

official of equivalent rank. Under section 7(q) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(q), the Secretary may not delegate the authority to waive a regulation below the Assistant Secretary rank. This prohibition even includes individuals who have been delegated authority concurrent with the Assistant Secretary. Under circumstances prescribed in the policy statement, the General Counsel must concur on proposed waivers of regulations subject to section 7(q) of the HUD Act.

Under HUD's policy statement on waiver of regulations and directives, *Directive* means a Handbook (including a change or supplement), notice, interim notice, special directive, and any other issuance that the Department may classify as a directive. *Handbook* means a directive that communicates information of a permanent nature (including clarification of policies, instructions, guidance, procedures, forms, and reports) for HUD staff or program participants. Its permanent nature distinguishes a Handbook from other temporary HUD directives such as notices.

As part of the Department's continued commitment to empowering communities, the Assistant Secretary for Housing is redelegating in this document additional authority to HUD's Secretary's Representatives. Each Secretary's Representative is redelegated limited authority to issue waivers of Department directives, including handbook provisions, for Housing programs for the geographic area for which the Secretary's Representative is responsible. The Secretary's Representative is concurrently redelegated the same authority to waive Department directives concerning Housing programs as reside with the Housing Program Directors for the Field Offices in the geographic area. The Program Director and the Secretary's Representative must jointly concur in all requests for waivers, whether the request is granted or denied. If the Secretary's Representative and the Program Director do not agree, the matter will be referred to the Assistant Secretary for Housing for resolution. If the Secretary's Representative further redelegates his or her authority to a State and Area Coordinator, and the Program Director and State and Area Coordinator disagree on a waiver request, the State and Area Coordinator will refer the matter to the Secretary's Representative.

Accordingly, the Assistant Secretary for Housing redelegates as follows:

#### Section A. Authority Redelegated

The Assistant Secretary for Housing concurrently redelegates to each Secretary's Representative the following authority to waive Department directives, including handbook provisions, concerning Housing programs for the geographic area for which the Secretary's Representative is responsible. This authority includes the same authority to waive Housing directives as is redelegated to Housing Program Directors in the geographies area. The extent of this waiver authority is currently described in the Housing field reorganization redelegation at 59 FR 62739 (December 6, 1994.) Each waiver granted shall be in writing, specify the grounds for the waiver, and shall be transmitted in writing to the Assistant Secretary for Housing. The Assistant Secretary for Housing will publish any changes or amendments to this redelegation.

#### Section B. Authority To Further Redelegate

The authority redelegated pursuant to Section A., above, may be further redelegated to the State and Area Coordinators for the geographic region of the Secretary's Representative. If the Secretary's Representative redelegates this authority to a State and Area Coordinator, the redelegation shall include the requirement that each waiver granted shall be in writing, specify the grounds for waiver, and shall be transmitted in writing simultaneously to the appropriate Secretary's Representative and to the Assistant Secretary for Housing.

Authority: Sec. 7(d) of the Department of Housing and Urban Development (42 U.S.C. 3535(d)).

Dated: June 28, 1996.

Nicolas P. Retsinas,

*Assistant Secretary for Housing—Federal Housing Commissioner.*

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#### Office of the Assistant Secretary for Community Planning and Development

[Docket No. FR-4096-D-01]

#### Redelegation of Authority; Waiver of Directives

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

**ACTION:** Notice of redelegation of authority.

**SUMMARY:** In this notice, the Assistant Secretary for Community Planning and Development redelegates to the Secretary's Representatives for HUD's Field Offices the same waiver authority of directives and handbook provisions pertaining to Community Planning and Development (CPD) programs, as provided to the CPD Program Directors in the HUD Field Offices. The Secretary's Representatives may further redelegate the authority to waive directives and handbook provisions to State and Area Coordinators within their geographic area.

**EFFECTIVE DATE:** June 28, 1996.

**FOR FURTHER INFORMATION CONTACT:** Joseph F. Smith, Director, Office of Executive Services, Office of Community Planning and Development, Department of Housing and Urban Development, Room 7208, 451 7th Street, SW, Washington, DC 20410, telephone numbers (202) 708-1283 (voice), (202) 708-1455 (TTY). These are not toll-free numbers.

**SUPPLEMENTARY INFORMATION:** The purposes of this redelegation is to provide the Secretary's Representatives with the same authority to waive directives, including handbook provisions, redelegated to CPD Program Directors in the Field Offices, and with the authority to further redelegate to State and Area Coordinators. This redelegation does not supersede the Department's Statement of Policy published on April 22, 1991, at 56 FR 16337, entitled "Waiver of Regulations and Directives Issued by HUD."

Department directives mandated by statute, executive order, or regulation, and those related to civil rights compliance and enforcement are not within this redelegation. The Secretary is the ultimate repository of the authority both to issue and to waive the regulations of the Department. Typically the authority to issue regulations is delegated to an Assistant Secretary or official of equivalent rank. Under section 7(q) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(q), the Secretary may not delegate the authority to waive a regulation below the Assistant Secretary rank. This prohibition even includes individuals who have been delegated authority concurrent with the Assistant Secretary. Under circumstances prescribed in the policy statement, the General Counsel must concur on proposed waivers of regulations subject to section 7(q) of the HUD Act.

Under HUD's policy statement on waiver of regulations and directives, *Directive* means a Handbook (including a change or supplement), notice, interim

notice, special directive, and any other issuance that the Department may classify as a directive. *Handbook* means a directive that communicates information of a permanent nature (including clarification of policies, instructions, guidance, procedures, forms, and reports) for HUD staff or program participants. Its permanent nature distinguishes a Handbook from other temporary HUD directives such as notices.

As part of the Department's continued commitment to empowering communities, the Assistant Secretary for Community Planning and Development is redelegating in this document additional authority to HUD's Secretary's Representatives. Each Secretary's Representative is redelegated limited authority to issue waivers of Department directives, including handbook provisions, for CPD program for the geographic area for which the Secretary's Representatives is responsible. The Secretary's Representative is concurrently redelegated the same authority to waive Department directives concerning CPD programs as reside with the Directors of CPD for the Field Offices in the geographic area. The Program Director and the Secretary's Representative must jointly concur in all requests for waivers, whether the request is granted or denied. If the Secretary's Representative and the Program Director do not agree, the matter will be referred to the Assistant Secretary for CPD for resolution. If the Secretary's Representative further redelegates his or her authority to a State and Area Coordinator, and the Program Director and State and Area Coordinator disagree on a waiver request, the State and Area Coordinator will refer the matter to the Secretary's Representative.

Accordingly, the Assistant Secretary for Community Planning and Development redelegates as follows:

#### Section A. Authority redelegated

The Assistant Secretary for Community Planning and Development concurrently redelegates to each Secretary's Representative the following authority to waive Department directors, including handbook provisions, concerning CPD programs for the geographic area for which the Secretary's Representative is responsible. This authority includes the same authority to waive CPD directives as is redelegated to Field Office Program Directors in the geographic area. The extent of this waiver authority is currently described in the CPD field reorganization redelegation at 59 FR 18280 (April 15, 1994), as amended by

the redelegation at 60 FR 30312 (June 8, 1995.) Each waiver granted shall be in writing, specify the grounds for the waiver, and shall be transmitted in writing to the Assistant Secretary for CPD. The Assistant Secretary for CPD will publish any changes or further amendments to these redelegations.

#### Section B. Authority to further redelegate

The authority redelegated pursuant to Section A., above, may be further redelegated to the State and Area Coordinators for the geographic region of the Secretary's Representative. If the Secretary's Representative redelegates this authority to a State and Area Coordinator, the redelegation shall include the requirement that each waiver granted shall be in writing, specify the grounds for the waiver, and shall be transmitted in writing simultaneously to the appropriate Secretary's Representative and to the Assistant Secretary for CPD.

Authority: Sec. 7(d) of the Department of Housing and Urban Development (42 U.S.C. 3535(d)).

Dated: June 28, 1996.

Andrew M. Cuomo,

*Assistant Secretary for Community Planning and Development.*

[FR Doc. 96-17174 Filed 7-5-96; 8:45 am]

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### Office of the Assistant Secretary for Fair Housing and Equal Opportunity

[Docket No. FR-4102-D-01]

#### Redelegation of Authority; Waiver of Directives

**AGENCY:** Office of the Assistant Secretary for Fair Housing and Equal Opportunity, HUD.

**ACTION:** Notice of redelegation of authority.

**SUMMARY:** In this notice, the Assistant Secretary for Fair Housing and Equal Opportunity redelegates to the Secretary's Representatives for HUD's Field Offices the same waiver authority of directives and handbook provisions pertaining to fair housing and equal opportunity in Department programs, as provided to the FHEO Program Directors in the HUD Field Offices. The Secretary's Representatives may further redelegate the authority to waive directives and handbook provisions to State and Area Coordinators within their geographic area.

**EFFECTIVE DATE:** June 28, 1996.

**FOR FURTHER INFORMATION CONTACT:** Susan Forward, Deputy Assistant Secretary for Enforcement and

Investigations, Office of FHEO, Department of Housing and Urban Development, Room 5106, 451 7th Street, SW, Washington, DC 20410, telephone numbers (202) 708-4211 (voice), (202) 708-1455 (TTY). These are not toll-free numbers.

**SUPPLEMENTARY INFORMATION:** The purpose of this redelegation is to provide Secretary's Representatives with the same authority to waive directives, including handbook provisions, redelegated to FHEO Program Directors in the Field Offices, and with the authority to further redelegate to State and Area Coordinators. This redelegation does not supersede the Department's Statement of Policy published on April 22, 1991, at 56 FR 16337, entitled "Waiver of Regulations and Directives Issued by HUD."

Department directives mandated by statute, executive order, or regulation, and those related to civil rights compliance and enforcement are not within this redelegation. The Secretary is the ultimate repository of the authority both to issue and to waive the regulations of the Department. Typically the authority to issue regulations is delegated to an Assistant Secretary or official of equivalent rank. Under section 7(q) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(q), the Secretary may not delegate the authority to waive a regulation below the Assistant Secretary rank. This prohibition even includes individuals who have been delegated authority concurrent with the Assistant Secretary. Under circumstances prescribed in the policy statement, the General Counsel must concur on proposed waivers of regulations subject to section 7(q) of the HUD Act.

Under HUD's policy statement on waiver of regulations and directives, *Directive* means a Handbook (including a change or supplement), notice, interim notice, special directive, and any other issuance that the Department may classify as a directive. *Handbook* means a directive that communicates information of a permanent nature (including clarification of policies, instructions, guidance, procedures, forms, and reports) for HUD staff or program participants. Its permanent nature distinguishes a Handbook from other temporary HUD directives such as notices.

As part of the Department's continued commitment to empowering communities, the Assistant Secretary for Fair Housing and Equal Opportunity is redelegating in this document additional authority to the Secretary's