regulations state the requirements. The guidelines contain the tables and instructions for data submissions, which constitute the "required format" referenced in the regulations. Therefore, these tables and instructions are required, but the specific format may be modified with HUD approval. Other suggestions or recommendations included in the guidelines are to assist jurisdictions in the preparation of the plan.

A county and a State complained about the Department's Federalism Impact discussion. They stated that the rule requires duplication of effort by State and local governments, since both will be preparing consolidated plans for their jurisdiction. They argued that consolidation has resulted in overregulation of previously less regulated programs. They suggested that the Department seek legislative change to really streamline the requirements.

The Department believes that there is not much duplication of effort between State and local consolidated plans, since the State plans focus on the nonentitlement areas of the State that are not covered by the consolidated plan of a locality. In creating a new framework for submissions for the CPD formula grant programs covered, a few requirements, such as the more detailed citizen participation requirements, have been applied to programs not previously covered. However, the consolidation will give governments and citizens the advantage of looking at the needs to be addressed by HUD programs all at once. Legislative changes have been sought to combine the McKinney Act programs, but those changes have not been enacted. Statutory change is not necessary just to coordinate the submissions for the different programs.

The following is a section by section summary of comments received and HUD responses.

Section 91.1 Purpose

This section states the goals of the community development and planning programs covered by the part and the function of the consolidated plan. There were four primary areas of comment on the goals portion (§ 91.1(a)) of this section.

First, a low-income advocacy group and the State of Florida took stands on the Department's attempt to restate and consolidate the statutory goals of the various programs covered. The lowincome advocacy group praised the broad discussion of goals, while the State criticized the language as confusing and failing to reflect all the goals of the covered programs. For example, the State said that the CDBG goal of eliminating slum and blight is not included. It also stated that the NAHA goal of increasing the supply of decent housing that is accessible to job opportunities has been converted to "provision of jobs accessible to housing affordable to low-income persons." Obviously, the low-income advocacy group recommended preserving the language, while the State advocated citing the specific legislative language of goals to be served by the specific programs.

The Department believes that this statement of broad goals is useful. The language concerning job accessibility mirroring the NAHA statutory language is included in the paragraph on decent housing, while the economic development language of the CDBG statute is reflected in the paragraph on expansion of economic opportunity. Elimination of slum and blight is implicit in the language of the goals provision pertaining to improving the safety and livability of neighborhoods.

Second, several disabilities groups objected to the phrasing of the goals section on supportive housing, stating that it is potentially stigmatizing, because it assumes that all persons with special needs require housing with special features, unlike other housing that exists in the community. The potentially offending section reads * * Decent housing also includes increasing the supply of supportive housing, which combines structural features and services needed to enable persons with special needs to live with dignity and independence." These commenters suggested modifying the sentence to read "* * * Decent housing also includes increasing the supply of housing, which may or may not require certain unique structural features and which can be linked to on-site or community based services desired by persons with special needs.'

The Department does not disagree with the point that many disabled persons may require housing which does not need structural modifications. Jurisdictions are free to provide such housing for persons with disabilities. However, the statement of purpose on this item was taken directly from purposes section of the National Affordability Housing Act, and it is not necessary to change this statement.

Third, several disability groups advocated changing the language about "assisting homeless persons to obtain appropriate housing" to include the concept of "permanent housing." The Department agrees that among the actions taken to address the needs of homeless persons is providing permanent housing (along with providing emergency and transitional shelter). Such an approach is part of a total homeless strategy laid out in the strategic plan. However, to carry out this plan, it is not necessary to change the statement of purpose to focus on only one element of this approach. Therefore, the final rule contains no change in response to this request.

Fourth, several States objected to the impact on them of the expanded definition of "suitable living environment" and "economic opportunity" found in the goals section. They indicated that the requirement that the State's short and long term goals "must be developed in accordance with the statutory goals described in §91.1" puts greater emphasis on these goals than is desirable, from their point of view. They also note that the goals emphasize low-income housing and the effort to tie public facility and economic development activities to low income and public housing, while objectives set forth in the CDBG statute are missing. States indicated that the emphasis on expanding economic opportunity including job creation creates a linkage to community development that is often made at the local level rather than being imposed from the State. States will explore these new linkages in community building, but where such linkages are not appropriate or possible, neither the State nor its grantees should be penalized.

The description of what is meant by expanded economic opportunity is consistent with the current CDBG program requirements for States at § 570.483(b)(4). This language should not limit grantees' flexibility, and therefore, it is not being changed in the final rule.

Section 91.5 Definitions

a. Income Categories

The proposed rule used the terms "very low-income household" and "low-income household" for the households traditionally identified in the CDBG program as "low-income households" and "moderate-income households." This change drew two types of comments. First, a State pointed out that a CDBG proposed rule published on August 10, 1994 used the traditional CDBG terms, and the two rules should be consistent. Second, a city, county, and a professional organization of government CDBG administrators, recommended that the consolidated plan rule should use the terms traditionally used in the CDBG program. They argued that to do otherwise is damaging to the perception of the program in cities that are