

Dated: January 5, 2009.

Hugo Teufel III,

Chief Privacy Officer, Department of Homeland Security.

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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Privacy Act of 1974; System of Records

AGENCY: Privacy Office, DHS.

ACTION: Notice of removal of a Privacy Act system of records notice.

SUMMARY: In accordance with the Privacy Act of 1974, the Department of Homeland Security is giving notice that it proposes to consolidate the following Privacy Act system of records notice, FEMA/CGC-1, August 28, 2000, into an existing Department of Homeland Security system of records notice, DHS/ALL-013 Department of Homeland Security Claims Records, October 28, 2008.

DATES: *Effective Date:* February 12, 2009.

FOR FURTHER INFORMATION CONTACT:

Hugo Teufel III, Chief Privacy Officer, Department of Homeland Security, Washington, DC 20528, by telephone (703) 235-0780 or facsimile 703-483-2999.

SUPPLEMENTARY INFORMATION: Pursuant to the provisions of the Privacy Act of 1974, 5 U.S.C. 552a, and as part of its ongoing integration and management efforts, the Department of Homeland Security (DHS) is giving notice that it proposes to consolidate the following Privacy Act system of records notice, FEMA/CGC-1 (65 FR 52116 August 28, 2000) into an existing Department of Homeland Security system of records notice, DHS/ALL-013 Department of Homeland Security Claims Records (73 FR 63987 October 28, 2008).

DHS inherited this records system upon its creation in January of 2003. Upon review of its inventory of record systems, DHS has determined that it should be consolidated into DHS/ALL-013 Department of Homeland Security Claims Records (73 FR 63987 October 28, 2008).

DHS is consolidating FEMA/CGC-1 (65 FR 52116 August 28, 2000), Cerro Grande Fire Assistance Claim Files. This system was originally established to expeditiously consider and settle claims for injuries suffered as a result of the Cerro Grande Fire.

Consolidating this system of records notice will have no adverse impacts on individuals, but will promote the overall streamlining and management of DHS Privacy Act record systems.

Dated: January 5, 2009.

Hugo Teufel III,

Chief Privacy Officer, Department of Homeland Security.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5264-D-01]

Redelegation of Authority for Office of Public and Indian Housing

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice to redelegate authority.

SUMMARY: Through this notice, the Assistant Secretary for Public and Indian Housing retains and redelegates certain authority to the Deputy Assistant Secretaries of the Office of Public and Indian Housing (PIH).

DATES: *Effective Date:* December 24, 2008.

FOR FURTHER INFORMATION CONTACT:

Linda Bronsdon, AICP, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW., Room 4116, Washington, DC 20410-5000, telephone number 202-708-0713. (This is not a toll-free number.) Hearing-or speech-impaired individuals may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION: Section 7(d) of the Department of Housing and Urban Development (HUD) Act, as amended (42 U.S.C. 3535(d)), provides authority to the Secretary to delegate functions, powers and duties as the Secretary deems necessary. In the Consolidated Delegation of Authority for PIH, published on August 4, 2004, at 69 FR 47171, the Secretary of HUD delegated authority to the Assistant Secretary for PIH and authorized the Assistant Secretary to redelegate authority for the administration of certain PIH programs.

Section A. Authority Redelegated

The Assistant Secretary for PIH redelegates to Deputy Assistant Secretaries for PIH the power and authority of the Assistant Secretary for PIH to administer the following:

1. 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) as amended;

2. Each program of the Department that is authorized pursuant to the United States Housing Act of 1937 (1937 Act) (42 U.S.C. 1437 *et seq.*) as amended, 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) and predecessor programs that are no longer funded but have ongoing commitments;

3. PIH programs for which assistance is provided for or on behalf of public housing agencies (PHAs), public housing residents or other low-income households; and

4. PIH programs for which assistance is provided for or on behalf of Native Americans, Indian tribes, Alaska Native Villages, Native Hawaiians, tribal entities, tribally designated housing entities, or tribal housing resident organizations, as defined in Section G.

Section B. Authority Excepted

The redelegation of authority to the Deputy Assistant Secretaries does not include any power or authority under law specifically required of either the Secretary of HUD or the Assistant Secretary of PIH. Authority excepted includes:

1. Issue or waive regulations, including waivers pursuant to Section 982.161(c) of title 24 of the Code of Federal Regulations which permits HUD field offices to act on waivers of conflict of interests. Public Housing Field Office Directors are to not exercise this authority;

2. Issue notices to clarify regulations;

3. Issue Notices of Funding Availability (NOFAs), handbooks, notices and other HUD policy directives;

4. Waive any provision of an Annual Contributions Contract (ACC) including a determination of substantial breach or default; taking possession or title of property from a PHA; and declaring breach or default in response to any violation of statute or regulations;

5. Impose remedies for substantial noncompliance with the requirements of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4101 *et seq.*) and/or its implementing regulations; and