



August 11, 2022

The Honorable Marcia L. Fudge  
Secretary, U.S. Department of Housing and  
Urban Development  
451 Seventh Street, SW  
Washington, DC 20410

Dear Secretary Fudge,

On behalf of its state Housing Finance Agency (HFA) members, the National Council of State Housing Agencies (NCSHA)<sup>1</sup> urges you to extend the deadline for public comments on the Housing Assistance Payments (HAP) Contract Support Services (HAPSS) draft solicitation from August 29, 2022 to October 28, 2022. This extension is necessary and appropriate to give the public and potential commenters adequate time to consider the draft solicitation and will result in better informed comments that will be more helpful to HUD as it designs the final solicitation.

HUD recently published a “Request for Information Market Research Draft Solicitation” for Housing Assistance Payments (HAP) Contract Support Services (HAPSS), formerly known as the Performance-Based Contract Administrator (PBCA) Program.

The comment deadline is only 30 days after publication, meaning comments are currently due by 4 p.m. August 29.

This is an unreasonably short time period for commenters to adequately consider the complex nature of the draft solicitation, including the long and complicated solicitation itself as well as the voluminous and numerous documents incorporated by reference in the draft solicitation.

We urge HUD to allow stakeholders at least 90 days to comment on this important document, which raises many administrative, legal, operational, and policy issues.

Allowing more time for public comment will allow for greater consideration and more informed and well-developed responses. Many potential commenters will need time to coordinate with other potential commenters and stakeholders to consider the implications of the regional approach the draft solicitation takes and develop the best possible responses for HUD. The additional time will make it possible for commenters to submit better recommendations to HUD, likely providing more helpful comments and contributing to a better end product.

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<sup>1</sup> NCSHA is a nonprofit, nonpartisan organization. None of NCSHA’s activities related to federal legislation or regulation are funded by organizations that are prohibited by law from engaging in lobbying or related activities.

It is vital to get this solicitation right because of the enormous impact this solicitation will have on HUD, residents, property managers and owners, and the communities where Section 8 properties are located. Taking a little more time at this stage of the process to make sure the solicitation is as well-done as possible is well worth it. Considering HUD has taken nearly five years to develop HUD's latest effort to publish a request for proposal since the previous "sources sought" effort was published and subsequently withdrawn, giving commenters and the public 60 additional days seems fair and reasonable.

The timing of the release also requires additional time for comment. HUD announced and distributed the draft solicitation at the end of July, after the House of Representatives had recessed until September and only a few days before the Senate also was scheduled to recess until September. Many key staff reasonably make plans to take vacations and devote their attention to other matters during significant portions of August. No warning or indication the draft solicitation was imminent was provided.

For all these reasons, it is necessary and appropriate for HUD to extend the comment period on the draft solicitation from 30 days after publication to 90 days after publication, which we calculate will be on or about October 28.

Sincerely,



Stockton Williams  
Executive Director