



OFFICE OF COMMUNITY PLANNING
AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

MEMORANDUM FOR: State of Alabama, State of California, and State of Georgia for Disasters Occurring in January 2023 (Allocations announced in the November 2023 Notice); Community Planning and Development Field Office Directors, Deputy Directors, Regional Directors, and Program Managers.

FROM: Bryan W. Horn, Acting Principal Deputy Assistant Secretary for Community Planning and Development, D BRYAN HORN

SUBJECT: Application of the Universal Notice (State of Alabama, State of California, and State of Georgia Only)

APPLICABILITY DATE: September 29, 2025

Digitally signed by: BRYAN HORN
DN: CN = BRYAN HORN C = US O = U.S.
Government OU = Department of Housing and
Urban Development, Office of Community Planning
and Development
Date: 2025.09.23 16:37:21 -04'00'

PURPOSE

This memorandum provides waivers and alternative requirements allowing the State of Alabama, the State of California, and the State of Georgia to apply the requirements in the Universal Notice to their CDBG-DR grants for disasters occurring in January 2023. This memorandum applies to the following CDBG-DR grants allocated to these grantees:

- 1) CDBG-DR allocations for the State of Alabama, State of California, and State of Georgia for disasters occurring in January 2023 funded by Pub. L. 117-328 (“the Appropriations Act”) and subject to the requirements published in the *Federal Register* at 88 FR 82982 on November 27, 2023 (the “November 2023 Notice”). The November 2023 Notice included the Consolidated Notice as Appendix B and made the Consolidated Notice applicable to the grants announced in the November 2023 Notice.

WAIVER AND ALTERNATIVE REQUIREMENT AUTHORITY

With certain exceptions, the Appropriations Act cited above authorizes the Secretary to waive or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary, or use by the recipient, of grant funds. In particular, the Appropriations Act waiver and alternative requirement authority does not extend to requirements related to fair housing, nondiscrimination, labor standards, and the environment. The Department of Housing and Urban Development (HUD) (the “Department”) may also exercise its regulatory waiver authority under 24 CFR 5.110, 91.600, and 570.5.

The Appropriations Act requires the Secretary to publish any waiver or alternative requirement either via the *Federal Register* or the Department’s website no later than five days before the effective date of such waiver or alternative requirement. HUD is exercising its

authority to publish this memorandum on the Department’s website. [Click here to access: CDBG-DR Laws, Regulations, and Federal Register Notices.](#)

All waivers and alternative requirements authorized in this memorandum are based upon a determination by the Secretary that good cause exists, and a determination by the Secretary that the waiver or alternative requirement is not inconsistent with the overall purposes of Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) (HCDA). The basis for the waiver and alternative requirement is summarized in this memorandum.

Waiver and Alternative Requirement to Apply the Universal Notice (State of Alabama, State of California, and State of Georgia only)

Background

All CDBG-DR funds are governed by the requirements outlined in the applicable *Federal Register* notice(s) that allocated the CDBG-DR funding. However, HUD permits grantees to request waivers and alternative requirements to better align requirements across grants, as long as good cause is provided.

The Department received a request and justification of good cause from the State of Alabama, State of California, and State of Georgia for a waiver and alternative requirement to waive the requirements of the Consolidated Notice and the November 2023 Notice for its 2023 disaster funds to the extent necessary, and adopt as an alternative the requirements in the notice titled, *Common Application, Waivers, and Alternative Requirements for Community Development Block Grant Disaster Recovery Grantees: The Universal Notice*, published on January 8, 2025, at 90 FR 1754, as amended by Memorandums 25-02¹ and 25-03² (the “Universal Notice”).

In November 2023, these three grantees were each awarded CDBG-DR funds through Pub. L. 117-328 for January 2023 presidentially declared disasters. They were only partially funded through their initial allocations and subsequently received additional CDBG-DR awards through Pub. L. 118-158. HUD allocated these additional CDBG-DR funds for the State of Alabama, the State of California, and the State of Georgia in the *Federal Register* notice published on May 19, 2025, at 90 FR 21328 and made the funds subject to the requirements of the Universal Notice, including sections I through V and appendices A through C.

¹ Memorandum 25-02, “Revisions made to the Common Application, Waivers, and Alternative Requirements for Community Development Block Grant Disaster Recovery Grantees: The Universal Notice published in the Federal Register (90 FR 1754) and Clarifications to the Allocations for Community Development Block Grant Disaster Recovery and Implementation of the CDBG–DR Consolidated Waivers and Alternative Requirements Notice Published in the Federal Register (90 FR 4759),” published on March 19, 2025. Found at <https://www.hud.gov/sites/dfiles/CPD/documents/CPDUniversalnotice.pdf>

² Memorandum 25-03, “Revisions made to the Common Application, Waivers, and Alternative Requirements for Community Development Block Grant Disaster Recovery Grantees: The Universal Notice published in the Federal Register (90 FR 1754),” published on March 31, 2025. Found at <https://www.hud.gov/sites/default/files/CPD/documents/CDBG-DR/3-31-2025UniversalNoticeChangesMemo.pdf>

As noted in the requests from all three grantees, this waiver and alternative requirement will reduce administrative burden by applying the Universal Notice requirements uniformly to all CDBG-DR allocations for the January 2023 disasters, replacing differing requirements tied to earlier awards.

HUD's Determination

After reviewing the grantees' requests, the Department finds there is good cause to waive the requirements of sections II, III, and IV of the November 2023 Notice and the Consolidated Notice at Appendix B, as amended by the November 2023 Notice, and to create an alternative requirement to apply the requirements of sections I, II, and III and appendices A, B, and C of the Universal Notice, as may be amended, for all funds provided under the Appropriations Act for the State of Alabama, the State of California, and the State of Georgia, *only*.

Under this alternative requirement, these three grantees must comply with the Universal Notice, as amended, by revising or further developing their Action Plans to align with the criteria outlined in section I.C.1. Additionally, they must ensure that their program-specific policies and procedures are consistent with the requirements set forth in section III.A., as appropriate.

Before implementing any provisions from the Universal Notice that were not previously included in the State of Alabama's, the State of California's, or the State of Georgia's applicable grant requirements, these grantees must submit substantial amendments to their Action Plans and post updated program-specific policies and procedures on their official disaster recovery websites.

Because the grantees submitted certifications with their initial Action Plan submissions that complied with section III.F.7. of the Consolidated Notice and satisfied the requirements at section II of the Universal Notice and the Secretary has already certified that the grantees have adequate financial controls and procurement processes, and procedures for proper grant management, the grantees do not need to resubmit any documentation for those specific requirements.

FOR FURTHER INFORMATION CONTACT

Gerilee W. Bennett, Acting Director, Office of Disaster Recovery, Department of Housing and Urban Development, 451 7th Street SW, Room 7282, Washington, DC 20410, telephone number 202-708-3587 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. Email inquiries may be sent to Disaster_Recovery@hud.gov.