

RESOLUTION NO. C-20355

A RESOLUTION OF THE CITY OF LONG BEACH
DECLARING THE NEED FOR A HOUSING AUTHORITY
IN THE CITY OF LONG BEACH, CALIFORNIA, AND
DECLARING THE CITY COUNCIL OF THE CITY TO
BE COMMISSIONERS OF THE HOUSING AUTHORITY,
DESIGNATING A CHAIRMAN FOR THE AUTHORITY,
AND APPROVING THE APPLICATION OF THE PRO-
VISIONS OF SECTION 23 OF THE UNITED STATES
HOUSING ACT OF 1937, AS AMENDED, TO THE
CITY OF LONG BEACH

The City Council of the City of Long Beach resolves
as follows:

Section 1. The City Council of the City of Long
Beach, California, pursuant to the Housing Authorities Law
of the State of California, and particularly Article 2 thereof,
hereby determines, finds and declares that:

(a) There is a shortage of safe and sanitary
dwelling accommodations in the City of Long Beach,
California, available to persons of low income at
rentals they can afford.

(b) There is a need for a Housing Authority
to function in the City of Long Beach, California.

Sec. 2. Pursuant to Section 34290 of the Housing
Authorities Law, the City Council hereby declares itself to be
the Commissioners of the Housing Authority created by Section
34240 of the Housing Authorities Law, and that all rights,
powers, duties, privileges and immunities vested by the Housing
Authorities Law in such Authority shall be and are vested in
said Commissioners.

1 Sec. 3. The City Council hereby declares that the
2 Commissioners of the Authority and the Housing Authority will
3 limit their activities under the Housing Authority's law of
4 the State of California, to the leasing of private accommoda-
5 tions pursuant to Section 23 of the Housing Act of 1937, as
6 amended; and, that no other project or program of low-rent
7 housing will be undertaken without specific approval of the
8 City Council.

9 Sec. 4. The City Council declares that the appli-
10 cation of provisions of Section 23 of the Housing Act of 1937,
11 as amended, to the City of Long Beach is hereby approved.

12 Sec. 5. The City Council hereby appoints The Honor-
13 able Edwin W. Wade from among its members to be the first
14 Chairman of the Housing Authority.

15 Sec. 6. The City Clerk shall certify to the passage
16 of this resolution by the City Council of the City of Long
17 Beach and cause the same to be posted in three (3) conspicuous
18 places in the City of Long Beach, and it shall thereupon take
19 effect.

20 I hereby certify that the foregoing resolution was
21 adopted by the City Council of the City of Long Beach at its
22 meeting of December 10, 1968, by the following vote:

23 Ayes: Councilmen: KEALER, BOND, SULLIVAN.
24 CROW, CORBETT, WADE.

26 Noes: Councilmen: DEATS.

21 Absent: Councilmen: CLARK, GRAHAM.

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29
30



City Clerk

32 ETB:HV
12-9-68
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HEALTH AND SAFETY CODE

SECTION 34240-34250

34240. In each county and city there is a public body corporate and politic known as the housing authority of the county or city. The authority shall not transact any business or exercise its powers unless, by resolution, the governing body of the county or city declares that there is need for an authority to function in it.

HEALTH AND SAFETY CODE

SECTION 34290-34293

34290. (a) As an alternative to the appointment of commissioners of the authority, the governing body of any county or city, at the time of the adoption of a resolution pursuant to Section 34240 or at any time thereafter, may declare itself to be the commissioners of the authority, in which case, all the rights, powers, duties, privileges and immunities, vested by this chapter in the commissioners of an authority, except as otherwise provided in this article, shall be vested in the governing body.

(b) If the governing body of any county or city has declared itself to be the commissioners of the authority, the governing body shall also appoint two tenants of the authority as commissioners if the authority has tenants, or within one year after the authority first does have tenants. One tenant commissioner shall be over 62 years of age if the authority has tenants over that age. Tenant commissioners appointed pursuant to this subdivision shall serve, and their successors shall be appointed, as provided in Section 34272.

(c) As an alternative to appointment of tenants of the authority as commissioners of the authority pursuant to subdivision (b), if a housing commission is created as provided in Section 34291, the governing body may make tenant appointments pursuant to subdivision (b) to the commission rather than to the authority. In communities where the housing commission also serves as the community redevelopment commission under Section 33201, the governing body may make tenant appointments pursuant to subdivision (b) to that joint commission rather than to the authority.

(d) A tenant commissioner shall have all the rights, powers, duties, privileges, and immunities of any other commissioner.

(3) *the plan otherwise fails to meet the requirements of this section.*

(f) *TENANT-BASED ASSISTANCE.—To the extent approved by the Secretary, the funds used by the public housing agency to provide tenant-based assistance under section 8 shall be added to the annual contribution contract administered by the public housing agency.*

SEC. 23. [42 U.S.C. 1437u] FAMILY SELF-SUFFICIENCY PROGRAM.

(a) **PURPOSE.**—The purpose of the Family Self-Sufficiency program established under this section is to promote the development of local strategies to coordinate use of public housing and assistance under the certificate and voucher programs under section 8 with public and private resources, to enable eligible families to achieve economic independence and self-sufficiency.

(b) **ESTABLISHMENT OF PROGRAM.**—

(1) **REQUIRED PROGRAMS.**—Except as provided in paragraph (2), the Secretary shall carry out a program under which each public housing agency that administers assistance under subsection (b) or (o) of section 8 or makes available new public housing dwelling units—

(A) may, during fiscal years 1991 and 1992, carry out a local Family Self-Sufficiency program under this section;²⁵⁸ ~~and~~

(B) effective on October 1, 1992, the Secretary shall require each such agency to carry out a local Family Self-Sufficiency program under this section. Each local program shall, subject to availability of supportive services, include an action plan under subsection (g) and shall provide comprehensive supportive services for families electing to participate in the program. In carrying out the self-sufficiency program under this section, the Secretary shall consult with the heads of other appropriate Federal agencies and provide for cooperative actions and funding agreements with such agencies. Each public housing agency administering an approved local program may employ a service coordinator to administer the local program,²⁵⁹ *subject to the limitations in paragraph (4); and*

²⁶⁰ (C) *effective on the date of the enactment of the Quality Housing and Work Responsibility Act of 1998, to the extent an agency is not required to carry out a program pursuant to subparagraph (B) of this paragraph and paragraph (4), may carry out a local Family Self-Sufficiency program under this section.*

(2) **EXCEPTION.**—The Secretary shall not require a public housing agency to carry out a local program under subsection (a) if the public housing agency provides certification (as such term is defined under title I of the Cranston-Gonzalez National Affordable Housing Act) to the Secretary, that the establishment and operation of the program is not feasible because of local circumstances, which may include—

(A) lack of supportive services accessible to eligible families, which shall include insufficient availability of resources for programs under ²⁶¹ ~~the Job Training Partnerships Act or the title I of the Workforce Investment Act of 1988 or the Job~~

²⁵⁸ Section 509(a)(1)(A)(i) of the QHWRRA amended section 23(b)(1)(A). Section 509(b) of the QHWRRA made this amendment effective upon enactment of the QHWRRA (October 21, 1998).

²⁵⁹ Section 509(a)(1)(A)(ii) of the QHWRRA amended section 23(b)(1)(B). Section 509(b) of the QHWRRA made this amendment effective upon enactment of the QHWRRA (October 21, 1998).

²⁶⁰ Section 509(a)(1)(A)(iii) of the QHWRRA added section 23(b)(1)(C). Section 509(b) of the QHWRRA made this amendment effective upon enactment of the QHWRRA (October 21, 1998).

²⁶¹ Section 405(d)(31)(A) and section 405(f)(23)(A) of the Omnibus Act, 1999, amended section 23(b)(2)(A) of the United States Housing Act of 1937.

Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act;

- (B) lack of funding for reasonable administrative costs;
- (C) lack of cooperation by other units of State or local government; or
- (D) any other circumstances that the Secretary may consider appropriate.

In allocating assistance available for reservation under this Act, the Secretary may not refuse to provide assistance or decrease the amount of assistance that would otherwise be provided to any public housing agency because the agency has provided a certification under this paragraph or because, pursuant to a certification, the agency has failed to carry out a self-sufficiency program.

(3) SCOPE.—~~Each~~*Subject to paragraph (4), each*²⁶² public housing agency required to carry out a local program under this section shall make the following housing assistance available under the program in each fiscal year:

(A) Certificate and voucher assistance under section 8(b) and (o), in an amount equivalent to the increase for such year in the number of families so assisted by the agency (as compared to the preceding year).

(B) Public housing dwelling units, in the number equal to the increase for such year in units made available by the agency (as compared to the preceding year).

Each such public housing agency shall continue to operate a local program for the number of families determined under this paragraph subject only to the availability under appropriations Acts of sufficient amounts for assistance.

²⁶³(4) TERMINATION OF REQUIREMENT TO EXPAND PROGRAM.—

(A) *In general.*—Notwithstanding any other provision of law, a public housing agency that receives incremental assistance under subsection (b) or (o) of section 8 or that makes available new public housing dwelling units shall not be required, after the enactment of the Quality Housing and Work Responsibility Act of 1998, to provide assistance under a local Family Self-Sufficiency program under this section to any families not required to be assisted under subparagraph (B) of this paragraph.

(B) CONTINUATION OF EXISTING OBLIGATIONS.—

(i) *IN GENERAL.*—Each public housing agency that, before the enactment of the Quality Housing and Work Responsibility Act of 1998, was required under this section to carry out a local Family Self-Sufficiency program shall continue to operate such local program for the number of families determined under paragraph (3), subject only to the availability under appropriations Acts of sufficient amounts for housing assistance.

(ii) *REDUCTION.*—The number of families for which an agency is required under clause (i) to operate such local program shall be decreased by one for each family that, after enactment of the Quality

²⁶² Section 509(a)(1)(B) of the QHWRRA amended section 23(b)(3). Section 509(b) of the QHWRRA made this amendment effective upon enactment of the QHWRRA (October 21, 1998).

²⁶³ Section 509(a)(1)(D) of the QHWRRA added section 23(b)(4). Section 509(b) of the QHWRRA made this amendment effective upon enactment of the QHWRRA (October 21, 1998).

Housing and Work Responsibility Act of 1998, fulfills its obligations under the contract of participation.

²⁶⁴(4)(5) NONPARTICIPATION.—Assistance under the certificate or voucher programs under section 8 for a family that elects not to participate in a local program shall not be delayed by reason of such election.

(c) CONTRACT OF PARTICIPATION.—

(1) IN GENERAL.—Each public housing agency carrying out a local program under this section shall enter into a contract with each leaseholder receiving assistance under the certificate and voucher programs of the public housing agency under section 8 or residing in public housing administered by the agency, that elects to participate in the self-sufficiency program under this section. The contract shall set forth the provisions of the local program, shall establish specific interim and final goals by which compliance with and performance of the contract may be measured, and shall specify the resources and supportive services to be made available to the participating family pursuant to paragraph (2) and the responsibilities of the participating family. The contract shall provide that the public housing agency may terminate or withhold assistance under section 8 and services under paragraph (2) of this subsection if the public housing agency determines, through an administrative grievance procedure in accordance with the requirements of section 6(k), that the family has failed to comply with the requirements of the contract without good cause (which may include a loss or reduction in access to supportive services, or a change in circumstances that makes the family or individual unsuitable for participation).

(2) SUPPORTIVE SERVICES.—A local program under this section shall provide appropriate supportive services under this paragraph to each participating family entering into a contract of participation under paragraph (1). The supportive services shall be provided during the period the family is receiving assistance under section 8 or residing in public housing, and may include—

- (A) child care;
- (B) transportation necessary to receive services;
- (C) remedial education;
- (D) education for completion of high school;
- (E) job training and preparation;
- (F) substance abuse treatment and counseling;
- (G) training in homemaking and parenting skills;
- (H) training in money management;
- (I) training in household management; and
- (J) any other services and resources appropriate to assist eligible families to achieve economic independence and self-sufficiency.

(3) TERM AND EXTENSION.—Each family participating in a local program shall be required to fulfill its obligations under the contract of participation not later than 5 years after entering into the contract. The public housing agency shall extend the term of the contract for any family that requests an extension, upon a finding of the agency of good cause.

²⁶⁴ Section 509(a)(1)(C) of the QHWRA redesignated section 23(b)(4) to 23(b)(5). Section 509(b) of the QHWRA made this amendment effective upon enactment of the QHWRA (October 21, 1998).

(4) EMPLOYMENT AND COUNSELING.—The contract of participation shall require the head of the participating family to seek suitable employment during the term of the contract. The public housing agency may, during such period, provide counseling for the family with respect to affordable rental and homeownership opportunities in the private housing market and money management counseling.

(d) INCENTIVES FOR PARTICIPATION.—

(1) MAXIMUM RENTS.—During the term of the contract of participation, the amount of rent paid by any participating family whose monthly adjusted income does not exceed 50 percent of the area median income for occupancy in the public housing unit or dwelling unit assisted under section 8 may not be increased on the basis of any increase in the earned income of the family, unless the increase results in an income exceeding 50 percent of the area median income. The Secretary shall provide for increased rents for participating families whose incomes are between 50 and 80 percent of the area median income, so that any family whose income increases to 80 percent or more of the area median income pays 30 percent of the family's monthly adjusted income for rent. Upon completion of the contract of participation, if the participating family continues to qualify for and reside in a dwelling unit in public housing or housing assisted under section 8, the rent charged the participating family shall be increased (if applicable) to 30 percent of the monthly adjusted income of the family.

(2) ESCROW SAVINGS ACCOUNTS.—For each participating family whose monthly adjusted income is less than 50 percent of the area median income, the difference between 30 percent of the adjusted income of the participating family and the amount of rent paid by a participating family shall be placed in an interest-bearing escrow account established by the public housing agency on behalf of the participating family. For families with incomes between 50 and 80 percent of the area median income, the Secretary shall provide for escrow of the difference between 30 percent of the family income and the amount paid by the family for rent as determined by the Secretary under paragraph (1). The Secretary shall not escrow any amounts for any family whose adjusted income exceeds 80 percent of the area median income. Amounts in the escrow account may be withdrawn by the participating family after the family ceases to receive income assistance under Federal or State welfare programs, upon successful performance of the obligations of the family under the contract of participation entered into by the family under subsection (c), as determined according to the specific goals and terms included in the contract, and under other circumstances in which the Secretary determines an exception for good cause is warranted. A public housing agency establishing such escrow accounts may make certain amounts in the accounts available to the participating families before full performance of the contract obligations based on compliance with, and completion of, specific interim goals included in the contract; except that any such amounts shall be used by the participating families for purposes consistent with the contracts of participation, as determined by the public housing agency.

(3) PLAN.—Each public housing agency carrying out a local program under this section shall establish a plan to offer incentives to families to encourage families to participate in the program. The plan shall require the establishment of escrow savings accounts under paragraph (2) and may include any other incentives designed by the public housing agency.

²⁶⁵(3)²⁶⁶ ~~USE OF ESCROW SAVINGS ACCOUNTS FOR SECTION 8 HOMEOWNERSHIP.—~~
Notwithstanding paragraph (3) ²⁶⁷, a family that uses assistance under section 8(y) to purchase a dwelling may use up to 50 percent of the amount in its escrow account established under paragraph (3) ²⁶⁸ for a downpayment on the dwelling. In addition, after the family purchases the dwelling, the family may use any amounts remaining in the escrow account to cover the costs of major repair and replacement needs of the dwelling. If a family defaults in connection with the loan to purchase a dwelling and the mortgage is foreclosed, the remaining amounts in the escrow account shall be recaptured by the Secretary.

(e) EFFECT OF INCREASES IN FAMILY INCOME.—Any increase in the earned income of a family during the participation of the family in a local program established under this section may not be considered as income or a resource for purposes of eligibility of the family for other benefits, or amount of benefits payable to the family, under any program administered by the Secretary, unless the income of the family equals or exceeds 80 percent of the median income of the area (as determined by the Secretary with adjustments for smaller and larger families).

(f) PROGRAM COORDINATING COMMITTEE.—

(1) FUNCTIONS.—Each public housing agency ²⁶⁸carrying out a local program under this section shall, in consultation with the chief executive officer of the unit of general local government, develop an action plan under subsection (g), carry out activities under the local program, and secure commitments of public and private resources through a program coordinating committee established by the public housing agency under this subsection.

(2) MEMBERSHIP.—The program coordinating committee may consist of representatives of the public housing agency, the unit of general local government, the local agencies (if any) responsible for carrying out ²⁶⁹~~programs under the Job Training Partnership Act and the programs under title I of the Workforce Investment Act of 1998 or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act~~, and other organizations, such as other State and local welfare and employment agencies, public and private education or training institutions, nonprofit service providers, and private businesses. The public housing agency may, in consultation with the chief executive officer of the unit of general local government, utilize an existing entity as the program coordinating committee if it meets the requirements of this subsection.

(g) ACTION PLAN.—

(1) REQUIRED SUBMISSION.—The Secretary shall require each public housing agency participating in the self-sufficiency program under this section to submit to the Secretary, for approval by the Secretary, an action plan under this subsection in such form and in accordance with such procedures as the Secretary shall require.

(2) DEVELOPMENT OF PLAN.—In developing the plan, the public housing agency shall consult with the chief executive officer of the applicable unit of general local

²⁶⁵ Section 509(a)(2) of the QHWRRA deleted section 23(d)(3). Section 509(b) of the QHWRRA made this amendment effective upon enactment of the QHWRRA (October 21, 1998).

²⁶⁶ So in law. See section 185(b) of the Housing and Community Development Act of 1992, Pub. L. 102-550.

²⁶⁷ So in law. Probably intended to refer to paragraph (2).

²⁶⁸ Section 509(a)(3) of the QHWRRA amended section 23(f)(1). Section 509(b) of the QHWRRA made this amendment effective upon enactment of the QHWRRA (October 21, 1998).

²⁶⁹ Section 405(d)(31)(B) and section 405(f)(23)(B) of the Omnibus Act, 1999, amended section 23(f)(2) of the United States Housing Act of 1937.

government, the program coordinating committee established under subsection (f), representatives of residents of the public housing, any local agencies responsible for ²⁷⁰~~programs under the Job Training Partnership Act and the programs under title I of the Workforce Investment Act of 1998 or the~~ Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act, other appropriate organizations (such as other State and local welfare and employment or training institutions, child care providers, nonprofit service providers, and private businesses), and any other public and private service providers affected by the operation of the local program.

(3) CONTENTS OF PLAN.—The Secretary shall require that the action plan contain at a minimum—

(A) a description of the size, characteristics, and needs of the population of the families expected to participate in the local self-sufficiency program;

(B) a description of the number of eligible participating families who can reasonably be expected to receive supportive services under the program, based on available and anticipated Federal, State, local, and private resources;

(C) a description of the services and activities under subsection (c)(2) to be provided to families receiving assistance under this section through the section 8 and public housing programs, which shall be provided by both public and private resources;

(D) a description of the incentives pursuant to subsection (d) offered by the public housing agency to families to encourage participation in the program;

(E) a description of how the local program will deliver services and activities according to the needs of the families participating in the program;

(F) a description of both the public and private resources that are expected to be made available to provide the activities and services under the local program;

(G) a timetable for implementation of the local program;

(H) assurances satisfactory to the Secretary that development of the services and activities under the local program has been coordinated with the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act and ²⁷¹~~program under the Job Training Partnership Act and any other programs under title I of the Workforce Investment Act of 1998 and any~~ other relevant employment, child care, transportation, training, and education programs in the applicable area, and that implementation will continue to be coordinated, in order to avoid duplication of services and activities; and

(I) assurances satisfactory to the Secretary that nonparticipating families will retain their rights to public housing or section 8 assistance notwithstanding the provisions of this section.

(h) ALLOWABLE PUBLIC HOUSING AGENCY ADMINISTRATIVE FEES AND COSTS.—

(1) SECTION 8 FEES.—The Secretary shall establish a fee under section 8(q) for the costs incurred in administering the provision of certificate and voucher assistance under section 8 through the self-sufficiency program under this section. The fee shall be the fee

²⁷⁰ Section 405(d)(31)(C)(i) and section 405(f)(23)(C)(i) of the Omnibus Act, 1999, amended section 23(g)(2) of the United States Housing Act of 1937.

²⁷¹ Section 405(d)(31)(C)(ii) and section 405(f)(23)(C)(ii) of the Omnibus Act, 1999, amended section 23(g)(3)(H) of the United States Housing Act of 1937.

in effect under such section on June 1, 1990, except that for purposes of the fee under this paragraph the applicable dollar amount for preliminary expenses under section 8(q)(2)(A)(i) shall, subject to approval in appropriations Acts, be \$300. Upon the submission by the Comptroller General of the United States of the report required under section 554(b) of the Cranston-Gonzalez National Affordable Housing Act, the Secretary shall revise the fee under this paragraph, taking into consideration the report of the Comptroller General.

(2) PERFORMANCE FUNDING SYSTEM.—Notwithstanding any provision of section 9, the Secretary shall provide for inclusion under the performance funding system under section 9 of reasonable and eligible administrative costs (including the costs of employing a full-time service coordinator) incurred by public housing agencies carrying out local programs under this section. The Secretary shall include an estimate of the administrative costs likely to be incurred by participating public housing agencies in the annual budget request for the Department of Housing and Urban Development for public housing operating assistance under section 9 and shall include a request for such amounts in the budget request. Of any amounts appropriated under section 9(c) for fiscal year 1993, \$25,000,000 is authorized to be used for costs under this paragraph, and of any amounts appropriated under such section for fiscal year 1994, \$25,900,000 is authorized to be used for costs under this paragraph.

(i) PUBLIC HOUSING AGENCY INCENTIVE AWARD ALLOCATION.—

(1) IN GENERAL.—The Secretary shall carry out a competition for budget authority for certificate and voucher assistance under section 8 and public housing development assistance under section 5(a)(2) reserved under paragraph (4) and shall allocate such budget authority to public housing agencies pursuant to the competition.

(2) CRITERIA.—The competition shall be based on successful and outstanding implementation by public housing agencies of a local self-sufficiency program under this section. The Secretary shall establish performance²⁷² criteria for public housing agencies carrying out such local programs and the Secretary shall cause such criteria to be published in the Federal Register.

(3) USE.—Each public housing agency that receives an allocation of budget authority under this subsection shall use such authority to provide assistance under the local self-sufficiency program established by the public housing agency under this section.

(4) RESERVATION OF BUDGET AUTHORITY.—Notwithstanding section 213(d) of the Housing and Community Development Act of 1974, the Secretary shall reserve for allocation under this subsection not less than 10 percent of the portion of budget authority appropriated in each of fiscal years 1991 and 1992 for section 8 that is available for purposes of providing assistance under the existing housing certificate and housing voucher programs for families not currently receiving assistance, and not less than 10 percent of the public housing development assistance available in such fiscal years for the purpose under section 5(a)(2) (excluding amounts for major reconstruction of obsolete projects).

(j) ON-SITE FACILITIES.—Each public housing agency carrying out a local program may, subject to the approval of the Secretary, make available and utilize common areas or unoccupied public housing units in public housing projects administered by the agency for the provision of

²⁷² So in law.

supportive services under the local program. The use of the facilities of a public housing agency under this subsection shall not affect the amount of assistance provided to the agency under section 9.

(k) FLEXIBILITY.—In establishing and carrying out the self-sufficiency program under this section, the Secretary shall allow public housing agencies, units of general local government, and other organizations discretion and flexibility, to the extent practicable, in developing and carrying out local programs.

(l) REPORTS.—

(1) TO SECRETARY.—Each public housing agency that carries out a local self-sufficiency program approved by the Secretary under this section shall submit to the Secretary, not less than annually a report regarding the program. The report shall include—

(A) a description of the activities carried out under the program;

(B) a description of the effectiveness of the program in assisting families to achieve economic independence and self-sufficiency;

(C) a description of the effectiveness of the program in coordinating resources of communities to assist families to achieve economic independence and self-sufficiency; and

(D) any recommendations of the public housing agency or the appropriate local program coordinating committee for legislative or administrative action that would improve the self-sufficiency program carried out by the Secretary and ensure the effectiveness of the program.

(2) HUD ANNUAL REPORT.—The Secretary shall submit to the Congress annually, as a part of the report of the Secretary under section 8 of the Department of Housing and Urban Development Act, a report summarizing the information submitted by public housing agencies under paragraph (1). The report under this paragraph shall also include any recommendations of the Secretary for improving the effectiveness of the self-sufficiency program under this section.

(m) GAO REPORT.—The Comptroller General of the United States may submit to the Congress reports under this subsection evaluating and describing the Family Self-Sufficiency program carried out by the Secretary under this section.

(n) DEFINITIONS.—As used in this section:

(1) The term "contract of participation" means a contract under subsection (c) entered into by a public housing agency carrying out a local program under this section and a participating family.

(2) The term "earned income" means income from wages, tips, salaries, and other employee compensation, and any earnings from self-employment. The term does not include any pension or annuity, transfer payments, or any cash or in-kind benefits.

(3) The term "eligible family" means a family whose head of household is not elderly, disabled, pregnant, a primary caregiver for children under the age of 3, or for whom the family self-sufficiency program would otherwise be unsuitable. Notwithstanding the preceding sentence, a public housing agency may enroll such families if they choose to participate in the program.

(4) The term "local program" means a program for providing supportive services to participating families carried out by a public housing agency within the jurisdiction of the public housing agency.

(5) The term "participating family" means a family that resides in public housing or housing assisted under section 8 and elects to participate in a local self-sufficiency program under this section.

(6) The term "vacant unit" means a dwelling unit that has been vacant for not less than 9 consecutive months.

(o) EFFECTIVE DATE AND REGULATIONS.—

(1) REGULATIONS.—Not later than the expiration of the 180-day period beginning on the date of the enactment of the Cranston-Gonzalez National Affordable Housing Act,²⁷³ the Secretary shall by notice establish any requirements necessary to carry out this section. Such requirements shall be subject to section 553 of title 5, United States Code. The Secretary shall issue final regulations based on the notice not later than the expiration of the 8-month period beginning on the date of the notice. Such regulations shall become effective upon the expiration of the 1-year period beginning on the date of the publication of the final regulations.

[(2) [Repealed.]]

²⁷⁴**SEC. 24. ~~[42 U.S.C. 1437v]~~ REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING.**

~~—(a) PROGRAM AUTHORITY. The Secretary may make—~~

~~—(1) planning grants under subsection (c) to enable applicants to develop revitalization programs for severely distressed public housing in accordance with this section; and~~

~~—(2) implementation grants under subsection (d) to carry out revitalization programs for severely distressed public housing in accordance with this section.~~

~~—(b) DESIGNATION OF ELIGIBLE PROJECTS.—~~

~~—(1) IDENTIFICATION. Not later than 90 days after the date of enactment of the Housing and Community Development Act of 1992²⁷⁵, public housing agencies shall identify, in such form and manner as the Secretary may prescribe, any public housing projects that they consider to be severely distressed public housing for purposes of receiving assistance under this section.~~

~~—(2) REVIEW BY SECRETARY. The Secretary shall review the projects identified pursuant to paragraph (1) to ascertain whether the projects are severely distressed housing (as such item is defined in subsection (h)). Not later than 180 days after the date of enactment of this section²⁷⁶, the Secretary shall publish a list of those projects that the Secretary determines are severely distressed public housing.~~

~~—(3) APPEAL OF SECRETARY'S DETERMINATION. The Secretary shall establish procedures for public housing agencies to appeal the Secretary's determination that a project identified by a public housing agency is not severely distressed.~~

²⁷³ The date of enactment was november 28, 1990.

²⁷⁴ Section 535(a) amended section 24 to read as shown. Section 535(b) of the QHWRRA made this amendment effective upon enactment of the QHWRRA (October 21, 1998).

²⁷⁵ The date of the enactment was October 28, 1992.

²⁷⁶ The date of the enactment was October 28, 1992.