

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
PARIS DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

FEB 04 1994

BY DAVID C. WILSON, CLERK
PATRICIA DAVIDSON

LUCILLE YOUNG, et al.,)
)
Plaintiffs,)
)
v.)
)
HENRY G. CISNEROS, et al.,)
)
Defendants.)

Civil Action No.
P-80-8-CA

DEFENDANTS' NOTICE OF FILING DESEGREGATION PLANS

The United States Department of Housing and Urban Development resubmits, for the approval of the Court, the original individual desegregation plans previously submitted for the public housing authorities in the class action area, as modified by the Comprehensive East Texas Desegregation Plan, and by the individual amendments to each plan. Submitted herewith is the declaration of Roberta Achtenberg, Assistant Secretary for Fair Housing and Equal Opportunity, together with a copy of the Comprehensive East Texas Desegregation Plan and copies of the individual plan amendments for each public housing authority in the class action area.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify that on February 3, 1994, I served the Defendants' Notice of Filing Desegregation Plans, the Declaration of Roberta Achtenberg, the Comprehensive East Texas Desegregation Plan and the individual plan amendments for each public housing authority in the class action area by sending copies thereof, via Federal Express to:

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RAYMOND M. LARIZZA

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DECLARATION OF ROBERTA ACHTENBERG
SUBMITTING DESEGREGATION PLAN AMENDMENTS

I, Roberta Achtenberg, state as follows:

1. I am the Assistant Secretary for Fair Housing and Equal Opportunity, United States Department of Housing and Urban Development (HUD). My official duties include providing guidance and direction over HUD's effort to devise and implement remedial measures to eliminate the vestiges of discrimination for which HUD has been found liable in the above-captioned action. As part of that remedial effort, the Department has systematically and thoroughly reviewed the individual desegregation plans and assertions of unitary status previously submitted by HUD to this Court. Although the remedial provisions of the original desegregation plans would have advanced the objective of rectifying the effects of prior discrimination, HUD decided to enhance the effectiveness and scope of those plans by including a significant number of major new requirements on the 70 public housing authorities (PHAs) included in the class action area. In

connection with those enhancements, HUD will be expanding its own role in the administration, implementation, and oversight of this fortified desegregative effort.

2. The revisions to HUD's desegregation program for East Texas are set forth in HUD's East Texas Comprehensive Desegregation Plan (hereinafter "Comprehensive Plan"), and in the individual amendments to the desegregation plans for each PHA in the class action area. HUD hereby files and resubmits, for the approval of the Court, the original individual desegregation plans, as modified by the Comprehensive Plan, and the individual plan amendments. HUD will not determine that any PHA in the class action area will achieve unitary status until it satisfies both the elements of its original desegregation plan and all of HUD's new requirements, as approved. Accordingly, the assertions of unitary status previously submitted for 12 of the PHAs will not be resubmitted for approval as unitary unless and until each such PHA satisfies all the requirements of its individual plan amendment, as approved.

3. On September 10, 1990, the Court entered the Order for Further Relief. That order required HUD to submit for court approval either an individualized desegregation plan or an assertion of unitary status for each of the 70 East Texas PHAs. Order for Further Relief, ¶¶ 2, 3. HUD undertook a massive effort to gather the information required for the formulation of the desegregation plans. By June 20, 1991, HUD completed the filing of 58 desegregation plans and 12 assertions of unitary status. Although the Court did not rule on the suitability of

these submissions, HUD began the process of implementing the specific actions required by the plans.

4. The plaintiffs filed a written opposition to HUD's desegregation plans and assertions of unitary status in March 1992. The Court scheduled a hearing on the adequacy of the remedies for October 27, 1993.

5. Prior to the October 27th hearing, HUD withdrew all of the desegregation plans and assertions of unitary status and requested a continuance of the scheduled hearing to permit the current Administration to review the submissions made by its predecessor Administration. HUD's request for a continuance (which was unopposed by the plaintiffs) was granted by the Court. HUD was directed to submit individual desegregation plans or assertions of unitary status for all PHAs in the class action area by February 1, 1994, and the hearing on the adequacy of remedies was postponed until April 19, 1994. Following weather-related delays in late January, HUD subsequently submitted an unopposed motion to enlarge the time for the submission of the desegregation plans to February 4, 1994.

6. In November 1993, I convened the intra-departmental Desegregation Plan and Remedial Task Force (also referred to as "DEPART" or "Task Force") to review and recommend revisions to the 70 desegregation plans and assertions of unitary status. The Task Force was composed of a sizable number of experienced HUD staff from the various HUD offices and programs affected by the lawsuit, subject to the oversight of the HUD Assistant

Secretaries, General Counsel, and the HUD Secretary, Henry Cisneros. The Task Force concluded that all of the desegregation plans required revision in order to conform to the new Administration's policies.

7. Under my direction, the Task Force developed the Comprehensive Plan which is being submitted herewith. The remedial measures described in the Comprehensive Plan are organized to parallel the corresponding subsections of ¶ 2 of the Order for Further Relief, which deals with the content of desegregation plans. Some of the remedial measures specified in the Comprehensive Plan apply to all 70 of the East Texas PHAs. The Comprehensive Plan also contains other remedial measures, such as conversion of elderly units to family use, which have been incorporated into particular PHA plans on a case-by-case basis, in accordance with criteria specified in the Comprehensive Plan. While some elements of the amended plans can be implemented relatively soon, certain measures, such as installation of air conditioning equipment, which are costly and time-consuming to complete, must be phased-in over a longer period. The maximum period for completion of any plan element, however, would not exceed seven years from the date of plan amendment approval. The following is a brief description of some (but not all) of the major enhancements made by the amendments to the original plans:

Public Housing Project and Neighborhood Enhancements

The original plans specified certain improvements in the physical condition of public housing projects, to eliminate disparities between predominately African-American and predominately white low-rent public housing projects. In addition to those improvements, the amendments to the desegregation plans now require, where feasible, the installation of air conditioning at all PHAs, and the provision of laundry facilities, recreational facilities, and community/family centers at all non-elderly project sites. Comprehensive Plan, Section II.A.

Tenant Selection and Assignment

The original plans required each PHA to implement the court-ordered race conscious tenant selection and assignment plan (TSAP). HUD evaluated the TSAP of each PHA in accordance with criteria set forth in the Comprehensive Plan, which were designed to promote a significantly more aggressive effort to overcome existing patterns of racial clustering. In general, modifications were included where the existing TSAP was: a) insufficient to achieve or maintain desegregation; or b) had resulted in resegregation; or c) had resulted in the denial of housing assistance to eligible individuals or groups. The Comprehensive Plan includes a variety of "waiting list initiatives" which would be applied, as necessary, to correct deficiencies in a particular PHA's TSAP. These waiting list initiatives, as

described in the Comprehensive Plan, include variety of innovative mechanisms (such as Housing Opportunities Waiting Lists and Area-Wide Merged Waiting Lists) designed to expand housing choices and opportunities, and overcome existing patterns of segregation.

Housing Assistance to Provide
Desegregated Housing Opportunities

The original desegregation plans did not specifically provide or call for the addition of any new housing units. In the Comprehensive Plan, HUD is committed to allocating up to 200 additional Section 8 vouchers or certificates, per year, for a period of five years. These vouchers will be used to provide non-elderly class members with housing opportunities, and will be targeted towards areas where they will be most effective in rectifying desegregation and responding to a lack of desegregated housing opportunities. Comprehensive Plan, Section III.E.

Increased HUD Presence In The Class Action Area

Implementation of the original desegregation plans was assigned to the Desegregation Coordination Office (DCO), a component of HUD's regional office located in Ft. Worth, Texas, with oversight and coordination by other HUD offices. Under the Comprehensive Plan, DCO's functions, as well as a number of additional functions, will be performed by the new HUD office in Beaumont, Texas, which will be known as the Beaumont Fair Housing Office. In addition to implementing and monitoring PHA compliance with the amended desegregation

plans and Comprehensive Plan, the Beaumont Office will also be undertaking other related activities, such as Title VI compliance reviews, in the class action area. The Beaumont Office will also oversee the implementation by a third party non-profit provider of a mobility program to facilitate the desegregative movement of applicants for, and recipients of, HUD-assisted housing in the class area and adjacent areas. HUD is committed to assuring the provision of sufficient resources and staff to enable the Beaumont Office to accomplish its mission. Comprehensive Plan, Sections III.E., IV.B, and accompanying attachments. I have attached a copy of the Function Statement of the Beaumont Office, which describes the major activities which HUD contemplates that the Office will carry out in the class area.

8. The remedial measures described above, together with the other features of the Comprehensive Plan, constitute a new, aggressive, HUD strategy for integrating one-race projects, creating new desegregative housing opportunities, and obtaining compliance with the civil rights laws. In applying this strategy, HUD has formulated amended individual desegregation plans containing remedial measures which, in my view, meet or exceed the measures necessary to eliminate the vestiges of prior desegregation for which HUD has been found responsible by the Court. The remedial measures which are called for in the amended plans and Comprehensive Plan will depend on the availability of resources, in the future, over which HUD has limited control.

HUD's ability to fund the activities described is contingent upon the availability of Congressional appropriations, which can vary from year to year, as well as competing demands by other potential recipients and grantees. Nevertheless, based on information and projections of future resource levels and demands provided by HUD offices and staff, I believe that HUD will be able to provide funding to carry out the measures in the plans.

9. Accordingly, HUD respectfully requests Court approval of the individual desegregation plans, as modified by the Comprehensive Plan and by the individual desegregation plan amendments.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on

February 3, 1994


ROBERTA ACHTENBERG

EAST TEXAS COMPREHENSIVE DESEGREGATION PLAN

TABLE OF CONTENTS

	Page
INTRODUCTION	
I. STATUS	
A. Desegregation Plans (2)*	3
B. Schedule for Plan Implementation (2a)	3
C. Data Requirements (2b)	3
D. Status Reports for Desegregation Plans (2c)	4
II. PHYSICAL IMPROVEMENTS	
A. Equalization of Conditions (2d)	4
B. Magnet Projects (2e)	6
C. Conversion of Units in white Neighborhoods (2f)	7
D. Use of HUD Program Funds (2g)	9
III. OPERATIONAL METHODS	
A. Use of Race Conscious Tenant Selection and Assignment Practices (2h)	10
B. Review of Past Tenant Selection and Assignment Practices (2i)	16
C. Allocation of New Housing Assistance (2j)	16
D. Action Where Racial Hostility is Present (2k)	17
E. Use of Housing Mobility Programs (2l)	18
IV. ENFORCEMENT	
A. Alternative Actions (2m)	19
B. Monitoring and Enforcement (2n)	20
V. OTHER REMEDIAL MEASURES (2o)	20
VI. PERFORMANCE STANDARDS	
A. Performance Requirements	22
B. Assertion of Unitary Status (3)	22

* (2) denotes the section of the 1990 Order for Further Relief addressed.

ATTACHMENTS

- A. Application of the Comprehensive Plan to the Public Housing Authorities in the 36-county area of East Texas
- B. The Clearinghouse
- C. Glossary
- D. (deleted)
- E. Fair Housing Service Center (FHSC)

INTRODUCTION

Plaintiffs, African-American residents of public housing in East Texas, filed this action in 1980, alleging that HUD had knowingly maintained a continuing system of segregated housing in a 36-county area of East Texas, in violation of the U.S. Constitution and various civil rights laws. (The case is now entitled Young v. Cisneros.) The plaintiffs contended that there was segregation in HUD's Low Income Public Housing (LIPH), Section 8 Existing Housing Program and other HUD-assisted multifamily programs (including insured housing). While there are presently 70 public housing authorities (PHAs) in the 36-county area, they have never been brought into the lawsuit as parties.

In 1982, the U.S. District Court for the Eastern District of Texas (court) certified a class consisting of all African-American applicants for and residents of HUD-funded public housing, rent supplement and Section 8 programs in the 36-county area. HUD later established the Desegregation Coordinating Office (DCO) in the Fort Worth Regional Office to facilitate the desegregation of the East Texas PHAs under the court's orders.

In 1985, the court issued a liability decision, finding that HUD had knowingly and continually maintained a system of segregated housing in the 36-county area. In 1987, while an appeal was pending, HUD and the plaintiffs reached an agreement to limit the scope of the case to public housing in the 36-county area. The Young class thus consists of all African-American residents of, or applicants for, public housing in the 36-county area.

In 1988, the court appointed a special master and issued an interim injunction, which, among other things, compelled HUD to require each of the 70 PHAs to implement race conscious Tenant Selection and Assignment Plans (TSAPs) and to provide all class members a series of notices of desegregative opportunities in all HUD-assisted housing in East Texas.

After settlement discussions between HUD and the plaintiffs proved unsuccessful in 1990, the court issued an Order for Further Relief which required, among other things, that HUD develop desegregation plans (plans) for each of the 70 PHAs. The court ordered HUD, in developing each plan, to provide for the equalization of conditions between predominantly African-American projects and the conditions in the projects and neighborhoods where the majority of white HUD-assisted housing recipients resided. HUD was also required to consider establishing magnet projects and converting smaller elderly units into larger family units to house class members.

Beginning in late 1990, HUD undertook a massive fact-gathering effort to develop information for the plans; by June 1991, HUD had submitted plans or unitary status assertions for all 70 PHAs. The plans contemplated expenditures in excess of \$10 million, primarily consisting of CIAP and CDBG funding to equalize conditions at predominantly African-American project sites. Although the court never ruled on the

plans, HUD began to implement them.

In March 1992, the plaintiffs filed an opposition to the 70 plans and unitary status assertions, arguing that HUD's proposed actions were insufficient to remove the identified vestiges of discrimination. The plaintiffs sought, among other things, the provision of new units, Section 8 certificates and vouchers for East Texas, and the installation of air conditioning in the over 7,000 non-elderly public housing units in the 36-county area.

The court ordered a hearing for October 27, 1993. Shortly before this date, however, HUD withdrew all of the plans and unitary status assertions and asked for an opportunity to allow review by this Administration. Plaintiffs agreed to a postponement of the hearing until February 1994.

In November 1993, the Assistant Secretary for Fair Housing and Equal Opportunity convened an intra-departmental Desegregation plan and Remedial Task Force (DEPART) to review and recommend revisions to the 70 plans and unitary status assertions. DEPART concluded that, in general, the original plans needed revisions in light of the new Administration's policy to better address the vestiges of racial segregation in all forms of housing. Specifically, in East Texas, there are still a number of racially identifiable PHA projects. DEPART proposed that HUD amend the plans to include more aggressive desegregative measures.

In amending the plans, HUD, strives not merely to eliminate racially identifiable project sites, but also to overcome spatial separation and segregation in all assisted housing in the affected jurisdictions.

In developing the plan amendments, where necessary, HUD employs an area-wide approach. This approach may involve, in applicable instances, the merging of waiting lists between PHAs and separate programs administered by the same PHA, cross-listing of waiting lists, or skip-overs. Because of the substantial budgetary impact, it may take as long as seven years to implement some aspects of the plan amendments (e.g., installation of air conditioning). However, HUD will ensure, through the establishment of schedules, implementation of most elements of each PHA's plan as soon as practicable after adoption of the plan amendments.

The Comprehensive Plan outlined below guided the development of plan amendments for the specific problems and circumstances in the individual PHAs. It is organized to parallel the specific paragraphs in the 1990 Order for Further Relief. The elements of the Comprehensive Plan are grouped in categories to reflect administrative requirements, physical improvements, operational methods, enforcement procedures, other remedial measures, and performance measures. While the Comprehensive Plan has been developed to address the problems associated with East Texas, its application, in whole or in part, may be appropriate in similar circumstances in other parts of the country.

EAST TEXAS COMPREHENSIVE DESEGREGATION PLAN

I. STATUS

A. DESEGREGATION PLANS

HUD shall submit to the court for approval an individual desegregation plan or an assertion of unitary status under paragraph 3 below for each PHA in the class action area. Each individual desegregation plan shall include the following elements. (2)

PROPOSED REMEDIAL MEASURE(S)

In late 1990 and early 1991, HUD submitted to the court individual plans or assertions of unitary status. In October 1993, HUD reviewed these documents and on February 3, 1994, submits amendments to these plans and assertions of unitary status as deemed appropriate. All assertions of unitary status are withdrawn and replaced with a plan amendment that shall constitute a desegregation plan for the PHA previously deemed unitary.

B. SCHEDULE FOR PLAN IMPLEMENTATION

A reasonable time schedule for achieving unitary status and for implementing the actions set out in the plan. (2a)

PROPOSED REMEDIAL MEASURE(S)

An implementation schedule shall be devised for every plan element contained in the plan amendments. The schedule shall set deadlines that are appropriate to each type of remedial measure and ensure their completion in a prompt fashion. The maximum implementation period for any plan element shall not exceed seven years after the date of plan amendment approval.

C. DATA REQUIREMENTS

The racial occupancy data, current and historical, of the PHA's projects, programs, waiting lists, neighborhoods within which the assistance is provided, the racial occupancy and neighborhood data for other HUD assisted projects and programs and waiting lists for those projects and programs within the relevant market area, and any other information relevant to the issue of adequacy of the desegregation plan submitted. (2b)

PROPOSED REMEDIAL MEASURE(S)

HUD will provide from its internal data systems (or other available resources), as requested, current data for each PHA's projects, programs, waiting lists, and neighborhoods within which the assistance is provided. In addition, HUD will:

- o analyze and amend its current plan implementation reporting format to clearly identify all plan elements and current progress on the implementation of each step in the desegregation plan;*
- o provide the racial occupancy and neighborhood data for other HUD assisted projects and programs and, where available, waiting list data within the relevant market area along with any other information pertinent to the issue of the adequacy of the plan amendments; and*
- o provide data on past funding for all remedial measures proposed in the original plans, and all current funds allocated and proposed for all projects and surrounding neighborhoods in the Class areas.*

D. STATUS REPORTS FOR DESEGREGATION PLANS

The specific desegregation measures adopted by the PHA to date, the PHA's compliance with those measures, the specific HUD actions to provide class members with a desegregated housing opportunity, the results obtained by the PHA and HUD actions, and the factors which inhibited or obstructed complete desegregation. (2c)

PROPOSED REMEDIAL MEASURE(S)

For each plan amendment, HUD will provide:

- o updated information on desegregation measures undertaken pursuant to the original plans and their effectiveness; and,*
- o identify impediments to achieving desegregation; and,*
- o design a format to facilitate this process, using the existing HUD data reporting format as a model.*

II. PHYSICAL IMPROVEMENTS

A. EQUALIZATION OF CONDITIONS

A plan for funding and implementation of actions and improvements designed to equalize the conditions in the predominantly African-American projects and the neighborhoods within which those projects are located to

the same conditions in which the majority of white residents receiving HUD low income housing assistance reside. (2d)

PROPOSED REMEDIAL MEASURE(S)

To upgrade the projects and improve their neighborhoods, HUD will undertake the following activities, and give priority to predominantly African-American project sites.

Housing Quality and Accessibility Standards - In the plan amendments, HUD will require the PHA to ensure that all public housing projects meet or exceed Housing Quality Standards (HQS) and relevant accessibility standards.

Air Conditioning - HUD will ensure the installation of air conditioning equipment in all public housing projects.

Laundry Facilities - HUD will ensure the provision of adequate laundry facilities (not including equipment) where feasible, in all public housing projects where such facilities do not already exist or are not readily available.

Recreational Facilities - HUD will ensure the provision of recreational facilities at all non-elderly public housing projects, where feasible, where such facilities are either not already available, planned, or located nearby in a neighborhood playground.

Community/Family Centers - HUD will ensure the provision of community/family centers at all non-elderly public housing project sites where such facilities are either not already available, planned (on-site), or not located nearby in the adjacent neighborhood.

Lead-Based Paint - HUD will ensure that all measures are taken as required by applicable statutes and regulations to identify and abate lead-based paint hazards, to the extent that HUD determines is appropriate, at all public housing projects with family units are implemented by the PHAs.

Environmental Hazards - HUD will consult with the Environmental Protection Agency (EPA), and the Agency for Toxic Substances and Disease Registry (ATSDR) as needed, to identify environmental health hazards near family projects and the degree of risk and, if such hazards are identified, shall provide for measures in the plan amendments to either abate the hazard, or relocate the occupants away from the hazard, dependent upon the risks involved and the mitigation needed.

Neighborhood Improvements - In an effort to improve surrounding neighborhoods, the Department is willing to consider demolition of any vacant buildings that HUD may

acquire in the future if it is determined that the housing is not needed. Demolition will create more open space and remove a source of blight from the neighborhood.

Where HUD-owned multifamily housing is needed but is in such poor condition it is infeasible to repair it, HUD will work to coordinate replacement housing through the use of various resources, e.g., HOME funds, and assure that there are plans in place for the housing to provide a desegregative opportunity.

In HUD-owned projects, a limited number of vacant units may be used for day-care space, community and social service uses and/or tenant-managed/owned businesses, if appropriate to the goals of the court order.

To improve neighborhoods, as appropriate, HUD is willing to expedite the repair and/or sale of HUD-owned multifamily and single family property.

If HUD expects to be owner of a project for more than six months, HUD will adopt and implement a Section 3 employment policy in the administration of the project. For example, HUD will provide employment opportunities for low-income project and neighborhood residents in the management, maintenance, and rehabilitation of the projects.

Improve Infrastructure - In the plan amendments for all PHA project sites, HUD describes the additional public infrastructure elements potentially needed to achieve the standard applicable to comparable neighborhoods where a public housing project does not exist.

The proposed upgrades are intended to increase personal safety, to improve the immediate neighborhood around the project, and to meet community-wide standards for the streets used by the PHA residents for access to schools, transportation, employment, shopping and other community facilities.

In the plan amendments, HUD also describes, where appropriate, any additional public infrastructure needed in the vicinity of each project to encourage a public/private housing rehabilitation program in the neighborhood.

Further, HUD will encourage the State and the local jurisdictions to target, Community Development Block Grant (CDBG), HOME, Comprehensive Grant Program (CGP), Comprehensive Improvement Assistance Program grants (CIAP), Family Self-Sufficiency (FSS), Section 108, and other Federal resources (e.g., funds from the Department of Energy, Department of Education, Department of Transportation, Department of Labor, Department of Health and Human Services, United States Department of Agriculture, etc.) toward the goal of enhancing the quality of life in these neighborhoods, including employment opportunities through the implementation of Section 3.

B. MAGNET PROJECTS

Use of the HUD concept of "Magnet Projects" to promote stable desegregation of the predominantly African-American projects in the public housing system. (2e)

PROPOSED REMEDIAL MEASURE(S)

HUD proposes that various physical amenities which previously were associated with Magnet Projects (e.g., the provision of air conditioning and other physical improvements) will be assured to all PHA projects in East Texas. After HUD implements all of the additional actions described above, all PHA projects in East Texas will have most of the amenities once envisioned only for magnet projects, thus making it unnecessary to develop special magnet projects.

The FSS provides many of the social services that were originally envisioned for the Magnet Projects. HUD mandates the implementation of the FSS program by all PHAs receiving Section 8 units in Fiscal Year (FY) 1993 and the following years or Public Housing incentive units in FY 1992.

C. CONVERSION OF UNITS IN WHITE NEIGHBORHOODS

Conversion of efficiency or one bedroom units in projects in white neighborhoods to 2, 3, or 4 bedroom units where the demand for public housing indicates that the PHA is disproportionately serving small or single person households and such conversions will provide class members with a desegregated housing opportunity in a white neighborhood. The plan for conversions should not result in the displacement of current residents in the units to be converted unless and until a transfer to an appropriate sized unit is available. (2f)

PROPOSED REMEDIAL MEASURE(S)

The overall objective is to address imbalances in the housing supply for class members without unnecessary disturbance to the elderly. HUD will use the following analytical criteria to determine the appropriateness of conversion in the plan amendments:

- o Any conversion of PHA units must provide a "desegregated housing opportunity" for class members needing 2, 3, or 4 bedroom units.*
- o In order to be eligible for conversion, 0 and 1 bedroom LIPH units must be located in white neighborhoods (which are defined as a neighborhood where more than 75% of the population is white). If there are none, conversion*

need not be included in the PHA's plan.

- o The number of 0 and 1 bedroom public housing units in the PHA must be disproportionately large as compared to the overall need or demand for public and assisted housing in that community.*
- o The following procedures shall be used in each jurisdiction for determining whether or not the elderly are being disproportionately served and, therefore, the need for considering conversion of units exists:*
 - 1. If there are one or more elderly predominantly white projects in white neighborhoods.*
 - 2. The relative shares of non-elderly and elderly demand is to be based on census tract data on their relative shares of the program eligible population for the PHA's jurisdiction.*
 - 3. The relative shares of non-elderly and elderly supply is to be based on their relative shares of non-elderly and elderly public housing and assisted units and certificate/ voucher utilization within the PHA's jurisdiction.*
 - 4. If the elderly percentage share of the supply exceeds their share of the demand by ten percent or more, a case for considering conversion of elderly PHA units would exist.*
 - 5. A computation of the number of conversions needed to make the relative shares differ by less than ten percent should be made.*
- o When the magnitude of the conversion requirement has been estimated, the specific considerations surrounding its feasibility and that of alternatives will be assessed to decide on a specific approach.*
 - 1. No conversions should be undertaken at sites determined to have serious environmental hazards, unless and until they have been abated.*
 - 2. The plan for conversion should not result in the displacement of current residents in the units to be converted unless and until other appropriate public or assisted housing is actually available for housing residents.*
 - 3. At all PHA projects with elderly units, all feasible alternatives to the disruption and related costs associated with conversion should be considered, including use of: an aggressive housing mobility program in*

conjunction with waiting list initiatives; and/or vouchers and certificates for the members of the plaintiff class.

4. *Projects that consist entirely of elderly units should be desegregated by recruitment of elderly Class members with one or more of the waiting list initiatives.*

D. USE OF HUD PROGRAM AND OTHER FEDERAL STATE AND LOCAL FUNDS

Use of HUD's Community Development Block Grant or other program funding and authority and HUD's legal authority under Title VIII, including enforcement of the cooperation agreement between the city and the PHA to obtain the elimination of municipal disparities affecting PHA sites and surrounding neighborhoods. (2g)

PROPOSED REMEDIAL MEASURE(S)

- o See Proposed Remedial Measures identified under II.A above, with regard to use of HUD's CDBG or other HUD and Federal program funding and authority.*
- o Each PHA has a Cooperation Agreement with the city which may be used as a tool to ensure that municipal disparities affecting PHA sites and surrounding neighborhoods will be eliminated. In the event that a locality fails to participate voluntarily in the process of eliminating municipal disparities, HUD will initiate appropriate action to ensure such participation, including, but not limited to, enforcement action based upon the locality's violation of the Cooperation Agreement between the PHA and the locality and the Fair Housing and Affirmatively Furthering Certification.*
- o It is the responsibility of the Texas Department of Housing and Community Affairs to administer the CDBG program to non-entitlement areas in the State of Texas. HUD will use its authority to require the State and recipient localities in East Texas to eliminate municipal disparities, remove any remaining vestiges of discrimination, and to affirmatively further fair housing by conducting an analysis of impediments to fair housing choice resulting in the development of a fair housing plan designed to eliminate the barriers to fair housing.*
- o HUD will encourage the State of Texas to provide technical assistance and/or funds to localities to assist in undertaking activities that equalize neighborhoods and affirmatively further fair housing.*

III. OPERATIONAL METHODS

A. USE OF RACE CONSCIOUS TENANT SELECTION AND ASSIGNMENT PRACTICES

After equalization of the projects and neighborhoods, use of race conscious tenant selection and assignment practices for all projects and programs administered by the PHA to attain and maintain non-racially identifiable projects. This element shall include the provision of alternative housing for any applicant skipped over because of the need to secure or maintain a non-racially identifiable project, consolidation of the waiting lists for any separate programs operated by the PHA if appropriate, for desegregation purposes, and use of vacancies created in the project by the provision of additional resources as a means of creating and maintaining the non-racially identifiable nature of the project. (2h).

PROPOSED REMEDIAL MEASURE(S)

The court ordered HUD to implement race conscious Tenant Selection and Assignment plans (TSAPs) in East Texas in 1988. HUD proposes to require the continued use of race-conscious TSAPs and, in many cases, to supplement them with the measures described below. HUD will regularly review each TSAP to ensure that any reference to use of a local residency preference or any other improper procedure has been eliminated by the PHA.

If, upon review and evaluation of the results of the measures now in place under the TSAP, and the measures described below, HUD finds either that: a) the measure is insufficient to achieve equalization, the maintenance of equalization, and the desegregative purpose of the remedial measure; b) the measure has created resegregation; or c) the measure has extended denial of housing assistance to one or more racial groups, HUD will propose modifications or additions to the existing measures, or the cessation of the measure entirely.

Waiting List Initiatives

Waiting list initiatives for any separate assisted housing programs operated by the PHA will be required, if appropriate, for desegregation purposes. HUD will use the criteria listed below to determine if use of any of the initiatives is necessary and appropriate. Satisfaction of any one of the criteria is a necessary, but not a sufficient, condition for using one of these initiatives.

- o If data analysis reveals a racially identifiable PHA site; or,*

- o If there is a lack of desegregative housing opportunities within a PHA's jurisdiction. A lack of desegregative housing opportunities shall be deemed to exist within a PHA's jurisdiction if a majority of LIPH-income eligible African-Americans receiving HUD housing assistance within the PHA's jurisdiction (e.g., LIPH, Section 8 vouchers and certificates, other HUD assisted housing, etc.) reside in racially identifiable African-American census tracts.*

HUD may provide additional resources to the PHAs for implementing waiting list initiative to achieve non-racially identifiable projects. The PHAs shall use these resources to provide further desegregative housing opportunities in its jurisdiction.

At a minimum, each PHA will be required to implement a Housing Opportunities Waiting List. As appropriate to the circumstances at each site, one or more of the other initiatives may be required. In general, HUD will seek to employ measures that do not require mandatory movement of applicants or tenants between jurisdictions, and will attempt to avoid adversely affecting the housing opportunities of residents of and applicants for assisted housing, particularly the housing opportunities of class members.

Housing Opportunities Waiting Lists - All PHAs will be required to make their waiting lists accessible to all class members on the waiting lists of any other PHA within a 20 mile radius. This approach would work as follows:

- o each affected PHA would contact the appropriate PHAs in its area to obtain a listing of all class members who are applicants on their waiting lists;*
- o the PHA would then contact class members to offer them the opportunity to make application in its jurisdiction; and*
- o if the applicant desires to be listed with the other PHA, his/her application would then be copied and forwarded to the other PHA. The class member will then be placed on the PHA's waiting list as of the date of their consent.*

Depending on the circumstances at each PHA, this approach will be used to expand the waiting list for LIPH, or be expanded to include other housing assistance programs operated by the PHA.

Cross-listing Initiative - Cross-listing is used, within or between PHAs/other agencies (e.g., Council of Governments), to assist low income families seek and obtain rental housing assistance, and provide applicants with a greater choice of housing opportunities. The use of this approach involves the following:

- o PHAs shall take all applications from the other participating PHAs and cross-*

list the applicants on waiting lists of the programs for which they are eligible by date and time of original application and by Federal preference;

- o lists shall be cross-listed by bedroom size, and date and time of application and the list reviewed and the ranking of applicants adjusted according to Federal preferences (local residency preferences are not permitted); and*
- o future applicants need only complete only one application form for housing assistance for a variety of programs administered by the PHA, such as LIPH, Section 8 Housing Certificate and Vouchers, and Moderate Rehabilitation, etc.;*
- o separate waiting lists shall be maintained for each program;*
- o all participating PHAs and other agencies (i.e., Council of Governments) involved in this initiative must agree to simultaneously close and reopen waiting lists, and,*
- o cross-listing may be race-conscious, i.e., applicable to African-American or white applicants only, and/or applicable to elderly or non-elderly applicants only.*

Use of the Cross-listing Initiative must be formalized with an interagency agreement, which details each agency's responsibilities with regard to the operation of the waiting lists, tenant selection and assignments, administrative expenses, and record keeping and monitoring.

Merged Waiting Lists - Merger of all PHA-administered waiting lists within a PHA may be used to eliminate segregative housing problems facing the PHA and to provide open housing opportunities. The Merged Waiting Lists initiative consists of:

- o a merging of waiting lists of all housing programs operated or administered by the PHA into one waiting list;*
- o an applicant shall be made one offer of an assisted unit and if the unit is refused without good cause or hardship, the applicant is placed at the bottom of the waiting list.*
- o lists shall be merged by bedroom size, and date and time of application and the list reviewed and the ranking of applicants adjusted according to Federal preferences (local residency preferences are not permitted); and*

- o merged waiting lists may be race-conscious, i.e., applicable to African-American or white applicants only, and/or applicable to elderly or non-elderly applicants only.

Where the PHA administers the waiting list for a project with project-based Section 8 (except in the case of project-based certificates) the PHA must obtain the owner's consent before merging the waiting list.

Area-Wide Merged Waiting Lists - Merging the waiting lists of several PHAs area-wide can also provide a means for providing desegregative housing opportunities. Waiting lists can also include the programs administered by multiple PHAs combined with those of other housing providers in a defined geographical area (metropolitan, non-metropolitan, or a rural area). Owners of insured and other privately-owned HUD-assisted properties may be encouraged to make their waiting lists available to the PHAs for area-wide merged purposes.

This approach involves the following:

- o Waiting lists for low-income public housing and Section 8 existing certificates and vouchers shall be merged by date and time of application;
 - o all applicants shall be informed of the merger and how a merged waiting list operates;
 - o lists shall be merged by bedroom size, and date and time of application and the list reviewed and the ranking of applicants adjusted according to Federal preferences (local residency preferences are not permitted); and
 - o an applicant at the top of the waiting list would be offered the first available housing opportunity, irrespective of program, and if they refuse the opportunity for any reason other than a verifiable hardship they would be placed at the bottom of the waiting list.
- o area-wide merged waiting lists may be race-conscious, i.e., applicable to African-American or white applicants only, and/or applicable to elderly or non-elderly applicants only.

This approach must be formalized via a legal agreement between participating PHAs or a third party to operate the merged list.

Metropolitan Area-Wide Strategy - *This strategy is designed to provide a broader*

approach for overcoming spatial separation and segregation. A Metropolitan Area-Wide Strategy includes the creation of a Clearinghouse¹ and would involve the following:

- o The Clearinghouse will assist in the design of a consolidated waiting list for each participating jurisdiction and program for all federally funded project based, family assisted housing programs in the selected geographical areas. The Clearinghouse will also administer the marketing of the assisted housing programs throughout the area targeted by the specific Metro Area-Wide Strategy.*
- o All PHA provided assisted housing (public housing, rental certificates, rental vouchers, and any Section 8 new, sub-rehab or moderate rehab) will be listed with the Clearinghouse.*
- o Private assisted housing providers will be encouraged to list all vacancies in projects subject to affirmative marketing requirements and to make selections from tenants referred from the area-wide list.*
- o There will be a separate waiting list established by the Clearinghouse for each assisted housing program, arranged by bedroom size. The racial characteristics of each project and the neighborhood in which it is located would be included and updated as turnover occurs. Information would also be kept on social services available, nearby transportation, schools, churches etc., in the vicinity.*
- o Applicants for any assisted program can file a preliminary application at any location where assisted housing is provided. The pre-application would be sent to the Clearinghouse, which would complete processing.*
- o The Clearinghouse would review eligibility, would secure all information necessary to determine federal and local preferences, and would automatically place the applicant on the waiting list for each program (type of housing) for which (s)he was eligible, even if (s)he expressed no interest in the program. This information would be forwarded to the PHA for verification.*
- o Housing vacancies in each program will be reported to the Clearinghouse by housing providers as they occur. Only Federal preferences would be allowed. No local residency preferences would be permitted. The housing provider will complete tenant suitability screening of all referred applicants from the Clearinghouse.*
- o As vacancies occur, an applicant would be required to consider vacancies for any program for which they are eligible, based upon their position on the list. A refusal*

¹ For a detailed description of the Clearinghouse concept see Attachment B.

for other than good cause or hardship would result in the loss of position on the waiting list for the program involved and a drop to the bottom of that specific program's list but will not affect eligibility for offers in a different program.

- o For project based programs, applicants will be allowed to select the location and the project that they would like to live in and would be advanced to the highest priority/preference for that project if their race does not predominate in that project. They can choose from all appropriate units available at the project at the time the vacancy occurs.*
- o PHAs will be required to provide incentives to improve the appeal of public housing, achieve desegregation and to affirmatively further fair housing.*

Affirmative Action Waiting Lists - An Affirmative Action Waiting List process may be implemented when HUD determines that implementation of the other waiting list initiatives, by themselves, would not change the racial identification of public housing projects, or where the Affirmative Action Waiting List initiative is determined to produce greater results with less disruption to the residents and applicants for public housing. As with the other Waiting List Initiatives listed above, the primary purpose of this initiative is to comply with the 1990 Order for Further Relief, in recognition of the fact that the maintenance of integrated public housing under the Order furthers the civil rights of the class members and enhances the associational rights of all public housing residents. An Affirmative Action Waiting List may be used in combination with any other waiting list initiatives described above. The basic principles of the operation of the Affirmative Action Waiting List alternative are:

- 1. Selections for vacancies in public housing will be made from either existing LIPH waiting lists, or from merged LIPH and Section 8 waiting lists.*
- 2. In order to accomplish the objectives of the Comprehensive Plan, a person of a specified race who is on the waiting list may be substituted for a person who is at the top of the list. This substitution process can be repeated as frequently as necessary to accomplish the objectives of the plan. For example, five persons of one race may be substituted in a group move for five persons of another race who were at the top of the list.*
- 3. Only a class member, who was otherwise eligible and at the top of the waiting list at the time that a substitution is being made, can receive a Section 8 desegregation voucher or other housing alternative, when available.*
- 4. Federal preferences will be observed.*

The Affirmative Action Waiting List may be used by a PHA, under an approved plan, to desegregate a racially identifiable project, whether predominantly white or African-American. HUD and the PHA may consider the impact of desegregation of the project on the composition of the surrounding neighborhood before implementing the alternative.

The Affirmative Action Waiting List be used only after other alternatives under the plan have been considered and rejected as impractical or insufficient to accomplish the objectives of the plan. Before implementing the alternative to accomplish desegregation, the racial composition of the waiting list should be evaluated to determine whether desegregation can effectively be achieved through the use of the alternative.

The circumstances under which the Affirmative Action Waiting List Alternative will be used include the following:

- 1. The Alternative should be used only when, after appropriate educational and outreach efforts, the interviews of persons on the waiting list confirm that they would accept an offer in a project in which their race does not predominate.*
- 2. The Alternative should be used only if there are sufficient numbers of persons whose race does not predominate to desegregate at least one project.*
- 3. In certain circumstances, the Alternative should be used only if there are sufficient vacancies, or rapid turnover, to facilitate a group move or to house a "critical mass" of applicants.*

B. REVIEW OF PAST TENANT SELECTION AND ASSIGNMENT PRACTICES

Review of the PHA's past tenant selection and assignment practices in all of the PHA's programs to determine if any class member adversely affected by such violations of the court ordered requirements and provide a remedy for each class member adversely affected by such violations and measures to prevent such violations in the future. (2i)

PROPOSED REMEDIAL MEASURE(S)

HUD has completed the review of each PHA's past tenant selection and assignment practices to determine if any class member was adversely affected by such violations. HUD will continue to monitor each PHA's compliance with its HUD approved TSAP.

Establish New Organization in Texas - The Department, in cooperation with state and local fair housing enforcement organizations, will establish a permanent presence in East Texas for the enforcement of the Fair Housing Act, Title VI of the Civil Rights

Act of 1964, Executive Order 11063, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, Section 3 of the Housing and Urban Development Act of 1968 and other civil rights statutes administered by this Department.

C. ALLOCATION OF NEW HOUSING ASSISTANCE

An allocation of project based or other forms of low income housing assistance if such an allocation is necessary to provide class members with non-elderly designated housing opportunities in white neighborhoods which are comparable in number to the housing opportunities in African-American neighborhoods. The allocation should be conditioned upon such terms as necessary to ensure that the housing assistance is actually provided in a timely fashion and actually provides desegregated housing opportunities for class members. (2j)

PROPOSED REMEDIAL MEASURE(S)

On August 24, 1993, Counsel for the Plaintiffs demanded 1,734 additional units for desegregated housing opportunities, of which at least 1,000 would be Section 8 certificates or vouchers.

Inventory of Housing Assistance - HUD will inventory all available assisted housing units, currently allocated in the 36 counties in East Texas, in order to determine what additional assisted housing is needed, and/or reallocate what is currently available.

Allocate New Section 8 Vouchers - The Office of Public and Indian Housing (PIH) will allocate a maximum of 200 desegregative Section 8 vouchers per year, over a multi-year period, to meet the identified need. The desegregative vouchers will be targeted to those PHAs where they will be most effective in achieving desegregation and/or HUD has determined that a lack of desegregative housing opportunities exist for class members. Allocation and administration of the vouchers/certificates will be monitored by and coordinated through the Fair Housing Service Center.

Increased Desegregative Housing Choices - To provide for additional housing opportunities and mobility, vacant units in subsidized HUD-owned projects will be made available for applicants. HUD staff will notify the Clearinghouse of units that become available. HUD currently owns one subsidized project within the 36-county area. It has nine vacant units.

When HUD negotiates the sale of any HUD-owned projects in the 36-county area, HUD will require that the purchaser have a plan that, to the extent practicable, calls for a racially integrated project.

There is a Secretary's goal that speaks to a partnership between HUD and PHAs in the area of property disposition. HUD should consider negotiating sales of HUD-owned projects and single family houses to PHAs to provide homeownership opportunities for low-income households.

D. ACTION WHERE RACIAL HOSTILITY IS PRESENT

If the PHA is in a locality where racial hostility makes it unlikely that African-Americans will actually use the existing public housing, an allocation of project based or other forms of low income housing assistance sufficient to provide comparable housing opportunities in locations where class members will be likely to use the opportunities. The allocation should be given to an entity that will develop or administer the assistance in a manner to actually provide desegregated housing opportunities for class members and under grant conditions which require the development and administration of the assistance in a manner which timely provides desegregated housing opportunities for class members. (2k)

PROPOSED REMEDIAL MEASURE(S)

The Department does not concede that any community has become permanently inaccessible because of racial hostility. HUD is prepared to use a measured approach to assure equal access to housing in each PHA.

- o HUD will take all appropriate actions against any individual(s) or groups who act to deprive any person of his or her civil rights under the U.S. Constitution or applicable civil rights statutes.*
- o HUD will assist municipal leaders, including, but not limited to a city's mayor and its city council, in undertaking actions to address hostility.*
- o Each locality will be required to establish a Fair Housing Commission to carry out the Fair Housing plan resulting from the analysis of impediments requirement set forth in II D.*

E. USE OF HOUSING MOBILITY PROGRAMS

Use of a Housing Mobility Program and Section 8 Housing Program certificates or vouchers to provide effective mobility counseling for each Class member, resident or applicant, which will inform them of all available or potential desegregated housing choices both inside and outside the relevant market areas and which will provide the landlord recruiting, transportation, referral, and other assistance necessary to allow the Class members an effective opportunity to obtain an available or potential

desegregated housing opportunity. The mobility program will also seek to recruit individuals from outside of East Texas to make desegregative moves to East Texas. (21)

PROPOSED REMEDIAL MEASURE(S)

A Fair Housing Services Center will be established for East Texas to provide a variety of services designed to facilitate the desegregative movement of applicants and residents.

Fair Housing Services Center - A Fair Housing Services Center for East Texas and the surrounding counties and states that border on the 36 counties in East Texas would be funded, operated, or otherwise facilitated by HUD for this purpose.

The Center will monitor and assist in administering the Section 8 desegregation vouchers or certificates that HUD will provide to East Texas. The Center will also monitor and assist in administering other Section 8 vouchers provided in the 36-county area, and the reallocation of vouchers and certificates that become available as a result of turnover.

The Center will also carry out an active fair housing information program to encourage applicants to consider choices which will promote fair housing. This will include escort services to neighborhoods where the applicant's race is non-predominant, counseling regarding social services available in such neighborhoods, housing opportunities, information regarding transportation alternatives, child care, schools and health care, establishing resident support groups to overcome the "pioneer" obstacle, etc. Other functions of the Center include:

- o Centralize Social Services Data Base - Information will be kept by the Center on the availability of social services, local transportation, schools, churches, child care, etc. in connection with housing opportunity information it provides.*
- o Data Requirements - The Center will maintain and update data on the racial and ethnic characteristics of the projects on its inventory lists, and on the racial/ethnic characteristics of the surrounding neighborhoods.*

IV. ENFORCEMENT

A. ALTERNATIVE ACTIONS

Alternative actions if the PHA does not agree to follow the amended Desegregation plan or fails to implement the plan as approved by the court. (2m)

PROPOSED REMEDIAL MEASURE(S)

The Comprehensive Plan requires that HUD undertake the following actions if a PHA does not agree to follow the plan or fails to implement the plan as approved by the court. These actions include, but are not limited to:

- o Moving the court to make the PHA a party to the Young case, thereby allowing the court to order the PHA to comply with the plan.*
- o Immediately initiate appropriate administrative and/or legal action including:*
 - 1. Declarations of breach under the PHA's Annual Contributions Contract;*
 - 2. Debarment proceedings against the PHA director(s), officer(s), and/or other employee(s) responsible for such failure, pursuant to 24 CFR 24.305(d)(i) and 24.705(a)(8);*
 - 3. Withholding or conditioning funding awarded under various Departmental programs such as Comprehensive Improvement Assistance Program and/or the Comprehensive Grant Program; and*
 - 4. Referral of the matter to the Department of Justice for appropriate action.*

In addition, when HUD determines that the city or locality where a PHA is located is impeding the progress of a PHA in implementing the provisions of the desegregation plan, HUD will institute appropriate actions against that city, State or other entities including, but not limited to, withholding or conditioning Departmental funds under the CDBG and/or other applicable programs.

B. MONITORING AND ENFORCEMENT

An effective monitoring and enforcement process. (2n)

PROPOSED REMEDIAL MEASURE(S)

The Department shall establish an effective monitoring and enforcement process to include a standardized approach for comprehensive and consistent record keeping and reporting. Reporting forms will cover performance on each of the elements of the

Desegregation plans.

The Secretary will designate the responsibility for monitoring to the Beaumont Fair Housing Office. The office will be provided sufficient resources for the monitoring function in the East Texas area, funding for travel to sites, data analysis and evaluation.

V. **OTHER REMEDIAL MEASURES**

Any other actions necessary or appropriate to the elimination of the vestiges of segregation. (2o)

PROPOSED REMEDIAL MEASURE(S)

In addition to the measures specified or outlined above, HUD will also use whatever authority or leverage HUD deems necessary to eliminate the vestiges of discrimination in the PHA's assisted housing projects. Other measures that may be utilized include:

Outreach - HUD will promote and encourage the recruitment of individuals and/or families from outside the class area to facilitate desegregative movement in the class area.

Transportation - HUD will encourage and assist the affected jurisdictions in seeking and/or expanding local transportation systems to include the neighborhoods where public housing projects are located.

Protection - HUD will encourage and assist in providing the following protective measures:

- o Security - HUD will provide funding for the inclusion of safety and security measures, including lighting, fences, etc., in the rehabilitation process of all of the PHA owned housing projects in the affected jurisdictions.*
- o Police Protection - Comparable police protection for all public housing projects, as provided to other neighborhoods, will be required of all localities through the Cooperative Agreement between the PHA and the local government. Where feasible, HUD shall ensure the provision of space for police sub-stations, etc., at family projects where significant drug or crime problems and/or racial hostility exists that present the potential for violence. Where sub-stations are provided, HUD will require the PHA to negotiate, under the Cooperative Agreement, an arrangement with the local police department to adequately staff the sub-stations during those hours when a police presence on-site would discourage criminal and racially hostile activities.*

- o Drug Elimination Programs - HUD will require, in the plan amendments, that the PHAs aggressively seek HUD and other federal government drug elimination program funding to be targeted at those family projects where drug problems were identified in the original plans.

Additional Remedies - Nothing in this Comprehensive Plan shall be deemed to preclude the availability of other forms of remedial relief to injured individuals or class members under the existing framework of civil rights laws. In this regard, HUD will make a special effort to investigate and pursue complaints in the East Texas area.

In undertaking the court ordered Title VI compliance reviews or processing complaints filed under Title VI or Title VIII, HUD may identify individuals who have been victimized by discriminatory actions of a PHA. In such instances, a PHA will be required and/or encouraged to provide compensatory and other relief to individuals who have been injured as a result of violations of law. Such relief may include priority for future tenant assignment, financial assistance in completing transfers or other actions required to enable such persons to benefit from the housing sought, and in appropriate circumstances, compensation for injury resulting from discriminatory practices, and other extraordinary relief.

The payment of compensation to identified victims will be accomplished in a manner that does not adversely impact on the delivery of the Section 8, public housing or other assisted housing programs, and may not be provided from Section 8 or public housing project funds, or other funds not legally available for this purpose.

Use of Other HUD Programs PHAs will be required and/or encouraged to apply for and implement other HUD programs to increase housing and economic opportunities for class members. For example, all PHAs are required to have in-place a Family Self-Sufficiency Program to provide public housing residents with an opportunity to receive counseling, training, and services (child care, transportation, etc.) that will lead to economic self-sufficiency. Also, PHAs will be encouraged to participate in programs that promote homeownership for low-income households.

VI. PERFORMANCE STANDARDS

A. Performance Requirements

HUD will monitor performance of PHAs to determine their compliance with:

- o the Schedule for plan Implementation as outlined under Item I.B Schedule concerning a reasonable time schedule for implementing the actions set out in the plan;

- o data requirements set out in Item I.C Data Requirements;
- o compliance with the Item III.A Tenant Selection and Assignment Practices;
- o compliance with any specific waiting list initiative required for the PHA by the amended plans; and
- o compliance with civil rights laws and other relevant laws and Departmental regulations.

B. Assertion of Unitary Status

If HUD chooses to assert that HUD has achieved unitary status with regard to any PHA at any time during the pendency of this decree, after an approved plan has been implemented, HUD may submit to the court, with a copy to plaintiffs, a detailed, factual account upon which the assertion is based and all documents upon which the facts are based. The account shall include: all steps taken to achieve unitary status by HUD or the PHA, any housing desegregation procedures which were not used and the explanation for the failure to use those procedures, the basis upon which HUD relies for the assertion that no further action to remove the vestiges of prior segregation is practical or required, whether or not actions by an organization, entity or person other than HUD or the PHA could further desegregation, what such actions are and the steps taken by HUD or the PHA to secure such actions and the results of those steps and any other information relevant to the determination of unitary status.

PROPOSED REMEDIAL MEASURE(S)

The Department will determine whether a PHA has achieved unitary status once HUD and/or the PHA have undertaken all practicable measures, as outlined in the desegregation plans and their amendments, to remove the vestiges of discrimination as identified by the court.

Pursuant to the Comprehensive Plan, the determination of unitary status will be reassessed for the PHAs currently declared as having achieved unitary status.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF ALBA

The Desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by one or more of the below-listed additional requirements and any other requirements of HUD's East Texas Comprehensive Desegregation Plan or required as the result of a compliance review under Title VI of the Civil Rights Act of 1964:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers at all three sites. HA shall be required to build playgrounds at Sites AB and AC (family sites).
2. Pursuant to the conversion provision, HUD will provide one Section 8 desegregation voucher or certificate.
3. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Mineola, Winnsboro, Grand Saline, Fruitvale, Edgewood, Como, and Van and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Alba waiting list.
4. HA shall be required to accept the cross-listing of all African-American elderly and non-elderly applicants from the Section 8 waiting list of Tyler based on date and time of application.
5. HA shall be required to offer any African-American applicant from any other housing authority the opportunity to be placed on the waiting list of Alba.
6. With respect to elderly and non-elderly African-American applicants for public housing, HA will be required to implement the affirmative action waiting list provisions. HA shall provide other amenities and incentives such as moving costs and utility allowances to Class members.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF ALBA

The Desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by one or more of the below-listed additional requirements and any other requirements of HUD's East Texas Comprehensive Desegregation Plan or required as the result of a compliance review under Title VI of the Civil Rights Act of 1964:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers at all three sites. HA shall be required to build playgrounds at Sites AB and AC (family sites).
2. Pursuant to the conversion provision, HUD will provide one Section 8 desegregation voucher or certificate.
3. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Mineola, Winnsboro, Grand Saline, Fruitvale, Edgewood, Como, and Van and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Alba waiting list.
4. HA shall be required to accept the cross-listing of all African-American elderly and non-elderly applicants from the Section 8 waiting list of Tyler based on date and time of application.
5. HA shall be required to offer any African-American applicant from any other housing authority the opportunity to be placed on the waiting list of Alba.
6. With respect to elderly and non-elderly African-American applicants for public housing, HA will be required to implement the affirmative action waiting list provisions. HA shall provide other amenities and incentives such as moving costs and utility allowances to Class members.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF ALTO

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning and a playground.
2. HA shall be required to seek agreement with the City to provide code enforcement and demolition of dilapidated structures in the immediate vicinity of the HA sites.
3. HA shall re-institute an aggressive affirmative outreach program to near-by communities to seek white applicants.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF ATLANTA

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to seek agreement with the City to provide street, sidewalk and drainage improvements in the immediate vicinity of the HA sites.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Linden and/or Maud, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Atlanta waiting list.
4. The conversion requirement contained in the May 15, 1991, HUD desegregation plan is rescinded.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF AVERY

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning and laundry facilities at all sites.
2. HA shall re-institute media outreach in other communities such as Clarksville, DeKalb, and Annona.
3. HA shall be required to cross-list (by date and time of application) all African-American applicants on the Clarksville and DeKalb (non-elderly only) HAs' waiting list as well as those currently residing in Red River County, without a federal preference, on the Arkansas-Texas Council of Government's Section 8 waiting list.
4. HA shall be required to merge its waiting list (non-elderly) with the waiting list of the DeKalb HA.
4. HA shall be required to cross-list all white non-elderly applicants on the waiting list to the housing authority of Clarksville by date and time of application.
5. HA shall be required to offer any elderly African-American applicant the opportunity to be listed on the waiting list of the housing authority of Clarksville, and shall include on its own waiting list, any non-elderly African-American applicants from Clarksville who elect to be included on the Avery waiting list.
6. HA shall be required to cross-list any non-elderly African-American applicant from any other housing authority who elects to be cross-listed in Avery.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF AVINGER

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, a community room or center, and a playground at the site.
2. HA shall be required to seek an agreement with the City to clean vacant lots, effect mosquito control and improve drainage in the immediate vicinity of PHA sites.
3. HA shall be required to cross-list all public housing applicants on the waiting list of Ark-Tex COG to its waiting list by date and time of application.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Atlanta, Daingerfield, Hughes Springs, Jefferson, Linden, Marshall, and Atlanta, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Avinger waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF GRAND SALINE

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at both sites. HA shall make a substantial commitment to actively recruit African-American applicants, and identify a critical mass of Class members to move to Sites AA and AB before funds will be allocated for these modifications.
2. HA shall be required to seek agreement with the City of Grand Saline to provide code enforcement activities including the clearing of debris and abandoned cars, the demolition or repair of abandoned buildings and houses near project sites, repair of streets, and correction of sewage infiltration problems.
3. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Alba, Edgewood, Fruitvale, Mineola, Van, and Wills Point and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Grand Saline waiting list.
4. HA shall be required to accept the cross-listing of all African-American elderly and non-elderly applicants from the Section 8 waiting list of Tyler based on date and time of application.
5. HA shall be required to offer any African-American applicant from any other housing authority the opportunity to be placed on the waiting list of Grand Saline.
6. With respect to elderly and non-elderly African-American applicants for public housing, HA will be required to implement the affirmative action waiting list provisions.
7. HA shall be required to hold 18 vacant units at Site AA and 8 vacant units at Site AB, of varying bedroom sizes, until such time as the units can be offered to African-American applicants.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF GILMER

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to seek funding for a drug elimination program.
3. HA shall be required to seek agreement with the City to eliminate drug activity on adjacent properties, code enforcement and/or mowing and cleaning of vacant properties, and completion of street, curb and lighting improvements.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Big Sandy and/or Gladewater, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Gilmer waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF FRUITVALE

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, a community room or center, and playground at the site.
2. Pursuant to the conversion provision, HUD will provide two Section 8 desegregation vouchers or certificates.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Alba, Edgewood, Grand Saline, Mineola, Van, and Wills Point and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Fruitvale waiting list.
4. HA shall be required to offer any African-American applicant from any other housing authority the opportunity to be placed on the waiting list of Fruitvale.
5. HA shall be required to accept the cross-listing of all African-American non-elderly applicants from the waiting lists of Mineola and Edgewood based on date and time of application.
6. With respect to White applicants for public housing, HA will be required to implement the affirmative action waiting list provisions for Site AB. HA shall provide 2 §8 vouchers or certificates to Class members currently residing at this site to provide desegregative opportunities and create 2 vacancies for white applicants.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF EDGEWOOD

The assertion of unitary status previously submitted is rescinded and replaced with a desegregation plan containing the requirements listed below. The housing authority must also comply with any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers at all three sites. HA shall be required to build playgrounds at Sites AC and AE (non-elderly sites).
2. HA shall be required to seek agreement with the City of Edgewood to provide code enforcement activities including the clearing of debris and abandoned cars, the demolition or repair of abandoned houses near project sites.
3. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Alba, Fruitvale, Grand Saline, Van, and Wills Point and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Edgewood waiting list.
4. HA shall be required to offer any African-American applicant from any other housing authority the opportunity to be placed on the waiting list of Edgewood.
5. HA shall be required to accept the cross-listing of all African-American non-elderly applicants from the waiting lists of Mineola and Fruitvale based on date and time of application.
6. With respect to elderly African-American applicants for public housing, HA will be required to implement the affirmative action waiting list provisions.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF DIBOLL

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning at all sites, and playgrounds at Sites AA and AB.
2. HA shall be required to cross-list to its own waiting list (by date and time of application) all African-American elderly applicants, without a federal preference, on the Deep East Texas Council of Government's Section 8 waiting list for Angelina County.
3. With respect to elderly African-American applicants for public housing, HA will be required to implement the affirmative action waiting list provisions.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Corrigan and/or Huntington, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Diboll waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF DETROIT

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall re-institute media outreach in other communities such as Clarksville and Paris to reach eligible African-Americans (both elderly and non-elderly).
3. HA shall be required to cross-list (by date and time of application) to its waiting list all African-American applicants, without a federal preference, on the Arkansas-Texas Council of Government's Section 8 waiting list for Red River County.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Blossom, Bogata, Clarksville, and Paris, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Detroit waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF DE KALB

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to merge its waiting list (non-elderly only) with the waiting list of the housing authority of Avery..
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Maud and/or New Boston, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the De Kalb waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF DAYTON

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.

2. HA shall be required to seek agreement with the City to provide street, sidewalk and drainage improvements in the immediate vicinity of HA sites where such improvements have not already been funded.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF DAINGERFIELD

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers at all sites.
2. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Avinger, Hughes Springs, Linden, Mount Pleasant, Naples, Omaha, and Pittsburg, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Daingerfield waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF CUMBY

The assertion of unitary status previously submitted is rescinded and replaced with a desegregation plan containing the requirements listed below. The housing authority must also comply with any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to cross-list all African-American non-elderly public housing applicants on the waiting lists of the housing authorities of Commerce and Cooper on its waiting list by date and time of application.
3. With respect to African-American applicants for public housing, HA will be required to implement the affirmative action waiting list provisions.
4. HA shall be required to offer any African-American applicant from any other housing authority the opportunity to be placed on the waiting list of Cumby.
5. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Commerce and/or Cooper, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Cumby waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF CROCKETT

The assertion of unitary status previously submitted is rescinded and replaced with a desegregation plan containing the requirements listed below. The housing authority must also comply with any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to seek agreement with the City to provide code enforcement, demolition of dilapidated structures, and provide street and drainage improvements in the immediate vicinity of the HA sites.
3. HA shall be required to work with the City to address the drug and crime activities in the areas around the HA sites and to apply for anti-crime funds from HUD and other sources.
4. HA shall be required to cross-list all white public housing applicants on the Grapeland HA's waiting list by date and time of application.
5. HA shall be required to cross-list (by date and time of application) all white non-elderly applicants currently residing in Houston County, without a federal preference, on the Deep East Texas Council of Government's Section 8 waiting list.
6. With respect to white non-elderly applicants for public housing, HA will be required to implement the affirmative action waiting list provisions. If the applicant at the top of the list is African-American, HUD will offer a Section 8 voucher or certificate to him or her when an affirmative offer is made to a white applicant. The African-American applicant may elect to accept the Section 8 voucher or certificate, or retain his or her place on the public housing waiting list.
7. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting list of the housing authority of Grapeland, and shall include on its own waiting list, any African-American applicants from Grapeland who elect to be included on the Crockett waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF CORRIGAN

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers at all sites.
2. Pursuant to the conversion provision, HUD will provide two § 8 desegregation vouchers or certificates.
3. HA shall be required to seek agreement with the City to address drug activity in the immediate vicinity of the HA sites.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF COOPER

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites that do not have such amenities.
2. HA shall be required to cross-list all African-American non-elderly public housing applicants on the waiting list of the housing authority of Cumby by date and time of application.
3. HA shall be required to cross-list all African-American elderly public housing applicants on the waiting list of the housing authority of Commerce by date and time of application.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Deport and/or Naples, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Cooper waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF COMO

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, a laundry facility, community room or center, and a playground.
2. With respect to African-American applicants for public housing, HA will be required to implement the affirmative action waiting list provisions.
3. HA shall be required to cross-list any African-American applicant from any other housing authority who elects to be cross-listed in Como.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Alba, Cumby, Mount Vernon and Winnsboro, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Como waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF CLEVELAND

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to seek agreement with the City to provide code enforcement and street and drainage improvements in the immediate vicinity of the HA sites where such improvements have not already been funded.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF CLARKSVILLE

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall complete all actions previously noted to correct disparities in the public housing sites and neighborhoods.
3. HA should reapply for the 25 Section 8 vouchers/certificates previously recommended.
4. HA shall re-institute media outreach in surrounding communities to reach eligible African-American elderly.
5. HA shall be required to cross-list white non-elderly applicants on the Avery, Blossom, Bogata, Deport, Detroit, and Talco HAS' waiting lists by date and time of application.
6. HA shall be required to cross-list (by date and time of application) all African-American elderly and white non-elderly applicants currently residing in Red River County, without a federal preference, on the Arkansas-Texas Council of Government's Section 8 waiting list.
7. With respect to African-American elderly and white non-elderly applicants for public housing, HA will be required to implement the affirmative action waiting list provisions. HUD will offer a § 8 voucher or certificate to an African-American applicant at the top of the waiting list when an affirmative offer is made to a white applicant. The African-American applicant may elect to accept the § 8 voucher or certificate, or retain his or her place on the public housing waiting list.
8. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Avery, Blossom, Deport, Detroit, and Talco, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Clarksville waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF CENTER

The assertion of unitary status previously submitted is rescinded and replaced with a desegregation plan containing the requirements listed below. The housing authority must also comply with any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning and laundry facilities at all sites.
2. HA shall be required to cross-list all public housing applicants on the waiting list of the housing authority of Tenaha to its waiting list by date and time of application.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Garrison, Timpson, and San Augustine, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Center waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF BOWIE COUNTY

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning in all public housing units.
2. HA shall be required to cross-list all white elderly public housing applicants on the waiting list of the Texarkana HA by date and time of application.
3. HA shall be required to cross-list, on its waiting list, all African-American elderly public housing applicants on the waiting list of the Texarkana HA by date and time of application.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Atlanta, Maud, and New Boston, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Bowie County waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF BOGATA

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning and community rooms or centers at all sites.
2. HA shall be required to re-institute media outreach in other communities such as Paris and Mount Pleasant to reach elderly African-Americans.
4. HA shall be required to cross-list (by date and time of application) to its waiting list all African-American applicants, without a federal preference, on the Arkansas-Texas Council of Government's Section 8 waiting list for Red River County.
5. HA shall be required to cross-list all white non-elderly applicants on the waiting list to the housing authority of Clarksville by date and time of application.
6. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Clarksville, Detroit and Talco, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Bogata waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF BLOSSOM

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning at all sites.
2. HA shall re-institute media outreach in other communities such as Clarksville and Paris to reach African-American elderly.
3. HA shall be required to offer any elderly African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Clarksville and/or Paris, and shall include on its own waiting list, any elderly African-American applicants from these housing authorities who elect to be included on the Blossom waiting list.
4. HA shall be required to cross-list (by date and time of application) all African-American applicants currently residing in Lamar County, without a federal preference, on the Arkansas-Texas Council of Government's Section 8 waiting list.
5. HA shall be required to cross-list all white non-elderly applicants on the waiting list to the housing authority of Clarksville by date and time of application.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF BIG SANDY

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, playgrounds and a fence on top of an existing retaining wall.
2. HA shall be required to seek agreement with the City to provide street and drainage improvements in the immediate vicinity of the HA sites, including Beck and Pearl Streets.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Gilmer and/or Gladewater, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Big Sandy waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF BEAUMONT

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning at all sites, and laundry facilities, community rooms or centers, and playgrounds at all sites containing non-elderly units, that do not have such amenities.

2. HA shall be required to cross-list all African-American public housing applicants on the waiting lists of the housing authorities of Orange, Orange County and Port Arthur by date and time of application.

3. HA shall be required to cross-list all white applicants without a preference on the HA's § 8 waiting list to its low-income public housing waiting list by date and time of application.

4. HA shall be required to merge all white Orange County HA applicants, currently residing in the western portion of Orange County, onto its public housing waiting list by date and time of application.

5. HA shall be required to cross-list all African-American applicants from the housing authorities of Orange, Orange County and Port Arthur by date and time of application.

6. HA shall be required to seek agreement with the City to establish police mini-stations and to undertake other anti-crime measures at HA sites where criminal activity interferes with tenants' peaceful enjoyment of their dwellings and threatens their safety.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF GRAPELAND

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers at all sites.
2. HA shall be required to cross-list to its waiting list (by date and time of application) all African-American elderly applicants on the Crockett HA's waiting list as well as those currently residing in Angelina County, without a federal preference, on the Deep East Texas Council of Government's Section 8 waiting list.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting list of the housing authority of Crockett, and shall include on its own waiting list, any African-American applicants from Crockett who elect to be included on the Grapeland waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF HEMPHILL

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at both sites.
2. HA shall be required to seek agreement with the City of Hemphill to provide streets, proper drainage facilities, curbs and curb-cuts, gutters, sidewalks, and demolition of substandard housing surrounding Site AB.
3. HA shall be required to apply for Anti-crime funds to address violence and drug related activity at Site AB and in the surrounding neighborhood. HA shall request additional foot and car police patrols.
4. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Pineland and San Augustine and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Hemphill waiting list.
5. HA shall work with the Fair Housing Service Center to ensure that the City's employees, and any local residents willing to participate receive cultural diversity/sensitivity training and information about the City's responsibility to affirmatively further fair housing.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF HENDERSON

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at both sites. HA shall be required to make all required and recommended improvements at all project sites.
2. HA shall be required to seek agreement with the City of Henderson to provide street, drainage, curb-cut, gutters, storm drainage and code enforcement activities including demolishing, replacing or upgrading substandard housing.
3. HA shall be required to apply for anti-crime funds to address violence and drug related activities.
4. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Beckville, Overton, and Tatum and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Henderson waiting list.
5. HA shall seek to cross-list all white elderly applicants on the waiting lists of The Chalice and Laneville Place to its waiting list by date and time of application.
6. HA shall be required to offer any white applicant from any other housing authority the opportunity to be placed on the waiting list of Henderson.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF HUGHES SPRINGS

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to seek agreement with the City to provide street improvements in the immediate vicinity of HA sites where such improvements have not already been funded.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Avinger, Daingerfield, Linden, Naples, Omaha, and Pittsburg, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Hughes Springs waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF HUNTINGTON

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers, and playgrounds at all sites.
2. HA shall continue working with the City to provide code enforcement and housing rehabilitation of structures in the immediate vicinity of the HA sites.
3. HA shall continue with media outreach to surrounding communities to attract African-Americans for its waiting list.
4. HA shall be required to cross-list to its waiting list (by date and time of application) all African-American applicants, without a federal preference, on the Deep East Texas Council of Government's Section 8 waiting list for Angelina County.
5. HA will be required to convert 10 elderly units to 5 non-elderly units.
6. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting list of the housing authority of Diboll, and shall include on its own waiting list, any African-American applicants from Diboll who elect to be included on the Huntington waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF JASPER

The assertion of unitary status previously submitted is rescinded and replaced with a desegregation plan containing the requirements listed below. The housing authority must also comply with any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning and laundry facilities.
2. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Kirbyville and/or Newton, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Jasper waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF JEFFERSON

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers at all sites, and to complete work identified in the original desegregation plan.
2. HUD shall require the HA to facilitate the installation of a noise barrier at site 1, through private, City or the State of Texas by a CDBG grant.
3. HA will be required to seek agreement with the City to provide street, sidewalk and drainage improvements in the immediate vicinity of Site 2 if such improvements have not already been funded.
4. HA shall be required to cross-list all white non-elderly public housing applicants on the waiting list of the housing authority of Marshall to its waiting list by date and time of application.
5. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Avinger, Marshall, and Linden, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Jefferson waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF KIRBYVILLE

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning at all sites, and laundry facilities, community rooms or centers, and playgrounds at Sites AB and AC.
2. Pursuant to the conversion provision, HUD will provide 8 § 8 desegregation vouchers or certificates.
3. With respect to African-American elderly applicants for public housing, HA will be required to implement the affirmative action waiting list when units are available at Site AA.
4. HA shall be required to cross-list any African-American applicant from any other housing authority who elects to be cross-listed in Kirbyville.
5. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Jasper and/or Newton, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Kirbyville waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF LINDEN

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites, and to continue improvements identified in the original plan.
2. HA shall be required to seek agreement with the City to provide street, sidewalk and drainage improvements in the immediate vicinity of all HA sites where such improvements have not already been funded.
3. HA shall be required to cross-list all non-elderly white public housing applicants on the waiting lists of the housing authority of Atlanta to its waiting list by date and time of application.
4. HA shall be required to cross-list any African-American applicant from any other housing authority who elects to be cross-listed in Linden.
5. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Atlanta, Avinger, Daingerfield, and Hughes Springs, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Linden waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF LIVINGSTON

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning and laundry facilities at all sites.
2. HA shall be required to develop a maintenance and management program.
3. Pursuant to the conversion provision, HA shall convert 14 elderly units into 7 non-elderly units at Site AB.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting list of the housing authority of Corrigan, and shall include on its own waiting list, any African-American applicants from Corrigan who elect to be included on the Livingston waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF MALAKOFF

The assertion of unitary status previously submitted is rescinded and replaced with a desegregation plan containing the requirements listed below. The housing authority must also comply with any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to seek an agreement with the City to remove trash from all HA sites.
3. HA shall be required to seek agreement with the City regarding the removal of dilapidated structures, debris, and trash surrounding the public housing sites.
4. HA shall be required to conduct outreach to income-eligible non-elderly in Athens.
5. HA shall be required to cross-list all public housing applicants on the waiting list of the housing authority of Trinidad, seeking 0 and 1 bedroom units, to its waiting list by date and time of application.
6. HA shall be required to offer any other African-American applicant the opportunity to be listed on the waiting list of the housing authority of Trinidad, and shall include on its own waiting list, any African-American applicants from Trinidad who elect to be included on the Malakoff waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF MARSHALL

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to cross-list all public housing applicants on the waiting list of the housing authority of Jefferson to its waiting list by date and time of application.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Jefferson and/or Tatum, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Marshall waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF MAUD

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning at all sites, and laundry facilities, community rooms or centers, and playgrounds at the non-elderly sites that do not have such amenities.

2. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Atlanta, Bowie County, De Kalb, Naples, New Boston, and Texarkana, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Maud waiting list.

DESEGREGATION PLAN
FOR THE
HOUSING AUTHORITY OF MOUNT PLEASANT

The assertion of unitary status previously submitted is hereby rescinded and replaced with a desegregation plan containing the requirements listed below. The housing authority must also comply with any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA will be required to seek agreement with the City to conduct code enforcement, provide increased police protection and street, drainage and lighting improvements in the immediate vicinity of the HA sites.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Daingerfield, Mount Vernon, Naples, Omaha, Pittsburg, and Talco, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Mount Pleasant waiting list.
4. Pursuant to the conversion requirement, HUD will provide 22 § 8 desegregation vouchers or certificates.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF NACOGDOCHES

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning and laundry facilities.
2. HA shall be required to seek an agreement with the City to remove or rehabilitate dilapidated housing in the area of the project.
3. HA shall be required to participate in training and technical assistance programs offered by the Fair Housing Service Center to work with the Center in conducting outreach to African-Americans in the § 8 program, and to assist in the development of outreach for housing white families at the public housing sites of Center, Garrison, Tenaha, and Timpson.
4. HA will be required to merge LIPH and § 8 waiting lists by date and time of application.
5. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting list of the housing authority of Garrison, and shall include on its own waiting list, any African-American applicants from Garrison who elect to be included on the Nacogdoches waiting list.
6. HA shall seek voluntary cross-listing of all other income eligible HUD-assisted housing applicants in Nacogdoches.
7. HA shall be required to file quarterly occupancy reports with HUD.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF NAPLES

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA will be required to seek agreement with the City to conduct code enforcement, provide increased police protection and street, drainage and lighting improvements in the immediate vicinity of the HA sites.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Daingerfield, Hughes Springs, Mount Pleasant, Omaha, and Pittsburg, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Naples waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF NEW BOSTON

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, and playgrounds at all HA sites that do not have such amenities.

2. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Atlanta, Bowie County, De Kalb, and Texarkana, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the New Boston waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF NEWTON

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all HA sites.
2. With respect to white non-elderly applicants for public housing, HA shall be required to implement the affirmative action waiting list provisions. HUD will offer a \$ 8 voucher or certificate to an African-American applicant at the top of the waiting list when an affirmative offer is made to a white applicant. The African-American applicant may elect to accept the \$ 8 voucher or certificate, or retain his or her place on the public housing waiting list.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of Jasper and/or Kirbyville, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Newton waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF OMAHA

The Desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by one or more of the below-listed additional requirements and any other requirements of HUD's East Texas Comprehensive Desegregation Plan or required as the result of a compliance review under Title VI of the Civil Rights Act of 1964:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers at all sites.
2. HA shall be required to cross-list all elderly African-American public housing applicants on the waiting lists of the housing authorities of Daingerfield, Hughes Springs, Mount Pleasant, Naples, and Pittsburgh.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Daingerfield, Hughes Springs, Mount Pleasant, Naples, and Pittsburgh, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Omaha waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF ORANGE

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning and laundry facilities at all HA sites that do not have such amenities.
2. HA shall be required to cross-list all African-American public housing applicants on the waiting lists of the housing authorities of Beaumont, Orange County and Port Arthur by date and time of application.
3. HA shall be required to cross-list all white applicants without a preference on the HA's § 8 waiting list to its low-income public housing waiting list by date and time of application.
4. HA shall be required to merge all white Orange County HA applicants, currently residing in the eastern portion of Orange County, onto its public housing waiting list by date and time of application.
5. HA shall be required to cross-list all African-American applicants from the housing authorities of Beaumont, Orange County and Port Arthur by date and time of application.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF ORANGE COUNTY

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites that do not have such amenities.
2. HA shall be required to cross-list all African-American public housing applicants onto the waiting lists of the housing authorities of Beaumont, Orange and Port Arthur by date and time of application.
3. HA shall be required to merge all white applicants, currently residing in the eastern portion of Orange County, onto the waiting list the of public housing authority of Orange by date and time of application.
4. HA shall be required to merge all white applicants, currently residing in the western portion of Orange County, onto the waiting lists of the public housing authorities of Beaumont and Port Arthur by date and time of application.
5. HA shall be required to cross-list all African-American applicants from the housing authorities of Beaumont, Orange County and Port Arthur by date and time of application.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF OVERTON

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all four sites. HA shall also be required to make Section 504 alterations to Sites AC and AE, and all recommended improvements at project sites.
2. HA shall be required to seek agreement with the City of Overton to provide street, drainage sidewalk improvements and code enforcement activities including the clearing of debris.
3. HA shall be required to apply for anti-crime funds to address drug related activities at Site AB.
4. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Gladewater and Henderson and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Overton waiting list.
5. HA shall be required to offer any African-American applicant from any other housing authority the opportunity to be placed on the waiting list of Overton.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF PARIS

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, and community rooms or centers at all sites.
2. HA shall complete all actions previously noted to correct disparities in the public housing sites and neighborhoods.
3. HA will be required to work with the City to address the drug and crime activities in the areas around the HA sites and to apply for anti-crime funds from HUD and other sources.
4. HA shall be required to cross-list (by date and time of application) all African-American applicants currently residing in Lamar, without a federal preference, on the Arkansas-Texas Council of Government's Section 8 waiting list.
5. HA shall be required to merge its LIPH and Section 8 waiting lists to increase housing opportunities as well as enlarging its white family pool for the LIPH program.
6. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Blossom, Cooper, Detroit and Deport, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Paris waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF PINELAND

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all three sites.
2. HA shall be required to seek agreement with the City of Pineland to provide streets, proper drainage facilities, curbs and curb-cuts, gutters, sidewalks, rehabilitation and demolition of housing and the abandoned school (across from Site AB) for the neighborhoods surrounding the 3 sites.
3. HA shall be required to apply for anti-crime funds to address violence and drug related activity at Site AB and in the surrounding neighborhood.
4. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Hemphill and San Augustine and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Pineland waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF PITTSBURG

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to seek agreement with the City to provide street and drainage improvements in the immediate vicinity of the HA sites.
3. HA shall be required to merge all elderly public housing applicants on its waiting list into a single area-wide merged waiting list, including all elderly applicants in the housing authority of Winnsboro, by date and time of application.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Daingerfield, Gilmer, Hughes Springs, Mount Pleasant, Mount Vernon, Naples and Omaha, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Pittsburg waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF PORT ARTHUR

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning at all sites.
2. HA shall be required to cross-list all African-American public housing applicants to the waiting lists of the housing authorities of Beaumont, Orange, and Orange County by date and time of application.
3. HA shall be required to cross-list all white applicants, without a federal preference, on the HA's § 8 waiting list to its low-income public housing waiting list by date and time of application.
4. HA shall be required to merge all white Orange County HA applicants, currently residing in the western portion of Orange County, onto its public housing waiting list by date and time of application.
5. HA shall be required to cross-list all African-American applicants from the housing authorities of Beaumont, Orange, and Orange County by date and time of application.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF TALCO

The assertion of unitary status previously submitted is rescinded and replaced with a desegregation plan containing the requirements listed below. The housing authority must also comply with any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, a laundry facility, community room or center, and a playground.
2. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Bogota, Clarksville, Deport, Mount Pleasant, and Mount Vernon, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Talco waiting list.
3. HA shall be required to cross-list any African-American applicant from any other housing authority who elects to be cross-listed in Talco.
4. Pursuant to the conversion provision, HUD will provide two § 8 desegregation vouchers or certificates.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF TENAHA

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA will be required to seek agreement with the City to provide code enforcement, demolish dilapidated structures, and provide housing rehabilitation assistance in the immediate vicinity of the HA sites.
3. HA shall be required to cross-list all African-American applicants on the waiting lists of the housing authority of Center to its waiting list by date and time of application.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Center, Garrison and Timpson, and shall include on its own waiting list, any African-American applicants from Garrison and Timpson who elect to be included on the Tenaha waiting list.
5. HA shall be required to file quarterly occupancy reports with HUD.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF TEXARKANA

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, and playgrounds at all HA sites that do not have such amenities.
2. HA shall be required to cross-list all African-American elderly public housing applicants on the waiting list of the Bowie County HA by date and time of application.
3. HA shall be required to accept the cross-listing of all white elderly public housing applicants from the Bowie County HA's waiting list, by date and time of application.
4. HA shall be required to cross-list all white applicants without a preference on the HA's § 8 waiting list to its low-income public housing waiting list by date and time of application.
5. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of the housing authorities of De Kalb and/or New Boston, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Texarkana waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF TIMPSON

The assertion of unitary status previously submitted is rescinded and replaced with a desegregation plan containing the requirements listed below. The housing authority must also comply with any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to seek agreement with the City to provide street and drainage improvements in the immediate vicinity of the HA sites.
3. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Center, Garrison, and Tenaha, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Timpson waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF TRINIDAD

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. HA shall be required to apply for funding for street repair at sites A and B, and for housing rehabilitation in the site A neighborhood.
3. Pursuant to the conversion provision, HUD will provide 3 § 8 desegregation vouchers or certificates.
4. HA shall be required to cross-list all public housing applicants on the waiting list of the housing authority of Malakoff, seeking 0 or 1 bedroom units, to its waiting list by date and time of application.
5. HA shall be required to participate in training and technical assistance programs offered by the Fair Housing Service Center and to work with the Center in conducting outreach to African-Americans.
6. HA shall be required to offer any African-American applicant, seeking 2 bedroom units or larger, the opportunity to be listed on the waiting list of the housing authority of Malakoff, and shall include on its own waiting list, any African-American applicants seeking 2 bedroom units or larger from Malakoff who elect to be included on the Malakoff waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF VAN

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, a community room or center, and playground at the site. HA shall also be required to complete Section 504 alterations.
2. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Alba, Edgewood, Fruitvale, Grand Saline, and Mineola and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Van waiting list.
3. HA shall be required to offer any African-American applicant from any other housing authority the opportunity to be placed on the waiting list of Van.
4. With respect to elderly and non-elderly African-American applicants for public housing, HA will be required to implement the affirmative action waiting list provisions.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF WILLS POINT

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers at all three sites. HA shall be required to build playgrounds at Sites AB and AC (family sites). HA shall also be required to upgrade landscaping at Sites AB and AC, and provide proper maintenance to all sites.
2. HA shall be required to offer any African-American public housing applicant the opportunity to be listed on the waiting lists of the housing authorities of Edgewood, Fruitvale, and Grand Saline and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Wills Point waiting list..
3. HA shall be required to offer any African-American applicant from any other housing authority the opportunity to be placed on the waiting list of Wills Point.
4. With respect to elderly and non-elderly African-American applicants for public housing, HA will be required to implement the affirmative action waiting list provisions for Site AB.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF WINNSBORO

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning at both sites and a playground at Site AA.
2. HA shall be required to cross-list all African-American non-elderly public housing applicants on the waiting list of the housing authority of Como by date and time of application.
3. HA shall be required to merge all elderly public housing applicants on its waiting list into a single area-wide merged waiting list, including all elderly applicants in the housing authority of Pittsburg, by date and time of application.
4. HA shall be required to offer any African-American applicant the opportunity to be listed on the waiting lists of any of the housing authorities of Alba, Mineola, Mount Pleasant, Mount Vernon, and Pittsburg, and shall include on its own waiting list, any African-American applicants from these housing authorities who elect to be included on the Winnsboro waiting list.

DESEGREGATION PLAN AMENDMENT
FOR THE
HOUSING AUTHORITY OF WOODVILLE

The desegregation plan previously submitted is hereby amended to include the additional requirements listed below. All remedial provisions contained in the original plan remain in full force and effect unless modified, or superseded, by any of the below-listed additional requirements, any other requirements included in the East Texas Comprehensive Desegregation Plan, or any requirements imposed by HUD as a result of any investigation or monitoring conducted under civil rights laws:

1. HA shall be required to install air conditioning, laundry facilities, community rooms or centers, and playgrounds at all sites.
2. With respect to white non-elderly applicants for public housing, HA will be required to implement the affirmative action waiting list provisions (when a unit is available at Site AA only) if the applicant at the top of the list is an African-American. HUD will offer a § 8 voucher or certificate to an African-American applicant at the top of the waiting list when an affirmative offer is made to a white applicant. The African-American applicant may elect to accept the § 8 voucher or certificate, or retain his or her place on the public housing waiting list.
3. HA shall be required to cross-list all white non-elderly applicants currently residing in Tyler County on the Deep East Texas Council of Government's § 8 waiting list, without a federal preference, by date and time of application.

ATTACHMENT B

THE CLEARINGHOUSE

THE CLEARINGHOUSE

Introduction

The Desegregation Plan and Remedial Taskforce (DEPART) recommends the development of a Clearinghouse and mobility program, which would be designed to eliminate spatial separation and segregation by making all assisted and public housing available to all persons, regardless of race, ethnicity, or national origin. The Clearinghouse will be operated by a separate non-profit agency created to provide housing counseling services (including information on recognizing and reporting housing discrimination), housing referrals to all housing providers, social services, transportation, escort services, and testing.

Objectives

The objectives of the Clearinghouse are to:

- o overcome spatial separation and segregation by making all assisted housing¹ available in the area targeted by the specific Metro Area-Wide Strategy through the use of a various waiting list initiatives, as described in the the East Texas Desegregation Model, which overcome jurisdictional and artificial program delivery barriers;
- o affirmatively furthering fair housing throughout the area targeted by the specific Metro Area-Wide Strategy, thereby integrating waiting lists, broadening the housing choices available to all those eligible for assisted housing, and encouraging applicants to consider racially non-impacted locations (an area where the racial or ethnic group is less then 30%) and participation in programs typically avoided;
- o make public housing a path to social and economic mobility, rather than housing of last resort by targeting selected projects for modernization and for other improvements and facilities to make them attractive to current residents and to suburban residents; this also counterbalances concerns that only suburban housing opportunities are being offered;
- o secure the cooperation of other important actors whose impact upon fair housing is substantial, including employers, schools, transportation providers and social service agencies (e.g., private providers using HUD assisted and insured programs, important industries in the area who can provide job

¹ *Owners of privately owned HUD-assisted housing, while not legally obligated to join in this plan, would be strongly encouraged to list all vacancies with and participate in the Clearinghouse .*

opportunities, government and not-for-profit agencies that provide social services);

- o serve as a model approach to other situations where housing within a defined geographical area is segregated by jurisdiction and by program, where that segregation has been perpetuated by the structure and delivery of HUD assisted housing programs. Through the use of this approach, HUD may avoid costly, protracted litigation or settle existing lawsuits.
- o eliminate discrimination by program, encouraging all applicants to consider desegregative moves by establishing a one-stop, one-offer, area-wide housing assistance, information and referral center.

Approach

- o The Clearinghouse will be operated by a non-profit private organization funded by HUD. PHAs operational and/or Community Development Block Grant funds can be used for this purpose.
- o The Clearinghouse will assist in the design of a consolidated waiting list for each participating jurisdiction and program for all federally funded project based, family assisted housing programs in the selected geographical areas. The Clearinghouse will also administer the marketing of the assisted housing programs throughout the area targeted by the specific Metro Area-Wide Strategy.
- o All PHA provided assisted housing (public housing, rental certificates, rental vouchers, and any Section 8 new, sub-rehab or moderate rehab) will be listed here.
- o Private assisted housing providers will be encouraged to list all vacancies in projects subject to affirmative marketing requirements and to make selections from tenants referred from the area-wide list. If required by future HUD regulations, the affirmative marketing program would be revised prospectively (and retroactively to the extent legally permissible) to require private providers of family housing to fill vacancies by means of area-wide lists. Tenant selection and assignment regulations for PHAs in metropolitan areas subject to the Community and Planning Development area-wide Strategy component would also implement the consolidated area-wide list with mobility components by means of a contract between PHAs and the Clearinghouse.
- o There will be a separate waiting list established by the Clearinghouse for each assisted housing program, arranged by bedroom size. The racial

characteristics of each project and the neighborhood in which it is located would be included and updated as turnover occurs. Information would also be kept on social services available, nearby transportation, schools, churches etc., in the vicinity.

- o The Clearinghouse will conduct a broad information campaign to outreach to all groups seeking housing within the area targeted by the specific Metro Area-Wide Strategy. No single group will have an advantage in seeking to apply for housing.
- o Applicants for any assisted program can file a preliminary application at any location where assisted housing is provided. The pre-application would be sent to the Clearinghouse, which would complete processing.
- o The Clearinghouse would review eligibility, perform income and employment verification, would secure all information necessary to determine federal and local preferences, and would automatically place the applicant on the waiting list for each program (type of housing) for which (s)he was eligible, even if (s)he expressed no interest in the program.
- o The Clearinghouse will carry out an active fair housing information program to encourage applicants to consider choices which would promote fair housing. This will include escort services to neighborhoods where the applicant's race is non-predominant, counseling regarding social services available in such neighborhoods, information regarding transportation alternatives, schools and health care, establishing tenant support groups to overcome the "pioneer" obstacle, etc. This approach is similar to the one used in Chicago to settle the case known as Dorothy Gautreaux v. the Chicago Housing Authority.
- o Housing vacancies in each program will be reported to the Clearinghouse by housing providers as they occur. Only Federal preferences would be allowed. No local residency preferences would be permitted.² The housing provider will complete tenant suitability screening of all referred applicants from the Clearinghouse.

² When fully implemented, residency preferences would be prohibited for all federal preference holders and first priority would be given to any federal preference holder who wished to select a location that is non-impacted racially. Residency preferences would be allowed as part of the non-federal preferences after review by the Department to assure that they were not inconsistent with civil rights requirements and objectives.

- o As vacancies occur, an applicant would be required to consider vacancies for any program for which they are eligible, based upon their position on the list. A refusal for other than good cause or hardship would result in the loss of position on the waiting list for the program involved and a drop to the bottom of that list.
- o For project based programs, applicants will be allowed to select the location and the project that they would like to live in and would be advanced to the highest priority/preference for that project if their race does not predominate in that project. They can choose from all appropriate units available at the project at the time the vacancy occurs.
- o Refusal to accept vacancies in a specific program will not affect eligibility for offers in a different program.
- o PHAs will be required to provide the incentives listed below to improve the attraction of public housing, achieve desegregation and to affirmatively further fair housing. These measures will also change the perception of public housing as the housing of last resort. Instead, the incentives are intended, in combination with other measures proposed, to make minority dominated public housing a path to social and economic mobility, thus making them attractive to both non-minorities and to minorities.
 - Focus comprehensive modernization funds upon projects that are predominantly minority and where disparities in services and amenities exist. Require the development of a plan to do so based upon input from tenant councils formed at these sites. Use these funds to improve conditions and amenities at these sites. Require that these be given priority immediately after emergency, health and safety requirements.
 - Provide Section 3 job training opportunities. Other forms of training and counseling also would be targeted to this project(s).
 - Permit the residents participate in training positions, and all residents of selected segregated projects to receive income therefrom without having it considered in determining eligibility or in computation of rental payments for a period not to exceed three years.
 - Waive income limitations for those who would make major contributions in selected public housing projects, eg., policemen

whose residence there would decrease crime; nurses who could contribute health and nutritional training/services to the community, etc.

GLOSSARY

Affirmative Action Waiting List

A race-conscious TSAP that includes a substitution provision.

Magnet Projects

A LIPH site or project at which extraordinary physical and management measures, directly sanctioned by HUD, are taken to specifically attract LIPH applicants of all racial/ethnic groups and/or increase the acceptance rate of transfers to developments where the race of the tenants is predominantly black.

Neighborhood

For the purpose of determining racial characteristics alone, "neighborhood" refers to the census tract wherein a LIPH site is located.

Race-conscious Tenant Selection and Assignment Plan (TSAP)

In the Interim Injunction dated March 3, 1988, in Young v. Pierce, 685 F. Supp. 986, at 987-988, (E.D.Tex.), the court directed HUD to implement "race-conscious" TSAPs at all PHAs in the Class area containing the following provisions:

- 1) The applicant at the top of a LIPH waiting list shall be offered a unit in a project site where the applicant's race does not predominate, if such a unit is in the vacancy pool. An applicant's race does not predominate in a project site if the project site is occupied by less than 75% of the members of the same race as the applicant; and,
- 2) If the applicant refuses the offered vacancy, then the applicant shall be placed at the bottom of the waiting list, and shall not be offered another unit until either every other applicant eligible for the same size unit with the same or earlier application date has been offered an appropriate unit or has withdrawn his request, or six months has elapsed from the rejection of the offer, whichever time period is longer. An offer will be deemed rejected if not accepted within ten working days from the date of the offer.

Racially Identifiable

Pursuant to the Interim Injunction in Young, at 987-988, "[a]n applicant's [or tenant's] race does not predominate in a project site if the project is occupied by

less than 75% of the members of the same race as the applicant [or tenant]." Accordingly, and solely for the purpose of implementing the September 9, 1990, Order for Further Relief in Young v. Cisneros, CA No. P-80-8-CA (E.D.Tx.), HUD defines "racially identifiable" project site as a project site or a census tract in which 75% or more of the site or tract is occupied or populated by persons of a particular race.

Site

A single geographic location consisting of one or more HUD low-income public housing (LIPH) projects.

Substitution Provision

An element of an Affirmative Action Waiting List which would allow a PHA to "skip-over" members of one race who are listed higher on a PHA waiting list, to make a race-conscious offer of a unit to an applicant of another race, who applied for LIPH at a later time, in order to desegregate a racially identifiable site.

Unitary Status

A condition HUD deems to exist with respect to a PHA when no vestiges of discrimination exist that could be cured through a Desegregation Plan, or, for which HUD and the PHA have undertaken all practicable measures, as outlined in the Desegregation Plans and their amendments, to remove the vestiges of discrimination.

FAIR HOUSING SERVICES CENTER

As soon as practical following approval of the East Texas Desegregation Model, HUD will establish a Fair Housing Services Center (FHSC), as a non-profit housing agency subject to the oversight of the HUD Beaumont Texas Fair Housing Office. The Fair Housing Services Center will be responsible for implementing a variety of services designed to facilitate the desegregative movement of applicants and residents throughout the seventy (70) Public Housing Authorities (PHAs) located in the 36-county area that is the subject of the Young v. Cisneros litigation, Civ. A. No. P-80-8-CA, (E.D. TX. 1980).

1) Goals and Objectives:

FHSC will provide class members (and, to the extent necessary to further desegregative goals, other applicants or tenants in the class area) mobility counselling, information about housing opportunities, transportation, housing referrals, and other assistance and information to further desegregation within the class area and the PHAs located therein.

2) Activities:

FHSC will undertake the following specific activities:

* Housing Opportunities Information:

The Center will establish and maintain lists of potentially available housing (both assisted and private), and compile other available data necessary to

further the use of available housing in a manner consistent with applicable authority (e.g., fair housing laws) and the Court's order (e.g., paragraph 2b of the Order For Further Relief). Additionally, FHSC will develop valiative instruments and standards, both to assess the performance and efficacy of the services which it provides (e.g., the number and rate of contacts, referrals, and placements), as well as to develop other possible measures to assist class members over time. The HUD Beaumont Texas Fair Housing Office will, on an ongoing basis, review FHSC performance, to assure adherence to the mission of the Center, HUD policies, applicable legal standards, or other requirements that the Court may impose.

* Recruitment:

The Center will recruit class members from the class area, to undertake desegregative housing moves; and, to the extent practical to further desegregation, it may recruit other individuals, both from the class area (in particular, any jurisdiction outlined in the PHA's amended Housing Desegregation Plan), or from adjacent areas.

* Training and Counseling:

Center staff will provide training, information, and technical assistance to class members, owners and managers, and other individuals, entities or

organizations in the class area, to assist in the identification and utilization of desegregative housing opportunities, and other related goals.

* Administration:

The Center will assist in the provision and administration of desegregative vouchers and certificates that become available for purposes of expanding housing opportunities under Section 2j of the Order for Further Relief.

* Transportation and Social Services.

The Center will assist in transporting clients to identify and apply for housing in the class area, either with its own available resources, or through the utilization of additional resources and services which may be developed or obtained locally within the class area. In addition, Center staff will assist clients in the location and utilization of social services (such as child care, education, employment, health care, etc.) that may be beneficial to those seeking or obtaining housing in the class area.

* Cooperation.

The utilization of FHSC services will be developed through coordination with other entities, such as housing and real estate organizations, churches, governmental agencies (e.g., fair housing and code enforcement offices in cities, counties, or the State),

advocacy groups (e.g., NAACP, or East Texas Legal Services), and local businesses.

Civil Rights Enforcement and Compliance.

1. Testing.

A significant aspect of the FHSC will be the development and implementation of a testing program designed to investigate and test the extent of discrimination against class members in the class area. In addition, the Center will provide assistance (e.g., help in filing complaints or pursuing relief) to class members or victims of discrimination.

2. Special Assistance to PHAs.

Establish cooperative working agreements with the Board of Commissioners of the PHAs, tenant organizations, and other entities, to ensure effective management and operation of the PHA Desegregation Plan.