

paragraph H. to be H.1. and by adding paragraph H.2. to read as follows:

“2. Bedroom size must be determined based on the number of family members living in the household, not on the number of bedrooms in the unit to be rented. Guidelines for determining unit size are one bedroom for each two persons within the household, except:

a. Persons of the opposite sex (other than spouses, and children under age 5) are not required to share a bedroom;

b. Persons of different generations are not required to share a bedroom;

c. Live-in aides must be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family; and

d. Single person families must be allocated zero or one bedroom.

Therefore, in situations where the available housing has more bedrooms than necessary for the family size and composition, the rental assistance payment must be limited to the number of bedrooms based on the guidelines listed above. If a grantee chooses to “over house” a Veteran family by placing the family in a larger unit than the family requires under the above guidelines, the maximum amount of Tribal HUD-VASH funds that can be used to house the Veteran family is the rent for a unit sized in accordance with the guidelines, and in accordance with Section VI., subsection H of this notice. Any additional rental costs due to over housing cannot be funded with Tribal HUD-VASH or regular Indian Housing Block Grant (IHBG) funds, but can be funded by other resources. In addition, Tribes/TDHEs may want to consider shared housing arrangements in situations where appropriate-sized housing is limited, but where individual Veterans could have a separate bedroom and share common areas.”

*D. Section VI. Subsection L (Affordability Periods and Binding Commitments)*

HUD has determined that this subsection is too restrictive when project-based housing is being used to house eligible homeless Native American Veterans. As a result, HUD is removing this requirement and deleting Section VI.L of the October 21, 2015, Notice.

Dated: November 28, 2016.

**Lourdes Castro Ramirez,**

*Principal Deputy Assistant Secretary for Public and Indian Housing.*

[FR Doc. 2016-29211 Filed 12-5-16; 8:45 am]

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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**24 CFR Chapter V**

[Docket No. FR-5976-C-04]

**Housing Opportunity Through Modernization Act of 2016: Initial Guidance; Correction**

**AGENCY:** Office of General Counsel, HUD.

**ACTION:** Initial implementation guidance; correction.

**SUMMARY:** On October 24, 2016, HUD published implementation guidance for the Housing Opportunity Through Modernization Act. In that document, HUD inadvertently published the incorrect implementation information for changes regarding the Self-Help Homeownership Opportunity Program (SHOP). This notice corrects that information.

**DATES:** *Effective Date:* The effective date for the implementation guidance of October 24, 2016 is unchanged.

**FOR FURTHER INFORMATION CONTACT:** With respect to this supplementary document, contact Ariel Pereira, Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, 451 7th Street SW., Room 10238, Washington, DC 20410; telephone number 202-708-1793 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

On October 24, 2016, HUD published a document advising the public on HUD's implementation plans for the Housing Opportunity Through Modernization Act (HOTMA) (Pub. L. 114-201). That document inadvertently contained inaccurate implementation information for changes relating to SHOP. This correction replaces that inaccurate information with the corrected information.

**II. Correction**

In document FR-5897-N-01, published October 24, 2016 (81 FR 73030), make the following correction: On page 73032, in the first column, replace the implementation action for section 502 with the following paragraph:

*Implementation action:* This provision was effective upon enactment of HOTMA. The Fiscal Year 2016 SHOP

Notice of Funding Availability states that due to this provision, all applicants are strongly encouraged, but not required, to use ENERGY STAR-labeled appliances and products. Applicants are also strongly encouraged, but not required, to meet the standard for ENERGY STAR Certified New Homes (single-family homes and low-rise multifamily properties up to three stories), or for ENERGY STAR Multifamily High Rise (four or more stories).

Dated: December 1, 2016.

**Ariel Pereira,**

*Associate General Counsel for Legislation and Regulations.*

[FR Doc. 2016-29208 Filed 12-5-16; 8:45 am]

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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-5985-N-01]

**HUD Program Evaluation Policy—Policy Statement**

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

**ACTION:** Notice.

**SUMMARY:** This policy statement of HUD's Office of Policy Development and Research articulates the core principles and practices of the office's evaluation and research activities. This policy reconfirms the Department's commitment to conducting rigorous, relevant evaluations and to using evidence from evaluations to inform policy and practice.

**DATES:** December 6, 2016.

**FOR FURTHER INFORMATION CONTACT:** Mark D. Shroder, Associate Deputy Assistant Secretary, Office of Research, Evaluation, and Monitoring, Office of Policy Development and Research, U.S. Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, telephone (202) 402-5922. 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**

The mission of HUD's Office of Policy Development and Research (PD&R) is to inform HUD policy development and implementation to improve life in American communities through conducting, supporting, and sharing research, surveys, demonstrations,

program evaluations, and best practices. Within HUD, PD&R is responsible for nearly all program evaluations. The office provides reliable and objective data and analysis to help inform policy decisions. Program evaluation has been a core activity of PD&R since its formation in 1974.

In July 2016, the Government Accountability Office (GAO) issued a report entitled “Department of Housing and Urban Development: Actions Needed to Incorporate Key Practices into Management Functions and Program Oversight,” (GAO 16–497) in which GAO presented a broad assessment of HUD’s management of its operations and programs.<sup>1</sup> In the report, GAO examined HUD efforts to: (1) Meet Federal requirements and implement key practices for management functions, including performance planning and reporting, human capital, financial, acquisition, and information technology (IT) management; and (2) oversee and evaluate programs.

PD&R is the primary office within HUD responsible for data analysis, research, program evaluations, and policy studies that inform the development and implementation of programs and policies across HUD offices. PD&R undertakes program evaluations, often by using a process that includes convening expert panels. However, GAO found that PD&R had not developed agency-wide, written policies for its program evaluations, nor documented the criteria used to select the expert panels and review the quality of program evaluations.

This policy statement responds to the GAO report by setting out the core principles and practices of PD&R’s evaluation and research activities. This statement incorporates some language from a policy statement by the Office of Policy, Research, and Evaluation of the Administration for Children and Families of the U.S. Department of Health and Human Services.

## II. HUD Program Evaluation Policy

PD&R has identified the following core principles and practices as fundamental to ensuring high-quality and consistent evaluation results: rigor, relevance, transparency, independence, ethics, and technical innovation. This policy applies to all PD&R-sponsored evaluations and economic analyses of regulations; they apply as well to the selection of projects, contractors, and PD&R staff that is involved in evaluations.

### *Rigor*

PD&R is committed to using the most rigorous methods that are appropriate to the evaluation questions and feasible within budget and other constraints. Rigor is not restricted to impact evaluations, but is also necessary in implementation or process evaluations, descriptive studies, outcome evaluations, and formative evaluations; and in both qualitative and quantitative approaches. Rigor requires ensuring that inferences about cause and effect are well founded (internal validity); requires clarity about the populations, settings, or circumstances to which results can be generalized (external validity); and requires the use of measures that accurately capture the intended information (measurement reliability and validity).

In assessing the effects of programs or services, PD&R evaluations use methods that isolate to the greatest extent possible the impacts of the programs or services from other influences such as trends over time, geographic variation, or pre-existing differences between participants and non-participants. For such causal questions, experimental approaches are preferred. When experimental approaches are not feasible, PD&R uses the most rigorous approach that is feasible. PD&R ensures that contractors and grantees conducting evaluations have appropriate expertise through emphasizing the capacity for rigor in requests for proposal and funding opportunity announcements.

PD&R also employs a strategic human capital development plan to hire, train, and retain a workforce that ensures the staff has the tools and resources to accomplish the mission.

### *Relevance*

The PD&R evaluation agenda reflects the legislative requirements and policy issues related to HUD’s mission. PD&R solicits input from stakeholders, both internal and external, on the selection of programs to be evaluated, initiatives, demonstrations, and research questions. For new initiatives and demonstrations in particular, evaluations will be more feasible and useful when planned in advance, in concert with the development of the initiative or demonstration, rather than as an afterthought.

PD&R disseminates findings in ways that are accessible and useful to policy-makers and practitioners. PD&R partners with other HUD program offices to inform internal and external stakeholders through disseminating evidence from PD&R-sponsored evaluations.

### *Transparency*

PD&R will release methodologically valid evaluations without regard to the findings. Evaluation reports must describe the methods used, including strengths and weaknesses, and discuss the generalizability of the findings. Evaluation reports must present comprehensive results, including favorable, unfavorable, and null findings.

PD&R publishes a 5-year Research Roadmap that outlines the research and evaluation that we believe would be of greatest value to public policy. PD&R lists all ongoing evaluation projects at the *HUDUSER.gov* Web site, and updates it monthly. PD&R will release evaluation results timely, usually within 4 months of receiving the final report.

PD&R will, where possible, archive evaluation data for secondary use by interested researchers. PD&R typically builds requirements into contracts to prepare data sets for secondary use.

### *Independence*

Independence and objectivity are core principles of evaluation. Agency and program leadership, program staff, service providers, and others participate actively in setting evaluation priorities, identifying evaluation questions, and assessing the implications of findings. However, it is important to insulate evaluation functions from undue influence and from both the appearance and the reality of bias. To promote objectivity, PD&R protects independence in the design, conduct, and analysis of evaluations. To this end:

- PD&R conducts evaluations through the competitive award of grants and contracts to external experts who are free from conflicts of interest.
- PD&R also conducts evaluations in-house and supports unsolicited external evaluation proposals with funding, data, or both.
- The Assistant Secretary for PD&R has authority to approve the design of evaluation projects and analysis plans; and has authority to approve, release, and disseminate evaluation reports. The Assistant Secretary does so, in consultation with career staff.

### *Ethics*

PD&R-sponsored evaluations must be conducted in an ethical manner and safeguard the dignity, rights, safety, and privacy of participants. PD&R-sponsored evaluations must comply with both the spirit and the letter of relevant requirements such as regulations governing research involving human subjects. In particular, PD&R protects the privacy of HUD-assisted households

<sup>1</sup> See <http://www.gao.gov/assets/680/678551.pdf>.

and HUD-insured borrowers through the Rule of Eleven; that is, PD&R allows no disclosure of information about the characteristics of any group of individuals or households numbering less than eleven by PD&R staff, contractors, grantees, or licensees.

#### Technical Innovation

PD&R supports and employs new methods of data collection and analysis that more reliably and efficiently answer research questions than old methods do.

#### Application of These Principles to Economic Analysis of Regulations

Economic analysis of regulations, properly conducted, is a critical tool in improving public policy. In any PD&R Regulatory Impact Analysis:

- PD&R analyzes whether the issues addressed by the regulation stem from a market failure, government failure, or other systemic problem, and whether the regulation addresses the root causes of those problems.

- PD&R uses and as necessary produces the best objective estimates of the benefits, costs, and transfers resulting from the regulation, taking into account gaps and uncertainties in the available data.

- Where clear alternatives to the regulatory actions exist, PD&R objectively estimates the benefits, costs, and transfers of those alternatives as well.

Dated: November 30, 2016.

**Katherine O'Regan,**

*Assistant Secretary for Policy Development and Research.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2016-N127; FF08EVEN00-FXFR1337088SSO0]

#### Marine Mammal Protection Act; Stock Assessment Report for the Southern Sea Otter in California

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** In accordance with the Marine Mammal Protection Act of 1972, as amended, and its implementing regulations, we, the U.S. Fish and Wildlife Service (Service), have developed a draft revised marine mammal stock assessment report (SAR) for the southern sea otter stock in the

State of California. We now make the draft SAR available for public review and comment.

**DATES:** We will consider comments that are received or postmarked on or before March 6, 2017.

**ADDRESSES:** If you wish to review the draft revised SAR for southern sea otter, you may obtain a copy from our Web site at <http://www.fws.gov/ventura>. Alternatively, you may contact the Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B, Ventura, CA 93003 (telephone: 805-644-1766). If you wish to comment on the SAR, you may submit your comments in writing by any one of the following methods:

- *U.S. mail:* Field Supervisor, at the above address;
- *Hand delivery:* Ventura Fish and Wildlife Office at the above address;
- *Fax:* 805-644-3958; or
- *Email:* [fw8ssostock@fws.gov](mailto:fw8ssostock@fws.gov).

#### FOR FURTHER INFORMATION CONTACT:

Lilian Carswell, at the above street address, by telephone (805-612-2793), or by email ([Lilian\\_Carswell@fws.gov](mailto:Lilian_Carswell@fws.gov)).

**SUPPLEMENTARY INFORMATION:** We announce the availability for review and comment of a draft revised marine mammal stock assessment report (SAR) for the southern sea otter (*Enhydra lutris nereis*) stock in the State of California.

#### Background

Under the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), and its implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR part 18, we regulate the taking; import; and, under certain conditions, possession; transportation; purchasing; selling; and offering for sale, purchase, or export, of marine mammals. One of the MMPA's goals is to ensure that stocks of marine mammals occurring in waters under U.S. jurisdiction do not experience a level of human-caused mortality and serious injury that is likely to cause the stock to be reduced below its *optimum sustainable population level* (OSP). OSP is defined under the MMPA as "the number of animals which will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element" (16 U.S.C. 1362(9)).

To help accomplish the goal of maintaining marine mammal stocks at their OSPs, section 117 of the MMPA requires the Service and the National Marine Fisheries Service (NMFS) to prepare a SAR for each marine mammal stock that occurs in waters under U.S.

jurisdiction. A SAR must be based on the best scientific information available; therefore, we prepare it in consultation with established regional scientific review groups. Each SAR must include:

1. A description of the stock and its geographic range;
2. A minimum population estimate, current and maximum net productivity rate, and current population trend;
3. An estimate of the annual human-caused mortality and serious injury by source and, for a strategic stock, other factors that may be causing a decline or impeding recovery;
4. A description of commercial fishery interactions;
5. A categorization of the status of the stock; and
6. An estimate of the *potential biological removal* (PBR) level.

The MMPA defines the PBR as "the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its OSP" (16 U.S.C. 1362(20)). The PBR is the product of the minimum population estimate of the stock ( $N_{min}$ ); one-half the maximum theoretical or estimated net productivity rate of the stock at a small population size ( $R_{max}$ ); and a recovery factor ( $F_r$ ) of between 0.1 and 1.0, which is intended to compensate for uncertainty and unknown estimation errors. This can be written as:

$$PBR = (N_{min})^{1/2} \text{ of the } R_{max}(F_r)$$

Section 117 of the MMPA also requires the Service and NMFS to review the SARs (a) at least annually for stocks that are specified as strategic stocks, (b) at least annually for stocks for which significant new information is available, and (c) at least once every 3 years for all other stocks. If our review of the status of a stock indicates that it has changed or may be more accurately determined, then the SAR must be revised accordingly.

A *strategic stock* is defined in the MMPA as a marine mammal stock "(a) for which the level of direct human-caused mortality exceeds the PBR level; (b) which, based on the best available scientific information, is declining and is likely to be listed as a threatened species under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) [the "ESA"], within the foreseeable future; or (c) which is listed as a threatened or endangered species under the ESA, or is designated as depleted under [the MMPA]." 16 U.S.C. 1362(19).