



**Public Housing Authorities Directors Association**

511 Capitol Court, NE, Washington, DC 20002-4937  
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December 11, 2017

Moving to Work Office  
Office of Public and Indian Housing  
Department of Housing and Urban Development  
451 Seventh Street SW, Room 4130  
Washington, DC 20410

Subject: Docket No. FR-5997-N-68

30-Day Notice of Proposed Information Collection: Form 50900

Elements for the Annual Moving to Work Plan and Annual Moving to Work Report

To Whom This May Concern,

The Public Housing Authorities Directors Association (PHADA) is a membership organization representing the chief executives of approximately 1,900 local housing authorities. This letter is in reference to a proposed public information collection in the Federal Register (FR) on October 25, 2017 (Vol. 82, No. 205). The Association appreciates the opportunity to comment on the Department of Housing and Urban Development's (HUD's) information collection on Form 50900, entitled "Elements for the Annual Moving to Work Plan and Annual Moving to Work Report." PHADA's comments are divided into two sections below - process-related comments and content-related comments.

Process-Related Comments:

PHADA would like to reiterate its concerns communicated to the Office of Management and Budget (OMB) on November 22, 2017 related to federal requirements for public notice and comment required by the Paperwork Reduction Act and the Administrative Procedures Act. In summary, HUD failed to follow proper procedure for public notice and comment as required. First, the FR notice failed to describe the changes the Department was proposing to Form 50900. Second, the notice failed to describe the comments that HUD received in response to its first 60-day comment period notice; nor did the Department describe HUD's responses to those comments. Third, the Department actually submitted the information collection to OMB for review on November 8 (the department's certification date on the Information Collection Review), two weeks after the notice was published in the FR, precluding the public to the full

30-day comment that it was due. Finally, the notice failed to include a correct email address for submission of comments.

After following up with a number of HUD staff, HUD's Moving to Work (MTW) office responded directly to PHADA, offering an opportunity to provide comments on Form 50900 until December 12 at 5:00 PM via email to [mtw-info@hud.gov](mailto:mtw-info@hud.gov). While the extension allows the full 30-day comment period to PHADA, this method appears unusual, and does not ensure the public as a whole was permitted the required 30-day comment period by law. As a result, PHADA believes that HUD has failed to comply in good faith with the Paperwork Reduction Act, the Administrative Procedures Act, and with OMB's administrative procedures.

#### Content-Related Comments:

First and foremost, PHADA would like to uphold the MTW Steering Committee's comments related to the Department's failure to honor its commitment to engage in a collaborative process with MTW agencies in developing effective performance measures to evaluate MTW programs, including Form 50900. Further, previous comments made the MTW agencies, the MTW Steering Committee, and the housing industry as a whole remain generally unaddressed. The existing Form 50900 includes significant flaws, including ineffectively measuring the success of MTW activities, and requiring standardized metrics that are in some cases inapplicable. The draft form retains these flaws, and includes a number of new ones. For example, the draft Form 50900 provided by HUD in this information collection:

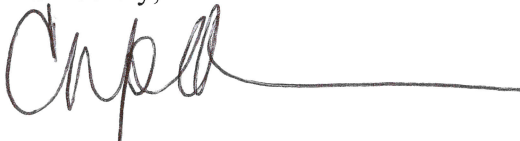
- fails to improve the quality, usefulness, and clarity of the information collected;
- leaves in place flawed features of the form;
- includes new sections that create obstacles for MTW agencies that wish to implement new strategies;
- impedes an MTW agency's ability to meaningfully respond to outcome data with timely program improvements;
- hinders the ability for MTW agencies to meaningfully communicate results to the Department, Congress, and local communities; and,
- ignores recent MTW program research released by Abt Associates and the HAI Group on performance measures.

The MTW program, HUD, MTW agencies, and other critical stakeholders, like residents, would have benefitted greatly if the Department had executed a more collaborative approach to implementing changes to Form 50900. An effective and meaningful measurement tool would more accurately capture and report on MTW activities and their impacts on communities and households served nationwide. In addition, it would reduce the potential for dissemination of misleading, inaccurate and irrelevant information. Due to the details discussed above, including

process and content-related concerns, PHADA respectfully requests that the Department resubmit the information collection to include all applicable documentation, public comments from the first 60-day collection, and HUD's response to those comments. This would provide the public with the full 30-days to comment. Further, the Department should engage in a more thorough and collaborative process more directly with all MTW stakeholders in the future.

Again, PHADA appreciates the opportunity to comment on this information collection. Should you have any questions, please contact me at 202-546-5445, or via email at [cwojciechowski@phada.org](mailto:cwojciechowski@phada.org).

Sincerely,

A handwritten signature in dark ink, appearing to read 'C. Wojciechowski', followed by a long horizontal line extending to the right.

Crystal N. Wojciechowski  
Policy Analyst

*Attachment - November 22, 2017 Letter to the OMB*



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November 22, 2017

HUD Desk Officer  
Office of Management and Budget (OMB)  
New Executive Office Building  
Washington, DC 20503  
[OIRASubmission@omb.eop.gov](mailto:OIRASubmission@omb.eop.gov)

RE: OMB Control Number: 2577-0216  
Docket No. FR-5997-N-68  
30-Day Notice of Proposed Information Collection: Form 50900  
Elements for the Annual Moving to Work Plan and Annual Moving to  
Work Report

Gentlepeople,

The Public Housing Authorities Directors Association (PHADA) is a membership organization representing chief executives of approximately 1,900 local housing authorities. This letter is in reference to a proposed information collection published in Federal Register, Vol. 82, No. 205, on October 25, 2017. The concerns raised in this letter focus on HUD's failure to respect requirements for public notice and comment required by the Paperwork Reduction Act and the Administrative Procedures Act. In an attempt to gather details on this information collection beyond what HUD chose to describe in its October 25<sup>th</sup> notice, on November 7<sup>th</sup> PHADA requested the information HUD submitted to the Office of Management and Budget (OMB) following the instructions published in the October 25<sup>th</sup> notice. PHADA had monitored OMB's Office of Information and Regulatory Affairs (OIRA) web site and had not located any reference to an information collection under review with the OMB control number of Form 50900. The last reference to this form was on September 2017 when OMB announced that HUD had withdrawn its review request.

In its November 7<sup>th</sup> request, PHADA asked for clarification, additional information, and any accompanying documentation connected with the information collection. To date, PHADA has received no response. Continuing to monitor OMB's OIRA web site, PHADA discovered an information collection under review by OMB for Form 50900 dated November 8<sup>th</sup> on November 8<sup>th</sup>. The site included 3 versions of the reporting form, the one proposed by HUD for the 60-day review process, the version submitted to OMB on November 8<sup>th</sup>, and a file that was supposed to indicate the changes HUD made to the first revised version. That file appears to reflect only 2 formatting changes made to the original proposed information collection. Finally, HUD's

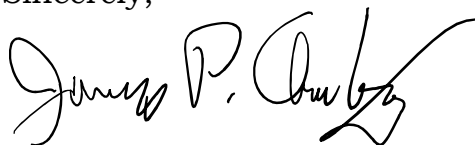
ICR submission indicates that it wished to amend its estimate of burden hours connected to this collection by including 3 additional MTW program participants, and by including 50 additional MTW program participating agencies authorized in 2016. HUD failed to explain why it has not included all 100 additional MTW program agencies authorized by Congress.

To summarize, HUD published a notice in the October 25<sup>th</sup> Federal Register announcing a 30-day comment period for changes it proposed to Form 50900. That notice failed to describe the changes the department was proposing, nor did the notice describe the comments HUD received in response to its first 60-day comment period notice or any responses HUD had to those comments. The department actually submitted the information collection to OMB for review on November 8<sup>th</sup> (the department's certification date on the ICR), and HUD has failed to respond directly to PHADA's, and potentially other interested stakeholders, requests concerning details of this collection. Finally, the notice failed to include a correct email address for submission of comments. PHADA believes that HUD has failed to comply in good faith with the Paperwork Reduction Act, with the Administrative Procedures Act, or with OMB's administrative procedures.

Comments in response to HUD's October 25<sup>th</sup> notice are due on November 24, 2017. Since the documents associated with this information collection were not available to the public until November 8<sup>th</sup>, HUD has failed to provide the public with 30 days to review this collection and submit comments. Additionally, HUD has failed to describe comments and the department's responses related to the earlier 60-day comment period notice. As a result, PHADA urges OMB to reject this information collection and insist that HUD fully comply with PRA and APA statutory requirements and OMB's administrative procedures. HUD should publish a new notice of a 30-day comment period starting when HUD makes the revised form available. At a minimum, PHADA urges that OMB insist that HUD publishes a new notice extending the comment period for this information collection for 14 days after publication of that new notice to provide stakeholders a full 30 days to review the collection and offer OMB comments.

PHADA appreciates the opportunity to comment on this information collection. Should you have any questions, please contact Crystal Wojciechowski at 202-546-5445.

Sincerely,

A handwritten signature in black ink, appearing to read "James P. Armstrong", with a stylized flourish at the end.

James P. Armstrong  
Policy Analyst