

104TH CONGRESS
2D SESSION

H. R. 3150

To expand and enhance the Federal Government commitment to eliminating crime in public housing and other federally assisted low-income housing projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1996

Mr. VENTO introduced the following bill; which was referred to the Committee on Banking and Financial Services

A BILL

To expand and enhance the Federal Government commitment to eliminating crime in public housing and other federally assisted low-income housing projects, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Community Partner-
5 ships Against Crime Amendments Act”.

1 **SEC. 2. SHORT TITLE, PURPOSES, AND AUTHORITY TO**
2 **MAKE GRANTS.**

3 Chapter 2 of subtitle C of title V of the Anti-Drug
4 Abuse Act of 1988 (42 U.S.C. 11901 et seq.) is amended
5 by striking the chapter heading and all that follows
6 through section 5123 and inserting the following:

7 **“CHAPTER 2—COMMUNITY PARTNERSHIPS**
8 **AGAINST CRIME**

9 **“SEC. 5121. SHORT TITLE.**

10 “This chapter may be cited as the ‘Community Part-
11 nerships Against Crime Act of 1996’.

12 **“SEC. 5122. PURPOSES.**

13 “The purposes of this chapter are to—

14 “(1) improve the quality of life for the vast ma-
15 jority of law-abiding public housing residents by re-
16 ducing the levels of fear, violence, and crime in their
17 communities;

18 “(2) substantially expand and enhance the Fed-
19 eral Government’s commitment to eliminating crime
20 in and around public housing and other federally as-
21 sisted low-income housing;

22 “(3) broaden the scope of the Public and As-
23 sisted Housing Drug Elimination Act of 1990 to
24 apply to all types of crime, and not simply crime
25 that is drug-related;

1 “(4) encourage the involvement of a broad
2 range of community-based groups and residents of
3 neighboring housing that is owned or assisted by the
4 Secretary in the development and implementation of
5 anti-crime plans;

6 “(5) reduce crime and disorder in and around
7 public housing through the expansion of community-
8 oriented policing activities and problem solving;

9 “(6) provide training, information services, and
10 other technical assistance to program participants;
11 and

12 “(7) establish a standardized assessment sys-
13 tem to evaluate need among public housing agencies
14 and to measure progress in reaching crime reduction
15 goals.

16 **“SEC. 5123. AUTHORITY TO MAKE GRANTS.**

17 “The Secretary of Housing and Urban Development
18 may make grants in accordance with the provisions of this
19 chapter for use in eliminating crime in and around public
20 housing and other federally assisted low-income housing
21 projects to (1) public housing agencies, and (2) private,
22 for-profit and nonprofit owners of federally assisted low-
23 income housing. In designing the program for grants
24 under this chapter, the Secretary shall consult with the
25 Attorney General.”.

1 **SEC. 3. ELIGIBLE ACTIVITIES.**

2 (a) IN GENERAL.—Section 5124(a) of the Anti-Drug
3 Abuse Act of 1988 (42 U.S.C. 11903(a)) is amended—

4 (1) in the matter preceding paragraph (1), by
5 inserting “and around” after “used in”;

6 (2) in paragraph (3), by inserting before the
7 semicolon the following: “, including fencing, light-
8 ing, locking, and surveillance systems”;

9 (3) in paragraph (4), by striking subparagraph
10 (A) and inserting the following new subparagraph:

11 “(A) to investigate crime; and”;

12 (4) in paragraph (6)—

13 (A) by striking “in and around public or
14 other federally assisted low-income housing
15 projects”; and

16 (B) by striking “and” after the semicolon;
17 and

18 (5) by striking paragraph (7) and inserting the
19 following new paragraphs:

20 “(7) providing funding to nonprofit public hous-
21 ing resident management corporations and resident
22 councils to develop security and crime prevention
23 programs involving site residents;

24 “(8) the employment or utilization of one or
25 more individuals, including law enforcement officers,
26 made available by contract or other cooperative ar-

1 rangement with State or local law enforcement agen-
2 cies, to engage in community- and problem-oriented
3 policing involving interaction with members of the
4 community in proactive crime control and prevention
5 activities;

6 “(9) programs and activities for or involving
7 youth, including training, education, recreation and
8 sports, career planning, and entrepreneurship and
9 employment activities and after school and cultural
10 programs; and

11 “(10) service programs for residents that ad-
12 dress the contributing factors of crime, including
13 programs for job training, education, drug and alco-
14 hol treatment, and other appropriate social serv-
15 ices.”.

16 (b) OTHER PHA-OWNED HOUSING.—Section
17 5124(b) of the Anti-Drug Abuse Act of 1988 (42 U.S.C.
18 11903(b)) is amended—

19 (1) in the matter preceding paragraph (1)—

20 (A) by striking “drug-related crime in”
21 and inserting “crime in and around”; and

22 (B) by striking “paragraphs (1) through
23 (7)” and inserting “paragraphs (1) through
24 (10)”; and

1 (2) in paragraph (2), by striking “drug-related”
2 and inserting “criminal”.

3 **SEC. 4. GRANT PROCEDURES.**

4 Section 5125 of the Anti-Drug Abuse Act of 1988
5 (42 U.S.C. 11904) is amended to read as follows:

6 **“SEC. 5125. GRANT PROCEDURES.**

7 “(a) PHA’S WITH 250 OR MORE UNITS.—

8 “(1) GRANTS.—In each fiscal year, the Sec-
9 retary shall make a grant under this chapter from
10 any amounts available under section 5131(b)(1) for
11 the fiscal year to each of the following public hous-
12 ing agencies:

13 “(A) NEW APPLICANTS.—Each public
14 housing agency that owns or operates 250 or
15 more public housing dwelling units and has—

16 “(i) submitted an application to the
17 Secretary for a grant for such fiscal year,
18 which includes a 5-year crime deterrence
19 and reduction plan under paragraph (2);
20 and

21 “(ii) had such application and plan
22 approved by the Secretary.

23 “(B) RENEWALS.—Each public housing
24 agency that owns or operates 250 or more pub-
25 lic housing dwelling units and for which—

1 “(i) a grant was made under this
2 chapter for the preceding Federal fiscal
3 year;

4 “(ii) the term of the 5-year crime de-
5 terrence and reduction plan applicable to
6 such grant includes the fiscal year for
7 which the grant under this subsection is to
8 be made; and

9 “(iii) the Secretary has determined,
10 pursuant to a performance review under
11 paragraph (4), that during the preceding
12 fiscal year the agency has substantially ful-
13 filled the requirements under subpara-
14 graphs (A) and (B) of paragraph (4).

15 “(2) 5-YEAR CRIME DETERRENCE AND REDUC-
16 TION PLAN.—Each application for a grant under
17 this subsection shall contain a 5-year crime deter-
18 rence and reduction plan. The plan shall describe,
19 for the public housing agency submitting the plan—

20 “(A) the nature of the crime problem in
21 public housing owned or operated by the public
22 housing agency;

23 “(B) the building or buildings of the public
24 housing agency affected by the crime problem;

1 “(C) the impact of the crime problem on
2 residents of such building or buildings; and

3 “(D) the actions to be taken during the
4 term of the plan to reduce and deter such
5 crime, which shall include actions involving resi-
6 dents, law enforcement, and service providers.

7 The term of a plan shall be the period consisting of
8 5 consecutive fiscal years, which begins with the first
9 fiscal year for which funding under this chapter is
10 provided to carry out the plan.

11 “(3) AMOUNT.—In any fiscal year, the amount
12 of the grant for a public housing agency receiving a
13 grant pursuant to paragraph (1) shall be the
14 amount that bears the same ratio to the total
15 amount made available under section 5131(b)(1) as
16 the total number of public dwelling units owned or
17 operated by such agency bears to the total number
18 of dwelling units owned or operated by all public
19 housing agencies that own or operate 250 or more
20 public housing dwelling units that are approved for
21 such fiscal year.

22 “(4) PERFORMANCE REVIEW.—For each fiscal
23 year, the Secretary shall conduct a performance re-
24 view of the activities carried out by each public

1 housing agency receiving a grant pursuant to this
2 subsection to determine whether the agency—

3 “(A) has carried out such activities in a
4 timely manner and in accordance with its 5-
5 year crime deterrence and reduction plan; and

6 “(B) has a continuing capacity to carry
7 out such plan in a timely manner.

8 “(5) SUBMISSION OF APPLICATIONS.—The Sec-
9 retary shall establish such deadlines and require-
10 ments for submission of applications under this sub-
11 section.

12 “(6) REVIEW AND DETERMINATION.—The Sec-
13 retary shall review each application submitted under
14 this subsection upon submission and shall approve
15 the application unless the application and the 5-year
16 crime deterrence and reduction plan are inconsistent
17 with the purposes of this chapter or any require-
18 ments established by the Secretary or the informa-
19 tion in the application or plan is not substantially
20 complete. Upon approving or determining not to ap-
21 prove an application and plan submitted under this
22 subsection, the Secretary shall notify the public
23 housing agency submitting the application and plan
24 of such approval or disapproval.

1 “(7) DISAPPROVAL OF APPLICATIONS.—If the
2 Secretary notifies an agency that the application and
3 plan of the agency is not approved, not later than
4 the expiration of the 15-day period beginning upon
5 such notice of disapproval, the Secretary shall also
6 notify the agency, in writing, of the reasons for the
7 disapproval, the actions that the agency could take
8 to comply with the criteria for approval, and the
9 deadlines for such actions.

10 “(8) FAILURE TO APPROVE OR DISAPPROVE.—
11 If the Secretary fails to notify an agency of approval
12 or disapproval of an application and plan submitted
13 under this subsection before the expiration of the
14 60-day period beginning upon the submission of the
15 plan or fails to provide notice under paragraph (7)
16 within the 15-day period under such paragraph to
17 an agency whose application has been disapproved,
18 the application and plan shall be considered to have
19 been approved for purposes of this section.

20 “(b) PHA’S WITH FEWER THAN 250 UNITS AND
21 OWNERS OF FEDERALLY ASSISTED LOW-INCOME HOUS-
22 ING.—

23 “(1) APPLICATIONS AND PLANS.—To be eligible
24 to receive a grant under this chapter, a public hous-
25 ing agency that owns or operates fewer than 250

1 public housing dwelling units or an owner of feder-
2 ally assisted low-income housing shall submit an ap-
3 plication to the Secretary at such time, in such man-
4 ner, and accompanied by such additional information
5 as the Secretary may require. The application shall
6 include a plan for addressing the problem of crime
7 in and around the housing for which the application
8 is submitted, describing in detail activities to be con-
9 ducted during the fiscal year for which the grant is
10 requested.

11 “(2) GRANTS FOR PHA’S WITH FEWER THAN
12 250 UNITS.—In each fiscal year the Secretary may,
13 to the extent amounts are available under section
14 5131(b)(2), make grants under this chapter to pub-
15 lic housing agencies that own or operate fewer than
16 250 public housing dwelling units and have submit-
17 ted applications under paragraph (1) that the Sec-
18 retary has approved pursuant to the criteria under
19 paragraph (4).

20 “(3) GRANTS FOR FEDERALLY ASSISTED LOW-
21 INCOME HOUSING.—In each fiscal year the Secretary
22 may, to the extent amounts are available under sec-
23 tion 5131(b)(3), make grants under this chapter to
24 owners of federally assisted low-income housing that
25 have submitted applications under paragraph (1)

1 that the Secretary has approved pursuant to the cri-
2 teria under paragraphs (4) and (5).

3 “(4) CRITERIA FOR APPROVAL OF APPLICA-
4 TIONS.—The Secretary shall determine whether to
5 approve each application under this subsection on
6 the basis of—

7 “(A) the extent of the crime problem in
8 and around the housing for which the applica-
9 tion is made;

10 “(B) the quality of the plan to address the
11 crime problem in the housing for which the ap-
12 plication is made;

13 “(C) the capability of the applicant to
14 carry out the plan; and

15 “(D) the extent to which the tenants of the
16 housing, the local government, local community-
17 based nonprofit organizations, local tenant or-
18 ganizations representing residents of neighbor-
19 ing projects that are owned or assisted by the
20 Secretary, and the local community support and
21 participate in the design and implementation of
22 the activities proposed to be funded under the
23 application.

24 In each fiscal year, the Secretary may give pref-
25 erence to applications under this subsection for

1 housing made by applicants who received a grant for
2 such housing for the preceding fiscal year under this
3 subsection or under the provisions of this chapter as
4 in effect immediately before the date of the enact-
5 ment of the Community Partnerships Against Crime
6 Amendments Act.

7 “(5) ADDITIONAL CRITERIA FOR FEDERALLY
8 ASSISTED LOW-INCOME HOUSING.—In addition to
9 the selection criteria under paragraph (4), the Sec-
10 retary may establish other criteria for evaluating ap-
11 plications submitted by owners of federally assisted
12 low-income housing, except that such additional cri-
13 teria shall be designed only to reflect—

14 “(A) relevant differences between the fi-
15 nancial resources and other characteristics of
16 public housing authorities and owners of feder-
17 ally assisted low-income housing; or

18 “(B) relevant differences between the prob-
19 lem of crime in public housing administered by
20 such public housing agencies and the problem
21 of crime in federally assisted low-income hous-
22 ing.”.

23 **SEC. 5. DEFINITIONS.**

24 Section 5126 of the Anti-Drug Abuse Act of 1988
25 (42 U.S.C. 11905) is amended—

1 (1) by striking paragraphs (1) and (2);

2 (2) in paragraph (4), by striking “section” be-
3 fore “221(d)(4)”;

4 (3) by redesignating paragraphs (3) and (4) (as
5 so amended) as paragraphs (1) and (2), respectively;
6 and

7 (4) by adding at the end the following new
8 paragraph:

9 “(3) PUBLIC HOUSING AGENCY.—The term
10 ‘public housing agency’ has the meaning given the
11 term in section 3(b) of the United States Housing
12 Act of 1937.”.

13 **SEC. 6. IMPLEMENTATION.**

14 Section 5127 of the Anti-Drug Abuse Act of 1988
15 (42 U.S.C. 11906) is amended by striking “Cranston-Gon-
16 zalez National Affordable Housing Act” and inserting
17 “Community Partnerships Against Crime Amendments
18 Act”.

19 **SEC. 7. REPORTS.**

20 Section 5128 of the Anti-Drug Abuse Act of 1988
21 (42 U.S.C. 11907) is amended—

22 (1) by striking “drug-related crime in” and in-
23 serting “crime in and around”; and

1 (2) by striking “described in section 5125(a)”
2 and inserting “for the grantee submitted under sub-
3 section (a) or (b) of section 5125, as applicable”.

4 **SEC. 8. TECHNICAL ASSISTANCE AND FUNDING.**

5 Chapter 2 of subtitle C of title V of the Anti-Drug
6 Abuse Act of 1988 is amended by striking section 5130
7 (42 U.S.C. 11909) and inserting the following new sec-
8 tions:

9 **“SEC. 5130. TECHNICAL ASSISTANCE.**

10 “(a) IN GENERAL.—To the extent amounts are made
11 available under section 5131(c), the Secretary may provide
12 training, information services, and other technical assist-
13 ance to public housing agencies and other entities with re-
14 spect to their participation in the program under this
15 chapter, which shall include activities under subsection (b)
16 of this section. Such technical assistance may be provided
17 directly by the Secretary or indirectly pursuant to grants,
18 contracts, or cooperative agreements.

19 “(b) USE.—The Secretary may use amounts available
20 for use under this section—

21 “(1) to establish and operate the clearinghouse
22 on drug abuse in public housing and the regional
23 training program on drug abuse in public housing
24 under sections 5143 and 5144 of this Act;

1 “(2) to obtain assistance in establishing and
2 managing assessment and evaluation criteria and
3 specifications and to obtain the opinions of experts
4 in relevant fields; and

5 “(3) upon the request of a public housing agen-
6 cy, to assist the agency in evaluating the extent of
7 the crime problem in any public housing adminis-
8 tered by the agency and preparing a 5-year crime
9 deterrence and reduction plan under section 5125(a)
10 or an application and plan under section 5125(b)(1),
11 which assistance may include providing personnel
12 and funding to identify and secure local resources to
13 assist in deterring and reducing crime.

14 “(c) PRIORITY.—In selecting entities to receive tech-
15 nical assistance under this section, the Secretary shall give
16 priority to public housing agencies that have submitted ap-
17 plications and plans under section 5125 that the Secretary
18 has determined do not meet the requirements for approval
19 for assistance under this chapter.

20 **“SEC. 5131. FUNDING.**

21 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to carry out this chapter
23 \$340,000,000 for fiscal year 1997 and such sums as may
24 be necessary for each of fiscal years 1998, 1999, 2000,

1 and 2001. Any amount appropriated under this subsection
2 shall remain available until expended.

3 “(b) ALLOCATION.—Of any amounts available, or
4 that the Secretary is authorized to use, to carry out this
5 chapter in any fiscal year that remain after reserving
6 amounts for use under subsection (c)—

7 “(1) 85 percent shall be available only for as-
8 sistance pursuant to section 5125(a) to public hous-
9 ing agencies that own or operate 250 or more public
10 housing dwelling units;

11 “(2) 10 percent shall be available only for as-
12 sistance pursuant to section 5125(b)(2) to public
13 housing agencies that own or operate fewer than 250
14 public housing dwelling units; and

15 “(3) 5 percent shall be available only for assist-
16 ance to federally assisted low-income housing pursu-
17 ant to section 5125(b)(3).

18 Any other provision of law enacted before or after the date
19 of the enactment of the Community Partnerships Against
20 Crime Amendments Act that limits the authority of the
21 Secretary to use amounts to carry out this chapter upon
22 the apportionment of such amounts in a manner not pro-
23 vided for in this subsection shall not be effective.

24 “(c) SET-ASIDE FOR TECHNICAL ASSISTANCE.—Of
25 any amount made available in fiscal years 1997, 1998,

1 1999, 2000, and 2001 to carry out this chapter, the Sec-
 2 retary shall use not more than \$10,000,000 in each such
 3 fiscal year to provide technical assistance under section
 4 5130.”.

5 **SEC. 9. CONFORMING AMENDMENTS.**

6 The table of contents in section 5001 of the Anti-
 7 Drug Abuse Act of 1988 (Public Law 100–690; 102 Stat.
 8 4295) is amended—

9 (1) by striking the item relating to the heading
 10 for chapter 2 of subtitle C of title V and inserting
 11 the following:

“CHAPTER 2—COMMUNITY PARTNERSHIPS AGAINST CRIME”;

12 (2) by striking the item relating to section 5122
 13 and inserting the following new item:

“Sec. 5122. Purposes.”;

14 (3) by striking the item relating to section 5125
 15 and inserting the following new item:

“Sec. 5125. Grant procedures.”;

16 and

17 (4) by striking the item relating to section 5130
 18 and inserting the following new items:

“Sec. 5130. Technical Assistance.

“Sec. 5131. Funding.”.

○