

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT****24 CFR Part 761**

[Docket No. FR-4451-F-04]

RIN 2577-AB95

**Public Housing Drug Elimination Program Formula Allocation**

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends HUD regulations to replace the competitive distribution of HUD's Public and Indian Housing Drug Elimination Program (PHDEP) funds with a formula allocation funding system. The purpose of this amendment is to provide a more timely, predictable and equitable allocation of PHDEP funds, and to improve program quality, effectiveness and accountability. The competitive distribution of funding through the Assisted Housing component of the Drug Elimination Program is not affected by this rule.

**DATES:** Effective Date: October 14, 1999.

*Application Due Date:* (for eligible PHAs listed in the preamble who have not yet submitted an application for funding): October 14, 1999.

**ADDRESSES:** Eligible PHAs listed in the preamble who have not yet submitted an application for funding must submit an original and two copies of the information requested in the Notice Withdrawing and Reissuing FY 1999 Notice of Funding Availability (NOFA) for the FY 1999 Public Housing Drug Elimination Program (PHDEP), published on May 12, 1999 (64 FR 25746) to the local Field Office with delegated public housing responsibilities: Attention: Director, Office of Public Housing. For a listing of Field Offices, please see the application kit, or the Appendix published in the February 26, 1999 SuperNOFA at 64 FR 9767.

**FOR FURTHER INFORMATION CONTACT:** Bertha M. Jones, Program Analyst, Community Safety and Conservation Division, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410, telephone (202) 708-1197 x.4237; or Tracy C. Outlaw, National Office of Native American Programs, Department of Housing and Urban Development, 1999 Broadway, Suite 3390, Denver, CO 80202, telephone (303) 675-1600 (these are not toll-free numbers). Hearing or

speech-impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339. Also, please see HUD's website at <http://www.hud.gov/pih/legis/titlev.html> for additional PHDEP information.

**SUPPLEMENTARY INFORMATION:****I. Background**

Section 586 of the Quality Housing and Work Responsibility Act of 1998 (Pub.L. 105-276, 112 Stat. 2461, approved October 21, 1998) (Public Housing Reform Act) makes certain amendments to the Public and Assisted Housing Drug Elimination Act of 1990, including authorizing HUD to make renewable grants to continue or expand eligible drug elimination activities.

On February 18, 1999 (64 FR 8210), HUD published an Advance Notice of Proposed Rulemaking (ANPR) to solicit comments on possible methods and elements of a need-based formula and performance criteria. HUD received 60 comments in response to the ANPR, which were considered in the development of a proposed rule on formula funding for PHDEP. The proposed rule was published on May 12, 1999 (64 FR 25736). HUD received 26 comments on the proposed rule, which are discussed in the following section.

**II. Public Comment on the Proposed Rule**

This final rule takes into consideration the comments received on the proposed rule, as discussed below.

**Formula Funding**

*Comment:* Allocation of funding on formula basis is good, however factors used (applicant's share of total number of units of all applicants that qualify for funding) will result in agency experiencing a \$100,000 loss of funding. Recommend a "hold harmless" provision for successful PHA performers for no less than the average funding they received in FY 96, 97, or 98. A minimum or "hold harmless" annual PHDEP funding level must be established to do adequate planning.

*HUD response:* As HUD discussed in the preamble to the proposed rule in response to similar comments submitted on the ANPR published on February 18, 1999, the certainty of funding over a five-year period provides compensation for problems resulting from a drop in funding from higher, though less certain, levels. Crime is a widespread problem, and one of HUD's goals in revising the funding distribution process is to make assistance to address this problem more widely available.

HUD is also attempting to strike an appropriate balance to maximize the effective use of limited funds. The available funding can address only a fraction of the need across all PHAs. Increasing funding for one group decreases funding available for those outside the group, and HUD is concerned that the suggested "hold harmless" level of funding would result in a program that, overall, would be less effective.

*Comment:* The proposed rule assumes that drug activity and related crime in preference category applicants will remain static, not changing character or increasing over the 5-year period. This locks an applicant into a funding level that cannot be adjusted to deal with unforeseen changes.

*HUD response:* The certainty of funding under the formula distribution system in this rule provides a greater level of flexibility to address unforeseen changes than the previous competitive funding system did. Eligible applicants are required to submit a plan for each year of funding, and it is anticipated that each year's grant would normally cover a two year grant period, the same as under the previous funding system. Unforeseen changes arising in one year could be addressed in the next year's plan, for which funding could be used over a one-year grant period, if necessary to address the unforeseen changes. The certainty of renewable funding, combined with a PHA's ability to plan for one-or two-year grant terms, provides a wide latitude for PHAs to address their crime problems.

*Comment:* The proposed rule assumes that public housing in every PHA in the preference category is of a similar size, type, and geographic distribution. PHAs with higher numbers of scattered site units require different, more costly, law enforcement strategies. A formula distribution according to unit count does not adequately capture the severity of crime and related issues in and around the developments of eligible PHAs. A multiplier, directly proportional to the number of drug related crimes reported by the local police department to be related to the activity generated in or around targeted public housing units, divided by the number of drug-related crimes in the surrounding police district, would have the effect of increasing the number of units in specific developments.

*HUD response:* Not only the number of scattered site units, but their geographic distribution, could be considered a factor in a formula to distribute funds. This one example demonstrates the complexity that each new factor introduces to a formula and

the difficulty of addressing each factor completely and fairly. HUD is opting to follow the simplified per unit approach that many of the comments on the ANPR and proposed rule favored. If experience demonstrates that this approach is not appropriate or can be significantly improved, HUD will undertake additional rulemaking.

*Comment:* Although many comments favored the simplified per unit approach to the formula, several comments complained about the reduction in the per unit amount that results under the formula.

*HUD response:* As noted above, this rule makes the amount of assistance available to fight crime more widely available. This necessarily results in a reduction of the per unit amount that was formerly available to successful applicants, but as also noted above, this reduction in funding for a particular year is balanced by the certainty of funding over a number of years.

#### *Minimum and Maximum Allocation*

*Comment:* There were several comments that addressed maximum and minimum allocations, with some supporting \$25,000 as the minimum funding allocation, and others recommending that the minimum amount of funding should be retained at \$50,000. There was a suggestion that all PHAs that have received funding at some time in the last three years should be capped at 105 percent to prevent windfalls. One comment stated the funding cap per PHA should remain \$35 million per year.

*HUD response:* The comments were not opposed, but were concerned with the fairness of the maximum and minimum allocations. This final rule makes one adjustment to the proposed \$25,000 funding minimum. PHAs with less than 50 units are capped at \$500 per unit. HUD is following this approach to prevent the unfairness of a small number of eligible PHAs being awarded up to \$2,000 per unit under a \$25,000 minimum.

#### *Formula Funding and Performance Measures*

*Comment:* There were numerous comments on performance measures and what their impact should be on formula funding; the formula should be flexible to allow for an increase in funding with demonstrated program success or innovation; measurable goals should be tailored to the local plan and not national in scope; tailoring the program evaluation and monitoring to the local level will more accurately measure its success; not only reduction of violent crime and drug use should be

demonstrated, but also prevention should be considered a measurable goal; local diversity in PHDEP programs should be supported instead of a mandated set of criteria established in Washington; highly effective drug elimination and prevention programs may achieve crime levels so low that they cannot demonstrate further reductions from year to year—they might instead be asked to show that their program has reduced the overall level of violent crime and drug use in public housing to below the level of the surrounding community; HUD should include prevention activities in “measurable goals” even though we recognize the difficulty in quantifying them short term.

*HUD response:* The issue of increasing funding for demonstrated success or innovation raises practical difficulties, and ties in with the issue of performance measures. HUD agrees that the use of crime rates alone is not the most reliable or effective measure of a grantee’s performance. HUD is also aware that reporting and analysis of crime rates lag behind the implementation of program activities, and such data may not reflect current conditions. A rise or fall in crime rates is also not an absolute measure of success or failure, as one can argue that successful implementation of activities may not have caused a decline in the crime rate, but did result in a less steep increase.

A more reliable indicator of performance results from an examination of both crime rates and implementation performance—the extent to which a grantee performs all proposed activities within the budget and timetable included in its approved Drug Elimination Program (DEP) plan. HUD will compare a grantee’s implementation performance to the crime rates reported by the grantee to see if valid patterns of correspondence are present or can be developed, such as a good implementation performance corresponding to a decrease in crime rates, and a poor implementation performance corresponding to increased crime rates. Even though such a correspondence will not always be the case, this comparison would provide valuable information to improve the DEP program and measure a grantee’s performance. Good implementation performance and reduced crime rates would tend to identify successful best practices and activities. Good implementation performance but increased crime rates would require additional analysis to determine if the chosen activities are not effective or appropriate to a grantee’s particular

circumstances. Poor performance and increased crime rates would indicate a category of grantees that would require the most immediate and highest level of increased attention and technical assistance. Poor performance and decreasing crime rates would identify a second tier of attention and assistance, but would also call into question the necessity of continued funding.

Any record of performance on this basis would have to be considered and analyzed over a period of several funding cycles before it could identify factors that would validly serve for adjusting funding levels. HUD believes, however, that such factors will emerge, and they will be the subject of future rulemaking.

#### *Eligibility for Funding*

*Comment:* Using “prior funding status” as a threshold of eligibility does not support a pragmatic needs-based interpretation of QHWR. HUD only considers PHAs who actually received PHDEP funding versus all agencies that were eligible (based on need in past years) but did not receive funding. Support increasing the threshold to include as many agencies as are eligible and for whom funds are available.

*HUD response:* HUD agrees to expand the “needs” category of eligible applicants to include those PHAs that applied under the PHDEP competitive NOFAs for Fiscal Years (FYs) 1996, 1997, or 1998 and received scores above the threshold to qualify for funding (70 points), but were not funded because of lack of available funds. The participation of this category of PHAs in the complex and difficult process of preparing applications under the NOFAs, which would not be undertaken but for the urgency of these PHA’s need for assistance, and the finding that these applications were meritorious, provide a sufficient showing to prevent them from being excluded from funding under the new process.

*Comment:* Several comments suggested additional or different factors to consider to determine “needs” eligibility for funding: use percentage of victimization of residents by Part I and II crimes; include assumption that family developments have higher crime rates and should receive a higher rate of funding; compare the public housing crime rates in each community to the larger community’s rate, and select PHAs with rates 10% or more higher than the community’s; require that crime levels within the city in which the PHA is located must exceed the state crime levels by 20% and the national crime levels by 50%; determine whether the PHA has established a self-

sufficiency program to assist in creating jobs and preventing crime; determine whether the PHA has additional unique characteristics (such as cultural demographic shifts or additional expenses); look at the changes in a community's crime statistics over a given period of time; consider that the FBI's violent crime rates are not a highly reliable measurement for making funding eligibility distinctions between cities. In addition, applicants in the "preference" category should be eligible for additional funding under the "needs" category.

**HUD response:** While acknowledging that the FBI statistics used in the eligibility determination formula have flaws, HUD also acknowledges them to be the only source of verified, nationwide (and therefore fairly comparable) data available. As discussed above, this rule expands the "needs" category of eligible applicants to include applicants that would have qualified for funding in FYs 1996, 1997 or 1998, but were not funded because of the unavailability of funds. HUD declines at this time to further refine or complicate the process for identifying eligible applicants. HUD believes that the eligible applicants included by the funding categories under this rule—the previously funded "preference" category, and the "formula" and "previously qualified but not funded" needs categories—constitute virtually every PHA with a serious need for this program funding.

#### *Scope of Activities*

**Comment:** Supports the expansion of the program scope to include violent crime. HUD should also publish a list of eligible activities that specifically meet criteria for addressing violent crime.

**HUD response:** Although the section 586 of the Public Housing Reform Act expanded the scope of PHDEP to specifically include a focus on violent crime, HUD has always encouraged grantees to take a broader approach to address drug-related crime and related problems under PHDEP. The current guidance, accordingly, is broad enough to provide initial guidance for addressing violent crime. As HUD and its grantees develop their expertise in this specific area, additional guidance will be developed.

**Comment:** The proposed rule does not take into account the additional cost of law enforcement services and accreditation for PHAs with their own police departments.

Those PHAs with police departments need additional funding to accredit and maintain this needed resource. Large PHAs spend upwards of 6 times as

much per unit on security than small PHAs.

**HUD response:** The rule does not allocate funds on the basis of the activities an applicant chooses to undertake. Any funding system established on such a basis would soon have to be revised to prevent all of the funding from going to the applicants that proposed the most costly activities.

#### *Set-asides*

**Comment:** Several comments opposed the set-aside of funds appropriated for PHDEP for other programs, pointing out, for example, that set-asides decrease the amount of money available to PHAs who have consistently demonstrated need and implemented successful local programs.

**HUD response:** The Department is required to follow the mandates established by Congress, and where legislation directs HUD to use funds for a particular purpose, HUD must comply.

#### *Plan Submission*

**Comment:** Some Moving To Work (MTW) agencies were exempt from the Public Housing Assessment System (PHAS) under 24 CFR part 901 and submission of a PHA plan—this rule requires a DEP plan to be submitted with the Agency plan—need for clarification of process.

**HUD response:** While some (not all) MTW agencies are exempt from the PHA plan, they must submit an MTW plan that is comparable to the PHA Plan. Such agencies should submit the DEP plan required information with their MTW plan, and this rule is amended to so provide. HUD will also clarify this requirement directly with the affected agencies.

#### *Compliance with MTCS*

**Comment:** Until HUD fixes its internal (MTCS) data collection and reporting problems, HUD should not threaten the funding of agencies, which the Department assumes have not correctly submitted their data. The requirement that PHAs "maintain a level of compliance with MTCS reporting that is satisfactory to HUD" is arbitrary and not specific enough. It also overlooks the flaws in the MTCS reporting system.

**HUD response:** MTCS is a fully functional system. It is HUD's primary data system for information on public housing and Section 8 family characteristics and occupancy events. PHAs are required to submit Forms HUD-50058 for every public housing and Section 8 tenant-based assistance family. HUD issued Notice PIH 99-2 on January 28, 1999, to clarify the minimum reporting requirements and to

establish a system of monitoring and technical assistance, semi-annual assessment, and formal review and sanctions. Under the Notice, HUD may impose sanctions on PHAs that do not meet the minimum 85 percent reporting level, which is determined at the semi-annual assessments (following the June and December MTCS Delinquency reports). PHAs may request forbearance from sanctions in writing. The request must include an explanation of why the PHA has not attained the minimum reporting level, steps that it plans to take to improve reporting, and monthly milestones. PHAs that do not meet the minimum reporting level and do not obtain forbearance are subject to sanction. For PHDEP, the relevant reporting rate is for public housing only. PHDEP grantees that do not meet the minimum reporting level and do not obtain forbearance from sanctions are subject to a review of their operations that would affect MTCS reporting, as well as sanctions, which may include the PHA's inability to draw down grant funds. HUD will work with PHAs to help them meet the minimum reporting rate.

#### *Resident Survey*

**Comment:** Formula funding was intended to reduce the cost incurred by agencies for grant writing and data gathering—however, the required (resident) survey will increase costs to agencies. Agencies in wide geographic areas will have difficulty administering and processing the survey. Housing Authorities with 400 or fewer eligible units do not have the resources to conduct the required 400-interview resident survey. They should be allowed to survey 20-30 percent of their population.

**HUD response:** HUD will modify the reporting requirement to require a percent, rather than an absolute number, that smaller PHAs will be responsible for surveying.

#### *Clarification of Unit Count*

**Comment:** The rule implies that an approved demolition/disposition unit is excluded as a source of crime. In fact, the complex process that precedes the actual removal of these units from a PHA's responsibility can take months. During this time the partially or fully vacated buildings are at greater risk.

**HUD response:** The final rule clarifies the unit count process by specifically stating what units will be counted and by providing that units approved for demolition/disposition continue to be counted for funding purposes until actual demolition/disposition of the unit.

*Financial Incentive for Consortia*

*Comment:* Providing a financial incentive only for consortia ignores agencies that serve broad geographic areas with diverse population and demographic needs.

*HUD response:* Because there were no additional comments or recommendations pertaining to consortia, this rule makes no changes from the proposed rule on this issue.

**III. Separate Issues and Funding for NAHASDA Recipients**

The May 12, 1999, proposed rule specifically invited comment on separate funding options for NAHASDA recipients, including the establishment of a separate funding pool to address the particular circumstances of Indian country. As a result, a substantial percentage of the comments received on the proposed rule were from Indian Tribes or Tribal Organizations. These comments unanimously supported a separate pool for Indian Country, stating such an approach was warranted because of the differences in PHAs and Indian Country. The lack of FBI data on Indian Country, for example, would penalize NAHASDA recipients because the formula uses crime statistics to determine eligibility for funding.

The comments include a number of recommendations for administering a separate funding pool, including that unit counts should reflect current unit counts under the NAHASDA funds plan, including 1937 Act units and additional units added to the inventory; that HUD apply the requirements in 24 CFR 1000.317 and 1000.327 of the NAHASDA regulations to the Indian set-aside; and that NAHASDA recipients should be allowed to use Tribal police data, court data, child welfare data, educational attainment indicators, or other comparable data when reporting activities.

HUD is conducting an ongoing consultation with the Tribes on the particulars of an appropriate DEP funding process and has forwarded information on a number of proposals for comment to each Tribe. HUD expects to implement a Drug Elimination Program with requirements that specifically address Tribal concerns and issues through a rule to be published separately in the near future.

**IV. Changes in This Final Rule**

As discussed below in this section and in sections II. and III., above, of this preamble, only a limited number of changes are made to the proposed rule by this final rule, as follows:

The references to NAHASDA recipients are taken out, except where they would be applicable in any subsequent rule, such as retaining the definition of "NAHASDA recipient" in § 761.10. DEP funding for NAHASDA recipients will be added by a separate rule as discussed above in section III. of this preamble.

Section 761.13(a)(1) is amended to include the cap of \$500 per unit for PHAs with less than 50 units and to specifically state what units are counted, including providing that units approved for demolition/disposition continue to be counted for funding purposes until actual demolition/disposition of the unit.

Section 761.13(a)(3) is amended to make explicit the link between funding adjustments and sanctions by adding language that funding and meeting performance requirements are subject to the existing sanctions in § 761.30(f).

Section 761.15(a)(3) is amended to include the new needs funding category of PHAs that submitted FY 1996, 1997 or 1998 applications that qualified for funding but were not funded because of the unavailability of funds.

Section 761.15(a)(5) is amended to require MTW agencies to submit the

DEP plan required information with their MTW plan.

**V. Distribution of FY 1999 PHDEP Funding and List of PHAs Eligible for Funding**

The following tables lists all of the PHAs determined to be currently eligible for PHDEP funding in accordance with this final rule. The third column, "Eligibility," gives the basis on which the PHA is eligible for funding. A designation of "N1" in the first column means the PHA was designated eligible on the basis of need as determined under the formula in § 761.15(a)(3). A designation of "N2" means the PHA is eligible on the basis of need as a PHA that qualified for funding under FYs 1996, 1997 or 1998, but was not funded because of the unavailability of funds, in accordance with § 761.15(a)(4). A designation of "R" means the PHA is eligible for funding as a "preference PHA" under § 761.15(a)(2).

An "X" in the fourth column, "Application Received," identifies PHAs that have submitted their PHDEP applications in response to the May 12, 1999, Notice Withdrawing and Reissuing the FY 1999 PHDEP NOFA (64 FR 25746). These PHAs are not required to make any additional submissions to receive FY 1999 PHDEP funding. Any PHA included in the list that has not yet submitted an application in accordance with the May 12, 1999 notice must do so within the next 30 days, up to and including the effective date of this final rule, or it will not receive FY 1999 PHDEP funding.

The total amount to be distributed is approximately \$231,750,000 in FY 1999 funding. The amount to be distributed to each listed PHA that has applied or will apply within the next 30 days will be computed in accordance with the formula in § 761.13 of this final rule.

PHA code	PHA name	Eligibility	Application received
AR006 .....	CONWAY HOUSING AUTHORITY .....	R	
AR015 .....	TEXARKANA .....	R	
AR016 .....	CAMDEN HOUSING AUTHORITY .....	R	X
AR017 .....	PINE BLUFF HOUSING AUTHORITY .....	R	
AR018 .....	MAGNOLIA .....	R	X
AR031 .....	HOT SPRINGS HOUSING AUTHORITY .....	R	
AR037 .....	PRESCOTT .....	R	
AR051 .....	CLARKSVILLE .....	R	X
AR065 .....	STEPHENS .....	R	X
AK001 .....	ALASKA HOUSING FINANCE CORPORATION .....	R	
AL001 .....	BIRMINGHAM .....	R	X
AL002 .....	MOBILE .....	R	X
AL004 .....	ANNISTON .....	R	X
AL005 .....	PHENIX CITY .....	R	X
AL006 .....	MONTGOMERY .....	R	X
AL007 .....	DOTHAN .....	R	X
AL008 .....	SELMA .....	R	X

PHA code	PHA name	Eligibility	Application received
AL010	FAIRFIELD	R	X
AL012	JASPER	R	X
AL014	GUNTERSVILLE	R	X
AL047	HUNTSVILLE	R	X
AL048	DECATUR	R	X
AL049	GREATER GADSDEN	R	X
AL050	AUBURN	R	X
AL054	FLORENCE	R	X
AL056	HALEYVILLE	R	
AL057	SYLACAUGA	R	X
AL060	RUSSELLVILLE	R	X
AL061	OPELIKA	R	X
AL062	LANETT	R	X
AL064	CARBON HILL	R	X
AL068	SHEFFIELD	R	X
AL069	LEEDS	R	X
AL071	GUIN	R	X
AL073	OZARK	R	X
AL077	TUSCALOOSA	R	X
AL086	JEFFERSON COUNTY	R	X
AL088	LUVERNE	R	X
AL094	GEORGIANA	R	X
AL098	ALICEVILLE	R	X
AL099	SCOTTSBORO	R	X
AL105	TALLADEGA	R	X
AL110	PIEDMONT	R	
AL112	OPP	R	X
AL114	LINEVILLE	R	X
AL115	ENTERPRISE	R	
AL116	YORK	R	X
AL118	EUFAULA	R	X
AL122	CHILDERSBURG	R	X
AL125	BESSEMER	R	X
AL128	SAMSON	R	X
AL129	WALKER COUNTY	R	X
AL131	PRATTVILLE	R	X
AL132	GOODWATER	R	
AL136	ASHLAND	R	
AL139	JACKSONVILLE	R	X
AL147	BRIDGEPORT	R	X
AL152	NORTHPORT	R	X
AL155	GREENVILLE	R	X
AL157	GREENSBORO	R	X
AL160	TUSKEGEE	R	X
AL165	FOLEY	R	X
AL166	CHICKASAW	R	X
AL167	STEVENSON	R	X
AL169	PRICHARD	R	X
AL171	UNIONTOWN	R	X
AL172	TALLASSEE	R	X
AL173	MONROEVILLE	R	X
AL174	ALEXANDER CITY	R	X
AL175	LIVINGSTON	N2	
AL177	TROY	R	X
AL178	DADEVILLE	R	
AL179	DALEVILLE	R	X
AL181	EVERGREEN	R	X
AL182	TRIANA	R	X
AL190	GREENE COUNTY	R	X
AL192	SO CENTRAL ALABAMA REGIONAL	R	
AL199	VALLEY	R	X
AL202	MOBILE COUNTY	R	
AR002	NORTH LITTLE ROCK HOUSING AUTHORITY	R	X
AR003	FORT SMITH	R	X
AR004	LITTLE ROCK HOUSING AUTHORITY	R	
AR094	MALVERN HOUSING AUTHORITY	R	
AR099	FORREST CITY	R	
AR131	JONESBORO URBAN RENEWAL HA	R	X
AR148	ENGLAND	N2	X
AZ001	PHOENIX	R	X
AZ003	GLENDALE	R	
AZ004	TUCSON	R	X
AZ006	FLAGSTAFF	R	X

PHA code	PHA name	Eligibility	Application received
AZ008	WINSLOW	R	
AZ009	MARICOPA COUNTY	R	X
AZ010	PINAL COUNTY	R	X
AZ013	YUMA COUNTY	N2	
AZ021	ELOY	R	X
AZ023	NOGALES	R	
AZ025	SOUTH TUCSON	R	X
AZ028	CHANDLER	R	X
AZ035	YUMA CITY	R	X
AZ038	PEORIA	N1	
AZ041	WILLIAMS	R	
CA001	SAN FRANCISCO HSG AUTH	R	X
CA002	LOS ANGELES COUNTY (HACOLA)	R	X
CA003	OAKLAND HOUSING AUTHORITY	R	X
CA004	LOS ANGELES CITY (HACLA)	R	X
CA005	CITY OF SACRAMENTO	R	X
CA006	CITY OF FRESNO HSG AUTH	R	X
CA007	COUNTY OF SACRAMENTO	R	
CA008	KERN COUNTY	R	X
CA009	UPLAND HOUSING	N1	
CA010	CITY OF RICHMOND HSG AUTH	R	
CA011	COUNTY OF CONTRA COSTA HSG AUT	R	X
CA019	SAN BERNARDINO COUNTY	R	X
CA021	SANTA BARBARA COUNTY	R	X
CA023	COUNTY OF MERCED HOUSING AUTHO	R	X
CA024	COUNTY OF SAN JOAQUIN HOUSING	R	X
CA025	CITY OF EUREKA HSG AUTH	R	
CA026	COUNTY OF STANISLAUS HOUSING A	R	X
CA027	RIVERSIDE COUNTY	R	X
CA028	COUNTY OF FRESNO HSG AUTH	R	X
CA030	TULARE COUNTY HOUSING AUTH	N1	
CA031	OXNARD	R	X
CA033	COUNTY OF MONTEREY HSG AUTH	R	X
CA035	SAN BUENAVENTURA CITY	N1	X
CA039	CALEXICO CITY	R	X
CA044	YOLO COUNTY HSG AUTHORITY	R	X
CA052	COUNTY OF MARIN HOUSING AUTHOR	R	X
CA058	CITY OF BERKELEY HOUSING AUTHO	N1	
CA059	COUNTY OF SANTA CLARA HOUSING	N1	
CA062	CITY OF ALAMEDA HOUSING AUTHOR	R	X
CA063	SAN DIEGO HOUSING COMMISSION	R	X
CA064	SAN LUIS OBISPO	R	
CA067	ALAMEDA COUNTY HSG AUTH	N2	
CA069	CITY OF MADERA HOUSING AUTHORI	R	X
CA076	SANTA BARBARA CITY	R	X
CA092	VENTURA COUNTY	R	X
CA108	SAN DIEGO COUNTY	N1	X
CA142	DUBLIN	N1	
CA143	IMPERIAL VALLEY HOUSING AUTHORITY	R	X
CO001	DENVER	R	X
CO002	PUEBLO	R	X
CO014	WELLINGTON	N1	
CO016	BOULDER CITY	R	X
CO028	COLORADO SPRINGS	N1	
CO035	GREELEY	N1	
CO041	FORT COLLINS	N1	
CO049	LAKEWOOD	N1	
CO052	AURORA	N1	
CO059	LOUISVILLE	N1	
CO061	BOULDER COUNTY	N1	
CT001	BRIDGEPORT HOUSING AUTHORITY	R	X
CT002	NORWALK HOUSING AUTHORITY	R	X
CT003	HARTFORD HOUSING AUTHORITY	R	X
CT004	NEW HAVEN HOUSING AUTHORITY	R	X
CT005	NEW BRITAIN HOUSING AUTHORITY	R	X
CT006	WATERBURY HOUSING AUTHORITY	R	X
CT007	STAMFORD HOUSING AUTHORITY	R	X
CT009	MIDDLETOWN HOUSING AUTHORITY	R	X
CT011	MERIDEN HOUSING AUTHORITY	R	X
CT013	EAST HARTFORD HOUSING AUTHORITY	R	X
CT015	ANSONIA HOUSING AUTHORITY	R	X
CT018	NORWICH HOUSING AUTHORITY	R	X
CT019	GREENWICH HOUSING AUTHORITY	R	X

PHA code	PHA name	Eligibility	Application received
CT020	DANBURY HOUSING AUTHORITY	R	X
CT023	BRISTOL HOUSING AUTHORITY	R	
CT026	MANCHESTER HOUSING AUTHORITY	R	X
CT027	STRATFORD HOUSING AUTHORITY	R	X
CT029	WEST HAVEN HOUSING AUTHORITY	R	X
DC001	D.C HOUSING AUTHORITY	R	X
DE001	WILMINGTON HOUSING AUTHORITY	R	
DE002	DOVER HOUSING AUTHORITY	R	X
DE004	DELAWARE STATE HSNG AUTH	R	X
FL001	JACKSONVILLE	R	
FL002	ST. PETERSBURG	R	
FL003	TAMPA	R	X
FL004	ORLANDO	R	X
FL005	MIAMI-DADE	R	
FL006	PENSACOLA (AHC)	R	X
FL007	DAYTONA BEACH	R	X
FL008	SARASOTA	R	
FL009	WEST PALM BEACH	R	
FL010	FT. LAUDERDALE	R	X
FL011	LAKELAND	R	X
FL013	KEY WEST	R	X
FL015	NW FLORIDA REGIONAL	R	
FL016	SANFORD	R	X
FL017	MIAMI BEACH	N1	
FL018	PANAMA CITY	R	X
FL019	COCOA	R	
FL020	BREVARD COUNTY	R	
FL022	NEW SMYRNA BEACH	R	X
FL023	BRADENTON	R	X
FL025	TITUSVILLE	R	X
FL028	POMPAÑO BEACH	R	
FL032	OCALA	R	X
FL041	FT. PIERCE	R	X
FL046	CRESTVIEW	R	X
FL047	FT. MYERS	R	X
FL055	ARCADIA	R	
FL056	MELBOURNE	R	
FL057	PALATKA	R	X
FL060	PUNTA GORDA	R	
FL061	DUNEDIN	N1	
FL062	PINELLAS COUNTY	N1	
FL063	GAINESVILLE	R	X
FL066	HIALEAH	R	X
FL069	FORT WALTON BEACH	R	X
FL070	ALACHUA COUNTY	R	X
FL071	LAKE WALES	R	X
FL072	DELAND	R	
FL073	TALLAHASSEE	R	X
FL075	CLEARWATER	R	X
FL076	RIVIERA BEACH	R	X
FL079	BROWARD COUNTY	R	
FL080	PALM BEACH COUNTY	R	
FL081	DEERFIELD BEACH	R	
FL083	DELRAY BEACH	R	X
FL104	PASCO COUNTY	R	X
FL119	BOCA RATON	N1	
FL136	HOLLYWOOD	N1	
FL139	WINTER HAVEN	R	X
FL144	MONROE COUNTY	R	
GA001	TIFTON	R	X
GA002	SAVANNAH	R	X
GA003	ATHENS	R	X
GA004	COLUMBUS	R	X
GA005	ROME	R	X
GA006	ATLANTA	R	X
GA007	MACON	R	X
GA009	BRUNSWICK	R	X
GA010	MARIETTA	R	X
GA011	DECATUR	R	X
GA023	ALBANY	R	X
GA025	CEDARTOWN	R	X
GA028	WAYCROSS	R	X
GA059	GAINESVILLE	R	X

PHA code	PHA name	Eligibility	Application received
GA060	MOULTRIE	R	X
GA062	AMERICUS	R	X
GA063	CORDELE	R	X
GA065	WEST POINT	R	X
GA066	JESUP	R	X
GA069	DUBLIN	R	X
GA072	EATONTON	R	
GA073	MONROE	R	X
GA074	ELBERTON	R	X
GA075	TOCCOA	R	X
GA076	DOUGLAS CITY	R	X
GA077	COCHRAN	R	
GA078	EAST POINT	R	X
GA080	EASTMAN	R	X
GA081	HARTWELL	N2	
GA085	QUITMAN	R	
GA090	ROYSTON	R	X
GA093	LAWRENCEVILLE	R	X
GA094	LAVONIA	R	X
GA095	NEWNAN	R	X
GA096	CAMILLA	R	X
GA098	PELHAM	R	X
GA100	VALDOSTA	R	X
GA102	ROCKMART	R	X
GA115	CLAYTON	R	X
GA116	CARROLLTON	R	X
GA119	CALHOUN	R	X
GA120	LYONS	R	X
GA129	LEE COUNTY	N1	
GA133	ALMA	R	X
GA134	BLACKSHEAR	R	X
GA145	VIDALIA	R	X
GA147	SOCIAL CIRCLE	R	X
GA148	DALLAS	R	X
GA153	SUMMERVILLE	R	X
GA160	WARNER ROBINS	R	X
GA161	HARRIS COUNTY	N1	
GA171	LOGANVILLE	R	X
GA179	BUENA VISTA	N1	
GA182	MCDONOUGH	R	X
GA183	WINDER	R	X
GA193	MADISON	R	X
GA200	MILLEDGEVILLE	R	X
GA201	JASPER	N2	
GA204	SENOIA	R	X
GA213	CANTON	R	X
GA214	ELLAVILLE	N1	
GA226	CUTHBERT	R	
GA232	COLLEGE PARK	R	X
GA247	THOMASTON	R	
GA254	BREMEN	R	X
GA264	FULTON COUNTY	R	X
GA280	FLINT AREA CONSOLIDATED	R	X
GA281	ETOWAH AREA	R	X
GQ001	GUAM	R	X
HI001	HAWAII HOUSING AND COMMUNITY DEVELOPMENT CORPORATI	R	
IA018	SIoux CITY	N1	
IA020	DES MOINES	R	
IA023	COUNCIL BLUFFS	N1	
IA045	DAVENPORT	N1	
IA050	WATERLOO	N1	
IA107	FORT DODGE	N2	
IA131	CENTRAL IOWA	N1	
ID013	BOISE CITY	N1	
ID020	IHFA	N1	
ID021	ADA	N1	
IL001	EAST ST. LOUIS HSG AUTH	R	X
IL002	CHICAGO HOUSING AUTHORITY	R	X
IL003	PEORIA HOUSING AUTHORITY	R	X
IL004	SPRINGFIELD HOUSING AUTHORITY	R	X
IL006	CHAMPAIGN COUNTY HSG AUTH	R	X
IL007	ALEXANDER COUNTY HSG AUTH	R	X
IL009	HENRY COUNTY HSG AUTH	R	



PHA code	PHA name	Eligibility	Application received
IL011	DANVILLE HOUSING AUTHORITY	R	X
IL012	DECATUR HOUSING AUTHORITY	R	X
IL014	LASALLE COUNTY HSG AUTH	R	X
IL015	MADISON COUNTY HSG AUTH	R	X
IL018	ROCK ISLAND CITY HSG AUTH	R	
IL022	ROCKFORD HOUSING AUTH	R	X
IL024	JOLIET HOUSING AUTHORITY	R	X
IL025	COOK COUNTY HSG AUTH	R	X
IL026	WAUKEGAN HSG AUTH	R	X
IL029	FREEPORT HOUSING AUTHORITY	R	X
IL030	ST. CLAIR CY HSG AUTH	R	X
IL039	KANKAKEE CTY HSG AUTH	R	X
IL051	BLOOMINGTON HSG AUTH	R	X
IL052	RANDOLPH CTY HSG AUTH	R	X
IL053	JACKSON CTY HSG AUTH	R	X
IL055	ALTON HSG AUTH	R	X
IL056	LAKE CTY HSG AUTH	R	X
IL059	JEFFERSON CTY HSG AUTH	R	X
IL061	FRANKLIN CTY HSG AUTH	R	X
IL078	BOND CTY HSG AUTH	R	
IL083	WINNEBAGO CTY HSG AUTH	R	X
IL085	KNOX CTY HSG AUTH	R	X
IL090	AURORA HSG AUTH	R	X
IL091	WARREN CTY HSG AUTH	R	X
IL092	ELGIN HSG AUTH	R	X
IL802	HABITAT CORP.	N1	
IN003	FORT WAYNE HOUSING AUTHORITY		X
IN004	DELAWARE COUNTY HOUSING AUTHORITY	N1	
IN005	MUNCIE HOUSING AUTHORITY	R	X
IN007	KOKOMO HOUSING AUTHORITY	R	X
IN010	HAMMOND HOUSING AUTHORITY	R	X
IN011	GARY HOUSING AUTHORITY	R	X
IN015	SOUTH BEND HOUSING AUTHORITY	R	
IN016	EVANSVILLE HOUSING AUTHORITY	R	X
IN017	INDIANAPOLIS HOUSING AGENCY	R	X
IN019	MICHIGAN CITY HOUSING AUTHORITY	R	X
IN020	MISHAWAKA HOUSING AUTHORITY	N1	
IN021	TERRE HAUTE HOUSING AUTHORITY	N1	
IN023	JEFFERSONVILLE HOUSING AUTHORITY	R	X
IN026	ELKHART HOUSING AUTHORITY	R	X
IN029	EAST CHICAGO HOUSING AUTHORITY	R	
KS001	KANSAS CITY, KS	R	
KS002	TOPEKA	R	
KS004	WICHITA	N1	
KS017	ATCHISON	R	X
KS038	SALINA	N1	
KS043	OLATHE	N1	
KS053	LAWRENCE	R	X
KS062	CHANUTE	R	
KS063	MANHATTAN	R	
KS068	LEAVENWORTH	N1	
KY001	HA LOUISVILLE	R	X
KY002	HA COVINGTON	R	X
KY003	HA FRANKFORT	R	X
KY004	HA LEXINGTON	R	X
KY006	HA PADUCAH	R	X
KY011	HA HOPKINSVILLE	R	X
KY012	HENDERSON H/R	R	X
KY014	DANVILLE	R	X
KY015	HA NEWPORT	N2	
KY016	RICHMOND	R	X
KY017	HA MAYSVILLE	R	X
KY020	MT STERLING	R	
KY021	HA CYNTHIANA	R	X
KY022	HA LEBANON	R	X
KY025	LYON COUNTY	R	X
KY027	HA PAINTSVILLE	R	X
KY029	CUMBERLAND	R	X
KY030	MURRAY	R	X
KY031	WILLIAMSBURG	R	X
KY033	CATLETTSBURG	R	X
KY037	HICKMAN	R	X
KY038	MARTIN	R	X

PHA code	PHA name	Eligibility	Application received
KY041	MORGANTOWN	R	X
KY043	FULTON	R	X
KY047	CAMPBELLSVILLE	R	X
KY059	FALMOUTH	R	X
KY061	HA GEORGETOWN	R	X
KY063	BOWLING GREEN	R	X
KY064	COLUMBIA	R	X
KY070	CENTRAL CITY	R	X
KY072	PRINCETON	R	X
KY099	FRANKLIN	R	X
KY105	HOUSING AUTH OF JEFFERSON COUN	R	
KY107	HA PIKEVILLE	R	X
LA001	NEW ORLEANS HOUSING AUTHORITY	R	
LA002	SHREVEPORT HSG AUTHORITY	N1	
LA003	EAST BATON ROUGE HSG AUTHORITY	R	
LA004	LAKE CHARLES HOUSING AUTHORITY	R	
LA005	LAFAYETTE (CITY) HOUSING AUTHORITY	R	
LA006	MONROE HOUSING AUTHORITY	R	X
LA012	KENNER HOUSING AUTHORITY	R	
LA023	ALEXANDRIA HOUSING AUTHORITY	N1	
LA027	NEW IBERIA HOUSING AUTHORITY	R	
LA029	CROWLEY	N2	
LA030	VILLE PLATTE HOUSING AUTHORITY	R	X
LA036	MORGAN CITY HOUSING AUTHORITY	R	X
LA042	BOSSIER CITY HOUSING AUTHORITY	N1	
LA045	ARCADIA HOUSING AUTHORITY	R	X
LA054	RUSTON HOUSING AUTHORITY	R	X
LA055	OPELOUSAS HOUSING AUTHORITY	N2	
LA070	PATTERSON HOUSING AUTHORITY	R	X
LA080	LAFOURCHE PARISH HOUSING AUTHORITY	R	X
LA086	DERIDDER HOUSING AUTHORITY	R	X
LA089	HOMER HOUSING AUTHORITY	R	X
LA090	HOUMA HOUSING AUTHORITY	N1	
LA092	ST JAMES PARISH HOUSING AUTHORITY	R	
LA095	ST. JOHN THE BAPTIST PARISH HOUSING AUTHORITY	R	X
LA103	SLIDELL HOUSING AUTHORITY	N2	
LA106	DEQUINCY HOUSING AUTHORITY	R	
LA115	NATCHITOCHES CITY HOUSING AUTHORITY	R	X
LA118	JENNINGS HOUSING AUTHORITY	R	X
LA123	WINNFIELD HOUSING AUTHORITY	N2	
LA166	NATCHITOCHES PARISH HOUSING AUTHORITY	R	X
MA001	LOWELL HOUSING AUTHORITY	R	X
MA002	BOSTON HOUSING AUTHORITY	R	X
MA003	CAMBRIDGE HOUSING AUTHORITY	R	X
MA005	HOLYOKE HOUSING AUTHORITY	R	X
MA006	FALL RIVER HOUSING AUTHORITY	R	X
MA007	NEW BEDFORD HOUSING AUTHORITY	R	X
MA008	CHICOPEE HOUSING AUTHORITY	R	
MA010	LAWRENCE HOUSING AUTHORITY	R	X
MA012	WORCESTER HOUSING AUTHORITY	R	X
MA014	REVERE HOUSING AUTHORITY	R	X
MA015	MEDFORD HOUSING AUTHORITY	R	X
MA016	CHELSEA HOUSING AUTHORITY	R	X
MA017	TAUNTON HOUSING AUTHORITY	R	
MA019	WOBURN HOUSING AUTHORITY	R	X
MA020	QUINCY HOUSING AUTHORITY	N1	X
MA022	MALDEN HOUSING AUTHORITY	R	X
MA023	LYNN HOUSING AUTHORITY	R	X
MA024	BROCKTON HOUSING AUTHORITY	R	X
MA025	GLOUCESTER HOUSING AUTHORITY	R	X
MA028	FRAMINGHAM HOUSING AUTHORITY	R	X
MA031	SOMERVILLE HOUSING AUTHORITY	R	X
MA033	BROOKLINE HOUSING AUTHORITY	R	X
MA035	SPRINGFIELD HOUSING AUTHORITY	R	X
MD001	ANNAPOLIS HOUSING AUTHORITY	R	X
MD002	BALTIMORE CITY HOUSING AUTHORITY	R	X
MD003	FREDERICK HOUSING AUTHORITY	R	X
MD004	MONTGOMERY CO HOUSING AUTHORITY	R	X
MD005	CUMBERLAND HOUSING AUTHORITY	R	X
MD006	HAGERSTOWN HOUSING AUTHORITY	R	X
MD007	ROCKVILLE HOUSING AUTHORITY	R	X
MD012	HAVRE DE GRACE HOUSING AUTHORITY	R	
MD013	ST. MICHAELS HOUSING AUTHORITY	R	X

PHA code	PHA name	Eligibility	Application received
MD015	PRINCE GEORGES COUNTY HOUSING AUTHORITY	R	
MD018	ANNE ARUNDEL COUNTY HOUSING AU	R	
ME003	PORTLAND HOUSING AUTHORITY	R	X
ME005	LEWISTON HOUSING AUTHORITY	R	X
ME006	BRUNSWICK HOUSING AUTHORITY	R	X
MI001	DETROIT HC	R	X
MI003	DEARBORN HC	N1	
MI004	HAMTRAMCK HC	R	
MI005	PONTIAC HC	R	X
MI006	SAGINAW HC	R	
MI007	ECORSE HC	R	X
MI008	RIVER ROUGE HC	R	X
MI009	FLINT HC	R	X
MI010	BENTON HARBOR HSG COMM	R	
MI014	ALBION HGS COMM	R	
MI026	YPSILANTI HC	R	X
MI027	INKSTER HC	R	X
MI028	MOUNT CLEMENS HC	R	
MI031	MUSKEGON HEIGHTS	R	
MI035	BATTLE CREEK HSG COMMISSION	N1	
MI039	PORT HURON HC	R	X
MI055	LIVONIA HC	N1	
MI058	LANSING HOUSING COMMISSION	R	X
MI064	ANN ARBOR HC	R	X
MI072	ROMULUS HC	R	X
MI073	GRAND RAPIDS HOUSING COMM	R	
MI089	TAYLOR HC	N1	
MI157	STERLING HEIGHTS HC	N1	
MN001	ST PAUL PHA	R	X
MN002	MINNEAPOLIS PHA	R	X
MN003	DULUTH HRA	R	X
MN151	OLMSTED COUNTY HRA	N2	
MN152	BLOOMINGTON HRA	N1	
MO001	ST. LOUIS HOUSING AUTHORITY	R	X
MO002	KANSAS CITY, MO	R	X
MO003	ST JOSEPH	N1	
MO004	ST. LOUIS COUNTY HOUSING AUTHO	R	X
MO005	KINLOCH HA	R	X
MO006	ST CHARLES HOUSING AUTHORITY	N1	
MO007	COLUMBIA HOUSING AUTHORITY	R	X
MO009	JEFFERSON CITY HOUSING AUTHORI	R	X
MO010	MEXICO HOUSING AUTHORITY	R	X
MO011	MOBERLY HA	R	X
MO012	CHARLESTON HA	R	X
MO014	FULTON HOUSING AUTHORITY	R	X
MO017	INDEPENDENCE	R	X
MO030	LEE'S SUMMIT	N1	
MO031	CLINTON	R	
MO058	SPRINGFIELD	R	X
MO068	RICHLAND	R	X
MO070	RICHMOND	R	
MO111	MACON HOUSING AUTHORITY	R	X
MO129	HANNIBAL HOUSING AUTHORITY	R	X
MO132	OLIVETTE HA	N1	
MO138	WELLSTON HA	R	X
MO218	PAGEDALE HA	N1	X
MO220	HILLSDALE HA	N1	X
MS001	HATTIESBURG	R	X
MS002	LAUREL	R	X
MS003	MCCOMB	R	X
MS004	MERIDIAN	R	X
MS005	HA BILOXI	R	X
MS007	CLARKSDALE	R	X
MS019	MISS REG HSG AUTH IV	R	X
MS030	HA MISSISSIPPI REGIONAL NO V	R	X
MS040	MISS REGIONAL H/A VIII	R	X
MS047	STARKVILLE	R	X
MS058	MISS REGIONAL H/A VI	R	X
MS059	WEST POINT	R	X
MS060	BROOKHAVEN	R	X
MS062	HOLLY SPRINGS	R	X
MS063	YAZOO CITY	R	X
MS064	BAY ST. LOUIS	R	X

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MS066	PICAYUNE	R	X
MS071	ABERDEEN	R	X
MS072	CORINTH	R	X
MS076	COLUMBUS	R	X
MS077	TUPELO	R	X
MS079	LOUISVILLE	R	X
MS082	WINONA	R	X
MS086	VICKSBURG	R	X
MS090	SENATOBIA	R	X
MS093	OXFORD	R	X
MS099	LUMBERTON	R	X
MS101	WAVELAND	R	X
MS103	JACKSON	R	X
MS105	NATCHEZ	R	X
MS107	HSG AUTH CITY OF GREENWOOD MS	R	X
MS117	ATTALA COUNTY	R	X
MS121	ITTA BENA	R	X
MT0001	BILLINGS	R	
MT0002	GREAT FALLS	R	
MT0003	BUTTE	N2	
MT0004	HELENA	R	X
NC001	HA WILMINGTON	R	X
NC002	RALEIGH HA	R	X
NC003	HA CHARLOTTE	R	X
NC004	KINSTON H/A	R	X
NC005	NEW BERN	R	X
NC006	HA HIGH POINT	R	X
NC007	HA ASHEVILLE	R	X
NC008	CITY OF CONCORD	R	X
NC009	FAYETTEVILLE METROPOLITAN H/A	R	X
NC010	EASTERN CAROLINA REGIONAL	R	X
NC011	HA GREENSBORO	R	X
NC012	HA WINSTON-SALEM	R	X
NC013	HA DURHAM	R	X
NC014	HA LUMBERTON	R	X
NC015	HA GOLDSBORO	R	X
NC016	SALISBURY	R	X
NC017	REDEVELOPMENT COMM TARBORO	N2	
NC018	HA LAURINBURG	R	X
NC019	HA ROCKY MOUNT	R	X
NC020	HA WILSON	R	X
NC022	H/A CITY OF GREENVILLE	R	X
NC025	HA ROCKINGHAM	R	X
NC026	ELIZABETH CITY	R	X
NC027	HENDERSONVILLE	R	X
NC028	BENSON	R	X
NC031	HERTFORD	R	X
NC032	HA WASHINGTON	R	X
NC035	HA SANFORD	R	X
NC036	SELMA	R	X
NC039	HA LEXINGTON	R	X
NC040	SMITHFIELD	R	X
NC043	TROY	R	X
NC046	CHAPEL HILL	R	X
NC047	FAIRMONT	R	X
NC048	MAXTON	R	X
NC049	MORGANTON	R	X
NC052	SOUTHERN PINES	R	X
NC053	HAMLET	R	X
NC056	HA HICKORY	R	X
NC057	GASTONIA H/A	R	X
NC059	H A GRAHAM	R	
NC060	ROXBORO	R	X
NC061	BEAUFORT	R	X
NC065	HA MONROE	R	X
NC066	BURLINGTON	R	X
NC069	NORTH WILKESBORO	R	
NC070	HA LINCOLNTON	R	X
NC071	HA THOMASVILLE	R	X
NC072	HA STATESVILLE	R	X
NC073	OXFORD	R	X
NC074	LENOIR	R	X
NC075	HA ALBEMARLE	R	

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NC076	FARMVILLE	R	X
NC077	HA WILLIAMSTON	R	
NC079	DUNN	R	X
NC081	HA ASHEBORO	R	X
NC082	AYDEN	R	X
NC084	ROBESON COUNTY	R	X
NC085	AHOSKIE	R	
NC088	BELMONT	R	X
NC095	FOREST CITY	R	
NC102	HA ROWAN COUNTY	R	X
NC114	PEMBROKE	R	X
NC117	ROANOKE RAPIDS	R	
NC174	VANCE COUNTY	R	
ND014	FARGO	N1	
NE001	OMAHA HOUSING AUTHORITY	R	X
NE002	LINCOLN HOUSING AUTHORITY	N1	
NE003	HALL COUNTY HOUSING AUTHORITY	R	X
NE078	SCOTTS BLUFF HOUSING AUTHORITY	R	
NE125	NORTH PLATTE HOUSING AUTHORITY	N1	
NE153	DOUGLAS COUNTY HOUSING AUTHORITY	N1	
NE174	BELLEVUE HOUSING AUTHORITY	N1	
NH001	MANCHESTER HOUSING AUTHORITY	R	X
NH002	NASHUA HOUSING AUTHORITY	R	X
NH003	DOVER HOUSING AUTHORITY	R	X
NH005	CONCORD HOUSING AUTHORITY	R	X
NH007	LACONIA HOUSING & REDEVELOPMENT AUTHORITY	R	X
NH009	LEBANON HOUSING AUTHORITY	R	X
NJ002	NEWARK HA	R	X
NJ003	ELIZABETH HA	R	X
NJ004	NORTH BERGEN HA	R	X
NJ005	TRENTON H A	R	X
NJ006	PERTH AMBOY HA	R	X
NJ007	ASBURY PARK HA	R	X
NJ008	LONG BRANCH HA	R	X
NJ009	JERSEY CITY HA	R	X
NJ010	CAMDEN H A	R	X
NJ012	BAYONNE HA	R	X
NJ013	PASSAIC HA	R	X
NJ014	ATLANTIC CITY HA	R	X
NJ015	HOBOKEN HA	R	X
NJ016	HARRISON H A	R	X
NJ021	PATERSON HA	R	X
NJ022	NEW BRUNSWICK HA	R	X
NJ023	MORRISTOWN HA	R	X
NJ025	ORANGE CITY HA	R	X
NJ026	UNION CITY HA	R	X
NJ030	WEST NEW YORK HA	R	X
NJ032	RAHWAY HA	R	X
NJ033	WOODBIDGE HA	R	X
NJ034	GARFIELD H A	R	X
NJ037	IRVINGTON HA	R	X
NJ039	PLANFIELD HA	R	X
NJ041	HIGHLANDS H A	R	X
NJ042	FRANKLIN H A	R	X
NJ043	EDISON HA	R	X
NJ045	HIGHTSTOWN H A	R	X
NJ047	CARTERET HA	R	X
NJ048	NEPTUNE HA	R	X
NJ049	BRIDGETON HA	R	X
NJ050	EAST ORANGE HA	R	X
NJ051	GLASSBORO HA	R	X
NJ054	LAKEWOOD HA	R	X
NJ058	SALEM HA	R	X
NJ059	PLEASANTVILLE H A	R	X
NJ061	MILLVILLE HA	R	X
NJ063	VINELAND HA	R	X
NJ080	WILDWOOD H A	R	
NM001	ALBUQUERQUE HOUSING AUTHORITY	R	X
NM003	LAS CRUCES HOUSING AUTHORITY	R	X
NM004	ALAMOGORDO HOUSING AUTHORITY	R	X
NM007	LAS VEGAS HOUSING AUTHORITY	R	X
NM009	SANTA FE CIVIC HOUSING AUTHORITY	R	X
NM020	TRUTH OR CONSEQUENCES HOUSING AUTHORITY	R	X

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NM035	BERNALILLO (TOWN OF) HOUSING AUTHORITY	R	X
NM038	TAOS COUNTY HOUSING AUTHORITY	R	
NM050	SANTA FE COUNTY HSG AUTHORITY	R	X
NM057	BERNALILLO COUNTY HOUSING AUTHORITY	N1	
NM062	DONA ANA COUNTY HOUSING AUTHORITY	N1	
NM063	REGION VI HOUSING AUTHORITY	N1	
NV001	CITY OF RENO HSG AUTHORITY	R	
NV002	CITY OF LAS VEGAS HSG AUTH	R	X
NV007	NORTH LAS VEGAS HOUSING AUTHOR	R	X
NV013	COUNTY OF CLARK HOUSING AUTHOR	R	X
NY001	SYRACUSE HA	R	X
NY002	BUFFALO MUNICIPAL HA	R	X
NY003	YONKERS HA, CITY OF	R	X
NY005	NEW YORK CITY HA	R	X
NY006	UTICA HA	R	X
NY008	TUCKAHOE HA	R	X
NY009	ALBANY HA	R	X
NY011	NIAGARA FALLS HA	R	X
NY012	TROY HA	R	X
NY014	PORT CHESTER HA	R	X
NY016	BINGHAMT00N HA	R	X
NY018	PLATTSBURGH HA	R	X
NY019	HERKIMER HA	R	
NY020	SARATOGA SPRINGS HA	R	X
NY022	COHOES HA	R	X
NY023	FREEPORT HA	R	X
NY025	WATERVLIET HA	R	X
NY028	SCHENECTADY HA	R	X
NY029	LACKAWANNA HA	R	
NY031	MASSENA HA	R	X
NY032	CATSKILL HA	R	
NY033	RENSSELAER HA	R	
NY041	ROCHESTER HA	R	X
NY044	GENEVA HA	R	X
NY045	KINGSTON HA	R	X
NY046	HEMPSTEAD HA, TOWN OF	R	X
NY050	LONG BEACH HA	R	X
NY054	ITHACA HA	R	X
NY056	SPRING VALLEY HA	R	X
NY057	GREENBURGH HA	R	X
NY059	ILION HA	R	
NY060	AMSTERDAM HA	R	X
NY061	HUDSON HA	R	
NY062	POUGHKEEPSIE HA	R	X
NY069	GLEN COVE HA	R	
NY071	MONTICELLO HA	R	X
NY077	ISLIP HA, TOWN OF	N2	
NY082	PEEKSKILL HA	R	X
NY085	HEMPSTEAD HA, VILLAGE OF	N2	
NY088	NEW ROCHELLE HA	R	X
NY089	NEWARK HA	R	X
OH001	COLUMBUS MHA	R	X
OH002	YOUNGSTOWN MHA	R	X
OH003	CUYAHOGA MHA	R	X
OH004	CINCINNATI MHA	R	X
OH005	DAYTON MHA	R	X
OH006	LUCAS MHA	R	X
OH007	AKRON MHA	R	X
OH008	TRUMBULL MHA	R	X
OH009	ZANESVILLE MHA	R	X
OH010	PORTSMOUTH MHA	R	X
OH012	LORAIN MHA	R	X
OH014	JEFFERSON MHA	R	X
OH015	BUTLER MHA	R	X
OH018	STARK MHA	R	X
OH021	SPRINGFIELD MHA	R	X
OH023	LONDON MHA	R	
OH024	CHILlicothe MHA	R	X
OH026	COLUMBIANA MHA	R	X
OH029	ASHTABULA MHA	R	X
OH031	PORTAGE MHA	N2	
OH037	COSHOCOTON MHA	R	X
OH044	ALLEN MHA	R	X

PHA code	PHA name	Eligibility	Application received
OK002	OKLAHOMA CITY	R	X
OK004	IDABEL	R	X
OK005	LAWTON	R	X
OK044	HUGO	R	X
OK062	MC ALESTER	R	X
OK073	TULSA	R	X
OK095	SHAWNEE	R	X
OK099	MUSKOGEE	R	X
OK139	NORMAN	R	X
OK146	STILLWATER	R	X
OR001	CLACKAMAS	R	
OR002	HAP	R	
OR005	LINCOLN	R	
OR006	LANE	R	
OR009	NORTH BEND	R	X
OR011	SALEM	R	
OR014	MARION	N1	
OR015	JACKSON	N1	
PA001	HOUSING AUTH CITY OF PITTSBURG	R	
PA002	PHILADELPHIA HOUSING AUTHORITY	R	X
PA003	SCRANTON HOUSING AUTHORITY	R	
PA004	ALLENTOWN HOUSING AUTHORITY	R	
PA005	MCKEESPORT HOUSING AUTHORITY	R	X
PA006	ALLEGHENY COUNTY HOUSING AUTHO	R	X
PA007	CHESTER HOUSING AUTHORITY	R	X
PA008	HARRISBURG HOUSING AUTHORITY	R	X
PA009	READING HOUSING AUTHORITY	R	X
PA011	BETHLEHEM HOUSING AUTHORITY	R	X
PA012	MONTGOMERY COUNTY HOUSING AUTH	R	X
PA013	ERIE CITY HOUSING AUTHORITY	R	X
PA014	BEAVER COUNTY HOUSING AUTHORITY	R	X
PA015	FAYETTE COUNTY HOUSING AUTHORITY	R	X
PA017	WASHINGTON COUNTY HOUSING AUTH	R	
PA018	WESTMORELAND COUNTY HSG AUTHO	R	X
PA019	JOHNSTOWN HOUSING AUTHORITY	R	X
PA020	MERCER COUNTY HOUSING AUTHORITY	R	X
PA022	YORK CITY HOUSING AUTHORITY	R	X
PA023	DELAWARE COUNTY HOUSING AUTHO	R	
PA024	EASTON HOUSING AUTHORITY	R	X
PA026	HOUSING AUTH CO OF LAWRENCE	R	
PA031	ALTOONA HOUSING AUTHORITY	N2	X
PA036	LANCASTER HOUSING AUTHORITY	R	X
PA038	LACKAWANNA COUNTY HOUSING AUTH	R	
PA044	HAZLETON HOUSING AUTHORITY	R	X
PA046	HOUS AUTH OF THE CO OF CHESTER	R	X
PA047	WILKES BARRE HOUSING AUTHORITY	R	
PA051	BUCKS COUNTY HOUSING AUTHORITY	R	X
PA052	LEBANON COUNTY HOUSING AUTHORITY	N2	
PA057	LUZERNE COUNTY HOUSING AUTHORITY	R	X
PA071	BERKS COUNTY HOUSING AUTHORITY	N1	
PA088	CENTRE COUNTY HOUSING AUTHORITY	R	X
RI001	PROVIDENCE HOUSING AUTHORITY	R	X
RI002	PAWTUCKET HOUSING AUTHORITY	R	X
RI003	WOONSOCKET HOUSING AUTHORITY	R	X
RI005	NEWPORT HOUSING AUTHORITY	R	X
RI011	WARWICK HOUSING AUTHORITY	N1	
RQ005	PRPHA	R	X
SC001	CHARLESTON	R	X
SC002	COLUMBIA	R	X
SC003	SPARTANBURG	R	X
SC004	GREENVILLE	R	X
SC007	AIKEN	R	X
SC008	SOUTH CAROLINA REGION NO 1	R	X
SC017	GAFFNEY	R	X
SC022	ROCK HILL	R	X
SC024	SOUTH CAROLINA REGION NO 3	R	X
SC025	CONWAY	R	X
SC026	BEAUFORT	R	X
SC027	FLORENCE	R	X
SC028	GEORGETOWN	R	X
SC031	CHERAW	R	
SC036	FORT MILL	R	X
SC037	ANDERSON	R	X

PHA code	PHA name	Eligibility	Application received
SC046	YORK	R	X
SC056	CHARLESTON COUNTY	N1	
SC057	NORTH CHARLESTON	R	X
SC061	CAYCE	N1	
SD016	SIOUX FALLS	N1	
SD045	PENNINGTON COUNTY	N1	
TN001	MEMPHIS	R	
TN002	JOHNSON CITY HOUSING AUTHORITY	R	X
TN003	KNOXVILLE COMMUNITY DEVEL CORP	R	X
TN004	CHATTANOOGA HOUSING AUTHORITY	R	X
TN005	MDHA	R	X
TN006	KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY	R	X
TN007	JACKSON	R	X
TN008	PARIS	N2	
TN010	CLARKSVILLE	R	X
TN011	PULASKI	R	
TN013	BROWNSVILLE	R	X
TN014	FAYETTEVILLE	R	X
TN020	MURFREESBORO	R	X
TN024	TULLAHOA	R	X
TN027	HUMBOLDT	R	X
TN029	GALLATIN	R	
TN033	COOKEVILLE	R	X
TN035	FRANKLIN	R	X
TN036	SPRINGFIELD	R	X
TN039	SHELBYVILLE	R	X
TN041	COVINGTON	N2	
TN042	CROSSVILLE HOUSING AUTHORITY	R	X
TN048	LAWRENCEBURG	R	X
TN053	MCMINNVILLE	R	X
TN054	CLEVELAND HOUSING AUTHORITY	R	X
TN057	RIPLEY	R	X
TN065	MARYVILLE HOUSING AUTHORITY	R	X
TN075	NEWBERN	R	X
TN076	ELIZABETHTON HOUSING AND DEVELOPMENT AGENCY	N2	
TN088	OAK RIDGE HOUSING AUTHORITY	R	X
TN095	SHELBY COUNTY	N1	
TN111	KNOX COUNTY HOUSING AUTHORITY	N1	
TX001	AUSTIN HOUSING AUTHORITY	R	X
TX003	EL PASO	R	X
TX004	FORT WORTH	R	X
TX005	HOUSTON HOUSING AUTHORITY	R	X
TX006	SAN ANTONIO HOUSING AUTHORITY	R	X
TX007	BROWNSVILLE HOUSING AUTHORITY	R	X
TX008	CORPUS CHRISTI HOUSING AUTHORITY	R	X
TX009	DALLAS	R	X
TX010	WACO	R	X
TX011	LAREDO HOUSING AUTHORITY	R	
TX012	BAYTOWN HOUSING AUTHORITY	R	X
TX014	TEXARKANA	R	X
TX015	WAXAHACHIE	N2	
TX016	DEL RIO HOUSING AUTHORITY	R	
TX017	GALVESTON HOUSING AUTHORITY	R	X
TX018	LUBBOCK	R	X
TX019	EAGLE PASS HOUSING AUTHORITY	N2	X
TX020	BRYAN HOUSING AUTHORITY	N1	
TX022	WICHITA FALLS	R	X
TX023	BEAUMONT	R	X
TX024	COMMERCE	R	X
TX025	SAN BENITO HOUSING AUTHORITY	R	X
TX026	DENISON	R	
TX027	MCKINNEY	R	
TX028	MC ALLEN HOUSING AUTHORITY	R	
TX029	MERCEDES HOUSING AUTHORITY	R	X
TX030	TEMPLE	R	X
TX032	TEXAS CITY HOUSING AUTHORITY	R	
TX034	PORT ARTHUR	R	X
TX037	ORANGE	R	X
TX038	BONHAM	N2	
TX046	MISSION HOUSING AUTHORITY	R	X
TX048	PARIS	R	X
TX051	WESLACO HOUSING AUTHORITY	R	
TX054	NEW BOSTON	R	X



PHA code	PHA name	Eligibility	Application received
TX062	EDINBURG HOUSING AUTHORITY	R	
TX064	ALAMO HOUSING AUTHORITY	R	X
TX065	HARLINGEN HOUSING AUTHORITY	R	X
TX073	PHARR HOUSING AUTHORITY	R	X
TX078	SHERMAN	R	X
TX079	KILLEEN	N1	X
TX085	VICTORIA HOUSING AUTHORITY	R	
TX087	SAN MARCOS HOUSING AUTHORITY	R	X
TX092	LADONIA	N2	
TX113	ORANGE COUNTY	N2	X
TX114	KINGSVILLE HOUSING AUTHORITY	R	X
TX128	PLANO	R	X
TX163	ROBSTOWN HOUSING AUTHORITY	R	X
TX173	PORT ISABEL HOUSING AUTHORITY	N2	
TX177	DONNA HOUSING AUTHORITY	R	
TX257	SLATON	R	
TX300	CARRIZO SPRINGS HOUSING AUTHORITY	N2	X
TX327	ABILENE	R	X
TX355	EL CAMPO HOUSING AUTHORITY	R	X
TX379	MIDLAND	N1	
TX395	PORT LAVACA HOUSING AUTHORITY	R	
TX406	HUNTSVILLE HOUSING AUTHORITY	R	
TX408	MONAHANS	R	X
TX439	ANTHONY	R	
TX448	LA JOYA HOUSING AUTHORITY	R	X
TX449	ROMA HOUSING AUTHORITY	R	X
TX452	BEXAR COUNTY HOUSING AUTHORITY	N1	
TX455	ODESSA	R	X
TX470	SAN ANGELO	R	X
TX480	TRAVIS COUNTY HOUSING AUTHORITY	N1	
TX486	NACOGDOCHES	R	X
TX509	CAMERON COUNTY HOUSING AUTHORITY	R	X
TX538	EL PASO COUNTY	R	
UT002	OGDEN	N1	
UT003	SALT LAKE COUNTY	R	X
UT004	SALT LAKE CITY	R	X
UT007	PROVO CITY	R	X
UT011	UTAH COUNTY	N1	
UT025	WEST VALLEY CITY	N1	
VA001	PORTSMOUTH REDEVELOPMENT & H/A	R	X
VA002	BRISTOL REDEVELOPMENT HOUSING	R	
VA003	NEWPORT NEWS REDEVELOPMENT & H	R	X
VA004	ALEXANDRIA REDEVELOPMENT & H/A	R	X
VA005	HOPEWELL REDEVELOPMENT & H/A	R	X
VA006	NORFOLK REDEVELOPMENT & H/A	R	X
VA007	RICHMOND REDEVELOPMENT & H/A	R	X
VA010	DANVILLE REDEVELOPMENT AND H/A	R	X
VA011	ROANOKE REDEVELOPMENT & H/A	R	X
VA012	CHESAPEAKE REDEVELOPMENT & H/A	R	X
VA013	LYNCHBURG REDEVELOPMENT & H/A	N1	
VA015	NORTON REDEVELOPMENT & H/A	R	
VA017	HAMPTON REDEVELOPEMENT & HSG A	R	X
VA019	FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY	R	X
VA020	PETERSBURG REDEVELOPMENT & H/A	R	
VA022	WAYNESBORO REDEVELOPMENT & H/A	R	X
VA025	SUFFOLK REDEVELOPMENT & H/A	R	X
VA029	CUMBERLAND PLATEAU REGIONAL H/	R	X
VQ001	VIHA	R	X
VT005	BARRE HOUSING AUTHORITY	R	
WA001	SEATTLE HA	R	X
WA002	KING CO HA	R	X
WA003	BREMERTON HA	R	X
WA004	CLALLAM CO HA	R	X
WA005	TACOMA HA	R	X
WA006	EVERETT HA	N1	
WA008	VANCOUVER	R	
WA021	PASCO HA	R	X
WA025	BELLINGHAM HA	R	
WA030	SEDRO WOOLLEY HA	N1	
WA036	KITSAP CO HA	R	X
WA039	SNOHOMISH CO HA	R	X
WA041	WHATCOM CO HA	N1	
WA042	YAKIMA HA	R	

PHA code	PHA name	Eligibility	Application received
WA054 .....	PIERCE CO HA .....	N1	
WA055 .....	SPOKANE HA .....	N1	
WI001 .....	SUPERIOR HA .....	R	X
WI002 .....	MILWAUKEE HA .....	R	X
WI003 .....	MADISON HA .....	R	X
WI074 .....	GREEN BAY HA .....	N1	
WI183 .....	RACINE COUNTY HA .....	N1	
WV001 .....	CHARLESTON HOUSING AUTHORITY .....	R	X
WV003 .....	WHEELING HOUSING AUTHORITY .....	R	X
WV004 .....	HUNTINGTON HOUSING AUTHORITY .....	R	X
WV005 .....	PARKERSBURG HOUSING AUTHORITY .....	R	X
WV006 .....	MARTINSBURG HOUSING AUTHORITY .....	R	
WV008 .....	WILLIAMSON HOUSING AUTHORITY .....	R	
WV009 .....	FAIRMONT HOUSING AUTHORITY .....	N2	
WV011 .....	MOUNDSVILLE HOUSING AUTHORITY .....	R	
WV014 .....	BENWOOD HOUSING AUTHORITY .....	R	
WV018 .....	BLUEFIELD HOUSING AUTHORITY .....	R	
WV022 .....	SOUTH CHARLESTON HOUSING AUTHORITY .....	R	
WV027 .....	CLARKSBURG HOUSING AUTHORITY .....	R	
WV036 .....	KANAWHA COUNTY HOUSING AUTHORITY .....	R	X

## VI. Findings and Certifications

### Paperwork Reduction Act Statement

The information collection requirements contained in this rule have been approved by the Office of Management and Budget under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), and assigned OMB control number 2577–0124. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

### Executive Order 12866

The Office of Management and Budget (OMB) has reviewed this rule under Executive Order 12866, *Regulatory Planning and Review*, issued by the President on September 30, 1993. Any changes made in this rule subsequent to its submission to OMB are identified in the docket file, which is available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Office of the General Counsel, Room 10276, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410.

### Regulatory Flexibility Act

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed and approved this rule, and in so doing certifies that this rule will not have a significant economic impact on a substantial number of small entities because all small entities previously funded under the program affected by this rule will continue to be funded at comparable levels. The rule will also have no

adverse or disproportionate economic impact on small businesses.

### Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969. The Finding is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the Office of the Rules Docket Clerk, Office of the General Counsel, Department of Housing and Urban Development, Room 10276, 451 Seventh Street SW, Washington, DC 20410.

### Executive Order 12612, Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that this rule will not have substantial direct effects on States or their political subdivisions, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. No programmatic or policy changes will result from this rule that would affect the relationship between the Federal Government and State and local governments.

### List of Subjects in 24 CFR Part 761

Drug abuse, Drug traffic control, Grant programs—housing and community development, Grant programs—Indians, Grant programs—low and moderate income housing, Indians, Public housing, Reporting and recordkeeping requirements.

### Catalog of Domestic Assistance Numbers

The Catalog of Domestic Assistance numbers for the Public Housing Drug Elimination Program is 14.854.

Accordingly, for the reasons stated in the preamble, part 761 of title 24 of the Code of Federal Regulations is amended as follows:

### PART 761—DRUG ELIMINATION PROGRAMS

1. The authority citation for 24 CFR part 761 continues to read as follows:

**Authority:** 42 U.S.C. 3535(d) and 11901 *et seq.*

### PART 761—[AMENDED]

2. In part 761, all references to “drug-related crime” are revised to read “drug-related and violent crime” and all references to “Indian housing authorities (IHAs)” are removed.

3. In § 761.1, the introductory text is revised to read as follows:

#### § 761.1 Purpose and scope.

This part 761 contains the regulatory requirements for the Assisted Housing Drug Elimination Program (AHDEP) and the Public Housing Drug Elimination Program (PHDEP). The purposes of these programs are to:

\* \* \* \* \*

4. Section 761.5 is revised to read as follows:

#### § 761.5 Public housing; encouragement of resident participation.

For the purposes of the Public Housing Drug Elimination Program, the elimination of drug-related and violent crime within public housing developments requires the active

involvement and commitment of public housing residents and their organizations. To enhance the ability of PHAs to combat drug-related and violent crime within their developments, Resident Councils (RCs), Resident Management Corporations (RMCs), and Resident Organizations (ROs) will be permitted to undertake management functions specified in this part, notwithstanding the otherwise applicable requirements of part 964 of this title.

5. In § 761.10, the introductory text is revised, the definition of *Recipient of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA recipient)* is added in alphabetical order, and the definition of *Resident Management Corporation (RMC)* is revised, to read as follows:

#### § 761.10 Definitions.

The definitions *Department, HUD, and Public Housing Agency (PHA)* are defined in part 5 of this title.

\* \* \* \* \*

*Recipient of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA recipient)* shall have the same meaning as *recipient* provided in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 *et seq.*).

\* \* \* \* \*

*Resident Management Corporation (RMC)*, for purposes of the Public Housing Program, means the entity that proposes to enter into, or that enters into, a management contract with a PHA under part 964 of this title in accordance with the requirements of that part.

\* \* \* \* \*

6. The heading of subpart B is revised to read as follows:

#### Subpart B—Grant Funding

7. A new § 761.13 is added to read as follows:

#### § 761.13 Amount of funding.

(a) *PHDEP formula funding.* (1) *Funding share formula.* (i) *Per unit amount.* Subject to the availability of funding, the amount of funding made available each FFY to an applicant that qualifies for funding in accordance with § 761.15(a) is based upon the applicant's share of the total number of units of all applicants that qualify for funding, with a maximum award of \$35 million and a minimum award of \$25,000, except that qualified applicants with less than 50

units will not receive more than \$500 per unit.

(ii) *Calculation of number of units.* For purposes of determining the number of units counted for purposes of the PHDEP formula, HUD shall count as one unit each existing rental and Section 23 bond-financed unit under the ACC. Units that are added to a PHA's inventory will be added to the overall unit count so long as the units are under ACC amendment and have reached DOFA by the date HUD establishes for the Federal Fiscal Year in which the PHDEP formula is being run (hereafter called the "reporting date"). Any such increase in units shall result in an adjustment upwards in the number of units under the PHDEP formula. New units reaching DOFA after this date will be counted for PHDEP formula purposes as of the following Federal Fiscal Year. Federalized units that are eligible for operating subsidy will be counted for PHDEP formula purposes based on the unit count reflected on the PHA's most recently approved Operating Budget (Form HUD-52564) and/or subsidy calculation (Form HUD-52723), or successor form submitted for that program. Units approved for demolition/disposition continue to be counted for PHDEP formula funding purposes until actual demolition/disposition of the unit.

(2) *Consortium funding.* The amount of funding made available to a consortium will be the total of the amounts that each individual member would otherwise qualify to receive under the PHDEP funding formula in accordance with paragraph (a)(1) of this section.

(3) *Adjustments to funding.* The amount of funding made available each FFY to an applicant in accordance with paragraphs (a)(1) and (a)(2) of this section may be adjusted as follows:

(i) An applicant must submit a PHDEP plan that meets the requirements of § 761.21, as required by § 761.15(a)(5), each FFY year to receive that FFY's funding. An applicant that does not submit a PHDEP plan for a FFY as required will not receive that FFY's funding.

(ii) Ineligible activities, described at § 761.17(b), are not eligible for funding. Activities proposed for funding in an applicant's PHDEP plan that are determined to be ineligible will not be funded, and the applicant's funding for that FFY may be reduced accordingly.

(iii) In accordance with § 761.15(a)(6), an applicant that does not meet the performance requirements of § 761.23 will be subject to the sanctions listed in § 761.30(f)(2).

(iv) Both the amount of and continuing eligibility for funding is subject to the sanctions in § 761.30(f).

(v) Any amounts that become available because of adjustments to an applicant's funding will be distributed to every other applicant that qualifies for funding in accordance with paragraphs (a)(1) and (a)(2) of this section.

(b) *AHDEP funding.* Information concerning funding made available under AHDEP for a given FFY will be contained in Notices of Funding Availability (NOFAs) published in the **Federal Register**.

8. Section 761.15 is revised to read as follows:

#### § 761.15 Qualifying for funding.

(a) *Qualifications for PHDEP funding.* (1) *Eligible applicants.* The following are eligible applicants for PHDEP funding:

- (i) A PHA;
- (ii) An RMC; and
- (iii) A consortium of PHAs.

(2) *Preference PHAs.* A PHA that successfully competed for PHDEP funding under at least one of the PHDEP NOFAs for FFY 1996, FFY 1997 or FFY 1998 qualifies to receive PHDEP funding.

(3) *Needs qualification for funding.* An eligible applicant that does not qualify to receive PHDEP funding under paragraph (a)(2) of this section must be in one of the following needs categories to qualify for funding:

(i) The eligible applicant must be in the top 50% of the unit-weighted distribution of an index of a rolling average rate of violent crimes of the community, as computed for each Federal Fiscal Year (FFY). The crime rate used in this needs determination formula is the rate, from the most recent years feasible, of FBI violent crimes per 10,000 residents of the community (or communities). If this information is not available for a particular applicant's community, HUD will use the average of data from recipients of a comparable State and size category of PHA (less than 500 units, 500 to 1249 units, and more than 1250 units). If fewer than five PHAs have data for a given size category within a State, then the average of PHAs for a given size category within the census region will be used; or

(ii) The eligible applicant must have qualified for PHDEP funding, by receiving an application score of 70 or more points under any one of the PHDEP NOFAs for FFY 1996, FFY 1997 or FFY 1998, but not have received an award because of the unavailability of funds.

(4) *Consortium of eligible applicants.* Eligible applicants may join together and form a consortium to apply for funding, whether or not each member would individually qualify for PHDEP funding under paragraphs (a)(2) or (a)(3) of this section. The act of two or more eligible applicants joining together to form a consortium, and identifying related crime problems and eligible activities to address those problems pursuant to a consortium PHDEP plan, qualifies the consortium for PHDEP funding of an amount as determined under § 761.13(a)(2).

(5) *PHDEP plan requirement.* (i) PHAs. Except as provided in paragraph (a)(5)(ii), below, of this section, to receive PHDEP funding, a PHA that qualifies to receive PHDEP funding for Federal Fiscal Year 2000 and beyond must include a PHDEP plan that meets the requirements of § 761.21 with its PHA Plan submitted pursuant to part 903 of this title for each Federal Fiscal Year for which it qualifies for funding.

(ii) To receive PHDEP funding, a PHA that qualifies to receive PHDEP funding and is operating under an executed Moving To Work (MTW) agreement with HUD must submit a PHDEP plan that meets the requirements of § 761.21 with its required MTW plan for each Federal Fiscal Year for which it qualifies for funding.

(iii) RMCs. To receive PHDEP funding, an RMC operating in an PHA that qualifies to receive PHDEP funding must submit a PHDEP plan for the units managed by the RMC that meets the requirements of § 761.21 to its PHA. Upon agreement between the RMC and PHA, the PHA must submit to HUD, with its PHA Plan submitted pursuant to part 903 of this title, the RMC's PHDEP plan. The RMC will implement its plan as a subrecipient of the PHA.

(iv) *Consortia.* To receive PHDEP funding, the consortium members must prepare and submit a consortium PHDEP plan that meets the requirements of § 761.21, including the additional requirements that apply to consortia. Each member must submit the consortium plan with its PHA plan, submitted pursuant to part 903 of this title, or IHP, submitted pursuant to subpart C of part 1000 of this title, as appropriate.

(6) An otherwise qualified recipient PHA, RMC or consortium may not be funded if HUD determines, on a case-by-case basis, that it does not meet the performance requirements of § 761.23.

(b) *Qualifications for AHDEP funding.* Under AHDEP, eligible applicants are owners of federally assisted low-income housing, as the term *Federally assisted low-income housing* is defined in

§ 761.10. Notices of Funding Availability (NOFAs) published in the **Federal Register** will contain specific information concerning funding requirements and eligible and ineligible applicants and activities.

9. A new § 761.17 is added to subpart B to read as follows:

**§ 761.17 Eligible and ineligible activities for funding.**

(a) *Eligible activities.* One or more of the eligible activities described in 42 U.S.C. 11903 and in this § 761.17(a) are eligible for funding under PHDEP or AHDEP, as further explained or limited in paragraph (b) of this section and, for AHDEP, in separate annual Notices of Funding Availability (NOFAs). All personnel funded by these programs in accordance with an eligible activity must meet, and demonstrate compliance with, all relevant Federal, State, tribal, or local government insurance, licensing, certification, training, bonding, or other similar law enforcement requirements.

(1) *Employment of security personnel,* as provided in 42 U.S.C. 11903(a)(1), with the following additional requirements:

(i) *Security guard personnel.* (A) Contract security personnel funded by this program must perform services not usually performed by local law enforcement agencies on a routine basis. The applicant must identify the baseline services provided by the local law enforcement agency.

(B) The applicant, the provider (contractor) of the security personnel and, only if the local law enforcement agency is receiving any PHDEP funds from the applicant, the local law enforcement agency, are required, as a part of the security personnel contract, to enter into and execute a written agreement that describes the following:

(1) The activities to be performed by the security personnel, their scope of authority, and how they will coordinate their activities with the local law enforcement agency;

(2) The types of activities that the security personnel are expressly prohibited from undertaking.

(ii) *Employment of HA police.* (A) If additional HA police are to be employed for a service that is also provided by a local law enforcement agency, the applicant must undertake and retain a cost analysis that demonstrates the employment of HA police is more cost efficient than obtaining the service from the local law enforcement agency.

(B) Additional HA police services to be funded under this program must be over and above those that the existing HA police, if any, provides, and the

tribal, State or local government is contractually obligated to provide under its Cooperation Agreement with the applying HA (as required by the HA's Annual Contributions Contract). An applicant seeking funding for this activity must first establish a baseline by describing the current level of services provided by both the local law enforcement agency and the HA police, if any (in terms of the kinds of services provided, the number of officers and equipment and the actual percent of their time assigned to the developments proposed for funding), and then demonstrate that the funded activity will represent an increase over this baseline.

(C) If the local law enforcement agency is receiving any PHDEP funds from the applicant, the applicant and the local law enforcement agency are required to enter into and execute a written agreement that describes the following:

(1) The activities to be performed by the HA police, their scope of authority, and how they will coordinate their activities with the local law enforcement agency;

(2) The types of activities that the HA police are expressly prohibited from undertaking.

(2) *Reimbursement of local law enforcement agencies for additional security and protective services,* as provided in 42 U.S.C. 11903(a)(2), with the following additional requirements:

(i) Additional security and protective services to be funded must be over and above those that the tribal, State, or local government is contractually obligated to provide under its Cooperation Agreement with the applying HA (as required by the HA's Annual Contributions Contract). An application seeking funding for this activity must first establish a baseline by describing the current level of services (in terms of the kinds of services provided, the number of officers and equipment, and the actual percent of their time assigned to the developments proposed for funding) and then demonstrate that the funded activity will represent an increase over this baseline.

(ii) Communications and security equipment to improve the collection, analysis, and use of information about drug-related or violent criminal activities in a public housing community may be eligible items if used exclusively in connection with the establishment of a law enforcement substation on the funded premises or scattered site developments of the applicant. Funds for activities under this section may not be drawn until the

grantee has executed a contract for the additional law enforcement services.

(3) *Physical improvements to enhance security*, as provided in 42 U.S.C. 11903(a)(3). For purposes of PHDEP, the following provisions in paragraphs (a)(3)(i) through (a)(3)(iv) of this section apply:

(i) An activity that is funded under any other HUD program shall not also be funded by this program.

(ii) Funding is not permitted for physical improvements that involve the demolition of any units in a development.

(iii) Funding is not permitted for any physical improvements that would result in the displacement of persons.

(iv) Funding is not permitted for the acquisition of real property.

(4) *Employment of investigating individuals*, as provided in 42 U.S.C. 11903(a)(4). For purposes of PHDEP, the following provisions in paragraphs (a)(4)(i) and (a)(4)(ii) of this section apply:

(i) If one or more investigators are to be employed for a service that is also provided by a local law enforcement agency, the applicant must undertake and retain a cost analysis that demonstrates the employment of investigators is more cost efficient than obtaining the service from the local law enforcement agency.

(ii) The applicant, the investigator(s) and, only if the local law enforcement agency is receiving any PHDEP funds from the applicant, the local law enforcement agency, are required, before any investigators are employed, to enter into and execute a written agreement that describes the following:

(A) The nature of the activities to be performed by the investigators, their scope of authority, and how they will coordinate their activities with the local law enforcement agency;

(B) The types of activities that the investigators are expressly prohibited from undertaking.

(5) *Voluntary tenant patrols*, as provided in 42 U.S.C. 11903(a)(5). For purposes of PHDEP, the following provisions in paragraphs (a)(5)(i) through (a)(5)(iv) of this section apply:

(i) The provision of training, communications equipment, and other related equipment (including uniforms), for use by voluntary tenant patrols acting in cooperation with officials of local law enforcement agencies is permitted. Grantees are required to obtain liability insurance to protect themselves and the members of the voluntary tenant patrol against potential liability for the activities of the patrol. The cost of this insurance will be considered an eligible program expense.

(ii) The applicant, the members of the tenant patrol and, only if the local law enforcement agency is receiving any PHDEP funds from the applicant, the local law enforcement agency, are required, before putting the tenant patrol into effect, to enter into and execute a written agreement that describes the following:

(A) The nature of the activities to be performed by the tenant patrol, the patrol's scope of authority, and how the patrol will coordinate its activities with the local law enforcement agency;

(B) The types of activities that a tenant patrol is expressly prohibited from undertaking, to include but not limited to, the carrying or use of firearms or other weapons, nightsticks, clubs, handcuffs, or mace in the course of their duties under this program;

(C) The type of initial tenant patrol training and continuing training the members receive from the local law enforcement agency (training by the local law enforcement agency is required before putting the tenant patrol into effect).

(iii) Tenant patrol members must be advised that they may be subject to individual or collective liability for any actions undertaken outside the scope of their authority and that such acts are not covered under a HA's or RMC's liability insurance.

(iv) Grant funds may not be used for any type of financial compensation for voluntary tenant patrol participants. However, the use of program funds for a grant coordinator for volunteer tenant foot patrols is permitted.

(6) *Drug prevention, intervention, and treatment programs*, as provided in 42 U.S.C. 11903(a)(6).

(7) *Funding resident management corporations (RMCs), resident councils (RCs), and resident organizations (ROs)*. For purposes of the Public Housing Program, funding may be provided for PHAs that receive grants to contract with RMCs and incorporated RCs and ROs to develop security and drug abuse prevention programs involving site residents, as provided in 42 U.S.C. 11903(a)(7).

(8) *Youth sports*. Sports programs and sports activities that serve primarily youths from public or other federally assisted low-income housing projects and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around such projects, as provided in 42 U.S.C. 11903(a)(8).

(9) *Eliminating drug-related and violent crime in PHA-owned housing*, under the Public Housing Program, as provided in 42 U.S.C. 11903(b).

(b) *Ineligible activities*. For purposes of PHDEP, funding is not permitted:

(1) For activities not included under paragraph (a) of this section;

(2) For costs incurred before the effective date of the grant agreement;

(3) For the costs related to screening or evicting residents for drug-related crime. However, investigators funded under this program may participate in judicial and administrative proceedings;

(4) For previously funded activities determined by HUD on a case-by-case basis to be unworthy of continuation.

10. Section 761.20 is revised to read as follows:

#### **§ 761.20 Selection requirements.**

(a) *PHDEP selection*. Every PHA, RMC and consortium that meets the requirements of § 761.15 in a FFY will be selected for funding in that FFY and, subject to meeting the performance requirements of § 761.23, for four additional FFYs.

(b) *AHDEP selection*. HUD will publish specific Notices of Funding Availability (NOFAs) in the **Federal Register** to inform the public of the availability of AHDEP grant amounts under this part 761. The NOFAs will provide specific guidance with respect to the grant process, including identifying the eligible applicants; deadlines for the submission of grant applications; the limits (if any) on maximum grant amounts; the information that must be submitted to permit HUD to score each of the selection criteria; the maximum number of points to be awarded for each selection criterion; the contents of the plan for addressing drug-related and violent crime that must be included with the application; the listing of any certifications and assurances that must be submitted with the application; and the process for ranking and selecting applicants. NOFAs will also include any additional information, factors, and requirements that HUD has determined to be necessary and appropriate to provide for the implementation and administration of AHDEP under this part 761.

11. A new § 761.21 is added to read as follows:

#### **§ 761.21 Plan requirement.**

(a) *General requirement*. To receive funding under this part, each PHDEP qualified recipient or AHDEP applicant must submit to HUD, for Federal Fiscal Year (FFY) 2000 and each following FFY, a plan for addressing the problem of drug-related and violent crime in and around the housing covered by the plan. If the plan covers more than one development, it does not have to

address each development separately if the same activities will apply to each development. The plan must address each development separately only where program activities will differ from one development to another. The plan must include a description of the planned activity or activities, a description of the role of plan partners and their contributions to carrying out the plan, a budget and timetable for implementation of the activities, and the funding source for each activity, identifying in particular all activities to be funded under this part. In addition, the plan must set measurable performance goals and interim milestones for the PHDEP-supported activities and describe the system for monitoring and evaluating these activities. Measurable goals must be established for each category of funded activities, including drug prevention, drug intervention, drug treatment, tenant patrols, and physical improvements. The plan under this section serves as the application for PHDEP funding, and an otherwise qualified recipient that does not submit a PHDEP plan as required will not be funded. For AHDEP funding, NOFAs published in the **Federal Register** may provide additional information on plan requirements for purposes of this section. Plans must meet the requirements of this section before grant funds are distributed. HUD will review the submitted plans for a determination of whether they meet the requirements of this section.

(b) *Additional requirements for consortia.* In addition to meeting the requirements of paragraph (a) of this section, to receive funding under this part, a consortium's plan must include a copy of the consortium agreement between the PHAs which are participating in the consortium, and a copy of the payment agreement between the consortium and HUD.

12. A new § 761.23 is added to read as follows:

**§ 761.23 Grantee performance requirements.**

(a) *Basic grantee requirements.* (1) *Compliance with civil rights requirements.* Grantees must be in compliance with all fair housing and civil rights laws, statutes, regulations, and executive orders as enumerated in 24 CFR 5.105(a). Federally recognized Indian tribes must comply with the Age Discrimination Act of 1975 and the Indian Civil Rights Act.

(2) *Adherence to the grant agreement.* The grant agreement between HUD and the grantee incorporates the grantee's application and plan for the

implementation of grant-funded activities.

(3) *Compliance with "baseline" funding requirement.* Grantees may not use grant funds to reimburse law enforcement agencies for "baseline" community safety services. Grantees must adhere to § 761.17(a)(2)(i), reimbursement of local law enforcement agencies for additional security and protective services. In addition, grantees must provide to HUD a description of the baseline of services for the unit of general local government in which the jurisdiction of the agency is located.

(4) *Partnerships.* Grantees must provide HUD with evidence of partnerships—in particular, firm commitments by organizations providing funding, services, or other in-kind resources for PHDEP-funded activities (e.g., memorandum of agreement, letter of firm commitment). The partnership agreement must cover the applicable funding period.

(5) *MTCS reporting.* Grantees must maintain a level of compliance with MTCS reporting requirements that is satisfactory to HUD.

(b) *Planning and reporting requirements.* (1) *Planning consistency.* PHDEP funded activities must be consistent with the most recent HUD-approved PHA Plan or Indian Housing Plan, as appropriate. AHDEP funded activities must be consistent with the most recent Consolidated Plan under part 91 of this title for the community.

(2) *Demonstration of coordination with other law enforcement efforts.* Each grantee must consult with local law enforcement authorities and other local entities in the preparation of its plan for addressing the problem of drug-related and violent crime under § 761.21 and must maintain documentation of such consultation. Furthermore, a grantee must coordinate its grant-funded activities with other anti-crime and anti-drug programs, such as Operation Safe Home, Operation Weed and Seed, and the Safe Neighborhoods Action Program operating in the community, if applicable and maintain documentation of such coordination.

(3) *Compliance with reporting requirements.* Grantees must provide periodic reports consistent with this part at such times and in such form as is required by HUD.

(4) *Reporting on drug-related and violent crime.* Grantees must report any change or lack of change in crime statistics—especially drug-related crime and violent crime—or other relevant indicators drawn from the applicant's or grantee's evaluation and monitoring plan, IHP or PHA Plan. The grantee must also indicate, if applicable, how it

is adequately addressing any recommendations emanating from other anti-crime and anti-drug programs, such as Operation Safe Home, Operation Weed and Seed, and the Safe Neighborhoods Action Program, operating in the community and is taking appropriate actions, in view of available resources, such as post-enforcement measures, to take full advantage of these programs.

(c) *Funding and evaluation requirements.* (1) *Timely obligation and expenditure of grant funds.* The HA must obligate and expend funds in compliance with all funding notifications, regulations, notices, and grant agreements. In addition, the HA must obligate at least 50 percent of funds under a particular grant within 12 months of the execution of the grant agreement, and must expend at least 25 percent of funds under a particular grant within 12 months of the execution of the grant agreement.

(2) *Operational monitoring and evaluation system.* The grantee must demonstrate that it has a fully operational system for monitoring and evaluating its grant-funded activities. A monitoring and evaluation system must collect quantitative evidence of the number of persons and units served, including youth served as a separate category, types of services provided, and the impact of such services on the persons served. Also, the monitoring and evaluation system must collect quantitative and qualitative evidence of the impact of grant-funded activities on the public housing or other housing, the community and the surrounding neighborhood.

(3) *Reduction of violent crime and drug use.* The grantee must demonstrate that it has established, and is attaining, measurable goals including the overall reduction of violent crime and drug use.

(d) *Other requirements.* HUD reserves the right to add additional performance factors consistent with this rule and other related statutes and regulations on a case-by-case basis.

(e) *Sanctions.* A grantee that fails to satisfy the performance requirements of this section will be subject to the sanctions listed in § 761.30(f)(2).

13. In § 761.40, paragraphs (f) and (g) are revised to read as follows:

**§ 761.40 Other Federal requirements.**

\* \* \* \* \*

(f) *Intergovernmental Review.* The requirements of Executive Order 12372 (3 CFR, 1982 Comp., p. 197) and the regulations issued under the Order in part 52 of this title, to the extent provided by **Federal Register** notice in

accordance with 24 CFR 52.3, apply to these programs.

(g) *Environmental review.* Certain eligible activities under this part 761 are categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and are not subject to review under related

laws, in accordance with 24 CFR 50.19(b)(4), (b)(12), or (b)(13). If the PHDEP plan proposes the use of grant funds to assist any non-exempt activities, HUD will perform an environmental review to the extent required by 24 CFR part 50, prior to grant award.

Dated: September 8, 1999.

**Harold Lucas,**

*Assistant Secretary for Public and Indian Housing.*

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