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SUBCHAPTER I—PUBLIC AND ASSISTED
HOUSING DRUG ELIMINATION

§ 11901. Congressional findings

The Congress finds that—

(1) the Federal Government has a duty to provide public and other federally assisted low-income housing that is decent, safe, and free from illegal drugs;

(2) public and other federally assisted low-income housing in many areas suffers from rampant drug-related or violent crime;

(3) drug dealers are increasingly imposing a reign of terror on public and other federally assisted low-income housing tenants;

(4) the increase in drug-related and violent crime not only leads to murders, muggings, and other forms of violence against tenants, but also to a deterioration of the physical environment that requires substantial government expenditures;

(5) local law enforcement authorities often lack the resources to deal with the drug problem in public and other federally assisted low-income housing, particularly in light of the recent reductions in Federal aid to cities;

(6) the Federal Government should provide support for effective safety and security measures to combat drug-related and violent crime, primarily in and around public housing projects with severe crime problems;

(7) closer cooperation should be encouraged between public and assisted housing managers, local law enforcement agencies, and residents in developing and implementing anti-crime programs; and

(8) anti-crime strategies should be improved through the expansion of community-oriented policing initiatives.

(Pub. L. 100-690, title V, §5122, Nov. 18, 1988, 102 Stat. 4301; Pub. L. 101-625, title V, §581(a), Nov. 28, 1990, 104 Stat. 4245; Pub. L. 105-276, title V, §586(b), Oct. 21, 1998, 112 Stat. 2646.)

AMENDMENTS

1998—Par. (2). Pub. L. 105-276, §586(b)(1), inserted “or violent” after “drug-related”.

Par. (4). Pub. L. 105-276, §586(b)(2)(A), inserted “and violent” after “drug-related”.

Pars. (6) to (8). Pub. L. 105-276, §586(b)(2)(B), (3), (4), added pars. (6) to (8).

1990—Pub. L. 101-625 amended section generally. Prior to amendment, section read as follows: “The Congress finds that—

“(1) the Federal Government has a duty to provide public housing that is decent, safe, and free from illegal drugs;

“(2) public housing projects in many areas suffer from rampant drug-related crime;

“(3) drug dealers are increasingly imposing a reign of terror on public housing tenants;

“(4) the increase in drug-related crime not only leads to murders, muggings, and other forms of violence against tenants, but also to a deterioration of the physical environment that requires substantial government expenditures; and

“(5) local law enforcement authorities often lack the resources to deal with the drug problem in public housing, particularly in light of the recent reductions in Federal aid to cities.”

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by title V of Pub. L. 105-276 effective and applicable beginning upon Oct. 1, 1999, except as otherwise provided, with provision that Secretary may implement amendment before such date, except to extent that such amendment provides otherwise, and with savings provision, see section 503 of Pub. L. 105-276, set out as a note under section 1437 of this title.

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-276, title V, §586(a), Oct. 21, 1998, 112 Stat. 2646, provided that: “This section [enacting sections 11906 to 11908 of this title, amending this section and sections 11902, 11903, 11904, and 11905 of this title, and repealing sections 11906 to 11909 of this title] may be cited as the ‘Public and Assisted Housing Drug Elimination Program Amendments of 1998.’”

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-227, title X, §1051, Mar. 31, 1994, 108 Stat. 274, provided that: “This part [part D (§§1051-1053) of title X of Pub. L. 103-227, amending section 11903a of this title] may be cited as the ‘Midnight Basketball League Training and Partnership Act.’”

SHORT TITLE

Pub. L. 100-690, title V, §5121, Nov. 18, 1988, 102 Stat. 4301, as amended by Pub. L. 101-625, title V, §581(a), Nov. 28, 1990, 104 Stat. 4245, provided that: “This chapter [chapter 2 (§§5121-5130) of subtitle C of title V of Pub. L. 100-690, enacting this subchapter] may be cited as the ‘Public and Assisted Housing Drug Elimination Act of 1990.’”

Pub. L. 100-690, title V, §5141, Nov. 18, 1988, 102 Stat. 4303, provided that: “This chapter [chapter 3 (§§5141-5146) of subtitle C of title V of Pub. L. 100-690, enacting subchapter II of this chapter] may be cited as the ‘Drug-Free Public Housing Act of 1988.’”

§ 11902. Authority to make grants

(a) In general

The Secretary of Housing and Urban Development, in accordance with the provisions of this subchapter, may make grants to public housing agencies, public housing resident management corporations that are principally managing, as determined by the Secretary, public housing projects owned by public housing agencies, recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 [25 U.S.C. 4101 et seq.], Indian tribes¹ and private, for-profit and nonprofit owners of federally assisted low-income housing for use in eliminating drug-related and violent crime.

(b) Consortia

Subject to terms and conditions established by the Secretary, public housing agencies may form consortia for purposes of applying for grants under this subchapter.

(Pub. L. 100-690, title V, §5123, Nov. 18, 1988, 102 Stat. 4301; Pub. L. 101-625, title V, §581(a), Nov. 28, 1990, 104 Stat. 4246; Pub. L. 102-550, title I, §161(d)(1), Oct. 28, 1992, 106 Stat. 3719; Pub. L. 104-330, title VII, §704(1), Oct. 26, 1996, 110 Stat. 4051; Pub. L. 105-276, title II, §220(1), title V, §586(c), Oct. 21, 1998, 112 Stat. 2488, 2647.)

¹ So in original. Probably should be followed by a comma.