

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**[Docket No. FR-5544-D-01]****Consolidated Delegation of Authority for the Office of Fair Housing and Equal Opportunity****AGENCY:** Office of the Secretary, HUD.**ACTION:** Notice of delegation of authority.

SUMMARY: In this notice, the Secretary delegates authority pertaining to civil rights statutes, including the Fair Housing Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; and Section 109 of the Housing and Community Development Act of 1974, as amended, to the Assistant Secretary for Fair Housing and Equal Opportunity. This delegation supersedes all prior delegations for the Office of Fair Housing and Equal Opportunity.

DATES: *Effective Date:* November 16, 2011.

FOR FURTHER INFORMATION CONTACT: Sara K. Pratt, Deputy Assistant Secretary for Enforcement and Programs, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 Seventh Street SW., Room 5204, Washington, DC 20410-0001, telephone number (202) 402-6322 (this is not a toll-free number). Hearing- and speech-impaired individuals may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: This notice consolidates into one document the authority delegated by the Secretary to exercise authority pertaining to civil rights statutes, including the Fair Housing Act, 42 U.S.C. 3601 *et seq.*; Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d *et seq.*; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 791 *et seq.*; the Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 *et seq.*; and Section 109 of the Housing and Community Development Act of 1974, as amended, 42 U.S.C. 5301 *et seq.*, to the Assistant Secretary for Fair Housing and Equal Opportunity (FHEO) and supersedes all prior delegations of authority from the Secretary to the Assistant Secretary for FHEO. This consolidated delegation of authority restates existing authority currently delegated by the Secretary to the Assistant Secretary for FHEO and does not provide any new authority.

Section A. Authority

The Secretary hereby delegates to the Assistant Secretary for FHEO authority and responsibility over the Department's civil rights agenda. In carrying out these responsibilities, the Assistant Secretary for FHEO shall have the authority to issue and waive regulations for the civil rights statutes and authorities enforced and/or administered by HUD and shall, among other duties:

1. Exercise the power and authority of the Secretary with respect to the Fair Housing Act, except the powers delegated to the General Counsel and to the Office of Administrative Law Judges;

2. Act as the "responsible Department official" in all matters relating to the carrying out of the requirements under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and its implementing regulations (24 CFR part 1), except authority pertaining to tenant selection plans under 24 CFR 1.4(b)(2)(ii);

3. Act as the "responsible civil rights official" and the "reviewing civil rights official," as provided in HUD's implementing regulations for Section 504 of the Rehabilitation Act of 1973 (24 CFR part 8);

4. Exercise the power and authority of the Secretary with respect to the administration and enforcement of the nondiscrimination provisions contained in Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5309) and act as the "responsible civil rights official" and the "reviewing civil rights official," as provided in HUD's implementing regulations for Section 109 (24 CFR part 6);

5. Exercise the power and authority of the Secretary with respect to the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and its implementing regulations in 24 CFR part 146 (The authority delegated in this notice does not include authority as provided in 24 CFR 146.39, 146.47(a), and 146.49); and

6. Exercise the power and authority to determine whether an applicant for, or participant in, a HUD program is complying with the civil rights related program requirements (CRRPRs). CRRPRs are requirements of HUD programs relating to civil rights contained in laws and regulations pertaining to the particular program, general civil rights statutes, notices of funding availability (NOFAs), Mortgagee Letters, or by other agreement between the Assistant Secretary for FHEO and the Assistant Secretary who has been delegated authority over the particular program.

7. Exercise all power and authority under the Fair Housing provisions of the

Federal Housing Enterprises Financial Safety and Soundness Act (FHEFSSA) at 12 U.S.C. 4545 and under the implementing regulations at 24 CFR part 81.

Section B. Authority Excepted

The authority delegated in this document does not include the authority to sue or be sued.

Section C. Authority to Redelegate

The Assistant Secretary for FHEO is authorized to redelegate to employees of HUD any of the power and authority delegated to him/her, including the authority to act as the "responsible Department official," "responsible civil rights official," and the "reviewing civil rights official." The Assistant Secretary for FHEO may also authorize successive redelegations. The Assistant Secretary for FHEO may not redelegate the authority to issue or waive regulations.

Section D. Authority Superseded

This delegation supersedes all previous delegations of authority from the Secretary to the Assistant Secretary for FHEO.

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

Dated: November 16, 2011.

Shaun Donovan,

Secretary.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**[Docket No. FR-5544-D-02]****Order of Succession for the Office of Fair Housing and Equal Opportunity**

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

ACTION: Notice of Order of Succession.

SUMMARY: In this notice, the Assistant Secretary for Fair Housing and Equal Opportunity designates the Order of Succession for the Office of Fair Housing and Equal Opportunity. This Order of Succession supersedes all previous Orders of Succession for the Office of Fair Housing and Equal Opportunity.

DATES: *Effective Date:* November 16, 2011.

FOR FURTHER INFORMATION CONTACT: Everard B. Mattox, Administrative Officer, Resource Management Division, Office of Fair Housing and Equal Opportunity, Department of Housing

and Urban Development, 451 Seventh Street SW., Room 5124, Washington DC 20410, telephone number (202) 708-2701. (This is not a toll-free number.) This number may be accessed through TTY by calling the toll-free Federal Relay Service at 1-(800)-877-8339.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for the Office of Fair Housing and Equal Opportunity is issuing this Order of Succession of officials authorized to perform the functions and duties of the Office of Fair Housing and Equal Opportunity when, by reason of absence, disability, or vacancy in office, the Assistant Secretary for the Office of Fair Housing and Equal Opportunity is not available to exercise the powers or perform the duties of the office. This Order of Succession is subject to the provisions of the Federal Vacancies Reform Act of 1998 (5 U.S.C. 3345-3349d). This publication supersedes all previous Orders of Succession for the Office of Fair Housing and Equal Opportunity.

Accordingly, the Assistant Secretary for the Office of Fair Housing and Equal Opportunity designates the following Order of Succession:

Section A. Order of Succession

Subject to the provisions of the Federal Vacancies Reform Act of 1998, during any period when, by reason of absence, disability, or vacancy in office, the Assistant Secretary for the Office of Fair Housing and Equal Opportunity for the Department of Housing and Urban Development is not available to exercise the powers or perform the duties of the Assistant Secretary for the Office of Fair Housing and Equal Opportunity, the following officials within the Office of Fair Housing and Equal Opportunity are hereby designated to exercise the powers and perform the duties of the Office, including the authority to waive regulations:

- (1) General Deputy Assistant Secretary for Fair Housing and Equal Opportunity;
- (2) Deputy Assistant Secretary for Enforcement and Programs;
- (3) Deputy Assistant Secretary for Operations and Management;
- (4) Director, Office of Policy, Legislative Initiatives and Outreach;
- (5) Director, Office of Enforcement;
- (6) Director, Office of Programs; and
- (7) Director, Office of Management, Planning and Budget.

These officials shall perform the functions and duties of the office in the order specified herein, and no official shall serve unless all the other officials, whose position titles precede his/hers in this order, are unable to act by reason

of absence, disability, or vacancy in office.

Section B. Authority Superseded

This Order of Succession supersedes all previous Orders of Succession for the Assistant Secretary for Fair Housing and Equal Opportunity.

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

Dated: November 16, 2011.

John Trasviña,

Assistant Secretary for Fair Housing and Equal Opportunity.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5544-D-03]

Redelegation of Administrative Authority for Title VI of the Civil Rights Act of 1964

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 (FHEO) supersedes all redelegations of authority under Title VI of the Civil Rights Act of 1964 made within the Office of the Assistant Secretary for FHEO and retains and redelegates this authority to act as the “responsible Department official,” with noted exceptions, to the General Deputy Assistant Secretary, who in turn, retains and redelegates this authority, with noted exceptions to the Deputy Assistant Secretary for Enforcement and Programs, Director of the Office of Enforcement, Director of Systemic Investigations and the FHEO Region Directors.

DATES: *Effective Date:* November 16, 2011.

FOR FURTHER INFORMATION CONTACT: Sara Pratt, Deputy Assistant Secretary for Enforcement and Programs, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 Seventh Street SW., Room 5204, Washington, DC 20410-0001, telephone (202) 402-6322. (This is not a toll-free number.) Hearing- and speech-impaired individuals may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: By separate notice published in today’s

Federal Register, the Secretary delegates to the Assistant Secretary for FHEO authority pertaining to civil rights statutes. Included in that consolidated delegation is, all authority to act as the “responsible Department official” in all matters relating to the carrying out of the requirements under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and its implementing regulations (24 CFR. part 1) except authority pertaining to tenant selection plans under 24 CFR 1.4(b)(2)(ii).

In this redelegation, the Assistant Secretary for FHEO supersedes all previous redelegations and retains and redelegates the authority to act as the “responsible Department official” under Title VI of the 1964 Civil Rights Act, and its implementing regulations, and now retains and redelegates this authority as follows:

Section A. Authority Redelegated

With certain exceptions noted in Section B, the Assistant Secretary for FHEO redelegates to the General Deputy Assistant Secretary for FHEO the authority, under Title VI as provided in 24 CFR part 1, to act as the “responsible Department official” in matters delegated to the Assistant Secretary for FHEO, including the authority to further redelegate this authority. The General Deputy Assistant Secretary for FHEO retains and further redelegates this authority, with noted exceptions in Section B, to the Deputy Assistant Secretary for Enforcement and Programs, Director of the Office of Enforcement, Director of the Office of Systemic Investigations, and the FHEO Region Directors.

Section B. Authority Excepted

The authority redelegated by the Assistant Secretary in this notice does not include the authority to issue or to waive regulations. The authority redelegated by the General Deputy Assistant Secretary for FHEO does not include the authority under 24 CFR 1.8(a) to refer to the Department of Justice (DOJ) unresolved findings of non-compliance or seek other means of compliance, the authority under 24 CFR 1.8(c) to terminate, refuse to grant, or refuse to continue federal financial assistance, or the authority under 24 CFR 1.8(d) to determine that compliance cannot be effectuated by informal means and does not include authority to further redelegate.

Section C. Delegations of Authority Superseded

All prior redelegations of authority under Title VI of the Civil Rights Act of