize, without revision, the published FY 2015 criteria. HUD believes that criteria established and published in FY 2015, and cross-referenced in this notice, will continue to assist project owners to determine whether a transfer is feasible given the specific circumstances of their multifamily projects.

**DATES:** *Effective Date:* February 21, 2017.

**FOR FURTHER INFORMATION CONTACT:** Katherine Nzive, Director, Program Administration Office, Office of Asset Management and Portfolio Oversight of Multifamily Housing, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 6110, Washington, DC 20410; telephone number 202-402-3440 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** Beginning with section 318 of the Department of Housing and Urban Development Appropriations Act, 2006 (Pub. L. 109-115, 119 Stat. 2396, approved November 30, 2005), HUD appropriations acts have contained a general provision authorizing the Secretary to approve requests from project owners for the transfer of certain rental assistance, debt, and income-based use restrictions between HUD-assisted projects. For fiscal year 2017, this transfer authority is provided under section 212 of the Consolidated Appropriations Act, 2016 (Pub. L. 114-113, 129 Stat. 2889, approved December 18, 2015 (Section 212)). Section 212(a) states that “[n]otwithstanding any other provision of law . . . the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.” Section 212(b) also allows for phased transfers of project-based assistance to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred.

HUD approval of transfers is subject to the conditions enumerated in the

appropriations act for the applicable fiscal year. These statutory terms and conditions have, in general, been consistent from one appropriations act to the next. The statutory criteria for FY 2017 is enumerated in section 212(c), which provides as follows:

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: the number of low-income and very low-income units and the configuration (i.e. bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: the Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A),<sup>1</sup> any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2),<sup>2</sup> the owner or mortgagor of the receiving project or

<sup>1</sup> Subsection (d)(2)(A) pertains to housing that is subject to a mortgage insured under the National Housing Act (12 U.S.C. 1701 *et seq.*).

<sup>2</sup> Subsection (d)(2) defines the term “multifamily housing project.”

projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

Section 212 (e)(1) requires that HUD publish by notice in the **Federal Register** the terms and conditions for HUD approval of transfers, no later than 30 days before such notice takes effect. This notice is being issued in accordance with the publication requirements of section 212(e)(1). In this **Federal Register** notice, HUD advises that the criteria for approval of transfers are unchanged from those in effect for fiscal years 2015 and 2016 and published in the **Federal Register** on March 31, 2015, at 80 FR 16963.<sup>3</sup> For the convenience of the reader, the criteria can also be found in Microsoft Word format on HUD’s webpage at: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/housing/mfh/memos\\_letters](http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/memos_letters).

This notice will become effective February 21, 2017. HUD will begin accepting requests for transfers pursuant to this notice on or after the effective date. For questions regarding the submission or status of a transfer request, interested parties should contact their local HUD Multifamily Regional Center or Satellite Office. The list of HUD Multifamily Regional Centers and Satellite Offices is available at: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/housing/mfh/hsgmfbus/aboutsubpcs](http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/hsgmfbus/aboutsubpcs).

Dated: January 12, 2017.

**Edward L. Golding,**

*Principal Deputy Assistant Secretary for Housing.*

[FR Doc. 2017-01260 Filed 1-18-17; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5981-D-02]

### Redelegation of Authority to the Deputy Assistant Secretaries in the Office of Community Planning and Development

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

<sup>3</sup> See <https://www.gpo.gov/fdsys/pkg/FR-2015-03-31/pdf/2015-06776.pdf>.

**ACTION:** Notice of Redlegation of Authority to Deputy Assistant Secretaries in Community Planning and Development.

**SUMMARY:** Section 7(d) of the Department of Housing and Urban Development Act, as amended, provides authority to the Secretary to delegate functions, powers, and duties as the Secretary deems necessary. By separate notice published in today's **Federal Register**, the Secretary of HUD delegates concurrent authority to the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development. In this notice, the Assistant Secretary of Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Deputy Assistant Secretaries and other specified HUD officials all powers and authorities necessary to carry out Office of Community Planning and Development (CPD) programs, except for those powers and authorities specifically excluded.

**DATES:** *Effective Date:* January 10, 2017.

**FOR FURTHER INFORMATION CONTACT:** Cliff Taffet, General Deputy Assistant Secretary, Office of Community Planning and Development, Department of Housing and Urban Development, 451 7th Street SW., Room 7100, Washington, DC 20410-7000; telephone number 202-708-2690. This is not a toll-free number. For those needing assistance, this number may be accessed via TTY by calling the Federal Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:**

Published elsewhere today in the **Federal Register** is a revised consolidated delegation of authority from the Secretary to the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development. This notice updates and revises redelegations of authority to Deputy Assistant Secretaries within the Office of Community Planning and Development. This notice supersedes all previous redelegations of authority by the Assistant Secretary for Community Planning and Development to CPD Deputy Assistant Secretaries and other specified HUD officials in CPD,

including a redelegation published on June 29, 2012 at 77 FR 38853. Also published elsewhere in today's **Federal Register** is a redelegation of authority from the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development to Directors and Deputy Directors of CPD in HUD Field Offices.

**Section A. General Redlegation of Authority**

*1. Deputy Assistant Secretary for Grant Programs*

Except those authorities specifically excluded, the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Deputy Assistant Secretary for Grant Programs all powers and authorities necessary to carry out the following Community Planning and Development programs and matters:

a. Comprehensive Housing Affordability Strategies (CHAS), Title I of the Cranston-Gonzalez National Affordable Housing Act, Public Law 101-625, 104 Stat. 4079 (1990) (codified as amended at 42 U.S.C. 12701 *et seq.*); consolidated plans, 24 CFR part 91.

b. The HOME Investment Partnerships Act, Title II of the Cranston-Gonzalez National Affordable Housing Act, Public Law 101-625, 104 Stat. 4079 (1990) (codified as amended at 42 U.S.C. 12721 *et seq.*); 24 CFR part 92.

c. Housing Trust Fund (HTF), Section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, added by Section 1131 of Public Law 110-289, 122 Stat. 2654 (codified at 12 U.S.C. 4568).

d. Tax Credit Assistance Program (TCAP) as authorized under the HOME Investments Partnership Program heading of Division A, Title XII of American Recovery and Reinvestment Act of 2009, Public Law 111-5, 123 Stat. 115, 220-21.

e. Title I of the Housing and Community Development Act of 1974, Public Law 93-383, 88 Stat. 633 (codified as amended at 42 U.S.C. 5301 *et seq.*); 24 CFR part 570 including:

- (1) Community Development Block Grant (CDBG) program;
- (2) Section 108 Loan Guarantee program;
- (3) Economic development grants pursuant to Section 108(q);

(4) Urban Development Action Grants  
 (5) Neighborhood Stabilization Programs Under Housing and Economic Recovery Act of 2008, Public Law 110-289, 122 Stat. 2850; Title XII of Division A of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, 123 Stat. 115; and Section 1497 of the Wall Street Reform and Consumer Protection Act of 2010, Public Law 111-203, 124 Stat. 1376 (codified as amended at 42 U.S.C. 5301 note);

(6) CDBG Disaster Recovery Grants as provided for in annual and supplemental HUD appropriations acts; and

(7) Appalachian Regional Commission grants pursuant to section 214 of the Appalachian Regional Development Act of 1965, Public Law 89-4, 79 Stat. 5 (codified as amended at 40 U.S.C. 14507) and consistent with the CDBG program authorized under Title I of the Housing and Community Development Act of 1974, Public Law 93-383, 88 Stat. 633 (codified as amended at 42 U.S.C. 5301 *et seq.*).

f. Overall Departmental responsibility for policies, standards, procedures, and advisory materials for compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894 (1971) (codified as amended at 42 U.S.C. 4601 *et seq.*); 49 CFR part 24 (except for the authority to exercise the Federal Agency waiver authority provided under 49 CFR 24.7).

g. Environment, overall Departmental responsibility for compliance with the National Environmental Policy Act of 1969 (NEPA), Public Law 91-190, 83 Stat. 852 (1970) (codified as amended at 42 U.S.C. 4321-4347), and the related laws and authorities cited in 24 CFR 50.4 and 58.5. The Director of the Office of Environment and Energy, within the Office of the Deputy Assistant Secretary for Grant Programs, is designated to serve as the Departmental Environmental Clearance Officer (DECO). The DECO serves as the Departmental lead in all federal initiatives that address NEPA and other federal environmental laws and authorities cited in 24 CFR 50.4 and 58.5 and as the Departmental signatory for environmental compliance MOUs with other federal agencies addressing compliance at the regional and national level.

h. Slum Clearance and Urban Renewal Program Under Title I of the Housing Act of 1949, Public Law 81-171, 63 Stat. 413 and any program that is superseded or inactive by, or inactive by reason of, Title I of the Housing and Community Development Act of 1974,

Public Law 93–383, 88 Stat. 633 (codified as amended at 42 U.S.C. 5316).

i. Rental Rehabilitation Program, United States Housing Act of 1937 § 17, Public Law 98–181, 97 Stat. 1196 (repealed 1990); 24 CFR part 511.

j. Section 312 Rehabilitation Loan Program, Housing Act of 1964 § 312, Public Law 88–560, 78 Stat. 769 (repealed 1990); 24 CFR part 510.

k. Homeownership Zone Initiative (HOZ) grants as provided for in section 205 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997, Public Law 104–204, 110 Stat. 2874 (1996) and funded with recaptured Nehemiah grants authorized under Title VI of the Housing and Community Development Act of 1987, Pub. L. 100–242, 101 Stat. 1815 (1988) (codified at 12 U.S.C. 17151 note).

l. HOPE for Homeownership of Single-family Housing Program (HOPE 3), Title IV, Subtitle C of the Cranston-Gonzalez National Affordable Housing Act, Public Law 101–625, 104 Stat. 4079 (1990) (codified at 42 U.S.C. 12891).

m. New Communities Program, Section 413 of the Housing and Urban Development Act of 1968, Public Law 90–448, 82 Stat. 476 (repealed 1983), Section 726 of the Housing and Urban Development Act of 1970, Public Law 91–609 (repealed 1983), 84 Stat. 1784, Section 474 of the Housing and Urban-Rural Recovery Act of 1983, Public Law 98–181, 97 Stat. 1237 (codified at 12 U.S.C. 1701g–5b), and any other functions, powers and duties which may affect the liquidation of the New Communities program.

n. Technical assistance and capacity building awards authorized under any program or matter listed in Section A.1 and as provided for in annual and supplemental HUD appropriations acts (e.g., Consolidated Appropriations Act 2010, Pub. L. 111–117, 123 Stat. 3093 (2009)). Further, in the absence of the Deputy Assistant Secretary for Grant Programs, the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Director of the Office of Block Grant Assistance all powers and authorities of the Assistant Secretary necessary to carry out programs and matters listed in of Section A.1. paragraphs e. and h. Further, in the absence of the Deputy Assistant Secretary for Grant Programs, the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for

Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Director of the Office of Affordable Housing Programs all powers and authorities of the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development necessary to carry out programs and matters listed in Section A.1. paragraphs b, c, d, f, g, and k.

### 2. Deputy Assistant Secretary for Special Needs

Except those authorities specifically excluded, the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Deputy Assistant Secretary for Special Needs all powers and authorities necessary to carry out the following Community Planning and Development programs and matters:

a. Title IV of the McKinney-Vento Homeless Assistance Act, Public Law 100–77, 101 Stat. 482 (1987) (codified as amended at 42 U.S.C. 11301 *et seq.*), including the following: Emergency Shelter Grants/Emergency Solutions Grants Program, 24 CFR part 576; Supportive Housing program, 24 CFR part 583; Shelter Plus Care program, 24 CFR part 582; Moderate Rehabilitation for Single Room Occupancy program, 24 CFR part 882, subpart H; Continuum of Care program, 24 CFR part 578; Rural Housing Stability Assistance program.

b. Base Closure, Base Closure Community Redevelopment and Homeless Assistance Act of 1994, Public Law 103–421, 108 Stat. 4352 (codified as amended at 10 U.S.C. 2687 note); 24 CFR part 586.

c. Homelessness Prevention and Rapid Re-Housing Program (HPRP), as authorized under the Homelessness Prevention Fund heading of Division A, Title XII of the American Recovery and Reinvestment Act of 2009, Public Law 111–5, 123 Stat. 115.

d. Title V of the McKinney-Vento Homeless Assistance Act, Public Law 100–77, 101 Stat. 482 (1987) (codified as amended 42 U.S.C. 11411 *et seq.*), 24 CFR part 581.

e. Veterans Homelessness Prevention Demonstration Program, as provided for in annual HUD appropriations act(s) (e.g., Omnibus Appropriations Act, 2009, Pub. L. 111–8, 123 Stat. 524 (2009)).

f. AIDS Housing Opportunity Act, Title VIII, Subtitle D of the Cranston-Gonzalez National Affordable Housing Act, Public Law 101–625, 104 Stat. 4079 (1990) (codified as amended at 42 U.S.C. 12901–12912); 24 CFR part 574.

Further, in the absence of the Deputy Assistant Secretary for Special Needs, the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Director of the Office of Special Needs Programs all powers and authorities of the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development necessary to carry out programs and matters listed in Section A.2. paragraphs a., b., c., d., and e. Further, the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Director of the Community Assistance Division the authority to sign notices of available properties and subsequent letters regarding the properties under Title V of the McKinney-Vento Homeless Assistance Act (codified as amended 42 U.S.C. 11411 *et seq.*). Further, in the absence of the Deputy Assistant Secretary for Special Needs, the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Director of the Office of HIV/AIDS Housing all powers and authorities of the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development necessary to carry out programs and matters listed in Section A.2. paragraph f.

### 3. Deputy Assistant Secretary for Economic Development

Except those authorities specifically excluded, the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy

Assistant Secretary for Community Planning and Development redelegate to the Deputy Assistant Secretary for Economic Development all powers and authorities necessary to carry out the following Community Planning and Development programs and matters:

a. The Loan Guarantee Recovery Program under Section 4 of the Church Arson Prevention Act of 1996, Public Law 104–155, 110 Stat. 1392; 24 CFR part 573.

b. Neighborhood Initiatives grants specifically designated in annual HUD appropriations acts (e.g., Consolidated Appropriations Act 2010, Pub. L. 111–117, 123 Stat. 3034 (2009)).

c. Rural Innovation Fund grants as provided for in annual HUD appropriations act(s) (e.g., Consolidated Appropriations Act 2010, Pub. L. 111–117, 123 Stat. 3084 (2009)).

d. Rural Housing and Economic Development grants specifically designated originally in the Fiscal Year 1998 HUD Appropriations Act, Public Law 105–65, 111 Stat. 1344 1997, and subsequent annual HUD appropriations acts.

e. Self-Help Homeownership Opportunity Program (SHOP) under section 11 of the Housing Opportunity Program Extension Act of 1996, Public Law 104–120, 110 Stat. 834 (codified as amended at 42 U.S.C. 12805 note).

f. Pilot Program to Rehabilitate and Modify Homes of Disabled and Low-Income Veterans, as authorized under section 1079 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, Public Law 113–291, 128 Stat. 3292, 3521–3524 (2014).

Further, in the absence of the Deputy Assistant Secretary for Economic Development, the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Director of the Rural Housing and Economic Development Division all powers and authorities of the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development necessary to carry out programs and matters listed in Section A.3.

#### 4. Deputy Assistant Secretary for Operations

Except those authorities specifically excluded, the Assistant Secretary for

Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development redelegate to the Deputy Assistant Secretary for Operations and the Director of Technical Assistance and Management all powers and authorities of the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development necessary to carry out the following Community Planning and Development programs and matters:

a. Technical Assistance and Capacity Building awards authorized under any program or matter delegated to the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development (e.g., section 107 of the Housing and Community Development Act of 1987, as amended and Section 4 Capacity Building for Community Development and Affordable Housing Grants program as authorized by Section 4 of the HUD Demonstration Act of 1993 (Pub. L. 103–120, 107 Stat. 1148, 42 U.S.C. 9816 note), as amended, and as provided for in annual and supplemental HUD appropriations acts (e.g., Consolidated Appropriations Act 2010, Pub. L. 111–117, 123 Stat. 3093 (2009)).

b. All programs consolidated in the Revolving Fund (Liquidating Programs) established pursuant to Title II of the Independent Offices Appropriations Act, Public Law 98–45, 97 Stat. 223 (1983) (codified at 12 U.S.C. 1701g–5), including all authority of the Assistant Secretary with respect to functions, administration and management of the Revolving Fund (Liquidating Programs). Only the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development are the responsible officials for allotments in the Revolving Fund (Liquidating Programs).

c. Economic Development Initiative grants, as provided for in annual HUD appropriations acts (e.g., Consolidated Appropriations Resolution, Fiscal Year 2003, Pub. L. 108–7, 117 Stat. 11 (2003)).

d. Grants for urban Empowerment Zones (EZ) as provided for in annual HUD appropriations acts (e.g., Consolidated Appropriations Resolution, Fiscal Year 2003, Pub. L. 108–7, 117 Stat. 11 (2003)).

e. Neighborhood Initiatives grants specifically designated in annual HUD appropriations acts (e.g., Consolidated Appropriations Act 2010, Pub. L. 111–117, 123 Stat. 3034 (2009)).

f. Rural Innovation Fund grants as provided for in annual HUD appropriations act(s) (e.g., Consolidated Appropriations Act 2010, Pub. L. 111–117, 123 Stat. 3084 (2009)).

g. The Renewal Communities (RC) Initiative as authorized under title 26, subtitle A, chapter 1, subchapter X of the Internal Revenue Code, as amended, 26 U.S.C. 1400E *et seq.*; 24 CFR part 599.

h. The urban Empowerment Zones (EZ), as authorized under title 26, subtitle A, chapter 1, subchapter U of the Internal Revenue Code (codified as amended at 26 U.S.C. 1391 *et seq.*); 24 CFR parts 597 and 598.

#### Section B. General Authority Excepted

The authority redelegated under Section A does not include:

1. The authority to issue or waive regulations covered by section 7(q) of the Department of Housing and Urban Development Act;

2. The authority to exercise the Federal Agency waiver authority provided under 49 CFR 24.7;

3. The authority to enter regulations or directives into Departmental clearance; or

4. Any authority not delegated to the Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development under the Consolidated Delegation of Authority for Community Planning and Development. The Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, or the General Deputy Assistant Secretary for Community Planning and Development may revoke at any time this redelegation with respect to the programs and matters listed in Section A.

#### Section C. Authority To Further Redelegate

The authority redelegated in Section A may be further redelegated to employees of the Department.

**Section D. Redelegations Superseded**

This notice supersedes all prior redelegations of authority to Deputy Assistant Secretaries of Community Planning and Development, including the redelegation of authority published on June 29, 2012 at 77 FR 38853.

**Section E. Actions Ratified**

The Assistant Secretary for Community Planning and Development, the Principal Deputy Assistant Secretary for Community Planning and Development, and the General Deputy Assistant Secretary for Community Planning and Development hereby ratify all actions previously taken by the Deputy Assistant Secretaries for Community Planning and Development, with respect to the programs and matters listed in Section A.

**Authority:** Section 7(d), Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: January 10, 2017.

**Harriet Tregoning,**

*Principal Deputy Assistant Secretary for Community Planning and Development.*

[FR Doc. 2017-01244 Filed 1-18-17; 8:45 am]

**BILLING CODE 4210-67-P**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-5630-N-09]

**Rental Assistance Demonstration: Revised Program Notice**

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing and Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

**ACTION:** Notice.

**SUMMARY:** On July 26, 2012, HUD announced through notice in the **Federal Register** the implementation of the statutorily authorized Rental Assistance Demonstration (RAD), which provides the opportunity to test the conversion of public housing and other HUD-assisted properties to long-term, project-based Section 8 rental assistance. The July 26, 2012, **Federal Register** notice also announced the availability of the program notice (PIH 2012-32), providing program instruction on HUD's Web site. On July 2, 2013, HUD issued a revised program notice (PIH 2012-32, REV-1). On April 26, 2015, HUD issued a further revised program notice (PIH 2012-32, REV-2). This **Federal Register** notice announces further revisions to RAD and solicits public comment on changed eligibility and selection criteria. It also announces

the posting of a further revised program notice (Revised Program Notice, PIH 2012-32/H 2017-03, REV-3). As provided by the RAD Statute, this notice addresses the requirement that the demonstration may proceed after publication of notice of its terms in the **Federal Register**. This notice summarizes the key changes made to PIH 2012-32/H 2017-03, REV-3. This notice also meets the RAD statutory requirement to publish at least 10 days before they may take effect, waivers and alternative requirements authorized by the statute, which does not prevent the demonstration, as modified, from proceeding immediately.

**DATES:** *Comment Due Date:* February 21, 2017.

*Effective Dates:* The Revised Program Notice, PIH 2012-32/H 2017-03, REV-3, other than those items listed as subject to notice and comment or new statutory or regulatory waivers or alternative requirements specified in this notice, is effective January 19, 2017.

The new statutory and regulatory waivers and alternative requirements are effective January 30, 2017.

The items listed as subject to notice and comment will be effective upon February 21, 2017. If HUD receives adverse comment that leads to reconsideration, HUD will notify the public in a new notice immediately upon the expiration of the comment period.

**ADDRESSES:** Interested persons are invited to submit comments electronically to [rad@hud.gov](mailto:rad@hud.gov) no later than the comment due date.

**FOR FURTHER INFORMATION CONTACT:** To assure a timely response, please direct requests for further information electronically to the email address [rad@hud.gov](mailto:rad@hud.gov). Written requests may also be directed to the following address: Office of Public and Indian Housing—RAD Program; Department of Housing and Urban Development; 451 7th Street SW., Room 2000; Washington, DC 20410.

**SUPPLEMENTARY INFORMATION:****I. Background**

RAD, authorized by the Consolidated and Further Continuing Appropriations Act, 2012 (Pub. L. 122-55, signed November 18, 2011) (2012 Appropriations Act), allows for the conversion of assistance under the public housing, Rent Supplement (Rent Supp), Rental Assistance (RAP), Moderate Rehabilitation (Mod Rehab), and Mod Rehab Single Room Occupancy (SRO) programs (collectively, "covered programs") to long-term, renewable assistance under

Section 8.<sup>1</sup> The most recent version of the RAD program notice is PIH 2012-32, REV-2, located at [https://portal.hud.gov/hudportal/documents/huddoc?id=PIHNotice\\_2012-32\\_062015.pdf](https://portal.hud.gov/hudportal/documents/huddoc?id=PIHNotice_2012-32_062015.pdf).

**II. Key Changes Made to RAD**

The following highlights key changes to the RAD program that are included in the Revised Program Notice:

**First Component (Public Housing Conversions)**

1. Creating a new way in which public housing agencies (PHAs) can increase their RAD rents by relinquishing existing balances of replacement housing factor (RHF) funds or demolition and disposition transition funding (DDTF) (see section 1.5.A).

2. Eliminating the cap on the number of project-based voucher (PBV) units at a project (see section 1.6.A.2).

3. Improving the quality of information that must be provided to residents of properties undergoing conversion and requiring that PHAs submit responses to resident comments in connection with meetings held following the issuance of the Commitment to enter into a Housing Assistance Payments Contract (CHAP) (see section 1.8).

4. Extending the prohibition on re-screening to current public housing households that will reside in non-RAD PBV or non-RAD project-based rental assistance (PBRA) units placed in a project that contain RAD PBV or RAD PBRA units so as to facilitate the right to return to the assisted property (see sections 1.6.C.1 and 1.7.B.1).

5. Correcting the phase-in of rents for residents who may experience a rent increase as a result of conversion, in order to ensure a more even distribution across years (see sections 1.6.B.3 and 1.7.B.3).

6. Clarifying that a PHA is permitted to receive cash acquisition proceeds in excess of any seller take-back financing and that such proceeds must be used for Affordable Housing Purposes, a newly defined term (see section 1.4.7).

7. Establishing flexibility for requirements related to the Capital Needs Assessments, permitting certain

<sup>1</sup> The RAD statutory requirements were amended by the Consolidated Appropriations Act, 2014 (Pub. L. 113-76, signed January 17, 2014) (2014 Appropriations Act), the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235, signed December 16, 2014) (2015 Appropriations Act), and the Consolidated Appropriations Act, 2016 (Pub. L. 114-113, signed December 18, 2015) (2016 Appropriations Act). The statutory provisions of the 2012 Appropriations Act pertaining to RAD, as amended, are referred to as the RAD Statute in this notice.