

Commissioner and the General Deputy Assistant Secretary for Housing-Deputy Federal Housing Commissioner. This delegation supersedes and/or revokes all prior delegations from the Secretary to the Assistant Secretary. Additionally, the authority delegated applies not only to current statutory authorities but also to later-enacted statutes and statutory amendments that pertain to the legislative acts cited in the delegation.

**EFFECTIVE DATE:** August 11, 2003.

**FOR FURTHER INFORMATION CONTACT:** Eliot C. Horowitz, Senior Advisor to the Assistant Secretary for Housing-Federal Housing Commissioner, Office of Housing, Department of Housing and Urban Development, Room 9110, Washington, DC 20410-8000; telephone (202) 708-1490. (This is not a toll-free number.) Persons with hearing or speech impairments may call HUD's toll-free Federal Information Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** HUD offices have undergone several changes over the past few years. Programs and functions have been revamped and refocused so that HUD can deliver services to its clients and customers in the most productive, efficient, and responsive manner possible. A natural consequence of these changes is the restructuring of HUD offices as well as the nature and scope of the particular duties the offices perform. This, in turn, requires the issuance of new and updated delegations of authority.

The purpose of today's publication is to provide the public with a comprehensive listing of delegations of authority from the Secretary of HUD to the Assistant Secretary for Housing-Federal Housing Commissioner and the General Deputy Assistant Secretary-Deputy Federal Housing Commissioner. In the near future, the Office of Housing (Housing), which includes the Federal Housing Administration (FHA), will publish in the **Federal Register**, a comprehensive listing of up-to-date delegations of authority issuing from the Housing Assistant Secretary to HUD staff both within and outside of Housing. Therefore, the public shall be able to find, in one publication, all of the authority delegated from the Secretary to the Housing Assistant Secretary, and in another, all the authority redelegated by the Housing Assistant Secretary.

HUD last published a comprehensive delegation from the Secretary to the Housing Assistant Secretary and the General Deputy Assistant Secretary on May 22, 1989 (54 FR 22033). Over the years, other delegations and redelegations were issued by the

Secretary and the Housing Assistant Secretary, respectively, that were program specific, e.g., recognizing authorities and functions emanating from new legislation. However, experience teaches that maintaining a comprehensive or master delegation, on the one hand, and splinter delegations, on the other, can create for the public a measure of confusion and difficulty in keeping track of which HUD offices and staff are responsible for the conduct of the various HUD programs and program components. Accordingly, Housing shall periodically update and publish, in its entirety, the Secretary's master delegation to reflect major new or modified delegations, including any revocations of authority. The Housing Assistant Secretary's master redelegation shall be treated in similar fashion. Therefore, one will only need to review a single publication to locate where Housing program authorities and functions reside.

#### **Section A. General Delegation of Authority**

Unless otherwise stated, the Assistant Secretary for Housing-Federal Housing Commissioner and the General Deputy Assistant Secretary for Housing are each delegated the power and authority of the Secretary of HUD with respect to all Housing programs and functions, including but not limited to, those listed below in Sections A through E, with authority to redelegate to employees of the Department, unless otherwise specified. Only the Housing Assistant Secretary, however, is delegated the authority to issue rules or regulations to carry out Housing programs and to waive regulations. This authority may not be redelegated. The Housing Assistant Secretary, as well as other Housing officials, are authorized to cause the seal of HUD to be affixed to, and to authenticate copies of documents. The authority to affix the seal and authenticate copies of documents is also addressed in a separate delegation of authority. Finally, the authority delegated herein supersedes and revokes prior delegations from the Secretary to the Housing Assistant Secretary and applies both to current authority and later enacted statutory authority.

#### **Section B. Multifamily Programs—Authority Delegated:**

The authority of the Secretary of HUD with respect to Housing's multifamily programs and functions authorized under the following:

(1) Titles I, II, V, VI, VII, VIII, IX, and XI of the National Housing Act (12 U.S.C. 1701 *et seq.*) in exercising the

power and authority delegated under this section;

(2) Section 202 of the Housing Act of 1959, as such section existed prior to the enactment of the Cranston-Gonzalez National Affordable Housing Act (12 U.S.C. 1701q note) as amended by section 811 of the American Homeownership and Economic Opportunity Act of 2000 (Pub. L. 106-561);

(3) Section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as amended by Subtitle A of Title VIII of the National Affordable Housing Act of 1990, with respect to the provision of capital advances and rental housing assistance for supportive housing for the elderly, as amended by Subtitle C of the American Homeownership and Economic Opportunity Act of 2000 (Pub. L. 106-561);

(4) Section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) with respect to the Rent Supplement program for disadvantaged persons, including the authority to administer contracts and requirements for rent supplements;

(5) Section 8 Housing assistance under the United States Housing Act of 1937 (42 U.S.C. 1437, *et seq.*), including the authority delegated under Executive Order 11196, to approve the undertaking of any annual contribution, grant, or loan, or any agreement or contract for any annual contribution, grant, or loan;

(6) Section 808 of the National Affordable Housing Act, Pub. L. 101-625, and Sections 671, 672, 674, 676, and 677 of the Housing and Community Development Act of 1992 (42 U.S.C. 13631) with respect to the provision of service coordinators in federally-assisted housing;

(7) Sections 201, 202, 203, and 204 of the Housing and Community Development Amendments of 1978, and the amendments contained in Title I of the Multifamily Housing Property Disposition Reform Act of 1994 (Pub. L. 103-233, 12 U.S.C. 1701 note);

(8) The Housing Development Grant Program, pursuant to Section 17 of the United States Housing Act of 1937 (42 U.S.C. 1437o);

(9) Under Section 4(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3533), the Assistant Secretary for Housing-Federal Housing Commissioner is the Assistant to the Secretary who shall be responsible for providing information and advice to nonprofit organizations desiring to sponsor housing projects assisted under programs administered by the Department;