

rights of persons with developmental disabilities under Part C of the Developmental Disabilities and Bill of Rights Act (42 U.S.C. 6041 *et seq.*, as amended in 2000) are eligible to receive PAIMI grants (42 U.S.C. at 10802(2)). PAIMI grants are based on a formula prescribed by the Secretary (42 U.S.C. at 10822(a)(1)(A)).

On January 1, each eligible State protection and advocacy (P&A) system is required to prepare and transmit to the Secretary and head of the State Mental Health Agency, in which the system is located, a report describing its activities, accomplishments, and expenditures during the most recently completed fiscal year. Section 10824(a) of the Act requires that the State P&A system's annual reports to the Secretary, shall describe its activities, accomplishments, and expenditures to protect the rights of individuals with mental illness supported with payments from PAIMI allotments, including:

(A) The number of (PAIMI-eligible) individuals with mental illness served;

(B) A description of the types of activities undertaken;

(C) A description of the types of facilities providing care or treatment to which such activities are undertaken;

(D) A description of the manner in which the activities are initiated;

(E) A description of the accomplishments resulting from such activities;

(F) A description of systems to protect and advocate the rights of individuals with mental illness supported with payments from PAIMI allotments;

(G) A description of activities conducted by States to protect and advocate such rights;

(H) A description of mechanisms established by residential facilities for individuals with mental illness to protect such rights; and,

(I) A description of the coordination among such systems, activities and mechanisms;

(J) Specification of the number of systems that are public and nonprofit

systems established with PAIMI allotments; and

(K) Recommendations for activities and services to improve the protection and advocacy of the rights of individuals with mental illness and a description of the needs for such activities and services which have not been met by the State P&A systems established under the PAIMI Act. (The PAIMI Rules 42 CFR section 51.32(b) state that P&A systems may place restrictions on case or client acceptance criteria developed as part of its annual PAIMI priorities. However, prospective clients must be informed of any such restrictions at the time they request service).

This summary report must include a separate section, prepared by the PAIMI Advisory Council, that describes the council's activities and its assessment of the operations of the State P&A system (42 U.S.C. 10805(7)). The burden estimate for the annual State P&A system reporting requirements for these regulations is as follows.

42 CFR Citation	Number of respondents	Responses per respondent	Burden per response (Hrs.)	Total annual burden
51.8(a)(2) Program Performance Report <sup>1</sup> .....	57	1	26.0	(1,596)
51.8(a)(8) Advisory Council Report <sup>1</sup> .....	57	1	10.0	(570)
51.10 Remedial Actions:				
Corrective Action Plan .....	6	1	8.0	48
Implementation Status Report .....	6	3	2.0	36
51.23(c) Reports, materials and fiscal data provided to Advisory Council .....	57	1	1.0	57
51.25(b)(2) Grievance Procedure .....	57	1	.5	29
Total .....	126	.....	.....	170

<sup>1</sup> Burden hours associated with these reports are approved under OMB Control No. 0930-0169.

Send comments to Nancy Pearce, SAMHSA Reports Clearance Officer, Room 16-105, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857. Written comments should be received within 60 days of this notice.

Dated: September 9, 2003.

Anna Marsh,

Acting Executive Officer, SAMHSA.

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4837-D-34]

### Consolidated Delegation of Authority for Community Planning and Development

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Notice of delegation of authority.

**SUMMARY:** This notice consolidates and updates delegations of authority from the Secretary to the Assistant Secretary for Community Planning and Development and the General Deputy Assistant Secretary for Community Planning and Development.

**EFFECTIVE DATE:** September 9, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Linda Grant, Management Division, Office of Community Planning and Development, Room 7232, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington DC 20410-7000; (202) 708-2087. (This is not a toll-free number.) For those needing assistance, this number may be accessed through TTY by calling the toll-free Federal Information Relay Service number at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** This notice consolidates into one notice the authority delegated by the Secretary to the Assistant Secretary for Community Planning and Development and the

General Deputy Assistant Secretary for Community Planning and Development, and supersedes all prior delegations of authority from the Secretary to the Assistant Secretary and General Deputy Assistant Secretary for Community Planning and Development.

#### Section A. Authority

Except as provided in Section B, the Secretary of HUD delegates to the Assistant Secretary for Community Planning and Development and the General Deputy Assistant Secretary for Community Planning and Development the authority of the Secretary with respect to the programs and matters listed in this Section A. Only the Assistant Secretary for Community Planning and Development is delegated the authority to issue and waive regulations.

1. AIDS Housing Opportunity Act (Pub. L. 101-625, Title VIII, Subtitle D, 104 Stat. 4375, approved November 28,

1990, codified at 42 U.S.C. 12901–12912);

2. Base Closure, the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (Pub. L. 103–421, 108 Stat. 4346, approved October 5, 1994, codified at 10 U.S.C. 2687 note);

3. Capacity Building for Community Development and Affordable Housing Grants;

4. Comprehensive Housing Affordability Strategies (CHAS), Title I of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12701 *et seq.*);

5. 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, approved February 20, 2003);

6. Empowerment Zone Program under Title XIII, Subchapter C, Part J of the Omnibus Budget Reconciliation Act (26 U.S.C. 1391 *et seq.*);

7. Enterprise Zone Program under Title VII of the Housing and Community Development Act of 1987 (42 U.S.C. 11501 *et seq.*);

8. The HOME Investment Partnerships Act, Pub. L. 101–625, Title II, 104 Stat. 4079, approved November 28, 1990, codified at 42 U.S.C. 12721 *et seq.*;

9. HOPE for Homeownership of Single-family Housing Program (HOPE 3), Title IV, Subtitle C of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12891);

10. The Loan Guarantee Recovery Program under the Church Arson Prevention Act of 1996 (Pub. L. 104–155, 110 Stat. 1392, approved July 9, 1996, 18 U.S.C. 241 note);

11. Section 4 of the HUD Demonstration Act of 1993 (Pub. L. 103–120, 42 U.S.C. 9816 note);

12. Neighborhood Initiatives grants specifically designated in annual HUD appropriations acts (*e.g.*, Consolidated Appropriations Resolution, Fiscal Year 2003, Pub. L. 108–7, 117 Stat. 11, approved February 20, 2003);

13. The Rural Housing and Economic Development grants specifically designated originally in the Fiscal Year 1998 HUD Appropriations Act (Pub. L. 105–65, 111 Stat. 1344, approved October 27, 1997), and subsequent annual HUD appropriations acts;

14. Self-Help Housing Opportunity Program (SHOP) under section 11 of the Housing Opportunity Program Extension Act of 1996 (Pub. L. 104–120, 110 Stat. 834, approved March 28, 1996, codified at 42 U.S.C. 12805 note);

15. Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*);

16. Title IV and Title V of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 *et seq.*);

17. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601);

18. Youthbuild Program, Title IV, Subtitle D of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899 *et seq.*);

19. Certain Community Planning and Development programs are no longer authorized for funding but administration of the programs must continue until all Department responsibilities are discharged and finally terminated.

These programs, as of April 2003, include the following:

a. Slum Clearance and Urban Renewal Program under Title I of the Housing Act of 1949 (42 U.S.C. 1450–1468);

b. Area-wide grants, Inequities grants, Disaster grants and the authority to concur in final approval actions regarding Innovative grants under section 107 of Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 8121);

c. Rental Rehabilitation Program under section 17 of the United States Housing Act of 1937 (42 U.S.C. 1437(o));

d. Section 312 Rehabilitation Loan Program under section 312 of the Housing Act of 1964 (42 U.S.C. 1452(b));

e. Urban Homesteading Program under section 810 of the Housing and Community Development Act of 1974 (12 U.S.C. 1706(e));

f. Innovative Homeless Initiatives Demonstration Program under the HUD Demonstration Act of 1993 (Pub. L. 103–120, 107 Stat. 1144, approved October 27, 1993, codified at 42 U.S.C. 9816 note).

#### Section B. Authority Excepted

There is excepted from the authority delegated under Section A:

1. The power to sue and be sued;

2. Under Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*):

a. The power to administer the Indian Community Development Block Grant program, the authority for which was delegated to the Assistant Secretary for Public and Indian Housing on March 1, 1994 (59 FR 9764);

b. The power to administer the section 107 programs, the authority for which was delegated to the Assistant Secretary for Policy Development and Research;

c. The power to issue obligations for purchase by the Secretary of the

Treasury under section 108(g) of the Housing and Community Development Act (42 U.S.C. 5308); and

d. The power and authority of the Secretary with respect to nondiscrimination under section 109 may be exercised only with the advice of the Assistant Secretary for Fair Housing and Equal Opportunity;

3. Under the HOME Investment Partnerships Act (Pub. L. 101–625, Title II, 104 Stat. 4079, approved November 28, 1990, codified at 42 U.S.C. 12721 *et seq.*), grants to Indian tribes, for which the authority has been delegated to the Assistant Secretary for Public and Indian Housing.

4. Under the section 312 Rehabilitation Loan Program under section 312 of the Housing Act of 1964 (42 U.S.C. 1452(b)), the property disposition and related authority specifically delegated to the Assistant Secretary for Housing;

5. For programs noted in Section A–19 of this delegation, no longer authorized for funding:

a. The power to establish interest rates; and

b. The power to issue notes or obligations for purchase by the Secretary of the Treasury.

#### Section C. Authority To Redelegate

The Assistant Secretary of Community Planning and Development is authorized to redelegate to employees of the Department any of the authority delegated under Section A, excluding the authority excepted under Section B and excluding the authority to issue or waive rules and regulations.

#### Section D. Delegations Superseded

This delegation supersedes the following:

1. Delegation of Authority from the Secretary to the Assistant Secretary and Deputy Assistant Secretary for Community Development, published on March 16, 1971 (36 FR 5004);

2. Delegation of Authority from the Secretary to the Assistant Secretary and Deputy Assistant Secretary for Community Planning and Development, published on March 16, 1972 (37 FR 5005);

3. Delegation of Authority from the Secretary to the Assistant Secretary for Community Planning and Development, published on March 27, 1973 (38 FR 8011);

4. Delegation of Authority from the Secretary to the Assistant Secretary and the Deputy Assistant Secretary for Community Planning and Development, published on February 5, 1975 (40 FR 5385), August 25, 1975 (40 FR 37074), November 25, 1975 (40 FR 54606), April

12, 1976 (41 FR 15359), and September 8, 1977 (42 FR 45037);

5. Consolidated Delegation of Authority for Community Planning and Development, published on October 25, 1983 (48 FR 49384);

6. Delegation of Authority from the Secretary to the Assistant Secretary and General Deputy Assistant Secretary for Community Planning and Development with respect to the Rental Rehabilitation Program, published on July 27, 1984 (49 FR 30246);

7. Delegation of Authority from the Secretary to the Assistant Secretary and General Deputy Assistant Secretary for Community Planning and Development with respect to the Emergency Shelter Grants Program, published on December 17, 1986 (51 FR 45288);

8. Delegation of Authority from the Secretary to the Assistant Secretary and General Deputy Assistant Secretary for Community Planning and Development with respect to the Emergency Shelter Grants Program, published on September 4, 1987 (52 FR 33793);

9. Delegation of Authority from the Assistant Secretary to the Assistant Secretary for Community Planning and Development with respect to HUD Programs for the Homeless, published on October 2, 1989 (54 FR 40527);

10. Delegation of Authority from the Secretary to the Assistant Secretary for Community Planning and Development for the HOME Investment Partnerships (HOME) Program, published on November 4, 1991 (56 FR 56416);

11. Delegation of Authority from the Secretary to the Assistant Secretary for Community Planning and Development for the Shelter Plus Care Program, published on March 20, 1992 (57 FR 9731);

12. Delegation of Authority from the Secretary to the Assistant Secretary and Deputy Assistant Secretary for Community Planning and Development for the HOPE for Homeownership of Single Family Homes Program (HOPE 3), published on October 9, 1992 (57 FR 46568);

13. Delegation of Authority from the Secretary to the Assistant Secretary for Community Planning and Development for the Review and Approval of Comprehensive Housing Affordability Strategies, published on November 20, 1992 (57 FR 54826);

14. Delegation of Authority from the Secretary to the Assistant Secretary for Community Planning and Development for the Youthbuild Program, published on August 31, 1993 (58 FR 45910);

15. Delegation of Authority from the Secretary to the Assistant Secretary for Community Planning and Development Concerning the Base Closure

Community Redevelopment and Assistance Act of 1994, published on May 22, 1996 (61 FR 25685);

16. Delegation of Authority from the Secretary to the Assistant Secretary for Community Planning and Development pursuant to section 11 of the Housing Opportunity Program Extension Act of 1996, published on August 13, 1996 (61 FR 42050);

17. Delegation of Authority from the Secretary to the Assistant Secretary for Community Planning and Development for the Loan Guarantee Recovery Fund, published on October 17, 1996 (61 FR 54211);

18. Delegation of Authority from the Secretary to the Assistant Secretary and General Deputy Assistant Secretary for Community Planning and Development with respect to Enterprise Zone Development, published on June 3, 1998 (53 FR 20563); and

19. Delegation of Authority from the Secretary to the Assistant Secretary for Community Planning and Development with respect to Rural Housing and Economic Development Grants, published on May 12, 1999 (64 FR 25512).

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

Dated: September 9, 2003.

**Mel Martinez,**  
Secretary.

[FR Doc. 03-23513 Filed 9-15-03; 8:45 am]

**BILLING CODE 4210-32-P**

## **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**[Docket No. FR-4837-D-35]**

### **Consolidated Delegation of Authority for the Office of Public and Indian Housing**

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Delegation of authority.

**SUMMARY:** This notice is a comprehensive delegation of authority for administration of HUD's Public and Indian Housing programs from the Secretary of Housing and Urban Development to the Assistant Secretary for Public and Indian Housing.

**EFFECTIVE DATE:** September 9, 2003.

**FOR FURTHER INFORMATION CONTACT:** Robert Dalzell, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4228, Washington, DC 20410-5000; telephone (202) 708-0440. (This is not a toll-free number.) For those needing assistance, this number may be accessed through TTY by calling

the toll-free Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** Under this delegation, which supersedes all prior delegations to the Assistant Secretary for Public and Indian Housing, the Secretary delegates to the Assistant Secretary for Public and Indian Housing all powers and authorities with respect to HUD's Public and Indian Housing programs, except for those powers and authorities, which are specifically excepted from this delegation.

### **Section A. Authority Delegated**

The Secretary delegates to the Assistant Secretary for Public and Indian Housing the power and authority of the Secretary to:

1. Administer programs under the jurisdiction of the Secretary that are carried out pursuant to the authority transferred from the Public Housing Administration under section 5(a) of the Department of Housing and Urban Development Act (42 U.S.C. 3534);

2. Administer each program of the Department that is authorized pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437 *et seq.*), including but not limited to the Public Housing program, Section 8 programs (except the following Section 8 Project-Based programs: New Construction, Substantial Rehabilitation, Loan Management Set-Aside and Property Disposition), the HOPE VI program and predecessor programs that are no longer funded but have ongoing commitments.

3. Administer such other programs for which assistance is provided for or on behalf of public housing agencies or public housing residents.

### **Section B. Authority Excepted**

The authority delegated under Section A does not include the power to sue and be sued.

### **Section C. Authority To Redelegate**

The authority delegated in Section A may be redelegated to employees of the Department through written delegations of authority, except for the authority to issue and waive regulations.

### **Section D. Authority Revoked**

All authority previously delegated to the Assistant Secretary for Public and Indian Housing is revoked and is superseded by this delegation of authority.

### **Section E**

This notice of delegation of authority shall be conclusive evidence of the authority of the Assistant Secretary for Public and Indian Housing or a delegate, to execute, in the name of the Secretary,