



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

Ms. Rita Young
OMB Desk Office
Office of Management and Budget
New Executive Office Building
Washington, DC 20503

Dear Ms. Young:

HUD is seeking emergency review of an Information Collection Request (ICR) under the Paperwork Reduction Act (PRA) for waivers through HUD's Office of Public and Indian Housing (PIH). Under the national impact of the coronavirus, and in compliance with the requirements of 5 CFR §1320.13, this letter requests the information collection associated with all PIH emergency waivers, described further below, undergo immediate processing. This action is essential to HUD's mission of ensuring safe, decent, and habitable housing for the Nation's most at risk population through direct assistance to local public housing agencies (PHAs).

Following approval of the emergency request, HUD will complete the normal clearance procedures with full 60- and 30-day public comment periods. Any delay in the collection of this information will result in a delayed, and possibly unrecoverable, opportunity to responsibly analyze these waivers, which were enacted to provide relief from emergencies. The Notice, proposed for immediate publication in the Federal Register for 7 days, explains the collections and invites public comments. It is anticipated that future renewals of this ICR will drop references to the COVID-19 crisis.

For the COVID-19 emergency, the CARES Act was enacted on March 27, 2020. The Act includes the provision allowing the Secretary of HUD to "waive, or specify alternative requirements for, any provision of any statute or regulation (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment)...upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the safe and effective administration of these funds... to prevent, prepare for, and respond to coronavirus." PIH notice 2020-05 was posted 4/10/20 that details the waivers available to PHAs for relief in response the COVID-19 crisis. This notice currently states: *PHAs are required to keep documentation that record which waivers the PHA applied to their programs(s) and the effective dates.*

For presidentially declared Major Disaster Declarations (MDDs), FR-6050-N-04 is *Relief from HUD Public Housing and Section 8 Requirements Available During CY 2020 and CY 2021 to Public Housing Agencies to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Presidentially Declared Major Disasters* is currently pending publication. HUD is required to report on which waivers PHAs used during the MDDs and separately publish these waivers within quarterly *Federal Register* publications.

A third category included in this ICR are future emergencies not yet identified, but that will provide waiver relief. For the collection of all such exigent waiver reliefs, a checklist or similar format will be created based directly on the parent guidance enumerating and explaining the available waivers.

In summary, the expedient approval of this emergency processing is necessary to ensure statutory and regulatory waiver authority given to HUD is properly tracked. With this information, HUD reports to Congress and other stakeholders on how the authorities were used. Per 5 CFR 1320.13(a), this information is needed quickly in order for entities availing use of the waivers record their date of implementation; is essential to PIH's mission to provide appropriate relief during emergencies; and harm is likely to occur if limited resources are used for regulatory compliance that could be waived and better used toward handling the impact of the COVID-19, MDDs, or other emergency.

Thank you for your consideration and assistance.

Sincerely,

R. Hunter Kurtz
Assistant Secretary