



WASHINGTON, D.C. 20410-7000

OFFICE OF THE ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

FAX TO: Mike Alexander
Bob Nash
Larry Katz
Maurice Foley
Val Strehlow
Joe Firechein
Greg Simon
Bruce Reed
Paul Weinstein ✓
Paul Dimond

FAX FROM: JACQUIE LAWING, DEPT. OF HUD
Contact # - 708-0270
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COMMENTS:



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY
WASHINGTON, D.C. 20410-0001

May 4, 1993

Honorable Thomas S. Foley
Speaker of the House
of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

On behalf of Secretary Mike Espy and myself, I am pleased to submit to the Congress the spending authorization portion of the "Economic Empowerment Act of 1993," the Clinton Administration's legislative initiative for empowerment zones and enterprise communities. For your convenience, I have also enclosed the tax incentive portion of this initiative, which has been transmitted to the Senate Finance and House Ways and Means Committees.

This legislation would empower distressed urban and rural communities to merge job creation with sustainable community growth through one integrated response. The "Economic Empowerment Act of 1993" heeds the call for reinvestment in America's distressed communities by creating ten Empowerment Zones and one hundred Enterprise Communities. Tax incentives, investment grants and other relevant Federal resources going into these communities would be coordinated with state, local and private resources to develop comprehensive strategies for job growth and economic recovery.

This approach to assisting communities with revitalization and job creation recognizes that long-term, stable economic growth in severely distressed areas must be achieved through a coordinated plan of economic, human and physical development. It also recognizes that the answers to a community's problems must be generated by that local community. Through a competitive process, a community, in partnership with the residents and private sector, would develop a comprehensive strategic plan which details how the applicant would coordinate relevant resources and incentives to meet the area's needs.

The proposal applies the principle of economic empowerment. Before the ladder of opportunity can be climbed, the first rung must be caught. The goal is to empower zone residents to join the economic mainstream by making sure the first rung is within reach.

The localities will design strategies to help residents own and manage enterprises within the designated areas and will connect them to jobs and opportunities throughout the region.

Residents who participate in these programs will be required to enter a new form of social contract stressing self-help, hard work and responsibility. The strategies will take into account existing obstacles to employment such as the absence of affordable child care and job-training and educational needs.

This legislation is a call to action first by Congress and then by Federal agencies, State and local governments and communities to recognize that government programs must be made more accessible. We have an opportunity to change the way government does business in distressed areas by streamlining regulations, rules and paperwork and modifying programs to encourage initiative at the local level.

This proposal is the result of participation from many Federal agencies in a working group on Community Development and Empowerment. The working group helped develop this proposal through carefully reviewing community needs and by studying the strengths of existing Congressional proposals.

I request that this bill be referred to the appropriate committee and urge its early enactment.

We look forward to working with you closely on this exciting proposal.

Sincerely,



Henry G. Cisneros

Enclosures



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY
WASHINGTON, D.C. 20410-0001

May 4, 1993

Honorable Al Gore
President of the Senate
Washington, D.C. 20510

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Henry G. Cisneros

Enclosures

AN ACT

To revitalize areas designated as Empowerment Zones and Enterprise Communities by making available tax incentives and support for community policing and by concentrating Federal, State, and local resources in such areas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE. -- This Act may be cited as the "Economic Empowerment Act of 1993".

SEC. 2. PURPOSES. -- The purposes of this Act are --

(1) To increase business and jobs within empowerment zones and enterprise communities so that they become engines of economic growth within the region;

(2) To assist residents of these areas to join the economic mainstream by connecting them to jobs and opportunities throughout the region and by encouraging their ownership and management of enterprises and assets within the areas;

(3) To enable communities to develop comprehensive strategic plans which bring Federal, State, local, and private resources together in a broad, integrated approach to economic, human, community, and physical development;

(4) To assist communities in assuring safety and security for persons, property, and enterprise in the areas;

(5) To implement the National Educational Goals for school readiness, lifelong learning, and competitiveness for persons living in the areas; and

(6) To improve the way government does business in these areas by streamlining regulations, encouraging local innovation, and targeting resources so that results can be measured and successes replicated.

TITLE I -- ENTERPRISE GRANTS FOR

EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES

SEC. 101. AUTHORITY. -- (a) IN GENERAL. -- The Secretary of Housing and Urban Development, the Secretary of Agriculture, and the Secretary of the Interior are each authorized, in accordance with the provisions of this title, to make enterprise grants for empowerment zones and enterprise communities that are designated pursuant to law in urban areas, rural areas, and Indian reservations, respectively.

(b) GRANTS. -- (1) AUTHORIZATION OF APPROPRIATIONS. -- There is authorized to be appropriated for fiscal years 1993 and 1994, to remain available until expended, a total of \$513,500,000 for enterprise grants under this title. Of this amount, up to \$50,000,000 may be used by the Secretary of Housing and Urban Development (A) to assist in the development of the comprehensive strategic plans described in section 302(b), or (B) to enable distressed communities to develop and implement coordinated economic strategies.

(2) **TECHNICAL PROVISION.** -- This section constitutes the "subsequent authorizing legislation" referred to in Title XII of Public Law 102-358 (Dire Emergency Supplemental Appropriations Act, 1992).

(3) **DOLLAR LIMITS.** -- (A) **EMPOWERMENT ZONES.** -- No enterprise grant for an empowerment zone may exceed --

(i) \$30 million per year in the case of an urban zone,

or

(ii) \$10 million per year in the case of a rural

or Indian zone.

(B) **ENTERPRISE COMMUNITIES.** -- No enterprise grant for an enterprise community may exceed --

(i) \$3 million per year in the case of an urban zone,

or

(ii) \$1 million per year in the case of a rural or

Indian zone.

(c) **GRANT TERM.** -- Each enterprise grant shall be made available over a period of not to exceed five years.

(d) **ADMINISTRATIVE COSTS.** -- The appropriate Secretary is authorized to permit the local government to use enterprise grants for administrative costs, as defined by such Secretary, incurred in connection with empowerment zones and enterprise communities. Any such authority shall be included in the notice referred to in section 205 of this Act.

SEC. 102. LIMITATION ON USE OF FUNDS. -- No enterprise grant received under this title (or any State, local, or private

assisted in connection with the zone or community shall keep such records as may be reasonably necessary to disclose the amounts and the disposition of enterprise grants received under this title and to ensure compliance with the requirements of titles I and II this Act.

(b) ACCESS TO DOCUMENTS. -- (1) BY THE APPROPRIATE SECRETARY. -- The appropriate Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records of the local government, State, persons, businesses, and other entities that are pertinent to assistance received in connection with, and the requirements of, titles I and II of this Act.

(2) BY THE COMPTROLLER GENERAL. -- The Comptroller General of the United States, or any of the duly authorized representatives of the Comptroller General, shall also have access for the purpose of audit and examination to any books, documents, papers, and records of the local government, State, persons, businesses, or other non-Federal entities that are pertinent to assistance received under, and the requirements of, title I and II of this Act.

(3) BY THE NATIONAL ACADEMY OF SCIENCES. -- The National Academy of Sciences and its contractors shall have access for the purpose of the study required by section 206 of this Act to any books, documents, papers, and records of the local government and State.

resources available in connection with a Federal empowerment zone or an enterprise community) may be used to replace other public funds previously used, or designated for use, in an empowerment zone or enterprise community.

SEC. 103. PERFORMANCE EVALUATION. -- (a) ANNUAL REVIEW. --

The appropriate Secretary, in consultation with the Enterprise Board established under title II, shall annually review the performance of the local government in achieving the benchmarks contained in its strategic plan approved pursuant to law. In the event of substantial noncompliance with a strategic plan or failure to make progress in achieving the benchmarks set forth therein, the appropriate Secretary, in consultation with the Enterprise Board, may take action, including withholding or reducing enterprise grant amounts or requiring appropriate changes in the strategic plan. The appropriate Secretary, in conjunction with the Enterprise Board, may approve changes in a strategic plan upon request of the entity or entities responsible for implementing the plan.

(b) **REPORTS.** -- The appropriate Secretary may require the local and State governments to submit such reports as may be necessary to carry out such Secretary's review responsibilities under subsection (a).

SEC. 104. RECORDS, REPORTS, AND AUDITS. --

(a) **KEEPING OF RECORDS.** -- The local government and the State for an approved empowerment zone or enterprise community under this Act and persons, businesses, and other entities

**TITLE II -- ENTERPRISE BOARD; AUTHORIZATION
AND DUTIES**

SEC. 201. CREATION OF ENTERPRISE BOARD -- There is hereby authorized the creation of an "Enterprise Board" composed of the Secretaries of Housing and Urban Development, Agriculture, the Interior, the Treasury, Health and Human Services, Education, Labor, Commerce, Veterans Affairs, and Transportation; the Attorney General; the Administrator of the Environmental Protection Agency; the Administrator of the Small Business Administration; the Director of the Office of National Drug Control Policy; and up to 11 other members as may be designated by the President. The Secretary of Housing and Urban Development and the Secretary of Agriculture shall be co-chairs of the Enterprise Board.

SEC. 202. ESTABLISHMENT OF SELECTION CRITERIA. -- The Enterprise Board shall establish selection criteria for designating areas as empowerment zones and enterprise communities. The criteria shall be consistent with section 2 of this Act and shall require consideration of the effectiveness of the strategic plans and assurances to implement such plans submitted by entities that nominate areas to be designated as empowerment zones or enterprise communities pursuant to law. The Board shall publish the criteria in a notice in the Federal Register.

SEC. 203. PARTICIPATION IN OTHER FEDERAL ASSISTANCE PROGRAMS. -- The members of the Enterprise Board, to carry out

the purposes of this Act, shall take such steps as may be necessary to facilitate the award and use of assistance within their jurisdictions in empowerment zones or enterprise communities. Such steps may include expediting review of any request for assistance in zones and communities and giving preference to requests for competitive assistance for use in zones and communities.

SEC. 204. WAIVERS. -- (a) IN GENERAL. --The Enterprise Board is authorized to waive any provision of Federal law or regulation administered by the Secretary of Housing and Urban Development, the Secretary of Agriculture, the Secretary of Health and Human Services, the Secretary of Labor, or the Secretary of Education, if the Board determines the waiver is necessary for achievement of the purposes of this Act with respect to an empowerment zone or enterprise community. No waiver may be granted under this section of eligibility and benefits under the Social Security Act or the Food Stamp Act, or of any law or regulation respecting public or individual health or safety, civil rights and non-discrimination, environmental protection, labor relations, labor standards, occupational health or safety, pensions, taxation, or any other law or regulation that the Attorney General shall by regulation determine. No waiver may be granted under this section that would have the effect of increasing direct Federal spending above levels that would have occurred in the absence of the waivers.

(b) **CONSULTATION.** -- Before approving a waiver of a requirement of law or regulation under subsection (a) that applies specifically to a program, the Enterprise Board shall consult with the agency responsible for the administration of the program. The appropriate Secretary may receive requests for waivers under this section and shall inform the requesting party of the disposition of the request.

SEC. 205. IMPLEMENTATION. -- In consultation with the Enterprise Board, the appropriate Secretaries shall, by notice jointly published in the Federal Register, establish such requirements as may be necessary to carry out the provisions of titles I and II of this Act. Such notice shall describe the criteria and procedures to be used by the Board in considering the waivers authorized by section 204 of this Act.

SEC. 206. STUDY OF EFFECTIVENESS.--(a) IN GENERAL.--The Enterprise Board shall within 3 months of the date of the enactment of this Act, cause a contract to be made with the National Academy of Sciences (the Academy) to conduct a study of the effectiveness of the grants authorized in title I of this Act, the waivers and other assistance authorized in title II, and the incentives provided in the Revenue Reconciliation Act of 1993 in achieving the purposes of this Act in empowerment zones and enterprise communities.

(b) **CONDUCT OF STUDY.--**If the Academy contracts for the conduct of the study described in subsection (a), the Academy

shall develop a study methodology and shall oversee and manage the conduct of such study.

(c) **REPORTS.**--The Academy shall submit to the President, the Congress, and the Enterprise Board --

(1) not later than July 1, 1997, an interim report setting forth the findings as a result of such study, and

(2) not later than July 1, 2003, a final report setting forth the findings as a result of such study.

Both reports may include recommendations as to whether changes in the number or size of empowerment zones or enterprise communities would enhance the achievement of the purposes of this Act.

(d) **FUNDING.**-- There are authorized to be appropriated to carry out the study and reports described in this section such sums as are necessary for fiscal year 1994 and each succeeding fiscal year.

TITLE III -- PUBLIC SAFETY AND COMMUNITY POLICING ASSISTANCE ACT

SEC. 301. AUTHORITY TO MAKE PUBLIC SAFETY AND COMMUNITY POLICING GRANTS -- (a) In general. --

(1) The Attorney General is authorized to make grants in areas designated by law as empowerment zones or enterprise communities, to increase police presence, to expand and improve cooperative efforts between law enforcement and the community, and to help otherwise assure public safety.

(2) The Attorney General may also make grants under paragraph (1) of this subsection in areas in which, as determined

by the Attorney General, there is a need for additional public safety and policing related assistance.

(b) Preference. -- In making grants under subsection (a) of this section, the Attorney General shall give preference to areas designated as empowerment zones or enterprise communities.

(c) Consultation required. -- In making grants under subsection (a) of this section, the Attorney General shall consult with the Enterprise Board, as appropriate, to ensure that any assistance provided is consistent with any assistance provided under title I and any assistance authorized under title II.

(d) The authority extended to the Attorney General to make grants under this title supplements, and in no way affects or impairs, the authority of the Attorney General to make grants under the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

SEC. 302. AUTHORIZATION OF APPROPRIATIONS.

(a) There is authorized to be appropriated to the Attorney General for grants under this title \$250 million for the fiscal year ending September 30, 1993, and \$250 million for the fiscal year ending September 30, 1994.

(b) Any funds appropriated under subsection (a) of this section shall remain available until expended.

(c) This section constitutes "subsequent authorizing legislation" referred to Title XII of Public Law 102-368 (the Dire Emergency Supplemental Appropriations Act of 1992).

SEC. 303. PERFORMANCE EVALUATION.

(a) Performance review. -- The Attorney General shall review the performance of each grant recipient under this title.

(b) Reports. -- The Attorney General may require a grant recipient to submit such data and information to the Attorney General as the Attorney General deems reasonable necessary to carry out the Attorney General's responsibilities under subsection (a) of this section.

SEC. 304. ACCESS TO DOCUMENTS

(a) By the Attorney General. -- The Attorney General shall have access for the purpose of audit and examination to any books, documents, papers, or records of a grant recipient under this title, as well as the records of State and local governments, persons, businesses, and other entities that are pertinent to assistance provided in connection with this title.

(b) By the Comptroller General. -- The provisions of subsection (a) of this section shall also apply with respect to audits and examinations of non-federal entities conducted by the Comptroller General of the United States or by an authorized representative of the Comptroller General.

SEC. 305. GENERAL REGULATORY AUTHORITY

The Attorney General is authorized to promulgate such regulations as the Attorney General may deem necessary to carry out the purposes of this title.

SEC. 306. CONFORMING AMENDMENT

Title XII of "An Act making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes" (Public Law 102-368, 106 Stat. 1117, 1160-61), is amended by adding --

(1) ", including public safety and policing grants made under title III of the Economic Empowerment Act of 1993," after "rejuvenate neighborhoods"; and

(2) "public safety and policing grants made under title III of the Economic Empowerment Act of 1993;" after "Treatment Improvement Program under sections 301 and 509G of the Public Health Service Act, as amended by Public Law 102-321;".

file:
Enterprise Bd. DEC 3 REC'D



THE VICE PRESIDENT
WASHINGTON

November 30, 1993

The Honorable Charles B. Rangel
The New York State Congressional
Delegation
2252 Rayburn House Office Building
Washington, D.C. 20515

Dear Charlie:

Thank you for forwarding to me the New York State Delegation's letter regarding the relocation of Federal jobs from New York City and other urban areas.

The President and I appreciate the concerns expressed in the Delegation's letter. In fact, we have already asked the Community Enterprise Board ("Board") to study and make recommendations as to how the Federal Government can promote new development and job opportunities in distressed urban and rural areas while improving the effectiveness and efficiency of Federal departments and agencies. I am convinced that cities (like New York City) are in a good position to benefit from our challenge to increase the productivity and responsiveness of Federal departments and agencies.

Charlie, as you know, the President and I are committed to uplifting America's distressed communities and understand the important role the Federal Government plays in that regard -- both practically and symbolically. To that end, I have taken the liberty of forwarding your letter to the members of the Board for their consideration in their review and to Roger Johnson, the Administrator of the General Services Administration, to ensure that we are adhering to Executive Order 12072 in our relocation decisions, including those cited in the Delegation's letter.

The President and I appreciate your leadership in the area of community empowerment, and we look forward to working with you and the Delegation on the important issue of relocation.

Best regards.

Sincerely,

Al Gore

NOV 1 1993



THE NEW YORK STATE CONGRESSIONAL DELEGATION



October 26, 1993

Hon. Albert Gore, Jr.
The Vice President
Office of the Vice President
Old Executive Office Building
Washington, DC 20501

Dear Mr. Vice President:

The enclosed letter was approved by the New York State Congressional Delegation at a recent meeting.

On behalf of the Delegation, I hope you will respond as soon as possible.

Sincerely,

CHARLES B. RANGEL
Member of Congress

CBR/pob
Enclosure

OFFICERS

Charles Rangel, *Chairman*
Hamilton Fish, *Vice Chairman*
Daniel P. Moynihan, *Co-chairman*
Alfonse M. D'Amato, *Co-chairman*
Gary Ackerman, *Secretary*
Amo Houghton, *Assistant Secretary*
Charles E. Schumer, *Treasurer*
Jack Quinn, *Assistant Treasurer*

Telephone Contact: Rep. Rangel's Office
(202) 225-4365 • Fax (202) 225-0816

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Sen. Alfonse D'Amato (R)
Sen. Daniel P. Moynihan (D)
Rep. Gary Ackerman (D) • 5 CD
Rep. Sherwood L. Boehlert (R) • 23 CD
Rep. Eliot L. Engel (D) • 17 CD
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Rep. José E. Serrano (D) • 16 CD
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Rep. Nydia M. Velazquez (D) • 12 CD



THE NEW YORK STATE CONGRESSIONAL DELEGATION



October 22, 1993

Hon. Albert Gore, Jr.
The Vice President
Office of the Vice President
Old Executive Office Building
Washington, D.C. 20501

Dear Mr. Vice President:

In your role as Chair of the Interagency Council for implementation of the empowerment zone program, we, the New York City Congressional Delegation, wish to bring to your attention a serious urban concern. Many federal jobs have been slated for relocation from New York City but have been convinced to stay. Despite all efforts by State and City economic development apparatus to provide for the needs and concerns of these valued federal agencies, however, some have persisted in making unilateral decisions to move from New York City. According to the Office of Personnel Management the previous Administrations have moved 10,000 federal jobs out of New York City during the last twelve years and this while the number of federal employees has increased nationwide.

The decision by federal agencies to change locations is unsettling to the local economy and disruptive to the hard working individuals employed by those agencies. In the last two years for example, the Federal Deposit Insurance Corporation (FDIC), Navy Resale and Services Support Office (NEXCOM) and Post Office Data Center (PDC) have moved all or most of their employees -- more than 1,000 jobs -- from New York City locations. At a time when the Base Realignment and Closure Commission has moved 1000 jobs from the City of New York and closed the Staten Island homeport. There is pattern in which the federal government appears to be pulling its investment from urban areas. Every job is important to the New York City economy and the loss of more than 2,000 federal government positions in two years is a terrible blow to withstand.

OFFICERS

Charles Rangel, *Chairman*
Hamilton Fish, *Vice Chairman*
Daniel P. Moynihan, *Co-chairman*
Alfonse M. D'Amato, *Co-chairman*
Gary Ackerman, *Secretary*
Amo Houghton, *Assistant Secretary*
Charles E. Schumer, *Treasurer*
Jack Quinn, *Assistant Treasurer*

Telephone Contact: Rep. Rangel's Office
(202) 225-4365 • Fax (202) 225-0816

DELEGATION

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Gore
page two

At the present time, both the Internal Revenue Service's (IRS) Automated Collection Unit -- with 140 jobs -- and the U. S. Army Corps of Engineers North Atlantic Division -- with 207 job slots -- are seriously looking at other locations for their facilities. This is a trend that must be stopped dead in its tracks. More importantly, it must be reversed if cities are expected to thrive.

Under the Carter Administration, the President issued Executive Order 12072 which stated that "Federal facilities and federal use of space in urban areas shall serve to strengthen the Nation's cities and to make them attractive places to work and live. Such Federal space shall conserve existing urban resources and encourage the development and redevelopment of cities." New York City, along with other urban areas which have suffered through the past twelve years of federal neglect, needs strong policy leadership -- in the form of words and deeds -- from the Clinton Administration to reverse this trend of federal disinvestment.

As Chair of the Interagency Council overseeing empowerment zones, which are designed to encourage businesses to locate, grow and prosper in urban areas, you will play a powerful role in the revitalization of cities. The federal government, however, must set an example by keeping federal installations and federal jobs in our cities. How will you be able to get the private sector to commit to our cities if the federal government is not leading the way by its own actions in job location. The Clinton Administration must lead the way and issue a strong directive to federal agencies to work with local economic development agencies to keep federal jobs in the cities.

Ed Engel

Ernst L. Engel

Major R. Owen

Charles Sch

Susan Molinari

Thomas J. Manton

Jose E. Serrano

Patricia Lowery

Kory H. Hak

Gary L. Keenan

Downs

W. J. S. S. S.

Juvel Koller

Carla B. Melny

DRAFT 3/22/94

file
March 22, 1994

3/28 Sent Email

MEMORANDUM FOR COMMUNITY ENTERPRISE BOARD

FROM:

SUBJECT: DRAFT FOR EZ/EC DESIGNATION PROCESS

At the first meeting of the Community Enterprise Board (Board), the staff was asked to make recommendations as to how the Empowerment Zones (EZ) and Enterprise Communities (EC) designation process should be structured to ensure an efficient process that enables all agencies represented on the Board to have adequate input. This memorandum sets forth a suggested framework for such a process.

I. ISSUES REGARDING DESIGNATION PROCESS

The following issues were raised by Board members and staff regarding the designation process:

- **Inclusion of all agencies.** All the Board members agree that we need to create a process that ensures that each agency represented on the Board has an adequate opportunity to evaluate and consider (1) the submitted strategic plans; (2) program usages and strategies contained in EZ/EC applications that are within the agency's jurisdiction; and (3) waiver requests.
- **Input from and negotiation with applicants.** Some Board members, including Secretary Cisneros, have recommended that we give the EZ/EC applicants an opportunity for a face-to-face encounter with the Board or the Designating Secretaries so that the applicants feel they have had a full and fair opportunity to present their plan. Some Board members have suggested that we have public site visits during the application or designation process. Others have expressed concerns that such public encounters may create political difficulties. All agree that we will need to consult with "finalists" on necessary adjustments to their strategic plans.
- **Maintaining Objectivity and Discretion.** All the Board members agree that we need a process that ensures that all "finalists" meet the objective criteria set forth in the application while allowing some degree of discretion for other considerations, such as geographic diversity.
- **Timing.** In order to be able to demonstrate some early success, we need an efficient process that allows us to begin a substantial number of designations no later than September, 1994 (although we may decide to defer all or many of the designations until a later date).

- **Input from Outside Experts.** Some Board members have suggested that we consider using a panel of outside experts to help screen applications and inject more objectivity into the process.
- **Interagency Review and Staffing.** To ensure consistency and high-quality review, some have suggested an interagency orientation team to provide initial guidance to agency reviewers about the goals of the initiative. Each agency will also be required to devote or detail adequate staff to the review process. (In the EZ/EC Application, we commit to considering the waiver requests of all applicants, whether or not the applicant is designated.) We also need to have as much certainty as possible about agency decisions regarding individual program and waiver requests prior to making a final EZ/EC designation.
- **Technical Assistance.** Some Board members have also suggested that we try to arrange for foundations and other non-governmental organizations to provide technical assistance to EZ/EC applicants. Questions have also been raised as to the extent of technical assistance that ought to be provided by HUD, USDA and other agencies during the application process.
- **Evaluation.** Some Board members, CEA Chair Laura Tyson in particular, have suggested that a third-party evaluator be selected to conduct a thorough evaluation of the EZ/EC initiative.
- **Post-Designation Implementation.** Finally, some have suggested that we should have post-designation, interagency implementation teams and/or a coordinating mechanism at the regional level, like the State Rural Development Councils, that would help the designated communities follow-through with implementation and provide the local coordination necessary to helping communities realize their strategic vision. One foundation has suggested their designated communities be required to go through an additional 3-4 month planning period to ensure appropriate implementation.

II. RECOMMENDATIONS

A. Prescreening. Based on the level of interest to date in the EZ/EC initiative, we expect to receive at least 400 and perhaps as many as 800 applications for the 104 EZ and EC slots. Because of this volume, we believe the only realistic way to ensure that some sites are designated by September is to have HUD and USDA pre-screen the applications and present a manageable number of viable applications to the staff and then to the Board.

We recommend the following general approach. HUD and USDA would develop their own procedure to screen for a target class -- say 200 -- of the "most viable" applications. While HUD and USDA may not use identical screening criteria, they will coordinate in order

to ensure consistency in criteria and process. HHS would screen all applications for compliance with Title XX requirements. All other agencies that wish to invest the time would be allowed to review all of the submitted applications and make recommendations to HUD and USDA about which applications should be placed in the "most viable" class. (HUD and USDA would make the documents available at their respective buildings and will set ground rules for document review and reproduction by other agencies, consistent with any legal considerations and internally established timetables.)

B. Screening for Finalists. HUD and USDA will also develop a process for winnowing the "most viable" class to a first round of approximately 20 to 30 urban and rural "finalists," all of which will have been adjudged, based upon their strategic plans, to be qualified to receive either an EZ or EC designation.

The winnowing process will require each agency to review all applications in the "most viable" class. Each agency must designate a team of reviewers for this purpose and HUD and USDA will coordinate the orientation of all agency reviewers.

To enable in-depth review by the agencies, HUD and USDA will develop a form or process by which agency reviewers will record their evaluations of each application. The form or process will allow for identification of strengths and weaknesses, a technical rating, and a narrative description of any concerns agencies have with waiver requests or other program proposals.

The process would also specifically require each agency to give a preliminary indication as to whether the agency would grant, deny or amend the applicant's proposed uses of agency-administered funds (i.e. proposed uses of programs listed in the menu of federal programs). At an appropriate point to be determined by HUD and USDA, a decision on waiver requests would also be required. (See part E on waiver approvals, below.)

C. Presenting Finalists to the Board. Based upon the agencies' input and their own judgment, HUD and USDA would select approximately 20-30 first round "finalists."

HUD and USDA would then present these recommendations to agency staff, along with any significant changes that might be needed in an applicant's strategic plan. The agency staff would then offer responses, which should also reflect the views of respective principals. HUD and USDA would then make a formal recommendation to the Board on the nine proposed EZs and the remaining "top" ECs. Hopefully at this juncture there will be consensus on the recommendations, however, the Board would have an opportunity to comment on the recommendations and HUD and USDA would take these comments into consideration in making final decisions.

The winnowing process would be repeated for the remaining applications in the "most viable" class, resulting in the finalists for the remaining EC designations. Our goal would be

to have the selection process completed by the end of the fall, although this goal would not necessarily be stated publicly.

D. Consultations with Applicants and Outside Review. If necessary, HUD and USDA may engage in private meetings with "finalists" to clarify any open issues and discuss any needed adjustments and performance agreements, particularly regarding total population requirements, proposed program uses or waivers. Prior to such meetings, HUD and USDA will consult with other agencies to confirm what program funds each agency will grant (or is inclined to grant) in support of the finalist's strategic plan. These consultations would also address specifics of any adjustments agencies would need in order to meet an applicant's program request. If agencies wish, HUD and USDA will facilitate their involvement in consultations with the finalists.

We do not believe there will be sufficient time, given the number of applications, to have public hearings or site visits by Board members prior to the designation. We also do not believe there will be sufficient time to have review by outside experts and are concerned about legal and other problems such outside review may cause. The private consultations discussed above, however, should provide agency officials with the opportunity to clarify any concerns they have about an application.

E. Waiver Approvals. Except in extraordinary circumstances, all waiver requests made by applicants regarding program regulations should be decided upon prior to any EZ or EC designation. As HUD and USDA screen for finalists, they will submit program waiver requests to the relevant individual agencies. Agencies will be expected to respond within ten days of receiving such requests with a decision or a statement of extraordinary circumstances as to why a decision cannot be made at that time.

The process for approving waiver requests of applicants that are not selected for EZ/EC designations should probably be deferred until after the EZ/EC designations are completed. Applicants should be told that we will begin the process of "working with" communities on their waiver strategies after the EZ/EC designations are announced.

F. Designation Announcements. Decisions regarding the timing of announcing the EZ and EC designations would be made independent of this selection process. In other words, although the process would be designed to select the top-rated applications first, this does not necessarily mean that these applications would be announced in this order.

We would expect, however, that at the time an individual designation is announced, the announcement would include substantial specifics about what agency program commitments are being made to the designated community -- e.g., SBA One Stop Capital Shops, Fannie Mae partnership investments, Commerce National Information Infrastructure Grant, DOL One Stop Career Center, etc. This will be especially important for the ECs, in order to debunk contentions that the ECs are not valuable.

G. Technical Assistance. The agency staffs are in agreement that all agencies, particularly HUD and USDA, should do everything possible to respond to requests for information and assistance from applicants. HUD and USDA have set up a log-on on Internet that will allow applicants to submit queries by computer and to access basic "Q&A" and other information about the EZ/EC process. HUD and USDA are developing a master list of agency contacts to distribute to applicants and a list of outside entities, particularly foundations, that have committed to provide resources and technical assistance to EZ/EC applicants. In addition, HUD and USDA have agreed to make the list of applicants (who have filed a notice of intent) available to foundations, other organizations and all the Board Members in order to facilitate technical assistance to applicants. Fannie Mae, for example, is conducting eight intensive technical assistance workshops around the country to provide EZ/EC applicants explicit instruction on how to enter into partnerships modeled on their HouseOakland initiative.

H. Evaluation. The EZ/EC Application materials state that EZ/EC designees will be required to submit periodic reports to HUD and USDA to enable them to monitor progress in achieving benchmarks identified in strategic plans and to enable modifications to these plans. The Application also states that HUD and USDA will commission third-party evaluations at intervals to be specified by these agencies.

HUD and USDA are in the process of devising an evaluation procedure that will provide for outcome evaluation by a third party, program management and monitoring, and continual improvement assessment by the designated EZs and ECs. In particular, HUD and USDA are currently assessing staff requirements, costs associated with third-party evaluations and other matters regarding evaluation. Evaluation is a critical issue and more specifics will be provided at a later date.

I. Post-Designation Implementation. We believe HUD and USDA should develop recommendations for "post-designation" activities by Board members and welcome suggestions. Staff at USDA have suggested, for example, that finalists be required, prior to designation, to develop a technical assistance plan for regular involvement by federal agencies in helping each community to continually revise their strategic plan and implementation actions.

III. CONCLUSION

Because the Board is comprised of 15 agencies and departments, any form of collaboration is going to be labor- and time-intensive. We believe that the general framework we have described above strikes a good balance that will allow agencies to have full input into the process without overly taxing their resources. If this general framework is acceptable to the Board, HUD and USDA will proceed with developing the details of the process and coordinating the work of the Board Staff on designations.

3/23/94

THE WHITE HOUSE

MAR 24 REC'D

To: Carol Casco

Fr: Sheryl Caslin

Carol, Paul Weinstein asked me to send this to you. We need your sign off by COB Friday, March 25. Paul is all on the substance of the memo. More than likely this would go to the Board from you, Bob & the VP. Please let me ~~know~~ ~~if~~ or Paul know if you have comments →

or changes. Thank You.

Sheryl

THE WHITE HOUSE

WASHINGTON

File Enterprise Board
]

TO: Vice President Gore
Bob Rubin

FROM: Carol H. Rasco *CHR*

SUBJ: Enterprise Board projects

DATE: January 12, 1994

First, I think our staffs have done a terrific job on the applications and accompanying materials. To look at that application and how very different it is from the usual federal application is clear evidence of "reinvention" in reality.

As a result of the Domestic Policy Council meeting on Monday evening I have the following observations and suggestions:

The pertinent cabinet officials are showing great interest in working within communities. It is clear not only from the DPC meeting itself, but the feedback from Christine Varney's bi-weekly breakfast with the Chiefs of Staff on Tuesday is that enthusiasm is high among them also as a result of their principals reporting back to them. I believe we must make an even stronger effort to engage the Department heads in the process of zone and community application and implementation.

I suggest:

- a. We make certain the appropriate Department heads are invited to the event on Monday, January 17.
- b. Some kind of memo or briefing packet should go out from us to these officials prior to the Monday event with talking points and other information to assist them in promoting this project and their involvement.
- c. As Jack Quinn and I discussed, I would like if possible to have you, Mr. Vice President, attend the January 24 or the earliest available bi-weekly DPC meeting to lead a discussion of the project and that assignments be given at that time to get small interagency groups working on the types of active assistance that will be ready to "hit the ground" within the zones and communities designated. I will be happy if you feel it is appropriate to work with our staff members on preparing for this meeting. On the other hand you may feel we need to convene a separate Enterprise Board meeting to carry out this task.

- d. DPC - and I hear NEC - will have staff present at all workshops to be held around the country on the application process. I believe that at each workshop one of us and/or a cabinet secretary should also be present. I have not asked that DPC have a speaking role; I have simply asked my staff to be present, to visit with the participants and then to make a visit to some community program that is working on the issues we hope to address.

I am genuinely excited about this project. My only concern at this point is that we truly engage the cabinet in order to utilize the zones and communities designated to pull together many of the great ideas being generated within and among the various departments.

Thank you.

cc: Paul Weinstein
Kumiki Gibson
Sheryll Cashin
Paul Dimon

THE WHITE HOUSE

WASHINGTON

TO: Vice President Gore

FROM: Carol H. Rasco *CRasco*
Assistant to the President for Domestic Policy

SUBJ: Enterprise Board

DATE: February 3, 1994

I apologize for the disruptiveness of my entrances and exits during yesterday's Enterprise Board meeting. For the time periods that I was able to be there, I felt productive dialogue was occurring, and I see this as the type activity absolutely necessary for the "buy-in" of the departments, a buy-in that is crucial to the success of the endeavor. I also believe there were a number of valuable suggestions made which our staffs can pursue. I stand ready to meet, brainstorm and/or help in any other way I might, to further develop the process for review as well as implementation.

As to the scheduling, I pledge to you the next time an Enterprise Board meeting is scheduled I will immediately put in my plea with the President's scheduling office that no meeting be scheduled that involves members of the Board.

Thank you.

THE WHITE HOUSE

WASHINGTON

TO: Vice President Gore

FROM: Carol H. Rasco *CHR*
Assistant to the President for Domestic Policy

SUBJ: Enterprise Board

DATE: February 3, 1994

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As to the scheduling, I pledge to you the next time an Enterprise Board meeting is scheduled I will immediately put in my plea with the President's scheduling office that no meeting be scheduled that involves members of the Board.

Thank you.

bcc: Paul Weinstein

THE WHITE HOUSE

MAR 30 REC'D

WASHINGTON
March 30, 1994

MEMORANDUM FOR ANDREW CUOMO

MARK GORDON
BOB NASH
PETER NECHELES
PETER EDELMAN

FROM: SHERYLL CASHIN
KUMIKI GIBSON
PAUL WEINSTEIN
PAUL DIMOND

SUBJECT: DRAFT DESIGNATION MEMORANDUM

Attached are comments from Carol Rasco and HHS on the draft designation memorandum. As you know, the intended purpose of the memorandum is to serve as a vehicle for all members of the Community Enterprise Board to "buy-in" to this interagency designation process and to follow-up with sustained staffing and other commitments. It is not intended to flesh out every detail of the process.

However, Carol is particularly concerned that we be much more specific in terms of the role of other agencies in the post-designation process and the nature of the evaluation component. We agree with her comments. In particular, we believe it is very important to send a clear signal to all agencies that much will be expected of them.

Bob Rubin has signed off on the memorandum without any changes but he wants to be sure that HUD and USDA get the insights of the individuals who designed the TRP (Technology Reinvestment Program) interagency designation process.

Thus far we have not heard from HUD or USDA as to desired changes or the views of their Secretaries. We would appreciate hearing from you right away with any concerns you have about the memorandum and we would like to schedule a meeting for Tuesday, April 5 at 11 a.m. in Room 230 to resolve all remaining issues regarding the memorandum. Please notify Julia Chamovitz at 456-2800 whether you will be able to attend. Thank you.

cc:

Jack Quinn
Carol Rasco
Bob Rubin

file

EXECUTIVE OFFICE OF THE PRESIDENT

28-Mar-1994 08:00am

TO: Sheryll D. Cashin

FROM: Carol H. Rasco
Economic and Domestic Policy

CC: Paul R. Dimond
Paul J. Weinstein, Jr

SUBJECT: Memo on EZ/EC Designation Process

This memo did not reach my office until very late Thursday and I was out most of Friday; that is why you did not receive a response from me by the close of business Friday as you requested. I think the memo is fine. However, I do not think it is very strong. If I were an agency board member other than HUD/USDA I would probably react by saying it sounds like I don't have much of a role nor expectation placed upon me throughout this process.

I think the sections dealing with the roles of agencies after the designation are totally inadequate...we should be alerting agencies they will have numerous expectations placed upon them or this project will be no different from most others the federal government dreams up and announces. I thought we wanted a very serious project and I am not worried about time constraints, roles to be placed on agencies.

What happened to the evaluation component? I don't think it was just Laura who felt strong about this component.

Thanks.



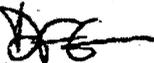
DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Washington, D.C. 20201

March 25, 1994

TO: Sheryl Cashin

FROM: David Garrison 

SUBJECT: HHS Comments on Draft EZ/EC Designation Process

On behalf of the HHS segment of the inter-agency working group, I am pleased to transmit our comments on your March 22nd draft memorandum to the Community Enterprise Board on the EZ/EC designation process. Secretary Shalala has reviewed and approved the attached comments, as well.

With the hope that it will make it easier to follow our requested changes, we have used the "redline/strike over" approach in the attached comments.

You will note from our comments that we continue to be concerned about references to the waiver process. We are not comfortable with the "extraordinary circumstances" approach you have suggested for accommodating the Department's several statutory waiver processes regarding Social Security Act eligibility and benefit issues. Our General Counsel has stiffened our spine further on this matter. Our position is that, while we are committed to moving forward smartly with our reviews of such waivers, the statutorily required process we must follow is sufficiently complicated and extensive that we won't be able to complete such reviews prior to the designation, given the current schedule. And, because the process we follow is quite regularized by now, it can't really be characterized as being triggered by "extraordinary circumstances". So, we have proposed that this particular category of waiver be acknowledged as needing to follow a different rhythm than the regulatory waiver issues. We have drawn the language from that which was agreed to in the EZ application guide.

We have also proposed clarifications in the references to the decisions regarding other program funds. Because, in our case (and we suspect for other agencies as well) many of our grant competitions use outside panels and in other ways impose "level playing field" concerns, we must be careful not to suggest that grant awards have been prejudged in ways not anticipated by the regs governing such grant award processes.

HHS Comments on EZ Designation Process**March 25, 1994****Page 2**

You will also note that we have asked that the memo be a bit more specific about our commitment at the staff level to affirmatively come up with a process for addressing "third tier award" issues. We are convinced that we will urgently need to have such a process in place when we are confronted with a very large number of non-winners at the first and second tiers.

Finally, we propose several changes which give more emphasis to the role HHS is playing in this important endeavor. Our Secretary has been clear from the start that she expects us to serve as a major partner with HUD and USDA throughout by way of bringing our agency's resources into play in making the program a success. The steady drumbeat from the dias at Tuesday's Ways and Means Committee EZ hearing on the importance of giving greater prominence to the social service thrust of the program has sharpened our concern. As regards the as yet undeveloped evaluation plan, HUD's Policy Development and Research Office has already asked for our views on the appropriate research methodology. Secretary Shalala is in the process of sending Secretary Cisneros a note stressing the importance she places on this evaluation step, given the key role to be played by our SSBG funds, and her interest in contributing resources to the funding of this research.

We hope these comments are helpful and acceptable. If you need to find me over the weekend for clarification on matters touched on as you put the final touches on the memo for the VP, call me at my home P6(b)(6).

Many thanks.

cc: Peter Edelman
Jerry Britten
Ann Rosewater

3/25/94

HHS Proposed Changes to EZ/EC Designation Process Memo

-- on page 6, Section B (Screening for Finalists), fourth paragraph:

The process would also specifically require each agency to give ~~to the extent permissible~~ a preliminary indication as to whether the agency would grant, deny or amend the applicant's proposed use of agency-administered funds (i.e. proposed uses of programs listed in the menu of federal programs).

-- on page 8, Section D (Consultations with Applicants and Outside Review), first paragraph:

If necessary, HUD and ~~USDA and other funding agencies~~ may engage in private meetings ~~discussions~~ with "finalists" to clarify any open issues and discuss any needed adjustments and performance agreements, particularly regarding total population requirements, proposed program uses or waivers. Prior to such meetings, HUD and USDA will consult with other agencies to ~~confirm determine~~ what program funds each agency will ~~be able to~~ grant (or is inclined to grant, ~~give priority or points~~) in support of the finalist's strategic plan. These consultations would also address specifics of any adjustments agencies would need in order to meet an applicant's program request ~~to the extent that these agencies may provide such information.~~

-- also on page 8, Section E (Waiver Approvals), at the end of the first paragraph add the following sentence:

~~This provision does not apply to applications to conduct demonstrations with eligibility and benefit provisions of the Social Security Act.~~

-- revise the second paragraph under Section E as follows:

The process for ~~approving reviewing~~ waiver request of applicants that are not selected for EZ/EC designations should probably be deferred until after the EZ/EC designations are completed. Applicants should be told that we will begin the process of "working with" communities on their waiver strategies after the EZ/EC designations are announced. ~~The inter-agency EZ/EC Working Group will develop a process for this "third tier" and present it to the Board for review later this Spring.~~

-- on page 10, in Section G (Technical Assistance), in the first sentence, add HHS to list of agencies as follows:

The agency staffs are in agreement that all agencies, particularly HUD, USDA ~~and HHS~~, should do everything possible to respond to request for information and assistance from applicants.

-- further, on page 10, in Section H (Evaluation), add the following after the initial sentence:

~~HHS will also receive regular reports on all EZ/EC Social Service Block Grant (Title XX) activities.~~

-- in the second paragraph of Section H, add HHS to the list of agencies as follows:

HUD, USDA ~~and HHS~~ are in the process of devising an evaluation procedure that will provide for outcome evaluation by a third party, program management and monitoring, and continual improvement assessment by the designated EZs and ECs.