

including those related to aviation security programs, the Presidential transition, and cybersecurity.

The session is closed under 5 U.S.C. 552b(c)(7)(E) because disclosure of that information could reveal investigative techniques and procedures not generally available to the public, allowing terrorists and those with interests against the United States to circumvent the law and thwart the Department's strategic initiatives. In addition, the session is closed pursuant to 5 U.S.C. 552b(c)(9)(B) because disclosure of these techniques and procedures could frustrate the successful implementation of protective measures designed to keep our country safe.

**Participation:** Members of the public will have until 5:00 p.m. EST on Monday, November 28, 2016, to register to attend the Council meeting on December 1, 2016. Due to limited availability of seating, admittance will be on a first-come first-serve basis. Participants interested in attending the meeting can contact Mike Miron at [HSAC@hq.dhs.gov](mailto:HSAC@hq.dhs.gov) or (202) 447-3135. You are required to provide your full legal name, date of birth, and company/agency affiliation. The public may access the facility via public transportation or use the public parking garages located near the Wilson Center. Directions to the Wilson Center can be found at: <http://wilsoncenter.org/directions>. Members of the public will meet at 1:00 p.m. EST at the Wilson Center's main entrance for sign in and escorting to the meeting room for the public session. Late arrivals after 1:30 p.m. EST will not be permitted access to the facility.

**Facility Access:** You are required to present a valid original government issued ID, to include a State Driver's License or Non-Driver's Identification Card, U.S. Government Common Access Card (CAC), Military Identification Card or Person Identification Verification Card; U.S. Passport, U.S. Border Crossing Card, Permanent Resident Card or Alien Registration Card; or Native American Tribal Document.

**Information of Services for Individuals with Disabilities:** For information on facilities or services for individuals with disabilities, or to request special assistance at the meeting, contact Mike Miron at [HSAC@hq.dhs.gov](mailto:HSAC@hq.dhs.gov) or (202) 447-3135 as soon as possible.

Dated: November 10, 2016.

**Sarah E. Morgenthau,**  
Executive Director, Homeland Security  
Advisory Council, DHS.

[FR Doc. 2016-27539 Filed 11-15-16; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5855-N-04]

### Small Area Fair Market Rents in Housing Choice Voucher Program Values for Selection Criteria and Metropolitan Areas Subject to Small Area Fair Market Rents

**AGENCY:** Office of the Assistant Secretary for Policy Development and Research, HUD.

**ACTION:** Notice.

**SUMMARY:** On June 16, 2016, HUD sought comment on applying Small Area Fair Market Rents (Small Area FMRs) to certain metropolitan areas for administration of the Housing Choice Voucher (HCV) program based on certain selection criteria and selection values. Found elsewhere in this issue of the **Federal Register** is a final rule adopting the use of Small Area FMRs for the HCV program and the selection criteria. The final rule also requires HUD to set forth the values used to determine those metropolitan areas that are subject to Small Area FMRs through a **Federal Register** notice. This notice sets forth the values for the selection criteria and lists the metropolitan areas that will be subject to Small Area FMRs implemented in the Small Area FMRs final rule.

**DATES:** *Effective:* January 17, 2017.

**FOR FURTHER INFORMATION CONTACT:** For information about this rule, contact Peter B. Kahn, Director, Economic and Market Analysis Division, Office of Economic Affairs, Office of Policy Development and Research, U.S. Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, telephone (202) 402-2409; email: [SAFMR\\_Rule@hud.gov](mailto:SAFMR_Rule@hud.gov). The listed telephone number is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling Federal Relay Service at 1-800-877-8339 (this is a toll-free number).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On June 2, 2015, at 80 FR 31332, HUD published an advance notice of final rulemaking (ANPR) entitled "Establishing a More Effective Fair Market Rent (FMR) System; Using Small Area Fair Market Rents (Small Area FMRs) in Housing Choice Voucher Program Instead of the Current 50th Percentile FMRs." In this ANPR, HUD announced its intention to amend HUD's FMR regulations applicable to the HCV program and sought public

comment on the use of certain criteria for setting Small Area FMRs for the HCV program within certain metropolitan areas.

On June 16, 2016, at 81 FR 39218, HUD published a proposed rule that would require the use of Small Area FMRs in place of the 50th percentile rent to address high levels of voucher concentration. The proposed rule addressed the issues and suggestions raised by public commenters on the ANPR, and in response to public comments proposed new criteria for setting Small Area FMRs for the HCV program.

The proposed regulation provided, in 24 CFR 888.113(c), to set Small Area FMRs for metropolitan areas where at least 2,500 HCVs are under lease; at least 20 percent of the standard quality rental stock, within the metropolitan area, is in small areas (that is ZIP codes) where the Small Area FMR is more than 110 percent of the metropolitan FMR; and the measure of the percentage of voucher holders living in concentrated low-income areas relative to all renters within these areas over the entire metropolitan area exceeds 155 percent (or 1.55).

The proposed regulation also provided, in 24 CFR 888.113(c)(2), that "concentrated low-income areas" means those census tracts in the metropolitan FMR area with a poverty rate of 25 percent or more; or any tract in the metropolitan FMR area where more than 50 percent of the households earn incomes at less than 60 percent of the area median income (AMI) and are designated as Qualified Census Tracts in accordance with section 42 of the Internal Revenue Code (26 U.S.C. 42). Lastly, the proposed regulation provided, in 24 CFR 888.113(c)(3), that if a metropolitan area meets the criteria for application of Small Area FMRs to the area, all PHAs administering HCV programs in that area will be required to use Small Area FMRs.

In addition to setting forth new proposed criteria, HUD specifically requested comment on whether HUD should codify in regulatory text the selection parameters for Small Area FMRs or if they should be incorporated into each annual FMR notice, subject to public comment, to provide HUD, PHAs, and other stakeholders with flexibility to offer changes to the selection parameters. HUD also asked for comments on the criteria that HUD selected for determining which metropolitan areas should be impacted by the shift to a Small Area FMR instead of the current 50th percentile policy.

The final rule, found elsewhere in the **Federal Register**, responded to the

public comments received on the questions posed by HUD and sets forth new selection criteria for HUD to use in determining which metropolitan areas would be impacted by the shift to a Small Area FMR and provides that the criteria values would be set by notice in the **Federal Register**. Specifically, HUD codified in the final rule the selection parameters in regulatory text for setting Small Area FMRs but provided that HUD would set the selection values through this **Federal Register** notice and that subsequent Small Area FMR Area designations will be specified through **Federal Register** notice with opportunity for public comment as new Small Area FMR designations are made.

In response to comments, HUD also adds two new selection criteria to those provided in the proposed rule. First, HUD adds the vacancy rate of an area as a criterion to the selection parameters for Small Area FMRs and excludes metropolitan areas with a certain ACS vacancy rate from being designated a Small Area FMR area. Second, HUD adds a threshold for the voucher concentration ratio to better target communities where voucher concentration is most severe. Consequently, in addition to the voucher concentration ratio included in the proposed rule, the final rule also requires the numerator of this measure, the concentration of voucher holders within concentrated low income areas, to meet a minimum standard level.

## II. Selection Values for Selecting Small Area FMRs

Through this notice, HUD is setting the selection values to determine the first-set of metropolitan FMR areas subject to Small Area FMRs for use in the administration of tenant-based assistance under the HCV program. Metropolitan FMR areas that meet the following requirement will be subject to Small Area FMRs consistent with 24 CFR 888.113(c):

(i) There are at least 2,500 HCV under lease;

(ii) At least 20 percent of the standard quality rental stock, within the metropolitan FMR area is in small areas (ZIP codes) where the Small Area FMR is more than 110 percent of the metropolitan FMR;

(iii) The percentage of voucher families living in concentrated low income areas relative to all renters within the area must be at least 25 percent;

(iv) The measure of the percentage of voucher holders living in concentrated low income areas relative to all renters within these areas over the entire

metropolitan area exceeds 155 percent (or 1.55); and

(v) The vacancy rate for the metropolitan area is higher than 4 percent. The vacancy rate is calculated using data from the 1-year American Community Survey (ACS) tabulations, the vacancy rate is the number of Vacant For Rent Units divided by the sum of the number of Vacant For Rent Units, the number of Renter Occupied Units, and the number of Rented, not occupied units. The vacancy rate will be calculated from the 3 most current ACS 1 year datasets available and average the 3 values.

The metropolitan FMR Areas that meet these requirements are as follows:

Atlanta-Sandy Springs-Marietta, GA HUD Metro FMR Area  
 Bergen-Passaic, NJ HUD Metro FMR Area  
 Charlotte-Gastonia-Rock Hill, NC-SC HUD Metro FMR Area  
 Chicago-Joliet-Naperville, IL HUD Metro FMR Area  
 Colorado Springs, CO HUD Metro FMR Area  
 Dallas-Plano-Irving, TX Metro Division  
 Fort Lauderdale-Pompano Beach-Deerfield Beach, FL Metro Division  
 Fort Worth-Arlington, TX HUD Metro FMR Area  
 Gary, IN HUD Metro FMR Area  
 Hartford-West Hartford-East Hartford, CT HUD Metro FMR Area  
 Jackson, MS HUD Metro FMR Area  
 Jacksonville, FL HUD Metro FMR Area  
 Monmouth-Ocean, NJ HUD Metro FMR Area  
 North Port-Bradenton-Sarasota, FL MSA  
 Palm Bay-Melbourne-Titusville, FL MSA  
 Philadelphia-Camden-Wilmington, PA-NJ-DE-MD MSA  
 Pittsburgh, PA HUD Metro FMR Area  
 Sacramento-Arden-Arcade-Roseville, CA HUD Metro FMR Area  
 San Antonio-New Braunfels, TX HUD Metro FMR Area  
 San Diego-Carlsbad-San Marcos, CA MSA  
 Tampa-St. Petersburg-Clearwater, FL MSA  
 Urban Honolulu, HI MSA  
 Washington-Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area  
 West Palm Beach-Boca Raton-Delray Beach, FL Metro Division

Dated: November 1, 2016.

**Katherine M. O'Regan,**  
*Assistant Secretary for Policy Development and Research.*

[FR Doc. 2016-27112 Filed 11-15-16; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Safety and Environmental Enforcement

[Docket ID BSEE-2016-0007; OMB Number 1014-0006; 17XE1700DX EEEE50000 EX1SF0000.DAQ000]

**Information Collection Activities: Sulfur Operations; Submitted for Office of Management and Budget (OMB) Review; Comment Request**

**ACTION:** 30-Day notice.

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Safety and Environmental Enforcement (BSEE) is notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of the paperwork requirements in the regulations under Subpart P, *Sulfur Operations*. This notice also provides the public a second opportunity to comment on the paperwork burden of these regulatory requirements.

**DATES:** You must submit comments by December 16, 2016.

**ADDRESSES:** Submit comments by either fax (202) 395-5806 or email (*OIRA\_Submission@omb.eop.gov*) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1014-0006). Please provide a copy of your comments to BSEE by any of the means below.

- *Electronically:* go to <http://www.regulations.gov> and search for BSEE-2016-0007. Follow the instructions to submit public comments and view all related materials. We will post all comments.

- *Email:* [Kelly.odom@bsee.gov](mailto:Kelly.odom@bsee.gov), fax (703) 787-1546, or mail or hand-carry comments to: Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch; Attention: Kelly Odom; 45600 Woodland Road, Sterling, VA 20166. Please reference 1014-0006 in your comment and include your name and return address.

**FOR FURTHER INFORMATION CONTACT:** Kelly Odom, Regulations and Standards Branch, (703) 787-1775, to request additional information about this ICR. To see a copy of the entire ICR submitted to OMB, go to <http://www.reginfo.gov> (select Information Collection Review, Currently Under Review).

**SUPPLEMENTARY INFORMATION:**