DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4340–N–01]

Super Notice of Funding Availability (SuperNOFA) for Housing and Community Development Programs

AGENCY: Office of the Secretary, HUD.

ACTION: Super Notice of Funding Availability (SuperNOFA) for Housing and Community Development Programs.

SUMMARY: This Super NOFA of Funding Availability (SuperNOFA) announces the availability of approximately $1,247,906,870 in HUD program funds covering nineteen (19) Housing and Community Development Programs operated and managed by the following HUD Offices: Community Planning and Development (CPD), Public and Indian Housing (PIH), Housing, Policy Development and Research (PD&R), Office of Lead Hazard Control, and Fair Housing and Equal Opportunity (FHEO). The General Section of this SuperNOFA contains the procedures and requirements applicable to all 19 programs. The applications for funding for these programs have been consolidated into 6 applications. The Programs Section of this SuperNOFA contains a description of the specific programs for which funding is made available under this SuperNOFA and additional procedures and requirements that are applicable to each.

APPLICATION DUE DATES: The information contained in this ''APPLICATION DUE DATES'' section applies to all programs contained in this SuperNOFA. Completed applications must be submitted to HUD no later than the deadline established for the program for which you are seeking funding. Applications may not be sent by facsimile (FAX). See the Program Chart for specific application due dates.

ADDRESSES AND APPLICATION SUBMISSION PROCEDURES: *Addresses.* Completed applications must be submitted to the location specified in the Programs Section of this SuperNOFA. When submitting your application, please refer to the program name for which you are seeking funding.

For Applications to HUD Headquarters. Applications to be submitted to HUD Headquarters are due at: Department of Housing and Urban Development, 451 Seventh Street, SW, Room _____ (See Program Chart or Programs Section for room location), Washington DC 20410.

For Applications to HUD Field Offices. For those programs for which applications are due to the HUD Field Offices, please see the Programs Section for the exact locations for submission.

Applications Procedures. Mailed Applications. Applications will be considered timely filed if postmarked on or before 12:00 midnight on the application due date and received by the designated HUD Office on or within ten (10) days of the application due date.

Applications Sent by Overnight/Express Mail Delivery. Applications sent by overnight delivery or express mail will be considered timely filed if received before or on the application due date, or upon submission of documentary evidence that they were placed in transit with the overnight delivery service by no later than the specified application due date.

Hand Carried Applications. For applications submitted to HUD Headquarters, hand carried applications delivered before and on the application due date must be brought to the specified location and room number between the hours of 8:45 am to 5:15 pm, Eastern time. Applications hand carried on the application due date will be accepted in the South Lobby of the HUD Headquarters Building at the above address from 5:15 pm until 12:00 midnight, local time. Applications due to HUD Field Office locations must be delivered to the appropriate HUD Field Office in accordance with the instructions specified in the Programs Section of the SuperNOFA.

For applications submitted to the HUD Field Offices, hand carried applications will be accepted during normal business hours before the application due date. On the application due date, business hours will be extended to 6:00 pm. (Please see the Appendix A to this SuperNOFA listing the hours of operations for the HUD Field Offices.)

COPIES OF APPLICATIONS TO HUD OFFICES: The Programs Section of this SuperNOFA may specify that to facilitate processing and review of your submission a copy of the application also be sent to an additional HUD location (for example, a copy to the HUD Field Office if the original application is to be submitted to HUD Headquarters, or a copy to HUD Headquarters, if the original application is to be submitted to a HUD Field Office). Please follow the requirements of the Programs Section to ensure that you submit your application to the proper location. HUD requests additional copies in order to expeditiously review your application and appreciates your assistance in providing the copies. Please note that for those applications for which copies are being submitted to the Field Offices and HUD Headquarters, timeliness of submission will be based on the time the application is received at HUD Headquarters.

FOR APPLICATION KITS, FURTHER INFORMATION AND TECHNICAL ASSISTANCE: The information contained in this section is applicable to all programs contained in this SuperNOFA.

For Application Kits and SuperNOFA User Guide. HUD is pleased to provide you with application kits and/or a guidebook to all HUD programs. When requesting an application kit, please refer to the program name of the application kit you are interested in receiving. Please be sure to provide your name, address (including zip code), and telephone number (including area code).

Requests for application kits should be made immediately to ensure sufficient time for application preparation. We will distribute application kits as soon as they become available.

The SuperNOFA Information Center (1–800–HUD–8929) can provide you with assistance, application kits, and guidance in determining which HUD Office(s) should receive a copy of your application.

Consolidated Application Submissions. Where an applicant can apply for funding under more than one program in this SuperNOFA, the applicant need only submit one originally signed SF–424 and one set of original signatures for the other required assurances and certifications, accompanied by the matrix contained in each application kit. As long as the applicant submits one originally signed set of these documents with an application, only copies of these documents may be submitted with any additional application submitted by the applicant.

For Further Information. For answers to your questions about this SuperNOFA, you have several options. You may call the HUD Office or Processing Center serving your area at the telephone number listed in your program area section to this SuperNOFA, or you may contact the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairment may call the Center's TTY number at 1–800–483–2209. Information on this SuperNOFA also may be obtained through the HUD web site on the Internet at http://www.HUD.gov.

For Technical Assistance. Before the application due date, HUD staff will be available to provide general guidance

and technical assistance about this SuperNOFA. Current law does not permit HUD staff to assist in preparing the application. Following selection of applicants, but prior to award, HUD staff will be available to assist in clarifying or confirming information that is a prerequisite to the offer of an award or Annual Contributions Contract (ACC) by HUD.

Introduction to the SuperNOFA Process

To further HUD's objective, under the direction of Secretary Andrew Cuomo, of improving customer service and providing the necessary tools for revitalizing communities and improving the lives of people within those communities, HUD will publish three SuperNOFAs in 1998, which coordinate program funding for 39 programs and cut across traditional program lines.

(1) The first is this SuperNOFA and consolidated application process for Housing and Community Development Programs, published in today's **Federal Register**, covering 19 Housing and Community Development Programs.

(2) The second is the SuperNOFA and consolidated application process for Economic Development and Empowerment Programs. This second SuperNOFA includes funding for the following programs and initiatives: Brownfields; Youthbuild; Economic Development Initiative; Neighborhood Initiatives; Tenant Opportunity Program, Economic Development and Supportive Services; and the Section 8 Family Self-Sufficiency Service Coordinators.

(3) The third is the SuperNOFA and consolidated application process for Targeted Housing and Homeless Assistance Programs. This third SuperNOFA includes the following programs and initiatives: Housing Opportunities for Persons with AIDS; Continuum of Care Assistance; Section 202 Elderly Housing; Section 811 Disabled Housing; Service Coordinators; Section 8 Designated Housing; Section 8 Mainstream Housing Opportunities; Family Unification; and Elderly Housing Revitalization.

All three SuperNOFAs and consolidated applications, to the greatest extent possible, given statutory, regulatory and program policy distinctions, will have one set of rules that, together, offer a ''menu'' of approximately 39 programs. From this menu, communities will be made aware of funding available for their jurisdictions. Nonprofits, public housing agencies, local and State governments, tribal governments and tribally designated housing entities, veterans service organizations, faith-based organizations and others will be able to identify the programs for which they are eligible for funding. HUD is anticipating publishing all three SuperNOFAs before May 1, 1998.

The National Competition NOFA. In addition to the three SuperNOFAs, HUD also will publish a single NOFA for three national competitions: the Fair Housing Initiatives Program National Competition; the Lead-Based Paint Hazard Control National Competition; and the Housing Counseling National Competition. HUD also anticipates publishing this national competition NOFA before May 1, 1998.

The Housing and Community Development SuperNOFA. This first SuperNOFA announces the availability of approximately $1,247,906,870 in HUD program funds covering nineteen (19) Housing and Community Development Programs operated and managed by the following HUD Offices: Community Planning and Development (CPD), Public and Indian Housing (PIH), Housing, Policy Development and Research (PD&R), Office of Lead Hazard Control, and Fair Housing and Equal Opportunity (FHEO).

Assisting Communities To Make Better Use of Available Resources

This first SuperNOFA represents a marked departure from, and HUD believes a significant improvement over, HUD's past approach to the funding process. In the past, HUD has issued as many as 40 separate NOFAs, all with widely varying rules and application processing requirements. This individual program approach to funding, with NOFAs published at various times throughout the fiscal year, did not encourage and, at times, unintentionally impeded local efforts directed at comprehensive planning and development of comprehensive local solutions. Additionally, the old approach seemed to require communities to respond to HUD's needs rather than HUD responding to local needs. Secretary Cuomo brings to the leadership of HUD the experience of successfully implementing a consolidated planning process in HUD's community development programs. As Assistant Secretary for Community Planning and Development, Secretary Cuomo consolidated the planning, application, and reporting requirements of several community development programs. The Consolidated Plan rule, published in 1995, established a renewed partnership among HUD, State, and local governments, public and private agencies, tribal governments, and the general citizenry by empowering field staff to work with other entities in fashioning creative solutions to community problems.

The SuperNOFA approach builds upon Consolidated Planning implemented by the Secretary Cuomo in HUD's community development programs, and also reflects the Secretary's organizational changes for HUD, as described in the Secretary's management reform plan. On June 26, 1997, Secretary Cuomo released the HUD 2020 Management Reform Plan, which provides for significant management reforms at HUD. This plan calls for significant consolidation of like programs to maximize efficiency and dramatically improve customer service. The plan also calls for HUD to improve customer service by adopting a principle of ''menus not mandates.''

By announcing the funding of these nineteen programs in one NOFA, HUD hopes to assist communities in making better use of available resources to address their needs and the needs of those living within the communities in a holistic and effective fashion. These funds are available for eligible applicants to support individual program objectives, as well as cross-cutting and coordinated approaches to improving the overall effective use of available HUD program funds.

To date, HUD has been consolidating and simplifying the submission requirements of many of its formula grant and discretionary grant programs to offer local communities a better opportunity to shape available resources into effective and coordinated neighborhood housing and community development strategies that will help revitalize and strengthen their communities, physically, socially and economically. To complement this overall consolidation and simplification effort, HUD designed this process to increase the ability of applicants to consider and apply for funding under a wide variety of HUD programs in response to a single NOFA. Everyone interested in HUD's housing and community development assistance programs can benefit from having this information made available in one NOFA.

Coordination, Flexibility, and Simplicity in the HUD Funding Process

This SuperNOFA places heavy emphasis on the coordination of activities to provide (1) greater flexibility and responsiveness in meeting local housing and community development needs, and (2) greater flexibility to eligible applicants to determine what HUD program resources best fit the community's needs, as identified in local Consolidated Plans

and Analysis of Impediments to Fair Housing Choice (''Analysis of Impediments'' (AI)).

This SuperNOFA will simplify the application process; promote effective and coordinated use of program funds in communities; reduce duplication in the delivery of services and housing and community development programs; allow interested applicants to seek to deliver a wider, more integrated array of services; and improve the system for potential grantees to be aware of, and compete for program funds.

HUD encourages applicants to work together to coordinate and, to the maximum extent possible, join their activities to form a seamless and comprehensive program of assistance to meet identified needs in their communities, and address barriers to fair housing and equal opportunity that have been identified in the community's Consolidated Plan and Analysis of Impediments in the geographic area(s) in which they are seeking assistance.

As part of the simplification of this funding process, and to avoid duplication of effort, the SuperNOFA provides for consolidated applications for several of the programs for which funding is available under this NOFA. HUD programs that provide assistance for similar activities, e.g., technical assistance, drug elimination, modernization and revitalization, have a consolidated application that reduces the administrative and paperwork burden applicants may otherwise encounter in submitting an application for each program. The Program Chart in this introductory section of the SuperNOFA identifies the programs that have been consolidated and for which a consolidated application is made available to eligible applicants.

The funding of these nineteen programs through this SuperNOFA will not affect the ability of eligible applicants to seek HUD funding. *Eligible applicants are able, as they have been in the past, to apply for funding under as few as one or as many as all programs for which they are eligible.*

The specific statutory and regulatory requirements of each of the nineteen separate programs continue to apply to each programs. The SuperNOFA reflects, where necessary, the statutory requirements and differences applicable to the specific programs. *Please pay careful attention to the individual program requirements that are identified for each program. Also, you will note that not all applicants are eligible to receive assistance under all nineteen programs identified in this SuperNOFA.*

The SuperNOFA contains two major sections. The General Section of the SuperNOFA contains the procedures and requirements applicable to all applications. The Programs Section of the SuperNOFA describes each program for which funding is made available in the NOFA. As in the past, each program provides a description of eligible applicants, eligible activities, factors for awards, and any additional requirements or limitations that apply to the program. Please read carefully both the General Section and the Programs Section of the SuperNOFA for the program(s) to which you are applying. This will ensure that you apply for program funding for which your organization is eligible to receive funds and you fulfill all the requirements for that program(s).

The Programs of This SuperNOFA and the Amount of Funds Allocated

The nineteen programs for which funding availability is announced in this SuperNOFA are identified in the following chart. The approximate available funds for each program are listed as expected funding levels based on appropriated funds. Should recaptured or other funds become available for any program, HUD reserves the right to increase the available program funding amounts by the amount available.

The chart also includes the application due date for each program, the OMB approval number for the information collection requirements contained in the specific program, and the Catalog of Federal Domestic Assistance (CFDA) number.

Program name	Funding available	Due date	Submission location and room
Community Development Technical Assistance Programs	$82,395,140	6–24–98	HUD Headquarters Processing and Control Branch, Room 7251 and copies to appropriate CPD Field Offices.
Community Development Block Grant (CDBG) Technical Assistance.	5,000,000		
CFDA No.: 14.227			
OMB Approval No.: pending			
Community Housing Development Organization (CHDO) Technical Assistance.	42,000,000		
CFDA No: 14.239			
OMB Approval No.: pending			
HOME Technical Assistance	31,000,000		
CFDA No: 14.239			
OMB Approval No.: pending			
Supportive Housing Program (SHP) Technical Assistance	4,395,140		
CFDA No.: 14.235			
OMB Approval No.: pending			
University and College Programs	13,500,000	7–8–98	HUD Headquarters, Processing and Control Branch, Room 7251, and Appropriate Field Offices where noted in Programs Section.
Community Outreach Partnership Centers (COPCs)	7,000,000		
CFDA No.: 14.511			
OMB Approval No.: 2528–0180			
Historically Black Colleges and Universities (HBCUs) Program.	6,500,000		
CFDA No.: 14.237			
OMB Approval No.: 2506–0122			
Fair Housing Initiatives and Assisted Housing Counseling Programs.	29,500,000	6–1–98	HUD Headquarters Room 5234, except if only applying for Assisted Housing Counseling.
Education and Outreach Initiative (EOI)	1,000,000		

Program name	Funding available	Due date	Submission location and room
CFDA No.: 14.409 OMB Approval No.: 2529–0033 Private Enforcement Initiative (PEI)	9,300,000		
CFDA No.: 14.410 OMB Approval No.: 2529–0033 Fair Housing Organizations Initiative (FHOI)	1,200,000		
CFDA No.: 14.413 OMB Approval No.: 2529–0033 Housing Counseling Program • Local Housing Counseling Agencies ($5,000,000) • National, Regional and Multi-State Intermediaries ($6,000,000) • State Housing Finance Agencies ($7,000,000)	18,000,000		Appropriate HUD Field Office.
CFDA No.: 14.169 OMB Approval No: 2502–0261 Lead-Based Paint Hazard Control Program	50,000,000	6–1–98	Postal Service: HUD Headquarters, Office of Lead Hazard Control, Room B–133 Courier Service or Hand Carried: HUD Office of Lead Hazard Control, 490 East L'Enfant Plaza, S.W., Suite 3206, Washington, DC 20024.
CFDA No.: 14.900 OMB Approval No.: 2539–0005 Modernization and Revitalization Programs	745,762,796	6–29–98	HUD Headquarters, Room 4138, and copies to appropriate Local HUD Field Office, where noted in the Programs Section.
Comprehensive Improvement Assistance Program (CIAP) CFDA No.: 14.852 OMB Approval No.: 2577–0044	304,000,000		
HOPE VI Public Housing Revitalization CFDA No.: 14.866 OMB Approval No.: 2577–0208	441,762,796		
Drug Elimination in Public and Assisted Housing Programs	326,748,934	6–15–98	Appropriate local Field Office except if only applying for Drug Elimination TA.
Public Housing Drug Elimination Program (Including Youth Sports Eligible Activities). CFDA No.: 14.854 OMB Approval No.: 2577–0124	*288,498,934		
Public Housing Drug Elimination Program—New Approaches (Formerly Safe Neighborhood Grant). CFDA No.: 14.854 OMB Control No.: 2577–0124	20,000,000		
Drug Elimination Grants for Multifamily Low Income Housing. CFDA No.: 14.193 OMB Approval No.: 2502–0476	16,250,000		
Public Housing Drug Elimination Program-Technical Assistance. CFDA No.: 14.854 OMB Approval No: 2577–0124	2,000,000		HUD Headquarters, Room 4112.

*This amount includes $44,935,934 in FY 97 funds for applicants not funded in 1997.

Paperwork Reduction Act Statement. For those programs listed in the chart above which have OMB approval numbers, the information collection requirements contained in this SuperNOFA for those programs have been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). For those programs listed in the chart for which an OMB approval number is pending, the approval number when received will be announced by HUD in the **Federal Register**. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

General Section of the SuperNOFA

I. Authority; Purpose; Amount Allocated; Eligible Applicants and Eligible Activities

(A) Authorities

The authority for Fiscal Year 1998 funding availability under this SuperNOFA is the Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1998 (Pub. L. 105–65, approved October 27, 1997) (FY 1998 HUD Appropriations Act). Where applicable, additional authority for each program in this SuperNOFA is identified in the Programs Section.

(B) Purpose

The purpose of this SuperNOFA is to:

(1) Make funding available through a variety of programs to empower communities and their residents, particularly the poor and disadvantaged, to develop viable communities, provide decent housing and a suitable living environment for all citizens, without discrimination in order to improve themselves both as individuals and as a community.

(2) Simplify and streamline the application process for funding under HUD programs. By making available to State and local governments, public housing agencies, tribal governments, non-profit organizations and others, the application requirements for HUD housing and community development programs in one NOFA, HUD hopes that the result will be a less time consuming and less complicated application process. This new process also allows an applicant to submit one application for funds for several programs. Except where statutory or regulatory requirements or program policy mandate differences, the SuperNOFA strives to provide for one set of rules, standardized rating factors, and uniform and consolidated application procedures.

(3) Enhance the ability of applicants to make more effective and efficient use of housing and community development funding when addressing community needs and implementing coordinated housing and community development strategies established in local Consolidated Plans, which is the single application for HUD housing and community development and other formula funds submitted by the local or State government. Through this SuperNOFA process, applicants are encouraged to: (i) create opportunities for strategic planning and citizen participation in a comprehensive context at the local level in order to establish a full continuum of housing and services; and (ii) promote methods for developing more coordinated and effective approaches to dealing with urban, suburban, and rural problems by recognizing the interconnections among the underlying problems and ways to address them through layering of available HUD programs;

(4) Promote the ability of eligible non-profit organizations to participate in many of the programs contained in this SuperNOFA; provide an increased opportunity to assist communities in maintaining, rehabilitating, and constructing affordable housing for low and moderate income families; improve the quality of life for residents of public housing; develop and implement programs which promote fair housing practices and open housing opportunities within a community or geographic area; and provide technical assistance and services to improve program results and increase the productivity of HUD programs in meeting community needs; and

(5) Recognize and make better use of the expertise that each of the programs, and organizations eligible for funding under this SuperNOFA, can contribute when developing and implementing local housing and community development plans, the Consolidated Plan, and the HUD required Analysis of Impediments to Fair Housing Choice.

(C) Amounts Allocated

The amounts allocated to specific programs in this SuperNOFA are based on appropriated funds. Should recaptured funds become available in any program, HUD reserves the right to increase the available funding amounts by the amount of funds recaptured.

(D) Eligible Applicants and Eligible Activities

The eligible applicants and eligible activities for each program are identified and described for the program in the Programs Section of the SuperNOFA.

II. Requirements and Procedures Applicable to All Programs

Except as may be modified in the Programs Section of this Super NOFA, or as noted within the specific provisions of this Section II, the following principles apply to all programs. Please be sure to read the program area section of the SuperNOFA for additional requirements or information.

(A) Statutory Requirements

All applicants must meet and comply with all statutory and regulatory requirements applicable to the program for which they are seeking funding in order to be awarded funds. Copies of the regulations are available from the SuperNOFA Information Center or through the Internet at http://www.HUD.gov. HUD may reject an application from further funding consideration if the activities or projects proposed are ineligible, or HUD may eliminate the ineligible activities from funding consideration and reduce the grant amount accordingly.

(B) Threshold Requirements—Compliance With Fair Housing and Civil Rights Laws

All applicants, with the exception of Federally recognized Indian tribes, must comply with all Fair Housing and civil rights laws, statutes, regulations and executive orders as enumerated in 24 CFR § 5.105(a). Federally recognized Indian tribes must comply with the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, and the Indian Civil Rights Act. If an applicant (1) has been charged with a violation of the Fair Housing Act by the Secretary; (2) is the defendant in a Fair Housing Act lawsuit filed by the Department of Justice; or (3) has received a letter of noncompliance findings under Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, or Section 109 of the Housing and Community Development Act, the applicant is not eligible to apply for funding under this SuperNOFA until the applicant resolves such charge, lawsuit, or letter of findings to the satisfaction of the Department.

(C) Additional Nondiscrimination Requirements

Applicants must comply with the Americans with Disabilities Act, and Title IX of the Education Amendments Act of 1972.

(D) Affirmatively Furthering Fair Housing

Unless otherwise specified in the Programs Section of this SuperNOFA, each successful applicant will have a duty to affirmatively further fair housing. Applicants should include in their work plans the specific steps that they will take to (1) address the elimination of impediments to fair housing that were identified in the jurisdiction's Analysis of Impediments (AI) to Fair Housing Choice; (2) remedy discrimination in housing; or (3) promote fair housing rights and fair housing choice. Further, applicants have a duty to carry out the specific activities cited in their responses to the rating factors that address affirmatively furthering fair housing in the Programs Section of this SuperNOFA.

(E) Economic Opportunities for Low and Very Low-Income Persons (Section 3)

Certain programs in this SuperNOFA require recipients of HUD assistance to comply with section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. § 1701u (Economic Opportunities for Lower Income Persons in Connection with Assisted Projects), and the HUD regulations at 24 CFR part 135, including the reporting requirements in subpart E. Section 3 provides that recipients shall ensure that training, employment and other economic opportunities, to the greatest extent feasible, be directed to (1) low and very low income persons, particularly those who are recipients of government assistance for housing and (2) business concerns which provide economic opportunities to low and very low income persons. Section 3 is applicable to the following programs in this SuperNOFA: HOPE VI Revitalization; CIAP; and Lead-Based Paint Hazard Reduction, and may be applicable to certain activities of other programs of this SuperNOFA.

(F) Relocation

Any person (including individuals, partnerships, corporations or associations) who moves from real property or moves personal property from real property as a direct result of a written notice to acquire or the acquisition of the real property, in whole or in part, for a HUD-assisted activity is covered by acquisition policies and procedures and the relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), and the implementing governmentwide regulation at 49 CFR part 24. Any person who moves permanently from real property or moves personal property from real property as a direct result of rehabilitation or demolition for an activity undertaken with HUD assistance is covered by the relocation requirements of the URA and the governmentwide regulation.

(G) Forms, Certifications and Assurances

Each applicant is required to submit signed copies of the standard forms, certifications, and assurances, listed in this section, unless the program funding in the Programs Section specifies otherwise. Additionally, the Programs Section may specify additional forms, certifications or assurances that may be required for particular program in this SuperNOFA.

(1) Standard Form for Application for Federal Assistance (SF–424);

(2) Standard Form for Budget Information—Non-Construction Programs (SF–424A) or Standard Form for Budget Information-Construction Programs (SF–424C), as applicable;

(3) Standard Form for Assurances—Non-Construction Programs (SF–424B) or Standard Form for Assurances—Construction Programs (SF–424D), as applicable;

(4) Drug-Free Workplace Certification (HUD–50070);

(5) Certification and Disclosure Form Regarding Lobbying (SF–LLL); (Tribes and tribally designated housing entities (THDEs) established by an Indian tribe as a result of the exercise of the tribe's sovereign power are not required to submit this certification. Tribes and TDHEs established under State law are required to submit this certification.)

(6) Applicant/Recipient Disclosure Update Report (HUD–2880);

(7) Certification that the applicant will comply with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, and will affirmatively further fair housing. CDBG recipients also must certify to compliance with section 109 of the Housing and Community Development Act. Federally recognized Indian tribes must certify that they will comply with the requirements of the Age Discrimination Act of 1975, section 504 of the Rehabilitation Act of 1973, and the Indian Civil Rights Act.

(8) Certification required by 24 CFR 24.510. (The provisions of 24 CFR part 24 apply to the employment, engagement of services, awarding of contracts, subgrants, or funding of any recipients, or contractors or subcontractors, during any period of debarment, suspension, or placement in ineligibility status, and a certification is required.)

(H) OMB Circulars

The policies, guidances, and requirements of OMB Circular No. A–87 (Cost Principles Applicable to Grants, Contracts and Other Agreements with State and Local Governments) and 24 CFR part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally recognized Indian tribal governments) apply to the award, acceptance and use of assistance under the programs of this SuperNOFA, and to the remedies for noncompliance, except when inconsistent with the provisions of the FY 1998 HUD Appropriations Act, other Federal statutes or the provisions of this SuperNOFA. Compliance with additional OMB Circulars may be specified for a particular program in the Programs Section of the SuperNOFA. Copies of the OMB Circulars may be obtained from EOP Publications, Room 2200, New Executive Office Building, Washington, DC 10503, telephone (202) 395–7332 (this is not a toll free number).

(I) Environmental Requirements

For programs under this SuperNOFA that assist physical development activities or property acquisition, grantees are generally prohibited from acquiring, rehabilitating, converting, leasing, repairing or constructing property, or committing or expending HUD or non-HUD funds for these program activities, until one of the following has occurred:

(1) HUD has completed an environmental review in accordance with 24 CFR part 50; or (2) for programs subject to 24 CFR part 58, HUD has approved a grantee's Request for Release of Funds (HUD Form 7015.15) following a Responsible Entity's completion of an environmental review. Applicants should consult the Programs Section for the applicable program to determine the procedures for, timing of, and any exclusions from environmental review under a particular program.

III. Application Selection Process

(A) General

To review and rate applications, HUD may establish panels including persons not currently employed by HUD to obtain certain expertise and outside points of view, including views from other Federal agencies.

(1) *Rating.* All applications for funding in each program listed in this SuperNOFA will be evaluated and rated against the criteria in this SuperNOFA. The rating of the ''applicant'' or the ''applicant's organization and staff'' for technical merit or threshold compliance, unless otherwise specified, will include any sub-contractors, consultants, sub-recipients, and members of consortia which are firmly committed to the project.

(2) *Ranking.* Applicants will be ranked within each program. Applicants will be ranked only against others that applied for the same program funding and where there are set-asides within the competition, the applicant would only compete against applicants in the same set-aside competition.

(B) Threshold Requirements

HUD will review each application to determine whether the application meets all of the threshold criteria described for program funding made available under this SuperNOFA. Applications that meet all of the threshold criteria will be eligible to be rated and ranked, based on the criteria described, and the total number of points to be awarded.

(C) Factors For Award Used To Evaluate and Rate Applications

For all of the programs for which funding is available under this SuperNOFA, the points awarded for the factors total 100. The maximum number of points to be awarded, however, total 102. The SuperNOFA provides for two bonus points.

(1) *Bonus Points.* The SuperNOFA provides for the award of two bonus points for eligible activities/projects that are proposed to be located in federally designated Empowerment Zones, Enterprise Communities, Enterprise Communities, or Urban Enhanced Enterprise Communities, and serve the EZ/EC residents, and are certified to be consistent with the strategic plan of the EZs and ECs. The application kit contains a certification which must be

completed for the applicant to be considered for EZ/EC bonus points. A listing of the federally designated EZs, EZs, Enhanced ECs are available from the SuperNOFA Information Center, or through the HUD web site on the Internet at http://www.HUD.gov.

(2) *The Five Standard Rating Factors.* The factors for rating and ranking applicants are listed in this Section III(c)(2) and maximum points for each factor, are provided in the Programs Section of the SuperNOFA. Each applicant should carefully read the factors for award as described in the program area section that they are seeking funding. While HUD has established the following basic factors for award, these may have been modified or adjusted to take into account specific program needs, or statutory or regulatory limitations imposed on a program. The standard factors for award, except as modified in the program area section are:

Factor 1: Capacity of the Applicant and Relevant Organizational Staff
Factor 2: Need/Extent of the Problem
Factor 3: Soundness of Approach
Factor 4: Leveraging Resources
Factor 5: Comprehensiveness and Coordination

(D) Negotiation

After all applications have been rated and ranked and a selection has been made, in several programs, HUD requires that all winners participate in negotiations to determine the specific terms of the grant agreement and budget. In cases where HUD cannot successfully conclude negotiations or a selected applicant fails to provide HUD with requested information, awards will not be made. In such instances, HUD may offer an award to the next highest ranking applicant, and proceed with negotiations with the next highest ranking applicant.

(E) Adjustments to Funding

HUD reserves the right to fund less than the full amount requested in any application to ensure the fair distribution of the funds and to ensure the purposes of the programs contained in this SuperNOFA are met. HUD may choose not to fund portions of the applications that are ineligible for funding under applicable program statutory or regulatory requirements, or which do not meet the requirements of this General Section of this SuperNOFA or the requirements in the Programs Section for the specific program, and fund eligible portions of the applications.

If funds remain after funding the highest ranking applications, HUD may fund part of the next highest ranking application in a given program area. If the applicant turns down the award offer, HUD will make the same determination for the next highest ranking application. If funds remain after all selections have been made, remaining funds may be available for other competitions for each program area where there is a balance of funds.

Additionally, in the event of a HUD procedural error that, when corrected, would result in selection of an otherwise eligible applicant during the funding round of this SuperNOFA, HUD may select that applicant when sufficient funds become available.

(F) Performance and Compliance Actions of Grantees

Performance and compliance actions of grantees will be measured and addressed in accordance with applicable standards and sanctions of their respective programs.

IV. Application Submission Requirements

As discussed earlier in the introductory section of this SuperNOFA, part of the simplification of this funding process, is to reduce the duplication effort involved in completing and submitting similar applications for HUD funded programs. As the Program Chart shows above, this SuperNOFA provides for consolidated applications for several of the programs for which funding is available under this SuperNOFA.

V. Corrections to Deficient Applications

After the application due date, HUD may not, consistent with 24 CFR part 4, subpart B, consider unsolicited information from an applicant. HUD may contact an applicant, however, to clarify an item in the application or to correct technical deficiencies. Applicants should note, however, that HUD may not seek clarification of items or responses that improve the substantive quality of the applicant's response to any eligibility or selection criterion. *Examples* of curable technical deficiencies include failure to submit the proper certifications or failure to submit an application containing an original signature by an authorized official. In each case, HUD will notify the applicant in writing by describing the clarification or technical deficiency. HUD will notify applicants by facsimile or by return receipt requested. Applicants must submit clarifications or corrections of technical deficiencies in accordance with the information provided by HUD within 14 calendar days of the date of receipt of the HUD notification. If the deficiency is not corrected within this time period, HUD will reject the application as incomplete.

VI. Promoting Comprehensive Approaches to Housing and Community Development

(A) General

HUD believes the best approach for addressing community problems is through a community-based process that provides a comprehensive response to identified needs. By making HUD's Housing and Community program funding available in one NOFA, applicants may be able to relate the activities proposed for funding under this SuperNOFA to the recent and upcoming NOFAs and the community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice. A complete schedule of NOFAs to be published during the fiscal year and those already published appears under the HUD Homepage on the Internet, which can be accessed at http://www.hud.gov/nofas.html.

(B) Linking Program Activities With AmeriCorps

Applicants are encouraged to link their proposed activities with AmeriCorps, a national service program engaging thousands of Americans on a full or part-time basis to help communities address their toughest challenges, while earning support for college, graduate school, or job training. For information about AmeriCorps, call the Corporation for National Service at (202) 606–5000.

(C) Encouraging Visitability in New Construction and Substantial Rehabilitation Activities

In addition to applicable accessible design and construction requirements, applicants are encouraged to incorporate visitability standards where feasible in new construction and substantial rehabilitation projects. Visitability standards allow a person with mobility impairments access into the home, but does not require that all features be made accessible. Visitability means at least one entrance at grade (no steps), approached by an accessible route such as a sidewalk; the entrance door and all interior passage doors are at least 2 feet 10 inches wide, allowing 32 inches of clear passage space. Allowing use of 2′10″ doors is consistent with the Fair Housing Act (at least for the interior doors), and may be more acceptable than requiring the 3 foot doors that are required in fully accessible areas under the Uniform

Federal Accessibility Standards for a small percentage of units. A visitable home also serves persons without disabilities, such as a mother pushing a stroller, or a person delivering a large appliance. Copies of the UFAS are available from the Office of Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development, Room 5230, 451 Seventh Street, SW, Washington, DC 20410, telephone (202) 755–5404 or the TTY telephone number, 1–800–877 8399 (Federal Information Relay Service).

(D) Developing Healthy Homes

HUD's Healthy Homes Initiative is one of the initiatives developed by the White House Task Force on Environmental Health Risks and Safety Risks to Children that was established under Executive Order 13045 (''Protection of Children from Environmental Health Risks and Safety Risks''). HUD encourages the funding of activities (to the extent eligible under specific programs) that promote healthy homes, or that promote education on what is a healthy home. These activities may include, but are not limited to the following: educating homeowners or renters about the need to protect children in their home from dangers that can arise from items such as curtain cords, electrical outlets, hot water, poisons, fire, and sharp table edges, among others; incorporating child safety measures in the construction, rehabilitation or maintenance of housing, which include but are not limited to: child safety latches on cabinets, hot water protection devices, properly ventilated windows to protect from mold, window guards to protect children from falling, proper pest management to prevent cockroaches which can cause asthma, and activities directed to control of lead-based paint hazards. The National Lead Information Hotline is 1–800–424–5323.

VII. Findings and Certifications

(A) Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the General Counsel, Regulations Division, Room 10276, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410–0500.

(B) Federalism, Executive Order 12612

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that the policies contained in this SuperNOFA will not have substantial direct effects on States or their political subdivisions, or on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Specifically, the SuperNOFA solicits applicants to expand their role in addressing community development needs in their localities, and does not impinge upon the relationships between the Federal government and State and local governments. As a result, the SuperNOFA is not subject to review under the Order.

(C) Prohibition Against Lobbying Activities

Applicants for funding under this SuperNOFA are subject to the provisions of section 319 of the Department of Interior and Related Agencies Appropriation Act for Fiscal Year 1991, 31 U.S.C. 1352 (the Byrd Amendment), which prohibits recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan. Applicants are required to certify, using the certification found at Appendix A to 24 CFR part 87, that they will not, and have not, used appropriated funds for any prohibited lobbying activities. In addition, applicants must disclose, using Standard Form LLL, ''Disclosure of Lobbying Activities,'' any funds, other than Federally appropriated funds, that will be or have been used to influence Federal employees, members of Congress, and congressional staff regarding specific grants or contracts. Tribes and tribally designated housing entities (THDEs) established by an Indian tribe as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but tribes and TDHEs established under State law are not excluded from the statute's coverage.)

(D) Section 102 of the HUD Reform Act; Documentation and Public Access Requirements

Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545) (HUD Reform Act) and the regulations codified in 24 CFR part 4, subpart A, contain a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992 (57 FR 1942), HUD published a notice that also provides information on the implementation of section 102. The documentation, public access, and disclosure requirements of section 102 apply to assistance awarded under this SuperNOFA as follows:

(1) *Documentation and public access requirements.* HUD will ensure that documentation and other information regarding each application submitted pursuant to this SuperNOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations in 24 CFR part 15.

(2) *Disclosures.* HUD will make available to the public for 5 years all applicant disclosure reports (HUD Form 2880) submitted in connection with this SuperNOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than 3 years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15.

(3) *Publication of Recipients of HUD Funding.* HUD's regulations at 24 CFR 4.7 provide that HUD will publish a notice in the **Federal Register** on at least a quarterly basis to notify the public of all decisions made by the Department to provide:

(i) Assistance subject to section 102(a) of the HUD Reform Act; or

(ii) Assistance that is provided through grants or cooperative agreements on a discretionary (non-formula, non-demand) basis, but that is not provided on the basis of a competition.

(E) Section 103 HUD Reform Act

HUD's regulations implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a), codified in 24 CFR part 4, apply to this funding competition. The regulations continue to apply until the announcement of the selection of successful applicants. HUD employees

involved in the review of applications and in the making of funding decisions are limited by the regulations from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics related questions should contact the HUD Ethics Law Division at (202) 708–3815. (This is not a toll-free number.) For HUD employees who have specific program questions, the employee should contact the appropriate field office counsel, or Headquarters counsel for the program to which the question pertains.

VIII. The FY 1998 SuperNOFA Process and Future HUD Funding Processes

In FY 1997, Secretary Cuomo took the first step at changing HUD's funding process to better promote comprehensive, coordinated approaches to housing and community development. In FY 1997, the Department published related NOFAs on the same day or within a few days of each other. In the individual NOFAs published in FY 1997, HUD advised that additional steps on NOFA coordination may be considered for FY 1998. The three SuperNOFAs to be published for FY 1998 represent the additional step taken by HUD to improve HUD's funding process and assist communities to make better use of available resources through a coordinated approach. This new SuperNOFA process was developed based on comments received from HUD clients and the Department believes it represents a significant improvement over HUD's approach to the funding process in prior years. For FY 1999, HUD may take even further steps to enhance this process. HUD welcomes comments from applicants and other members of the public on this process, and how it may be improved in future years.

The description of program funding available under this first SuperNOFA for Housing and Community Development programs follows.

Dated: March 23, 1998.

Saul N. Ramirez, Jr.,

Acting Deputy Secretary.

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Appendix A—List of HUD Offices and Hours of Operation

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY DEVELOPMENT TECHNICAL ASSISTANCE PROGRAMS

Community Development Block Grant (CDBG) Technical Assistance

Community Housing Development Organization (CHDO) Technical Assistance

HOME Technical Assistance

Supportive Housing Program (SHP) Technical Assistance

BILLING CODE 4210–32–C

Funding Availability for Community Development Technical Assistance (TA) Programs—CDBG, CHDO, Home and Supportive Housing

Program Description: Approximately $82.4 million in technical assistance (TA) funds is available from four separate technical assistance programs: Community Development Block Grant (CDBG) TA, Community Housing Development Organization (CHDO) TA, HOME TA and Supportive Housing TA (collectively ''CD–TA'').

The funding of these four CD–TA programs through a single funding availability announcement will not affect the ability of eligible applicants to seek CD–TA funding. Eligible applicants are able to apply for funding under as few as one, and as many as four, separate CD–TA programs, individually or collectively, singularly or in combination. The specific provisions of the four separate CD–TA programs have not been changed. This Community Development Technical Assistance Programs section of the SuperNOFA reflects the statutory requirements and differences in the four different CD–TA programs.

Application Due Date: Completed applications (an original and one copy) must be submitted no later than 12:00 midnight, Eastern time, on June 24, 1998. The original application submitted to Headquarters is considered the official application. A copy of the application also should be sent to the HUD CPD Field Office or Field Offices in which you are seeking to provide services. The application kit contains the addresses and hours of operation for the HUD CPD Field Offices. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Addresses for Submitting Applications: The completed original application to be submitted to HUD Headquarters should be submitted to U.S. Department of Housing and Urban Development, CPD Processing and Control Branch, Room 7251, 451 Seventh Street, SW, Washington, DC 20410. The copy of the application to be submitted to the appropriate CPD Field Office should be sent to the address shown on the list of HUD CPD Field Offices included in the application kit. When submitting your application, please refer to the Community Development Technical Assistance Program. Be sure to include your name, mailing address (including zip code) and telephone number (including area code).

For Application Kits, Further Information, and Technical Assistance

For Application Kits. For an application kit and any supplemental information, please call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209. When requesting an application kit, please refer to ''Community Development Technical Assistance Programs.'' Please be sure to provide your name, address (including zip code), and telephone number (including area code).

For Further Information and Technical Assistance. For answers to your questions, you have several options. You may call the HUD CPD Office serving your area at the telephone number listed in the list of HUD CPD Field Offices included in the application kit, or you may contact the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209. Information on this SuperNOFA may also be obtained through the HUD web site on the Internet at http://www:HUD.gov.

Additional Information

I. Authority; Purpose; Amount Allocated; Program Award Period; Eligible Applicants; Eligible and Ineligible Activities; and Sub-Grants/Pass-Through Funds.

The Authority, Purpose of the Program, Amount Allocated, Eligible Applicants, Eligible Activities, Ineligible Activities, and *Additional* Program Requirements, as applicable, are delineated under each technical assistance program area for which funding is being made available. Applicants should take care in reviewing this section to ensure they are eligible to apply for funds and that they meet the additional program requirements and limitations described for each program.

(A) Authority

CDBG Technical Assistance: The Community Development Block Grant Technical Assistance Program is authorized under Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301–5320; 24 CFR 570.402).

CHDO Technical Assistance: The CHDO Technical Assistance Program is authorized by the Home Investment Partnerships Act (42 U.S.C. 12773) 24 CFR part 92.

HOME Technical Assistance. The HOME Technical Assistance Program is authorized by the Home Investment Partnerships Act (42 U.S.C. 12781–12783) 24 CFR part 92.

Supportive Housing Program Technical Assistance. The Supportive Housing Program is authorized under 42 U.S.C. 11381 *et seq.*; 24 CFR 583.140.

(B) Purpose of the Program

The purposes of the technical assistance programs in this SuperNOFA are:

Community Development Block Grant Technical Assistance. To increase the effectiveness with which States and units of general local government plan, develop and administer their Community Development Block Grant (CDBG) Programs, including assistance to aid non-profits and other recipients of CDBG funds.

CHDO Technical Assistance. To provide educational and organizational support assistance to Community Housing Development Organizations (CHDOs) to promote their ability to maintain, rehabilitate and construct housing for low-income and moderate-income families; to facilitate the education of low-income homeowners and tenants; and to help women who reside in low- and moderate-income neighborhoods to rehabilitate and construct housing in the neighborhoods.

HOME Technical Assistance. To help HOME participating jurisdictions design and implement HOME programs, including: improving their ability to design and implement housing strategies and incorporate energy efficiency into affordable housing; facilitating the exchange of information to help participating jurisdictions carry out their programs; facilitating the establishment and efficient operation of employer-assisted housing programs and of land bank programs; and encouraging private lenders and for-profit developers of low-income housing to participate in public-private partnerships.

Supportive Housing Program Technical Assistance. To provide HUD-funded supportive housing projects with technical assistance to promote the development of supportive housing and supportive services as part of a Continuum of Care approach, including innovative approaches to assist homeless persons in the transition from homelessness, and promoting the provision of supportive housing to homeless persons to enable them to live as independently as possible.

(C) Amount Allocated

(1) The amounts allocated for each CD–TA program are as follows:

CDBG TA funds: $5,000,000

CHDO TA funds: $42,000,000
HOME TA funds: $31,000,000
SHP TA funds: $4,395,140

(2) Each HUD/CPD Field Office has been allocated a ''fair-share'' of CD–TA funds for purposes of this competition. (See CD–TA Appendix A for the fair share allocations) The amounts are based on workload allocations of HOME, CDBG and SHP entitlement funds and competitive programs for which Field Offices have management oversight. These amounts are only for guidance purposes to applicants in developing their program budgets by Field Office jurisdiction and are not the exact amounts to be awarded in each area or to each provider.

The total amount to be awarded to any provider will be determined by HUD based upon the size and needs of the provider's service area within each Field Office jurisdiction in which the provider is selected to operate, the funds available for that area, the number of other awardees selected in that area, and the scope of the technical assistance to be provided. Additionally, HUD may reduce the amount of funds allocated for Field Office jurisdictions to fund national CD–TA providers and other CD–TA providers for activities which cannot be budgeted or estimated by Field Office jurisdiction. HUD may require selected applicants, as a condition of funding, to provide coverage on a geographically broader basis than applied for in order to supplement or strengthen the intermediary network in terms of the location (service area), types and scope of technical assistance proposed.

(3) To the extent permitted by funding constraints, HUD intends to provide coverage for as full a range, as possible, of eligible CD–TA activities of each CD–TA program in each Field Office jurisdiction. To achieve this objective, HUD will fund the highest ranking providers that bring the required expertise in one or more specialized activity areas, and fund portions of providers' proposed programs in which they have the greatest skill and capability for given geographic areas or on a national basis. HUD also may require national, multi-jurisdictional, or other providers to provide coverage to Field Office jurisdictions which cannot otherwise receive cost-effective support from a CD–TA provider. In selecting applicants for funding, in addition to the rating factors, HUD will apply program policy criteria identified in Section III of this CD–TA Program section of SuperNOFA to select a range of providers and activities that would best serve program objectives for each program serviced by the CD–TA funded under this SuperNOFA.

(D) Program Award Period

(1) Cooperative Agreements will be for a period of up to 36 months. HUD, however, reserves the right to:

(a) Terminate awards in accordance with provisions contained in OMB Circular A–102, and 24 CFR parts 84 and 85 anytime after 12 months;

(b) Withdraw funds from a specific provider, if HUD determines that the urgency of need for the assistance is greater in other Field Office jurisdictions or the need for assistance is not commensurate with the award for assistance;

(c) Extend the performance period of individual awardees up to a total of 12 additional months.

(2) In cases where an applicant selected for funding under this program section of the SuperNOFA currently is providing CD technical assistance under an existing CD–TA grant/cooperative agreement, HUD reserves the right to adjust the start date of funding under this program to coincide with the conclusion of the previous award, or to incorporate the remaining activities from the previous award into the new agreement, adjusting the funding levels as necessary.

(E) Eligible Applicants

(1) *General.* The eligible applicants for each of the four CD–TA programs are listed in paragraphs (2), (3), and (4) of this Section (E). This paragraph (1) lists requirements applicable to all applicants.

(a) Many organizations are eligible to apply for more than one CD–TA program and are encouraged to do so to the extent they have the requisite experience, expertise and capability.

(b) All applicant organizations must have demonstrated ability to provide CD–TA in a geographic area larger than a single city or county and must propose to serve an area larger than a single city or county.

(c) An organization may not provide assistance to itself, and any organization funded to assist CHDOs under this CD–TA Program section of the SuperNOFA may not act as a CHDO itself within its service area while under award with HUD.

(d) A consortium of organizations may apply for one or more CD–TA programs, but HUD will require that one organization be designated as the legal applicant, where legally feasible. Where one organization cannot be so designated for all proposed activities, HUD may execute more than one cooperative agreement with the members of a consortium.

(e) All applicants must meet minimum statutory eligibility requirements for each CD–TA program for which they are chosen in order to be awarded a cooperative agreement. Copies of the Technical Assistance program regulations will be provided with the application kit.

(f) All eligible CD–TA providers may propose assistance using in-house staff, consultants, sub-contractors and sub-recipients, networks of private consultants and/or local organizations with requisite experience and capabilities. Whenever possible, applicants should make use of technical assistance providers located in the Field Office jurisdiction receiving services. This draws upon local expertise and persons familiar with the opportunities and resources available in the area to be served while reducing travel and other costs associated with delivering the proposed technical assistance services.

(2) *CDBG and Supportive Housing Eligible Applicants.*

(a) States and units of general local government.

(b) Public and private non-profit or for-profit groups, including educational institutions and area-wide planning organizations, qualified to provide technical assistance on CDBG programs or Supportive Housing projects. With respect to the CDBG program, an applicant group must be designated as a technical assistance provider to a unit of government's CDBG program by the chief executive officer of each unit to be assisted, unless the assistance is limited to conferences/workshops attended by more than one unit of government.

(3) *CHDO Eligible Applicants.* Public and private non-profit intermediary organizations that customarily provide services (in more than one community) related to affordable housing or neighborhood revitalization to CHDOs, or similar organizations that engage in community revitalization, including all eligible organizations under section 233 of the Cranston-Gonzalez National Affordable Housing Act, as amended.

An intermediary will be considered as a primarily single State technical assistance provider if it can document that more than 50% of its past activities in working with CHDOs or similar nonprofit and other organizations (on the production of affordable housing or revitalization of deteriorating neighborhoods and/or the delivery of technical assistance to these groups) was confined to the geographic limits of a single State.

(4) *HOME Eligible Applicants.*

(a) A for-profit or non-profit professional and technical services company or firm that has demonstrated capacity to provide technical assistance services;

(b) A HOME participating jurisdiction (PJ) or agency thereof;

(c) A public purpose organization responsible to the chief elected official of a PJ and established pursuant to State or local legislation;

(d) An agency or authority established by two or more PJs to carry out activities consistent with the purposes of the HOME program;

(e) A national or regional non-profit organization that has membership comprised predominantly of entities or officials of entities of PJs or PJs' agencies or established organizations.

(F) Eligible and Ineligible Activities

Eligible and ineligible activities as appropriate for each of the four CD–TA programs are listed below:

(1) *Community Development Block Grant Technical Assistance.*

(a) *Eligible Activities.* Activities performed with CDBG funds must meet the substantive nexus test contained in 24 CFR 570.402(a)(2) and may include:

(i) The provision of technical or advisory services;

(ii) The design and operation of training projects such as workshops, seminars, conferences, or computer-based training;

(iii) The development and distribution of technical materials and information;

(iv) Other methods of demonstrating and making available skills, information and knowledge to assist States, units of general local government, in planning, developing, administering or assessing assistance under CDBG programs in which they are participating or seeking to participate.

(b) *Ineligible Activities.* Activities for which costs are ineligible for funding under the Community Development Block Grant Technical Assistance Program include:

(i) In the case of technical assistance for States, the cost of carrying-out the administration of the State CDBG program for non-entitlement communities;

(ii) The cost of carrying out the activities authorized under the CDBG Program, such as the provision of public services, construction, rehabilitation, planning and administration for which the technical assistance is to be provided;

(iii) The cost of acquiring or developing the specialized skills or knowledge to be provided by a group funded under this section;

(iv) Research activities;

(v) The cost of identifying units of governments needing assistance (except the cost of selecting recipients of technical assistance under the provision of 24 CFR 570.402(j) is eligible); or

(vi) Activities designed primarily to benefit HUD, or to assist HUD, in carrying out the Department's responsibilities; such as research, policy analysis of proposed legislation, training or travel of HUD staff, or development and review of reports to Congress.

(2) *CHDO Technical Assistance.* CHDO Technical Assistance funds may be used only for the following eligible activities:

(a) Organizational Support—Organizational support assistance may be made available to community housing development organizations to cover operational expenses and to cover expenses for training and technical, legal, engineering and other assistance to the board of directors, staff, and members of the community housing development organization;

(b) Housing Education—Housing education assistance may be made available to community housing development organizations to cover expenses for providing or administering programs for educating, counseling, organizing homeowners and tenants who are eligible to receive assistance under other provisions of the HOME Program;

(c) Program-Wide Support of Nonprofit Development and Management—Technical assistance, training, and continuing support may be made available to eligible community housing development organizations for managing and conserving properties developed under the HOME Program;

(d) Benevolent Loan Funds—Technical assistance may be made available to increase the investment of private capital in housing for very low-income families, particularly by encouraging the establishment of benevolent loan funds through which private financial institutions will accept deposits at below-market interest rates and make those funds available at favorable rates to developers of low-income housing and to low-income homebuyers;

(e) Community Development Banks and Credit Unions—Technical assistance may be made available to establish privately owned, local community development banks and credit unions to finance affordable housing;

(f) Community Land Trusts—Organizational support, technical assistance, education, training and continuing support under this subsection may be made available to community land trusts (as such term is defined in section 233(f) of the Cranston-Gonzalez National Affordable Housing Act) and to community groups for the establishment of community land trusts; and

(g) Facilitating Women in Homebuilding Professions—Technical assistance may be made available to businesses, unions, and organizations involved in construction and rehabilitation of housing in low- and moderate-income areas to assist women residing in the area to obtain jobs involving such activities, which may include facilitating access by helping such women develop nontraditional skills, recruiting women to participate in such programs, providing continuing support for women at job sites, counseling and educating businesses regarding suitable work environments for women, providing information to such women regarding opportunities for establishing small housing construction and rehabilitation businesses, and providing materials and tools for training such women (in an amount not exceeding 10% of any assistance provided under this paragraph). The Secretary shall give priority under this paragraph to providing technical assistance for organizations rehabilitating single family or multifamily housing owned or controlled by the Secretary pursuant to title II of the National Housing Act and which have women members in occupations in which women constitute 25% or less of the total number of workers in the occupation (in this section referred to as ''nontraditional occupations'').

(3) *HOME Technical Assistance Program.* HUD will provide assistance to:

(a) Facilitate the exchange of information that would help participating jurisdictions carry out the purposes of the HOME statute, including information on program design, housing finance, land use controls, and building construction techniques;

(b) Improve the ability of States and units of local government to design and implement housing strategies, particularly those States and units of local government that are relatively inexperienced in the development of affordable housing;

(c) Encourage private lenders and for-profit developers of low-income housing to participate in public-private partnerships to achieve the purposes of the HOME statute;

(d) Improve the ability of States and units of local government, community

housing development organizations, private lenders, and for-profit developers of low-income housing to incorporate energy efficiency into the planning, design, financing, construction and operation of affordable housing;

(e) Facilitate the establishment and efficient operation of employer-assisted housing programs, through research, technical assistance, and demonstration projects; and

(f) Facilitate the establishment and efficient operation of land bank programs, under which title to vacant and abandoned parcels of real estate located in or causing blighted neighborhoods is cleared for use consistent with the purposes of the HOME statute.

(4) *Supportive Housing Program Technical Assistance.* Funds are available to provide technical assistance to HUD-funded Supportive Housing projects. Funds may be used to provide technical assistance to prospective applicants, applicants, recipients or other providers (project sponsors) of Supportive Housing or SHP-funded services for homeless persons. The assistance may include, but is not limited to, written information such as papers, monographs, manuals, guides and brochures; person-to-person exchanges; and training and related costs.

(G) Sub-Grants/Pass-Through Funds

Applicants may propose to make sub-grants to achieve the purposes of their proposed CD–TA programs in accordance with program requirements in Section II of this CD–TA Program section of the SuperNOFA. In the case of CHDO TA, these sub-grants (also called ''pass-through'' funds) may be made for eligible activities and to eligible entities as identified in Section 233(b)(1), (2), and (7) of the Cranston-Gonzalez National Affordable Housing Act. When CHDO TA sub-grants are made to CHDOs, two statutory provisions apply:

(1) The sub-grant amount, when combined with other capacity building and operating support available through the HOME program, cannot exceed the greater of 50% of the CHDO's operating budget for the year in which it receives the funds, or $50,000 annually;

(2) An amount not exceeding 10% of the total funds awarded for the ''Women in the Homebuilding Professions'' eligible activity may be used to provide materials and tools for training such women.

II. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, applicants are subject to the following requirements:

(A) Profit/Fee

No increment above cost, no fee or profit, may be paid to any recipient or subrecipient of an award under this CD–TA Program section of the SuperNOFA.

(B) Demand/Response Delivery System

(1) All awardees must operate within the structure of the demand/response system described in this section. They must coordinate their plans with, and operate under the direction of, each HUD Field Office within whose jurisdiction they are operating. When so directed by a Field Office, they will coordinate their activities instead through a lead CD–TA provider or other organization designated by the Field Office.

(2) If selected as the lead CD–TA provider in any Field Office jurisdiction, the awardee must coordinate the activities of other CD–TA providers selected under this CD–TA Program section of the SuperNOFA under the direction of the HUD Field Office. Joint activities by CD–TA providers may be required.

(3) Under the demand/response system, CD–TA providers will be required to:

(a) When requested by a Field Office or GTR, market the availability of their services to existing and potential clients to include local jurisdictions in which the assistance will be delivered.

(b) Respond to requests for assistance from the HUD Field Office(s) with oversight of the geographic service area for which the technical assistance will be delivered, including responding to priorities established by the Field Office in its Grants Management System. CHDOs, HOME PJs, CDBG and Supportive Housing grantees may request assistance from the CD–TA provider directly, but such requests must be approved by the local HUD Field Office.

(c) When requested by a Field Office or GTR, conduct a Needs Assessment to identify the type and nature of the assistance needed by the recipients of the assistance. Such needs assessments should typically identify the nature of the problem to be addressed by the technical assistance services; the plan of action to address the need including the type of technical assistance services to be provided, the duration of the service, the staff assigned to provide the assistance, anticipated products and/or outcomes, and the estimated cost for the provision of services; and the relationship of the proposed services to the planned or expected Consolidated Plan submission to HUD and to other technical assistance providers providing service within the locality.

(d) Obtain approval for the Technical Assistance Delivery Plan (TADP) from the HUD Field Office(s) with oversight for the area in which service will be provided. (See Section C below).

(e) Work cooperatively with other CD–TA providers in their geographic areas to ensure that clients are provided with the full range of CD–TA services needed and available. CD–TA providers are expected to be knowledgeable about the range of services available from other providers, make referrals and arrange visits by other CD–TA providers when appropriate, and carry out CD–TA activities concurrently when it is cost-effective and in the interests of the client to do so. HUD Field Offices may direct CD–TA providers to conduct joint activities.

(C) Technical Assistance Delivery Plan (TADP)

(1) After selection for funding but prior to award, each applicant must develop a TADP for each Field Office jurisdiction or National Program for which it has been selected, in consultation with the Field office and/or GTR.

(2) In developing the TADP, the applicant shall be guided by the Field Office's management strategies/workplans for each community/State in the Field Office's jurisdiction. It shall use these management strategies/workplans in determining its priority work activities, location of activities, and organizations to be assisted during the cooperative agreement performance period.

(3) The grantee management strategies/workplans are part of the Field Office's Grants Management Process (GMP) and should indicate the issues to be addressed by CD–TA, the improved performance expected as a result of CD–TA, and methods for measuring the success of the CD–TA.

(4) The TADP must delineate all the tasks and sub-tasks for each CD program the applicant will undertake in each Field Office jurisdiction. It shall show the location of the community/State in which the CD–TA activities will occur, the level of CD–TA funding and proposed activities by location, the improved program performance or other results expected from the CD–TA and the methodology to be used for measuring the success of the CD–TA. A

time schedule for delivery of the activities, budget-by-task and staffing plan shall be included in the TADP.

(D) Negotiation

After all applications have been rated and ranked and a selection has been made, HUD requires that all winners participate in negotiations to determine the specific terms of the TADP and the budget. HUD will follow the negotiation procedures described in Section III(D) of the General Section of the SuperNOFA.

(E) Forms, Certifications and Assurances

Each applicant must submit (1) the forms, certifications and assurances listed in the General Section of this SuperNOFA, and after selection for funding but prior to award (2) the CDBG Nexus Statement (where applicable).

(F) Financial Management and Audit Information

After selection for funding but prior to award, each applicant must submit a certification from an Independent Public Accountant or the cognizant government auditor, stating that the financial management system employed by the applicant meets prescribed standards for fund control and accountability required by 24 CFR part 84 for Institutions of Higher Education and other Non-Profit Institutions, 24 CFR part 85 for States and local governments, or the Federal Acquisition Regulations (for all other applicants). The information should include the name and telephone number of the independent auditor, cognizant Federal auditor, or other audit agency as applicable.

(G) Designation for CDBG/CHDO Technical Assistance Providers

CDBG TA providers will be expected to obtain designation as technical assistance providers by the chief executive officers of each community within which they are working as required by 24 CFR 570.402(c)(2). CHDO TA providers will be responsible for securing a technical assistance designation letter from a PJ stating that a CHDO or prospective CHDO to be assisted by the provider is a recipient or intended recipient of HOME funds and indicating, at its option, subject areas of assistance that are most important to the PJ.

(H)) Training Sessions

When conducting training sessions as part of its CD–TA activities, CD–TA providers are required to:

(1) Design the course materials as ''step-in'' packages (also called ''train-the trainer'' packages) so that a Field Office or other CD–TA provider may separately give the course on its own;

(2) Arrange for joint delivery of the training with Field Office participation when so requested by the Field Office; and

(3) When requested by a Field Office and/or Government Technical Representative (GTR), make provision for professional videotaping of the workshops/courses and ensure their production in a professional and high quality manner suitable for viewing by other CD clients (if this requirement is implemented, additional funds may be requested).

(I) Reports to Field Offices and/or GTRs

CD–TA providers will be required to report to the HUD Field Office(s) with oversight of the geographic area(s) in which CD–TA services are provided or to Headquarters GTRs in the case of national providers. At a minimum, this reporting shall be on a quarterly basis unless otherwise specified in the approved TADP.

(J) Active Participation

HUD Field Offices will be active participants in the delivery of all technical assistance by funded providers throughout the term of the cooperative agreement.

(K) CHDO Pass-Through Funds

CD–TA providers proposing pass-through grants are required to:

(1) Establish written criteria for selection of CHDOs receiving pass-through funds which includes the following:

(a) Participating jurisdictions (PJs) must designate the organizations as CHDOs.

(b) Generally, the organizations should not have been in existence more than 3 years.

(2) Enter into an agreement with the CHDO that the agreement and pass-through funding may be terminated at the discretion of the Department if no written legally binding agreement to provide assistance for a specific housing project (for acquisition, rehabilitation, new construction or tenant-based rental assistance) has been made by the PJ with the CHDO within 24 months of receiving the pass-through funding.

(L) Affirmatively Furthering Fair Housing

Section II(D) of the General Section of the SuperNOFA does not apply to these technical assistance programs.

III. Application Selection Process

(A) Rating and Ranking

(1) Applications will be evaluated competitively and ranked against all other applicants that have applied for the same CD–TA program (CDBG, HOME, CHDO and Supportive Housing) within each Field Office or as a National Provider. There will be separate rankings for each CD–TA program, and applicants will be ranked only against others that have applied for the same CD–TA program.

(2) Once scores are assigned, all applications will be listed in rank order for each CD–TA program for which they applied by Field Office jurisdiction and/or National Program. In each Field Office jurisdiction or National Program area, all applications for the CDBG TA program will be listed in rank order on one list, all applications for the CHDO TA program will be listed in rank order on a second list, all applications for the HOME TA program will be listed in rank order on a third list, and all applications for the Supportive Housing TA program will be listed in rank order on a fourth list. Under this system, a single application from one organization for all four CD–TA programs could be assigned different scores and different rankings for each program in different Field Offices.

(3) Applications will be funded in rank order for each CD–TA program by Field Office jurisdiction, except for national providers and others which cannot be ranked by Field Office jurisdiction. National providers and others will be ranked separately and funded in rank order for each CD–TA program. Irrespective of final scores, HUD may apply program policy criteria to select no more than one applicant per Field Office among all four CD–TA programs in this section of the SuperNOFA, to ensure diversity of methods, approaches, or kinds of projects. HUD will apply these program policy criteria to provide coverage of CD–TA services for minorities; women, particularly women in the homebuilding professions under section 233(b)(7) of the Cranston-Gonzalez National Affordable Housing Act; the disabled; homeless; persons with special needs; and rural areas.

(4) In addition to the authority in the General Section to adjust funding, HUD reserves the right to adjust funding levels for each applicant for each CD–TA program as follows:

(a) Pursuant to section 233(d)(1) and (2) of the Cranston-Gonzalez National Affordable Housing Act, funding to any single eligible nonprofit intermediary organization seeking to provide CHDO

CD–TA, whether as an independent or joint applicant, is limited to the lesser of 20% of all funds, or an amount not to exceed 20% of the organization's operating budget for any one year (not including funds sub-awarded or passed through the intermediary to CHDOs);

(b) Award additional funds to organizations designated as lead CD–TA providers as discussed in Section II.(B) of this CD–TA Program section of the SuperNOFA;

(c) Adjust funding levels for any provider based upon the size and needs of the provider's service area within each Field Office jurisdiction in which the provider is selected to operate, the funds available for that area, the number of other awardees selected in that area, funds available on a national basis for providers that will be operating nationally, or the scope of the technical assistance to be provided;

(d) To negotiate increased grant awards with applicants approved for funding if HUD requests them to offer coverage to geographic areas for which they did not apply or budget, or if HUD receives an insufficient amount of applications.

(5) If funds remain after all selections have been made, remaining funds may be:

(a) Distributed among all HUD Field Offices (in proportion to their fair-share awards) and/or the National Program, or

(b) Made available for other CD–TA program competitions.

(B) Factors for Award Used to Evaluate and Rate Applications

The factors and maximum points for each factor are provided below. The maximum number of points to be awarded for a CD–TA application is 100. The CD–TA program is not an eligible program for the EZ/EC bonus points, as described in Section III(C) of the General Section of the SuperNOFA.

Rating of the ''applicant'' or the ''applicant's organization and staff'', unless otherwise specified, will include any sub-contractors, consultants, sub-recipients, and members of consortia which are firmly committed to the project.

When addressing the Factors for Award, the applicant should discuss the specific TA projects, activities, tasks, etc. that are suggested to be carried out by the applicant during the term of the cooperative agreement.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points)

In rating this factor, HUD will consider the extent to which the application demonstrates:

(1) (4 points) Recent, relevant and successful experience of the applicant's organization and staff in providing technical assistance in all eligible activities and to all eligible entities for the CD–TA program(s) applied for, as described in the regulations;

(2) (4 points) The experience and competence of key personnel in managing complex, multi-faceted or multi-disciplinary programs which require coordination with other CD–TA entities or multiple, diverse units in an organization;

(3) (4 points) The applicant has the skills and knowledge to aid grantees in the development of Consolidated Submissions for CD programs, comprehensive plans and planning processes and citizen participation activities, or in the case of SHP TA applicants, aid grantees in the development of supportive housing and supportive services as part of a Continuum of Care approach;

(4) (4 points) The applicant has a working knowledge of, and established relationships with, key public bodies and private organizations involved in CD programs in the geographic or national areas in which it proposes to serve;

(5) (4 points) The applicant has sufficient personnel or access to qualified experts or professionals to deliver the proposed level of technical assistance in each proposed service area in a timely and effective fashion.

Rating Factor 2: Potential Effectiveness of the Application in Meeting Needs of Target Groups/Localities and Accomplishing Project Objectives for Each CD–TA Program for which Funds Are Requested (20 Points)

In rating this factor, HUD will consider the extent to which the application:

(1) (4 points) Identifies high priority needs and issues to be addressed for each CD–TA program for which funding is requested;

(2) (4 points) Outlines a clear and effective plan of suggested TA activities for addressing those needs and aiding a broad diversity of eligible grantees and/or beneficiaries, including those which traditionally have been under-served;

(3) (4 points) Identifies creative and promising ways of carrying out eligible activities which will result in better or less costly service to CD–TA program grantees and/or program beneficiaries;

(4) (4 points) Identifies creative activities to assist eligible grantees in participating in the development of, and improving, local Consolidated Plans and comprehensive strategies;

(5) (4 points) Identifies creative ways to assist grantees in achieving the economic development and continuum of care objectives of local consolidated plans and comprehensive strategies or of creating linkages between activities they are assisting and activities to achieve these objectives.

Rating Factor 3: Soundness of Approach (40 Points)

In rating this factor, HUD will consider the extent to which the application:

(1) (20 points) Provides a technically and cost effective plan for designing, organizing, and carrying out the suggested technical assistance activities within the framework of the Demand/Response System;

(2) (10 points) Demonstrates an effective and creative plan for coordinating and conducting activities to be carried out jointly by the applicant and other entities it has partnered with in each Field Office jurisdiction in which it will operate; and/or demonstrates an effective and creative plan for working in partnership with all other CD TA providers in each Field Office jurisdiction;

(3) (5 points) Provides for full geographic coverage, including urban and rural areas, (directly or through a consortium of providers) of a single State or Field Office jurisdiction or is targeted to address the needs of rural areas, minority groups or other under-served groups;

(4) (5 points) Proposes a feasible, creative plan, which uses state of the art or new promising technology, to transfer models and lessons learned in each of its CD–TA program's activities to grantees and/or program beneficiaries in other CD–TA programs.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure community resources (note: financing is a community resource) which can be combined with HUD's program resources to achieve program purposes. In evaluating this factor HUD will consider:

The extent to which the applicant has partnered with other entities to secure additional resources to increase the effectiveness of the proposed program activities. Resources may include funding or in-kind contributions, such as services or equipment, allocated to the purpose(s) of the award the applicant is seeking. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private

organizations, or other entities willing to partner with the applicant. Applicants may also partner with other program funding recipients to coordinate the use of resources in the target area.

Applicants must provide evidence of leveraging/partnerships by including in the application letters of firm commitments, memoranda of understanding, or agreements to participate from those entities identified as partners in the application. Each letter of commitment, memorandum of understanding, or agreement to participate should include the organization's name, proposed level of commitment and responsibilities as they relate to the proposed program. The commitment must also be signed by an official of the organization legally able to make commitments on behalf of the organization.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Consolidated Planning process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which the applicant demonstrates it has:

(1) Coordinated its proposed activities with those of other groups or organizations prior to submission in order to best complement, support and coordinate all known activities and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described.

(2) Taken or will take specific steps to work with recipients of technical assistance services become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State or locally funded activities, including those proposed or on-going in the community.

IV. Application Submission Requirements

In addition to the forms, certifications and assurances listed in Section II(G) of the General Section of the SuperNOFA, all applications must, at a minimum, contain the following items:

(A) Transmittal Letter which identifies the SuperNOFA, the CD–TA programs for which funds are requested and the dollar amount requested for each program, and the applicant or applicants submitting the application.

(B) Narrative statement addressing the Factors for Award described in Section III(B) of this CD–TA Program section of this SuperNOFA. The narrative response should be numbered in accordance with each factor for award. This narrative statement will be the basis for evaluating the application. It should include a plan of suggested TA activities as described in Factors 2(b), 3(a), and elsewhere. These suggested TA activities may form a starting point for negotiating the TADP described in Section II(C) of this CD–TA Program section of the SuperNOFA.

(C) Statement which identifies the Field Office jurisdictions in which the applicant proposes to offer services. If services will not be offered throughout the full jurisdictional area of the Field Office, the statement should identify the service areas involved (e.g., States, counties, etc.), as well as the communities in which services are proposed to be offered.

(D) A matrix which summarizes the amount of funds requested for each CD–TA program in each Field Office jurisdiction or National Program for which funding is requested. (See CD–TA Appendix B for a copy of the matrix to be submitted.)

(E) A statement as to whether the applicant proposes to use pass-through funds for CHDOs under the CHDO TA program, and, if so, the amount and proposed uses of such funds.

(F) If applying for the CHDO TA program, a statement as to whether the applicant qualifies as a primarily single-State provider under section 233(e) of the Cranston-Gonzalez Affordable Housing Act and as discussed in Section I(E)(3) of the CD–TA Program section of this SuperNOFA.

(G) A statement as to whether the applicant proposes to be considered for the role of lead CD–TA provider in one or more specific program areas in a Field Office jurisdiction, and if so, the capabilities and attributes of the organization that qualify it for the role.

(H) For applicants for national program funds in one or more specific program areas, a statement as to the capabilities and attributes of the organization that qualify it to operate on a national basis. The statement should also include the nature of the suggested TA activities that make them inappropriate for funding under Field Office jurisdictions.

(I) Budget identifying costs for implementing the plan of suggested TA activities by cost category for each CD–TA program for which funds are requested by Field Office or as a National Provider (in accordance with the following):

(1) Direct Labor by position or individual, indicating the estimated hours per position, the rate per hour, estimated cost per staff position and the total estimated direct labor costs;

(2) Fringe Benefits by staff position identifying the rate, the salary base the rate was computed on, estimated cost per position, and the total estimated fringe benefit cost;

(3) Material Costs indicating the item, quantity, unit cost per item, estimated cost per item, and the total estimated material costs;

(4) Transportation Costs, as applicable.

(5) Equipment charges, if any. Equipment charges should identify the type of equipment, quantity, unit costs and total estimated equipment costs;

(6) Consultant Costs, if applicable. Indicate the type, estimated number of consultant days, rate per day, total estimated consultant costs per consultant and total estimated costs for all consultants;

(7) Subcontract Costs, if applicable. Indicate each individual subcontract and amount;

(8) Other Direct Costs listed by item, quantity, unit cost, total for each item listed, and total other direct costs for the award;

(9) Indirect Costs should identify the type, approved indirect cost rate, base to which the rate applies and total indirect costs.

These line items should total the amount requested for each CD–TA program area. The grand total of all CD–TA program funds requested should reflect the grand total of all funds for which application is made.

V. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VI. Environmental Requirements

In accordance with 24 CFR 50.19(b)(9) and 58.34(a)(9), the assistance provided

by these programs relates only to the provision of technical assistance and is categorically excluded from the requirements of the National Environmental Policy Act and not subject to environmental review under the related laws and authorities. This determination is based on the ineligibility of real property acquisition, construction, rehabilitation, conversion, leasing or repair for HUD assistance under these technical assistance programs.

BILLING CODE 4210–32–P

Appendix A to CD-TA Program:"Fair-Share" Amounts Allocated to Each HUD CPD Office

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
Alabama State Office	$50,000	$442,750	$322,000	$40,000
Alaska State Office	$50,000	$250,250	$182,000	$40,000
Arkansas State Office	$50,000	$377,300	$274,400	$40,000
California State Office	$318,360	$2,644,950	$1,923,600	$345,858
Los Angeles Area Office	$325,920	$2,710,400	$1,971,200	$364,434
Caribbean Office	$83,580	$693,000	$504,000	$40,000
Colorado State Office	$174,300	$1,447,600	$1,052,800	$63,192
Connecticut State Office	$68,040	$565,950	$411,600	$40,000
District of Columbia Office	$68,040	$565,950	$411,600	$118,989

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
Florida State Office	$76,020	$631,400	$459,200	$100,379
Jacksonville Area Office	$91,140	$754,600	$548,800	$70,657
Georgia State Office	$91,140	$754,600	$548,800	$44,616
Hawaii State Office	$50,000	$250,250	$182,000	$40,000
Illinois State Office	$189,420	$1,574,650	$1,145,200	$208,258
Indiana State Office	$91,140	$754,600	$548,800	$55,762
Kansas/Missouri State Office	$83,580	$693,000	$504,000	$40,000
St. Louis Area Office	$50,000	$377,300	$274,400	$52,047
Kentucky State Office	$50,000	$442,750	$322,000	$52,047

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
Louisiana State Office	$68,040	$565,950	$411,600	$63,192
Maryland State Office	$50,000	$377,300	$274,400	$52,047
Massachusetts State Office	$189,420	$1,574,650	$1,145,200	$260,305
Michigan State Office	$159,180	$1,324,400	$963,200	$197,078
Minnesota State Office	$68,040	$565,950	$411,600	$74,372
Mississippi State Office	$50,000	$377,300	$274,400	$40,000
Nebraska State Office	$60,480	$504,350	$366,800	$44,616
New Jersey State Office	$159,180	$1,324,400	$963,200	$74,372
New Mexico State Office	$50,000	$250,250	$182,000	$40,000

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
New York State Office	$204,540	$1,701,700	$1,237,600	$342,198
Buffalo Area Office	$363,720	$3,026,100	$2,200,800	$81,803
North Carolina State Office	$91,140	$754,600	$548,800	$40,000
Ohio State Office	$181,860	$1,513,050	$1,100,400	$148,745
Oklahoma State Office	$50,000	$442,750	$322,000	$40,000
Oregon State Office	$60,480	$504,350	$366,800	$40,000
Pennsylvania State Office	$159,180	$1,324,400	$963,200	$152,461
Pittsburgh Area Office	$91,140	$754,600	$548,800	$81,803
South Carolina State Office	$76,020	$631,400	$459,200	$40,000

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
Tennessee Knoxville Area Office	$76,020	$631,400	$459,200	$48,332
Texas State Office	$219,660	$1,828,750	$1,330,000	$126,384
San Antonio Area Office	$60,480	$504,350	$366,800	$40,901
Virginia State Office	$68,040	$565,950	$411,600	$40,000
Washington State Office	$98,700	$820,050	$596,400	$96,664
Wisconsin State Office	$83,580	$693,000	$504,000	$78,088
National	$300,420	$3,507,700	$3,005,600	$395,540
Total	$5,000,000	$42,000,000	$31,000,000	$4,395,140

Appendix B to CD-TA Program - Matrix of Amount of Funds Requested

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
Alabama State Office	$	$	$	$
Alaska State Office	$	$	$	$
Arkansas State Office	$	$	$	$
California State Office	$	$	$	$
Los Angeles Area Office	$	$	$	$
Caribbean Office	$	$	$	$
Colorado State Office	$	$	$	$
Connecticut State Office	$	$	$	$
District of Columbia Office	$	$	$	$

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
Florida State Office	$	$	$	$
Jacksonville Area Office	$	$	$	$
Georgia State Office	$	$	$	$
Hawaii State Office	$	$	$	$
Illinois State Office	$	$	$	$
Indiana State Office	$	$	$	$
Kansas/Missouri State Office	$	$	$	$
St. Louis Area Office	$	$	$	$
Kentucky State Office	$	$	$	$

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
Louisiana State Office	$	$	$	$
Maryland State Office	$	$	$	$
Massachusetts State Office	$	$	$	$
Michigan State Office	$	$	$	$
Minnesota State Office	$	$	$	$
Mississippi State Office	$	$	$	$
Nebraska State Office	$	$	$	$
New Jersey State Office	$	$	$	$
New Mexico State Office	$	$	$	$

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
New York State Office	$	$	$	$
Buffalo Area Office	$	$	$	$
North Carolina State Office	$	$	$	$
Ohio State Office	$	$	$	$
Oklahoma State Office	$	$	$	$
Oregon State Office	$	$	$	$
Pennsylvania State Office	$	$	$	$
Pittsburgh Area Office	$	$	$	$
South Carolina State Office	$	$	$	$

HUD Field Office	CDBG TA	CHDO TA	HOME TA	SHP TA
Tennessee Knoxville Area Office	$	$	$	$
Texas State Office	$	$	$	$
San Antonio Area Office	$	$	$	$
Virginia State Office	$	$	$	$
Washington State Office	$	$	$	$
Wisconsin State Office	$	$	$	$
National	$	$	$	$
Total	$	$	$	$
Grand Total*	$			

* Grand Total must equal total amount of funds requested

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

UNIVERSITY AND COLLEGE PROGRAMS

Community Outreach Partnership Centers (COPCs)

Historically Black Colleges and Universities (HBCUs) Program

BILLING CODE 4210–32–C

Funding Availability for Community Outreach Partnership Centers

Program Description: Approximately $7 million is available to establish and operate Community Outreach Partnership Centers (COPCs) to assist in outreach and applied research activities addressing the problems of urban areas.

Application Due Date: Completed applications must be submitted no later than 12:00 midnight, Eastern time on July 8, 1998 at HUD Headquarters. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications: Completed applications (one original and two copies) must be submitted to: Processing and Control Branch, Office of Community Planning and Development, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7251, Washington, DC 20410. When submitting your application, please refer to COPC, and include your name, mailing address (including zip code) and telephone number (including area code).

For Application Kits, Further Information and Technical Assistance

For Application Kits. For an application kit and supplemental information please call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209. The application kit also will be available on the Internet through the HUD web site at http://www.HUD.gov. When requesting an application kit, please refer to COPC and provide your name, address (including zip code), and telephone number (including area code).

For Further Information. Jane Karadbil, Office of University Partnerships in the Office of Policy Development and Research, Department of Housing and Urban Development, 451 Seventh Street, S.W., Room 8110, Washington, DC 20410, telephone (202) 708–5918, ext. 218. Persons with speech or hearing impairments may call HUD's TTY number (202) 708–0770, or 1–800–877 8399 (the Federal Information Relay Service TTY). Other than the ''800'' number, these numbers are not toll-free. Ms. Karadbil can also be reached via the Internet at Jane__R.__Karadbil@HUD.GOV.

For Technical Assistance. An information broadcast via satellite will be held for potential applicants to learn more about the program and preparation of an application. For more information about the date and time of this broadcast, please consult the HUD web site at the web address listed above.

Additional Information

I. Authority; Purpose; Amount Allocated; and Eligibility

(A) Authority

This program is authorized under the Community Outreach Partnership Act of 1992 (42 U.S.C. 5307 note; hereafter referred to as the ''COPC Act''). The COPC Act is contained in section 851 of the Housing and Community Development Act of 1992 (Pub.L. 102–550, approved October 28, 1992) (HCD Act of 1992). Section 801(c) of the HCD Act of 1992 authorizes $7.5 million for each year of the 5-year demonstration to create Community Outreach Partnership Centers as authorized in the COPC Act.

(B) Purpose

The purpose of this COPC Program is to assist in establishing or carrying out outreach and applied research activities addressing the problems of urban areas. Funding under this demonstration program shall be used to establish and operate Community Outreach Partnership Centers (COPC).

The six key concepts of the COPC Program are:

(1) The program should provide outreach, technical assistance, applied research, and empowerment to neighborhoods and neighborhood-based organizations based on what the residents decide is needed, not based on what the institution thinks is appropriate for that neighborhood;

(2) Community-based organizations should be partners with the institutions throughout the life of the project, from planning to implementation;

(3) Components of the program may address metropolitan or regional strategies. The applicant must clearly demonstrate how:

(a) Those strategies are directly related to what the targeted neighborhoods and neighborhood-based organizations have decided is needed; and

(b) Neighborhoods and neighborhood organizations are involved in the development and implementation of the metropolitan or regional strategies;

(4) The applied research should be related to the outreach activities and be usable in these activities within the grant period or shortly after it ends, rather than research without practical application;

(5) Assistance through the grant should be provided primarily by faculty, students, or to a limited extent, by neighborhood residents or community-based organizations funded by the university; and

(6) The program should be part of the institution's broader effort to meet its urban mission, and be supported by senior officials, rather than just the work of a few faculty members. Proposed activities should not duplicate those of other entities in the community and should be appropriate for an institution of higher education to undertake in light of its teaching, research, and service missions.

The statute states that grants under the COPC Program must focus on the following specific problems: ''problems associated with housing, economic development, neighborhood revitalization, infrastructure, health care, job training, education, crime prevention, planning, community organizing, and other areas deemed appropriate by the Secretary.'' Furthermore, the COPC Act states: ''The Secretary shall give preference to institutions of higher education that undertake research and outreach activities by bringing together knowledge and expertise in the various social science and technical disciplines that relate to urban problems.''

(C) Amount Allocated

The competition in this program is for up to $7.0 million to fund the fifth year of the COPC Program to fund New Grants. Institutionalization Grants will not be funded under this funding announcement for COPC. COPC grantees that have previously received a New or Institutionalization grant are not eligible to apply under this COPC funding announcement, nor are institutions of higher education that received Joint Community Development Program grants.

New Grants will be awarded to institutions of higher education to begin or expand their applied research and outreach activities. Each New Grant will be for a three-year period of performance (i.e., applicants must complete their proposed activities within three years). In order to ensure that as many eligible applicants are funded as possible, HUD has set the maximum size of any new grant at $400,000. Because these projects are quite complex, HUD has also set the minimum grant size at $250,000. Since the Statement of Work and other facets of the technical review are assessed in the context of the proposed budget and grant request, and in the interest of fairness to all applicants, HUD will not accept an application that is under $250,000 or over $400,000.

(D) Eligible Applicants

Eligible applicants are public or private nonprofit institutions of higher education granting two-or four-year degrees and accredited by a national or regional accrediting agency recognized by the U.S. Department of Education. Consortia of eligible institutions may apply, as long as one institution is designated the lead applicant. Since the Statement of Work and other facets of the technical review are assessed in the context of the proposed staffing, and in order to fund as many eligible applicants as possible, HUD has determined that each institution may be part of only one consortium or submit only one application or it will be disqualified. HUD will hold an institution responsible for ensuring that neither it nor any part of the institution, including specific faculty, participates in more than one application.

Different campuses of the same university system are eligible to apply, even if one campus has already received COPC funding. Such campuses are eligible as separate applicants only if they have administrative and budgeting structures independent of other campuses in the system.

(E) Eligible Activities

COPC Programs must combine research with outreach, work with communities and local governments and address the multidimensional problems that beset urban areas. To meet the threshold requirements, applications should be multifaceted and address three or more urban problems. Single purpose applications are not eligible.

To be most effective during the term of the demonstration, the funded research must have a clear near-term potential for solving specific, significant urban problems. The selected institutions must have the capacity to apply their research results and to work with communities and local institutions, including neighborhood groups and other appropriate community stakeholders, in applying these results to specific real-life urban problems.

Eligible activities include:

(1) Research activities which have practical application for solving specific problems in designated communities and neighborhoods, including evaluation of the effectiveness of the outreach activities. In order to ensure that the primary focus of local projects is on outreach, research may not total more than one-quarter of the total project costs contained in any grant made under this COPC funding announcement (including the required 50% match).

(2) Outreach, technical assistance and information exchange activities which are designed to address specific urban problems in designated communities and neighborhoods. Such activities must total no less than three-quarters of the total project costs (including the required 25% match). Examples of outreach activities include, but are not limited to:

(a) Job training and other training projects, such as workshops, seminars and one-on-one and on-the-job training;

(b) Design of community or metropolitan strategies to resolve urban problems of communities and neighborhoods;

(c) Innovative use of funds to provide direct technical expertise and assistance to local community groups, residents, and other appropriate community stakeholders to assist them in resolving local problems such as homelessness, housing discrimination, and impediments to fair housing choice;

(d) Technical assistance in business start-up activities for low-and moderate-income individuals and organizations, including business start-up training and technical expertise and assistance, mentor programs, assistance in developing small loan funds, business incubators, etc;

(e) Technical assistance to local public housing authorities on welfare-to-work initiatives and physical transformations of public or assisted housing;

(f) Assistance to communities to improve consolidated housing and community development plans and remove impediments to design and implementation of such plans;

(g) Assistance to communities to improve the fair housing planning process; and

(h) Regional projects that maximize the interaction of targeted inner city distressed neighborhoods with suburban opportunities similar to HUD's Bridges-to-Work or Moving to Opportunity programs, or projects that link inner-city and suburban youth with leadership training that focuses on the needs of the distressed targeted neighborhoods.

(3) Funds for faculty development including paying for course time or summer support to enable faculty members to work on the COPC.

(4) Funds for stipends for students (which cannot cover tuition and fees) when they are working on the COPC.

(5) Activities to carry out the ''Responsibilities'' listed under Section II.(A) below. These activities may include leases for office space in which to house the Community Outreach Partnership Center, under the following conditions:

(a) The lease must be for existing facilities;

(b) No repairs or renovations of the property may be undertaken with Federal funds; and

(c) Properties in the Coastal Barrier Resource System designated under the Coastal Barrier Resources Act (16 U.S.C. 3501) cannot be leased with Federal funds.

(F) Ineligible Activities

(1) Research activities which have no clear and immediate practical application for solving urban problems or do not address specific problems in designated communities and neighborhoods.

(2) Any type of construction, rehabilitation, or other physical development costs.

(3) Costs used for routine operations and day-to-day administration of regular programs of institutions of higher education, local governments or neighborhood groups.

II. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, grantees must meet the following program requirements:

(A) Responsibilities

In accordance with section 851(h) of the HCD Act of 1992, each COPC shall:

(1) Employ the research and outreach resources of its sponsoring institution of higher education to solve specific urban problems identified by communities served by the Center;

(2) Establish outreach activities in areas identified in the grant application as the communities to be served;

(3) Establish a community advisory committee comprised of representatives of local institutions and residents of the communities to be served to assist in identifying local needs and advise on the development and implementation of strategies to address those issues;

(4) Coordinate outreach activities in communities to be served by the Center;

(5) Facilitate public service projects in the communities served by the Center;

(6) Act as a clearinghouse for dissemination of information;

(7) Develop instructional programs, convene conferences, and provide training for local community leaders, when appropriate; and

(8) Exchange information with other Centers.

The clearinghouse function in (6) above refers to a local or regional clearinghouse for dissemination of information and is separate and distinct from the functions in (8) above, which

relate to the provision of information to the University Partnerships Clearinghouse, which is the national clearinghouse for the program.

(B) Cap on Research Costs

No more than 25% of the total project costs (Federal share plus match) can be spent on research activities.

(C) Match

This non-Federal share may include cash or the value of non-cash contributions, equipment and other allowable in-kind contributions as detailed in 24 CFR part 84, and in particular § 84.23 entitled ''cost sharing or matching.'' Applicants must meet the match requirements identified below:

(1) *Research Activities.* 50% of the total project costs of establishing and operating research activities.

(2) *Outreach Activities.* 25% of the total project costs of establishing and operating outreach activities.

An example of how to calculate the match is included in the application kit.

(D) Administrative

The grant will be governed by the provisions of 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals and other Nonprofit Organizations), A–122 (Cost Principles for Nonprofit Organizations), and A–133 (Audits of States, Local Governments and Nonprofit Organizations).

III. Application Selection Process

Two types of reviews will be conducted: a threshold review to determine applicant eligibility; and a technical review to rate the application based on the rating factors in this Section III.

(A) Additional Threshold Criteria for Funding Consideration

Under the threshold review, the applicant will be rejected from the competition if the applicant is not in compliance with the requirements of the General Section of the SuperNOFA and if the following additional standards are not met:

(1) The applicant has met the statutory match requirements.

(2) The applicant has proposed a program in which no more than 25% of the total project costs will be for research activities.

(3) The applicant has requested a Federal grant that is no less than $250,000 and no more than $400,000 over the three-year grant period.

(4) The application addresses at least three urban issues, such as affordable housing, fair housing, economic development, neighborhood revitalization, infrastructure, health care; job training, education, crime prevention, planning, and community organizing.

(5) The applicant, and any part of the applicant's organization, does not participate in more than one application.

(B) Factors for Award Used To Evaluate and Rate Applications

The factors for rating and ranking applicants, and maximum points for each factor, are provided below. The maximum number of points for this program is 102. This includes two EZ/EC bonus points, as described in the General Section of the SuperNOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (15 Points)

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner. The rating of the ''applicant'' or the ''applicant's organization and staff'' for technical merit or threshold compliance, unless otherwise specified, will include any faculty, sub-contractors, consultants, sub-recipients, and members of consortia which are firmly committed to the project. In rating this factor HUD will consider the extent to which the proposal demonstrates:

(1) (10 points) The knowledge and experience of the overall proposed project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing programs for which funding is being requested. Experience will be judged in terms of recent, relevant and successful experience of the applicant's staff to undertake eligible program activities. In rating this factor, HUD will consider the extent to which the applicant's organization and staff have recent, relevant, and successful experience in:

(a) Undertaking research activities in specific communities that have a clear near-term potential for practical application to significant urban issues, such as affordable housing, fair housing, economic development, neighborhood revitalization, infrastructure, health care, job training, education, crime prevention, planning, and community organizing;

(b) Undertaking outreach activities in specific communities to solve or ameliorate significant urban issues;

(c) Undertaking projects with community-based organizations or local governments; and

(d) Providing leadership in solving community problems and making national contributions to solving long-term and immediate urban problems.

(2) (3 points) The applicant has sufficient personnel or will be able to quickly access qualified experts or professionals, to deliver the proposed activities in each proposed service area in a timely and effective fashion, including the readiness and ability of the applicant to immediately begin the proposed work program.

(3) (2 points) The applicant has demonstrated experience in managing programs, and carrying out *grant management* responsibilities for programs, similar in scope or nature directly relevant to the work activities proposed. If the applicant has managed large, complex, interdisciplinary programs, the applicant should include the information in the response.

Rating Factor 2: Need/Extent of the Problem (15 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities and an indication of the urgency of meeting the need in the target area. In responding to this factor, applicants will be evaluated on:

(1) (10 points) The extent to which they document the level of need for the proposed activity: and

(2) (5 points) The urgency in meeting the need. Applicants should use statistics and analyses contained in a data source(s) that:

(a) Is sound and reliable. To the extent that the applicant's community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI) identifies the level of the problem and the urgency in meeting the need, references to these documents should be included in the response. The Department will review more favorably those applicants who used these documents to identify need, when applicable.

If the proposed activity is not covered under the scope of the Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI), applicants should indicate such, and use other sound data sources to identify the level of need and the urgency in meeting the need. Types of other sources include, but are not limited to, Census reports, Continuum of Care gaps analysis, law enforcement agency crime reports, Public Housing Authorities' Five Year Comprehensive Plan, and other sound and reliable sources appropriate for the specific program and activities for which an applicant is applying for funding. Applicants may also address

needs in terms of fulfilling court orders or consent decrees, settlements, conciliation agreements, and voluntary compliance agreements. For technical assistance programs, input from HUD State and Area Office(s) and assessments are included among the data sources that may be used to identify need.

(b) To the extent possible, specific to the area where the proposed activity will be carried out. Specific attention must be paid to documenting need as it applies to the area where activities will be targeted, rather than the entire locality or state. If the target area is an entire locality or state, then documenting need at this level is appropriate.

The applicant should discuss how it took into account existing and planned efforts of government agencies, community-based organizations, faith-based institutions, for-profit firms and other entities to address such needs in the community(ies) to be served, how the proposed program compliments or supplements these existing efforts, and why additional funds are being requested.

Rating Factor 3: Soundness of Approach (50 Points)

This factor addresses the quality and cost-effectiveness of the applicant's proposed work plan. There must be a clear relationship between the proposed activities, community needs and the purpose of the program funding for an applicant to receive points for this factor. The factor will be evaluated based on the extent to which the proposed activities will:

(1) (4 points) Help solve or address an urgent need or problem as identified under Rating Factor 2—Need/Extent of the Problem. The impact of the activity will be evaluated, including the tangible benefits to be attained by the community and by the target population including affirmatively furthering fair housing for classes protected under the Fair Housing Act. The applicant should demonstrate a strong familiarity with the existing and planned efforts of government agencies, community-based organizations, faith-based organizations, for-profit firms and other entities to address such needs in the communities to be served, and should demonstrate that the applicant can cost-effectively complement any such efforts to attain measurable results.

(2) (8 points) The extent to which the proposed work program identifies the specific services or activities to be performed. In reviewing this subfactor HUD will consider the extent to which:

(a) The applicant's proposal outlines a clear research agenda, based on a thorough familiarity with existing research on the subject. The applicant should demonstrate that the proposed research does not duplicate research previously completed or currently underway by others.

(b) The applicant demonstrates how the research will fit into and strengthen the outreach strategy and activities. For example, an applicant proposing to study the extent of housing abandonment in a neighborhood and then designing a plan for reusing this housing would be able to demonstrate the link between the proposed research and outreach strategies.

(c) The applicant's plan outlines a clear outreach agenda;

(d) There is a plan for involving the university as a whole in the execution of the outreach strategy.

(e) The extent to which grant funds will pay for activities conducted by the grantee, rather than passed through to other entities.

(3) (7 points) The extent to which the proposed program of activities involves the communities to be served in implementation of these activities. In reviewing this subfactor, HUD will look at the extent to which:

(a) One or more Community Advisory Committees, comprised of representatives of local institutions and a balance of the race, ethnic, disability status, gender, and income of the residents of the communities to be served, has been or will be formed to work in partnership with the COPC to develop and implement strategies to address the needs identified in Factor 2. Applicants will be expected to demonstrate that they have already formed such a committee(s) or secured the commitment of the appropriate persons to serve on the committee(s), rather than just describing generally the types of people whose involvement they will seek.

(b) A wide range of neighborhood organizations and local government entities participated in the identification of the research and outreach activities.

(c) The outreach program provides for on-site or a frequent presence in the targeted communities and neighborhoods.

(d) The outreach agenda includes training projects for local community leaders, for example, to increase their capacity to direct their organizations or undertake various kinds of community development projects.

(4) (6 points) The extent to which the proposed activities will achieve the purposes of the program from which funding is requested within the grant period. The applicant should identify specific time phased and measurable objectives to be accomplished during the period of performance; the proposed short and long term program objectives to be achieved as a result of the proposed activities; the tangible and measurable impacts the work program will have on the community in general and the target area or population in particular; and the relationship of the proposed activities to other on-going or proposed efforts to improve the economic, social or living environment in the impact area.

(5) (4 points) The extent to which the proposed project will potentially yield innovative strategies or ''best practices'' that can be replicated and disseminated to other organizations, including nonprofit organizations, State and local governments. In reviewing this factor, HUD will assess the demonstrated ability of the applicant to disseminate results of research and outreach activities to other COPCs and communities. HUD will evaluate the past experience of the applicant and the scope and quality of the applicant's concrete plan to disseminate information on COPC results, strategies, and lessons learned through such means as conferences, cross-site technical assistance, publications, etc.

(6) (3 points) The extent to which the proposed application will further and support the policy priorities of HUD including:

(a) Promoting healthy homes;

(b) Providing opportunities for self-sufficiency, particularly for persons enrolled in welfare to work programs;

(c) Enhancing on-going efforts to eliminate drugs and crime from neighborhoods through program policy efforts such as ''One Strike and You're Out'' or the ''Officer Next Door'' initiative;

(d) Providing educational and job training opportunities through such initiatives as Neighborhood Networks, Campus of Learners and linking to AmeriCorps activities.

(7) (5 points) The extent to which the applicant's work will include activities that affirmatively further fair housing, for example:

(a) Overcoming impediments to fair housing, such as discrimination in the sale or rental of housing or in advertising, provision of brokerage services, or lending;

(b) Promoting fair housing through the expansion of homeownership opportunities and improved quality of city services for minorities, families with children, and persons with disabilities; or

(c) Providing mobility counseling.

(8) (13 points) The extent to which the proposed COPC will result in the COPC function and activities being sustained by becoming part of the urban mission of the institution and being funded in the future by sources other than HUD. In reviewing this subfactor, HUD will consider the extent to which:

(a) COPC activities relate to the institution's urban mission; are part of a climate that rewards faculty work on these activities through promotion and tenure policies; benefit students because they are an overall part of a service learning program at the institution; and are reflected in the curriculum. HUD will look at the institution's commitment to faculty and staff continuing work in COPC neighborhoods or replicating successes in other neighborhoods and to its longer term commitment (e.g., five years after the start of the COPC) of hard dollars to COPC work.

(b) The applicant has received commitments for funding from sources outside the university for related non-COPC-funded projects and activities in the targeted neighborhood or other distressed neighborhoods. Funding sources to be considered include, but are not limited to, local governments, neighborhood organizations, private businesses, and foundations.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure community resources which can be combined with HUD's program resources to achieve program purposes. In evaluating this factor HUD will consider:

The extent to which the applicant has partnered with other entities to secure additional resources to increase the effectiveness of the proposed program activities. Resources may include funding or in-kind contributions, such as services or equipment, allocated to the purpose(s) of the award the applicant is seeking. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities willing to partner with the applicant. Applicants may also partner with the funding recipients in other grant programs to coordinate the use of resources in the target area.

Because COPC has a matching requirement, rating points for this factor will be allocated based upon the extent to which an applicant has exceeded the program's minimum match requirement. Up to a total of 5 points will be awarded for a match that is 50% over the statutorily-required match.

The Department is concerned that applicants should be providing hard dollars as part of their matching contributions in order to enhance the tangible resources going into targeted neighborhoods. Thus, while indirect costs can count towards meeting the statutorily required match, they will not be used in calculating match overage. Only direct costs can count in this factor.

In addition, because HUD is interested in promoting the institutionalization of COPC projects and activities, up to an additional 5 points will be awarded for the extent to which matching funds are provided from eligible sources other than the applicant (e.g., funds from the city, including CDBG, other State or local government agencies, public or private organizations, or foundations).

Applicants must provide evidence of leveraging/partnerships by including in the application letters of firm commitment, memoranda of understanding, or agreements to participate from those entities identified as partners in the application. Each letter of commitment, memorandum of understanding, or agreement to participate should include the organization's name, proposed level of commitment and responsibilities as they relate to the proposed program. The commitment must also be signed by an official of the organization legally able to make commitments on behalf of the organization.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Consolidated Planning process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which the applicant demonstrates it has:

(1) (4 points) Coordinated its proposed activities with those of other groups or organizations prior to submission in order to best complement, support and coordinate all known activities and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described.

(2) (3 points) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) (3 points) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State or locally funded activities, including those proposed or on-going in the community.

(C) Selections

In order to be funded under COPC, an applicant must receive a minimum score of 70. It is HUD,s intent to fund at least one eligible applicant that serves colonias, as defined by section 916(d) of the Cranston-Gonzalez National Affordable Housing Act, as long as the applicant receives a minimum score of 70.

If two or more applications have the same number of points, the application with the most points for Factor 3, Soundness of Approach shall be selected. If there is still a tie, the application with the most points for Factor 4, Leveraging Resources shall be selected.

HUD reserves the right to make selections out of rank order to provide for geographic distribution of funded COPCs. The approach HUD will use, if it decides to implement this option, will be based on combining two adjacent standard HUD regions (e.g., Southwest and Southeast Regions, Great Plains and Midwest Regions, etc.). If the rank order does not yield at least one fundable COPC within each combined region, then HUD may select the highest ranking application from such a combination, as long as the minimum score of 70 points is achieved.

After all applications have been rated and ranked and selections have been made, HUD may require that all winners participate in negotiations to determine the specific terms of the Statement of Work and the grant budget. In cases where HUD cannot successfully conclude negotiations, or a selected applicant fails to provide HUD with requested information, awards will not be made. In such instances, HUD may elect to offer an award to the next highest ranking applicant, and proceed with negotiations with the next highest ranking applicant.

After award but before grant execution, winners will be required to

provide a certification from an Independent Public Accountant or the cognizant government auditor, stating that the financial management system employed by the applicant meets proscribed standards for fund control and accountability required by OMB Circular A–133, Uniform Administrative Requirements for Grant Agreements With Institutions of Higher Education, Hospitals, and other Non-Profit Organizations, Revised OMB Circular A–110, or 24 CFR part 85 for States and local governments, or the Federal Acquisition Regulations (for all other applicants). This information should contain the name and telephone number of the Independent Auditor, cognizant Federal auditor, or other audit agency, as applicable.

IV. Application Submission Requirements

The application should include an original and two copies of the items listed below. In order to be able to recycle paper, please do not submit applications in bound form; binder clips or loose leaf binders are acceptable. Also, please, do not use colored paper. Please note the page limits below for some of the items listed below and do not exceed them.

In addition to the forms, certifications and assurances listed in Section II(G) of the General Section, all applications must, at a minimum, contain the following items:

(A) *Transmittal Letter* which must be signed by the Chief Executive Officer of the institution or his or her designee. If a designee signs, the application must include the official delegation of signatory authority;

(B) *A Statement of Work* (25 page limit) which incorporates all activities to be funded in the application and details how the proposed work will be accomplished. Following a task-by-task format, the Statement of Work must:

(1) Arrange the presentation of related major activities by project functional category (e.g., economic development, affordable housing, capacity building), summarize each activity, identify the primary persons involved in carrying out the activity, and delineate the major tasks involved in carrying it out.

(2) Indicate the sequence in which the tasks are to be performed, noting areas of work which must be performed simultaneously.

(3) Identify specific numbers of quantifiable intermediate and end products and objectives the applicant aims to deliver by the end of the award agreement period as a result of the work performed.

(C) *Narrative statement addressing the Factors for Award in Section III. (B) (2) above.* (30 page limit, not including tables, maps, and letters of matching commitments). Your narrative response should be numbered in accordance with each factor and subfactor. Please do not repeat material in your Statements of Work or Need; instead focus on how you meet each factor.

(D) *Budget.* The budget presentation should be consistent with the Statement of Work and include:

(1) Budget Form—The sample budget form included in the application kit should be used to prepare the budget.

(2) A narrative explanation of how the applicant arrived at its cost estimates, for any line item over $1,000.

(3) A statement of compliance with the 20% limitation on ''Planning and Administration'' Costs.

(4) An explanation of compliance with the requirement that not more than 25% of the total budget be allocated to research activities.

(5) An explanation of compliance with the matching requirements. More guidance on all of these items is included in the application kit.

(E) *Abstract.* (1 page limit) An abstract describing the goals and activities of the program.

V. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VI. Environmental Requirements

In accordance with 24 CFR 50.19(b) of the HUD regulations, activities assisted under this program are categorically excluded from the requirements of the National Environmental Policy Act and are not subject to environmental review under the related laws and authorities.

Funding Availability for the Historically Black Colleges and Universities Program

Program Description: Approximately $6,500,000 is available in funding for the Historically Black Colleges and Universities (HBCU) Program. The HBCU Program assists HBCUs expand their role and effectiveness in addressing community development needs in their localities, including neighborhood revitalization, housing, and economic development.

Application Due Date: Completed applications must be submitted no later than 12:00 midnight, Eastern time on July 8, 1998, at HUD Headquarters with a copy to the appropriate HUD CPD Field Office. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications: An original signed application and one copy shall be submitted to the following address: Processing and Control Branch, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7251, Washington, DC 20410. When submitting your application, please refer to the HBCU Program, and include your name, mailing address (including zip code) and telephone number (including area code).

Copies of Applications to HUD Offices. To facilitate processing and review of an application, one copy of the application also should be sent to the Community Planning and Development (CPD) Director in the appropriate HUD Field Office for the HBCU. The list of HUD Field Offices is included in the application kit.

HUD will accept only *one* application per HBCU. If more than one application is received from a single HBCU, the application from that HBCU that was received earliest will be considered for funding, and the application(s) submitted later will be ineligible. If more than one application is received simultaneously from an HBCU then all such applications will be considered ineligible for funding. Applicants should take these policies into account and take steps to ensure that multiple applications are not submitted.

For Application Kits, Further Information, and Technical Assistance:

For Application Kits. For an application kit and any supplemental information, please call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–843–2209. The application kit also will be available on the Internet through the HUD web site at http://www.HUD.gov. When requesting an application kit, please refer to the HBCU Program and provide your name, address (including zip code), and telephone number (including area code).

For Further Information and Technical Assistance. For answers to your questions, you have several options. You may call Ms. Delores Pruden, Historically Black Colleges and Universities Program, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh St, SW, Washington, DC 20410; telephone (202) 708–1590. (This is not a toll-free number.) Persons with speech or hearing impairments may access this number via TTY by calling the Federal Information Relay Service toll-free at 1–800–877–8339. Information may also be obtained from the HUD Field Office located in the applicant's geographic area. The application kit contains the names, addresses and telephone numbers of the HUD Field Offices. For general information and information regarding training on this HBCU Program section of the SuperNOFA, applicants can call the SuperNOFA Information Center at 1–800–HUD–8929.

Additional Information:

I. Authority; Purpose; Amount Allocated; and Eligibility.

(A) Authority

This program is authorized under section 107(b)(3) of the Housing and Community Development Act of 1974 (the 1974 Act) (42 U.S.C. 5307(b)(3)), which was added by section 105 of the Department of Housing and Urban Development Reform Act of 1989 (Pub. L. 101–235). The HBCU Program is governed by regulations contained in 24 CFR 570.400 and 570.404, and in 24 CFR part 570, subparts A, C, J, K, and O.

(B) Purpose

The purpose of the HBCU Program is to assist HBCUs expand their role and effectiveness in addressing community development needs in their localities, including neighborhood revitalization, housing, and economic development, consistent with the purposes of Title I of the Housing and Community Development Act of 1974, as amended.

(1) For the purposes of this program, the term ''locality'' includes any city, county, town, township, parish, village, or other general political subdivision of a State or the U.S. Virgin Islands within which an HBCU is located.

(2) An HBCU located in a metropolitan statistical area (MSA), as established by the Office of Management and Budget, may consider its locality to be one or more of these entities within the entire MSA. The nature of the locality for each HBCU may differ, therefore, depending on its location.

(3) A ''target area'' is the locality or area within the locality that the HBCU will implement its proposed HUD grant activities.

(C) Amount Allocated

(1) In order to ensure that some previously unfunded HBCUs will receive awards in this competition, approximately one-third of the available funds will be awarded to applicants that have not previously been funded under the HUD HBCU program. (The FY 1991 competition was the first funded under the current HBCU Program authorization, section 107(b)(3) of the 1974 Act.) Therefore, of the $6.5 million in FY 1998 funds made available under this SuperNOFA for the HBCU Program:

(a) Approximately $2.2 million will be awarded to HBCUs that have not received funding in past HUD HBCU competitions under section 107(b)(3) of the Housing and Community Development Act of 1974, as amended, which includes competitions for Fiscal Years 1991 through 1997 (''Previously-unfunded HBCUs'').

(b) The remaining approximately $4.3 million of FY 1998 funds will be awarded to HBCUs that have received funding under such competitions (''Previously-funded HBCUs'') (Previously funded HBCUs are listed in HBCU Appendix A to this HBCU Program section of the SuperNOFA. Previously-unfunded HBCUs are listed in HBCU Appendix B section of the SuperNOFA.).

If recaptured funds are made available, those funds will also be divided proportionately between the two types of applicant i.e. one third to Previously-unfunded HBCUs and two-thirds to Previously-funded HBCUs.

(2) The maximum period for performance of a proposed program under this SuperNOFA for the HBCU Program is 24 months. The performance period will commence on the effective date of the grant agreement. HUD reserves the right to make awards for less than the maximum amount or less than the amount requested in a particular application. The awards will be made in the form of grants. The

maximum amount awarded to any applicant will be $400,000.

(D) Eligible Applicants

Only HBCUs as determined by the Department of Education in 34 CFR 608.2 in accordance with that Department's responsibilities under Executive Order 12876, dated November 1, 1993, are eligible for funding under the HBCU Program. As indicated above, funds available under this program will be split between two classes of HBCU applicant.

(1) The first category, previously-funded HBCUs, includes HBCUs that have received funding in past HUD HBCU competitions under section 107(b)(3) of the Housing and Community Development Act of 1974, which includes competitions for Fiscal Years 1991 through 1997.

(2) The second category of eligible applicant, Previously-unfunded HBCUs, includes HBCUs that *have not* received funding under such competitions. Lists of Previously-funded HBCUs and Previously-unfunded HBCUs appear as Appendices A and B to the HBCU Program section of the SuperNOFA. HUD will use these lists to determine in which category the application should be considered.

(E) Eligible Activities

(1) *General.* Each activity proposed for funding must meet both a Community Development Block Grant (CDBG) Program national objective AND the CDBG eligibility requirements, which are described in Section III of the HBCU Program section of the SuperNOFA. Eligible activities that may be funded under this HBCU Program section of the SuperNOFA are those activities eligible for CDBG funding. The activities are listed in 24 CFR part 570, subpart C, particularly §§ 570.201 through 570.206. Ineligible activities are listed at § 570.207. Additionally, an activity which otherwise is eligible under §§ 570.201 through 570.206 may not be funded if State or local law requires that it be carried out by a governmental entity.

(2) *Examples of Eligible Activities.* Examples of activities that generally can be carried out with these funds include, but are not limited to:

(a) Acquisition of real property;

(b) Clearance and demolition;

(c) Rehabilitation of residential structures to increase housing opportunities for low- and moderate-income persons and rehabilitation of commercial or industrial buildings to correct code violations or for certain other purposes; e.g., making accessibility and visitability modifications to housing. Applicants proposing to undertake this activity will be required to provide reasonable estimates, from a *qualified* entity other than the applicant, of the cost to complete projects. Such an entity must be involved in the business of housing rehabilitation, construction and/or management;

(d) Direct homeownership assistance to low- and moderate-income persons, as provided in section 105(a)(25) of the Housing and Community Development Act of 1974;

(e) Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements, such as water and sewer facilities and streets. Applicants proposing to undertake this activity will be required to provide reasonable estimates, from a *qualified* entity other than the applicant, of the cost to complete projects. Such an entity must be involved in the business of housing rehabilitation, construction and/or management;

(f) Special economic development activities described at 24 CFR 570.203;

(g) Eligible public service activities, including activities that provide a continuum of care for the homeless; adult basic education classes; GED preparation and testing; job and career counseling and assessment; citizen participation academies, and public access telecommunications centers including ''Campus of Learners'' (COL) and ''Neighborhood Networks'' (NN); social and medical services; other support activities for youth, senior citizens, and other low- and moderate-income residents; and/or fair housing services designed to further the fair housing objectives of the Fair Housing Act (42 U.S.C. 3601–20) by making all persons, without regard to race, color, religion, sex, national origin, family status and/or disability aware of the range of housing opportunities available to them;

(h) Assistance to facilitate economic development by providing technical or financial assistance for the establishment, stabilization, and expansion of microenterprises, including minority enterprises;

(i) Establishment of a Community Development Corporation (CDC) to undertake eligible activities;

(j) Assistance to a community based development organization (CBDO) to carry out a CDBG neighborhood revitalization, community economic development, or energy conservation project, in accordance with 24 CFR 570.204. This could include activities in support of a HUD approved local CDBG Neighborhood Revitalization Strategy (NRS) or HUD approved State CDBG Community Revitalization Strategy (CRS). HBCUs proposing a Community Development Corporation (CDC) component may qualify for CBDO activities; and

(k) Program administration costs related to the planning and execution of community development activities assisted in whole or in part with grant funds. In order to expand the capacity of HBCUs eligible under this SuperNOFA, applicants may propose to use up to 10% of the award funds to acquire technical assistance (TA) from a qualified TA provider to assist in implementing the proposed activities. While applicants are responsible for ensuring that potential TA providers are qualified, HUD would expect that the most qualified providers would be entities/organizations that have demonstrated the expertise and capacity to successfully conceptualize, develop and implement community and economic development projects and initiatives similar to those proposed by the applicant. Although pre-award technical assistance costs may not be paid out of grant funds (not including matching funds, if any), applicants expecting to need technical assistance are encouraged, nonetheless, to choose a TA provider as early as possible, to ensure that the TA provider is involved in the early stages of proposal development. Previously-unfunded HBCUs are particularly encouraged to consider acquiring technical assistance from a qualified HBCU TA provider.

(3) *Activities Designed to Promote Training and Employment Opportunities.* In selecting proposed eligible activities, applicants are urged to propose undertaking activities designed to promote opportunities for training and employment of low-income residents in connection with HUD initiatives such as ''Campus of Learners'' (COL) in public housing and ''Neighborhood Networks'' (NN) in other Federally-assisted or insured housing. Applicants are also encouraged, whenever feasible, to propose implementing activities in a Federally-designated Urban or Rural (HUD or Department of Agriculture) Empowerment Zone, Urban or Rural Enterprise Community (EZ or EC), or a HUD-approved local CDBG Neighborhood Revitalization Strategy Area or HUD-approved State CDBG Community Revitalization Strategy Area.

(4) *Use of Grant Funds for Acquisition of Computer Hardware and Software.* Although acquisition of equipment is not generally an eligible activity (subject to the exceptions provided in 24 CFR

570.207(b)(1)), applicants are encouraged to propose the use of grant funds, at reasonable levels, for the acquisition of computer hardware and software compatible with Internet access and HUD's Community Planning 2020 Software , if they do not currently have such capability. More information on the Community 2020 Software can be obtained from the local HUD Community Planning and Development Office.

(5) *Use of Grant Funds for the Provision of Public Services.* Those applicants planning to use grant funds for the provision of public services are bound by the statutory requirement that not more than 15% of the total grant amount be used for public service activities. Therefore, at least 85% of the grant amount must be proposed to be used for activities qualifying under an eligibility category other than public services (as described at 24 CFR 570.201(e)).

II. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, applicants are subject to the following requirements:

(A) Submission of a Budget

The budget should include:

(1) A budget summary covering the Federal and non-Federal share of costs proposed, by cost category, and a budget justification which includes assumptions used to determine the costs of budget items in each category. The proposed cost estimates should be reasonable for the work to be performed and consistent with rates established for the level of expertise required to perform the work in the proposed geographic area.

The application kit includes Budget Forms which must be completed in full. The Federal Share Budget Summary Forms should indicate the use of funds the applicant will receive from HUD under this HBCU funded program. In addition, funds received from other HUD programs, awarded under a locality's CDBG Program, or through other Federal agencies should be identified on the non-Federal share portion of the budget summary sheets. The non-Federal share should also identify other public or private sector funds which will be used to implement the proposed program activities.

While HUD recognizes that the costs are based upon estimates, the summary should include information such as quotes from various vendors or historical data relied upon in determining projected costs. All direct labor or salaries must be supported with mandated city/state pay scales or other documentation. Indirect costs must be substantiated and approved by the cognizant Federal agency or the applicant must provide an indirect cost rate plan.

Particular attention should be paid to:

(a) Accurately estimating costs;

(b) The necessity and reasonableness of costs; and

(c) Accurate computation of all budget items and totals.

(2) A budget-by-task, which will include a listing of tasks to be completed for each activity necessary to be performed to implement the program, the overall costs for each task, and the cost for each funding source. The budget-by-task should clearly indicate the HUD grant amount and identify the source and dollar amount of the matching funds, if any. HUD will award points on the extent to which the budget documents clearly demonstrate a cost-effective use of resources based on reasonable assumptions.

This form of the budget will show the total budget by line item for the program activities to be carried out with the proposed HUD HBCU grant. This will be a functional budget. Each line item represents the task to be done, not the person who will do it. Producing the budget in this format provides both financial and reporting information that will allow the program to be more easily evaluated.

Since one person may be assigned to do several tasks, that person's salary may be prorated to the various tasks for which he or she is responsible. For example, the Program Manager may spend some of his or her time in outreach and recruitment, some time developing leadership training, and some time in evaluation or other administrative tasks. His or her time may be divided between those activities to come up with the budget. However, if the Manager and other staff are primarily engaged in program management and oversight, the HUD funded salary cost should be budgeted as an administrative cost.

Each dollar amount on this budget must represent an actual cost of the program. Do not include the value of any in-kind goods and/or services contributions to the tasks. For example, if a social service organization is donating staff time to do social work, do not enter the value of that time for a task. If a fee is to be paid for counseling work, however, enter that amount for the appropriate task. Although the dollar value of in-kind goods and/or service contributions should not be included in the budget, remember to state this information on the Match Form.

The Line Item for Administrative costs covers salaries (except to the extent that they are attributed to other tasks) and related costs, and other costs for goods and services required for the program such as rental or purchase of office equipment, utilities, insurance, legal, staff training, office supplies, rental and maintenance of office space, mailing, advertising, and technical assistance.

Applicants proposing to undertake: rehabilitation of residential, commercial and industrial structures; *and/or* acquisition, construction, or installation of public facilities and improvements must submit reasonable cost estimates supplied by a *qualified* entity other than the applicant. Such an entity must be involved in the business of housing rehabilitation, construction and/or management. Guidance for securing these estimates can be obtained from the CPD Director in the HUD field office or the local government.

A format for the budget summary and the budget-by-task is included in the application kit.

(B) Leveraging

Although a match is not required to qualify for funding, if applicants claim a match, they must provide letters or other documentation evidencing the extent and firmness of commitments of a match from other Federal (e.g., Americorps Programs), State, local, and/or private sources (including the applicant's own resources). These letters or documents must be dated no earlier than the date of this published SuperNOFA. An Applicant which has evidence in support of its proposed match commitment is eligible for more rating points than those applicants not having a firm commitment for a match.

Potential Sources of Assistance

- State and local governments.
- Housing Authorities.
- Local or national nonprofit organizations.
- Banks and private businesses.
- Foundations.
- Faith Communities.

Documentation Requirements

For each match, the applicant must submit a letter from the provider on the provider's letterhead. Number each letter as a page in the application. Each Match must be supported by a letter from the provider that addresses the following:

- The dollar amount or dollar value of the in-kind goods and/or services committed. For each cash match, the

dollar amount in the commitment letter must be consistent with the dollar amount indicated by the applicant on the SF–424 and in the Budget-By-Task;

- How the Match is to be used;
- The date the Match will be made available and a statement that it will be for the duration of the grant period;
- Any terms and conditions affecting the commitment, other than receipt of a HUD HBCU Grant; and
- The signature of the appropriate executive officer authorized to commit the funds and/or goods and/or services. (See the application kit for a sample commitment letter.)

(C) Environmental Review

If the applicant proposes activities (such as physical development activities) that are not excluded from environmental review under 24 CFR 50.19(b), an environmental review by HUD is required in accordance with 24 CFR part 50, as indicated by 24 CFR 570.404(i) before HUD approves the proposal (i.e., releases CDBG funds). Before any grant funds are released, environmental approval must be secured. If the requirements of part 50 are not met, HUD reserves the right to terminate all or portions of the award. The grantee is not authorized to proceed with any activity requiring such approval until written approval is received from the appropriate HUD Field Environmental Clearance Officer in its area certifying that the project has been approved and released from all environmental conditions.

(D) Forms, Certifications and Assurances

HBCU applicants are required to submit the following forms, certifications and assurances:

(1) Standard Form (SF) 424 Application for Federal Assistance;

(2) Standard Form (SF) 424 B for Non-Construction Programs;

(3) Applicant Certification;

(4) Certification of Consistency with the Local Consolidated Plan; and

(5) Letter Certifying Local Approval.

(6) Certification Form for EZ/EC bonus points. These bonus points will only be awarded when the HBCU is located within the geographic boundaries of the EZ/EC.

III. Application Selection Process

(A) Rating and Ranking

(1) *Threshold Review; National Objectives.* HUD will evaluate applications for funding under the HBCU Program competitively and will award points based on responses to the Factors For Award identified in this section. Applications must be complete and consistent with the requirements of this for the HBCU Program section in this SuperNOFA, the application kit, and the HBCU Program regulations (24 CFR 570.404) in order for the application to be eligible to compete in this competition.

To be considered for funding, applicants must receive a minimum score of 70 out of the total of 100 points possible for Factors 1 through 5. HUD will not fund specific proposed activities that do not meet eligibility requirements (see, particularly, 24 CFR part 570, subpart C), or that do not meet a national objective in accordance with 24 CFR 570.208. The CDBG Publication entitled ''Everything You Wanted to Know About CDBG'' discusses the regulations, and a copy can be ordered from HUD's Community Connections Information Clearinghouse at 1–800–998–9999. Each activity that may be funded under this SuperNOFA for the HBCU Program must meet one of the three national objectives of the Community Development Block Grant program:

(a) Benefit to low- or moderate-income persons;

(b) Aid in the prevention or elimination of slums or blight; or

(c) Meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community, and other financial resources are not available to meet such needs.

Criteria for determining whether an activity addresses one or more of these objectives are provided at 24 CFR 570.208. (It is not necessary for applicants to comply with the primary objective requirement of 24 CFR 570.200(a)(3), which requires recipients to ensure that not less than 70% of the grant expenditures be for activities benefiting low and moderate income persons)

(2) *Funding of Applications.* Within each category of eligible applicant, HUD will fund applications in rank order, until it has awarded all available funds for that category of applicant, or until there are no fundable applications remaining in that category. If there is a tie in the point scores of two applications, the rank order will be determined by the applicant's scores on Factor 2. HUD will give the higher rank to the application with the most points on Factor 2. If there is still a tie, the rank order will be determined by the applicant's scores on Factor 3. HUD will give the higher rank to the application with the most points for Factor 3. If funds remain after approving all fundable applications within a category of applicants, HUD may choose to add those funds to the funds available for the other category of applicants.

(3) *Leveraging.* Although a match is not required to qualify for funding, HUD encourages HBCUs to participate in public/private partnerships, i.e., with local or national nonprofit organizations, the local banking and real estate community, local builders/developers, faith communities, etc., to secure matches of cash and/or in-kind goods or services. The maximum number of rating points an applicant can receive for leveraging is 10 points for Factor 4 below. Applicants having a cash match will receive a higher number of points than those providing in-kind goods or services of the same value. To be recognized as leveraging, contributions must be made available for the duration of the grant period, regardless of the form of investment provided to the project. Applicants *without* evidence of leveraging will receive *zero (0) points.*

(4) *After Selection.* After selection, but prior to award, an applicant will be required to:

(a) Negotiate. After all applications have been rated and ranked and a selection of competition winners has been made, HUD requires that all winners participate in negotiations to determine the specific terms of the Statement of Work and the grant budget. HUD will follow the negotiation procedures described in Section III(D) of the General Section of the SuperNOFA.

(b) Provide Financial Management and Audit Information. After selection for funding but prior to award, each successful applicant will be required to submit a certification from an Independent Public Accountant, or the cognizant government auditor, stating that the financial management system employed by the applicant meets prescribed standards for fund control and accountability required by OMB Circular A–133, as codified at 24 CFR part 84.

(B) Factors for Award Used To Evaluate and Rate Applications

HUD will use the Factors For Award set forth below to evaluate applications. Each application must contain sufficient information to be reviewed for its merits. The score for each factor will be based on the qualitative and quantitative aspects of the applicant's response to that factor. Applicants may use up to a total of thirty (30) pages to respond to Factor 1 through 5. Limitation applies to the applicant's

narrative response and NOT to tables, maps and firm commitment letters.

The maximum number of points that may be awarded is 102. This includes two EZ/EC bonus points, as described in the General Section of the SuperNOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (15 Points)

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner. In rating this factor, HUD will consider the extent to which the proposal demonstrates:

(1) (10 points) The knowledge and experience of the overall proposed project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing programs for which funding is being requested. Experience will be judged in terms of recent, relevant and successful experience of the applicant's staff to undertake eligible program activities. In rating this factor, HUD will consider the extent to which the applicant's organization and staff have recent, relevant, and successful experience in:

(a) Undertaking outreach activities in specific communities to solve or ameliorate significant housing and community development issues;

(b) Undertaking projects with community-based organizations or local governments; and

(c) Providing leadership in solving community problems and making national contributions to solving long-term and immediate housing and community development problems.

(2) (3 points) The applicant has sufficient personnel or will be able to quickly access qualified experts or professionals, to deliver the proposed activities in each proposed service area in a timely and effective fashion, including the readiness and ability of the applicant to immediately begin the proposed work program.

(3) (2 points) The applicant has demonstrated experience in managing programs, and carrying out *grant management* responsibilities for programs, similar in scope or nature directly relevant to the work activities proposed. If the applicant has managed large, complex, interdisciplinary programs, the applicant should include the information in the response.

Rating Factor 2: Need/Extent of the Problem (15 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities and an indication of the importance of meeting the need in the target area. In responding to this factor, applicants will be evaluated on:

(1) (10 points) The extent to which they document the level of need for the proposed activity: and

(2) (5 points) The importance of meeting the need.

Applicants should use statistics and analyses contained in a data source(s) that:

(a) Is sound and reliable. To the extent that the applicant's community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI) identifies the level of the problem and the urgency in meeting the need, references to these documents should be included in the response. The Department will review more favorably those applicants who used these documents to identify need, when applicable.

If the proposed activity is not covered under the scope of the Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI), applicants should indicate such, and use other sound data sources to identify the level of need and the urgency in meeting the need. Types of other sources include, but are not limited to, Census reports, Continuum of Care gaps analysis, law enforcement agency crime reports, Public Housing Authorities' Five Year Comprehensive Plan, and other sound and reliable sources appropriate for the specific SuperNOFA program and activities for which an applicant is applying. Applicants may also address needs in terms of fulfilling court orders or consent decrees, settlements, conciliation agreements, and voluntary compliance agreements. For technical assistance programs, input from HUD State and Area Office(s) and assessments are included among the data sources that may be used to identify need.

(b) To the extent possible, specific to the area where the proposed activity will be carried out. Specific attention must be paid to documenting need as it applies to the area where activities will be targeted, rather than the entire locality or state. If the target area is an entire locality or state, then documenting need at this level is appropriate.

Rating Factor 3: Soundness of Approach (50 Points)

This factor addresses the quality and cost-effectiveness of the applicant's proposed work plan. There must be a clear relationship between the proposed activities, community needs and the purpose of the HUD HBCU Program for an applicant to receive points for this factor.

HUD will consider the effectiveness/impact and feasibility of the applicant's work plan in addressing the needs described in the applicant's response to Factor 2 including the extent to which the applicant will provide geographic coverage for the target area and describes how each proposed activity meets both a CDBG Program national objective and the CDBG eligibility requirements described above. HUD will also consider the extent to which the proposed activities will yield innovative strategies or ''best practices'' that can be readily disseminated to other organizations and State and local governments.

(1) *Work Plan* (40 Points). The applicant's work plan must incorporate all proposed activities, describing in detail how the activities will alleviate and/or fulfill the needs identified in Factor 2, including how the activities will benefit low-income and elderly residents, welfare recipients, and the working poor in the target area to be served, and how the activities will be implemented. In evaluating this factor, HUD will consider:

(a) (10 points) The extent to which the proposed work program identifies the specific services or activities to be performed. In reviewing this subfactor, HUD will consider the extent to which:

(i) The applicant's proposal outlines a clear agenda based on a thorough familiarity with existing work/activities in the target area. The applicant should demonstrate that the proposed activities do not duplicate work/activities previously completed or work/activities currently underway by others;

(ii) The applicant demonstrates how the activities will fit into and strengthen their role in addressing community development needs in their locality;

(iii) The applicant's plan outlines a clear agenda for citizen involvement in the planning and implementation.

(b) (10 points) The extent to which the proposed work/activities involve the communities to be served in implementation of these activities. In reviewing this subfactor, HUD will look at the extent to which:

(i) Representatives of the local communities are involved and have a balance of race, ethnic, disability, status, gender and income of the residents of the community to be served, or will be involved to address the needs identified in Factor 2;

(ii) Evidence is provided that neighborhood organizations and local government entities were invited to, or participated in, the identification of activities to be undertaken;

(iii) The methodology employed to outreach to the community during the development and implementation of the proposed program.

(c) (10 points) The extent to which the proposed activities will achieve the purposes of the program from which funding is requested within the grant period. The applicant should identify specific time phased and measurable objectives to be accomplished during the period of performance; the proposed short and long term program objectives to be achieved as a result of the proposed activities; the tangible and measurable impacts the work program will have on the community in general and the target area or population in particular; and the relationship of the proposed activities to other on-going or proposed efforts to improve the economic, social, or living environment in the impact area.

(d) (6 points) The extent to which the proposed project will potentially yield innovative strategies or ''best practices'' that can be duplicated and disseminated to other organizations.

(e) (4 points) The extent to which the proposed application will further and support the policy priorities of HUD including:

(i) Promoting healthy homes;

(ii) Enhancing on-going efforts to eliminate drugs and crime from neighborhoods through program policy efforts such as ''One Strike and You Are Out'' or the ''Officer Next Door'' initiative; and

(iii) Providing educational, job training, and homeownership opportunities through such initiatives as High Hopes, Neighborhood Networks, Campus of Learners, Local Homeownership Partnerships and linking programs to Americorps activities.

The High Hopes initiative promotes partnerships between colleges and middle or junior high schools in low-income communities, to help teach students how they should go to college by informing them about college options, academic requirements, costs, and financial aid, and by providing support services—including tutoring, counseling, and mentoring;

The Neighborhood Networks (NN) initiative enhances the self-sufficiency, employability, and economic self-reliance of low-income families and the elderly living in HUD-insured and HUD-assisted properties by providing such residents with on-site access to computer and training resources;

The Campus of Learners (COL) initiative is designed to transform public housing into safe and livable communities where families undertake training in new telecommunications and computer technology and partake in educational opportunities and job training initiatives; and/or

Local Homeownership Partnerships (LPs) recognized by the National Partners in Homeownership. Local Homeownership Partnerships are local manifestations of the National Homeownership Strategy and are designed to increase homeownership opportunity through public-private collaboration.

If relocation is to be a part of the work activities the applicant should discuss the plan for temporary or permanent relocation of occupants of units affected, including storage or moving of household goods, stipends and/or incentives. The work plan must delineate tasks and subtasks for each activity, and indicate the sequence in which the tasks are to be performed, noting areas of work which must be performed simultaneously.

To the maximum extent feasible, the applicant should provide HUD with measurable results to be achieved with the requested funds, i.e., the number of persons to be trained, number of persons to be employed, number of houses to be built (pursuant to 24 CFR 570.207) or rehabilitated, number of minority owned businesses to be started, etc., in the target area as a result of the implementation of the proposed activities.

(2) *Affirmatively Furthering Fair Housing* (5 Points)

If an applicant has designed activities to affirmatively further fair housing, for example:

(a) Overcoming impediments to fair housing, such as discrimination in the sale or rental of housing or in advertising, provision of brokerage services, or lending;

(b) Promoting fair housing through the expansion of homeownership opportunities and improved quality of city services for minorities, families with children, and persons with disabilities; or (c) providing mobility counseling, 5 points will be awarded.

(3) *Products Deliverable Schedule* (5 Points)

As a result of the implementation of the proposed activities, describe products to be delivered in 6 month intervals, up to 24 months. Indicate which of the staff described under Factor 1 will be responsible and accountable for deliverables. This sub-factor will be evaluated on the extent to which the schedule represents an efficient and feasible plan for implementation of the proposed activities.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure community resources (note: financing is a community resource) which can be combined with HUD program funds to achieve the program objective to assist HBCUs expand their role and effectiveness in addressing community development needs in their localities, including neighborhood revitalization, housing, and economic development.

In evaluating this factor, HUD will consider the extent to which the applicant has partnered with other entities to secure additional resources to increase the effectiveness of the proposed activities. Resources may include funding or in-kind contributions, such as services or equipment, allocated to the purpose(s) of the award the applicant is seeking. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities willing to partner with the applicant. Applicants may also partner with other program funding recipients to coordinate the use of resources in the target area.

Applicants must provide letters or other documentation evidencing the extent and firmness of commitments of a match from other Federal (e.g., Americorps Programs), State, local, and/or private sources (including the applicant's own resources). These letters or documents must be dated no earlier than the date of this published SuperNOFA. An applicant which has evidence in support of its proposed match commitment is eligible for more rating points than those applicants not having a firm commitment for a match.

The maximum number of rating points an applicant can receive for leveraging is 10 points. Applicants having a cash match will receive a higher number of points than applicants receiving in-kind goods or services of the same value. To be recognized as leveraging, contributions must be made available for the duration of the grant period, regardless of the form of investment provided to the project. Applicants without evidence of leveraging will receive zero (0) points for this Factor.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's

Consolidated Planning process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which the applicant demonstrates it has:

(1) (4 points) Coordinated its proposed activities with those of other groups or organizations prior to submission in order to best complement, support and coordinate all known activities, and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described.

(2) (3 points) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) (3 points) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State or locally funded activities, including those proposed or on-going in the community.

IV. Application Submission Requirements

Applicants must complete and submit applications for HBCU grants in accordance with instructions contained in the FY 1998 Historically Black Colleges and Universities Program Application Kit. The application kit will request information in sufficient detail for HUD to determine whether the proposed activities are feasible and meet all the requirements of applicable statutes, regulations, and this SuperNOFA for the HBCU Program. Following is a list of items required for HBCU applications:

(A) Transmittal Letter

A transmittal letter shall accompany the application. This cover letter shall be signed by the *Chief Executive Officer* (usually the President or Provost) of the applicant institution. If the Chief Executive Officer has delegated this responsibility to another official, that person may sign, but a copy of the delegation must also be included.

(B) Application Checklist

(C) Abstract

(D) Budget Documents

(E) Narrative Statement Responding to the Factors for Award

(F) Certifications

Certification forms signed by the Chief Executive Officer of the applicant institution.

Appendices are not permitted. General support letters and resumes shall not be submitted. Letters of commitment and other documentation shall be included with responses to the appropriate Factors for Award.

V. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

HBCU Program Appendix A

Historically Black Colleges and Universities

(Previously Funded By HUD During Fiscal Years 1991–1997)

Alabama

Alabama A&M University
Alabama State University
Oakwood College
Stillman College
Talladega College
Tuskegee University

Arkansas

Arkansas Baptist College
Philander Smith College
University of Arkansas at Pine Bluff

District of Columbia

Howard University
University of the District of Columbia

Florida

Florida A&M University

Georgia

Albany State University
Clark Atlanta University
Fort Valley State University
Morris Brown College
Spelman College

Kentucky

Kentucky State University

Louisiana

Grambling State University
Southern University
Southern University at Shreveport/Bossier City
Xavier University of New Orleans

Maryland

Bowie State University
Coppin State College
Morgan State University

Mississippi

Alcorn State University
Jackson State University
Mississippi Valley State University
Rust College
Tougaloo College

Missouri

Harris-Stowe State College
Lincoln University

North Carolina

Bennett College
Elizabeth City State University
Fayetteville State University
Johnson C. Smith University
North Carolina A&T State University
North Carolina Central University
St. Augustine's College
Shaw University
Winston-Salem State University

Ohio

Central State University

Oklahoma

Langston University

Pennsylvania

Lincoln University

South Carolina

Benedict College
Claflin College
South Carolina State University
Voorhees College

Tennessee

Fisk University
Lemoyne-Owen College

Texas

Prairie View A&M University
Saint Phillip's College
Texas Southern University
Wiley College

Virginia

Hampton University
Norfolk State University
Saint Paul's College

HBCU Program Appendix B

Historically Black Colleges and Universities

(Previously Unfunded By HUD During Fiscal Years 1991–1996)

Alabama

Bishop State Community College
Concordia College
Fredd State Technical College
Lawson State Community College
Miles College
Selma University
J.F. Drake Technical College
Trenholm State Technical College

Arkansas

Shorter College

Delaware

Delaware State University

Florida

Bethune-Cookman College
Edward Waters College
Florida Memorial College

Georgia

Interdenominational Theological Center
Morehouse College
Morehouse School of Medicine
Paine College
Savannah State College

Louisiana

Dillard University

Southern University at

Maryland

University of Maryland Eastern Shore

Michigan

Lewis College of Business

Mississippi

Coahoma Community College
Hinds Community College
Mary Holmes College

North Carolina

Barber-Scotia College
Livingstone College

Ohio

Wilberforce University

Pennsylvania

Cheyney University of Pennsylvania

South Carolina

Allen University
Clinton Junior College
Denmark Technical College
Morris College

Tennessee

Knoxville College
Lane College
Meharry Medical College
Tennessee State University

Texas

Huston-Tillotson College
Jarvis Christian College
Paul Quinn College
Southwestern Christian College
Texas College

Virginia

Virginia State University
Virginia Union University

West Virginia

Bluefield State College
West Virginia State University

U.S. Virgin Islands

University of the Virgin Islands

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

FAIR HOUSING INITIATIVES AND ASSISTED HOUSING COUNSELING PROGRAMS

Education and Outreach Initiative (EOI)

Private Enforcement Initiative (PEI)

Fair Housing Organizations Initiative (FHOI)

Housing Counseling Program

- Local Housing Counseling Agencies
- National, Regional and Multi-State Intermediaries
- State Housing Finance Agencies

BILLING CODE 4210–32–C

Funding Availability for the Fair Housing Initiatives Program

Program Description: Approximately $11,500,000 of funding is available for the Fair Housing Initiatives Program (FHIP) from the $15,000,000 appropriation. The availability of the remaining $3.5 million will be announced under a separate NOFA. This program assists projects and activities designed to enforce and enhance compliance with the Fair Housing Act and substantially equivalent State and local fair housing laws. Under this competition, HUD will fund projects undertaken through the Private Enforcement Initiative (PEI), Education and Outreach Initiative (EOI), and Fair Housing Organizations Initiative (FHOI).

Application Due Date: Completed applications for all Initiatives/Components are due no later than 12:00 midnight, Eastern time on June 1, 1998 at HUD Headquarters. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications: Completed applications (one original and two copies) should be submitted to: FHIP/FHAP Support Division, Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Room 5234, Washington, DC 20410. When submitting your application, please refer to FHIP and provide your name, mailing address (including zip code) and telephone number (including area code).

For Application Kits, Further Information, and Technical Assistance:

For Application Kits. For an application kit and supplemental information please call the HUD SuperNOFA Information Clearinghouse at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY at 1–800–483–2209. The application kit also will be available on the Internet at: http://www.HUD.gov. When requesting an application kit, please refer to FHIP, and provide your name, address (including zip code), and telephone number (including area code).

For Further Information and Technical Assistance. For answers to your questions, you have several options. You may contact Ivy L. Davis, Director, FHIP/FHAP Support Division at 202–708–0800 (this is not a toll-free number), or persons who use a text telephone (TTY) may call 1–800–290–1617. You may also call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209.

Additional Information

I. Authority; Purpose; Amount Allocated; Ineligible Activities; and Eligibility

(A) Authority

Section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616 note, established the Fair Housing Initiatives Program (FHIP)) and the implementing regulations are found at 24 CFR part 125.

(B) Purpose

The purpose of the FHIP is to assist projects and activities designed to enforce and enhance compliance with the Fair Housing Act and substantially equivalent State and local fair housing laws. Eligible applicants may apply to carry out private enforcement activities, educational activities and projects that establish or build the capacity of organizations to provide fair housing services.

(1) In September 1997, HUD announced a ''crackdown on housing discrimination'' and pledged to double its enforcement actions. The projects funded under this NOFA are expected to contribute to the accomplishment of this goal and applications will be evaluated based upon their responsiveness to this objective in Rating Factor 3.

(2) As immigrants settle in the U.S., there is a concern that they may encounter actual or perceived discriminatory housing practices. As such, it is critical that fair housing efforts be directed to educating these individuals about their fair housing rights as well as ensuring that enforcement mechanisms address the specific type of discrimination they, in particular, encounter. Therefore, activities under this NOFA should be particularly focused on addressing both the fair housing educational and enforcement needs of these new immigrant groups, as well as other underserved populations. Applicants will be evaluated on this objective in Rating Factor 2.

(3) Although almost ten years have passed since the enactment of the Fair Housing Act amendments affecting persons with disabilities, it appears that in many areas of the country, much of the covered housing still fails to comply with the Fair Housing Act requirements and persons with disabilities are still often discriminated against and are refused reasonable accommodations. HUD recognizes the critical role that disability advocacy groups have in addressing the unique needs of persons with disabilities. For this funding round, under the Fair Housing Organizations Initiative (FHOI)—Continued Development Component (CDC), applications must include the participation of disability advocacy organizations.

(C) Amount Allocated

Of the funds appropriated for the Fair Housing Initiatives Program in FY 1998, approximately $11,500,000 is being made available on a competitive basis to eligible organizations that submit timely applications and are selected in response to this SuperNOFA.

HUD retains the right to shift funds among the FHIP Initiatives and Components listed below, within statutorily prescribed limitations. The amounts included in this SuperNOFA are subject to change based on funds availability. The amount of FY 1998 funding available for the FHIP is divided among three Initiatives as follows:

(1) *Education and Outreach Initiative (EOI).* This SuperNOFA makes available $1,000,000 for EOI projects under the Regional, local, and community-based component. Under this component, 18-month projects, with an award cap of $100,000, will be funded that support regional, local and community-based education and outreach efforts. An additional $3,500,000 will be made available for projects which are national in scope through a separate NOFA.

(2) *Private Enforcement Initiative (PEI).* The amount of $9,300,000 is being used for the PEI for the following components:

(a) *General Component.* Of the $9,300,000, $7,800,000 is available for 24-month projects, with an award cap of $350,000. Recipients of FHIP PEI grants awarded based upon applications submitted under the FY 1997 NOFA—RFA–97–1, FY 1996 FHIP NOFA—RFA–96–1, and the FY 1995 FHIP NOFA—RFA–95–1, are ineligible to apply under the FY 1998 competition for multi-year PEI—General Component awards unless their above-referenced PEI award will expire by 3/31/99. Regardless of when their awards expire, those recipients are eligible to apply for PEI—Joint Enforcement Project Component awards, as well as FHOI and EOI awards.

(b) *Joint Enforcement Project component.* Of the $9,300,000, $1,500,000 is available for 18-month projects, with an award cap of $300,000, that promote partnerships between private fair housing enforcement

organizations, FHAP agencies and/or traditional civil rights organizations to focus on systemic investigations of housing discrimination.

(3) *Fair Housing Organizations Initiative (FHOI).* The amount of $1,200,000 is available for the FHOI for single and multi-year projects, to be used for the establishment of a new fair housing enforcement organization and for supporting the fair housing enforcement capacity development of eligible organizations to address the fair housing needs of persons with disabilities, under the following two components.

(a) *Establishing New Organizations Component (ENOC).* Of the FHOI total of $1,200,000, $400,000 is available for a 24–36 month project to fund the creation of a new fair housing enforcement organization in an underserved area, with an award cap of $400,000.

(b) *Continued Development Component (CDC).* HUD is reserving $800,000 of the $1,200,000 under the FHOI for 18-month projects, with an award cap of $200,000, to utilize the capacity of organizations to assist persons with disabilities in developing fair housing enforcement programs to address this protected class.

(D) Definitions

The definitions that apply to this FHIP section of the SuperNOFA are as follows:

Fair Housing Assistance Program Agencies means State and local agencies funded by the Fair Housing Assistance Program (FHAP), as described in 24 CFR part 115.

Fair Housing Enforcement Organization (FHO) means an organization engaged in fair housing activities as defined in 24 CFR 125.103.

Meritorious Claims means enforcement activities by an organization as defined in 24 CFR 125.103.

Qualified Fair Housing Enforcement Organization (QFHO) means an organization engaged in fair housing activities as defined in 24 CFR 125.103.

Regional/Local/Community-Based Activities are defined at 24 CFR 125.301(d).

(E) Ineligible Activities/Applications for All Components

(1) *Fair Housing and Free Speech.* None of the amounts made available under this NOFA may be used to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a government official or entity, or a court of competent jurisdiction.

(2) *Research Activities.* Projects to be aimed solely or primarily at research or dependent upon such data-gathering, including but not limited to surveys and questionnaires, are not eligible for funding under this NOFA.

(3) *Award Caps.* In order to maximize the number of grants awarded and to allow HUD to fairly assess the quality of an applicant's proposed program, applications that request FHIP funding in excess of the award cap will be deemed ineligible.

(4) *Litigation.* In accordance with 24 CFR 125.104(f), no recipient of assistance under the FHIP may use any funds provided by HUD for the payment of expenses in connection with litigation against the United States.

(F) Eligibility for Education and Outreach Initiative—Regional/Local/Community-Based Component

(1) *Eligible Applicants.* HUD particularly encourages the submission of applications from traditional civil rights organizations, which are defined as private non-profit organizations or institutions and/or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices and which have a history and primary mission of engaging in programs designed to secure Federal civil rights protections for groups and individuals. The following organizations are eligible to receive funding under the EOI—Regional/Local/Community-Based Component: QFHOs; FHOs; public or private non-profit organizations or institutions and other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices; State or local governments; and FHAP Agencies.

(2) *Eligible Activities.* All projects funded under this competition must be focused on addressing the fair housing needs of underserved populations and/or new immigrant populations in geographic areas to be specified in the grant application. EOI activities must be designed to increase the referral of fair housing complaints and other information to HUD and to educate the public about their fair housing rights and the procedures for filing complaints with HUD. The application must outline the referral process and projected referrals to HUD expected in the proposed Statement of Work. The final performance measures for deliverables will be negotiated between the grantee and HUD as part of the executed grant agreement and will be based upon the applicant's proposal.

Activities may include holding educational forums, duplication of existing fair housing materials for distribution throughout the project area, providing fair housing counseling services, conducting outreach and providing information on fair housing through printed and electronic media, developing or implementing Fair Housing Month activities, and informing persons with disabilities and/or their support organizations and service providers, housing providers, and the general public on the rights of persons with disabilities under the Fair Housing Act. Activities may not include the development of new fair housing materials except as a supplement to existing materials, but instead must use existing approved materials available locally or through the Fair Housing Information Clearinghouse.

(3) *Additional Requirements.* The following requirements are applicable to all applications under the EOI:

(a) All projects must address or have relevance to housing discrimination based on race, color, religion, sex, disability, familial status, or national origin.

(b) All proposals must contain a description of how the activities or the final products of the projects can be used by other agencies and organizations and what modifications, if any, would be necessary for that purpose.

(c) Each non-governmental applicant for funding under the EOI Regional, Local and Community-Based Component that is located within the jurisdiction of a FHAP agency must provide, with its application, documentation (such as letters between the two organizations) that it has consulted with the agency or agencies to coordinate activities to be funded under the EOI. This coordination will minimize duplication and fragmentation of activities.

(G) Eligibility for Private Enforcement Initiative (PEI)

(1) *Eligible applicants.*

(a) Organizations that are eligible to receive FY 1998 funding assistance under the PEI are QFHOs and FHOs with at least one year of experience in complaint intake, complaint investigation, testing for fair housing violations, and enforcement of meritorious claims.

(b) Current recipients of FHIP PEI grants awarded based upon applications submitted under the FY 97, FY 96 and FY 95 NOFAs that will not expire by March 31, 1999 are ineligible to apply

for multi-year PEI—General Component awards. However they are eligible to apply for PEI—Joint Enforcement Project Component awards, as well as FHOI and EOI awards.

(2) *Eligible Activities.*

(a) *General Component projects.* Project applications must include more than one type of activity and address more than one fair housing issue. All projects must include a description of and the estimated amount of projected enforcement referrals to HUD. Eligible activities may include, but are not limited to, the following:

(i) Conducting complaint intake of allegations of housing discrimination;

(ii) Conducting testing, evaluating testing results or providing other investigative support for administrative and judicial enforcement of fair housing laws;

(iii) Conducting preliminary investigations of individual and systemic housing discrimination for further enforcement processing by HUD;

(iv) Building the capacity to investigate, through testing and other investigative methods, housing discrimination complaints covering all protected classes;

(v) Conducting mediations or other voluntary resolutions of allegations of fair housing discrimination;

(vi) Providing funds for the costs and expenses of litigating fair housing cases, including expert witness fees.

(b) *Joint Enforcement Project (JEP) Component Projects.* The objective of the FHIP JEP project is that partnerships between private fair housing enforcement organizations, FHAP agencies and/or traditional civil rights organizations will focus on systemic investigations of housing discrimination. Grantee activities will result in either complaints being filed with HUD or in information being provided to HUD sufficient for the filing of Secretary-Initiated Complaints. Funding under this component is for investigative/enforcement activities producing outcomes/deliverables that are provided to HUD for determination of appropriate actions/use of data. These deliverables must meet or exceed the annual performance measures outlined in the application and agreed to in the executed grant agreement. It is anticipated that the majority of the project activities would be related to cases involving allegations of systemic discrimination as defined in 24 CFR 103.205.

Through frequent and regular contact with HUD, applicants will carry out activities to be performed in conjunction with a FHAP agency/agencies, private fair housing enforcement organization(s), and/or traditional civil rights organization(s), in order to achieve the objective outlined above. Project proposals must contain a strategy for achieving project deliverables, with related timelines and annual milestones. The activities to be performed to achieve project deliverables must include, but are not limited to:

(i) Sharing of data analyses for use in developing the investigations;

(ii) Conducting joint preliminary investigative activities through testing, review of property records, development of strategies, interviews, etc.;

(iii) Development of investigative materials for referral to HUD for action;

(iv) Regular meetings among organizations and with HUD to share information about potential violations for investigation based upon complaints, data, or other sources; and

(v) Regular contact with HUD to ensure project activities conform with planned deliverables and that deliverables meet grant agreement requirements.

All PEI–JEP applications must be submitted by a QFHO/FHO as the sole recipient, but must contain detailed letter(s) of commitment from all FHAP agencies and traditional civil rights organizations identified as part of the JEP. The project budget should include any costs related to subcontract(s) with FHAP agencies and traditional civil rights organizations which account for activities related to the subcontractor's role in the project. A separate detailed budget for each subcontract should be included in the application.

(3) *Other Provisions.*

(a) Successful multi-year PEI projects will receive incremental funding during the life of the award subject to periodic performance reviews. Applications that request FHIP funding in excess of the award cap will be deemed ineligible.

(b) Neither the grantee nor any subcontractors are permitted to charge or claim credit for any activities performed under the JEP grant toward any other Federal project/funds. For example, FHAP agencies will not be able to count any cases/referrals arising under this project toward their FHAP case processing calculations.

(c) All applicants proposing to conduct testing must include as initial tasks in their Statement of Work that they will provide to HUD for review and approval the testing methodology to be used and the training to be provided to testers. These tasks, as well as any others identified during grant negotiations, must be completed and accepted by HUD prior to HUD's disbursement of FHIP funds.

(H) Eligibility for the Fair Housing Organizations Initiative (FHOI)

(1) *Eligible Applicants.* (a) *Establishing New Organizations Component (ENOC).* Eligible applicants for funding under this component of the FHOI are limited to QFHOs.

(b) *Continued Development Component (CDC).* The following organizations are eligible to receive funding under the FHOI—CDC: QFHOs; FHOs; and non-profit groups organizing to build their capacity to provide fair housing enforcement.

(2) *Eligible activities.* (a) *Establishing New Organizations Component.* Eligible for funding under this purpose of the FHOI are 24–36 month projects that help establish, organize and build the capacity of a fair housing enforcement organizations in underserved areas. ''Underserved areas'' is defined as areas which are currently underserved or not served by one or more fair housing enforcement organizations as well as those areas where large concentrations of protected classes exist. Applicants must provide a justification for the selection of the geographic jurisdiction to be served by the proposed new organization and describe how the jurisdiction is underserved by any existing public or private fair housing organizations, including FHAP agencies. Applications must propose the establishment of a new fair housing enforcement organization in an underserved area. Applicants must provide a justification for the selection of the geographic jurisdiction to be served by the proposed new organization and how the jurisdiction is underserved by any existing public or private fair housing organizations, including FHAP agencies. This justification must include data and studies that indicate the presence of housing discrimination, segregation, and new immigrant groups, and/or other indices of discrimination in the locality based upon race, color, religion, sex, national origin, familial status, or disability. Project applications must include more than one type of activity and address more than one fair housing issue. Additionally, all projects must include a basis for the specific activities relating to referral of enforcement proposals to HUD.

(b) *Continued Development Component.* (i) Applications in this category are for 18-month projects that propose to expand eligible applicants' capacity to provide fair housing enforcement services that address the needs of persons with disabilities.

Project applications must include more than one type of activity and address more than one fair housing issue. For purposes of this competition, ''disability advocacy groups'' are defined as organizations that traditionally have provided for the civil rights of persons with disabilities, including organizations such as Independent Living Centers and cross-disability legal services groups. These organizations must: be organized as a private, tax-exempt, non-profit, charitable organization; be established with a primary purpose to assist persons with a broad range of disabilities, including physical, cognitive and psychiatric/mental disabilities, in exercising or protecting their fair housing and/or other civil rights (persons with disabilities need not be the only class served by the organization and fair housing and/or civil rights protection need not be the only activity of the organization); and demonstrate actual involvement of persons with disabilities throughout their activities, including on staff and board levels. Recognizing the critical role that disability advocacy groups have addressing the unique needs of persons with disabilities, HUD is requiring that proposals follow one of the approaches described below:

(*1*) Disability advocacy groups may apply to carry out activities that will expand their organization's capacity to provide the full-range of fair housing enforcement services to its clientele; or

(*2*) Fair housing enforcement organizations may apply to expand their capacity to provide fair housing services to persons with disabilities, through the utilization of subcontract(s) with disability advocacy groups (preferably with groups located within the local jurisdiction to be served).

(i) Eligible activities for funding under this purpose of the FHOI are any of the activities listed as eligible under the PEI in Section I(F)(2) of this FHIP section of the SuperNOFA, as long as they meet the focus on disability issues as outlined in Section I(F)(2)(b)(i) of this FHIP section of the SuperNOFA. Additionally, all projects must include a basis for the specific activities relating to enforcement proposal referrals to HUD and the projected number of enforcement proposal referrals to HUD.

(ii) Funding under the FHOI–CDC may not exceed more than 50 percent of the operating budget of the recipient organization for any one year. For purposes of the limitation of this paragraph, *operating budget* means the applicant's total planned budget expenditures from all sources, including the value of in-kind and monetary contributions, in the 18 months for which funding is sought.

II. Program Requirements

(A) FHIP Specific Requirements

(1) Through the Private Enforcement Initiative (PEI) and Fair Housing Organizations Initiative (FHOI) components of this SuperNOFA, HUD will fund only full service and broad-based fair housing enforcement projects that address discrimination against persons protected by the Fair Housing Act and contribute in measurable ways to HUD's commitment to double its enforcement actions. Enforcement projects must include more than one type of activity. Full-service projects must include more than one of the following enforcement-related activities: interviews with potential victims of discrimination, analysis of housing-related issues; complaint intake; testing; evaluation of testing results; preliminary investigation; mediation; enforcement of meritorious claims through litigation or referral to administrative enforcement agencies; and dissemination of information about fair housing laws. ''Broad-based'' means not limited to a single fair housing issue, but rather covering multiple issues related to discrimination in the provision of housing covered under the Fair Housing Act, such as: rental, sales and financing of housing.

(2) *Applicants Limited to a Single Award.* Applicants may apply for funding for more than one project or activity under one or more Initiatives. However, applicants are limited to one award under this FHIP section of the SuperNOFA. If more than one eligible application is submitted by an applicant and both are within funding range, HUD will select the application which the applicant has indicated as its preference for award should more than one application submitted be within funding range. One exception is for applicants that submit a successful application under the FHOI–ENOC, which is targeted at creating new fair housing enforcement organizations. In such cases, FHOI recipients will also be eligible to receive one additional award under either the EOI or PEI.

(3) *Independence of Awards.* There are no limits on the number of applications that can be submitted by a single applicant. However, each project or activity proposed in an application must be independent and capable of being implemented without reliance on the selection of other applications submitted by the applicant or other applicants. This provision does not preclude an applicant from submitting a proposal which includes other organizations as subcontractors to the proposed project or activity.

(4) *Project Starting Period.* HUD has determined that all applications must propose that the project will begin no later than October 1, 1998.

(5) *Page Limitation.* Applicants will be limited to 10 pages of narrative responses for each of the five selection criteria (this does not include forms or documents which are required under each criterion). Furthermore, unrequested items such as brochures and news articles, will not be considered in the evaluation process. Applicants that exceed the 10-page limit for each criterion will only have the first 10 pages evaluated for each criterion. Failure to provide narrative responses to all selection criteria will result in an applicant not receiving points for the information omitted. Failure to receive points for a factor may significantly impact an applicant's ability to receive an award.

(6) *Training.* All applications must include a training set-aside of $3,000 for single-year projects and $6,000 (total) for multi-year projects in all project budgets. HUD will permit grantees to use these funds to attend both HUD-sponsored and HUD-approved training.

(7) *Payment Contingent on Completion.* Payment to grantees will be contingent on the satisfactory completion of all project activities on an annual basis, including the successful achievement of tasks relating to enforcement proposals and/or complaint referrals to HUD.

(8) *Mandatory Referrals.* All PEI/FHOI recipients are required to refer to HUD all cases arising out of audit testing under FHIP grants.

(9) *Accessibility Requirements.* All activities and materials funded by FHIP must be reasonably accessible to persons with disabilities.

(10) *Outreach Expenses.* Applications may designate up to 5% of requested funds to conduct education and outreach to promote awareness of the services provided by the project, but such promotion must be necessary for the successful implementation of the project.

(11) *Tester Requirements.* Testers in testing activities funded with PEI and FHOI funds must not have prior felony convictions or convictions of crimes involving fraud or perjury, and they must receive training or be experienced in testing procedures and techniques. Testers and the organizations conducting tests, and the employees and agents of these organizations may not:

(a) Have an economic interest in the outcome of the test, without prejudice to

the right of any person or entity to recover damages for any cognizable injury;

(b) Be a relative of any party in a case;

(c) Have had any employment or other affiliation, within one year, with the person or organization to be tested; or

(d) Be a licensed competitor of the person or organization to be tested in the listing, rental, sale, or financing of real estate.

(12) *Review and Approval of Testing Methodology.* HUD reserves the right to require applicants proposing to conduct testing to include as initial tasks in their Statement of Work that they will provide to HUD for review and approval the testing methodology to be used and the training to be provided to testers. These tasks, as well as any others identified during grant negotiations, must be completed and accepted by HUD prior to HUD's disbursement of FHIP funds.

(13) *Enforcement Log.* Recipients of funds under the PEI and FHOI shall be required to record, in a case tracking log (or Fair Housing Enforcement Log) to be supplied by HUD, information appropriate to the funded project relating to the number of complaints of possible discrimination received; the protected basis of these complaints; the issue, test type, and number of tests utilized in the investigation of each allegation; the respondent type and testing results; the time for case processing, including administrative or judicial proceedings; the cost of testing activities and case processing; to whom the case was referred; and the resolution and type of relief sought and received. The recipient must agree to make this log available to HUD.

(14) *Certifications.* (a) All PEI and FHOI proposals must certify that the applicant will not solicit funds from or seek to provide fair housing educational or other services or products for compensation, directly or indirectly, to any person or organization which has been the subject of FHIP funded testing by the applicant during the 12 month period following the test. This does not preclude settlement based on investigative findings.

(b) All PEI and FHOI proposals must certify that an applicant which receives any compensation, directly or indirectly from a settlement, conciliation or award of damages as a result of activities funded under this SuperNOFA, will use such monies only to carry out activities eligible under the FHIP and specifically authorized by the grant agreement provision addressing the use of such funds. Such provision will be part of the cooperative/grant agreement. HUD reserves the right to negotiate with successful applicants provisions addressing potential conflicts of interest.

(B) General Requirements

The program requirements listed in the General Section of this SuperNOFA are applicable to applicants applying for FHIP funding under this SuperNOFA.

III. Application Selection Process

(A) Rating and Ranking

(1) *General.* Each application for funding will be evaluated competitively under one of the five categories: PEI-General Component; PEI-Joint Enforcement Project Component; EOI-Regional, local and community-based component; FHOI-Establishing New Organizations Component; or FHOI-Continued Development Component. Then, in each category, they will be awarded points and assigned a score based on the Selection Criteria for Rating Applications for Assistance identified in Section III(B) of this FHIP section of the SuperNOFA. After eligible applications are evaluated against the factors for award and assigned a score, they will be organized by rank order. Awards for each category listed above will be funded in rank order until all available funds have been obligated, or until there are no acceptable applications, with the exception described in Section III(A) (2) and (3), immediately below, which is designed to achieve geographic distribution of awards and to achieve full service and broad-based fair housing enforcement projects. The final decision rests with the selecting official, the Assistant Secretary for Fair Housing and Equal Opportunity or her designee.

(2) *Achieving Geographic Distribution of Awards.* The Assistant Secretary, or designee, will have the discretion to make awards out of rank order and fund or not fund applications in order to provide broader geographic representation in accordance with the following procedure. For each Initiative and component, awards will be funded in rank order, except as follows: only the highest ranking application under any Initiative or component for activities to be conducted in a Metropolitan Statistical Area (MSA), as defined by the Bureau of the Census, will be selected. No other application proposing activities in the same MSA under the same Initiative or component will be selected, unless there are not enough applications of sufficient quality to permit the awarding of all funds in an Initiative or component. If the Assistant Secretary determines that there are not enough applications of sufficient quality in any Initiative or component, then the next highest ranked application(s) that had previously been passed over may be funded in the same MSA.

(3) *Tie Breaking.* When there is a tie in the overall total score, the award will be made to the applicant that has the higher score under Rating Factor 3 (Soundness of Approach). If these applications are equal in this respect, the application that receives a total higher number of points under Rating Factor 1 (Capacity of the Applicant and Relevant Organizational Experience) will receive the award. If these scores are identical then the award will be made to the applicant with the lower request for FHIP funding.

(B) Factors for Award Used to Evaluate and Rate Applications

The factors for rating and ranking applicants, and maximum points for each factor, are provided below. The maximum number of points to be awarded is 102. This includes two EZ/EC bonus points, as described in the General Section of the NOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points)

The rating of the ''applicant'' or the ''applicant's organization and staff'' for technical merit will include any sub-contractors, consultants, sub-recipients, and members of consortia that are identified as participants in the project.

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner. In rating this factor HUD will consider the extent to which the proposal demonstrates:

(1) (10 points) The knowledge and experience of the proposed project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing programs for which funding is being requested. Experience will be judged in terms of recent, relevant and successful experience of the applicant's staff to undertake eligible program activities. The applicant has sufficient personnel or will be able to quickly access qualified experts or professionals, to deliver the proposed activities in a timely and effective fashion, including the readiness and ability of the applicant to immediately begin the proposed work program. To demonstrate that the applicant has sufficient personnel, the applicant must submit the proposed number of staff years by the employees and experts to be allocated to the project, the titles and

relevant professional background and experience of each employee and expert proposed to be assigned to the project, and the roles to be performed by each identified employee and expert.

(2) (10 points) for either (a) or (b):

(a) The applicant's past experience in terms of its ability to attain demonstrated measurable progress in the implementation of its most recent activities where performance has been assessed as measured by expenditures and measurable progress in achieving the purpose of the activities. HUD will also consider any documented evidence of the grantee's failure under past awards to comply with grant award provisions; or

(b) If the FHIP applicant has not received funding in the past, the applicant's demonstrated experience in managing programs, and carrying out grant management responsibilities for programs similar in scope or nature directly relevant to the work activities proposed. If the applicant has managed large, complex, interdisciplinary programs, the applicant should include the information in the response.

Rating Factor 2: Need/Extent of the Problem (20 Points)

This factor addresses the extent to which there is a need for funding the proposed activities and an indication for the urgency of meeting the need in the target area. In responding to this factor, applicants will be evaluated on the Statement of Need, which addresses the following:

(1) (10 points) The extent to which applicants document a level of need for the project activities in the target area, including a focus on the targeted groups of new immigrant and other underserved populations, and the urgency in meeting the need using statistics and analyses contained in a data source(s) that is sound and reliable. To the extent that the applicant's community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI) identify the level of the problem and urgency in meeting the need, references to these documents should be included in the response. The Department will review more favorably those applicants who used these documents to identify need, when applicable. If the project activity is not covered under the scope of the AI, applicants should indicate such, and use other reliable data sources to identify the level of need and the urgency in meeting the need. Types of other data sources include, but are not limited to, HUD reports and analyses, relevant economic and/or demographic data including indices of segregation in areas by race or national origin, government or foundation reports and studies, news articles, and other information which relate to the project activities.

(2) (10 points) To the extent possible, is specific to the area where the project activity will be carried out. Specific attention must be paid to documenting need as it applies to the area where activities will be targeted, rather than the entire locality or State. If the target area is an entire locality or State, then documenting need at this level is appropriate. The Statement of Need must demonstrate how specific community or neighborhood needs can be resolved through the activities proposed. The applicant should discuss how it took into account existing and planned efforts of government agencies, community-based organizations, faith-based institutions, for-profit firms, and other entities to address such needs in the community(ies) to be served, how the proposed program compliments or supplements existing efforts and why additional funds are being requested.

Rating Factor 3: Soundness of Approach (40 Points)

This criterion addresses the quality and cost-effectiveness of the applicant's proposed work plan. There must be a clear relationship between the project activities, community needs and the purpose of the program funding for the applicant to receive points for this factor.

(1) (15 points) For all projects, applicants must describe how their project activities will result in the referral of enforcement proposals to HUD and projected number of enforcement proposal referrals expected. Specifically, the applicant must describe the project activities that specifically relate to complaints being referred to HUD during the period of performance of the grant. In responding to this factor, the applicant should describe the methods to be developed or used to identify and refer enforcement actions to HUD. Applicants to the extent that their past activities have resulted in successful enforcement proposals being referred to HUD should describe these actions and the outcome of such referrals. ''Enforcement proposals'' is defined as well-developed information which could be considered to be timely, jurisdictional, potential complaints under the Fair Housing Act and which can reasonably be expected to become an enforcement action if an impartial investigation finds evidence supporting the allegations and the case proceeds to a resolution with HUD involvement.

(a) Examples of enforcement proposals include:

(i) Allegations that are supported by evidence that meet the requirements for a filed complaint under the Fair Housing Act, including prima facie evidence, with or without related testing evidence;

(ii) Results of testing or audits demonstrating potential housing discrimination;

(iii) Well-developed analysis of data including Home Mortgage Disclosure Act (HMDA)/CRA Analysis/Census data, current studies of residential segregation, or other similar documentation supporting allegations of discrimination; and

(iv) Referrals of complaints to HUD on behalf of individuals or groups other than the grant recipient.

(b) Specifically, the applicant should provide the following:

(i) All PEI and FHOI applications must provide a basis for the specific activities relating to enforcement proposal referrals to HUD and the projected number of enforcement referral proposals that are described in the Statement of Work. The final performance measures for enforcement proposal referrals will be negotiated between the grantee and HUD as part of the executed grant agreement and will be based upon the proposal.

(ii) All EOI applications must provide a basis for the specific activities relating to the referral of individuals with fair housing complaints to HUD, the procedures for filing complaints of discrimination, and outline the projected referrals to HUD and the projected number of enforcement referral proposals in the proposed Statement of Work. The final performance measures for complaint referrals will be negotiated between the grantee and HUD as part of the executed grant agreement and will be based upon the proposal.

(2) (15 points) Additionally, HUD is looking for efficient, effective and feasible Statements of Work that:

(a) Meet the needs articulated in response to Factor 2 including the extent to which the applicant is providing geographic coverage, specific protected class focus, as well as serving persons traditionally underserved. Efforts to increase community awareness in a culturally sensitive manner through education and outreach efforts will also be evaluated;

(b) Provide clarity with regard to the specific, sequential tasks and subtasks to be performed, noting those which should occur simultaneously and the feasibility that tasks can be completed within the grant period;

(c) Describe immediate benefits of the project and indicators by which the benefits will be measured;

(d) Provide for proposed tasks and sub-tasks that clearly provide technically competent methodologies for conducting the work to be performed;

(e) Describe the extent to which the proposed design and size of project or activity is appropriate to the achievement of program funding purposes articulated for the FHIP section in this SuperNOFA; and

(f) Identify specific numbers of quantifiable end products and program improvements the applicant aims to deliver by the end of the award agreement period as a result of the work performed.

(g) The extent to which the project activities will affirmatively further fair housing (AFFH). The applicant can best demonstrate its commitment to affirmatively further fair housing by describing how proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice identified in the jurisdiction's AI (Analysis of Impediments to Fair Housing Choice), which is a component of the jurisdiction's Consolidated Plan, or other planning document that addresses fair housing issues. Additional examples may be obtained from Chapter 5 of the ''Fair Housing Planning Guide, Vol. 1'' which may be ordered from HUD's Fair Housing Information Clearinghouse by calling (800) 343–3442.

(3) (10 points) HUD also will assess the soundness of the applicant's approach by assessing the following:

(a) The quality, thoroughness and reasonableness of the cost estimates provided. As part of the applicant's response, a summary budget should be provided which identifies costs by cost category in accordance with the following:

(i) *Direct Labor* by position or individual, indicating the estimated hours per position, the rate per hour, estimated cost per staff position and the total estimated direct labor costs;

(ii) *Fringe Benefits* by staff position identifying the rate, the salary base the rate was computed on, estimated cost per position, and the total estimated fringe benefit cost;

(iii) *Material Costs* indicating the item, unit cost per item, the number of items to be purchased, estimated cost per item, and the total estimated material costs;

(iv) *Transportation Costs,* as applicable. Where local private vehicle is proposed to be used, costs should indicate the proposed number of miles, rate per mile of travel identified by item, and estimated total private vehicle costs. Where Air transportation is proposed, costs should identify the destination(s), number of trips per destination, estimated air fare and total estimated air transportation costs. If other transportation costs are listed, the applicant should identify the other method of transportation selected, the number of trips to be made and destination(s), the estimated cost, and the total estimated costs for other transportation costs. In addition, applicants should identify per diem or subsistence costs per travel day and the number of travel days included, the estimated costs for per diem/subsistence and the total estimated transportation costs;

(v) *Equipment charges,* if any. Equipment charges should identify the type of equipment, quantity, unit costs and total estimated equipment costs;

(vi) *Consultant Costs,* if applicable. Indicate the type, estimated number of consultant days, rate per day, total estimated consultant costs per consultant and total estimated costs for all consultants;

(vii) *Subcontract Costs,* if applicable. Indicate each individual subcontract and amount. Each proposed subcontract should include a separate budget which identifies costs by cost categories;

(viii) *Other Direct Costs* listed by item, quantity, unit cost, total for each item listed, and total direct costs for the award;

(ix) *Indirect Costs* should identify the type, approved indirect cost rate, base to which the rate applies and total indirect costs. The submission should include:

(b) The rationale used to determine costs and validation of fringe and indirect cost rates, if the applicant is not using an accepted, Federally negotiated indirect cost rate;

(c) The extent to which the program is cost effective in achieving the anticipated results of the proposed activities as well as in achieving significant community impact; and

(d) The extent to which the applicant demonstrates capability in handling financial resources with adequate financial control procedures and accounting procedures. In addition, considerations will include findings identified in their most recent audits, internal consistency in the application of numeric quantities, accuracy of mathematical calculations and other available information on financial management capability.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure community resources (Note: financing is a community resource) which can be combined with HUD's program resources to achieve program purposes. In evaluating this factor HUD will consider:

(1) (5 points) The extent to which the applicant has partnered with other entities to secure additional resources to increase the effectiveness of the proposed project activities. Resources may include funding or in-kind contributions, such as services or equipment, allocated to the purpose(s) of the award the applicant is seeking. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities willing to partner with the applicant. Applicants may also partner with other program funding recipients to coordinate the use of resources in the target area.

(2) (5 points) Applicants must provide evidence of leveraging partnerships by including in the application letters of firm commitments, memoranda of understanding, or agreements to participate from those entities identified as partners in the application. Each letter of commitment, memorandum of understanding, or agreement to participate should include the organization's name, proposed level of commitment and responsibilities as they relate to the proposed program. The commitment must also be signed by an official of the organization legally able to make commitments on behalf of the organization. Applicants for funding under the FHOI-Continued Development Component must describe efforts undertaken to obtain the participation of disability advocacy organizations and indicate the disability advocacy organizations that participated and describe their participation.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Consolidated Planning (including Analysis of Impediments to Fair Housing Choice) process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which the applicant demonstrates it has:

(1) Coordinated its project activities with those of other groups or organizations prior to submission in order to best complement, support and coordinate all known activities and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described.

(2) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State or locally funded activities, including those proposed or on-going in the community(ies) served.

(C) Applicant Notification and Award Procedures

(a) *Notification.* No information will be available to applicants during the period of HUD evaluation, approximately 90 days, except for notification in writing or by telephone to those applicants that are determined to be ineligible or that have technical deficiencies in their applications that may be corrected. Selectees will be announced by HUD upon completion of the evaluation process, subject to final negotiations and award.

(b) *Negotiations.* After HUD has ranked the applications and provided notifications to applicants whose scores are within the funding range, HUD will require that applicants in this group participate in negotiations to determine the specific terms of the cooperative or grant agreement. HUD will follow the negotiation procedures described in Section II(D) of the General Section of the SuperNOFA.

(c) *Funding Instrument.* HUD expects to award a cost reimbursable or fixed-price cooperative or grant agreement to each successful applicant. HUD reserves the right, however, to use the form of assistance agreement determined to be most appropriate after negotiation with the applicant.

(d) *Adjustments to Grant Amounts.* As provided in Section III(E) of the General Section of the SuperNOFA, HUD may approve an application for an amount lower than the amount requested, fund only portions of an application, withhold funds after approval, and/or require the grantee to comply with special conditions added to the grant agreement, in accordance with 24 CFR 84.14, the requirements of this NOFA, or where:

(i) HUD determines the amount requested for one or more eligible activities is unreasonable or unnecessary;

(ii) The applicant has proposed an ineligible activity in an otherwise eligible project;

(iii) Insufficient amounts remain in that funding round to fund the full amount requested in the application, and HUD determines that partial funding is a viable option; or

(iv) The applicant has demonstrated an inability to manage HUD grants, particularly FHIP grants.

(e) *Performance Sanctions.* A recipient failing to comply with the procedures set forth in its grant agreement will be liable for such sanctions as may be authorized by law, including repayment of improperly used funds, termination of further participation in the FHIP, and denial of further participation in programs of HUD or any Federal agency.

IV. Application Submission Requirements

In addition to the forms, certifications and assurances required in Section II(G) of the General Section of the SuperNOFA and the applicant's responses to the five rating factors in Section III(B) of this FHIP section of the SuperNOFA, all applications must, at a minimum, contain the following items:

(A) Transmittal Letter

This letter identifies the NOFA, the program under the NOFA for which funds are requested, the specific FHIP Initiative and component under which the application is submitted, and the dollar amount requested for each program, and the applicant submitting the application.

(B) Narrative Statement

The narrative statement addresses the Factors for Award in Section III(B) of this FHIP section of the SuperNOFA. Your narrative response should be numbered in accordance with each factor for award identified under Section III(B) of this FHIP section of the SuperNOFA.

(C) Financial Management and Audit Information

Each applicant must submit a certification from an Independent Public Accountant or the cognizant government auditor, stating that the financial management system employed by the applicant meets proscribed standards for fund control and accountability required by: OMB Circular A–133, Audits of States, Local Governments and Non-Profit Organizations; OMB Circular A–110 (as codified at 24 CFR part 84), Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and other Non-Profit Organizations; and/or OMB Circular A–102 (as codified at 24 CFR Part 85) Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments. This information should contain the name and telephone number of the Independent Auditor, cognizant Federal auditor, or other audit agency, as applicable.

V. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VI. Environmental Requirements

In accordance with 24 CFR 50.19(b)(9) and (12) of HUD regulations, activities assisted under this program are categorically excluded from the requirements of the National Environmental Policy Act and are not subject to environmental review under related laws and authorities.

Funding Availability for the Housing Counseling Program

Program Description: Approximately $18.0 million is available for the Housing Counseling Program. HUD's Housing Counseling Program is directed to promoting and protecting the interests of housing consumers participating in HUD and other housing programs, as well as, to protecting the interests of HUD and mortgage lenders.

Application Due Date: Completed applications must be received no later than 6:00 pm local time, on June 1, 1998, at the appropriate address shown below. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Addresses for Submitting Applications:

For Local and State Housing Finance Agencies. For local housing counseling agency and state housing finance agency applicants: an original and two copies of the completed application must be submitted to the respective HUD Homeownership Center having jurisdiction over the locality, area or state in which the proposed program is located. These copies should be sent to the attention of the Marketing and Outreach Division Director, and the envelope should be clearly marked, ''FY 1998 Counseling Application.'' A list of Marketing and Outreach Division Directors, HUD Homeownership Centers and jurisdictions appears in the application kit.

For National, Regional and Multi-State Housing Agencies. For national, regional, and multi-state housing counseling intermediaries: an original and two copies of the completed application must be submitted to the Director, Marketing and Outreach Division, Office of Single Family Housing, HUD Headquarters. (See the Application Kit for name and address.) The envelope should be clearly marked, ''FY 1998 Intermediary Application.'' Failure to submit an application to HUD Headquarters in accordance with the above procedures may result in disqualification of the application.

For Application Kits, Further Information and Technical Assistance:

For Application Kits. For an application kit and any supplemental information, please call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209. The application kit also will be available on the Internet through the HUD web site at http://www.HUD.gov. When requesting an application kit, please refer to the Housing Counseling Program. The SuperNOFA Information Center can provide you with assistance in determining which HUD locations should receive a copy of your application.

For Further Information and Technical Assistance. For local housing counseling agencies or State housing finance agencies, you may call the HUD Homeownership Center serving your area. For national, regional, or multi-state intermediaries, you may call HUD Headquarters. Please see your application kit for a list of offices and telephone numbers you can call to receive assistance. Before the application deadline, HUD staff will be available to provide general guidance.

Additional Information

I. Authority; Purpose; Amount Allocated; and Eligibility

(A) Authority

HUD's Housing Counseling Program is authorized by section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x), and is generally governed by HUD Handbook 7610.1, REV–4, dated August 9, 1995.

(B) Purpose and Background

Section 106 of the Housing and Urban Development Act of 1968 authorizes HUD to provide counseling and advice to tenants and homeowners with respect to property maintenance, financial management, and such other matters as may be appropriate to assist tenants and homeowners in improving their housing conditions and meeting the responsibilities of tenancy and homeownership.

In addition, HUD-approved housing counseling agencies are encouraged by HUD to conduct community outreach activities and provide counseling to individuals with the objective of increasing awareness of homeownership opportunities and improving access of low and moderate income households to sources of mortgage credit. HUD believes that this activity is key to the revitalization and stabilization of low income and minority neighborhoods. In FY 1998, HUD encourages applicants to focus on:

(1) The counseling needs of first-time homebuyers by offering Homebuyer Education and Learning Program (HELP) training sessions;

(2) The counseling needs of eligible persons 62 or older who desire to use the Home Equity Conversion Mortgage (HECM) in order to convert their equity into a lump sum payment or an income stream that can be used for home improvements, medical costs, and/or pay living expenses.

(C) Amount Allocated and Funding Levels

(1) *Amount Allocated.* Under this SuperNOFA, $18 million is made available for eligible applicants for three (3) programs under Housing Counseling.

(a) The estimated amount of funds available for sub-allocation is as follows:

(i) *Local Housing Counseling Agencies.* Approximately $5 million has been made available for grants to local HUD-approved housing counseling agencies. Funding allocated to each of the HUD Homeownership Centers by a formula that reflects the increased emphasis on the expansion of homeownership opportunities for first-time homebuyers and its intent to ensure appropriate geographical distribution of program funds. For FY 1998, no individual local housing counseling agency may be awarded more than $100,000.

A local, HUD-approved housing counseling agency may apply for a sub-grant to a State housing finance agency, whether or not the local agency has a housing counseling grant from HUD. The local agency, however, shall disclose all funding sources to HUD.

Allocations for use in local agency programs by HUD Homeownership Center are estimated as follows:

BILLING CODE 4210–32–P

HUD Field Office		Default Data		First Time H	Homebuyer Data		
HUD Homeownership Center/Jurisdiction	No. of Defaults	% of Nat'l Defaults	Allocation Amount	No. of 1st Timer	% of Nat'l 1st Timers	Allocation Amount	Total Allocation
PHILADELPHIA HOC							
Albany	2892	1.43%	35,731	6,209	1.16%	28,977	64,709
Baltimore	5222	2.58%	64,519	12,850	2.40%	59,971	124,490
Boston	1077	0.53%	13,307	6,854	1.28%	31,987	45,294
Buffalo	3212	1.59%	39,685	5,411	1.01%	25,253	64,938
Camden	5106	2.52%	63,086	6,880	1.28%	32,109	95,195
Charleston	143	0.07%	1,767	1,030	0.19%	4,807	6,574
Cincinnati	1454	0.72%	17,965	6,305	1.18%	29,425	47,390
Cleveland	3596	1.78%	44,430	7,269	1.36%	33,924	78,354
Columbus	2085	1.03%	25,761	5,722	1.07%	26,704	52,465
Detroit	3346	1.65%	41,341	11,415	2.13%	53,274	94,614
Flint	551	0.27%	6,808	1,836	0.34%	8,569	15,376
Grand Rapids	1058	0.52%	13,072	5,021	0.94%	23,433	36,505
Hartford	1821	0.90%	22,499	8,108	1.51%	37,840	60,339
Manchester *	533	0.26%	6,585	5,126	0.96%	23,923	30,508
*(NH, MA, VT)			0		0.00%	0	0
New York	5232	2.59%	64,643	10,345	1.93%	48,280	112,923
Newark	2855	1.41%	35,274	9,094	1.70%	42,441	77,716
Philadelphia *	7186	3.55%	88,785	14,161	2.64%	66,089	154,874
(* DE)			0		0.00%	0	0
Pittsburgh	1492	0.74%	18,434	4,977	0.93%	23,228	41,662
Providence	298	0.15%	3,682	1,849	0.35%	8,629	12,311
Richmond	5037	2.49%	62,233	11,405	2.13%	53,227	115,460
Washington DC	5683	2.81%	70,215	13,674	2.55%	63,816	134,031
Phil. HOC Subotal	59879		739,821	155,541		725,906	1,465,726
ATLANTA HOC							
Atlanta	8431	4.17%	104,167	15,173	2.83%	70,812	174,979
Birmingham	2792	1.38%	34,496	6,143	1.15%	28,669	63,165
Caribbean	4134	2.04%	51,077	8,814	1.65%	41,135	92,211
Chicago & Spring.	10090	4.99%	124,665	21,137	3.95%	98,646	223,310
Coral Gables	8164	4.03%	100,868	14,289	2.67%	66,686	167,555

Columbia	2161	1.07%	26,700	4,048	0.76%	18,892	45,592
Greensboro	3291	1.63%	40,661	10,633	1.98%	49,624	90,285
Indianapolis	3832	1.89%	47,345	10,420	1.95%	48,630	95,975
Jackson	2275	1.12%	28,108	3,880	0.72%	18,108	46,216
Jacksonville	2099	1.04%	25,934	4,915	0.92%	22,938	48,872
Knoxville	1247	0.62%	15,407	3,554	0.66%	16,586	31,993
Louisville	1004	0.50%	12,405	4,682	0.87%	21,851	34,255
Memphis	5820	2.88%	71,908	6,347	1.18%	29,621	101,529
Nashville	1821	0.90%	22,499	4,393	0.82%	20,502	43,001
Orlando	3851	1.90%	47,580	7,537	1.41%	35,175	82,755
Tampa	3330	1.65%	41,143	6,494	1.21%	30,307	71,450
Atlanta HOC Subtotal	64342		794,962	132,459		618,183	1,413,145
DENVER HOC							
Albuquerque	700	0.35%	8,649	3,005	0.56%	14,024	22,673
Denver *	3028	1.50%	37,412	20,626	3.85%	96,261	133,673
*(WY, ND, SD)							
Des Moines	494	0.24%	6,103	2,489	0.46%	11,616	17,720
Ft Worth & Dallas	8075	3.99%	99,769	17,715	3.31%	82,675	182,444
Helena	429	0.21%	5,300	1,590	0.30%	7,420	12,721
Houston	3760	1.86%	46,456	7,753	1.45%	36,183	82,639
Kansas City/Topeka	2358	1.17%	29,134	8,406	1.57%	39,231	68,364
Little Rock	2161	1.07%	26,700	5,182	0.97%	24,184	50,884
Lubbock	1544	0.76%	19,077	4,051	0.76%	18,906	37,982
Milwaukee	757	0.37%	9,353	2,957	0.55%	13,800	23,153
Minneapolis	3417	1.69%	42,218	12,828	2.39%	59,868	102,086
New Orleans	2438	1.20%	30,122	6,218	1.16%	29,019	59,141
Oklahoma City	1401	0.69%	17,310	4,904	0.92%	22,887	40,197
Omaha	716	0.35%	8,846	5,147	0.96%	24,021	32,867
Salt Lake City	1292	0.64%	15,963	6,829	1.27%	31,871	47,834
San Antonio	3475	1.72%	42,935	11,021	2.06%	51,435	94,369
Shreveport	1225	0.61%	15,135	1,649	0.31%	7,696	22,831
St Louis	2086	1.03%	25,773	6,085	1.14%	28,399	54,172
Tulsa	923	0.46%	11,404	2,981	0.56%	13,912	25,316
Denver HOC Subtotal	40279		497,657	131,436		613,408	1,111,066
SANTA ANA HOC							

Anchorage	223	0.11%	2,755	1,708	0.32%	7,971	10,726
Boise	683	0.34%	8,439	2,900	0.54%	13,534	21,973
Fresno	3849	1.90%	47,555	10,896	2.03%	50,851	98,407
Honolulu	447	0.22%	5,523	851	0.16%	3,972	9,494
Las Vegas & Reno	2177	1.08%	26,897	7,199	1.34%	33,598	60,495
Los Angeles	7447	3.68%	92,010	21,589	4.03%	100,755	192,765
Phoenix	4044	2.00%	49,965	11,547	2.16%	53,890	103,854
Portland	698	0.34%	8,624	5,313	0.99%	24,796	33,420
Sacramento	2436	1.20%	30,097	8,139	1.52%	37,985	68,082
San Diego	969	0.48%	11,972	4,433	0.83%	20,689	32,661
San Francisco	1356	0.67%	16,754	6,029	1.13%	28,137	44,891
Santa Ana	10857	5.37%	134,141	24,858	4.64%	116,012	250,153
Seattle & Spokane	2003	0.99%	24,748	8,915	1.66%	41,606	66,354
Tucson	654	0.32%	8,080	1,866	0.35%	8,709	16,789
Santa Ana HOC Subtotal	37843		467,560	116,243		542,503	1,010,063
GRAND TOTAL	202343	100.00%	2,500,000	535,679	100.00%	2,500,000	5,000,000

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(ii) *National, Regional, and Multi-State Intermediaries.* Approximately $6 million is being set aside to fund HUD-approved national, regional and multi-state intermediaries that apply for funding under this SuperNOFA. No national, regional, or multi-state intermediaries may receive more than $1 million. No affiliate of an intermediary, as a sub-grantee, can be awarded a sub-grant more than $100,000. An affiliate may apply to a State housing finance agency for a sub-grant whether or not the affiliate received a sub-grant from a HUD-approved national, regional, or multi-state intermediary.

(iii) *State Housing Finance Agencies.* Approximately $7 million is being set aside to fund State housing finance agencies, that have a role as a housing counseling agency and/or as an intermediary to affiliates, offering housing counseling services. The amount of funding available to each of the four HUD Homeownership Center jurisdictions is as follows:

Homeownership center	Funding allocation
Atlanta, GA	$1,978,375.00
Denver, CO	1,555,575.00
Philadelphia, PA	2,051,875.00
Santa Ana, CA	1,414,175.00

No State housing finance agency may receive more than $500,000, and no affiliate of a State housing finance agency, as a sub-grantee, can be awarded a sub-grant more than $100,000. A State housing finance agency may provide a sub-grant to local, HUD-approved housing counseling agencies, and to affiliates of national, regional, or multi-state intermediaries.

(iv) *Remaining and Deobligated Funds/Reallocations.* If funds remain after HUD has funded all approvable grant applications in its Homeownership Center jurisdictions, or Headquarters, or if any funds become available due to deobligation, that amount shall be reallocated and used in keeping with the statute and in a manner that will improve the delivery of housing counseling service nationwide.

(b) *Funding Levels.* The Factors for Award will be used to determine successful applicants for funding. HUD requires that successful applicants participate in negotiations to determine the specific grant amount and the terms of the grant agreement. HUD will follow the negotiation procedures described in Section III(D) of the General Section of the SuperNOFA.

(i) *Local Housing Counseling Agencies.* HUD will fund local housing counseling agencies according to the budget submitted with the application, in an amount not to exceed $100,000. Amounts requested by local housing counseling agencies should reflect anticipated operating needs for housing counseling activities, based upon counseling experience during the previous fiscal year and current agency capacity.

(ii) *National, Regional, or Multi-State Intermediaries.* The intermediaries will distribute the majority of funds awarded to their proposed local housing counseling affiliates. HUD will give the selected intermediaries wide discretion to implement the housing counseling program with their affiliates. The intermediary may decide how to allocate funding among its affiliates, and may determine funding levels at or below $100,000 for individual affiliates with the understanding that a written record will be kept of how this determination is made. This record shall be made available to the agencies affiliated with the intermediary and to HUD. Affiliates are not eligible for capacity building costs. Intermediaries should budget an amount which reflects their best estimate of cost to oversee and fund these housing counseling efforts, as well as, funding the needs of their affiliates.

(iii) *State Housing Finance Agencies.* HUD will fund State housing finance agencies according to the budget submitted with the application, in an amount not to exceed $500,000. State housing finance agencies have two roles. The agency can operate as a housing counseling agency and/or as an intermediary for affiliates that perform housing counseling functions in their respective States or territories.

(c) *Capacity Building and Capacity Building Costs.* In FY 1998, the following amounts of housing counseling grant funds may be used by each grantee for ''capacity building'' and/or upgrading ''capacity building'', as defined in this Housing Counseling Program section of the SuperNOFA (see capacity building costs in the application kit).

Local Housing Counseling Agencies—up to $4,000

National, Regional, or Multi-State Intermediaries—up to $5,000

State Housing Finance Agencies—up to $5,000

(i) Capacity building costs are: purchasing computer equipment and housing counseling case management and tracking software capable of exporting the HUD–9902 data into a database file, such as Data Now; enhancing telephone service, such as purchasing telecommunications equipment for the hearing-impaired (TTY) to serve persons with hearing impairments (as an alternative to using the TTY relay service); installing FAX machines.

(ii) For local housing counseling agencies, intermediaries and state housing finance agencies that do not have an adequate computer system or need to upgrade computer equipment, HUD requires that up to $4,000 of the grant, for local housing counseling agencies, and up to $5,000 of the grant, for intermediaries and State housing finance agencies, be used to acquire items defined as capacity building costs. Affiliates of State housing finance agencies and intermediaries are not eligible for capacity building costs. Any equipment purchased must meet HUD specifications. Title to equipment acquired by a recipient with program funds shall vest in the recipient, subject to the provisions of 24 CFR part 84, subpart E. Computer training for one staff person may be paid from the capacity building cost set-aside, as may training on how to use a TTY.

(d) *Use of Counseling Funds and Supplementing HUD Funding.*

(i) *Housing Counseling Role.* Amounts requested by the State housing finance agency should reflect anticipated operating needs for housing counseling activities, based upon the counseling experience during FY 1997 and current agency capacity. To the maximum extent possible, State housing finance agencies must seek other private and public sources of funding to supplement HUD funding. HUD never intends for its counseling grant funds to cover all costs incurred by an agency participating in the program. State finance housing agencies may use the HUD grant to undertake any of the eligible counseling activities described in the Housing Counseling Program section of the SuperNOFA.

(ii) *Intermediary Role.* Amounts requested by the State housing finance agency should reflect their best estimates of costs to oversee and fund its housing counseling affiliates. In this intermediary role, the agency will distribute HUD funds to its affiliates. Note that HUD housing counseling funding is not intended to fully fund either the agency in its intermediary role or the housing counseling programs of their affiliates. To the maximum extent possible, the State housing finance agency and its affiliates are expected to seek other private and public sources of funding for housing counseling to supplement HUD funding.

(e) *Program Award Period.* Housing Counseling grants are fundable for a

period of twelve (12) calendar months. This period may begin from the date that the award is executed by HUD, or not more than 90 days prior thereto.

(D) Eligible Applicants

Under the housing counseling program, HUD contracts with qualified public or private nonprofit organizations to provide the services authorized by the statute. Currently there are approximately 1250 HUD-approved local housing counseling agencies, including branch offices, and approximately 13 HUD-approved intermediary organizations. Annually, all HUD-approved agencies and intermediaries are eligible to apply for housing counseling grants. *However, an agency or intermediary that is approved by HUD, or a state housing finance agency does not automatically receive HUD funding. HUD expects that all agencies, intermediaries and state housing finance agencies will continually work to develop other funding resources.* In FY 1997, 350 HUD-approved local housing counseling agencies and 5 HUD-approved national, regional, and multi-state intermediaries received funding from HUD. For the first time, under this SuperNOFA, HUD is encouraging State housing finance agencies, that perform housing counseling functions either as a practitioner and/or as an intermediary to local or statewide housing counseling affiliates, to apply for funding.

(1) Three types of organizations are eligible to submit applications in accordance with this Housing Counseling Program section to this SuperNOFA:

(a) HUD-approved national, regional, or multi-state housing counseling organizations (also known as ''intermediaries'' or ''umbrella groups'');

(b) HUD-approved local housing counseling agencies; and,

(c) State housing finance agencies.

(2) National, regional, and multi-state intermediaries; and State housing finance agencies must identify all their proposed affiliates in their application.

Note: National, regional, and multi-state intermediaries must assure that their proposed affiliates are unique to their team, and will *not* undertake a separate application for funds, either as an affiliate of another intermediary or State housing finance agency, or directly as a HUD-approved local housing counseling agency. Should any duplication occur, both the intermediary and the local housing counseling agency involved will automatically be ineligible for further consideration to receive FY 1998 housing counseling funds.

(a) An intermediary and State housing finance agency applicant must also assure that it will execute a sub-grant agreement with its affiliates that clearly delineates their mutual responsibilities for program management, and includes appropriate time frames for reporting results to HUD. Once funded, the national, regional, and multi-state intermediaries and state housing finance agencies will be given broad discretion in implementing their housing counseling programs.

(b) On behalf of HUD, the intermediaries and State housing finance agencies will act as managers in the housing counseling process, and as such, may determine funding levels and counseling activity for each of their affiliates, except that no single affiliate may receive more than $100,000. HUD will hold the intermediary and State housing finance agency accountable for the performance of its affiliates.

(c) Local housing counseling agencies may apply either directly to HUD for funding, or as a part of an affiliated intermediary or state housing finance agency network. Continuation of funding for housing counseling activities, as a separate and discrete program for FY 1999, and thereafter, is not guaranteed. Therefore, HUD encourages local housing counseling agencies to consider affiliating with a larger entity as one avenue of possible future funding and support for local programs.

(d) Local housing counseling agencies that are not currently HUD-approved, may receive FY 1998 funding only as an affiliate of a HUD-approved national, regional, or multi-state intermediary; or State housing finance agency. In this instance, the intermediary or State housing finance agency must certify that the quality of services provided will meet, or exceed, standards for local HUD-approved housing counseling agencies.

(E) Eligible Activities

Eligible activities will vary depending upon whether the applicant is a HUD-approved local housing counseling agency; a HUD-approved national, regional, or multi-state housing counseling intermediary, or affiliate; or, a State housing finance agency, or affiliate.

(1) *Comprehensive Housing Counseling.* Local Housing Counseling Agencies funded under this SuperNOFA may use HUD funds to deliver comprehensive housing counseling, or to specialize in the delivery of particular housing counseling services, according to the housing needs they identified for their target area in the plan that is part of its application. HUD recognizes that local housing counseling agencies may offer a wide range of services, including:

(a) *Homebuyer Education Programs* where HUD's Homebuyer Education and Learning Program (HELP) materials are used in sessions that consist of approximately sixteen (16) hours of training. Completion of the training may allow graduates to receive first-time homebuyer incentives, such as, the reduction in the FHA insurance premium. Marketing and Outreach personnel at each HUD Homeownership Center will be available to assist agencies in this endeavor.

(b) *Pre-purchase Homeownership Counseling* covering such issues as purchase procedures, mortgage financing, down payment/closing cost fund accumulation, accessibility requirements of the property, and if appropriate, credit improvement, and debt consolidation.

(c) *Post-purchase Counseling* including such issues as property maintenance, and personal money management.

(d) *Mortgage delinquency and default resolution counseling* including restructuring debt, arrangement of reinstatement plans, loan forbearance, and loss mitigation.

(e) *Home Equity Conversion Mortgage (HECM) counseling* that assist clients, who are 62 years old or older, with the complexities of converting the equity in their home to income that is used to pay living expenses or medical expenses.

(f) *Loss Mitigation Counseling* for clients who may be facing default and foreclosure, and need mortgage default resolution and foreclosure avoidance counseling.

(g) *Outreach Initiatives* including providing general information about housing opportunities within the community and providing appropriate information to persons with disabilities.

(h) *Renter Assistance* including information about rent subsidy programs, rights and responsibilities of tenants, and lease and rental agreements.

(2) *Housing Counseling Clients.* HUD-funded local housing counseling agencies may elect to offer their services to a wide range of clients, or may elect to serve a more limited audience, provided limitations do not violate the requirements of the Fair Housing Act. Potential clients include: first-time homebuyers, homebuyers and homeowners eligible for, and applying for, HUD, VA, FmHA (or its successor agency), State, local, or conventionally financed housing or housing assistance; or persons who occupy such housing and seek the assistance of a HUD-approved housing counseling agency to

resolve a housing need. This includes accessible housing needs for persons with disabilities, renters, or, persons age 62 or older, who wish to convert the equity in their home to avoid default/foreclosure, pay medical expenses or create an income stream that can be used to pay living expense. Local housing counseling agencies may elect to offer this assistance in conjunction with any HUD housing program; however, they must be familiar with FHA's single family and multifamily housing programs.

(3) *National, Regional, or Multi-State Counseling Intermediaries.* The primary activity of HUD-approved national, regional, or multi-state intermediaries will be to manage the use of HUD housing counseling funds. This includes the distribution of housing counseling funding to affiliated local housing counseling agencies. Local affiliates of the selected national, regional, or multi-state intermediaries are eligible to undertake any or all of the housing counseling activities, described herein for the HUD-approved local housing counseling agencies. The local affiliates receiving funding through intermediaries do not need to be HUD-approved in order to receive these funds from the intermediary. However, the national, regional, or multi-state intermediary organization must be HUD-approved, as of this SuperNOFA publication date.

(4) *State Housing Finance Agencies.* The primary activity of State housing finance agencies will be to provide housing counseling services as a local housing counseling agency and/or manage the use of HUD housing counseling funds, including the distribution of counseling funding to its affiliated local housing counseling organizations. The State housing finance agency, and its local affiliates, are eligible to undertake any or all of the housing counseling activities, described herein, for the HUD-approved local housing counseling agencies. The State housing finance agencies, as either a housing counseling agency or intermediary, and it local affiliates do not need to be HUD-approved in order to receive these funds.

II. Program Requirements

In addition to the requirements listed in the General Section of the SuperNOFA. In addition, the following requirements apply.

Requirements Applicable to Religious Organizations. Where the applicant is, or proposes to contract with, a primarily religious organization, or a wholly secular organization established by a primarily religious organization, to provide, manage, or operate a housing counseling program, the organization must undertake its responsibilities under the counseling program in accordance with the following principles:

(1) It will not discriminate against any employee or applicant for employment under the program on the basis of religion and will not limit employment or give preference in employment to persons on the basis of religion;

(2) It will not discriminate against any person applying for counseling under the program on the basis of religion and will not limit such assistance or give preference to persons on the basis of religion; and

(3) It will provide no religious instruction or religious counseling, conduct no religious services or worship, engage in no religious proselytizing, and exert no other religious influence in the provision of assistance under the Housing Counseling Program.

III. Application Selection Process

(A) General

Applications will be evaluated competitively, and ranked against all other applicants that have applied for the same funding program. However, after selection, the actual amount funded will be based on successful completion of negotiations. There will be separate rankings for each program, and applicants will be ranked only against others that applied for the same program. National, regional, and multi-State applications will be rated and ranked in HUD Headquarters, and selected for funding in rank order. Local agency applications will be rated and ranked by the HUD Homeownership Centers and selected for funding in rank order.

(B) Competitive Categories/Selection Parameters

All applications meeting the requirements of this SuperNOFA will be rated/ranked/selected for funding within their competitive category. The competitive categories are:

(1) HUD-approved housing counseling agency applicants within the HUD Homeownership Center's jurisdiction;

(2) HUD-approved national, regional, or multi-state intermediaries; and

(3) State housing finance agencies.

Intermediaries and State housing finance agencies, in their role as intermediary, will award sub-grants to affiliates.

(C) Factors for Award Used To Rate and Rank Applications

The factors for rating and ranking applicants, and maximum points for each factor, are provided below. The maximum number of points for each applicant is 102. This includes two EZ/EC bonus points, as described in the General Section of the SuperNOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points)

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner. In rating this factor, HUD will consider the extent to which the proposal demonstrates:

The rating of the ''applicant'' or the ''applicant's organization and staff'' for technical merit will include any subcontractors, consultants, subrecipients, and members of consortia that are identified as participants in the project.

(a) (10 points) The knowledge and experience of the proposed project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing programs for which funding is being requested. Experience will be judged in terms of recent, relevant and successful experience of the applicant's staff to undertake eligible program activities. The applicant has sufficient personnel or will be able to quickly access qualified experts or professionals, to deliver the proposed activities in a timely and effective fashion, including the readiness and ability of the applicant to immediately begin the proposed work program. To demonstrate that the applicant has sufficient personnel, the applicant must submit the proposed number of staff years by the employees and experts to be allocated to the project, the titles and relevant professional background and experience of each employee and expert proposed to be assigned to the project, and the roles to be performed by each identified employee and expert.

(b) (10 points) The applicant's past experience in terms of its ability to attain demonstrated measurable progress in the implementation of its most recent activities where performance has been assessed as measured by expenditures and measurable progress in achieving the purpose of the activities. HUD will also consider any documented evidence of the grantee's failure under past awards to comply with grant award provisions.

Rating Factor 2: Need/Extent of the Problem (20 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities to address a documented problem in the target area. To the extent that the community served by the housing counseling organization has documented the need in the community's Consolidated Plan or Analysis of Impediments to Fair Housing Choice (AI), or requirements of court orders or consent decrees, settlements and voluntary compliance agreements. References to these documents should be included in the response. If the proposed activities are not covered under the scope of the Consolidated Plan or AI, applicants should indicate such and use other sound data sources to identify the level of need for the proposed activity.

In responding to this factor, applicants will be evaluated on the extent to which they document a critical level of need for the proposed activities in the area where activities will be carried out.

The documentation of need should demonstrate the extent of the problem being addressed by the proposed activities. Examples of data that might be used to demonstrate need, include, but is not limited to, economic and demographic data relevant to the target area. There must be a clear relationship between the proposed activities, community needs and the purpose of the program funding for an applicant to receive points for this factor.

Rating Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and effectiveness of the applicant's proposed work plan. In rating this factor, HUD will consider the following:

(1) The extent to which the proposed design and scope of the activities provide for geographic coverage for target areas as well as persons traditionally underserved, including identification of immediate benefits to be achieved and indicators by which these benefits will be measured;

(2) The extent to which the applicant has a clear agenda of the work activities to be performed;

(3) Proposed tasks that use technically competent methodologies that have been documented for conducting the work to be performed. HUD will make an evaluation of the applicant's soundness of approach by assessing the extent to which the proposed work plan identifies documented methodologies for the types of services to be performed.

(4) Relationship between the proposed activities, community needs and the purpose of the program funding.

(5) Affirmatively furthering fair housing may be undertaken in a variety of ways, as appropriate to the community. Making counseling offices and services accessible to persons with a wide range of disabilities and helping such persons to locate suitable housing in locations throughout the metropolitan or community area are suggested for both national, regional, or multi-state housing counseling organization, as well as for local counseling agencies. The following are additional suggestions:

(a) *For National, Regional, or Multi-State Intermediaries and State Housing Finance Agencies.*

(i) Implement affirmative marketing strategies to attract all segments of the population listed as prohibited bases in the Fair Housing Act, who are least likely to apply for housing counseling to purchase or retain their homes.

(ii) Taking actions to reduce concentrations of poverty and/or minority populations. This could include working with, or adopting the counseling practices of, agencies which conduct opportunity counseling to encourage low-income and minority persons to move to low-concentration areas and helping to locate suitable housing in such areas. It could also include working with local lenders to develop alternative lending criteria: For instance, the counseling agency may make referrals to the lenders of clients with good credit and payment histories, but who do not fit the standard profiles for lending practices or of clients with financial patterns which reflect cultural differences (such as family savings pools common among some Asian populations). Such activity should also focus on finding appropriate housing, free from environmental hazards, for all segments of the population in neighborhoods with good transportation, schools, employment opportunities, and other services.

(b) *For Local Housing Counseling Agencies.* Participate in local fair housing strategies with major emphasis on remedying the effects of past discrimination and limitations in the community. This could include: working with CPD Entitlement Jurisdictions to help to identify impediments to fair housing choice which have been identified in the process of working with clients; becoming familiar with the jurisdiction's identified impediments and adjusting its counseling activities to help overcome these impediments; and/or working with other public and private resources to develop fair housing strategies applicable to the counseling activities, on a community-wide or metropolitan-wide basis. HUD also will evaluate the extent to which the proposed work plan contains community awareness, education and outreach programs.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure community resources which can be combined with HUD's program resources to achieve program purposes.

In evaluating this factor HUD will consider:

(1) The extent to which the applicant has partnered with other entities to secure additional resources to increase the effectiveness of the proposed program activities. Resources may include funding or in-kind contributions, such as services or equipment, allocated to the purpose(s) of the award the applicant is seeking. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities willing to partner with the applicant. Applicants may also partner with other program funding recipients to coordinate the use of resources in the target area.

(2) Applicants must provide evidence of leveraging/partnerships by including in the application letters of firm commitments, memoranda of understanding, or agreements to participate from those entities identified as partners in the application. Each letter of commitment, memoranda of understanding, or agreement to participate should include the organization's name, proposed level of commitment and responsibilities as they relate to the proposed program. The commitment must also be signed by an official of the organization legally able to make commitments on behalf of the organization.

To the maximum extent possible, local counseling agencies also must seek other private and public sources of funding to supplement HUD funding. HUD never intends for its counseling grant funds to cover all costs incurred by an agency participating in the program.

Local housing counseling agencies may use the HUD grant to undertake any of the eligible housing counseling activities described in this Housing Counseling Program section of the SuperNOFA and included in their HUD-approved plan.

Note: HUD housing counseling funding is not intended to fully fund, either the intermediary's housing counseling program, or the housing counseling programs of the its local affiliates. To the maximum extent possible, intermediaries and their local affiliates are expected to seek other private and public sources of funding for housing counseling to supplement HUD funding.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Consolidated Planning process and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which the applicant demonstrates it has:

(1) Coordinated its proposed activities with those of other groups or organizations prior to submission in order to best complement, support and coordinate all known activities and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements or memoranda of understanding in place should be described.

(2) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State or locally funded activities, including those proposed or on-going in the community(s) served.

IV. Application Submission Requirements

(A) General

Contents of an application will differ somewhat for: local housing counseling agencies; national, regional, or multi-state intermediaries; and, State housing finance agencies. However, all applicants are expected to submit the forms, certifications and assurances set forth in the General Section of the NOFA. Copies of all form/documents required to be completed by an applicant can be found in the application kit. In addition to these certifications and assurances the following are required to be part of the housing counseling application:

(1) Form HUD–9902, Housing Counseling Agency Fiscal Year Activity Report, for fiscal year October 1, 1996 through September 30, 1997. Where an applicant did not participate in HUD's Housing Counseling Program during FY 1997, this report should be completed to reflect the agency's counseling workload during that period. This form must be fully completed and submitted by every applicant for FY 1998 HUD funding;

(2) Computer Equipment Inventory (if applicable);

(3) Budget Work Sheet. A realistic, proposed budget for use of HUD funds, if awarded. This should be broken down into two categories (i) direct housing counseling costs and (ii) capacity building costs:

(4) Exhibits for national, regional, multi-state, or agencies and State housing finance agencies as described in (2)(a)–(2)(c) below and in the application kit;

(5) Evidence of Housing Counseling Funding Sources (required by all applicants);

(6) Descriptive Narrative—Each applicant is to provide a descriptive narrative that sets forth the prior fiscal year's performance as related to its goals, objectives and mission. The narrative describes the most recent operational and program activities of the organization;

(7) Current Housing Counseling Plan. The plan describes the applicant's housing counseling needs, goals, and objectives as related to the scope of services it will provide, including a description of counseling activities to be performed.

(8) A description of organization capability;

(9) Direct-labor and Hourly-labor rate and Counseling Time Per Client;

(10) Congressional District Information;

(11) State housing finance agencies must submit their statutory background that created the respective agency, and sets forth its authorities to operate as a State housing finance agency.

(B) National, Regional, and Multi-State Intermediaries; and State Housing Finance Agencies

National, regional, and multi-state intermediaries; and, State housing finance agencies; must submit an application which covers both their network organization and their affiliated agencies. This application must include:

(1) *Description of affiliated agencies.* For each, list the following information:

(a) Organization name;

(b) Address;

(c) Director and contact person (if different);

(d) Phone/FAX numbers (including TTY, if appropriate);

(e) Federal tax identification number;

(f) ZIP code service areas;

(g) Number of staff providing counseling;

(h) Type of services offered (defined by homebuyer education programs, pre-purchase counseling, post-purchase counseling, mortgage default and delinquency counseling, HECM counseling, outreach initiatives, renter assistance, and other);

(i) Number of years of housing counseling experience.

(2) *Relationship with Affiliates.* Briefly describe the intermediary's, or State housing finance agency's, relationship with affiliates (i.e. membership organization, field or branch offices, subsidiary organizations, etc.).

(3) *Oversight System.* Describe the process that will be used for determining affiliate funding levels, distributing funds, and monitoring affiliate performance.

V. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VI. Environmental Requirements

In accordance with 24 CFR 50.19(b)(9) and (12) of the HUD regulations, activities assisted under this program are categorically excluded from the requirements of the National Environmental Policy Act and are not subject to environmental review under the related laws and authorities.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Lead-Based Paint Hazard Control Program

BILLING CODE 4210–32–C

Funding Availability for the Lead-Based Paint Hazard Control Program

Program Description: Approximately $50 million is available in funding for the Lead-Based Paint Hazard Control Program. Lead-Based Paint Hazard Control grants assist State and local governments in undertaking programs for the identification and control of lead-based paint hazards in eligible privately-owned housing units for rental occupants and owner-occupants.

Application Due Date: An original and two copies of the completed application must be received by HUD no later than 12:00 midnight, Eastern time on June 1, 1998 at HUD Headquarters. See the General Section of this SuperNOFA of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications: The completed application (original and two copies) must be submitted to: Office of Lead Hazard Control, Department of Housing and Urban Development, Room B–133, 451 Seventh Street, SW, Washington, DC 20410. Hand carried applications should be delivered to Suite 3206, 490 East L'Enfant Plaza, Washington, DC, 20024.

For Application Kits, Further Information, and Technical Assistance:

For Application Kits: For an application kit and any supplemental information, please call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209. When requesting an application kit, please refer to the Lead-Based Paint Hazard Control Grant Program. Please be sure to provide your name, address (including zip code), and telephone number (including area code).

For Further Information: Ellis G. Goldman, Director, Program Management Division, Office of Lead Hazard Control, at the address above; telephone (202) 755–1785, extension 112 (this is not a toll-free number). Hearing- and speech-impaired persons may access the above telephone numbers via TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8339.

For Technical Assistance: Please refer to the General Section of this SuperNOFA for information regarding the provision of technical assistance. The HUD staff that will provide technical assistance for the Lead-Based Paint Hazard Control Program is in HUD's Office of Lead Hazard Control. Please see the ''For Further Information'' section above for the address and phone number.

Additional Information

I. Authority; Purpose; Amount Allocated; and Eligibility

(A) Authority

The Lead-Based Paint Hazard Control Program is authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992) (Title X).

(B) Purpose

(1) Lead-Based Paint Hazard Control (LBPHC) grants are to assist State and local governments in undertaking programs for the identification and control of lead-based paint hazards in eligible privately-owned housing units for rental occupants and owner-occupants. The application kit for this LBPHC Program section of the SuperNOFA lists HUD-associated housing programs that may have housing units meeting the definition of eligible housing. Because lead-based paint is a national problem, these funds are awarded in a manner that:

(a) Maximizes the number of housing units where lead-hazards have been controlled;

(b) Stimulates cost-effective State and local approaches that can be replicated in as many settings as possible;

(c) Disperses the grants as widely as possible across the nation to ensure the capacity developed is geographically distributed;

(d) Builds local capacity; and

(e) Affirmatively furthering fair housing and environmental justice.

(2) The objectives of this program include:

(a) Implementation of a national strategy, as defined in Title X, to build the infrastructure necessary to eliminate lead-based paint hazards in all housing, as widely and expeditiously as possible;

(b) Encouragement of effective action to prevent childhood lead poisoning by establishing a workable framework for lead-based paint hazard identification and control;

(c) Mobilization of public and private resources, involving cooperation among all levels of government and the private sector, to develop the most promising, cost-effective methods for identifying and controlling lead-based paint hazards;

(d) Integration of lead-safe work practices into housing maintenance, repair, and improvements;

(e) Integration of lead hazard control into rehabilitation, weatherization, and other related programs;

(f) Development of sustainable lead-safe programs (beyond the life of the grant);

(g) Establishment of a publicly accessible registry of lead-safe housing; and

(h) To the greatest extent feasible, promoting job training, employment, and other economic opportunities for low-income and minority residents and businesses which are owned by and/or employ low-income and minority residents as defined in 24 CFR 135.5 (See 59 FR 33881, June 30, 1994).

(C) Amount Allocated

(1) Fifty million dollars ($50 million) will be made available for the grant program from the appropriations made for the Lead-Based Paint Hazard Reduction Program.

(2) Approximately 15–25 grants of $1 million–$4 million each will be awarded. Previously unfunded applicants are eligible to apply for grants of $1 million–$4 million. Existing grantees are eligible to apply for grants of $1 million–$3 million. A maximum of 50% of the Funds under this LBPHC Program section of the SuperNOFA shall be available to current Lead-Based Paint Hazard Control grantees. Applications of existing grantees will be evaluated and scored as a separate class and will not be in direct competition with previously unfunded applicants.

(3) In the selection process, once available funds have been allocated to meet the requested or negotiated amounts of the top eligible applicants, HUD reserves the right, in successive order, to offer any residual amount as partial funding to the next eligible applicant provided HUD, in its sole judgment, is satisfied that the residual amount is sufficient to support a viable, though reduced effort, by such applicant(s). Such applicant(s) shall have a maximum of seven (7) calendar days to accept such a reduced award, or shall be considered to have declined the award. Applicant(s) may reapply in a future round.

(D) Eligible Applicants

(1) Applicants must be a State or unit of local government that has a currently approved Consolidated Plan to be eligible to apply for a grant. Applicants under this LBPHC Program section of the SuperNOFA must submit documentation that HUD has approved their current program year Consolidated Plan. Applicants must submit, as an appendix, a copy of the lead-based paint element included in the approved Consolidated Plan.

(2) Applicants that do not have a currently approved Consolidated Plan,

but are otherwise eligible for this grant program, must include their abbreviated Consolidated Plan which includes a lead-based paint hazard control strategy developed and submitted in accordance with 24 CFR 91.235.

(3) Applicants that were funded under Category A of the FY 1997 LBPHC NOFA issued June 3, 1997 (61 FR 30380) are not eligible for this round of funding.

(E) Eligible Activities

(1) Funds shall be available only for projects conducted by contractors, risk assessors, inspectors, workers and others engaged in lead-based paint activities who meet the requirements of a State Lead-Based Paint Contractor Certification and Accreditation Program that is at least as protective as the Federal certification program standards outlined in the application kit to this LBPHC Program section of the SuperNOFA or which meets the requirements of a State program authorized by EPA under the requirements of section 404 of the Toxic Substances Control Act (TSCA).

(2) HUD is interested in promoting lead hazard control approaches that result in the reduction of this health threat for the maximum number of low-income residents, and that demonstrate replicable techniques which are cost-effective and efficient. The following direct and support activities are eligible under this grant program.

(a) *Direct Project Elements* (activities of the grantee and all sub-grantees):

(i) Performing risk assessments, inspections and testing of eligible housing constructed prior to 1978 to determine the presence of lead-based paint, lead dust, or leaded soil through the use of acceptable testing procedures.

(ii) Conducting pre-hazard control blood lead testing of children under the age of six residing in units undergoing risk assessment, inspection or hazard control.

(iii) Conducting lead hazard control which may include any combination of the following: interim control of lead-based paint hazards in housing (which may include intensive cleaning techniques to address lead dust); hazard abatement for programs that apply a differentiated set of resources to each unit (dependent upon conditions of the unit and the extent of hazards); and abatement of lead-based paint hazards, including soil and dust, by means of removal, enclosure, encapsulation, or replacement methods. *Complete abatement of all lead-based paint is not recommended as a cost effective strategy except under exceptional circumstances.*

(iv) Carrying out temporary relocation of families and individuals during the period in which hazard control is conducted and until the time the affected unit receives clearance for reoccupancy.

(v) Performing blood lead testing and air sampling to protect the health of the hazard control workers, supervisors, and contractors.

(vi) Undertaking minimal housing rehabilitation activities that are specifically required to carry out effective hazard control, and without which the hazard control could not be completed and maintained. Grant funds under this program may also be used for the lead-based paint hazard control component in conjunction with other housing rehabilitation programs.

(vii) Conducting pre-hazard control and clearance dust-wipe testing and analysis.

(viii) Carrying out engineering and architectural costs that are necessary to, and in direct support of, lead hazard control.

(ix) Providing lead-based paint worker or contractor certification training and/or licensing to low-income persons.

(x) Providing training on lead-safe maintenance practices to homeowners, renters, painters, remodelers, and apartment maintenance staff working in low income housing.

(xi) Providing cleaning supplies for lead-hazard control to community/neighborhood-based organizations, homeowners, and renters in low income housing.

(xii) Conducting general or targeted community awareness or education programs on lead hazard control and lead poisoning prevention. This activity would include educating owners of rental properties on the provisions of the Fair Housing Act and training on lead-safe maintenance and renovation practices. It would also include making all materials available in alternative formats for persons with disabilities (e.g.; Braille, audio, large type), upon request.

(xiii) Securing liability insurance for lead-hazard control activities.

(xiv) Supporting data collection, analysis, and evaluation of grant program activities. This includes compiling and delivering such data as may be required by HUD. This activity is separate from administrative costs.

(xv) Applied research activities directed at demonstration of cost effective methods for lead hazard control as described in Section III of this LBPHC Program section of the SuperNOFA.

(xvi) Preparing a final report at the conclusion of grant activities.

(b) *Support Elements.*

(i) Administrative costs of the grantee. There is a 10% maximum for administrative costs.

(ii) Program planning and management costs of sub-grantees and other sub-recipients.

(3) *Ineligible Activities.* Grant funds shall not be used for:

(a) Purchase of real property.

(b) Purchase or lease of capital equipment having a per unit cost in excess of $5,000, except for X-ray fluorescence analyzer (XRF). If purchased, capital equipment (under $5,000) and the XRF analyzers shall remain the property of the grantee at the conclusion of the project. Funds may be used, however, to lease equipment specifically for the Lead-Based Paint Hazard Control Grant Program. If leased equipment becomes the property of the grantee as the result of a lease arrangement, it may remain the property of the grantee at the end of the grant period; and

(c) Chelation or other medical treatment costs related to children with elevated blood lead levels. Non-Federal funds used to cover these costs may be counted as part of the required matching contribution.

II. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, applicants are subject to the following requirements:

(A) General

Grantees will be afforded considerable latitude in designing and implementing the methods of lead-based paint hazard control to be employed in their jurisdictions. Experience and data from past and ongoing evaluations has identified effective approaches. HUD is interested in promoting lead hazard control approaches that result in the reduction of this health threat for the maximum number of low-income residents, and that demonstrate replicable techniques which are cost-effective and efficient. Flexibility will be allowed within the parameters established below.

(B) Budgeting

(1) *Matching Contribution.* Each grantee shall provide a matching contribution of at least 10% of the requested grant sum. This may be in the form of a cash or in-kind contribution or a combination of both. Federal funds from other programs cannot constitute matching funds, with the exception of Community Development Block Grant (CDBG) funds. Applicants who do not

show a 10% match will be required to provide the matching contribution during grant negotiations.

(2) *Applied Research Activities.* A maximum of five (5%) percent of the total grant request may be identified for applied research activities.

(3) *Administrative Costs.* There is a 10% maximum for administrative costs.

(C) Period of Performance

The period of performance cannot exceed 36 months.

(D) Certified Performers

Funds shall be available only for projects conducted by certified contractors, risk assessors, inspectors, workers and others engaged in lead-based paint activities. An applicant must provide the documents listed in Section IV(A)(4) of this LBPHC section of the SuperNOFA to demonstrate its compliance with this requirement.

(E) Coastal Barrier Resources Act

Pursuant to the Coastal Barrier Resources Act (16 U.S.C. 3501), grant funds may not be used for properties located in the Coastal Barrier Resources System.

(F) Flood Disaster Protection Act

Under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001–4128), grant funds may not be used for construction, reconstruction, repair or improvement or lead-based paint hazard control of a building or mobile home which is located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards unless:

(1) The community in which the area is situated is participating in the National Flood Insurance Program in accordance with the applicable regulations (44 CFR 59–79), or less than a year has passed since FEMA notification regarding these hazards; and

(2) Where the community is participating in the National Flood Insurance Program, flood insurance on the property is obtained in accordance with section 102(a) of the Flood Disaster Protection Act (42 U.S.C. 4012a(a)). Applicants are responsible for assuring that flood insurance is obtained and maintained for the appropriate amount and term.

(G) National Historic Preservation Act

The National Historic Preservation Act of 1966 (16 U.S.C. 470) (NHPA) and the regulations at 36 CFR part 800 apply to the lead-based paint hazard control activities that are undertaken pursuant to this program. HUD and the Advisory Council for Historic Preservation have developed an optional Model Agreement (See the application kit for this program) for use by grantees and State Historic Preservation Officers in carrying out activities under this program.

(H) Waste Disposal

Waste disposal will be handled according to the requirements of the appropriate local, State or Federal regulatory agency. Disposal of wastes from hazard control activities that contain lead-based paint but are not classified as hazardous will be handled in accordance with the HUD *Guidelines for the Evaluation and Control of Lead-Based Hazards in Housing* (HUD *Guidelines*).

(I) Worker Protection Procedures

The applicant shall observe the procedures for worker protection established in the HUD Guidelines, as well as the requirements of the Occupational Health and Safety Administration (OSHA) (29 CFR 1926.62—Lead Exposure in Construction), or the State or local occupational safety and health regulations, whichever are most stringent. If other applicable OSHA requirements contain more stringent requirements than the HUD *Guidelines*, the OSHA standards shall govern.

(J) Prohibited Practices

Lead hazard control methods which are considered prohibited practices are not allowed. The applicant is cautioned that methods that generate high levels of lead dust, such as abrasive sanding, shall be undertaken only with requisite worker protection, containment of dust and debris, suitable clean-up, and clearance. Prohibited practices are practices which are not allowed because of the risks to health. Prohibited practices include:

(1) Open flame burning or torching;

(2) Machine sanding or grinding without a high-efficiency particulate air (HEPA) exhaust control;

(3) Uncontained hydroblasting or high pressure wash;

(4) Abrasive blasting or sandblasting without HEPA exhaust control;

(5) Heat guns operating above 1100 degrees Fahrenheit;

(6) Chemical paint strippers containing methylene chloride; and

(7) Dry scraping or dry sanding, except scraping in conjunction with heat guns or around electrical outlets or when treating no more than two (2) square feet in any one interior room or space, or totaling no more than 20 square feet on exterior surfaces.

(K) Proposed Modifications From Current Procedures

Proposed methods requiring a variance from currently approved standards or procedures will be considered on their merits through a separate HUD review and approval process after the grant award is made and a specific justification has been presented. When such a request is made, either in the application or during the planning phase, HUD may consult with experts from both the public and private sector as part of its final determinations and will document its findings in an environmental assessment. Proposed modifications which involve a lowering of standards with potential to adversely affect the health of residents, contractors or workers, or the quality of the environment will not be approved.

(L) Written Policies and Procedures

Written policies and procedures for all phases of lead hazard control, including risk assessment, inspection, development of specifications, pre-hazard control blood lead testing, financing, relocation and clearance testing must be clearly established in writing and adhered to by all grantees, subcontractors, sub-grantees, sub-recipients, and their contractors.

(M) Continued Availability of Lead Safe Housing to Low-Income Families

Units in which lead hazards have been controlled under this program shall be occupied by and/or continue to be available to low-income residents as required by Title X. Grantees are required to maintain a registry of units in which lead hazards have been controlled for distribution and marketing to agencies and families as suitable housing for children under six.

(N) Development of Application Cost Proposal

In developing the application cost proposal, applicants shall include costs for the pre- and post-hazard control testing for each dwelling that will undergo either a lead-based paint risk assessment and/or inspection and hazard control according to HUD *Guidelines*, as follows:

(1) *XRF on-site (or supplementary laboratory) testing.* Such testing must be conducted according to the HUD *Guidelines, with particular attention to the 1997 revision of its chapter 7 on lead-based paint inspection.* The applicant must pretest every room or area in each dwelling unit planned for hazard control, using each XRF analyzer in accordance with its manufacturer's operating instructions and its

Performance Characteristics Sheet (PCS);

(2) *Blood lead testing.* Before lead hazard control work begins, the applicant must test each occupant who is a child under six years old according to the recommendations contained in *Preventing Lead Poisoning in Young Children* (1991), published by the Centers for Disease Control and Prevention (CDC).

(3) *Dust testing.* Such testing must be conducted according to the HUD *Guidelines.* Specifically, the applicant must pre-test before lead hazard control work begins, and conduct a clearance test before reoccupying a unit or area.

(4) *Testing.*

(a) *General.* All testing and sampling shall conform to the HUD *Guidelines.* It is particularly important to provide this full cycle of testing for hazard control, including interim controls.

(b) *Required Thresholds for Hazard Control.* While the HUD *Guidelines* employ two hazard control thresholds, one milligram per square centimeter (1.0 mg/cm^2) or 0.5% by weight, applicants may use other thresholds, provided that the alternative threshold is justified adequately and is accepted by HUD. The justification must state why the applicant believes the proposed threshold will provide satisfactory health protection for occupants, and cost savings and benefits expected to result from using the proposed approach.

(c) *Surfaces which require lead hazard control.* The HUD *Guidelines* identify hazards considered to be of greatest threat to young children which require hazard control. Friction surfaces are subject to abrasion and may generate lead-contaminated dust in the dwelling; chewable surfaces are protruding surfaces that are easily chewed on by young children; and impact surfaces may become deteriorated through forceful contact. The applicant may choose to treat fewer surfaces or apply other hazard control techniques, provided that an adequate rationale, including periodic monitoring, is presented to and accepted by HUD. The rationale must state why the proposed approach will provide satisfactory health protection for occupants and at the same time, provide cost savings or other benefits.

(d) *Clearance thresholds.* Grantees are required to meet the post-hazard control dust-wipe test clearance thresholds contained in the HUD *Guidelines.* Wipe tests shall be conducted by a certified inspector who is independent of the lead hazard control contractor. Dust-wipe and soil samples, and any paint samples to be analyzed by a laboratory, must be analyzed by a laboratory recognized by the Environmental Protection Agency's National Lead Laboratory Accreditation Program (NLLAP). Units shall not be reoccupied until clearance levels are achieved.

(O) Cooperation With Related Research and Evaluation

Applicants shall cooperate fully with any research or evaluation sponsored by HUD and associated with this grant program, including preservation of the data and records of the project and compiling requested information in formats provided by the researchers, evaluators or HUD. This cooperation may also include the compiling of certain relevant local demographic, dwelling unit, and participant data not contemplated in the applicant's original proposal. Participant data shall be subject to Privacy Act protection.

(P) Data Collection

Grantees will be required to collect and maintain the data necessary to document the various lead hazard control methods used in order to determine the effectiveness and relative cost of these methods.

(Q) Environmental Requirements

(1) In accordance with HUD regulations in 24 CFR part 58 recipients of lead-based paint hazard control grants will assume Federal environmental review responsibilities. Recipients of a grant under this program will be given guidance in these responsibilities.

(R) Section 3 Employment Opportunities

Please see Section II(E) of the General Section of this SuperNOFA. The requirements of Section 3 are applicable to the Lead-Based Paint Hazard Control Program.

(S) Forms, Certifications and Assurances

In addition to the forms, certifications and assurances listed in the General Section of this SuperNOFA, applicants are required to submit signed copies of the following:

(1) A certification of compliance with the environmental laws and authorities described in 24 CFR part 58.

(2) A certification of compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the implementing regulations at 49 CFR 24; and HUD Handbook 1378 (Tenant Assistance, Relocation and Real Property Acquisition).

(3) An assurance that the applicant's financial management system meets the standards for fund control and accountability described in 24 CFR 85.20.

(4) An assurance that pre-hazard control and clearance testing will be conducted by certified performers.

(5) An assurance that, to the extent possible, the blood lead testing, blood lead level test results, and medical referral and follow up will be conducted for children under six years of age occupying affected units according to the recommendations of the Centers for Disease Control and Prevention (CDC) publication *Preventing Lead Poisoning in Young Children* (1991).

(6) An assurance that Lead-Based Paint Hazard Control Grant Program funds will not replace existing resources dedicated to any ongoing project.

(7) An assurance that the housing units in which lead hazards have been controlled under this program shall be occupied by and/or continue to be available to low-income residents as required by Title X. Grantees are required to maintain a registry of units in which lead hazards have been controlled for distribution and marketing to agencies and families as suitable housing for children under six.

(8) A certification that the applicant will carry out its lead hazard control program under an operational State program established pursuant to lead-based paint contractor certification and accreditation legislation that is at least as protective as the training and certification program requirements cited in the application kit for this LBPHC Program section of the SuperNOFA.

III. Application Selection Process

(A) Rating and Ranking

HUD intends to fund the highest ranked applications within the limits of funding, but reserves the right to advance other eligible applicants in funding rank based on the following considerations which will: foster either local approaches or lead hazard control methods which have not been employed before, or provide lead hazard control services to populations or communities that have high need (as measured by the ''Need'' factor for award) and have never received funding under this grant program.

(B) Factors for Award Used to Evaluate and Rate Applications

The factors for rating and ranking applicants, and maximum points for each factor, are provided below. The maximum number of points to be awarded is 102. This includes two EZ/EC bonus points, as described in the General Section of the SuperNOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (15 Points for Previously Unfunded Applicants; 25 Points for Existing Grantees)

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner. The rating of the ''applicant'' or the ''applicant's staff'' for technical merit or threshold compliance, unless otherwise specified, will include any sub-contractors, consultants, sub-recipients, and members of consortia which are firmly committed to the project. In rating this factor, HUD will consider the extent to which the proposal demonstrates:

(1) Recent, relevant and successful experience of the applicant's staff to undertake eligible program activities. Applicants must describe the knowledge and experience of the proposed overall project director and day-to-day program manager in planning and managing large and complex interdisciplinary programs, especially involving housing rehabilitation, public health, or environmental programs. As an appendix, the applicant should include a clearly identified organizational chart for the lead hazard control grant program effort, as well as resumes, position descriptions, and salaries of key personnel identified to carry out the requirements of this grant program. Applicants must indicate the percentage of time that key personnel will devote to the project and any salary costs to be paid by the grant. A full-time day-to-day program manager is highly recommended.

(2) That the applicant has sufficient personnel or will be able to quickly access qualified experts or professionals, to immediately begin the proposed work program and to deliver the proposed activities in each proposed service area in a timely and effective fashion. The application must describe how other principal components of the applicant agency or other organizations will participate in or otherwise support the grant program. The institutional capacity of the applicant may be demonstrated by prior experience in initiating and implementing lead hazard control efforts and/or related environmental, health, or housing projects and should be thoroughly described. The applicant should indicate how this prior experience will be used in carrying out its planned comprehensive Lead-Based Paint Hazard Control Grant Program.

(3) If the applicant received HUD Lead Hazard Control Grant funding in previous years, the applicant's past experience will be evaluated in terms of its progress in achieving the purpose of its previous grant. An existing grantee applicant must provide a description of its progress in implementing its most recent grant award within the period of performance, including the total number of housing units completed as of the latest calendar quarter.

Rating Factor 2: Need/Extent of the Problem (20 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities to address a documented problem in the target area.

(1) The applicant must document a critical level of need for the proposed activities in the area where activities will be carried out. Specific attention must be paid to documenting need as it applies to the area where activities will be targeted, rather than the entire locality or state. If the target area is an entire locality or state, then documenting need at this level is appropriate.

(2) The documentation of need should demonstrate the extent of the problem being addressed by the proposed activities. Examples of data that might be used to demonstrate need, include, but are not limited to:

(a) Economic and demographic data relevant to the target area, including poverty and unemployment rates;

(b) Levels of homelessness;

(c) Lead poisoning rates;

(d) Housing market data available from HUD or other data sources including the Public Housing Authority's Five Year Comprehensive Plan, State or local Welfare Department's Welfare Reform Plan; or

(e) Lack of other Federal, State or local funding that could be, or is used, to address the problem HUD program funds are designed to address.

(3) To the extent that statistics and other data contained in the community's Consolidated Plan or Analysis of Impediments to Fair Housing Choice (AI) supports the extent of the problem, references to the Consolidated Plan and the AI should be included in the response.

(4) It is also desirable that the applicant provide information on the following for the applicant's jurisdiction, or more preferably, the areas targeted for the lead hazard control activities (data may be available in the applicant jurisdiction's currently approved Consolidated Plan, or derived from 1990 Census Data):

(a) The age and condition of housing;

(b) The number and percentage of very-low and low income families whose incomes do not exceed 80% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families;

(c) The number and proportion of children under six years of age (72 months) at risk of lead poisoning;

(d) The magnitude of the lead poisoning problem in children under six years of age in target areas;

(e) The health and economic impacts of Superfund or Brownfields sites on the targeted neighborhoods or communities; and

(f) Other socioeconomic or environmental factors that document a need to establish or continue lead hazard control work in the applicant's jurisdiction.

(5) The applicant must also provide documentation of the priority that the community's Consolidated Plan has placed on addressing the needs described by the applicant.

(6) Applicants that address needs that are in the Consolidated Plan, Analysis of Impediments to Fair Housing Choice, court orders or consent decrees, settlements, conciliation agreements, and voluntary compliance agreements will receive a greater number of points than applicants that do not relate their program to identified needs.

(7) There must be a clear relationship between the proposed activities, community needs, and the purpose of the program funding for an applicant to receive points for this factor.

Rating Factor 3: Soundness of Approach (45 Points for Previously Unfunded Applicants and 35 Points for Existing Grantees)

This factor addresses the quality and cost-effectiveness of the applicant's proposed work plan. This factor will allow applicants to present information on the proposed lead-based paint hazard control program and how it will satisfy the identified needs. The work plan and budget should include the following elements:

(1) *Lead Hazard Control Strategy* (30 points for previously unfunded applicants; 20 points for existing grantees). A description of the strategy to be used in planning and executing the lead hazard control grant program effort. Applicants should provide information on:

(a) *Implementing a Lead Hazard Control Program* (10 points for previously unfunded applicants; 5 points for existing grantees). The applicant must describe the overall strategy for the proposed lead hazard

control program. The description must include a discussion of:

(i) The applicant's previous experience in reducing or eliminating lead-based paint hazards in conjunction with other Federal, State or locally funded programs.

(ii) The applicant's overall strategy for the identification, selection, prioritization, and enrollment of units of eligible privately-owned housing in which lead hazard control will be undertaken.

(iii) The total number of owner occupied and/or rental units in which lead hazard control activities will be conducted.

(iv) The degree to which the work plan focuses on eligible privately-owned housing units with children under 6 years old. The applicant must describe the planned approach to control lead hazards before children are poisoned and/or to control lead hazards in units where children have already been identified with an elevated blood lead level. The applicant must also describe the process for the referral of children with elevated blood lead levels for medical case management.

(v) The financing mechanism, including eligibility criteria, terms, conditions, and amounts available, to be employed in carrying out lead hazard control activities. The applicant must discuss the way these funds will be administered (e.g. use of grants, deferred loans, forgivable loans, other resources, private sector financing, etc.) as well as the agency which will administer the process. The applicant should describe how the proposed program will satisfy the needs articulated or will assist in addressing the impediments in the AI. The applicant should describe how the proposed program will further and support the policy priorities of the Department, including promoting healthy homes; providing opportunities for self-sufficiency, particularly for persons enrolled in welfare to work programs; or providing educational and job training opportunities through such initiatives as Neighborhood Networks, Campus of Learners, and linking to AmeriCorps activities.

(b) *Lead Hazard Control Outreach and Community Involvement* (5 points). The applicant must describe:

(i) Proposed community awareness, education, training, and outreach programs in support of the work plan and objectives. This should include general and/or targeted efforts undertaken to assist the program in reducing lead poisoning. To the extent possible, programs should be culturally sensitive, targeted, and linguistically appropriate.

(ii) Proposed involvement of community or neighborhood based organizations in the performance of activities proposed by the applicant. These activities could include outreach, community education, marketing, inspection, and the actual conduct of lead hazard control activities.

(iii) Outreach strategies and methodologies to affirmatively further fair housing and provide lead-safe housing to all segments of the population: homeowners, owners of rental properties, and tenants; especially for occupants least likely to receive its benefits. Once the population to which outreach will be ''targeted'' is identified, (e.g.; homeowners who are racial minorities living in minority-concentrated areas or owners of properties with under-served tenants such as minority renters with young children), outreach strategies directed specifically to them should be multifaceted. This criterion goes beyond testing and hazard control; it concerns what happens to the units after the lead hazard control and tries to ensure that all families will have adequate, lead-safe housing.

(c) *Technical Approach for Conducting Lead Hazard Control Activities* (15 points for previously unfunded applicants; 10 points for existing grantees)

(i) The applicant must describe the process for the risk assessment and/or inspection of units of eligible privately-owned housing in which lead hazard control will be undertaken. Housing having a risk assessment or inspection already performed by certified inspectors or risk assessors in accordance with the HUD *Guidelines* and identified with lead-based paint hazards may be included in the inventory.

(ii) The applicant must describe the testing methods, schedule, and costs for performing blood lead testing, risk assessments and/or inspections to be used. If the applicant plans to use a standard more restrictive than the HUD thresholds (e.g. 0.5% or 1.0 mg/cm ^{2}), the applicant must identify the lead-based paint threshold for undertaking lead hazard control which will be used. All testing methods shall be performed in accordance with the HUD *Guidelines*.

(iii) The applicant must describe the lead hazard control methods to be undertaken and the number of units to be treated for each method selected (interim controls, hazard abatement, and complete abatement). The applicant must provide an estimate of the per unit costs (and a basis for those estimates) for each method the applicant plans to use in conducting lead hazard control activities. The applicant must also provide a schedule for initiating and conducting lead hazard control work in the selected units. The applicant should discuss efforts to incorporate cost-effective lead hazard control methods. If complete abatement is proposed, the applicant must describe the rationale for that decision, and explain why hazard control approaches were not proposed.

(iv) The applicant must describe its process for the development of work specifications for the selected lead hazard control method. The applicant must describe the management processes which will be used to ensure the cost-effectiveness of the lead hazard control methods. The application must include a discussion of the contracting process that will be used to obtain contractors to conduct lead hazard control activities in the selected units.

(v) The applicant must describe its plan for the temporary relocation of occupants of units selected for lead hazard control work. This discussion should address the use of safe houses and other housing arrangements, storage of household goods, stipends, incentives, etc.

(vi) Existing grantees must describe how the lead hazard control work being proposed in the application will occur concurrently with ongoing HUD lead hazard control grants.

(vii) Existing grantees must describe their progress in implementing their most recent lead hazard control grant award. If the production achieved is low and no changes are proposed, the applicant should explain why the strategy in the earlier grant remains appropriate.

(2) *Coordination with housing rehabilitation, housing and health codes, and other related housing programs* (7 points).

(a) The applicant must describe the degree to which lead hazard control work will be done in conjunction with other housing-related activities (i.e., rehabilitation, weatherization, removal of code violations, and other similar work), and the applicant's plan for the integration and coordination of lead hazard control activities into those activities.

(b) The applicant must describe how it plans to incorporate lead-based paint maintenance and hazard control standards with the applicable housing codes and health regulations.

(c) The applicant must describe how it plans to generate and use public subsidies or other resources (such as revolving loan funds) to finance future lead hazard control activities.

(d) The applicant must describe how it plans to develop public-private

lending partnerships to finance lead hazard control as part of acquisition and rehabilitation financing.

(e) The applicant must describe how it plans to develop and ensure the continued availability of a registry of publicly available information on lead-safe units, so that families (particularly those with children under age six) can make informed decisions regarding their housing options.

(f) Evidence of firm commitments from participating organizations should include:

(i) The name of each organization;

(ii) The capabilities or focus of each organization;

(iii) The proposed level of effort of each organization; and

(iv) The resources and responsibilities of each organization, including the applicant's clearly proposed plans for the training and employment of low-income residents.

(g) The applicant must describe its plan for the coordination of lead-based paint hazard control activities under this grant with lead-related Superfund or Brownfields efforts.

(h) The applicant must detail the extent to which the policy of fair housing for minorities and the disabled is furthered by the proposed activities. Detail how the applicant's work plan will support the community's efforts to further housing choices. Applicants with existing grants should discuss activities which have contributed to enhanced lead-hazard free housing opportunities to all segments of the population.

(3) *Economic Opportunity* (5 points). The applicant must describe the methods to be used which will result in economic opportunities for residents and businesses in the community. This discussion should include information on how employment, business development, and contract opportunities will be promoted as part of the lead hazard control program. The applicant should also describe how they will satisfy the requirements of Section 3 of the Housing and Community Development Act of 1992 to give preference to hiring of low and very low-income persons or contracting with businesses owned by or employing low- and very-low-income persons.

(4) *Program Evaluation and/or Data Collection* (3 Points) The applicant must identify the specific methods to be used (in addition to HUD reporting or data collection forms) to measure progress, evaluate program effectiveness, and make program changes to improve performance. The applicant should describe how the information will be obtained, documented, and reported. In addition, the applicant should provide a detailed description of any proposed applied research activities.

(5) *Budget* (Not Scored) The applicant's proposed budget (for the maximum 36 month period of performance) will be evaluated for the extent to which it is reasonable, clearly justified, and consistent with the intended use of grant funds. HUD is not required to approve or fund all proposed activities. Applicants may devote up to 36 months for the planning, execution, and completion of lead hazard control activities. The applicant must thoroughly document and justify all budget categories and costs (Part B of Standard Form 424A) and all major tasks. The applicant must describe in detail the budgeted costs for each program element (major task) included in the overall plan (administrative costs, program management, lead hazard control strategy, community awareness, education and outreach, program evaluation, and data collection).

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure other community resources (financing is a community resource) which can be combined with HUD's program resources to achieve program purposes.

(1) In evaluating this factor, HUD will consider the extent to which the applicant has partnered with other entities to secure additional resources to increase the effectiveness of the proposed program activities. Resources may include funding or in-kind contributions (such as services or equipment) allocated to the purpose(s) of the award the applicant is seeking. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities willing to partner with the applicant. Applicants may also partner with other program funding recipients to coordinate the use of resources in the target area.

(2) Funding from any Federally funded programs (except the CDBG program) may not be included as part of the required 10% match. Other resources committed to the program that exceed the required 10% match will provide points for this rating factor and may include match from Federally funded programs. Each source of contributions, cash or in-kind, both for the required minimum and additional amounts, shall be supported by a letter of commitment from the contributing entity, whether a public or private source, which shall describe the contributed resources that will be used in the program. Staff in-kind contributions should be given a monetary value. The absence of letters providing specific details and the amount of the actual contributions will result in those contributions not being counted.

(3) Applicants must provide evidence of leveraging/partnerships by including in the application letters of firm commitment, memoranda of understanding, or agreements to participate from those entities identified as partners in the application. Each letter of commitment, memorandum of understanding, or agreement to participate should include the organization's name and the proposed level of commitment and responsibilities as they relate to the proposed program. The commitment must also be signed by an official of the organization legally able to make commitments on behalf of the organization.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant's program reflects a coordinated, community-based process of identifying needs and building a system to address the needs by using available HUD funding resources and other resources available to the community.

In evaluating this factor, HUD will consider the extent to which the applicant demonstrates it has:

(1) Coordinated its proposed activities with those of other groups or organizations in order to best complement, support and coordinate all known activities and, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described.

(2) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other HUD, Federal, State or locally funded activities, including those proposed or on-going in the community(s) served.

IV. Application Submission Requirements

(A) Applicant Information

(1) *Application Format.* The applicant's narrative response to the Rating Factors is limited to a maximum of 25 pages. Responses must be typewritten on one (1) side only on 8½″ × 11″ paper using a 12 point (minimum) font with not less than ¾″ margins on all sides. Appendices should be referenced and discussed in the narrative response. Materials provided in the appendices should directly apply to the rating factor narrative.

(2) *Application Checklist.* In addition to the forms, certifications and assurances listed in the General Section of the SuperNOFA, the applicant must submit the following:

(a) Transmittal Letter that identifies what the program funds are requested for, the dollar amount requested, and the applicant or applicants submitting the application.

(b) The name, mailing address, telephone number, and principal contact person of the applicant. If the applicant has consortium associates, sub-grantees, partners, major subcontractors, joint venture participants, or others contributing resources to the project, similar information shall also be provided for each of these partners. (c)(i) For State applicants, copies of existing statutes, regulations or other appropriate documentation regarding the State's Lead-Based Paint Contractor Certification and Accreditation Program must be included.

(ii) A State applicant which has an existing statute that is acceptable to HUD, but which has not implemented an acceptable lead-based paint contractor certification program, shall furnish assurances from the Governor that an acceptable certification program will be implemented within one (1) year from the date of the application deadline date and that the designated agency implementing the certification program shall offer training sessions leading to certification within six (6) months of the effective date of implementing regulations.

(iii) If legislative approval of proposed regulations is also required, a similar assurance must be provided by the chairs of committees having jurisdiction.

(iv) Local government applicants in States which have not implemented an acceptable contractor certification program must provide assurances that only certified contractors and trained workers from State certification programs acceptable to HUD will be used in conducting lead hazard control work.

(d) Evidence of the applicant's commitment and experience in eliminating or reducing significant lead-based paint hazards in privately-owned eligible housing as detailed in the applicant's work plan for lead-based paint hazard control.

(e) A detailed description of the funding mechanism, selection process, and other proposed activities that the applicant plans to use to assist any sub-grantees or sub-recipients under this grant.

(f) A detailed budget with supporting cost justifications for all budget categories of the grant request. There shall be a separate estimate for the overall grant management element (Administrative Costs), which is more fully defined in the application kit for this LBPHC Program section of the SuperNOFA. The budget shall include not more than 10% for administrative costs and not less than 90% for direct project elements.

(g) An itemized breakout (using the SF–424A) of the applicant's required matching contribution, including:

(i) Values placed on donated in-kind services;

(ii) Letters or other evidence of commitment from donors; and

(iii) The amounts and sources of contributed resources.

(h) Memoranda of Understanding or Agreement, letters of commitment or other documentation describing the proposed roles of agencies, local broad-based task forces, participating community or neighborhood-based groups or organizations, local businesses, and others working with the program.

(i) A copy of the applicant's approval notification for the current program year for its Consolidated Plan. The applicant should also include a copy of the applicant's lead hazard control element included in the current program year Consolidated Plan.

(B) Proposed Activities

All applications must, at a minimum, contain the following items:

(1) *A description of the affected housing and population to be served.*

(a) The applicant shall describe the size and general characteristics of the target housing within its jurisdiction, including a description of the housing's location, condition, and occupants, and a current estimate of the number of children under the age of six in these units. Other characteristics described in Rating Factor 2 (Need) should be provided. If specific area(s) (neighborhoods, census tracts, etc.) within an applicant's jurisdiction are specifically targeted for lead hazard control activities, the applicant shall describe these same characteristics for the area. Vacant housing that subsequently will be occupied by low-income renters or owners should also be included in this description. Maps may be included as an appendix.

(b) To the extent practical, preference shall be given to occupied eligible housing units with children under the age of six. In addition, as a measure of its ongoing commitment to lead-based paint programs, the applicant shall provide information on the magnitude and extent of the childhood lead poisoning problem within its jurisdiction and for any area(s) to be included in the lead hazard control program. Current efforts undertaken to provide health care services for children with elevated blood lead levels and efforts to address lead-based paint hazards shall be described.

(2) *Discussion of program activities.* The applicant shall provide a discussion of the overall proposed hazard control program, including, but not limited to, information on the following:

(a) *Needs Assessment.* Each applicant is required to submit a statement of the extent of need for the program funds they are seeking. The statement of need must demonstrate how specific community or neighborhood needs can be resolved through the activities proposed to be undertaken with the funds being applied for. This statement may be integrated into the response to Rating Factor 2 (Need). The statement must identify:

(i) The population to be served;

(ii) How these needs were determined;

(iii) How the needs identified are consistent with the needs identified in the community's Consolidated Plan; and

(iv) Barriers that have been identified in the community's AI.

(b) *Program Work Plan and Budget.* The work plan and budget must include:

(i) A description of:

(*1*) The applicant's program management methods;

(*2*) The applicant's lead hazard control strategy;

(*3*) The number of eligible housing units in the target jurisdiction;

(*4*) The applicant's hazard control methods;

(*5*) The applicant's blood lead and environmental testing methods;

(*6*) The applicant's costs;

(*7*) The applicant's financing mechanisms;

(*8*) The applicant's relocation plans; and

(*9*) A description of the community's lead hazard awareness and education efforts.

(ii) A Statement of Work that describes all of the activities proposed for funding and details how the proposed work will be accomplished. Following a task-by-task format, the Statement of Work must:

(*1*) Discuss the tasks and sub-tasks involved in the program. The discussion must identify how the tasks meet the rating factors for award.

(*2*) Indicate the sequence in which the tasks are to be performed, noting areas of work which must be performed simultaneously.

(*3*) Include a project management and staff allocation plan for carrying out the activities proposed in the Statement of Work. The project management plan and staff allocation submission should cover the proposed number of staff years by employee allocated to the project, the titles and relevant professional background and experience of each employee proposed to be assigned to the project, and the roles to be performed by each identified staff member. The project management and staff allocation plan must cover the proposed period of performance. The applicant may make use of in-house staff, consultants, sub-contractors and sub-recipients and networks of private consultants and/or local organizations with requisite experience and capabilities. To the maximum extent practicable, applicants should make use of local expertise and persons familiar with the opportunities and resources available in the area to be served. Regardless of the type of staffing resources identified, the plan should identify activities to be undertaken by the staff indicated in the plan.

(iii) A summary budget identifying costs by cost category in accordance with the following:

(*1*) Direct labor by position or individual, indicating the estimated hours per position, the rate per hour, estimated cost per staff position and the total estimated direct labor costs;

(*2*) Fringe benefits by staff position identifying the rate, the salary base the rate was computed on, estimated cost per position, and the total estimated fringe benefit cost;

(*3*) Material costs indicating the item, unit cost per item, the number of items to be purchased, estimated cost per item, and the total estimated material costs;

(*4*) Transportation costs, as applicable. Where local private vehicles are proposed to be used, costs should indicate the proposed number of miles, rate per mile of travel identified by item, and estimated total private vehicle costs. Where air transportation is proposed, costs should identify the destination(s), number of trips per destination, estimated air fare and total estimated air transportation costs. If other transportation costs are listed, the applicant should identify the other method of transportation selected, the number of trips to be made and destination(s), the estimated cost, and the total estimated costs for other transportation costs. In addition, applicants should identify per diem or subsistence costs per travel day and the number of travel days included, the estimated costs for per diem/subsistence and the total estimated transportation costs;

(*5*) Equipment charges, if any. Equipment charges should identify the type of equipment, quantity, unit costs and total estimated equipment costs;

(*6*) Consultant costs, if applicable. The applicant must indicate the type, estimated number of consultant days, rate per day, total estimated consultant costs per consultant and total estimated costs for all consultants;

(*7*) Subcontract costs, if applicable. The applicant must identify proposed subcontracts and provide estimated costs.

(*8*) Other direct costs listed by item, quantity, unit cost, total for each item listed, and total direct costs for the award.

(*9*) Indirect costs should identify the type, approved indirect cost rate, base to which the rate applies and total indirect costs. These line items should total the amount requested for each cost category. The grand total of all program funds requested should reflect the grand total of all funds for which the applicant is applying. The submission should include the rationale used to determine costs and validation of fringe and indirect cost rates.

(c) Narrative statement addressing the rating factors for award listed in Section III of this LBPHC section of the SuperNOFA. The narrative statement must be numbered in accordance with each factor for award (Factor 1 through 5).

V. Corrections to Deficient Applications

The General Section to this SuperNOFA provides the procedures for corrections to this NOFA.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MODERNIZATION AND REVITALIZATION PROGRAMS

Comprehensive Improvement Assistance Program (CIAP)

HOPE VI Public Housing Revitalization

BILLING CODE 4210–32–C

Funding Availability for the Comprehensive Improvement Assistance Program (CIAP)

Program Description: Approximately $304,000,000 is available in funding for the Comprehensive Improvement Assistance Program (CIAP). The CIAP provides modernization funds to housing authorities (HAs) that own or operate less than 250 units of public housing, to enable them to improve the physical condition and upgrade the management and operations of existing public housing developments to assure their continued availability for low-income families.

Application Due Date: The CIAP Application is due on or before 6:00 p.m., local time on June 29, 1998. An original CIAP Application and two copies must be received at the HUD Field Office with jurisdiction over the HA, Attention: Director, Office of Public Housing (OPH). See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Emergency Modernization Applications. The HA may submit a CIAP Application for Emergency Modernization whenever needed. See Sections III(A)(3)(a) and III(A)(9) of this CIAP section of the SuperNOFA.

Address for Submitting Applications: CIAP applications must be delivered by the application due date to the HUD Field Office with jurisdiction over the HA, Attention: Director, Office of Public Housing (OPH).

For Application Kits, Further Information, and Technical Assistance:

For Application Kits. A CIAP Application Kit will automatically be transmitted under separate cover to every eligible HA to supplement the policies and procedures set forth in this CIAP section of the SuperNOFA. The application kit will include copies of forms needed for application submission. Application kits and any supplementary information also may be obtained by contacting the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209. The application kit also will be available on the Internet through the HUD web site at http://www.HUD.gov. When requesting an application kit, please refer to CIAP and provide your name, address (including zip code), and telephone number (including area code).

For Further Information and Technical Assistance. William J. Flood, Director, Office of Capital Improvements, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4134, Washington, D.C. 20410. Telephone (202) 708–1640. (This is not a toll free number.) Applicants also may contact the SuperNOFA Information Center at the telephone listed, above.

Additional Information

I. Authority; Purpose; Amount Allocated; and Eligibility

(A) Authority

Section 14, U. S. Housing Act of 1937 (42 U.S.C. 14371); and the CIAP regulations in 24 CFR part 968, subparts A and B.

(B) Purpose

The CIAP provides modernization funds to HAs that own or operate less than 250 units of public housing, to enable them to improve the physical condition and upgrade the management and operations of existing public housing developments to assure their continued availability for low-income families.

(C) Amount Allocated

(1) In FY 1998, a total of $2.5 billion is available for the Modernization Program (CIAP and CGP), of which approximately $304 million will be available to HAs with fewer than 250 housing units.

(2) Modernization funds are allocated between CIAP and CGP agencies based on the relative shares of backlog needs (weighted at 50%) and accrual needs (weighted at 50%), as determined by the field inspections conducted for the HUD-funded Abt Associates study of modernization needs. This allocation results in CIAP agencies receiving approximately *11*% and CGP agencies receiving approximately *89*% of the total funds available.

(a) *Backlog needs* are needed repairs and replacements of existing physical systems, items that must be added to meet the HUD modernization and energy conservation standards and State or local codes, and items that are necessary for the long-term viability of a specific housing development.

(b) *Accrual needs* are needs that arise over time and include needed repairs and replacements of existing physical systems and items that must be added to meet the HUD modernization and energy conservation standards and State or local codes.

(3) *Assignment of Funds to Field Offices of Public Housing (OPH).* In past years, the distribution of Public Housing CIAP funds for each Field OPH has been based solely on the relative shares of backlog and accrual needs for CIAP PHAs. In order to obtain a more equitable distribution of available funds relative to historical demand within each Field Office (FO) jurisdiction, Headquarters has determined that the FY 1998 distribution of Public Housing CIAP funds for each Field Office of Public Housing (Field OPH) will be based on the relative shares of backlog and accrual needs for CIAP PHAs (weighted at 50%) and the relative demand for CIAP funds, as evidenced by the CIAP funds requested in FY 1997 (weighted at 50%). However, to ensure that the relative demand side of the allocation formula does not give undue weight to FOs that were able to fund a higher percentage of funds requested in prior years, each Field OPH was capped by Headquarters in FFY 1997 to an allocation amount that would fund no more than 30% of funds requested by PHAs in that FOs jurisdiction in FFY 96. Those same percentages are being used in FFY 98.

(a) The Field OPH Director shall have authority to make Joint Review selections and CIAP funding decisions.

(b) If additional funds for Public Housing CIAP become available, Headquarters will allocate the funds to each Field OPH based on the table below.

(c) If a Field OPH does not receive sufficient fundable applications to use its allocation, Headquarters will reallocate the remaining funds to one or more Field OPHs that have the highest unfunded demand, as evidenced by approvable applications.

The following table shows the percentage distribution of CIAP funds for PHAs assigned by Headquarters to each Field OPH. The percentage distributions for the Texas State and Houston Area Offices have been further broken down to indicate what percentage of their distribution will be allocated to HAs involved in the East Texas civil rights case (i.e., *Young* v. *Cuomo*) to meet the requirements of the settlement agreement, which is subject to judicial oversight, along with other modernization needs.

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OFFICE OF PUBLIC HOUSING (OPH)	PERCENT OF THE CIAP ALLOCATION
NEW ENGLAND	
Massachusetts State Office	2.4560
Connecticut State Office	.8107
New Hampshire State Office	1.5676
Rhode Island State Office	.4361
NEW YORK/NEW JERSEY	
Buffalo Area Office	2.0783
New Jersey State Office	2.3160
New York State Office	1.4892
MID-ATLANTIC	
Maryland State Office	.4214
West Virginia State Office	1.3081
Pennsylvania State Office	.6837
Pittsburgh Area Office	.9155
Virginia State Office	.4234
District of Columbia Office	.1672

SOUTHEAST	
Georgia State Office	8.2709
Alabama State Office	5.0915
South Carolina State Office	1.2749
North Carolina State Office	2.9244
Mississippi State Office	1.6542
Jacksonville Area Office	2.5183
Knoxville Area Office	1.0628
Kentucky State Office	4.7477
Tennessee State Office	2.7438
Florida State Office	1.0793
MIDWEST	
Illinois State Office	3.9655
Cincinnati Area Office	.4645
Cleveland Area Office	.5422
Ohio State Office	1.1608
Michigan State Office	1.8521

Grand Rapids Area Office	2.6617
Indiana State Office	1.1643
Wisconsin State Office	2.5429
Minnesota State Office	3.7183
SOUTHWEST	
New Mexico State Office	1.3046
Texas State Office East Texas HAs Non-East Texas HAs	7.2209 (0.361045 or 5% of 7.2209) (6.859855 or 95% of 7.2209)
Houston Area Office East Texas HAs Non-East Texas HAs	1.7024 (0.817152 or 48% of 1.7024) (0.885248 or 52% of 1.7024)
Arkansas State Office	2.1839
Louisiana State Office	3.9607
Oklahoma State Office	2.3203
San Antonio Area Office	3.1643

GREAT PLAINS	
Iowa State Office	.5858
Kansas/Missouri State Office	2.7413
Nebraska State Office	1.0943
St. Louis Area Office	1.0715
ROCKY MOUNTAIN	
Colorado State Office	3.1227
PACIFIC/HAWAII	
Los Angeles Area Office	.2670
Arizona State Office	.9903
Sacramento Area Office	.0808
California State Office	1.7445
NORTHWEST/ALASKA	
Oregon State Office	.6706
Washington State Office	1.2608
TOTAL	**100.0000**

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(D) Eligible Applicants

Public Housing Agencies (HAs) that own or operate fewer than 250 public housing units are eligible to apply and compete for CIAP funds. HAs with 250 or more public housing units are entitled to receive a formula grant under the Comprehensive Grant Program (CGP) and are *not* eligible to apply for CIAP funds. Entities other than HAs are not eligible to apply for CIAP funds. Indian Housing Authorities are not eligible to apply for these funds.

(E) Eligible Activities

(1) An HA may use financial assistance received under this CIAP section of the SuperNOFA for activities including, but not limited to:

(a) Physical improvements, e.g., alterations, betterments, additions, and accessibility features;

(b) Demolition and conversion costs;

(c) General management improvements, e.g., management, financial and accounting control systems;

(d) Economic development costs;

(e) Resident management costs;

(f) Drug elimination costs;

(g) Lead-based paint abatement costs;

(h) Administrative costs;

(i) Salaries and employee benefit contributions; and

(j) Architectural/engineering and consultant fees.

(2) *Repeal of the Expansion of Eligible Activities.* The FY 1998 Appropriations Act did *not* continue the expanded eligible activities that could be funded, with prior HUD approval, as provided in section 14(q) of the U.S. Housing Act of 1937, as amended in section 201 of the HUD FY 1996 Appropriations Act. These activities include: new construction or acquisition of additional public housing units, including replacement units; modernization activities related to the public housing portion of housing developments held in partnership or cooperation with non-public housing entities; other activities related to public housing, including activities eligible under the Urban Revitalization Demonstration (HOPE VI), such as community services; and operating subsidy purposes (not to exceed 10 percent of the grant amount). Therefore, funds approved under this CIAP section of the SuperNOFA, i.e., Fiscal Year (FY) 98 funds, may not be used for the above purposes. However, HAs may still use previously apposed grant funds (FFY 97 and prior years) that are unobligated for the above activities with prior HUD approval, where applicable. Relief from this prohibition is pending in Congress.

II. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, applicants are subject to the following requirements:

(A) Forms, Certifications and Assurances

In addition to the forms, certifications and assurances listed in the General Section of this SuperNOFA, applicants are required to submit signed copies of Form HUD–50071, Certification for Contracts, Grants, Loans and Cooperative Agreements.

(B) Departmental Priority

The transformation of public housing is one of the Department's major priorities. To facilitate the modernization of public housing so that it is integrated in the broader community, the Department encourages HAs to consider the following:

(1) *Design.* When identifying physical improvement needs to meet the modernization standards, HAs are encouraged to consider a design which supports the integration of public housing into the broader community. Although high priority needs, such as those related to health and safety, vacant, substandard units, structural or system integrity, and compliance with statutory, regulatory or court-ordered deadlines, will receive funding priority, HAs should plan their modernization in a way which promotes good design, but maintains the modest nature of public housing. The HA should pay particular attention to design, which is sensitive to traditional cultural values, and be receptive to creative, but cost-effective approaches suggested by architects, residents, HA staff, and other local entities. Such approaches may complement the planning for basic rehabilitation needs. It should be noted that there will be no increase in operating subsidy as a result of any modernization activities.

(2) *Physical Accessibility and Visitability.* In addition to the design considerations set forth in Section II(C)(1) of this CIAP section of the SuperNOFA, HAs must comply with accessibility requirements and are encouraged to provide units that are ''visitable'' by persons with mobility impairments. Visitability gets the person into the home, but does not require that all features be made accessible throughout the home.

(a) *Accessibility.* An accessible home means that the home is located on an accessible route (36'' clear passage) and, when designed, constructed, altered or adapted, can be approached, entered, and used by an individual with physical disabilities.

(b) *Visitability.* Visitability restricts itself to two areas of a home; i.e., at least one entrance is at grade (no-step); and all doors inside provide a 32'' clear passage. A visitable home serves not only persons with disabilities, but also persons without disabilities. (For example, a mother pushing a stroller; person delivering large appliances, etc.). One difference between ''visitability'' and ''accessibility'' is that accessibility requires that *all* features of a dwelling unit be made accessible for mobility impaired persons. A visitable home provides less accessibility than an accessible home. Examples of actions that HAs may take to support visitability include:

(i) When conducting a ''needs assessment,'' the HA may identify some single family scattered site homes and make those units visitable.

(ii) When undertaking substantial alterations as defined in 24 CFR 8.23(a), the HA may identify some units in an elderly development not subject to the new construction requirements of 24 CFR 8.22 and make those units visitable.

(iii) The HA may target the first floor of an existing 3-story family apartment complex and make those units visitable.

(3) *Provision of Community Space for Welfare-to-Work Initiatives.* HAs are encouraged to provide community space for Welfare-to-Work initiatives, which include, but are not limited to, services coordination/case management, training, child care, health care, transportation, and economic development. Where community space is not otherwise available, CIAP funds may be used to convert existing dwelling space, renovate existing nondwelling space, or construct or acquire nondwelling space for this purpose. Where CIAP funds will be used to provide community space, HAs are required to submit written evidence from a qualified local agency or provider that the agency or provider agrees to furnish, equip, operate and maintain the community space, as well as provide insurance coverage. Where HAs themselves intend to operate the community space, they must submit written evidence of the continuing funding sources to furnish, equip, operate, maintain and insure the community space.

(4) *Elimination of Vacant Units.* HAs are encouraged to apply for CIAP funds to address vacant units where the work does not merely involve routine maintenance, but will result in reoccupancy.

(C) Accessibility Requirements

In carrying out modernization work, HAs are required to comply with the requirements of 24 CFR 8.23(a) regarding substantial alterations and 24 CFR 8.23(b) regarding other alterations, as well as with Title II of the Americans with Disabilities Act and 28 CFR part 35. Title II is applicable to HAs established under State law. Also, the HA shall comply with the requirements of 24 CFR 8.22 and 24 CFR 100.205 (the Fair Housing Act) regarding new construction.

(D) Expediting the Program

HAs must obligate approved funds within two years and expend within three years of program approval (Annual Contributions Contract (ACC) Amendment execution) unless a longer implementation schedule (Part III of the CIAP Budget) is approved by the Field Office due to the size or complexity of the program. However, HUD strongly encourages the minimum amount of time feasible for program completion and contends that an 18 month timeframe for fund obligation is generally reasonable. Failure to obligate funds in a timely manner may result in the termination of the program and recapture of the funds.

(E) Planning

In preparing its CIAP Application, the HA is encouraged to assess all its physical and management improvement needs. Physical improvement needs should be reviewed against the modernization standards as set forth in HUD Handbook 7485.2, as revised, physical accessibility requirements as set forth in 24 CFR part 8, and 28 CFR part 35, and any cost-effective energy conservation measures identified in updated energy audits. The modernization standards include development specific work to ensure the long-term viability of the developments, such as amenities and design changes to promote the integration of low-income housing into the broader community. In addition, the HA is strongly encouraged to contact the Field Office to discuss its modernization needs and obtain information.

(F) Resident Involvement and Local Official Consultation Requirements

(1) *Residents/Homebuyers.* The CIAP regulations at 24 CFR 968.215 require the HA to establish a Partnership Process to ensure full resident participation in the planning, implementation and monitoring of the modernization program, as follows:

(a) Before submission of the CIAP Application, consultation with the residents, resident organization, and resident management corporation (herein referred to as residents) of the development(s) being proposed for modernization regarding its intent to submit an application and to solicit resident comments;

(b) Reasonable opportunity for residents to present their views on the proposed modernization and alternatives to it, and full and serious consideration of resident recommendations;

(c) Written response to residents indicating acceptance or rejection of resident recommendations, consistent with HUD requirements and the HA's own determination of efficiency, economy and need, with a copy to the Field Office at Joint Review. If the Joint Review is conducted off-site, a copy shall be mailed to the Field Office;

(d) After HUD funding decisions, notification to residents of the approval or disapproval and, where requested, provision to residents of a copy of the HUD-approved CIAP Budget; and

(e) During implementation, periodic notification to residents of work status and progress and maximum feasible employment of residents in the modernization effort.

(2) *Local Officials.* Before submission of the CIAP Application, consultation with appropriate local/tribal officials regarding how the proposed modernization may be coordinated with any local plans for neighborhood revitalization, economic development, drug elimination and expenditure of local funds, such as Community Development Block Grant funds.

(G) Environmental Requirements

Under 24 CFR part 58, the responsible entity, as defined in 24 CFR 58.2(a)(7), must assume the environmental responsibilities for projects being funded under the CIAP. If the HA objects to the responsible entity conducting the environmental review, on the basis of performance, timing or compatibility of objectives, the Field OPH Director will review the facts to determine who will perform the environmental review. At any time, the Field OPH Director may reject the use of a responsible entity to conduct the environmental review in a particular case on the basis of performance, timing or compatibility of objectives, or in accordance with 24 CFR 58.77(d)(1). If a responsible entity objects to performing an environmental review, or if the Field OPH Director determines that the responsible entity should not perform the environmental review, the Field OPH Director may designate another responsible entity to conduct the review or may itself conduct the environmental review in accordance with the provisions of 24 CFR part 50. After selection by the Field Office for Joint Review, the HA shall provide any documentation to the responsible entity (or Field Office, where applicable) that is needed to perform the environmental review.

(1) Where the environmental review is completed before Field Office approval of the CIAP budget and the HA has submitted its request for release of funds (RROF), the budget approval letter shall state any conditions, modifications, prohibitions, etc. as a result of the environmental review.

(2) Where the environmental review is not completed and/or the HA has not submitted the RROF before Field Office approval of the CIAP budget, the budget approval letter shall instruct the HA to refrain from undertaking, or obligating or expending funds on, physical activities or other choice-limiting actions, until the Field PH Director approves the HA's RROF and the related certification of the responsible entity (or the Field Office has completed the environmental review). The budget approval letter also shall advise the HA that the approved budget may be modified on the basis of the results of the environmental review.

(H) Declaration of Trust

Where the Field Office determines that a Declaration of Trust is not in place or is not current, the HA shall execute and file for the record a Declaration of Trust, as provided under the ACC, to protect the rights and interests of HUD throughout the 20-year period during which the HA is obligated to operate its developments in accordance with the ACC, the Act, and HUD regulations and requirements.

(I) HA Submission of Additional Documents

After the Field Office Public Housing Director's funding decisions, the HA shall submit the following documents within the time frame prescribed by the Field Office:

(a) Form HUD–52825, CIAP Budget/Progress Report, which includes the implementation schedule(s), in an original and two copies.

(b) Form HUD–52820, HA Board Resolution Approving CIAP Budget, in an original only.

(J) ACC Amendment

After HUD approval of the CIAP Budget, the Field Office and the HA shall enter into an ACC amendment in order for the HA to draw down modernization funds. The ACC

amendment shall require low-income use of the housing for not less than 20 years from the date of the ACC amendment (subject to sale of homeownership units in accordance with the terms of the ACC). The HA Executive Director, where authorized by the Board of Commissioners and permitted by State law, may sign the ACC amendment on behalf of the HA. HUD has the authority to condition an ACC amendment (e.g., to require an HA to hire a modernization coordinator or contract administrator to administer its modernization program).

(K) Use of Dwelling Units for Economic Self-Sufficiency Services and/or Drug Elimination Activities

CIAP funds may be used to convert dwelling units for purposes related to economic self-sufficiency services and/or drug elimination activities. Regarding the eligibility for funding under the Performance Funding System of dwelling units used for these purposes, refer to 24 CFR 990.108(b)(2).

(L) Duplication of Funding

The HA shall not receive duplicate funding for the same work item or activity under any circumstance and shall establish controls to assure that an activity, program, or project that is funded under any other HUD program shall not be funded by CIAP.

(M) Conflict of Interest

In addition to the conflict of interest requirements in 24 CFR part 85, no person who is an employee, agent, consultant, officer, or elected or appointed official and who exercises or has exercised any functions or responsibilities with respect to activities assisted under this grant, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has family or business ties, during his or her tenure or for one year thereafter.

(N) Wage Rates

The wage rate requirements at 24 CFR 968.110(e) and (f) apply to assistance under this program.

III. Application Selection Process

(A) Rating and Ranking

(1) *General.* The rating and ranking of applications, the grouping of applications, the technical review process and funding decisions will be in accordance with HUD's regulations in 24 CFR 968.210.

(2) *Eligibility Review.* After the HA's CIAP application is determined to be complete and accepted for review, the Field Office eligibility review shall determine if the application is eligible for full processing or processing on a reduced scope, and shall assess the applicant's management and modernization capability.

(a) *Full Eligibility.* To be eligible for full processing, the applicant must be in compliance with the program requirements listed in Section II of the CIAP section of the SuperNOFA, and additionally must be in compliance with the following:

(i) Each eligible development for which work is proposed has reached the Date of Full Availability (DOFA) and is under ACC at the time of CIAP application submission; and

(ii) Where funded under Major Reconstruction of Obsolete Projects (MROP) after FY 1988, the development/building has reached DOFA or, where funded during FYs 1986–1988, all MROP funds for the development/building have been expended.

(b) *Reduced Eligibility.* When the following conditions exist, the HA's application will be reviewed on a reduced scope in accordance with HUD's regulations in 24 CFR 968.210.

(i) An HA that has been Not designated as Troubled under 24 CFR part 901, Public Housing Management Assessment Program (PHMAP), or

(ii) Designated as Troubled, but has a reasonable prospect of acquiring management capability through CIAP-funded management improvements and administrative support. A Troubled PHA is eligible for Emergency Modernization only, unless it is making reasonable progress toward meeting the performance targets established in its memorandum of agreement or equivalent under 24 CFR 901.140 or has obtained alternative oversight of its management functions.

(iii) An HA that has been designated as Modernization Troubled under 24 CFR part 901, PHMAP is eligible for Emergency Modernization only, unless it is making reasonable progress toward meeting the performance targets established in its memorandum of agreement or equivalent under 24 CFR 901.140 or has obtained alternative oversight of its modernization functions. Where an HA does not have a funded modernization program in progress, the Field Office shall determine whether the HA has a reasonable prospect of acquiring modernization capability through hiring staff or contracting for assistance.

(3) *Long-Term Viability and Reasonable Cost.* On Form HUD–52822, CIAP application, the HA certifies whether the developments proposed for modernization have long-term physical and social viability, including prospects for full occupancy. During Joint Review, the Field Office will review with the HA the determination of reasonable cost for the proposed modernization to ensure that unfunded hard costs do not exceed 90 percent of the computed total development cost (TDC) for a new development with the same structure type and number and size of units in the market area. The Field Office shall make a final viability determination. Where the estimated per unit unfunded hard cost is equal to or less than the per unit TDC for the smallest bedroom size at the development, no further computation of the TDC limit is required.

(a) If the Field Office determines that completion of the improvements and replacements will not reasonably ensure the long-term physical and social viability of the development at a reasonable cost, the Field Office shall only approve Emergency Modernization or non-emergency funding for essential non-routine maintenance needed to keep the property habitable until the demolition or disposition application is approved and residents are relocated.

(b) Where the Field Office wishes to fund a development with hard costs exceeding 90 percent of computed TDC, the Field Office shall submit written justification to Headquarters for final decision. Such justification shall include:

(i) Any special or unusual conditions have been adequately explained, all work has been justified as necessary to meet the modernization and energy conservation standards, including development specific work necessary to provide a modest, non-luxury development; and

(ii) Reasonable cost estimates have been provided, and every effort has been made to reduce costs; and

(c) Rehabilitation of the existing development is more cost-effective in the long-term than construction or acquisition of replacement housing; or

(d) There are no practical alternatives for replacement housing.

(4) *''Fast Tracking'' Emergency Applications.* Emergency applications do not have to be processed within the normal processing time allowed for other applications. Where an immediate hazard must be addressed, HA emergency applications may be submitted and processed at any time during the year when funds are

available. The Field Office shall ''fast track'' the processing of these emergency applications so that fund reservation may occur as soon as possible. An emergency application is comprised of the forms, certifications and assurances listed in the General Section of the SuperNOFA, and also the following documents:

(a) *Form HUD–52825, CIAP Budget/ Progress Report,* which includes the implementation schedule(s), in an original and two copies.

(b) *Form HUD–52820, HA Board Resolution Approving CIAP Budget,* in an original only.

(c) At the option of the HA, photographs or video cassettes showing the physical condition of the developments.

(B) Factors for Award Used To Evaluate and Rate Applications.

The factors for rating and ranking applicants, and maximum points for each factor, are provided below. The maximum number of points to be awarded is 102. This includes two EZ/ EC bonus points, as described in the General Section of the SuperNOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points)

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner. The rating of the ''applicant'' or the ''applicant's organization and staff'' for technical merit or threshold compliance, unless otherwise specified, will include any sub-contractors, consultants, sub-recipients, and members of consortia which are firmly committed to the project. In rating this factor HUD will consider the extent to which the proposal demonstrates:

(1) The knowledge and experience of the overall proposed project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing programs for which funding is being requested. Experience will be judged in terms of recent, relevant and successful experience of the applicant's staff to undertake eligible program activities.

(2) The applicant has sufficient personnel or will be able to quickly access qualified experts or professionals, to deliver the proposed activities in each proposed service area in a timely and effective fashion, including the readiness and ability of the applicant to immediately begin the proposed work program. The adequacy of the personnel for an HA will be determined on the basis of the amount of funding and the complexity of the proposed activities.

(3) The applicant has demonstrated experience in managing programs, and carrying out grant management responsibilities for programs, similar in scope or nature directly relevant to the work activities proposed. If the applicant has managed large, complex, interdisciplinary programs, the applicant should include that information in the response.

(4) If the applicant received funding in previous years in the program area for which they are currently seeking funding, the applicant's past experience will be evaluated in terms of their ability to attain demonstrated measurable progress in the implementation of their *most recent grant award* as measured by obligation and expenditures and measurable progress in achieving the purpose for which funds are provided.

(5) The Field Office shall evaluate the HA's management capability. Particular attention shall be given to the adequacy of the HA's maintenance in determining the HA's management capability. This assessment shall be based on the compliance aspects of on-site monitoring, such as audits, reviews or surveys which are currently available within the Field Office, and on performance reviews. The HA has management capability if it is:

(a) Not designated as Troubled under 24 CFR part 901, Public Housing Management Assessment Program (PHMAP), or

(b) Designated as Troubled, but has a reasonable prospect of acquiring management capability through CIAP-funded management improvements and administrative support.

(6) The Field Office shall evaluate the HA's modernization capability, including the progress of previously approved modernization and the status of any outstanding findings from CIAP monitoring visits. The HA has modernization capability if it is:

(a) Not designated as Modernization Troubled under 24 CFR part 901, PHMAP, or

(b) Designated as Modernization Troubled, but has a reasonable prospect of acquiring modernization capability through CIAP-funded management improvements and administrative support, such as hiring staff or contracting for assistance.

Rating Factor 2: Need/Extent of the Problem (20 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities and an indication of the urgency of meeting the need in the target area. In responding to this factor, applicants will be evaluated on:

(1) The extent to which they document the level of need for the proposed activity and the urgency in meeting the need using statistics and analyses contained in a data source(s) that:

(a) Is sound and reliable. To the extent that the applicant's community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI) identifies the level of the problem and the urgency in meeting the need, references to these documents should be included in the response. HUD will review more favorably those applicants who used these documents to identify need, when applicable.

If the proposed activity is not covered under the scope of the Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI), applicants should indicate such, and use other sound data sources to identify the level of need and the urgency in meeting the need. Types of other sources include, but are not limited to, law enforcement agency crime reports, an HA's assessment of its physical and management needs, HUD review reports, and other sound and reliable sources appropriate for the specific SuperNOFA program and activities for which an applicant is applying. For technical assistance programs, input from HUD State and Area Office(s) and assessments are included among the data sources that may be used to identify need.

(b) Is specific to the development where the proposed activity will be carried out or where applicable, documents the need for an HA-wide activity(s). Specific attention must be paid to documenting need which has a direct impact on the surrounding community, e.g., where a design change facilitates the integration of public housing into the surrounding community.

(2) The extent of vacancies based on the HA-wide vacancy rate, where the vacancies are not due to insufficient demand.

Rating Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and cost effectiveness of the applicant's proposed work plan. There must be a clear relationship between the proposed activities, community needs and the purpose of the program funding for an applicant to receive points for this factor. In evaluating this factor, HUD will consider the following:

(1) (5 Points) The quality of the cost estimates for the proposed work.

(2) (25 Points) The extent to which the proposed physical improvement needs meet the modernization standards, and support the integration of public housing into the broader community. Although high priority needs, such as those related to health and safety, vacant, substandard units, structural or system integrity, and compliance with statutory, regulatory or court-ordered deadlines, will receive funding priority, to the extent possible, HAs should plan their modernization in a way which promotes good design, but maintains the modest nature of public housing.

(3) (5 Points) Degree to which the PHA Affirmatively Furthers Fair Housing. Actions that assist the jurisdiction in overcoming impediments to fair housing choice identified in the jurisdiction's Analysis of Impediments (AI) to Fair Housing Choice, which is a component of the jurisdiction's Consolidated Plan, or any other planning document that addresses fair housing issues. Examples of actions that can be taken may include, but are not limited to: neighborhood revitalization efforts that encourage fair housing choice (such as schools, grocery stores, transportation and the quality of services); implementing site selection policies which give priority to sites located outside of minority and low-income areas; participating in mobility counseling programs and clearing houses which offer housing opportunities both within and outside of high-poverty areas; increasing the supply of accessible housing available to low-income persons with disabilities; and ensuring accessibility and visitability for persons with disabilities to aspects of the program. Additional examples may be obtained from Chapter 5 of the ''Fair Housing Planning Guide, Vol. 1'' which may be ordered from HUD's Fair Housing Clearinghouse by calling (800–343–3442).

(5 Points for Subfactors (4) through (8))

(4) The degree of resident involvement in HA operations as described in the Narrative Statement and supported by FO file evidence.

(5) The degree of HA activity in coordinating/providing resident services related to Welfare-to-Work initiatives in community facilities at or near HA developments based on FO file evidence. Such services include, but are not limited to services coordination/ case management, training, child care, health care, transportation, and economic development.

(6) The degree of HA activity in resident initiatives, including resident management, economic development, homeownership, and drug elimination efforts or other resident initiatives for non-elderly as described in the Narrative Statement and supported by FO file evidence.

(7) The degree of non-elderly resident employment through direct hiring or contracting/subcontracting or job training initiatives as described in the Narrative Statement and supported by FO file evidence.

(8) Further and support the policy priorities of HUD including:

(a) Promoting healthy homes;

(b) Providing opportunities for self-sufficiency, particularly for persons enrolled in welfare to work programs;

(c) Enhancing on-going efforts to eliminate drugs and crime from neighborhoods through program policy efforts such as ''One Strike and You're Out'' or the ''Officer Next Door'' initiative;

(d) Providing educational and job training opportunities through such initiatives as Neighborhood Networks, Campus of Learners and linking to AmeriCorps activities.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure community resources (note: financing is a community resource) which can be combined with HUD's program resources to achieve program purposes. In evaluating this factor HUD will consider:

(1) To the extent possible, the applicant has taken the initiative to partner with other entities to secure additional resources to increase the effectiveness of the proposed program activities, e.g., CDBG funds may be committed for infrastructures. Resources may include funding or in-kind contributions, such as services or equipment, allocated to the purpose(s) of the award the applicant is seeking, e.g., an educational institution may provide training in conjunction with a management improvement activity. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities willing to partner with the applicant. Applicants may also partner with other program funding recipients to coordinate the use of resources in the area of the public housing development.

(2) Where applicable, applicants should provide evidence of other resources by including in the application letters of firm commitment, memoranda of understanding, or agreements to participate from those entities identified as partners in the application. Each letter of commitment, memorandum of understanding, or agreement to participate should include the organization's name, proposed level of commitment and responsibilities as they relate to the proposed program. The commitment must also be signed by an official of the organization legally able to make commitments on behalf of the organization.

(3) The local government support for proposed modernization, through either funding or in-kind contributions, over and above what is required under the Cooperation Agreement for municipal services, such as police and fire protection and refuse collection, within the last 12 months, that will *directly benefit* the public housing or the neighborhood surrounding the public housing.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Consolidated Planning process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which the applicant demonstrates that it has:

(1) Coordinated its proposed activities with those of other groups or organizations prior to submission in order to best complement, support and coordinate all known activities and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described.

(2) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded projects/ activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State or locally funded activities, including those proposed or on-going in the community.

IV. Application Submission Requirements.

The HA shall submit the CIAP Application to the Field Office, with a copy to appropriate local officials, e.g., the mayor, City Manager. The HA may obtain the necessary forms from the Field Office. The CIAP Application is comprised of the following documents:

(A) *Form HUD–52822, CIAP Application,* in an original and two copies, which includes:

(1) A general description of HA development(s), in priority order, (including the current physical condition, for each development for which the HA is requesting funds, or for all developments in the HA's inventory) and physical and management improvement needs to meet the Secretary's standards in 24 CFR 968.115; description of work items required to correct identified deficiencies, including accessibility work; and the estimated cost. Where the HA has not included some of its developments in the CIAP Application, the Field Office may not consider funding any non-emergency work at excluded developments or subsequently approve use of leftover funds at excluded developments. Therefore, to provide maximum flexibility, the HA may wish to include all of its developments in the CIAP Application, even though there are no known current needs. Following is an example of the general description:

Development 1–1: 50 units of low-rent; 25 years old; physical needs are: new roofs; storm windows and doors; and electrical upgrading at estimated cost of $150,000.

Development 1–2: 40 units of low-rent; 20 years old; physical needs are: physical accessibility for kitchens, bathrooms and doors in 2 units and common laundry room; visitability in 4 ground floor units; kitchen floors; shower/bathtub surrounds; fencing; and exterior lighting at estimated cost of $130,000.

Development 1–3: 35 units of Turnkey III; 15 years old; physical needs are: physical accessibility in 3 units; and roof insulation at estimated cost of $50,000.

Development 1–4: 20 units of low-rent; 5 years old; no physical needs; no funding requested.

(2) Where funding is being requested for management improvements, an identification of the deficiency, a description of the work required for correction, and estimated cost. Examples of management improvements include, but are not limited to, the following areas:

(a) The management, financial, and accounting control systems of the HA;

(b) The adequacy and qualifications of personnel employed by the HA in the management and operation of its developments by category of employment; and

(c) The adequacy and efficacy of resident programs and services, resident and development security, resident selection and eviction, occupancy and vacant unit turnaround, rent collection, routine and preventive maintenance, equal opportunity, and other HA policies and procedures.

(3) A certification that the HA has met the requirements for consultation with local officials and residents/homebuyers and that all developments included in the application have long-term physical and social viability, including prospects for full occupancy. If the HA cannot make this certification with respect to long-term viability, the HA shall attach a narrative, explaining its viability concerns.

(B) *A Narrative Statement,* in an original and two copies, addressing each of the rating factors in Section III(B) of this CIAP section of the SuperNOFA. In addressing the affirmatively furthering fair housing technical review factor, actions that the HA has taken, or plans to take, to accomplish this objective may include, but are not limited to the following:

(1) Actions that contribute toward the reduction of concentration of low-income-persons who are protected under the Fair Housing Act and Title VI of the Civil Rights Act. Such actions may include housing programs/activities that provide information regarding housing opportunities outside of minority concentrated areas within the HA's jurisdictional boundaries, or efforts that encourage landlords/owners to make available housing opportunities outside of minority concentrated areas. For example, the HA may refer applicants to other available housing as part of an established housing counseling service or assist applicants in getting on other waiting lists.

(2) Actions that overcome the consequences of prior discriminatory practices or usage which may have tended to exclude persons of a particular race, color or national origin; or that overcome the effects of past discrimination against persons with disabilities. Such actions may include those actions taken without any kind of legally binding order, but which have changed previous discriminatory management, tenant selection and assignment or maintenance practices.

(3) Actions that assist the jurisdiction in overcoming impediments to fair housing choice identified in the jurisdiction's AI (Analysis of Impediments to Fair Housing Choice), which is a component of the jurisdiction's Consolidated Plan, or any other planning document that addresses fair housing issues. Examples of actions that can be taken may include, but are not limited to: neighborhood revitalization efforts that encourage fair housing choice (such as schools, grocery stores, transportation, and the quality of services); implementing site selection policies which give priority to sites located outside of minority and low-income areas; participating in mobility counseling programs and clearinghouses which offer housing opportunities both within and outside of high-poverty areas; increasing the supply of accessible housing available to low-income persons with disabilities; and ensuring accessibility and visitability for persons with disabilities to aspects of the program. Additional examples may be obtained from Chapter 5 of the Fair Housing Planning Guide, Vol 1'' which may be ordered from HUD's Fair Housing Clearinghouse by calling (800) 343–3442.

(C) *Form HUD–50071, Certification for Contracts, Grants, Loans and Cooperative Agreements,* in an original only, required of HAs established under State law, applying for grants exceeding $100,000.

(D) *Evidence of Physical Condition of the Developments.* At the option of the HA, photographs or video cassettes showing the physical condition of the developments.

V. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

Funding Availability for Revitalization of Severely Distressed Public Housing (Hope VI Revitalization)

Program Description: Approximately $441 million is available in funding for the Revitalization of Severely Distressed Public Housing (the ''HOPE VI Revitalization Program''), as provided in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998. The continued funding of the HOPE VI Program is to enable revitalization and transformation of the physical site of severely distressed public housing developments and the social dynamics of life for low-income residents at that site, or in any off-site replacement housing.

Application Due Date: Applications must be received at HUD Headquarters on or before 12:00 pm. Eastern time on June 29, 1998, at HUD Headquarters. See the General Section of this SuperNOFA for specific procedures governing the form of application of submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Addresses for Submitting Applications: One copy of the completed application must be received at HUD Headquarters, 451 Seventh Street, SW, Room 4138, Washington, DC 20410, Attention: Deputy Assistant Secretary for Public Housing Investments. In addition, two copies of the completed application also must be received at the appropriate HUD Field Office HUB.

For Application Kits, Further Information, Technical Assistance:

For Application Kits. A copy of the application kit will be mailed to every eligible PHA. Application kits and any supplementary information also may be obtained by contacting the SuperNOFA Information Center at 1–800-HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209. The application kit also will be available on the Internet through the HUD web site at http://www.HUD.gov. When requesting an application kit, please refer to HOPE VI and provide your name, address (including zip code), and telephone number (including area code).

For Further Information and Technical Assistance. For answers to your questions, you may call Mr. Milan Ozdinec, Director, Office of Urban Revitalization, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4142, Washington, DC 20410; telephone (202) 401–8812 (this is not a toll free number). Persons with hearing or speech impairments may access this number via TTY by calling the Federal Information Relay Service at 1–800–877–8399.

I. Additional Information

(A) Authority

The funding for HOPE VI Revitalization grants under this SuperNOFA is provided by the FY 1998 HUD Appropriations Act under the heading ''Revitalization of Severely Distressed Public Housing (HOPE VI).''

(B) Purpose

The purpose of the HOPE VI Program is to enable revitalization and transformation of the physical site of severely distressed public housing developments and the social dynamics of life for low-income residents at that site, or in any off-site replacement housing. The HOPE VI Revitalization Program provides for grants to public housing agencies to assist in:

(1) The demolition of severely distressed public housing projects or portions of these projects;

(2) The revitalization (where appropriate) of sites (including remaining public housing units) on which such projects are located;

(3) The provision of replacement housing which will avoid or lessen concentration of very low-income families;

(4) Tenant-based assistance in accordance with section 8 of the U.S. Housing Act of 1937;

(5) Assisting tenants displaced by demolition.

The FY 1998 HOPE VI appropriation also provides for grant funds to be used for the demolition of severely distressed elderly public housing projects and the replacement, where appropriate, and revitalization of the elderly public housing as new communities for the elderly designed to meet the special needs and physical requirements of the elderly.

(C) Amount Allocated

(1) *Revitalization grants.* Approximately $416 million of the FY 1998 HOPE VI appropriation has been allocated to fund HOPE VI Revitalization grants.

(2) *Elderly Housing grants.* In accordance with the FY 1998 HUD Appropriations Act, $26 million of the HOPE VI appropriation has been allocated to fund projects proposing demolition of severely distressed elderly public housing projects and the replacement, where appropriate, and revitalization of the elderly public housing as new communities for the elderly designed to meet the special needs and physical requirements of the elderly.

(a) Targeted developments may be either:

(i) Housing designated for the elderly, persons with disabilities, or mixed-populations, in accordance with section 7 of the U.S. Housing Act of 1937; or

(ii) Projects of a PHA designated as elderly by HUD in accordance with requirements in effect prior to enactment of the Housing and Community Development Act of 1992.

(iii) A PHA may, after revitalization, designate the targeted development through a HUD-Approved allocation plan.

(b) Applications targeting elderly developments will be rated in a separate competition, and will be ranked only with other elderly applications.

(c) Of the $26 million made available for elderly housing, the FY 1998 HUD Appropriation Act included up to $10 million for Heritage House in Kansas City, Missouri. HUD awarded $6,570,500 to Heritage House under the FY 1997 HOPE VI NOFA, therefore the full $10 million will not be needed. After funding the needs of Heritage House, the balance of the $10 million set-aside will be made available for Elderly Housing grants eligible for funding under this SuperNOFA.

(3) *HOPE VI Demolition-Only Grants.* Up to $60 million in HOPE VI funds will be made available for the demolition of obsolete public housing without revitalization. Those funds will be distributed through a separate NOFA.

(4) *Section 8.* Up to $91 million (approximately 10,000 units) has been allocated for Section 8 tenant-based certificates and vouchers for public housing relocation or public housing replacement (including units selected for the HOPE VI Program). The Section 8 funds will be allocated by HUD after HUD approval of the applicant's demolition/disposition application or distressed public housing conversion plan submitted in lieu of a demolition/disposition application in conformance with the statutory requirements for the mandatory conversion of distressed public housing units as required by section 202 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996. These section 8 funds will be distributed through a separate notice.

(D) Eligible Applicants

PHAs that own public housing units are eligible to apply. Indian Housing Authorities are not eligible to apply.

(E) Eligible Activities and Program Authority

Eligible activities are those eligible under sections 5 and 14 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f, 1437l) (1937 Act). Revitalization activities using HOPE VI funds must be for public housing developments. Accordingly, certain activities under the revitalization plan are subject to statutory requirements applicable to public housing developments under the U.S. Housing Act of 1937 (the 1937 Act), other statutes, and the ACC. Within such restrictions, HUD seeks innovative solutions to the long-standing problems of severely distressed developments.

In order to satisfy any particular statutory requirement, a Grantee may take measures as described in implementing regulations, or upon request to HUD for a different approach, as otherwise approved in writing by HUD. As of the date of publication of this SuperNOFA, the provisions of section 14(q) of the U.S. Housing Act of 1937, as amended by section 201 of the FY 1996 HUD Appropriation Act, including provisions in sections 14(q)(2), (3), and (4) of the U.S. Housing Act of 1937 concerning mixed-income development, have not been extended to cover FY 1998 HOPE VI or section 14 Modernization Funding.)

The recipient must conduct the following activities, which may be undertaken with HOPE VI grant funds, in accordance with the cited program requirements or otherwise with HUD's written approval, consistent with the 1998 Appropriations Act and this SuperNOFA. Activities which may be funded with HOPE VI grant funds include but are not limited to:

(1) Total or partial demolition of buildings, in accordance with 24 CFR part 970;

(2) Disposition of property, in accordance with 24 CFR part 970;

(3) Public housing development through the acquisition of land, or acquisition of off-site units with or without rehabilitation to be used as public housing, in accordance with 24 CFR part 941;

(4) Major rehabilitation and other physical improvements of housing and community facilities primarily intended to facilitate the delivery of self-sufficiency, economic development, or other supportive service opportunities for residents of the targeted development, in accordance with 24 CFR 968.112(b), (d), (e), and (g)–(o), 24 CFR 968.130, and 24 CFR 968.135(b) and (d);

(5) Construction of replacement rental housing, both on-site and off-site, and community facilities primarily intended to facilitate the delivery of self-sufficiency, economic development, or other supportive service opportunities for residents of the targeted development and off-site replacement housing, in accordance with 24 CFR part 941, including mixed-finance development in accordance with subpart F;

(6) Homeownership units will be deemed Replacement Units only as specified in the Urban Revitalization heading of the 1993 Appropriations Act (Pub.L. 102–389; approved October 6, 1992); that is, if they meet the statutory requirements of the Section 5(h) Program (42 U.S.C. 1437c(h)); the HOPE II program (42 U.S.C. 12871–80; Pub. L. 101–625, secs. 421–31; 104 Stat. 4079, 4162–72); the HOPE III program (42 U.S.C. 12891–98; Pub.L. 101–625, secs. 441–48; 104 Stat. 4079, 4172–80); or are made available through housing opportunity programs of construction or substantial rehabilitation of homes meeting essentially the same eligibility requirements as the Nehemiah Program.

(7) Management improvements;

(8) Administration, planning, and technical assistance;

(9) Programs designed to help residents gain employment and attain self-sufficiency;

(10) Programs designed to meet the special needs and physical requirements of the elderly and/or disabled and enable the elderly and/or disabled to live where one chooses with dignity, control, and independence.

(11) Relocation, conducted in accordance with 24 CFR 970.5 (demolition) or 24 CFR 968.108 (rehabilitation), as appropriate.

(F) Waivers

PHAs may request, for the revitalized development, a waiver of HUD regulations (that are not statutory requirements) governing rents, income eligibility, or other areas of public housing management to permit a PHA to undertake measures that enhance the long-term viability of a development revitalized under this program.

(G) Limitations on Use of Funds

No funds awarded for the HOPE VI Revitalization Program under this SuperNOFA shall be used for any purpose that is *not* provided for under the: FY 1998 HUD Appropriations Act; United States Housing Act of 1937; the Appropriations Acts for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, for the Fiscal Years 1993, 1994, 1995, and 1997; and the Omnibus Consolidated Rescissions and Appropriations Act of 1996. Additionally, no funds awarded for the HOPE VI Program under this SuperNOFA shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgements.

II. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, applicants are subject to the following requirements:

(A) Severely Distressed

In order to be eligible for HOPE VI funding, a public housing development, or portion of the development, must be severely distressed as to physical condition, location, or other factors, making the development, in its current condition, unusable for housing purposes. Major problems indicative of severe distress are:

(1) *Physical Condition:* structural deficiencies (e.g. settlement of earth below the building caused by inadequate structural fills, faulty structural design, or settlement of floors), substantial deterioration (e.g., severe termite damage or damage caused by extreme weather conditions), or other design or site problems (e.g., severe erosion or flooding).

(2) *Location:* physical deterioration of the neighborhood; change from residential to industrial or commercial development; or environmental conditions as determined by HUD environmental review, which was previously conducted in accordance with 24 CFR part 50, which jeopardize the suitability of the site or a portion of the site and its housing structures for residential use.

(3) Other factors which have seriously affected the marketability, usefulness, or management of the property, such as significant numbers of families living in poverty, significant incidence of serious crime, high vacancy rate, high turnover rate, low rent collections, etc.

(B) Grant Limitations

The following grant amount limits apply to HOPE VI grants under this SuperNOFA. The grant amount shall be limited by the total amount determined by addition of paragraphs (1), (2), (3), and (4) below, as applicable.

(1) *Total Development Cost (TDC).* TDC is limited to the sum of:

(a) TDCs up to, but not to exceed 100% of, HUD's published TDC limits for the costs of demolition and new construction multiplied by the number of public housing Replacement Units; and/or

(b) 90% of such TDC limits multiplied by the number of public housing units to be substantially rehabilitated.

Total Development Cost (TDC) is limited by the HUD-published TDC Cost Tables, which are issued for each fiscal year for the building type and bedroom distribution for the public housing replacement units. Duplicative funding is prohibited for any replacement units previously funded by HOPE VI or other HUD funds. This requirement does not prohibit any non-HUD funds to be used to supplement HUD funds for any project cost. Disclosure of all prior HUD grant assistance is required for the targeted development. The only exception to this rule is that the receipt of Section 8 relocation assistance does not affect the eligibility of the applicant to receive subsequent HOPE VI Revitalization funding for replacement of the same units.

The Department has developed a new TDC policy and cost control which applies to 1998 grants. A HUD Notice and rule describing this policy will be issued in the near future.

(2) *Community and Supportive Services Programs.* Applicants may request up to $5,000 per household for community and supportive services, including self-sufficiency programs, based on:

(a) The number of households in occupied units in the project to be revitalized at the time of application submission, and

(b) The estimated number of new households that are expected to occupy replacement units after revitalization; or

(3) *Services to Assist the Elderly.* Applicants may request up to $5,000 per household for human services programs to address quality of life and other social needs, as opposed to self-sufficiency programs of family HOPE VI projects, rewarding innovative objectives and programs, particularly as related to aging in place and assisted living.

(4) *Relocation.* Applicants may request no more than $3,000 per occupied unit at the time of HOPE VI application submission for relocation services and expenses.

(5) *Total Grant Amount.*

(a) Revitalization Applications.

(i) A PHA may submit one or two separate Revitalization applications. The *total* amount requested in one or both applications may not exceed $35 million. If a PHA submits two applications, each application will be reviewed separately, subject to the grant limitation amounts above, and if both applications are selected, the total amount the applicant may receive may not exceed $35 million.

(ii) Notwithstanding the fact that a PHA may submit one or two Revitalization applications, each individual application may include a request for funds for only one public housing development. Developments that are contiguous, immediately adjacent to one another, or within four city blocks from each other will be considered one development for the purposes of the HOPE VI Program under this SuperNOFA. There is no minimum or maximum number of housing units for which funds may be requested in a single application.

(b) Elderly Housing Grant Applications.

(i) A PHA may submit only one application under the Elderly Housing grant requesting no more than $5 million.

(ii) A PHA may not submit an application for an Elderly Housing grant that targets the same units targeted in a Revitalization application.

(iii) Each application will be evaluated independently and must be viable regardless of whether a PHA applies for funds under the Revitalization grant.

(C) Public Meeting

The application must include a certification that at least one public meeting was held to notify residents and community members of the proposed activities described in the application. The meeting must be held after the publication date of this SuperNOFA. Issues that must be covered in the public meeting include:

(a) The extent of proposed demolition;

(b) Relocation issues; and

(c) Other revitalization activities.

(D) Replacement Units

(1) Rental units will be deemed Replacement Units and qualify for operating subsidy only if they are to be placed under Annual Contributions Contract and operated as Public Housing.

(2) Homeownership units will be deemed Replacement Units only as specified in the Urban Revitalization heading of the 1993 Appropriations Act (Pub. L. 102–389; approved October 6, 1992); that is, if they meet the statutory requirements of the Section 5(h) program (42 U.S.C. 1437c(h)); the HOPE II program (42 U.S.C. 12871–80; Pub. L. 101–625, secs. 421–31; 104 Stat. 4079, 4162–72); the HOPE III program (42 U.S.C. 12891–98; Pub.L. 101–625, secs. 441–48; 104 Stat. 4079, 4172–80); or are made available through housing opportunity programs of construction or substantial rehabilitation of homes meeting essentially the same eligibility requirements as the Nehemiah program.

(3) HOPE VI funds may not directly support mixed-finance units which are not themselves to be placed under ACC or be sold as homeownership units as specified above.

(E) Section 3 Economic Opportunities

Please see Section II(E) of the General Section of this SuperNOFA. The requirements of Section 3 are applicable to HOPE VI.

(F) Flood Insurance

In accordance with the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001–4128), HUD will not approve applications for grants providing financial assistance for acquisition or construction (including rehabilitation) of properties located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, unless:

(1) The community in which the area is situated is participating in the National Flood Insurance program (see 44 CFR parts 59 through 79), or less than one year has passed since FEMA notification regarding such hazards; and

(2) Where the community is participating in the National Flood Insurance Program, flood insurance is obtained as a condition of approval of the application.

(G) Coastal Barrier Resources Act

In accordance with the Coastal Barrier Resources Act (16 U.S.C. 3501), HUD will not approve grant applications for properties in the Coastal Barrier Resources System.

(H) OMB Circulars

Please see Section II(H) of the General Section of this SuperNOFA.

(I) Conflict of Interest

(1) In addition to the conflict of interest requirements in 24 CFR part 85, no person who is an employee, agent, consultant, officer, or elected or appointed official and who exercises or has exercised any functions or responsibilities with respect to activities assisted by HOPE VI funds, or who is in a position to participate in a decisionmaking process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom her or she has family or business ties, during his or her tenure or for one year thereafter.

(2) HUD may grant an exception to the exclusion in paragraph (1) of this section on a case-by-case basis when it determines that such an exception will serve to further the proposes of the program and the effective and efficient administration of the revitalization activities. HUD will consider an exception only after the applicant or recipient has provided a disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made, and an opinion of the applicant's or recipient's attorney that the interest for which the exception is sought would not violate State or local laws. In determining whether to grant a requested exception, HUD will consider the cumulative effect of the following factors, as applicable:

(a) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the revitalization program that would otherwise not be available;

(b) Whether an opportunity was provided for open competitive bidding or negotiation;

(c) Whether the person affected is a member of a group or class intended to be the beneficiaries of the activity, and the exception will permit such person to receive generally the same interest or benefits as are being made available or provided to the group or class;

(d) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decisionmaking process, with respect to the specific activity in question;

(e) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (1) of this section;

(f) Whether undue hardship will result either to the applicant, recipient, or the person affected when weighted against the public interest served by avoiding the prohibited conflict; and

(g) Any other relevant considerations.

(J) Labor Standards

Where HOPE VI funds provide assistance with respect to low-income housing that will be subject to a contract for assistance under the U.S. Housing Act of 1937, Davis-Bacon or HUD-determined wage rates apply to development or operation of the housing to the extent required under section 12 of the Act. Under section 12, the wage rate requirements do not apply to individuals who: perform services for which they volunteered; do not receive compensation for those services or are paid expenses, reasonable benefits, or a nominal fee for the services; and are not otherwise employed in the work involved (24 CFR part 70). In addition, if other Federal programs are used in connection with the revitalization program, labor standards requirements apply to the extent required by such other Federal programs, on portions of the development that are not subject to Davis-Bacon rates under the Act.

(K) Lead-Based Paint Testing and Abatement

Any property assisted under the HOPE VI Program is covered by the Lead-Based Paint Poisoning Prevention Act (24 U.S.C. 4821 *et seq.*) and is therefore subject to 24 CFR part 35; 24 CFR part 965, subpart H; and 24 CFR 968.110(k).

(L) Building Standards

All activities that include construction, rehabilitation, lead-based paint removal, and related activities:

(1) Must meet or exceed local building codes; and

(2) Must comply with the 1992 Model Energy Code issued by the Council of American Building Officials.

(M) Program Income

Where a plan contemplates the receipt of program-related income prior to grant closeout (e.g., from sale of homeownership Replacement Units, or the disposition of improved land), such income must be reflected in the HOPE VI budget and used for program purposes.

III. Application Selection Process

(A) Threshold Criteria for Funding Consideration

(1) The applicant must be an eligible Public Housing Agency.

(2) The targeted public housing development or portion thereof must be severely distressed, as defined in Section II(A) of this HOPE VI Program section of the SuperNOFA.

(3) The application must include all required forms, certifications and assurances, properly signed and executed, after any period provided for the curing of deficiencies consistent with section V below.

(4) Applications that propose new construction of replacement housing must comply with the requirements of section 6(h) of the 1937 Act by submitting the information described in either paragraphs (a) or (b) of this section:

(a) A PHA comparison of the costs of new construction (in the neighborhood where the PHA proposes to construct the housing) and the costs of acquisition of existing housing or acquisition and rehabilitation in the same neighborhood (including estimated costs of lead-based paint testing and abatement), or

(b) A PHA certification, accompanied by supporting documentation, that there is insufficient existing housing in the neighborhood to develop housing through acquisition of existing housing or acquisition and rehabilitation.

(B) Application Rating Factors

The factors for rating and ranking applications and the maximum points for each factor, are provided below. The maximum number of points for each application is 102. This includes two EZ/EC bonus points, as described in the General Section of this SuperNOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points)

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner. In order to ensure that revitalization efforts take place without delays attributable to administration and management, applications that demonstrate the highest degree of capability to implement revitalization in an expeditious manner upon grant award will be awarded the most points under this rating factor.

The rating of the ''applicant'' or the ''applicant's organization and staff,'' unless otherwise specified, will include any sub-contractors, consultants, subrecipients, and members of consortia which are firmly committed to the project.

In rating this factor, HUD will consider the extent to which:

(1) The applicant and/or its proposed partners, including the overall proposed project director and staff, the day-to-day program manager, consultants, and contractors, have knowledge and recent, successful experience in planning, implementing, adapting, and managing:

(a) Revitalization activities;

(b) Self-sufficiency programs;

(c) Supportive services for the elderly, if applicable;

(d) Other programs similar in scope or nature to the proposed activities.

HUD does not require that the applicant have its program manager and/or developer selected prior to submission of the application, although the PHA may elect to do so. Rather, the PHA must demonstrate its capacity or its ability to identify needs in its current staffing to successfully implement its program, and/or describe in detail its proposed method for securing a program manager and/or development partner to implement the plan.

(2) The applicant has adequate experience in management and marketing. The applicant has thoroughly evaluated the obstacles that prevented good management, as well as other problems that contributed to the obsolescence of the targeted development, and the new management plan will protect against such obstacles and problems and will improve the efficiency and economy of management. PHAs may propose private management or self-management, but in the latter case *must* demonstrate its capacity to self-manage; or

(3) The applicant has sufficient personnel or will be able to procure partners quickly to implement the revitalization plan in a timely and effective fashion immediately after grant award;

(4) The applicant proposes an appropriate balance of oversight and autonomy in its use of partners and/or contractors;

(5) The applicant has satisfactory managerial experience with resident initiatives;

(6) If the applicant received HOPE VI funding in previous years, HUD will evaluate its ability to demonstrate progress through its expenditure rate and achievement of program objectives.

Rating Factor 2: Need/Extent of the Problem (20 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities to address a documented problem in the target area.

In rating this factor, HUD will consider:

(1) The extent to which the applicant has documented a critical level of need for the proposed activities at the targeted development. Documentation of need must demonstrate that:

(a) There is a significant level of physical deterioration of buildings and sites, as supported by information and data which shows the extent of physical problems at the site such as major structural deficiencies, electrical systems under code, poor site conditions, leaking roofs, deteriorated infrastructure, high levels of deferred maintenance, number of units that do not meet Housing Quality Standards, levels of lead based paint, and other factors;

(i) The level of distress at the site is urgent and threatens to become imminently greater without immediate intervention;

(ii) The PHA lacks the funds to revitalize the development to provide decent, safe, and sanitary housing at the site;

(b) The level of physical distress in the surrounding community is extreme and contributes to the obsolescence of the site, as evidenced by information and data addressing such factors as housing density, housing deterioration, and lack of adequate infrastructure or utilities;

(c) The community as a whole has a demonstrated level of social distress, as evidenced by indicators such as significant incidence of criminal activity, a high vacancy rate, high rates of housing turnover, truancy, and unemployment, low rates of rent collections, graduation, and other objective, measurable indicators;

(d) The distress at the site was caused or exacerbated by obsolescence, not factors within the applicant's control;

(2) The extent to which the level of need for the proposed activity and the urgency in meeting the need are documented with statistics and analyses contained in a data source(s) that is sound and reliable. To the extent that the applicant's community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI) identifies the level of the problem and the urgency in meeting the need, references to these documents should be included in the response. The Department will review more favorably those applicants who used these documents to identify need, when applicable.

If the proposed activity is not covered under the scope of the Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI), applicants should indicate such, and use other sound data sources to identify the level of need and the urgency in meeting the need. Types of other sources include, but are not limited to, Census reports, Continuum of Care gaps analysis, law enforcement agency crime reports, Public Housing Authorities' Five Year Comprehensive Plan, and other sound and reliable sources appropriate for the specific SuperNOFA program and activities for which an applicant is applying. For technical assistance programs, input from HUD State and Area Office(s) and assessments are included among the data sources that may be used to identify need.

(3) The PHA agrees that they are subject to the provisions found at 24 CFR part 971 and that they are required to submit a conversion plan, i.e., a plan for removal of the distressed development from the public housing inventory, in accordance with the requirements at 24 CFR 971.7(b).

Rating Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and cost-effectiveness of the applicant's proposed revitalization plan. There must be a clear relationship between the proposed activities, community needs and the purpose of the program funding for an applicant to receive points for this factor. In rating this factor, HUD will consider the extent to which:

(25 Points for Subfactors (1) through (7))

(1) There is a demonstrated considerable market for the revitalized and/or replacement units of the type and size proposed;

(2) The purposes and goals of the program for which funding is requested will be achieved within an appropriate and reasonable timeframe and program activities will result in measurable accomplishments consistent with the purposes of the program.

(3) The cost estimates of program activities:

(a) Are financially sustainable over the long run;

(b) Are developed through the use of technically competent methodologies

(c) Represent a cost-effective plan for designing, organizing and carrying out the proposed activities;

(d) Are reasonable for the work to be performed and consistent with rates established for the level of expertise required to perform the work in the proposed geographic area;

(e) Are projected to be within HUD TDC and Community and Supportive Service limits;

(f) Are reasonable relative to the cost of providing section 8 tenant-based assistance.

(4) The information and strategies described are coherent and internally consistent.

(5) The proposal will lessen concentration of low-income residents and create desegregation opportunities:

(a) The physical design of the proposed housing will significantly reduce the isolation of low-income residents and/or significantly promote mixed-income communities in well-functioning neighborhoods;

(b) Access to municipal services, job information, mentoring opportunities, transportation, and educational facilities will be increased;

(c) Operational and management principles will promote economic and social diversity;

(d) Intensive counseling will be provided to section 8 certificate or voucher holders to find housing in non-poor areas and prepare these residents for self-sufficiency;

(6) The revitalization plan proposes innovative approaches to public housing transformation.

(a) Applicants are encouraged to design forward-thinking programs that incorporate the most current sound research on planning, implementation, financing, partnerships, management, and operation of public housing and self-sufficiency and educational programs. Conventional approaches should be reserved for HUD's formula-based capital programs.

(b) Applications should have the potential to yield innovative strategies or ''best practices'' that can be replicated and disseminated to other organizations, including nonprofit organizations, State and local governments. HUD will assess the transferability of results in terms of model programs or lessons learned from the work performed under the award. Applicants will be required to prepare an analysis of best practices as part of their reports to HUD that may be used by HUD to inform others who may be interested in learning from the experiences gained from the work performed under awards funded through this SuperNOFA.

(7) The design of the revitalized development demonstrates an achievable effort to blend into and enrich the urban landscape;

(10 Points for Subfactors (8) through (11))

(8) Applications for Elderly Housing grants:

(a) Will create new communities for the elderly and disabled designed to meet the special needs and physical requirements of the elderly and disabled. Applicants' elderly program strategies complement their overall HOPE VI revitalization strategy.

(b) Address the issues of transportation, access to health care, security, and affordability with innovative approaches.

(c) Propose demonstration programs based on recent research and program innovations. Applicants are free, however, to propose programs that address elderly and disabled needs in the manner most appropriate for their locality.

(d) Include provisions for sustainability beyond the proposed program period.

(10 points for Subfactors (9) through (11))

(9) Applications targeted toward families propose opportunities for self-sufficiency, particularly for persons enrolled in welfare-to-work programs. The self-sufficiency plan:

(a) Demonstrates objectives that are results-oriented, with measurable goals and outcomes;

(b) Demonstrates consistency with state and local welfare reform goals;

(c) Is financially and programmatically sustainable over the long run;

(d) Is well integrated with the development process;

(e) Proposes a program that is of an appropriate scale, type, and variety of services to meet the needs of residents;

(f) Proposes resident training, self-motivation, employment, and education;

(g) Includes opportunities for economic and retail development at or near the public housing site, as appropriate.

(h) Provides commitments by service providers to provide services and/or funding;

(i) Demonstrates that relationships have been forged with local Boards of Education, institutions of higher learning, non-profit or for-profit educational institutions and public/private mentoring programs that will lead to new or improved educational facilities and improved educational achievement of children of PHA residents from birth through higher education;

(j) Identifies employers and potential employment opportunities for residents who complete community and supportive service training: and

(k) Demonstrates an effective use of technology.

(10) Residents and members of the communities to be affected by the proposed activities have had and will continue to have full and meaningful involvement in the planning and implementation of the revitalization effort:

(a) In addition to meeting the requirement for at least one public meeting to inform residents and members of the surrounding community of the revitalization plan as presented in the application submitted to HUD, the PHA has provided meaningful opportunities for participation to residents and members of the surrounding community of the meeting(s) through:

(i) Clear information about the application;

(ii) Prominent posting of information about the application and scheduled meetings in locations likely to attract notice; and

(iii) Posting of the information in adequate time to allow participants to plan to attend meetings.

(b) Residents and non-resident members of the surrounding community:

(i) Have had the opportunity to participate in the shaping of the application;

(ii) Support the activities proposed in the submitted application;

(iii) Will have opportunities for continued involvement and participation as program activities proceed.

(11) The proposed operation and management principles will accomplish all of the following goals:

(a) Achieve efficient and effective property management and maintenance through private or PHA management;

(b) Lead to a range of incomes in the targeted development including substantial numbers of working residents through effective self-sufficiency programs;

(c) Reward work and promote family stability through positive incentives such as income disregards and ceiling rents. PHAs may establish ceiling rents and may institute earned income disregards for FY 1998;

(d) Provide greater safety and security by:

(i) Instituting tough screening requirements;

(ii) Enforcing tough lease and eviction provisions;

(iii) Enhancing on-going efforts to eliminate drugs and crime from neighborhoods through collaborative efforts with local law enforcement agencies and local United States Attorneys and program policy efforts such as ''One Strike and You're Out,'' the ''Officer Next Door'' initiative, or Department of Justice ''Weed and Seed'' programs;

(iv) Promoting healthy homes, i.e., improving the safety and security of residents through anti-crime measures and the installation of physical security or design enhancements.

(e) Promote economic and demographic diversity through a system of local preferences; and

(f) Encourage self-sufficiency by including lease requirements that promote resident involvement in the tenants association, community service, self-sufficiency, and transition from public housing.

(12) (5 Points) The Revitalization Plan will affirmatively further fair housing by actively ensuring that marketing, locations of housing, and structural accessibility of housing will encourage natural integration and discourage inappropriate concentrations of minorities in undesirable neighborhoods.

(a) Developments constructed or rehabilitated with HOPE VI funds must meet the accessibility requirements contained in various civil rights statutes

and regulations, and may receive points under this factor if they meet the visitability standards adopted by the Department that apply to those units not otherwise covered by the accessibility requirements.

(b) PHAs are encouraged to promote greater opportunities for housing choice by making at least 5% of for-sale units accessible to individuals with mobility disabilities and 2% of for-sale units accessible to individuals who have visual or hearing disabilities.

(c) Innovative designs are encouraged, particularly with respect to for-sale house configurations, which simultaneously meet accessibility requirements and achieve marketability for non-disabled households.

(d) Program activities should aid a broad diversity of eligible residents, including those that have been traditionally underserved. Efforts to increase community awareness in a culturally sensitive manner through education and outreach will also be evaluated, if applicable.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure additional resources for the proposed activities which can be combined with HUD's program resources to achieve program purposes. Resources include in-kind contributions such as staff or supplies; grants, loans, and other financing; or other types of contributions to the program activities. This factor emphasizes the importance of a PHA not just seeking endorsements and vendor relationships with others, but actively enlisting other stakeholders who are vested in the revitalization effort, including public and private non-profit and for-profit entities with experience in the development and/or management of low- and moderate-income housing, those that are skilled in the delivery of services to residents of public housing, educational institutions, foundations, banks, and other organizations. HUD will evaluate the strength of commitment articulated in letters of support.

If a PHA is also a redevelopment agency or otherwise has citywide responsibilities, HUD will consider the city's redevelopment or other functional area to be a separate partner with which the housing authority function is partnering, where appropriate.

In rating this factor, HUD will consider the extent to which:

(1) The PHA has initiated strong partnerships with entities that will provide significant, *firm* funding and other commitments if HOPE VI funds are awarded. Applicants must provide evidence of leveraging and partnerships by including in the application letters of firm commitments, memoranda of understanding, agreements to participate, or letters of support if firm commitments cannot be secured. All such documentation must include the organization's name, proposed level of commitment, and proposed responsibilities as they relate to the revitalization plan. The commitment must be signed by an official of the organization legally authorized to make commitments on behalf of the organization.

(2) The infusion of HOPE VI dollars will leverage additional resources after grant award, including municipal funds, charitable contributions, private debt and equity, and other partnerships which may not have a dollar value but are critical to the successful transformation of the development and the lives of its residents.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Consolidated Planning process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

In rating this factor, HUD will consider the extent to which the applicant demonstrates that it has:

(1) Coordinated its proposed activities with those of other groups or organizations prior to submission in order to best complement, support and coordinate all known activities and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described;

(2) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(i) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan;

(ii) Civil rights organizations;

(iii) Local Area Agency on Aging, if applicable;

(iv) Local agency serving persons with disabilities, if applicable;

(v) Local Weed and Seed task force, if the targeted development is located in a designated Weed and Seed area; and

(vi) Other Federal, State or locally funded activities, including those proposed or on-going in the community.

(vii) Local law enforcement agencies and the local United States Attorney.

(C) Application Evaluation.

Awards under this HOPE VI Program section of the SuperNOFA will be made through a selection process that will award grants to the most meritorious applications.

(1) *Revitalization Applications.*

(a) HUD will preliminarily review, rate and rank each eligible application on the basis of the evaluation factors set forth in Section III(B) of this HOPE VI Program section of the SuperNOFA, above, excluding Factor 3(8), which is specific to applications proposing revitalization of elderly housing.

(b) A final review panel will assess each of the applications advanced to final review and will assign the final scores. The final review panel will review the scores of all applications:

(i) Whose preliminary score is above a base score established by HUD. HUD intends to set the base scores so that applications requesting a total of approximately $900 million are advanced to the final review stage.

(ii) That proposed revitalization activities at sites for which HOPE VI revitalization implementation applications were submitted to HUD in the FY 1997 HOPE VI revitalization competition but were not selected for funding.

(c) HUD will select for funding the most highly-rated eligible applications up to available funding, except that HUD, in its discretion, may choose to select a lower-rated approvable application over a higher-rated application in order to increase the level of national geographic diversity of applications selected under this HOPE VI Program section of the SuperNOFA.

(2) *Elderly Housing Grant Applications.*

(a) HUD will preliminarily review, rate and rank each eligible application on the basis of the evaluation factors set forth in Section III(B), above, excluding Factor 3(9), which is specific to applications proposing revitalization of family housing.

(b) A final review panel will assess each application and will assign the final scores;

(c) HUD will select for funding the most highly-rated eligible applications up to available funding.

(D) Notification of Funding Decisions.

(1) In accordance with the HUD Reform Act, HUD may not notify applicants as to whether or not they have been selected to participate until the announcement of the selection of all recipients for this HOPE VI Program under this SuperNOFA. HUD will provide written notification to all applicants.

(2) HUD's notification of award to a selected applicant will constitute a preliminary approval by HUD subject to:

(a) The completion of a subsidy layering review pursuant to 24 CFR 941.10(b);

(b) The execution by HUD and the recipient of a Grant Agreement; and

(c) A HUD environmental review. Selection for participation (preliminary approval) does not constitute approval of the proposed site. Each preliminarily-selected PHA must assist HUD in complying with environmental review procedures, conducted by HUD in accordance with 24 CFR part 50. The PHA may not acquire, rehabilitate, convert, lease, repair, or construct a property, or commit HUD or local funds to these activities, until written approval is received from the appropriate HUD Environmental Clearance Officer in its area, certifying that the proposed activities have been approved and the PHA is released from all environmental conditions. The results of the environmental review may require that proposed activities be modified or the proposed site rejected.

(E) Grant Agreement.

Because the HOPE VI Program does not have Federal regulations, upon selection for funding, HUD and the recipient will execute a Grant Agreement setting forth the amount of the grant and applicable rules, terms, and conditions, including sanctions for violation of the agreement. The Grant Agreement will set forth the precise schedules of the HOPE VI Program, provide program requirements, describe requirements for implementation of the revitalization plan, and provide any special conditions on the Grantee, as applicable. Among other things, the Grant Agreement will provide that the recipient agrees to:

(1) Carry out the program in accordance with the provisions of this NOFA, applicable law, the approved application, and all other applicable requirements, including requirements for mixed finance development, and section 202 of OCRA;

(2) Comply with such other terms and conditions, including recordkeeping and reports, as HUD may establish for the purposes of administering, monitoring, and evaluating the program in an effective and efficient manner, including full cooperation with HUD's program oversight contractor;

(3) Assemble a team to implement the HOPE VI Program that has a strong management and development track record and has the capability to commence and carry out a quality HOPE VI program. If the Grantee fails to make this demonstration to the satisfaction of HUD and its program oversight manager, HUD will direct corrective actions as a condition of retaining the grant;

(4) Execute a construction contract within 18 months (or a period specified in the Grant Agreement). Failure to obligate funds will result in the enforcement of default remedies up to and including withdrawal of funding; and

(5) Establish interim performance goals and complete the physical component of the HOPE VI revitalization within 48 months of execution of the grant agreement. The Secretary shall enforce this requirement through default remedies up to and including withdrawal of funding that the PHA has not obligated. HUD will take into consideration those delays caused by factors beyond the control of the Grantee when enforcing these schedules; and

(6) Execute an ACC Amendment for Mixed-Finance development.

(F) Failure to Proceed

In the event that an applicant selected to receive HOPE VI funding does not proceed in a manner consistent with its application, HUD may withdraw any unobligated balances of funding and make this funding available, subject to applicable law, in HUD's discretion, to the next highest ranked applicant that was not selected for funding in the most recently conducted HOPE VI selection process or combined with funding under an upcoming competitive selection process. Failure to proceed with respect to obligated funds will be governed by the terms of the Grant Agreement or ACC amendment, as applicable.

IV. Application Submission Requirements.

Each HOPE VI revitalization application must conform to the requirements of the HOPE VI Revitalization Application Kit, both in format and content. In addition to the forms, certifications and assurances required by Section II of the General Section of this SuperNOFA, each application must include the following, as directed by the application kit:

(A) A description of existing conditions that describes the extent of need for the program funds requested;

(B) Revitalization Plan which describes all revitalization activities to be funded in the application and details how the proposed work will be accomplished;

(C) For Revitalization applications, a description of plans for resident Self-Sufficiency Programs, including plans for resident consultation and documentation of resident involvement in the planning process;

(D) For Elderly Housing grant applications, a description of plans for resident services, including plans for resident consultation and documentation of resident involvement in the planning process;

(E) A proposed Management Plan which describes the capacity of the applicant and partners to carry out the plan, and proposed management principles which will be implemented to support revitalization efforts;

(F) Documentation of program financing and resources;

(G) A description of any capital funds received by the PHA within the past five years for improvement of the project, including but not limited to Modernization funding under section 14 and MROP funding.

(H) A program schedule.

(I) A certification that at least one public meeting was held to notify residents and community members of the proposed activities described in the application.

V. Corrections to Deficient Applications

The General Section of this SuperNOFA provides the procedures for corrections to deficient applications.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DRUG ELIMINATION IN PUBLIC AND ASSISTED HOUSING PROGRAMS

Public Housing Drug Elimination Program (Including Youth Sports Eligible Activities)

Public Housing Drug Elimination Program -- New Approaches (Formerly Safe Neighborhood Grant Program)

Drug Elimination Grants for Multifamily Low Income Housing

Public Housing Drug Elimination Technical Assistance

billing code 4210–32–C

Funding Availability for the Public Housing Drug Elimination Program

Program Description: Approximately $288,498,934 is available in FY 1998 for the Public Housing Drug Elimination Program (PHDEP). The PHDEP provides funds for public housing authorities and tribally designated housing entities to develop and finance drug and drug-related crime elimination efforts in their developments. Funds may be used for enhancing security within the developments, making physical improvements to improve security or developing and implementing prevention, intervention and treatment programs to help curtail the use of drugs in public and Indian housing. Approximately $44.9 million in FY 1997 funds is available only for public and Indian housing authorities that have not already received an award of FY 1997 PHDEP funds.

Application Due Date: Completed applications (an original and two copies) must be submitted no later than 6:00 pm local time on June 15, 1998 at the address shown below. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications: An original and two copies of the application must be received by the application due date at the local Field Office with delegated public or assisted housing responsibilities attention: Director, Office of Public or Assisted Housing, or, in the case of the Native American population, to the local HUD Administrator, Area Office of Native American Programs (AONAP), as appropriate.

For Application Kits, Further Information, and Technical Assistance

For Application Kits. For an application kit and any supplemental information, please call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209, or, from the local HUD Field Office HUB with delegated housing responsibilities over an applying housing agency, or from the AONAPs with jurisdiction over the Tribally Designated Housing Entity preparing an application or by calling HUD's Drug Information and Strategy Clearinghouse (DISC) at 800–578–3472. When requesting an application kit, please refer to the Public Housing Drug Elimination Program (PHDEP). Please be sure to provide your name, address (including zip code, and telephone number (including area code). The application kit contains information on all exhibits, forms, and certifications required for the PHDEP under this SuperNOFA.

For Further Information and Technical Assistance. For further information or technical assistance, please contact the local HUD Field Office HUB with delegated housing responsibilities over an applying housing agency, or from the AONAPs with jurisdiction over the Tribally Designated Housing Entity preparing an application or by calling HUD's Drug Information and Strategy Clearinghouse (DISC) at 800–578–3472.

Additional Information

I. Authority; Purpose; Amount Allocated; and Eligibility

(A) Authority

The Chapter 2, Subtitle C, Title V of the Anti-Drug Abuse Act of 1988 ((42 U.S.C. 11901 et. seq), as amended by section 581 of the National Affordable Housing Act of 1990 (Pub.L. 101–625, approved November 28, 1990) (NAHA), and section 161 of the Housing and Community Development Act of 1992 (Pub.L. 102–550, approved October 28, 1992 (HCDA 1992). The regulations for this program are found in 24 CFR part 761, Drug Elimination Programs.

(B) Purpose

HUD is making FY 1997 PHDEP funds available to public housing agencies (PHAs) and former Indian Housing Authorities (IHAs) (PHAs and IHAs are collectively referred to as HAs) that have not already received an award of FY 1997 PHDEP funds, and FY 1998 PHDEP funds available to PHAs and Tribally Designated Housing Entities (TDHEs) for use in eliminating drug-related crime. In FY 1998, HUD is not announcing a separate competition for the Youth Sports Program, although youth sports-type activities are eligible under ''Programs to Reduce/Eliminate Drug Activities.''

HUD strongly encourages housing agencies to work closely with law-enforcement agencies and target the drug elimination resources to improve safety and security in public and Indian housing communities. These resources shall be made available and leveraged with other resources focusing on violent crime and drug-related crime within public housing authorities through programs such as the Operation Safe Home Program and Operation Weed and Seed. Operation Weed and Seed, conducted through the Department of Justice, is a comprehensive multi-agency approach to combating violent crime, drug use, and gang activity in high crime neighborhoods. Through Operation Weed and Seed, the approach is to ''weed'' out crime from targeted neighborhoods and then ''seed'' the sites with a wide range of crime and drug prevention programs.

HUD encourages grantees to establish collaborative relationships with, and increase over and above existing levels, the efforts of local municipal police departments and/or other law enforcement agencies, local social and/or religious organizations, and other public and private nonprofit organizations who provide community-wide services to offer substance abuse prevention, intervention, treatment, aftercare, education, assessment, and referral programs and services for residents of public housing. The applicants shall include ''One Strike and You're Out'' activities underway to ensure the broadest range of tools for making and maintaining a safe residential community.

(C) Amount Allocated

(1) *FY 1998 Funding.* FY 1998 HUD Appropriations Act appropriated $310,000,000 for the Public Housing Drug Elimination Program. Of the total $310,000,000 appropriated, approximately $243,563,000 is being made available for Public Drug Elimination grants through this SuperNOFA.

(2) *FY 1997 Funding.* The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, (Pub.L. 104–204, approved September 26, 1996, (the FY 1997 HUD Appropriations Act) appropriated $290 million for the Public Housing Drug Elimination Program to remain available until expended. Approximately $250,649,052 was made available for competitive funding in a NOFA published on May 23, 1997 (62 FR 28538). HUD made 533 awards for a total of approximately $205,714,118 under that FY 1997 NOFA.

In this SuperNOFA, approximately $50 million of FY 1997 funds is being made available to housing authorities that did not receive an award under the May 23, 1997, PHDEP NOFA. Any housing authority that has already received an FY 1997 PHDEP award is not eligible to apply under this PHDEP notice for these FY 1997 funds. Housing authorities applying for FY 1997 PHDEP funding shall complete a separate proposal and budget and submit these documents in order to be considered for funding.

(3) *Maximum Grant Award Amounts.* HUD is distributing grant funds for

PHDEP under this SuperNOFA on a national competition basis. Maximum grant award amounts are computed for the Public Housing Drug Elimination Program on a sliding scale, using an overall maximum cap, depending upon the number of housing authority units.

(a) PHAs: The unit count includes rental, Turnkey III Homeownership and Section 23 leased housing bond-financed projects,

(b) IHAs and TDHEs: The unit count includes rental, Turnkey III and Mutual Help units which have not been conveyed to a homebuyer, and Section 23 lease housing bond-financed projects. Such units must be counted as Current Assisted Stock under the Indian Housing Block Grant Program.

Eligible units are those units which are under management, fully developed, and occupied. However, applicants should note that in determining the unit count for PHA-owned or Native American rental housing, a long-term vacancy unit, as defined in 990.102 or 24 CFR 950.102 (as revised May 1, 1996), is still included in the count. Applicants for Native American housing developments must certify that the targeted units were covered by an Annual Contributions Contract (ACC) on September 30, 1997. Eligible PHA projects must be covered by an ACC during the period of the grant award.

(c) *Minimum and Maximum FY 1998 grant awards.*

(i) For housing authorities and TDHEs with 1–1,250 units: the *minimum* grant award amount is $50,000 or a *maximum* grant award cap of $300.00 per unit;

(ii) For housing authorities and TDHEs with 1,251–24,999 units; the *maximum* grant award is a maximum grant award cap of $260.00 per unit;

(iii) For housing authorities and TDHEs with 24,000–49,999 units the *maximum* grant award is a maximum grant cap of $230.00 per unit; and

(iv) For housing authorities and TDHEs with 50,000 or more units; the *maximum* grant award is a maximum cap of $200.00 per unit up to, but not to exceed, a *maximum* grant award of $30 million.

(d) *Minimum and Maximum FY 1997 grant awards.*

(i) For HAs with 1–499 units: the maximum grant award amount is either $50,000 or a grant award cap of $500.00 per unit, whichever is greater;

(ii) For HAs with 500–1,249 units: the maximum grant award is either $250,000 or a maximum grant award cap of $300.00 per unit, whichever is greater;

(iii) For HAs with 1,250–49,999 units: the maximum grant award is either $375,000 or a maximum grant award cap of $250,000 per unt, whichever is greater; and

(iv) For HAs with 50,000 or more units: the maximum grant award is $200.00 per unit, not to exceed a maximum grant award of $12 million.

(D) Eligible Applicants.

Eligible entities qualified to receive grants include for FY 1998 funding public housing agencies and Tribally Designated Housing Entities (TDHEs); and for FY 1997 funding, public housing agencies and Indian housing authorities. IHAs applying for FY 1997 funding must have been eligible to apply for funding as September 30, 1997 and continue to own and/or manage the targeted developments. Resident Management Corporations (RMCs) may continue to receive funding from housing authority grantees as sub-grantees, to develop security programs and substance abuse prevention programs involving site residents as they have in the past.

(E) Eligible Activities

The following is a listing of eligible activities under this program and guidance as to their parameters (the term TDHEs includes those IHAs applying for FY 1997 funding:

(1) *Physical Improvements to Enhance Security.*

(a) Physical improvements that are specifically designed to enhance security are permitted under this program. These improvements may include (but are not limited to) the installation of barriers, speed bumps, lighting systems, fences, surveillance equipment (e.g., Closed Circuit Television (CCTV), software, fax, cameras, monitors, components and supporting equipment) bolts, locks; and the landscaping or reconfiguration of common areas so as to discourage drug-related crime in the housing authorities and development(s) proposed for funding.

(b) An activity cost that is funded under any other HUD program, such as the modernization program at 24 CFR part 968, shall not also be funded by this program. Housing authorities are encouraged to fund physical security improvements under their approved modernization programs whenever possible since the PHDEP program is designed essentially to fund ''soft'' costs rather than ''hard'' costs. The applicant must demonstrate program compliance, accountability, financial and audit controls of PHDEP funds and prevent duplication of funding any activity. Housing authorities shall not co-mingle funds of HUD multiple programs such as: CIAP, CGP, OTAR, ED/SS, TOP, IHBG, HOPE projects, Family Investment, Elderly Service Coordinator, and Operating Subsidy.

(c) Funding is not permitted for physical improvements that involve the demolition of any units in a development.

(d) Funding is not permitted for any physical improvements that would result in the displacement of persons.

(e) Funding is not permitted for the acquisition of real property.

(f) Funding is permitted for purchase or lease of house trailers used for eligible community policing, educational, employment, and youth activities.

(g) All physical improvements must also be accessible to persons with disabilities. For example, some types of locks, buzzer systems, etc. are not accessible to persons with limited strength or mobility or to persons who have hearing impairments, and should not be utilized. Accessible alternatives should be utilized. All physical improvements must meet the accessibility requirements of 24 CFR part 8.

(2) *Programs to Reduce/Eliminate the Use of Drugs (Prevention, Intervention, Treatment, Short/Long Range Structured Aftercare and Individual Support Systems).* Programs that reduce/eliminate drug-related crime ''in and around'' the premises of the housing authority/development(s), including substance abuse prevention, intervention, and referral programs, and programs of local social and/or religious and other organizations that provide treatment services [contractual or otherwise] for dependency/remission, and structured aftercare/support system programs, *are permitted* under this program.

The applicant must establish a confidentiality policy regarding medical and disability-related information. For purposes of this section, the goals of this program are best served by focusing resources directly upon housing authority residents and families. Successful strategies (best practices) have incorporated substance abuse prevention, intervention and treatment (dependency/remission and short and long term aftercare) activities into a ''continuum of care'' approach that assists persons that are using or are at-risk of using drugs and/or committing drug-related crime by providing alternative activities, such as education, training and employment development opportunities.

The applicant's goal must be to reduce/eliminate drug-related crime through a program designed to provide education, training and employment

opportunities for residents. Such programs create a prime opportunity for housing authorities to leverage resources and bring additional Federal, State, local and Tribal resources into the housing authority community. While housing authorities provide space and other infrastructure, other public or private agencies can provide staff and other resources with limited cost or no cost. Applicants are encouraged to use the PHDEP resources in this fashion.

A community-based approach requires a culturally appropriate strategy. Curricula, activities, and staff should address the cultural issues of the local community, which requires familiarity and facility with the language and cultural norms of the community. As applicable, this strategy should discuss cultural competencies associated with Hispanic, African-American, Asian, Native American or other racial or ethnic communities. Applicants are encouraged to develop a substance abuse/sobriety (remission)/ treatment (dependency) strategy to facilitate substance abuse prevention, intervention, treatment, and structured aftercare efforts, that include outreach to community resources, youth activities, and that facilitate bringing these resources onto the premises, or providing resident referrals to treatment programs or transportation to out-patient treatment programs away from the premises.

Funding Is Permitted for reasonable, necessary and justified purchasing or leasing (whichever can be documented as the most cost effective) of vehicles for grant administration, resident youth and adult education, and training and employment opportunity activities directly related to reducing/eliminating drug-related crime. Based upon the current Diagnostic and Statistical Manual (DSM) of Mental Disorders of the American Psychiatric Association dated May 1994, as it applies to substance abuse, dependency and structured aftercare, related activities and programs *are eligible* for funding under this program. For additional information regarding the DSM Manual contact APPI, 1400 K. Street, NW, Suite 1100, Washington, DC 20005 on 1 (800) 368–5777 or World Wide Web site at http://www.appi.org.

Funding Is Permitted for reasonable, necessary and justified program costs, such as meals, beverages and transportation, incurred only for training, education and employment activities, as set forth in OMB Circular A–87, directly related to reducing/ eliminating drug-related crime.

(a) *Prevention.* Prevention programs that will be considered for funding under this notice should provide a comprehensive prevention approach for the housing authority resident(s) that addresses the individual resident and his or her relationship to family, peers, and the community and that reduces/ eliminates drug-related crime. Prevention programs should include activities designed to identify and change the factors present in housing authorities that lead to drug-related crime, and thereby lower the risk of drug usage. Many components of a comprehensive approach, such as refusal and restraint skills training programs or drug, substance abuse/ dependency, and family counseling, may already be available in the community of the applicant's housing developments.

(i) *Educational Opportunities.* Providing young people with the working knowledge and skills they need to reject illegal drugs has been identified by the Office of National Drug Control Policy as one of the top five goals and objectives to address in its 10-Year Strategy Commitment. The causes and effects of illegal drug/substance abuse must be discussed in a culturally appropriate and structured setting. Grantees may contract (in accordance with 24 CFR 85.36) with professionals to provide such knowledge and skills with training programs or workshops. The professionals contracted to provide these services shall be required to base their services upon the needs assessment and program plan of the grantee. These educational opportunities may be a part of resident meetings, youth activities, or other gatherings of public and Indian housing residents.

(ii) *Family and Other Support Services.* For purposes of this section, the term ''supportive services'' means services to provide housing authority families with access to prevention, educational and employment opportunities, such as: child care; employment training; computer skills training; remedial education; substance abuse counseling; assistance in the attainment of certification of high school equivalency; and other services to reduce drug-related crime. In addition, substance abuse and other prevention programs must demonstrate that they will provide directly, or otherwise make available, services designed to distribute substance/drug education information, to foster effective parenting skills, and to provide referrals for treatment and other available support services in the housing development or the community for housing authority families.

(iii) *Adult and Youth Services.* Prevention programs must demonstrate that they have included groups composed of young people as a part of their prevention programs. These groups should be coordinated by adults with the active participation of youth to organize youth leadership, sports, recreational, cultural and other activities involving housing authority youth. The dissemination of information designed to reduce drug-related crime, such as prevention programs, employment opportunities; employment training; literacy training; computer skills training; remedial education; substance abuse and dependency/ remission counseling; assistance in the attainment of certification of high school equivalency; and other appropriate services and the development of peer leadership skills and other prevention activities must be a component of youth services.

(iv) *Economic and Educational Opportunities for Resident Adult and Youth Activities.* Prevention programs must demonstrate a capacity to provide housing authority residents the opportunities for interaction with, or referral to, established higher education or vocational institutions with the goal of developing or building on the residents' skills to pursue educational, vocational and economic goals. Programs such as computer learning centers for both adults and youth, employment service centers coordinated with Federal, Tribal, State and local employment offices, and micro-business centers *are eligible* under this program.

The application should demonstrate that the proposed activities will provide housing authority residents the opportunity to interact with private sector businesses in their immediate and surrounding communities for the same desired goals. Economic and educational opportunities for residents and youth activities should be discussed in the context of ''welfare to work'' and related Federal, Tribal, State and local government efforts for employment training, education and employment opportunities related to ''welfare to work'' goals.

Limited educational scholarships *are permitted* under this section. No one individual award may exceed $500.00, and there is a total maximum scholarship program cap of $25,000. Educational scholarship FY 1997 PHDEP funds must be obligated and expended during the term of the grant. The applicant must demonstrate in its plan and timetable the scholarship strategy; the financial and audit controls that will be used; and projected outcomes. Student financial assistance

is permitted for individual public and Indian housing scholarship activities. These activities must be reasonable, necessary and justified.

(b) *Intervention.* The aim of intervention is to provide housing authority residents substance abuse/dependency remission services, and assist them in modifying their behavior and maintaining remission, and in obtaining early substance abuse, treatment and structured aftercare, if necessary.

(c) *Substance Abuse/Dependency Treatment.*

(i) Treatment funded under this program should be ''in and around'' the premises of the housing authority/development(s) proposed for funding. HUD has defined the term ''in and around'' to mean within, or adjacent to, the physical boundaries of a public or Indian housing development. The intent of this definition is to make certain that program funds and program activities are targeted to benefit, as directly as possible, public and Indian housing developments, the intended beneficiaries of PHDEP. The goals of this program are best served by focusing its resources directly upon the residents of housing authorities and development(s). The applicant must establish a confidentiality policy regarding medical and disability-related information.

(ii) Funds awarded under this program shall be targeted towards the development and implementation of sobriety maintenance, substance-free maintenance support groups, substance abuse counseling, referral treatment services and short or long range structured aftercare, or the improvement of, or expansion of, such program services for housing authority residents.

(iii) Each proposed drug program must address, but is not limited to, the following goals:

(*1*) Increase resident accessibility to treatment services;

(*2*) Decrease drug-related crime ''in and around'' the housing authority/development(s) by reducing and/or eliminating drug use among residents; and

(*3*) Provide services designed for youth and/or adult drug abusers and recovering addicts, e.g., prenatal and postpartum care, specialized family and parental counseling, parenting classes, or other supportive services such as domestic or youth violence counseling.

(iv) Independent approaches that have proven effective with similar populations will be considered for funding. Applicants must consider in the overall strategy the following criteria:

(*1*) Formal referral arrangements to other treatment programs in cases where the resident is able to obtain treatment costs from sources other than this program.

(*2*) Family/youth counseling.

(*3*) Linkages to educational and vocational training and employment counseling.

(*4*) Coordination of services from and to appropriate local substance abuse/treatment agencies, HIV-related service agencies, mental health and public health programs.

(v) As applicable, applicants must demonstrate a working partnership with the Single State Agency or local, Tribal or State license provider or authority with substance abuse program(s) coordination responsibilities to coordinate, develop and implement the substance dependency treatment proposal.

(vi) Applicants must demonstrate that counselors (contractual or otherwise) meet Federal, State, Tribal, and local government licensing, bonding, training, certification and continuing training re-certification requirements.

(vii) The Single State Agency or authority with substance abuse and dependency programs coordination responsibilities must certify that the proposed program is consistent with the State plan; and that the service(s) meets all Federal, State, Tribal and local government medical licensing, training, bonding, and certification requirements.

(viii) Funding is permitted for drug treatment of housing authority residents at local in-patient medical (contractual or otherwise) treatment programs and facilities. PHDEP funding for structured in-patient drug treatment under PHDEP funds is limited to 60 days, and structured drug out-patient treatment, which includes individual/family aftercare, is limited to 6 months. The applicant must demonstrate how individuals that complete drug treatment will be provided employment training, education and employment opportunities related to ''welfare to work,'' if applicable.

(ix) Funding is permitted for detoxification procedures designed to reduce or eliminate the short-term presence of toxic substances in the body tissues of a patient.

(x) Funding is not permitted for maintenance drug programs. Maintenance drugs are medications that are prescribed regularly for a short/long period of supportive therapy (e.g. methadone maintenance), rather than for immediate control of a disorder.

(xi) All activities described in this section I.(E)(8) of this PHDEP notice to reduce/eliminate the use of drugs and reduce/eliminate drug-related crime should demonstrate efforts to coordinate with Federal, Tribal, State and local employment training and development services, ''welfare to work'' efforts, or other new ''welfare reform'' efforts related to education, training and employment of housing authority residents receiving Federal, Tribal, State or local assistance, in public and Indian housing authorities/development(s).

(xii) Funding is permitted to contractually hire organizations and/or consultant(s) to conduct independent assessments and evaluations of the effectiveness of the PHDEP program.

(3) *Resident Management Corporations (RMCs), Resident Councils (RCs), and Resident Organizations (ROs).* Funding under this program is permitted for housing authorities' RMCs and incorporated RCs and ROs to develop security and substance abuse prevention programs involving site residents. Such programs may include (but are not limited to) voluntary tenant patrol activities, substance abuse education, intervention, and referral programs, youth programs, and outreach efforts. For the purposes of this Section I(E)(9) of this PHDEP section of the SuperNOFA. The elimination of drug-related crime within housing authorities/developments requires the active involvement and commitment of public housing residents and their organizations.

To enhance the ability of housing authorities to combat drug-related crime within their developments, Resident Councils (RCs), Resident Management Corporations (RMCs), and Resident Organizations (ROs) will be permitted to undertake program management functions specified in this part, notwithstanding the otherwise applicable requirements of 24 CFR parts 1000 and 964. In order to implement the approved activity, the housing authority shall be the grantee and enter into a sub-contract with the RMC/RC/RO setting forth the amount of funds, applicable terms, conditions, financial controls, payment mechanism schedule, performance and financial report requirements, special conditions, including sanctions for violation of the agreement, and monitoring.

Expenditures for activities under this section will not be incurred by the housing authority (grantee) and/or funds will not be released by the local HUD Field Office until the grantee has met all of the above requirements. Activities described in this PHDEP section of the SuperNOFA should demonstrate efforts to coordinate with Federal, Tribal, State and local employment training and development services, ''welfare to

work'' efforts, or other new but related ''welfare reform'' efforts related to education, employment training and employment of housing authority residents receiving Federal, Tribal, State or local assistance.

(4) *Employment of HA Security Personnel.* Employment of HA security personnel *is permitted* under this section. Employment of security personnel is divided into two categories: security personnel services, and housing authority police departments. The following requirements apply to all employment of security personnel activities funded under this PHDEP section of the SuperNOFA:

(a) *Compliance.* Security guard personnel and public housing authority police departments funded under this PHDEP section of the SuperNOFA must meet, and demonstrate compliance with, all relevant Federal, State, Tribal or local government insurance, licensing, certification, training, bonding, or other similar law enforcement requirements.

(b) *Law Enforcement Service Agreement.* The applicant and the local law enforcement agency, and if relevant, the contract provider of security personnel services, are required to enter into a law enforcement service agreement, in addition to the housing authority's cooperation agreement, that describes the following:

(i) The activities to be performed by security guard personnel or the public housing authority police department; the scope of authority, written policies, procedures, and practices that will govern security personnel or public housing authority police department performance (i.e., a policy manual and how security guard personnel or the public housing authority police department shall coordinate activities with the local law enforcement agency;

(ii) The types of activities that the approved security guard personnel or the public housing authority police department are expressly prohibited from undertaking.

(c) *Policy Manual.* Security guard personnel services and public housing authority police departments funded under this PHDEP section of the SuperNOFA shall be guided by a policy manual that directs the activities of its personnel and contains the policies, procedures, and general orders that regulate conduct and describe in detail how jobs are to be performed. The policy manual must exist before execution of the grant agreement. The housing authority shall ensure all security guard personnel and housing authority police officers are trained, at a minimum, in the following areas that must be covered in the policy manual: use of force, resident contacts, enforcement of HA rules, response criteria to calls, pursuits, arrest procedures, reporting of crimes and workload, feedback procedures to victims, citizens' complaint procedures, internal affairs investigations, towing of vehicles, authorized weapons and other equipment, radio procedures internally and with local police, training requirements, patrol procedures, scheduling of meetings with residents, reports to be completed, record keeping and position descriptions on all personnel, post assignments, monitoring, and self-evaluation program requirements.

(d) *Data Management.* A daily activity and incident complaint form approved by the housing authority must be used by security personnel and officers funded under this PHDEP section of the SuperNOFA for the collection and analysis of criminal incidents and responses to service calls. Security guard personnel and housing authority police departments funded under this PHDEP section of the SuperNOFA must establish and maintain a system of records management for the daily activity and incident complaint forms that appropriately ensures the confidentially of personal criminal information. Management Informational Systems (MIS) (computers, software, and associated equipment) and management personnel in support of these activities are eligible for funding.

(5) *Security Personnel Services.* Contracting for, or direct housing authority employment of, security personnel services in and around housing development(s) *is permitted* under this program. Contracts for security personnel services must be awarded on a competitive basis.

(a) *Eligible Services—Over and Above.* Security guard personnel funded by this program must perform services that are over and above those usually performed by local municipal law enforcement agencies on a routine basis. Eligible services may include patrolling inside buildings, providing personnel services at building entrances to check for proper identification, or patrolling and checking car parking lots for appropriate parking decals.

(b) *Employment of Residents.* Housing authorities *are permitted* and encouraged to demonstrate in plans the employment of qualified resident(s) as security guard personnel, and/or to contract with security guard personnel firms that demonstrate in a proposed contract a program to employ qualified residents as security guard personnel. An applicant's program of eliminating drug-related crime should promote ''welfare to work'' in housing authorities and development(s).

(6) *Employment of Personnel and Equipment for HUD Authorized Housing Authority Police Departments.* Funding for equipment and employment of housing authority police department personnel *is permitted* for housing authorities that already have their own public housing authority police departments. The below-listed twelve (12) housing authorities have been identified by HUD as having eligible public housing police departments/agencies under the FY 1998 PHDEP:

Baltimore Housing Authority and Community Development, Baltimore, MD
Boston Housing Authority, Boston, MA
Buffalo Housing Authority, Buffalo, NY
Chicago Housing Authority, Chicago, IL
Cuyahoga Metropolitan Housing Authority, Cleveland, OH
Housing Authority of the City of Los Angeles, Los Angeles, CA
Housing Authority of the City of Oakland, Oakland, CA
Philadelphia Housing Authority, Philadelphia, PA
Housing Authority of the City of Pittsburgh, Pittsburgh, PA
Waterbury Housing Authority, Waterbury, CT
Virgin Islands Housing Authority, Virgin Islands
District of Columbia Housing Authority, Washington, DC

(a) On September 22, 1995, HUD issued Notice PIH 95–58 (Guidelines for Creating, Implementing and Managing Public Housing Authority Police Departments in Public Housing Authorities). This notice identifies the prerequisites for creating public housing police departments and provides guidance regarding technical assistance to housing authorities to assist in making decisions regarding public housing security, analysis of security needs, and performance measures and outcomes.

(b) Housing authorities that have established their own public housing authority police departments, but are not included on this list, shall file a written request to be recognized by HUD as a public housing authority police department by contacting the Office of the Deputy Assistant Secretary for Assisted Housing Delivery, Public and Indian Housing, Department of Housing and Urban Development, Room 4126, 451 Seventh Street, SW, Washington, D.C. 20410. This request must be submitted and approved by HUD prior to the submission of the FY 1998 PHDEP application.

(c) An applicant seeking funding for this activity must describe the current level of local law enforcement agency baseline services being provided to the housing authority/development(s) proposed for assistance. Local law enforcement baseline services are defined as ordinary and routine services provided to the residents as a part of the overall city and county-wide deployment of police resources, to respond to crime and other public safety incidents, including: 911 communications, processing calls for service, routine patrol officer responses to calls for service, and investigative follow-up of criminal activity.

(d) Applicants for funding of housing authority public housing authority police department officers must have car-to-car (or other vehicles) and portable-to-portable radio communications links between public housing authority police officers and local municipal law enforcement officers to assure a coordinated and safe response to crimes or calls for services. The use of scanners (radio monitors) is not sufficient to meet the requirements of this section. Applicants that do not have such links must submit a plan and timetable for the implementation of such communications links, which is an activity eligible for funding. A housing authority funded under the FY 1994, 1995, 1996 and/or 1997 PHDEP for public housing police departments shall demonstrate in its plan what progress has been made in implementing its communications links. HUD will monitor results of the housing authority's plan and timetable.

(e) Public housing authority police departments funded under this program that are not employing a community policing concept must submit a plan and timetable for the implementation of community policing. A housing authority funded under the FY 1994, 1995, 1996 or 1997 PHDEP for public housing police departments shall demonstrate in its plan what progress has been made in implementing its community policing program. HUD will monitor results of the housing authority's plan and timetable.

(i) Community policing has a variety of definitions; however, for the purposes of this program, it is defined as follows: Community policing is a method of providing law enforcement services that stresses a partnership among residents, police, schools, churches, government services, the private sector, and other local, State, Tribal, and Federal law enforcement agencies to prevent crime and improve the quality of life by addressing the conditions and problems that lead to crime and the fear of crime.

(ii) This method of policing involves a philosophy of proactive measures, such as foot patrols, bicycle patrols, motor scooters patrols, KOBAN activities (community police officers who operate through community-based facilities in housing authorities (e.g., community center, police mini-station) providing human resource activities with inner-city youth who demonstrate high risk behaviors which can lead to drug-related crime), and citizen contacts. For additional information regarding KOBAN community policing contact Marvin Klepper, (202) 708–1197, extension 4229. This concept empowers police officers at the beat and zone level and residents in neighborhoods in an effort to: reduce crime and fear of crime; assure the maintenance of order; provide referrals of residents, victims, and the homeless to social services and government agencies; assure feedback of police actions to victims of crime; and promote a law enforcement value system on the needs and rights of residents.

(f) Housing authority police departments funded under this program that are not nationally or state accredited must submit a plan and timetable for such accreditation. Housing authorities may use either their State accreditation program, if one exists, or the Commission on Accreditation for Law Enforcement Agencies (CALEA) for this purpose. Use of grant funds for public housing police department accreditation activities *is permitted*. Housing authorities receiving grants for funding (public housing police departments) are required to hire a public housing police department accreditation specialist to manage the accreditation program. Housing authority police departments must submit a plan and timetable in order to be funded for this activity. Any public housing police department funded under the FY 1994, 1995, 1996 or 1997 PHDEP shall demonstrate in its plan what progress has been made in implementing its accreditation program and the projected date of accreditation. HUD will monitor results of the housing authority's plan and timetable. Future funding will be based on an evaluation its accreditation status and accomplishments to maintain its accreditation status.

(g) Housing authorities that have been identified by HUD as having authorized public housing police departments *are permitted* to use PHDEP funds to purchase or lease any law enforcement clothing or equipment, such as, vehicles, uniforms, ammunition, firearms/weapons, police vehicles; including cars, vans, buses, and protective vests, or any other equipment that supports their crime prevention and security mission. Housing authorities not identified by HUD as having an authorized public housing police department *are not permitted to use PHDEP funds* to directly purchase any clothing or equipment for use by local municipal police departments and/or other law enforcement agencies.

(7) *Reimbursement of Local Law Enforcement Agencies for Additional (Supplemental—Over and Above Local Law Enforcement Baseline Services) Security and Protective Services.* Additional (supplemental) security and protective services *are permitted* under this program, but such services must be over and above the local police department's current level of baseline services. Housing authorities and TDHEs are required to identify the level of local law enforcement services that they are required to receive pursuant to their local cooperation agreements, as well as the current level of services being received. For purposes of PHDEP section of the SuperNOFA, local police department baseline services are defined as ordinary and routine services, including patrols, police officer responses to 911 communications and other calls for service, and investigative follow-up of criminal activity, provided to housing authority residents as a part of the overall deployment of police resources by the local jurisdiction in which the housing authority is located.

(8) *Employment of Investigators.* Employment of and equipment for one or more individuals *is permitted* under this program to investigate drug-related crime ''in and around'' the real property comprising any housing authority's development(s) and provide evidence relating to any such crime in any administrative or judicial proceedings.

(a) Housing authorities that employ investigators funded by this program must meet and demonstrate compliance with all relevant Federal, Tribal, State or local government insurance, licensing, certification, training, bonding, or other similar law enforcement requirements.

(b) The housing authority and TDHE (grantee), and the provider of the investigative services are required to enter into and execute a written agreement that describes the following:

(i) The nature of the activities to be performed by the housing authority investigators, their scope of authority, reports to be completed, established policies, procedures, and practices that will govern their performance (i.e., a Policy Manual and how housing authority investigators will coordinate their activities with local, State, Tribal,

and Federal law enforcement agencies); and

(ii) The types of activities that the housing authority investigators are expressly prohibited from undertaking.

(c) Under this section, reimbursable costs associated with the investigation of drug-related crimes (e.g., travel directly related to the investigator's activities, or costs associated with the investigator's testimony at judicial or administrative proceedings) may only be those directly incurred by the investigator.

(d) Housing authority and TDHE investigator(s) shall report on drug-related crime and other part I and part II crimes in the housing authority and developments. Housing authorities shall establish, implement and maintain a system of records management that ensures confidentiality of criminal records and information. Housing authority-approved activity forms must be used for the collection, analysis and reporting of activities by housing authority investigators funded under this section. Management Information Systems (MIS) (Computers, software, hardware, and associated equipment) and management personnel are encouraged and are eligible program expenses in support of a housing authority's crime and workload data collection activity and its crime prevention and security mission.

(e) Funding is permitted for housing authority investigator(s) to use PHDEP funds to purchase or lease any law enforcement clothing or equipment, such as vehicles, uniforms, ammunition, firearms/weapons, or vehicles; including cars, vans, buses, protective vests, and any other supportive equipment, to support the activities of the investigators.

(f) Expenditures for activities under this section will not be incurred by the housing authority (grantee) and funds will not be released by the local HUD Field Office until the grantee has met all of the above requirements.

(9) *Voluntary Tenant Patrols.* Active voluntary tenant patrol activities, to include purchase of uniforms, equipment and related training, *are permitted* under this section. For the purposes of this section, the elimination of drug-related crime within and around the housing authority/development(s) requires the active involvement and commitment of residents and their organizations.

(a) The provision of training and equipment (including uniforms) for use by voluntary tenant patrols acting in cooperation with officials of local law enforcement agencies is permitted under this program. Members must be volunteers and must be residents of the housing authority's development(s). Voluntary tenant patrols established under this program are expected to patrol in the housing authority's development(s) proposed for assistance, and to report illegal activities to appropriate housing authority staff, and local, State, Tribal, and Federal law enforcement agencies, as appropriate. Housing authorities are required to obtain liability insurance to protect themselves and the members of the voluntary tenant patrol against potential liability for the activities of the patrol under this program. The cost of this insurance is an eligible program expense.

(b) The housing authority (grantee) and cooperating local law enforcement agency, and the members of the voluntary tenant patrol are required, prior to expending any grant funds, to enter into and execute a written housing authority/local municipal police department agreement that describes the following:

(i) The nature of the activities to be performed by the voluntary tenant patrol, the patrol's scope of authority, assignment, the established policies, procedures, and practices that will govern the voluntary tenant patrol's performance and how the patrol will coordinate its activities with the law enforcement agency;

(ii) The types of activities that a voluntary tenant patrol is expressly prohibited from undertaking, including, but not limited to, the carrying or use of firearms or other weapons, nightstick, clubs, handcuffs, or mace in the course of their duties under this program;

(iii) The initial and follow-up voluntary tenant patrol training the members receive from the local law enforcement agency (training by the local law enforcement agency is required before putting the voluntary tenant patrol into effect); and

(iv) Voluntary tenant patrol members must be advised that they may be subject to individual or collective liability for any actions undertaken outside the scope of their authority and that such acts are not covered under a housing authority's liability insurance.

(c) Uniforms, communication and related equipment eligible for funding under this program shall be reasonable, necessary, justified and related to the operation of the voluntary tenant patrol and must be otherwise permissible under local, State, Tribal, or Federal law.

(d) Under this program, bicycles, motor scooters, all season uniforms and associated equipment to be used, exclusively, by the members of the housing authority's voluntary tenant patrol *are eligible items.* Voluntary tenant patrol uniforms and equipment must be identified with specific housing authority/development(s) identification and markings.

(e) PHDEP grant funds shall not be used for any type of financial compensation, such as any full-time wages or salaries for voluntary tenant and/or patrol participants. Funding for housing authority personnel or resident(s) to be hired to coordinate this activity is permitted.

(F) Ineligible Activities

PHDEP funding *is not permitted* for any of the activities listed below, unless otherwise specified in this PHDEP section of the SuperNOFA.

(1) Costs incurred before the effective date of the grant agreement (Form HUD–1044), including, but not limited to, consultant fees related to the development of an application or the actual writing of the application.

(2) The purchase of controlled substances for any purpose. Controlled substance shall have the meaning provided in section 102 of the Controlled Substance Act (21 U.S.C. 802).

(3) Compensation of informants, including confidential informants. These should be part of the baseline services provided and budgeted by local law enforcement agencies.

(4) Direct purchase or lease of any law or military enforcement clothing or equipment, such as vehicles, including cars, vans, buses, uniforms, ammunition, firearms/weapons, protective vests, and any other supportive equipment. Exceptions are public housing police departments, and investigator activities listed in this NOFA.

(5) Wages or salaries for voluntary tenant patrol participants. Housing authorities and TDHEs *are permitted* to fund housing authority/resident coordinator(s) to be hired for this activity. Staffing must be reasonable, necessary and justified. Excessive staffing *is not permitted*.

(6) Construction of any facility space in a building or unit, although *funding is permitted* for the costs of retrofitting/modifying existing building space owned by the housing authorities and TDHEs for eligible activities/programs such as: community policing mini-station operations, adult/youth education, and employment training facilities. The goal of this funding is to reduce/eliminate drug-related crime and form partnerships with Federal, Tribal, State and local government resources.

Program costs *are permitted* if shared among other HUD programs. The applicant must demonstrate the use of program compliance, accountability, financial and audit controls of PHDEP funds and controls to prevent duplicate funding of any activity. Housing authorities shall not co-mingle funds of multiple programs such as CIAP, CGP, OTAR, TOP, EDSS, IHBG, Family Investment Center, Elderly Service Coordinators, and Operating Subsidy. House trailers of any type that are not designated as a building *are eligible items* for purchase or lease for specific community policing, educational, employment, and youth activities.

(7) Organized fund raising, advertising, financial campaigns, endowment drives, solicitation of gifts and bequests, rallies, marches, community celebrations and similar expenses.

(8) Costs of entertainment, amusements, or social activities and for the expenses of items such as meals, beverages, lodgings, rentals, transportation, and gratuities related to these ineligible activities. However, under Section I.(E)(8) of this PHDEP notice, funding *is permitted* for reasonable, necessary and justified program costs, as defined in OMB Circular A–87, such as meals, beverages and transportation, incurred only for prevention programs, employment training, education and youth activities directly related to reducing/eliminating drug-related crime.

(9) Costs (such as court costs and attorneys fees) related to screening or evicting residents for drug-related crime. However, housing authority and TDHE investigators funded under this program may participate in judicial and administrative proceedings as provided in and listed under section I.(E)(5) (Employment of Investigator(s)), of this NOFA.

(10) Although participation in activities with Federal drug interdiction or drug enforcement agencies *is encouraged*, the transfer of PHDEP grant funds to any Federal agency.

(11) Establishment of councils, resident associations, resident organizations, and resident corporations since HUD funds these activities under a separate NOFA.

(12) Indirect costs as defined in OMB Circular A–87 *are not permitted under this program* (only direct costs are permitted).

(13) Supplant existing positions/activities. For purposes of the PHDEP, supplanting is defined as ''taking the place of or to supersede''.

(14) The PHDEP is targeted by statute at controlled substances as defined at section 102 of the Controlled Substances Act (21 U.S.C. 802). Since alcohol is a legal substance, alcohol-exclusive activities and programs *are not eligible* for funding under this NOFA, although activities and programs may address situations of multiple abuse involving controlled substances and alcohol.

Eligible Activities for the Youth Sports Program. (1) Any qualified entity that receives a grant may use the funds to assist in carrying out a youth sports program in the following manner:

(2) Provision of public services, including salaries and expenses for staff or youth sports programs and cultural activities, educational programs relating to drug abuse, and sports and recreation equipment.

(a) Non-profit programs that have partnered with housing authorities that provide scheduled organized sports competitions, cultural, educational, recreational, or other activities designed to involve public housing youth as alternatives to drug related criminal activity are eligible activities. Examples include but are not limited to professional sports and/or national prevention organizations for youth, nationally and locally recognized youth programs such as Boys and Girls Clubs, YMCAs, YWCAs, Scouts, National Association of Midnight Basketball Leagues, national or local sports figures, etc.

(b) The purchase of recreational equipment to be used by program participants is permitted under this program.

(c) Cultural and recreational activities, such as ethnic heritage classes, art, dance, drama and music appreciation and instruction programs are eligible Youth Sports Program activities.

(d) Youth leadership skills training for program participants is permitted under this program. These activities must be designed to involve youth in peer leadership roles in the implementation of program activities, for example, as team or activity captains, counselors to younger program participants, assistant coaches, and equipment or supply managers. Grantees may contract with youth trainers to provide services which may include training in peer pressure reversal, resistance or refusal skills, life skills, goal planning, parenting skills, and other relevant topics.

(e) Transportation costs directly related to youth sports activities (for example, leasing a vehicle to transport a youth sports team to a game) are eligible program expenses and liability insurance costs directly related to youth sports activities are eligible program expenses.

II. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, applicants are subject to the following requirements:

(A) Threshold Requirements

Housing authorities applying for PHDEP funds are required to submit the following threshold information:

(1) Applicants must submit a program plan/evaluation specifically demonstrating how the activities under this program will be evaluated. This is an eligible expense.

(2) A description of how PHDEP resources will be used to establish collaborative relationships with, and increase over and above existing levels, the efforts of local municipal police departments and/or other law enforcement agencies, local social and/or religious organizations, and other public and private nonprofit organizations who provide community-wide services to offer substance abuse prevention, intervention, treatment, aftercare, education, assessment, and referral programs and services.

(3) A discussion, in their comprehensive anti-crime strategies, of how the proposed PHDEP drug and crime prevention activities will be coordinated with larger Empowerment and Enterprise Zone strategies and Welfare Reform efforts, especially in the areas of training and employment of PHA residents. The PHDEP application may include specific opportunities for resident employment and training with such activities as contracting or hiring of residents as security guard personnel, housing authority police officers, and for referrals to employment and training opportunities. The applicant must demonstrate how the employment and training qualifies as an eligible activity. PHDEP applicants should coordinate with Federal, Tribal, State and local agencies to increase employment and training opportunities for low-income residents, and thereby decrease drug-related crime. Many communities are already developing and providing such services, and housing authorities are strongly encouraged to provide community facility space to allow the provision of these services for residents living ''in and around'' housing authorities.

(4) A description of how the applicant plans to increase the use of housing authority community facilities, and bring back a community focus to housing authority properties. Expenses related to community policing; police mini-stations; and resident training,

substance abuse prevention, intervention, treatment, structured aftercare, and other human resources programs that comply with the requirements of this program are eligible program expenses. HUD encourages applicants to use housing authority community facilities in all eligible PHDEP activities. Community policing, resident training, substance abuse prevention, intervention and treatment (dependency, structured aftercare, and support systems) are all activities most effectively implemented in housing authority community facilities. While all PHDEP activities must be carried out ''in and around'' housing authorities, often the use of the community facilities is taken for granted, and not considered when planning effective implementation of PHDEP activities. HUD encourages applicants to consider current and future use of their community facilities for eligible activities, and to incorporate a strategy regarding facilities for on-site service delivery.

(5) As applicable, incorporate ''One Strike and You're Out'' elements in applications to ensure PHAs have available the broadest range of tools for making and maintaining a safe residential community. ''One Strike and You're Out'' activities in applications may be eligible program expenses but to qualify as eligible activities, they must be included in the plan to address the crime problem in public and Indian housing developments required by this PHDEP section of the SuperNOFA. Factors related to the One Strike initiative, such as screening applicants and lease enforcement, are addressed in this PHDEP section of the SuperNOFA. As a part of the Public Housing Management Assessment Program (PHMAP), PHA performance will be measured, in part, by PHMAP indicator #8, ''Security'', which was included in the revised PHMAP rule published on December 30, 1996, (61 FR 68894). Any successful, comprehensive anti-crime strategy in public housing only (PHMAP does not apply to Indian housing) should address the elements of the PHMAP security indicator: tracking and reporting crime-related problems, screening applicants, enforcing lease requirements, and stating and achieving anti-crime strategies/goals in appropriate HUD grant programs.

(B) Affirmatively Furthering Fair Housing

The first two sentences of the requirement in Section II(D) of the General Section of this SuperNOFA do not apply to this program.

III. Application Selection Process.

(A) Rating and Ranking

Applications will be evaluated competitively and ranked against all other applicants that have applied for Drug Elimination grants. HUD will review each application to determine that it meets the requirements of this SuperNOFA and to assign points in accordance with the rating factors.

HUD will select and fund the highest ranking applications based on score, and continue the process until all funds allocated to it have been awarded or to the point where there are insufficient acceptable applications for which to award funds.

In the event of a tie, HUD will select the highest ranking application that can be fully funded. In the event that two eligible applications receive the same score, and both cannot be funded because of insufficient funds, the applicant with the highest score in rating factor two will be funded. If rating factor two is scored identically, the scores in rating factors one and four will be compared in that order, until one of the applications receives a higher score. If both applications still score the same then the application which requests the least funding will be selected in order to promote the more efficient use of resources. Each application submitted will be evaluated on the basis of the selection criteria set forth below.

(B) Factors for Award to Evaluate and Rank Applications

The factors for rating and ranking applicants and maximum points for each factor, are provided below. The maximum number of points for this program is 102. This includes two EZ/EC bonus points, as described in the General Section of the SuperNOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points).

This factor addresses the extent to which the applicant has proper organizational resources necessary to successfully implement the proposed activities in a timely manner. The rating of the ''applicant'' or the ''applicants organization and staff'' for technical merit or threshold compliance, unless otherwise specified, will include any subcontractors, consultants, sub-recipients, and members of consortia which are firmly committed to the project. In rating this factor, HUD will consider the following:

(1) The knowledge and experience of the staff and administrative capability to manage grants, including administrative support functions, procurement, lines of authority, and fiscal management capacity.

(a) For PHAs (and TDHEs that had previously applied as IHAs), HUD will consider such measurement tools as PHMAP, uniform crime index, physical inspections, agency monitoring of records, Line of Credit Control System Reports (LOCCS), audits and such other relevant information available to HUD on the capacity of the owner or manager to undertake the grant.

(b) For owners of multifamily housing, HUD will consider the most recent Management Review (including Rural Development Management Review), HQS review, State Agency review and such other relevant information available to HUD on the capacity of the owner or manager to undertake the grant.

(c) A description of established performance goals to define the results expected to be achieved by all major grant activities proposed in the grant application, and a description of the goals expressed in an objective, quantifiable, and measurable form. The goals must be outcome or result-oriented and not out-put related. Outcomes include accomplishments, results, impact and the ultimate effects of the program on the drug or crime problem in the target/project area.

(2) The applicant's performance in administering Drug Elimination funding in the previous 5 years.

(a) For PHAs the applicant's past experience will be evaluated in terms of their ability to attain demonstrated measurable progress in tracking drug related crime, enforcement of screening and lease procedures in implementation of the ''One Strike and You're Out Initiative'' (as applicable), the extent to which the applicant has formed a collaboration with Tribal, State and local law enforcement agencies and courts to gain access to criminal conviction records of applicants to determine their suitability for residence in public housing. Such data will be measured and evaluated based on the Public Housing Management Assessment Program at 24 CFR part 901.

(b) The applicant must identify their participation in HUD grant programs within the preceding three years and discuss the degree of the applicant's success in implementing and managing program implementation, timely drawdown of funds, timely submission of required reports with satisfactory outcomes related to the plan and timetable, audit compliance, whether there are any unresolved findings from prior HUD reports (e.g. performance or finance) reviews of audits undertaken

by HUD, the Office of Inspector General, the General Accounting Office or independent public accountants.

(3) Submission of evidence that applicants have initiated other efforts to reduce drug-related crime by working with Operation Safe Home, SNAP, Weed and Seed, or tenant and/or law enforcement groups.

(4) The applicant's performance in administering other Federal, State or local grant programs.

Rating Factor 2: Need/Extent of the Problem (25 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities to address a documented problem in the target area (i.e., the degree of the severity of the drug-related crime problem in the project proposed for funding). In responding to this factor, applicants will be evaluated on the extent to which a critical level of need for the proposed activities is explained and an indication of the urgency of meeting the need in the target area. Applicants must include a description of the extent and nature of drug-related crime ''in or around'' the housing units or developments proposed for funding.

Applicants will be evaluated on the following:

(1) (15 points) ''Objective Crime Data'' relevant to the target area. For objective crime data, an applicant can be awarded up to 15 points. Such data should consist of verifiable records and not anecdotal reports. Where appropriate, the statistics should be reported both in real numbers and as an annual percentage of the residents in each development (e.g., 20 arrests in a two-year period for distribution of heroin in a development with 100 residents reflects a 20% occurrence rate). Such data may include:

(a) Police records or other verifiable information from records on the types or sources of drug related crime in the targeted developments and surrounding area;

(b) The number of lease terminations or evictions for drug-related crime at the targeted developments; and

(c) The number of emergency room admissions for drug use or that result from drug-related crime. Such information may be obtained from police departments and/or fire departments, emergency medical service agencies and hospitals. The number of police calls for service from housing authorities developments that include resident initiated calls, officer-initiated calls, domestic violence calls, drug distribution complaints, found drug paraphernalia, gang activity, graffiti that reflects drugs or gang-related activity, vandalism, drug arrests, and abandoned vehicles.

For PHAs, such data should include housing authority police records on the types and sources on drug related crime ''in or around'' developments as reflected in crime statistics or other supporting data from Federal, State, Tribal or local law enforcement agencies.

(2) (10 Points) Other Crime Data: *Other supporting data on the extent of drug-related crime*. For this section, an applicant can receive up to 10 points. To the extent that objective data as described above may not be available, or to complement that data, the assessment must use data from other verifiable sources that have a direct bearing on drug-related crime in the developments proposed for assistance under this program. However, if other relevant information is to be used in place of objective data, the application must indicate the reasons why objective data could not be obtained and what efforts were made to obtain it and what efforts will be made during the grant period to begin obtaining the data. Examples of the data should include (but are not necessarily limited to):

(a) Surveys of residents and staff in the targeted developments surveyed on drug-related crime or on-site reviews to determine drug/crime activity; and government or scholarly studies or other research in the past year that analyze drug-related crime activity in the targeted developments.

(b) Vandalism cost at the targeted developments, to include elevator vandalism (where appropriate) and other vandalism attributable to drug-related crime.

(c) Information from schools, health service providers, residents and Federal, State, local, and Tribal officials, and the verifiable opinions and observations of individuals having direct knowledge of drug-related crime and the nature and frequency of these problems in developments proposed for assistance. (These individuals may include Federal, State, Tribal, and local government law enforcement officials, resident or community leaders, school officials, community medical officials, substance abuse, treatment (dependency/remission) or counseling professionals, or other social service providers).

(d) The school dropout rate and level of absenteeism for youth that the applicant can relate to drug-related crime. If crime or other statistics are not available at the development or precinct level the applicant must use other verifiable, reliable and objective data.

(e) To the extent that the applicant community's Consolidated Plan identifies the level of the problem and the urgency in meeting the need, references to these documents should be included in the response. The Department will review more favorably those applicants who used these documents to identify need, when applicable.

Rating Factor 3: Soundness of Approach—(Quality of the Plan) (35 Points)

This factor addresses the quality and effectiveness of the applicant's proposed work plan. In rating this factor, HUD will consider the impact of the activity; if there are tangible benefits that can be attained by the community and by the target population.

An application must include a detailed narrative describing each proposed activity for crime reduction and elimination efforts for each development proposed for assistance, the amount and extent of resources committed to each activity or service proposed, and process used to collect, maintain, analyze and report Part I and II crimes as defined by the Uniform Crime Reporting (UCR System), as well as police workload data. The process must include the collection of police workload data such as, but not limited to, all calls for service at the housing authority by individual development, pattern over a period of time, type of crime, and plans to improve data collection and reporting.

In evaluating this factor, HUD will consider the following:

(1) (15 Points) The quality of the applicant's plan to address the drug-related crime problem, and the problems associated with drug-related crime in the developments proposed for funding, the resources allocated, and how well the proposed activities fit with the plan.

(2) (10 Points for (2) and (3)) The anticipated effectiveness of the plan and proposed activities in reducing or eliminating drug-related crime problems immediately and over an extended period, including whether the proposed activities enhance and are coordinated with on going or proposed programs sponsored by HUD such as Neighborhood Networks, Campus of Learners, Computerized Community Connections, Operation Safe Home, ''One Strike and You're Out,'' Department of Justice Weed and Seed Efforts, or any other prevention intervention treatment activities.

(3) The rationale for the proposed activities and methods used including evidence that proposed activities have

been effective in similar circumstances in controlling drug-related crime. Applicants that are proposing new methods for which there is limited knowledge of the effectiveness, should provide the basis for modifying past practices and rationale for why they believe the modification will yield more effective results.

(4) (10 Points for (4) and (5)) The process it will use to collect, maintain, analyze and report Part I and II crimes as defined by the Uniform Crime Reporting (UCR System), as well as police workload data. The applicant's proposed analysis of the data collected should include a method for assessing the impact of activities on the collected crime statistics on an on-going basis during the award period.

(5) Specific steps the applicant will take to share and coordinate information on solutions and outcomes with other law-enforcement and governmental agencies, and a description of any written agreements in place or that will be put in place.

(6) The extent to which the applicant's elimination of crime in a development or neighborhood will expand fair housing choice and will affirmatively further fair housing.

Rating Factor 4: Leveraging Resources—(Support of Residents, the Local Government and the Community in Planning and Implementing the Proposed Activities) (10 Points)

This factor addresses the ability of the applicant to secure community and government resources which can be combined with HUD's program resources to achieve program purposes.

(1) In assessing this factor, HUD will consider the following:

Evidence of commitment of funding, staff, or in-kind resources, partnership agreements, and on-going or planned cooperative efforts with law enforcement agencies, memoranda of understanding, or agreements to participate. Such commitments must be signed by an official of the organization legally able to make commitments for the organization. This evidence of commitment must include organization name, resources, and responsibilities of each participant. This also includes interagency activities already undertaken, participation in local, state, Tribal or Federal anti-drug related crime efforts such as: education, training and employment provision components of Welfare Reform efforts, Operation Weed and Seed, Operation Safe Home, local law enforcement initiatives and/or successful coordination of its law enforcement, or other activities with local, state, Tribal or Federal law enforcement agencies.

(2) In evaluating this factor, HUD will also consider the extent to which these initiatives are used to leverage resources for the housing authority community, and are part of the comprehensive plan and performance measures outlines in Rating Factor 3, Soundness of Approach—Quality of the Plan.

(a) An application must describe what role residents in the targeted developments, applicable community leaders and organizations, and law enforcement agencies have had in planning the activities described in the application and what role they will have in carrying out such activities.

(b) The application must include a discussion of the extent to which community representatives and Tribal, local, state and Federal Government officials, including law enforcement agency officials were actively involved in the design and implementation of the applicant's plan and will continue to be involved in implementing such activities during and after the period of PHDEP funding.

(c) The application must demonstrate the extent to which the relevant governmental jurisdiction has met its local law enforcement obligations under the Cooperation Agreement with the applicant (as required by the grantees Annual Contributions Contract with HUD). The applicant must describe the current level of baseline local law enforcement services being provided to the housing authority/developments proposed for assistance.

Rating Factor 5: Comprehensiveness and Coordination (10 Points).

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a Community's Consolidated Planning Process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community. In evaluating this factor, HUD will consider the extent to which the applicant demonstrates it has:

(1) Coordinated its proposed activities with those of other groups or organizations prior to submission in order to best complement, support and coordinate all known activities and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described.

(2) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State, or locally funded activities, including those proposed, or on-going in the community.

IV. Application Submission Requirement

Each applicant must comply with the submission requirements listed in Section IV of the General Section of the SuperNOFA. In addition, each application must specify whether it is for the FY 1997 or the FY 1998 funding competition. To qualify for a grant under this program, the application submitted to HUD shall also include those requirements listed under Section III of the PHDEP section of this SuperNOFA, including the plan to address the problem of drug-related crime in the developments proposed for funding. The applicant must accurately complete the form for HUD's application database entry. The form, with examples, is provided in the application kit.

V. Corrections to Deficient Applications

The General Section of this SuperNOFA provides the procedures for corrections to deficient applications.

VI. Environmental Requirements

It is anticipated that activities under the PHDEP will be categorically excluded under 24 CFR 50.19(b)(4)(b)(12), or (b)(13). If grant funds will be used to cover the cost of any non-exempt activities, HUD will perform an environmental review to the extent required by 24 CFR part 50, prior to grant awards.

Funding Availability for the New Approach Anti-Drug Program (Formerly Known as the Safe Neighborhood Grant Program)

Program Description: Approximately $20 million is available for funding for the New Approach Anti-Drug Program (formerly known as the Safe Neighborhood Grant Program). The purpose of these competitive grants under the New Approach Anti-Drug Program is to assist owners or managers of certain housing developments to: (1) augment security; (2) assist in the investigation and prosecution of drug-related criminal activity in and around the housing developments; and (3) provide for the development of capital improvements directly relating to the security of the developments.

Application Due Date: Applications must be physically received on or before 6:00 pm, local time June 15, 1998 at the address shown below. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications: An original and two copies of the application must be physically received by the deadline at the local Field Office with delegated public or assisted housing responsibilities attention: Director, Office of Public or Assisted Housing, or, in the case of the Native American population, to the local HUD Administrator, Area Offices of Native American Programs (AONAPs), as appropriate.

For Application Kits, Further Information, and Technical Assistance

For Application Kits. For an application kit and any supplemental information, please call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–2209. An application kit also will be available on the Internet through the HUD web site at http://www.HUD.gov. When requesting an application kit, please refer to the New Approach Anti-Drug Program, and provide your name, address (including zip code) and telephone number (including area code).

For Further Information and Technical Assistance. For program, policy, and other guidance, contact Henry Colonna, Department of Housing and Urban Development, Virginia State Office, 3600 West Broad Street, Richmond, VA 23230–4920, telephone (804) 278–4505, x 3027, or (804) 278–4501 (the TTY number).

Additional Information

I. Authority; Purpose; Amount Allocated; and Eligibility

(A) Authority

The FY 1998 HUD Appropriations Act.

(B) Purpose of the New Approach Anti-Drug Program (Formerly the Safe Neighborhood Grant Program)

(1) The purpose of these competitive grants is to assist entities managing or operating Federally assisted multifamily housing developments, public and Indian housing developments (including those Indian housing units formerly defined as public housing under section 3 of the U.S. Housing Act of 1937 and now counted as current assisted stock under the Indian Housing Block Grant Program), or other multifamily-housing developments for low-income families supported by non-Federal governmental housing entities or similar housing developments supported by nonprofit private sources, to augment security (including personnel costs), assist in the investigation and/or prosecution of drug-related criminal activity in and around such developments, and provide for the development of capital improvements at such developments directly relating to the security of such developments. Housing authorities shall form partnerships as sub-grantees to be eligible for assistance.

(2) With these grants, HUD is taking a comprehensive neighborhood/community-based approach to crime. Crime fighting efforts are most effective when partnering takes place with law-enforcement agencies at various levels and with a full range of community stakeholders (such as public housing agencies (PHAs) and Tribally Designated Housing Entities (TDHEs)). Applicants who are owners/operators of eligible housing will be required to have as a subgrantee the unit of general local government (city or county—preferably with the local police department and the local district attorney or prosecutor's office) and other community stakeholders including the owners and residents of assisted housing developments in the benefitting neighborhoods to address crime in an entire neighborhood (a neighborhood may include more than one assisted housing development). Applicants shall also form partnerships with the following entities, if applicable: community residents; neighborhood businesses; and non-profit providers of support services, including spiritually-based organizations and their affiliates.

(C) Amount Allocated

(1) *Available Funding.* Twenty million dollars ($20 million) is available for funding under the New Approach Anti-Drug Program, as provided in the FY 1998 Appropriations Act.

(2) *Maximum Grant Award.* The maximum grant award amount is limited to $250,000 per application.

(3) *Reduction of Requested Grant Amounts.* HUD may award an amount less than requested if:

(a) HUD determines the amount requested for an eligible activity and/or any budget line item is unreasonable;

(b) Insufficient amounts remain under the allocation to fund the full amount requested by the applicant, and HUD determines that partial funding is a viable option;

(c) HUD determines that some elements of the proposed plan are suitable for funding and others are not; or

(d) HUD determines that a reduced grant would prevent duplicative Federal funding.

(4) *Distribution of Funds.* HUD is allocating funds to the highest scoring applications that have met all program threshold requirements and have been ranked by HUD or it's agent.

(5) *Grant Reductions After Award.* HUD may rescind and/or recapture grant funds based on the failure of the grantees or the grantee's' partners to perform in accordance with the Grant Agreement, including the project application that will be incorporated in the Grant Agreement by reference. In addition, grant funds not expended for eligible purposes and in accordance with OMB cost principles by the end of the grant term will be recaptured by HUD.

(D) Eligible Applicants

(1) *General.* Grants may be made to a lead applicant that must be an owner/operator of one or more housing developments that have received some form of financial support from a unit of government or from a private non-profit entity. Unless the lead applicant is a unit of general local government which operates the assisted project, the lead applicant must own an assisted housing development in the neighborhood to be assisted. Housing authorities shall form partnerships as sub-grantees to be eligible for assistance. Indian tribes or Tribally Designated Housing Entities may apply for assistance if they have eligible project areas and eligible assisted housing (see Section I(H) of this New Approach Anti-Drug Program section of the SuperNOFA). New Approach Anti-Drug Program grants

may be awarded to entities that manage or operate Federally assisted multifamily housing.

(2) *Lead Applicant.*

(a) The lead applicant, which if the application is selected for funding will be the grantee, must be an owner/operator of one or more housing developments that has received some form of financial support from a unit of government or from a private nonprofit entity. Housing Authorities shall form partnerships as sub-grantees to be eligible for assistance. Such support must be designated and assigned by the funding source specifically for the housing rather than for any specific resident household which may, however, benefit from the support in the form of reduced rent. The housing support may be provided on a one-time or periodic basis to pay for or waive: project development costs; costs of financing; operating costs (which include but are not limited to utilities, taxes, fees, and debt service payments); (iv) owner taxes; (v) unit rent levels; or (vi) tenant rent payments.

(b) Unless the lead applicant is a unit of general local government which owns the assisted project, the lead applicant must also own an assisted housing development (as defined in Section I(H) of this New Approach Anti-Drug Program section of the SuperNOFA) in the neighborhood to be assisted. The lead applicant may not have any outstanding findings of civil rights violations.

(c) Housing authorities may not be the lead applicant; housing authorities must form partnerships as sub-grantees to be eligible for assistance.

(3) *Subgrantees and Partnerships.*

(a) *Memorandum of Understanding.* The application must include a number of subgrantees. The chief executive officer or empowered designee of each subgrantee must enter into a Memorandum of Understanding (MOU) with the applicant. The MOU must describe the subgrantee's commitment to serve as a subgrantee, and must specify the expertise and/or resources that the subgrantee will contribute towards the success of the grant activity. The MOU must be included as part of the application.

(b) *Required Subgrantees.* The following entities must be included as subgrantees in the application:

(i) The unit(s) of general local government with primary law enforcement and community development jurisdiction over the project. The MOU of this entity must commit the local police department, prosecutor's office, and community development office to actively support the grant project in partnership with the grantee. The MOU must also describe the level of current services being provided by these entities, and the level of services above this baseline which the entities are committed to providing in support of the grant.

(ii) The owners of assisted housing developments in the neighborhood that will benefit from grant funding. HUD is inclined to reward applications in neighborhoods which have demonstrated that more than one assisted housing development will benefit, and where owners have agreed to participate in the grant activities.

(iii) Residents of each assisted low income project in the neighborhood that will benefit from grant funding. The residents' commitment must include the extent to which they are involved in the planning, and will be participating in and support the Action Plan. This commitment must be signed either by individuals from a majority of project resident households, or by one or more organized resident groups that, combined, have been endorsed by a majority of project resident households or recognized by a governmental entity as representing a majority of project residents.

(c) *Encouraged Partnerships.* In addition to the required subgrantees specified above, applicants are encouraged to partner with other appropriate neighborhood and community stakeholders, including: Neighborhood businesses and business associations; Nonprofit service providers; Neighborhood resident associations; and faith communities or religious institutions.

(E) Eligible Activities

The following is a listing of eligible activities under this program and guidance as to their parameters (the term TDHEs includes those IHAs applying for FY 1997) funding:

(1) *Augmenting Security (Including Personnel).*

(a) *General.* Subject to a Cost Reimbursement Agreement, the grantee may reimburse local law enforcement entities for the costs of additional police presence (police salaries and other expenses directly related to such presence or security) in and around assisted housing developments in the neighborhood over and above baseline services currently provided.

(b) *Baseline Services.* Additional/supplemental security services are permitted but must be over and above the local police department's current level of baseline services. An applicant seeking funding for augmenting security must describe the local police department's current level of baseline services to the neighborhood (including ordinary and routine services, patrols, police officer responses to 911 communications and other calls for services, and investigative follow-up of criminal activity). The description of baseline services must include the number of officers and the actual percent of their time assigned to the development(s) proposed for funding. The applicant must then demonstrate to what extent the proposed funded activity will represent an increase over and above this baseline.

(c) *Police Presence.* For any grant, at least 70 percent of such reimbursed costs must be for police presence in or immediately adjacent to the premises of assisted housing developments and the remainder of such reimbursed costs must be for police presence within the project area.

(d) *Crime Fighting Strategy.*

(i) In its criteria for awarding points in the funding competition, HUD is strongly encouraging that additional law enforcement in the assisted housing developments and surrounding neighborhoods be targeted to implementing an overall crime fighting strategy, rather than merely responding to crime emergencies. Two potentially effective anti-crime strategies that can benefit from additional police presence are:

(*1*) Combined multi-agency task force initiatives, in which local and Federal law enforcement agencies pool resources, first, to infiltrate organizations that promote violent and/or drug-related crime in the neighborhood and, second, to initiate strategic and coordinated mass arrests to break up these organizations; and

(*2*) Community policing (i.e., sustained proactive police presence in the development or neighborhood, often conducted from an on site substation or mini-station, that involves crime prevention, citizen involvement, and other community service activities, as well as traditional law enforcement).

(ii) If reimbursement is provided for community policing activities that are committed to occur over a period of at least 3 years and/or are conducted from a police substation or administration within the neighborhood, the costs during the grant period of constructing such a station or of equipping the substation with communications and security equipment to improve the collection, analysis and use of information about criminal activities in the properties and the neighborhood may be reimbursed.

(iii) Federal law enforcement activities may not be funded by the New Approach Program Grant.

(2) *Security Services Provided by Other Entities (such as the Owner of an Assisted Housing Development).*

(a) *General.*

(i) *Coordination.* The activities of any contract security personnel funded under this grant must be coordinated with other law enforcement and crime prevention efforts under the plan approved by HUD. Efforts to achieve such coordination must be described in the plan. The coordination efforts must include frequent periodic scheduled meetings of security personnel with housing project management and residents, local police and, as appropriate, with other public law enforcement personnel, neighboring residents, landlords, and other neighborhood stakeholders.

(ii) *Proven Ability to Address Crime Problems.* HUD is inclined, as stated elsewhere in this New Approach Anti-Drug Program section of the SuperNOFA, to reward applicants that partner with entities that have a proven ability to address crime problems.

(b) *Reimbursement of State and Local Law Enforcement Agencies.*

(i) Subject to a Cost Reimbursement Agreement, the grantee may reimburse local or State prosecuting offices and related public agencies for the prosecution or investigation of crime committed in the neighborhood related to the Action Plan. Such reimbursement must be for costs over and above what the office or agency incurred for such purposes for crimes committed in the same geographic area during the period equal in length and immediately prior to the period of reimbursement.

(ii) For any grant, at least 70 percent of such reimbursed costs must be in connection with crimes committed in or immediately adjacent to the premises of Assisted Housing developments and the remainder of such reimbursed costs directly related to crime committed elsewhere in the neighborhood.

(c) *Hiring of Private Investigator Services.* Subject to appropriate justification, grantees and subgrantees are permitted to use grant funds to hire private investigator services to investigate crime in and around the premises of an assisted housing development and/or the surrounding neighborhood. Based on HUD's inclination to reward applicants that partner with entities that have a proven ability to address crime problems, HUD is strongly inclined to provide more points under the rating factors entitled ''Quality of Plan'' and ''Strength of Partnerships'' to applications that propose reimbursing municipal police departments or prosecutor offices than those reimbursing private operators, for investigative or prosecutorial services (See Section III of this New Approach Anti-Drug Program section of this SuperNOFA).

(3) *Capital Improvements to Enhance Security.* Grantees and subgrantees may use grant funds for capital improvements to enhance security. All such improvements must be accessible to persons with disabilities. For example, locks or buzzer systems that are not accessible to people with restricted or impaired strength, mobility, or hearing may not be funded by the grant. Defensible space improvements must comply with civil rights requirements and cannot exclude or segregate persons based upon their race, color, or national origin from benefits, services, and other terms and conditions of housing. Under the selection criterion entitled ''Quality of Plan,'' HUD is generally inclined to reward capital improvements to enhance the security of an entire neighborhood as opposed to specific projects at the expense of other dwellings in the neighborhood. The capital improvements may include, but are not limited to:

(a) The new construction or rehabilitation of structures housing police substations or mini-stations;

(b) The installation of barriers, speed bumps, the installation of fences, barriers, and appropriate use of close circuit television (CCTV);

(c) Improved door or window security such as locks, bolts, or bars; and

(d) The landscaping or other reconfiguration of common areas to discourage drug-related criminal activities.

(F) Eligible Project Areas

(1) The project area must be a ''neighborhood.'' For purposes of the New Approach Anti-Drug Program, the term ''neighborhood'' means:

(a) A geographic area within a jurisdiction of a unit of general local government (but not the entire jurisdiction unless the population is less than 25,000) designated in comprehensive plans, ordinances, or other local documents as a neighborhood, village, or similar geographical designation; or

(b) The entire jurisdiction of a unit of general local government with a population of less than 25,000 persons.

(2) The project area must include at least one assisted low-income housing project under:

(a) Section 221(d)(3), section 221(d)(4), or section 236 of the National Housing Act (12 U.S.C. 1715*l*, 1715z–1), provided that such project has been provided a Below Market Interest Rate mortgage, interest reduction payments, or project-based assistance under Rent Supplement, Rental Assistance Payments (RAP) or Section 8 programs.

(b) Section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s);

(c) Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f). This includes housing with project-based Section 8 assistance, whether or not the mortgage was insured by HUD–FHA, but does not include projects which receive only Section 8 tenant-based assistance (i.e., certificates or vouchers).

(3) HUD will award only one grant per project area.

(G) Ineligible Project Areas

FHA-insured projects which have no project-based subsidy but have tenants receiving housing vouchers or Section 8 tenant certificates are not considered Federally assisted housing and would not qualify an area for eligibility.

(H) Eligible Assisted Housing

The following definitions apply to this program.

(1) *Assisted Housing Development.*

(a) For purposes of this program, the term ''assisted housing development'' means four or more adjoining, adjacent, or scattered site (within a single neighborhood) housing units, developed simultaneously or in stages, having common ownership and project identity, and receiving a project-based financial subsidy from a unit of government at the Federal, State, or local level, or from a private nonprofit entity.

(b) Such subsidy must be associated with a requirement and/or contractual agreement that all or a portion of the units be occupied by households with incomes at or below those of families at the low income limit defined by the U.S. Housing Act of 1937, or by households at or below an alternative limit that falls below this statutory low income limit, at rents which the public or nonprofit entity determines to be affordable.

(2) *Assisted Housing Unit.* For purposes of this program, the term ''assisted housing unit'' means a unit within an assisted housing development for which occupancy is restricted to households with incomes at or below that of ''low income families'' as defined by the U.S. Housing Act of 1937 or to households meeting an income standard below that defined as ''low income;'' and rents are restricted to amounts that

the public or nonprofit entity determines to be affordable.

(3) *Project Based Subsidies.* For purposes of this program, the term ''project based subsidies'' is defined as financial assistance that is initially designated and assigned by the funding source specifically for the project rather than to eligible assisted resident households which might also benefit from these subsidies, and provided on a one time up-front or on a periodic basis to the project or its owner to write down, subsidize, or waive: project development costs; costs of financing; project operating costs (including but are not limited to: utilities, taxes, fees, maintenance and debt service payments); owner taxes; unit rent levels; or tenant rent payments.

(I) Ineligible Activities

New Approach Anti-Drug Program Grant funding is not permitted for any of the activities listed below, unless otherwise specified in this New Approach Anti-Drug Program section of this SuperNOFA.

(1) Crime prevention, treatment, or intervention activities are not permitted in this program.

(2) Costs incurred before the effective date of the grant agreement, including but not limited to consultant fees related to the development of an application or the actual writing of the application.

(3) Purchase of controlled substances for any purpose. Controlled substance shall have the meaning provided in section 102 of the Controlled Substance Act (21 U.S.C. 802).

(4) Compensating informants, including confidential informants. These should be part of the baseline services provided and budgeted by local law enforcement agencies.

(5) Although participation in activities with Federal drug interdiction or drug enforcement agencies is encouraged, these grant funds shall not be transferred to any Federal agency.

(J) Implementation Principles

HUD has established the following principles in its plan for implementing these New Approach Anti-Drug Program Grants:

(1) *Drug- and crime-fighting activities, if only directed to a single assisted housing development, may have the unfortunate effect of simply moving the problem to nearby housing and businesses.* With these grants, HUD is taking a comprehensive neighborhood/community-based approach to crime. Applicant owners/operators of eligible housing will be required to partner with the unit of general local government (city or county) and other stakeholders to address crime in an entire neighborhood (which may include more than one assisted housing development). (Units of local government that are owners/operators of eligible housing may also be designated grantees whether or not the neighborhood designated for assistance includes housing that they own.)

(2) *Crime fighting efforts are most effective when partnerships are formed with law-enforcement agencies and with a full range of community stakeholders.* Applicants will be required to demonstrate that they have formed a partnership with units of general local government, preferably with the local police department and the local district attorney or prosecutor's office playing key roles in this partnership. Applicants shall also form partnerships with the following entities, if applicable:

(a) Federal law enforcement agencies (such as the HUD Office of Inspector General (OIG), the U.S. Attorney's Office, the FBI, the Drug Enforcement Administration (DEA), and the U.S. Marshal's Office) and State and local law enforcement agencies;

(b) All owners of assisted housing developments in the targeted neighborhood; and

(c) Residents of these assisted housing developments and of the community.

(d) Neighborhood businesses; and

(e) Non-profit providers of support services, including spiritually-based organizations and their affiliates.

(3) *Law enforcement strategies, however effective in the short run, need to be combined with efforts to address the underlying causes of crime and deter its reappearance.* The long term solution to the crime problems of assisted housing developments and their surrounding neighborhoods rest in changing the conditions—and the culture that exists.

(4) *Encouraging Partnerships.*

(a) HUD encourages the use of effective working partnerships in new locations to leverage the many Federal resources that are available to eliminate crime in and around public and assisted housing developments through the Drug Elimination Grant, Operation Safe Home, and Weed and Seed programs. HUD now wishes to encourage these successful partnerships to address similar problems in and around privately-owned, Federally assisted housing. In addition to rewarding partnerships, HUD is requiring that at least one project in each targeted neighborhood be multifamily housing with either:

(i) A HUD-insured, held, or direct mortgage and Rental Assistance Payments (RAP), Rent Supplement, or interest reduction payments; or

(ii) Section 8 project-based assistance with or without HUD interest in the project mortgage.

(b) This emphasis on HUD assisted privately-owned housing does not negate the eligibility of other low-income housing developments assisted by Federal, State, and local government, and not-for-profit sources to apply for the New Approach Anti-Drug Program. By awarding points for neighborhoods with high concentrations of assisted housing, HUD is encouraging applicants to address the needs of multiple assisted housing developments which may feature a mix of ownership types and subsidy sources.

(5) *Complying with Civil Rights Requirements.* With the very real need to protect occupants of HUD-sponsored housing and the areas around the housing, the civil rights of all citizens must be protected. Proposed strategies should be developed to ensure that crime-fighting and drug prevention activities are not undertaken in such a manner that civil rights or fair housing statutes are violated. Profiling on any prohibited bases may not be allowed. In addition, all segments of the population should be represented in developing and implementing these crime-fighting strategies.

(6) *Coordination with Other Law Enforcement Efforts.* In addition to working closely with residents and local governing bodies, it is critically important that owners establish ongoing working relationships with Federal, State, and local law enforcement agencies in their efforts to address crime and violence in and around their housing developments. HUD firmly believes that the war on crime and violence in assisted housing can only be won through the concerted and cooperative efforts of owners and law enforcement agencies working together in cooperation with residents and local governing bodies. As such, HUD encourages owners to participate in Departmental and other Federal law enforcement agencies' programs, as described below:

(7) *Safe Neighborhood Action Program (SNAP).*

(a) The Safe Neighborhood Action Program (SNAP) initiative, announced June 12, 1994 by HUD, the National Assisted Housing Management Association (NAHMA), and the U.S. Conference of Mayors (USCM), is an anti-crime and empowerment strategies initiative in HUD-assisted housing neighborhoods in 14 SNAP cities. The major thrust of SNAP is the formation of local partnerships in 14 targeted

cities where ideas and resources from government, owners and managers of assisted housing, residents, service providers, law enforcement officials, and other community groups meet to work on innovative, neighborhood anti-crime strategies.

(b) There is no funding associated with SNAP, which relies on existing ideas and resources of the participants. Some common initiatives from these SNAP teams have included the following: community policing; crime watch programs; tenant selection policies; leadership training; individual development or job skills training; expansion of youth activities; police tip line or form; community centers; anti-gang initiatives; police training for security officers; environmental improvements; and a needs assessment survey to determine community needs.

(c) In addition, a HUD-sponsored initiative to increase the presence of AmeriCorps' VISTAs in assisted housing units has led to the placement of 25 VISTAs on 12 SNAP teams. The AmeriCorps VISTA program, which incorporates a theme of working within the community to find solutions to community needs, has provided additional technical assistance to the SNAP teams.

(d) The cities participating in the SNAP initiative include: Atlanta, GA; Boston, MA; Denver, CO; Houston, TX; Newark, NJ; Philadelphia, PA; Baltimore, MD; Columbus, OH; Detroit, MI; Los Angeles, CA; New Orleans, LA; Little Rock, AR; Richmond, VA; and Washington, DC.

(e) For more information on SNAP, contact Henry Colonna, National SNAP Coordinator, Virginia State Office, 3600 West Broad Street, Richmond, VA 23230–4920; telephone (804) 278–4505, extension 3027; or (804) 278–4501 (TTY). For more information on AmeriCorps' VISTAs in Assisted Housing, contact Deanna E. Beaudoin, National VISTAs in Assisted Housing Coordinator, Colorado State Office, First Interstate Tower North, 633 17th Street, Denver, CO 80202; telephone (303) 672–5291, extension 1068; or (303) 672–5248 (TTY). These numbers are not toll-free.

II. Program Requirements

The following requirements apply to all activities, programs, or functions used to plan, budget, implement, and evaluate the work funded under this program.

(A) Grant Agreement

After applications have been ranked and selected, HUD and the applicant shall enter into a grant agreement setting forth the amount of the grant, the physical improvements or other eligible activities to be undertaken, financial controls, and special conditions, including sanctions for violation of the agreement. The Grant Agreement will incorporate the HUD approved applications, as may be amended by any special condition in the Grant Agreement. HUD will monitor grantees, utilizing the Grant Agreements to ensure that grantees have achieved commitments set out in their HUD approved grant application. Failure to honor such commitments would be the basis for HUD determining a default of the Grant Agreement, and exercising available sanctions, including grant suspension, termination, and/or the recapture of grant funds.

(B) Requirements Governing Grant Administration, Audits and Cost Principles

The policies, guidelines, and requirements of this New Approach Anti-Drug Program section of the SuperNOFA, 48 CFR part 31, 24 CFR parts 44, 45, 84 and/or 85, OMB Circulars A–87 and/or A–122, other applicable administrative, audit, and cost principles and requirements, and the terms of grant/special conditions and subgrant agreements apply to the acceptance and use of assistance by grantees. The requirements cited above, as applicable, must be followed in determining procedures and practices related to the separate accounting of grant funds from other grant sources, personnel compensation, travel, procurement, the timing of drawdowns, the reasonableness and allocability of costs, audits, reporting and closeout, budgeting, and preventing conflict of interests or duplicative charging of identical costs to two different funding sources. All costs must be reasonable and necessary.

(C) Term of Grant

Grant funds must be expended within 24 months after HUD executes a Grant Agreement. There will be no extensions or waivers of this grant term.

(D) Subgrants and Subcontracting

(1) In accordance with an approved application, a grantee may directly undertake any of the eligible activities under this New Approach Anti-Drug Program section of the SuperNOFA, it may contract with a qualified third party, or it may make a subgrant to any entity approved by HUD as a member of the partnership, provided such party is a unit of government, is incorporated as a not-for-profit organization, or is an incorporated for-profit entity that owns and/or manages an assisted housing project benefiting from the grant. Resident groups that are not incorporated may share with the grantee in the implementation of the program, but may not receive funds as subgrantees. For-profit organizations other than owners or managers of an Assisted Housing project benefiting from the grant that have been approved by HUD as part of the partnership may only receive grant funds subject to the applicable Federal procurement procedures (See 24 CFR parts 84 or 85).

(2) Subgrants may be made only under a written agreement executed between the grantee and the subgrantee. The agreement must include a program budget that is acceptable to the grantee, and that is otherwise consistent with the grant application budget. The agreement must require the subgrantee to permit the grantee to inspect the subgrantee's work and to follow applicable OMB and HUD administrative requirements, audit requirements, and cost principles, including those related to procurement, drawdown of funds for immediate use only, and accounting to the grantee for the use of grant funds and implementation of program activities. In addition, the agreement must describe the nature of the activities to be undertaken by the subgrantee, the scope of the subgrantee's authority, and the amount of any insurance to be obtained by the grantee and the subgrantee to protect their respective interests.

(3) The grantee shall be responsible for monitoring, and for providing technical assistance to, any subgrantee to ensure compliance with applicable HUD and OMB requirements. The grantee must also ensure that subgrantees have appropriate insurance liability coverage.

(E) Environmental Requirements

Prior to the award of grant funds under the program, HUD will perform an environmental review to the extent required under the provisions of 24 CFR part 50. Should the environmental review indicate adverse environmental impacts, the application may be downgraded or rejected.

(F) Ineligible Contractors

The provisions of 24 CFR part 24 relating to the employment, engagement of services, awarding of contracts or funding of any contractors or subcontractors during any period of debarment, suspension, or placement in ineligibility status apply to this grant.

(G) Employment Preference

A grantee under this program shall give preference to the employment of residents of Assisted Housing projects

in the neighborhood to be assisted by this grant, and shall comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and 24 CFR part 135, to carry out any of the eligible activities under this program, so long as residents provided such preferences have comparable qualifications and training as nonresident applicants.

(H) Drawdown of Grant Funds

All grantees will access the grant funds through HUD's Line of Credit Control System-Voice Response System in accordance with procedures for minimizing the time lapsing between drawdowns and use of funds for eligible purposes as described in 24 CFR parts 84 and/or 85, as applicable.

(I) Reports and Closeout

Each grantee receiving a grant shall submit to HUD a semiannual progress report in a format prescribed by HUD that indicates program expenditures and measures performance in achieving goals. At grant completion, the grantee shall participate in a closeout process as directed by HUD which shall include a final report in a format prescribed by HUD that reports final program expenditures and measures performance in achieving program goals. Closeout will culminate in a closeout agreement between HUD and the grantee and, when appropriate, in the return of grant funds which have not been expended in accordance with applicable requirements.

(J) Suspension or Termination of Funding

HUD may suspend or terminate funding if the grantee fails to undertake the approved program activities on a timely basis in accordance with the grant agreement, adhere to grant agreement requirements or special conditions, or submit timely and accurate reports.

(K) Affirmatively Furthering Fair Housing

The first two sentences of the requirement in Section II(D) of the General Section of the SuperNOFA do not apply to this program.

III. Application Selection Process

(A) Rating and Ranking

(1) HUD will evaluate all eligible applications based on the factors for award identified in this Section III.

(2) After the applications have been scored, HUD will rank by Field Office on a national basis. Awards will be made in ranked order until all funds are expended.

HUD will select the highest ranking applications whose eligible activities can be fully funded. Where there is insufficient funds to fully fund all applicants by Field Office, HUD will award remaining funds, regardless of Field Office, to the next highest ranking applicant. HUD will continue the process until all funds allocated to it have been awarded or to the point where there are insufficient acceptable applications for which to award funds.

(3) In the event of a tie, HUD will select the applicant with the highest score in Factor 1. If Factor 1 is scored identically, the scores in Factors 2, 3 and 4 will be compared in that order, until one of the applications receives a higher score. If both applications still score the same then the application which requests the least funding will be selected in order to promote the more efficient use of resources. In the event of a tie and there is not sufficient funds to fully fund an applicant, HUD will offer remaining funds to the highest ranking applicant following the procedures above.

(B) Factors for Award To Evaluate and Rank Applications

The maximum number of points for this program is 102. This includes two EZ/EC bonus points, as described in the General Section of the SuperNOFA. An application must receive a score of at least 70 points to be eligible for funding.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points)

This factor addresses the extent to which the applicant has proper organizational resources necessary to successfully implement the proposed New Approach Anti-Drug Program activities in an effective, efficient, and timely manner. In rating this factor, HUD will consider the extent to which the application demonstrates the capabilities described below:

(1) (7 Points) *The applicants' successful experience combined with its subgrantees' successful experience in utilizing similar strategies to alleviate crime.* To receive maximum points under this section, the applicant must have worked in partnership with one or more of its subgrantees (or, under some circumstances, two or more of the subgrantees may have worked together in partnership) using a similar strategy that reduced crime in and/or around Assisted Housing developments. The applicant must demonstrate the reduction in the occurrence of crime as indicated in Selection Factor 3 of this component of the SuperNOFA. Examples of other Federal programs which promote such partnerships are HUD's Operation Safe Home Program, Safe Neighborhood Action Program and, to some extent, the Drug Elimination Grant Program. In the absence of previous partnerships, the experience of the applicant will weigh more heavily than the experience of any single subgrantee in HUD's assignment of partial points under this subfactor.

(2) (6 Points) *The strength of the applicants' partnership as it relates to eliminating the crime problem identified in Factor 2.* Points in this area will be awarded based on the strength of resource commitments by subgrantees (both in terms of the amount of resources committed and the firmness of the commitments); evidence of the subgrantees' (including project tenants') pre-application role in the development of the plan and prospective role in program implementation; indications of the capacity of the Assisted Housing developments' ownership and management (based on available management reviews by governing public entities) to undertake their share of responsibilities in the partnership (including evidence of whether project management carefully screens applicants for units and takes appropriate steps to deal with tenants known to exhibit or suspected of exhibiting criminal behavior) and to cooperate with law enforcement actions by other partners on their project premises; the willingness of the unit of general local government (lead applicant) to use its prosecutor's office as its lead agency in implementing the grant; utilization of additional partners other than those required under the heading ''Eligible Applicants'' (for example, neighborhood business organizations); and the effectiveness of the partnership structure (synergistic arrangements of collective action will receive more points than a simple advisory committee of subgrantees).

(3) *The applicants' administrative capacity to implement the grant.* Points will be awarded based on the quality and amount of staff allocated to the grant activity by the grantee; the anticipated effectiveness of the grantee's systems for budgeting, procurement, drawdown, allocation, and accounting for grant funds and matching resources in accordance with OMB administrative requirements; and the lines of accountability for implementing the grant activity, coordinating the partnership, and assuring that the applicant's and subgrantees' commitments will be met. In assessing this factor, HUD will consider the following factors with the indicated total available points:

(a) (4 Points) The applicant must identify their participation in HUD grant programs within the preceding three years, and discuss the degree of the applicant's success in implementing and managing (program implementation, timely drawdown of funds, timely submission of required drawdown of funds, timely submission of required reports with satisfactory outcomes related to the plan and timetable, audit compliance and other HUD reviews) these grant programs.

(b) (3 Points) The local HUD Field Office shall evaluate the extent of the applicant's success or failure in implementing and managing an effective program under previous grants (prior three years). This evaluation will be based on, but not limited to, the relationship between the extent of the crime detailed in Factor 2 during the preceding years, and outcomes regarding reducing/eliminating drug-related crime described in the plans and achievements of proposed strategies regarding crime reduction goals outlined in HUD program performance outcome measurements relating to reducing drugs and crime activities, and HUD reviews, audits, and other monitoring methods.

Rating Factor 2: Need/Extent of the Problem (25 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities to address a documented problem in the target area (i.e., the degree of the severity of the drug-related crime problem in the project proposed for funding). In responding to this factor, applicants will be evaluated on the extent to which a critical level of need for the proposed activities is explained and an indication of the urgency of meeting the need in the target area. Applicants must include a description of the extent and nature of drug-related crime ''in or around'' the housing units or developments proposed for funding.

Applicants will be evaluated on the following:

(1) (15 points) ''Objective Crime Data'' relevant to the target area. For objective crime data, an applicant can be awarded up to 15 points. Such data should consist of verifiable records and not anecdotal reports. Where appropriate, the statistics should be reported both in real numbers and as an annual percentage of the residents in each development (e.g., 20 arrests in a two-year period for distribution of heroin in a development with 100 residents reflects a 20% occurrence rate). Such data may include:

(a) Police records or other verifiable information from records on the types or sources of drug related crime in the targeted developments and surrounding area;

(b) The number of lease terminations or evictions for drug-related crime at the targeted developments; and

(c) The number of emergency room admissions for drug use or that result from drug-related crime. Such information may be obtained from police Departments and/or fire departments, emergency medical service agencies and hospitals. The number of police calls for service from housing authorities developments that include resident initiated calls, officer-initiated calls, domestic violence calls, drug distribution complaints, found drug paraphernalia, gang activity, graffiti that reflects drugs or gang-related activity, vandalism, drug arrests, and abandoned vehicles.

For PHAs, such data should include housing authority police records on the types and sources on drug related crime ''in or around'' developments as reflected in crime statistics or other supporting data from Federal, State, Tribal or local law enforcement agencies.

(2) (10 Points) Other Crime Data: *Other supporting data on the extent of drug-related crime.* For this section, an applicant can received up to 10 points. To the extent that objective data as described above may not be available, or to complement that data, the assessment must use data from other verifiable sources that have a direct bearing on drug-related crime in the developments proposed for assistance under this program. However, if other relevant information is to be used in place of objective data, the application must indicate the reasons why objective data could not be obtained and what efforts were made to obtain it and what efforts will be made during the grant period to begin obtaining the data. Examples of the data should include (but are not necessarily limited to):

(a) Surveys of residents and staff in the targeted developments surveyed on drug-related crime or on-site reviews to determine drug/crime activity; and government or scholarly studies or other research in the past year that analyze drug-related crime activity in the targeted developments.

(b) Vandalism cost at the targeted developments, to include elevator vandalism (where appropriate) and other vandalism attributable to drug-related crime.

(c) Information from schools, health service providers, residents and Federal, State, local, and Tribal officials, and the verifiable opinions and observations of individuals having direct knowledge of drug-related crime and the nature and frequency of these problems in developments proposed for assistance. (These individuals may include Federal, State, Tribal, and local government law enforcement officials, resident or community leaders, school officials, community medical officials, substance abuse, treatment (dependency/remission) or counseling professionals, or other social service providers.)

(d) The school dropout rate and level of absenteeism for youth that the applicant can relate to drug-related crime. If crime or other statistics are not available at the development or precinct level the applicant must use other verifiable, reliable and objective data.

(e) To the extent that the applicant's community's Consolidated Plan identifies the level of the problem and the urgency in meeting the need, references to the Consolidated Plan should be included in the response. The Department will review more favorably those applicants who used the Consolidated Plan to identify need, when applicable.

Rating Factor 3: Soundness of Approach (Quality of the Plan) (35 Points)

This factor addresses the quality and effectiveness of the applicant's proposed work plan. In rating this factor, HUD will consider the impact of the activity; if there are tangible benefits that can be attained by the community and by the target population.

An application must include a detailed narrative describing each proposed activity for crime reduction and elimination efforts for each development proposed for assistance, the amount and extent of resources committed to each activity or service proposed, and process used to collect, maintain, analyze and report Part I and II crimes as defined by the Uniform Crime Reporting (UCR System), as well as police workload data. The process must include the collection of police workload data such as, but not limited to, all calls for service at the housing authority by individual development, pattern over a period of time, type of crime, and plans to improve data collection and reporting.

In evaluating this factor, HUD will consider the following:

(1) (15 Points) The quality of the applicant's plan to address the drug-related crime problem, and the problems associated with drug-related crime in the developments proposed for funding, the resources allocated, and how well the proposed activities fit with the plan.

(2) (10 Points for (2) and (3)) The anticipated effectiveness of the plan and proposed activities in reducing or eliminating drug-related crime problems immediately and over an extended period, including whether the proposed activities enhance and are coordinated with on going or proposed programs sponsored by HUD such as Neighborhood Networks, Campus of Learners, Computerized Community Connections, Operation Safe Home, ''One Strike and You're Out,'' Department of Justice Weed and Seed Efforts, or any other prevention intervention treatment activities.

(3) The rational for the proposed activities and methods used including evidence that proposed activities have been effective in similar circumstances in controlling drug-related crime. Applicants that are proposing new methods for which there is limited knowledge of the effectiveness, should provide the basis for modifying past practices and rationale for why they believe the modification will yield more effective results.

(4) (10 Points for (4) and (5)) The process it will use to collect, maintain, analyze and report Part I and II crimes as defined by the Uniform Crime Reporting (UCR System), as well as police workload data. The applicant's proposed analysis of the data collected should include a method for assessing the impact of activities on the collected crime statistics on an on-going basis during the award period.

(5) Specific steps the applicant will take to share and coordinate information on solutions and outcomes with other law-enforcement and governmental agencies, and a description of any written agreements in place or that will be put in place.

(6) The extent to which the applicant's elimination of crime in a development or neighborhood will expand fair housing choice and will affirmatively further fair housing.

Rating Factor 4: Leveraging Resources (Support of Residents, the Local Government and the Community in Planning and Implementing the Proposed Activities) (10 Points)

This factor addresses the ability of the applicant to secure community and government resources, in-kind services from local governments, non-profit or for-profit entities, private organizations be combined with HUD's program resources to achieve program purposes. In assessing this factor, HUD will consider the following:

(1) Evidence of commitment of funding, staff, or in-kind resources, partnership agreements, and on-going or planned cooperative efforts with law enforcement agencies, memoranda of understanding, or agreements to participate. Such commitments must be signed by an official of the organization legally able to make commitments for the organization. This evidence of commitment must include organization name, resources, and responsibilities of each participant. This also includes interagency activities already undertaken, participation in local, state, Tribal or Federal anti-drug related crime efforts such as: education, training and employment provision components of Welfare Reform efforts, Operation Weed and Seed, Operation Safe Home, local law enforcement initiatives and/or successful coordination of its law enforcement, or other activities with local, state, Tribal or Federal law enforcement agencies.

In evaluating this factor, HUD will also consider the extent to which these initiatives are used to leverage resources for the housing authority community, and are part of the comprehensive plan and performance measures outlines in Rating Factor 3, Soundness of Approach—Quality of the Plan.

(2) An application must provide a description of the Neighborhood and the Assisted Housing Developments in the Neighborhood, and the extent to which the community organizations, and law enforcement agencies have had in planning the activities described in the application and what role they will have in carrying out such activities.

(3) The application must include a discussion of the extent to which community representatives and Tribal, local, State and Federal Government officials, including law enforcement agency officials were actively involved in the design and implementation of the applicant's plan and will continue to be involved in implementing such activities during and after the period of PHDEP funding.

(4) The application must demonstrate the extent to which the relevant governmental jurisdiction has met its local law enforcement obligations under the Cooperation Agreement with the applicant (as required by the grantees Annual Contributions Contract with HUD). The applicant must describe the current level of baseline local law enforcement services being provided to the housing authority/developments proposed for assistance.

Rating Factor 5: Comprehensiveness and Coordination (10 points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participants or promotes participation in a community's Consolidated Planning process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which the applicant demonstrated it has:

(1) Coordinated its proposed activities with those of either groups of organizations prior to submission in order to best complement, support and coordinate all known activities and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described.

(2) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities the applicant proposes.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded project/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State, or locally funded activities, including those proposed or on-going in the community.

IV. Application Submission Requirements

Each New Approach Anti-Drug application must conform to the requirements of the applicable application kit, both in format and content. Each New Approach Anti-Drug application must provide the following items in addition to the submission requirements listed in Section III of the New Approach Anti-Drug Program section of the SuperNOFA and Section IV of the General Section of this NOFA:

(A) Application Cover Letter;

(B) Congressional Summary—Summary of the proposed program activities in five (5) sentences or less:

(C) The neighborhood description must include a basic description (e.g., boundaries and size), population, number of housing units in the neighborhood, a map, a population profile (e.g., relevant census data on the socio-economic, ethnic and family makeup of neighborhood residents), and the basis on which the area meets the definition of ''neighborhood'' as

described in this notice (i.e., describe and include a copy of the comprehensive plan, ordinance or other official local document which defines the area as a neighborhood, village, or similar geographical designation). If the entire jurisdiction is defined as a neighborhood by virtue of having a population at less than 25,000, indicate the jurisdiction's population under the 1990 census and describe/include more recent information which gives the best indication as to the current population.

(D) The description of the Assisted Housing development(s) in the neighborhood. This must include the name of the project; the name of the project owner; the nature, sources, and program titles of all project based subsidies or other assistance provided to the project by units of government or private nonprofit entities (any names of public or nonprofit programs other than programs sponsored by HUD should be accompanied by a description of the program and the name and business phone number of a contact person responsible for administering the program for the subsidy provider); the number of housing units in the project; and the number of housing units in the project that meet the definition of ''assisted housing units'' in this notice, and a description of the restrictions on rents and resident incomes that, in combination with the subsidy provided to the project, qualify the units as assisted/affordable in accordance with the definition in this New Approach Anti-Drug Program section of the SuperNOFA; and the number, geographic proximity (adjoining, adjacent, or scattered site, and if scattered site, the distance between the two buildings which are furthest apart), and type (single family detached, townhouse, garden, elevator) of buildings in the project.

(E) Application for Federal Assistance form (Standard Form SF–424) signed by the chief executive officer of the lead applicant organization.

(F) A description of the subgrantees. The description must include the names of the subgrantees' relative roles and contributions of each subgrantee in implementing grant activities; structures for partnership coordination and joint decision making, e.g., form of partnership interaction (task force, advisory group or corporate entity), lines of accountability, degree of grant decision making power conferred by the applicant/grantee to its partners, frequency of meetings, etc.; the roles, if any, of subgrantees, especially project tenants) in designing the Action Plan; which subgrantees (if any) will be designated to receive and dispense grant funds for grant activities; and how the applicant (grantee) proposes to direct and monitor its partners to account for funds received or expended and to ensure that commitments are met; and a profile of each subgrantee including governmental or nonprofit status (copies of official up-to-date IRS verification of status must be provided for all nonprofit institutions), a detailed description of their experience and success in similar or related anti-crime initiatives, roles in and financial or in-kind contributions to the partnership, and the approximate value of any in-kind contributions.

(G) Accompanying the description must be letters from each subgrantee signed by their respective chief executive officers, describing their role if any in designing the application and, especially, the Action Plan; detailing the amounts and types of financial and other contributions to be made by the subgrantee firmly committing the subgrantee to such contributions; affirming the specific role(s) that the subgrantee will undertake in implementing Plan activities, including its agreement to act as subgrantee, and summarizing the subgrantee's experience in undertaking similar or related activities.

(H) With respect to subgrantees that are owners of Assisted Housing development(s), the application should include external assessment or evidence of the quality of the development's ownership or management (e.g., available management reviews by governing public entities) that relates to the capacity of the ownership and management to undertake their share of responsibilities in the partnership; and such related concerns as whether project management carefully screens applicants for units and takes appropriate steps to deal with tenants known to exhibit or suspected of exhibiting criminal behavior) and cooperates with law enforcement actions by other partners on their project premises.

(I) Overall budget and timetable that includes separate budgets, goals, milestones, and timetables for each activity and addresses milestones towards achieving the goals described above; and indicates the contributions and implementation responsibilities of each partner for each activity, goal, and milestone.

(J) *Staffing.* The number of staff years, the titles and professional qualifications, and respective roles of staff assigned full or part-time to grant implementation by the applicant/grantee.

(K) *Coordination.* The applicant/grantee's plan and lines of accountability (including an organization chart) for implementing the grant activity, coordinating the partnership, and assuring that the applicant's and subgrantees' commitments will be met. There must be a discussion of the various agencies of the unit of government that will participate in grant implementation (which must include the prosecutor's office and at least one, but preferably both, of the following: the police department and an agency dealing with community development), their respective roles (i.e., which has the lead), and their lines of communication.

V. Corrections to Deficient Applications

The General Section of this SuperNOFA provides the procedures for corrections to deficient applications.

Funding Available for Drug Elimination Grants for Federally Assisted Low-Income Housing (Multifamily Housing Drug Elimination)

Program Description: Approximately $16,250,000 in funding is available for Federally Assisted Low Income Housing Drug Elimination Grants. This Multifamily Housing Drug Elimination Program section of the SuperNOFA does not apply to the funding available under Public and Indian Housing.

Application Due Dates: Completed applications (an original and two copies) must be received no later than 6:00 pm local time in the HUD Office with jurisdiction over the applicant project June 15, 1998. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications: Completed applications (an original and two copies) must be submitted no later than close of business to the HUD Office with jurisdiction over the applicant project. The application kit contains a list of the HUD Offices to which applications must be sent.

For Application Kits, Further Information, and Technical Assistance

For Application Kits. For an application kit and any supplemental information, please call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments, may call the Center's TTY number at 1–800–843–2209. An application kit also will be available on the Internet through the HUD web site at http://www.HUD.gov. When requesting an application kit, please refer to Multifamily Housing Drug Elimination Grants, and provide your name, address (including zip code) and telephone number (including area code).

For Further Information and Technical Assistance. Policy questions of a general nature may be referred to Carissa Janis, Housing Project Manager, Office of Portfolio Management, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410; (202) 708–3291, extension 2487. (This number is not toll free). Hearing or speech impaired persons may access this number via TTY by calling the Federal Information Relay Service at 1–800–877–8339. HUD will notify all applicants whether or not they were selected for funding.

Additional Information

I. Authority; Purpose; Amounts Allocated; and Eligibility

(A) Authority

This program is authorized under Chapter 2, subtitle C, title V of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11901 et. seq.), as amended by section 581 of the National Affordable Housing Act of 1990 (Pub. L. 102–550, approved October 28, 1992). The regulations for the program are found in 24 CFR part 761, Drug Elimination Programs.

(B) Purpose

The purpose of this Multifamily Housing Drug Elimination Grant Program is to:

(1) Enable owners of federally assisted low-income housing projects to deal effectively with drug-related criminal activity in and around the project.

(2) Improve the physical structure and the surrounding environment to enhance security designed to discourage drug-related criminal activity.

(3) Develop programs and security measures designed to reduce the use of drugs in and around federally assisted low-income housing projects, including drug-abuse prevention, intervention, referral, and treatment programs.

(C) Amounts Allocated

The maximum grant award amount is limited to $125,000 per project. Any grant funds under this Multifamily Drug Elimination Grant Program of the SuperNOFA that are allocated, but that are not reserved for grantees, must be released to HUD Headquarters for reallocation. If the Award Office determines that an application cannot be partially funded and there are insufficient funds to fund the application fully, any remaining funds after all other applications have been selected will be released to HUD Headquarters for reallocation. Amounts that may become available due to deobligation will also be reallocated to Headquarters.

All reallocated funds will be awarded in the following manner: HUD Award Office will submit to Headquarters a list of applications, with their scores and amount of funding requested, that would have been funded had there been sufficient funds in the appropriate allocation to do so. Headquarters will select applications from those submitted by the HUD Award Offices, using a random number lottery overseen by the Offices of Housing, General Counsel, and Inspector General, and make awards from any available reallocated funds.

Distribution of Funds. Each Award Office may recommend a total number of awards up to the amount allocated for the area covered by the Award Office. The Award Offices will receive the scores from each HUD Office which has received, rated, ranked, and scored its applications. The Award Offices will, in turn, request Headquarters to fund those properties with the highest score from each HUD Office. If sufficient funds remain, the next highest scored applications, regardless of HUD Office, will be awarded funds. HUD is allocating grant funds under this Multifamily Drug Elimination Grant Program section of the SuperNOFA to the four Award Offices, in accordance with the following schedule:

Award office	Covered	Allocation
Buffalo	Vermont, Massachusetts, Connecticut, Rhode Island, New York, Maine, New Hampshire, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, West Virginia, Virginia.	$4,015,000
Knoxville	Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Puerto Rico, Mississippi, Florida, Iowa, Kansas, Missouri, Nebraska.	4,110,000
Minneapolis	Illinois, Minnesota, Indiana, Wisconsin, Michigan, Ohio,	3,919,000
Little Rock	Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming, Arizona, California, Hawaii, Nevada, Alaska, Idaho, Oregon, Washington.	4,206,000

(D) Eligible Applicants

Eligible applicants include owners of the following low-income housing projects: Section 221(d)(3), Section 221(d)(4), or Section 236 of the National Housing Act with project-based assistance. (Note: Section 221(d)(3) and Section 221(d)(4) market rate projects with tenant-based assistance are not eligible for funding); Section 101 of the Housing and Urban Development Act of 1965; or Section 8 of the United States Act of 1937. This includes State Housing Agency projects, Rural Housing and Community Development projects, and Moderate Rehabilitation projects with project-based Section 8 assistance. This does not include Section 8 tenant-

based assistance. Owners of Section 8 tenant-based projects are also ineligible.

(E) Eligible Activities

Programs which foster interrelationships among the residents, the housing owner and management, the local law enforcement agencies, and other community groups impacting on the housing are greatly desired and encouraged. Resident participation in the determination of programs and activities to be undertaken is critical to the success of all aspects of the program. Working jointly with community groups, the neighborhood law enforcement precinct, residents of adjacent properties and the community as a whole can enhance and magnify the effect of specific program activities and should be the goal of all applicants.

(1) *Physical improvements to enhance security*. The improvement may include but are not limited to systems designed to limit building access to project residents, the installation of barriers, lighting systems, fences, bolts, locks; the landscaping or reconfiguration of common areas to discourage drug-related crime; and other physical improvements designed to enhance security and discourage drug-related activities. In particular, HUD is seeking plans that provide successful, proven, and cost-effective deterrents to drug-related crime that are designed to address the realities of federally assisted low-income housing environments. All physical improvements must also be accessible to persons with disabilities. For example, some types of locks or buzzer systems are not accessible to persons with limited strength, or mobility, or to persons who have hearing impairments and should not be utilized. Accessible alternatives should be utilities. All physical improvements must meet the accessibility requirements of 24 CFR part 8, Nondiscrimination Based on Handicap in Federally Assisted Programs and Activities of the Department of Housing and Urban Development.

(2) *Programs to Reduce the Use of Drugs*. Programs to reduce the use of drugs in and around the project, including drug-abuse prevention, intervention, referral, and treatment programs are eligible for funding under this program. The program should facilitate drug prevention, intervention, and treatment efforts, to include outreach to community resources and youth activities, and facilitate bringing these resources onto the premises, or provide resident referrals to treatment programs or transportation to out-patient treatment programs away from the premises. Funding is permitted for reasonable, necessary, and justified leasing of vehicles for resident youth and adult education and training activities directly related to ''Programs to reduce the use of drugs'' under this section. Alcohol-related activities and programs are not eligible for funding under this Multifamily Housing Drug Elimination Grant Program section of the SuperNOFA.

(3) *Drug Prevention*. Drug prevention programs that will be considered for funding under this Multifamily Housing Drug Elimination Grant Program section of the SuperNOFA must provide a comprehensive drug prevention approach for residents that will address the individual resident and his or her relationship to family, peers, and the community. Prevention programs must include activities designed to identify and change the factors present in federally assisted low-income housing that lead to drug-related problems, and thereby lower the risk of drug usage. Many components of a comprehensive approach, such as refusal and restraint skills training programs or drug-related family counseling, may already be available in the community of the applicant's housing projects, and the applicant must act to bring those available program components onto the premises. Activities that should be included in these programs are:

(a) *Drug Education Opportunities for Residents*. The causes and effects of illegal drug usage must be discussed in a formal setting to provide both young people and adults the working knowledge and skills they need to make informed decisions to confront the potential and immediate dangers of illegal drugs. Grantees may contract (in accordance with 24 CFR Part 85.36) with drug education professionals to provide training or workshops. The drug education professional contracted to provide these services shall be required to base their services upon the program plan of the grantee. These educational opportunities may be a part of resident meetings, youth activities, or other gatherings of residents.

(b) *Family and Other Support Services*. Drug prevention programs must demonstrate that they will provide directly or otherwise make available services designed to distribute drug education information, to foster effective parenting skills, and to provide referrals for treatment and other available support services in the project or the community for federally-assisted low-income housing families.

(c) *Youth Services*. Drug prevention programs must demonstrate that they have included groups composed of young people as a part of their prevention programs. These groups must be coordinated by adults with the active participation of youth to organize youth leadership, sports, recreational, cultural and other activities involving housing youth. The dissemination of drug education information, the development of peer leadership skills and other drug prevention activities must be a component of youth services.

(4) *Economic/Educational Opportunities for Resident Youth*. Drug prevention programs should demonstrate a capacity to provide residents the opportunity for referral to established higher education or vocational institutions with the goal of developing or building on the resident's skills to pursue educational, vocational, and economic goals. The program must also demonstrate the ability to provide residents the opportunity to interact with private sector businesses in their immediate community for the same desired goals.

(5) *Intervention*. The aim of intervention is to identify federally-assisted low-income housing resident drug users and assist them in modifying their behavior and in obtaining early treatment, if necessary. The applicant must establish a program with the goal of preventing drug problems from continuing once detected.

(6) *Drug Treatment*. Treatment funded under this program shall be in or around the premises of the project. Funds awarded under this program shall be targeted towards the development and implementation of new drug referral treatment services and/or aftercare, or the improvement of, or expansion of such program services for residents. Each proposed drug treatment program should address the following goals:

(a) Increase resident accessibility to drug treatment services;

(b) Decrease criminal activity in and around the project by reducing illicit drug use among residents;

(c) Provide services designed for youth and/or maternal drug abusers, e.g., prenatal/postpartum care, specialized counseling in women's issues; parenting classes, or other drug treatment supportive services. Approaches that have proven effective with similar populations will be considered for funding. Programs should meet the following criteria:

(i) Applicants may provide the service of formal referral arrangements to other treatment programs not in or around the project when the resident is able to obtain treatment costs from sources other than this program. Applicants may also provide transportation for residents to out-patient treatment and/or support programs.

(ii) Provide family/collateral counseling.

(iii) Provide linkages to educational/vocational counseling.

(iv) Provide coordination of services to appropriate local drug agencies, HIV-related service agencies, and mental health and public health programs.

(7) *Working Partnerships.* Applicants must demonstrate a working partnership with the Single State Agency or State license provider or authority with drug program coordination responsibilities to coordinate, develop and implement the drug treatment proposal. In particular, applicants must review and determine with the Single State Agency or State license provider or authority with drug program coordination responsibilities whether: A) the drug treatment provider(s) has provided drug treatment services to similar populations, identified in the application, for two prior years; and B) the drug treatment proposal is consistent with the State treatment plan and the treatment service meets all State licensing requirements.

(8) *Resident Councils.* Providing funding to resident councils to develop security and drug abuse programs.

(E) Ineligible Activities

The following activities are not eligible for funding:

(1) Any activity or improvement that is normally funded from project operating revenues for routine maintenance or repairs, or those activities or improvements that may be funded through reasonable and affordable rent increases;

(2) The acquisition of real property or physical improvements that involve the demolition of any units in the project or displacement of tenants;

(3) Costs incurred prior to the effective date of the grant agreement, including, but not limited to, consultant fees for surveys related to the application or its preparation;

(4) Reimbursement of local law enforcement agencies for additional security and protective services;

(5) The employment of one or more individuals to investigate drug-related crime on or about the real property comprising any federally-assisted low-income project and/or to provide evidence relating to such crime in any administrative or judicial proceeding;

(6) The provision of training, communications equipment and other related equipment for use by voluntary tenant patrols acting in cooperation with local law enforcement officials;

(7) Treatment of residents at any in-patient medical treatment programs or facilities;

(8) Detoxification procedures, short term or long term, designed to reduce or eliminate the presence of toxic substances in the body tissues of a patient;

(9) Maintenance drug programs. [Maintenance drugs are medications that are prescribed regularly for a long period of supportive therapy (e.g., methadone maintenance), rather than for immediate control of a disorder.]

II. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, applicants are subject to the additional requirements in this Section II. These requirements apply to all activities, programs, and functions used to plan, budget, and evaluate the work funded under this program. After applications have been ranked and selected, HUD and the applicant shall enter into a grant agreement setting forth the amount of the grant, the physical improvements or other eligible activities to be undertaken, financial controls, and special conditions, including sanctions for violation of the agreement.

(A) General

The policies, guidelines, and requirements of this NOFA, along with applicable HUD program regulations, HUD Handbooks, and the terms of grant/special conditions and subgrant agreements apply to the acceptance and use of assistance by grantees and will be followed in determining the reasonableness and allocability of costs. All costs must be reasonable and necessary.

(B) Term of Funded Activities

The term of funded activities may not exceed 12 months. Owners must ensure that any funds received under this program are not commingled with other HUD or project operating funds. To avoid duplicate funding, owners must establish controls to assure that any funds from other sources, such as Reserve for Replacement, Rent increases, etc., are not used to fund the physical improvements to be undertaken under this program.

HUD may terminate funding if the grantee fails to undertake the approved program activities on a timely basis in accordance with the grant agreement. Grantees must adhere to grant agreement requirements and/or special conditions, and must submit timely and accurate reports.

(C) Subgrants—Subcontracting

A grantee may directly undertake any of the eligible activities under this Multifamily Drug Elimination Program section of the SuperNOFA or it may contract with a qualified third party, including incorporated Resident Councils. Resident groups that are not incorporated may share with the grantee in the implementation of the program, but may not receive funds as subgrantees. Subgrants to incorporated Resident Councils may be made only for eligible statutory activities and only under a written agreement executed between the grantee and the Resident Council. The agreement must include a program budget that is acceptable to the grantee, and that is otherwise consistent with the grant application budget. The agreement must obligate the incorporated Resident Council to permit the grantee to inspect and audit the Resident Council's financial records related to the agreement, and to account to the grantee on the use of grant funds, and on the implementation of program activities. In addition, the agreement must describe the nature of the activities to be undertaken by the subgrantee, the scope of the subgrantee's authority, and the amount of insurance to be obtained by the grantee and the subgrantee to protect their respective interests.

The grantee shall be responsible for monitoring and for providing technical assistance to any subgrantee to ensure compliance with HUD program requirements, including the regulations at 24 CFR part 84, Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. The procurement requirements of Part 84 also apply to Resident Councils. The grantee must also ensure that subgrantees have appropriate insurance.

(D) Forms, Certifications and Assurances

See General Section of the SuperNOFA for the applicable forms, certifications and assurances to be submitted.

(E) Affirmatively Furthering Fair Housing

The first two sentences of the requirement of Section II(D) of the General Section of the SuperNOFA do not apply to this program.

III. Application Selection Process

(A) Rating and Ranking

Applications will be evaluated competitively and ranked against all other applicants that have applied for these Drug Elimination Grants.

The maximum number of points for this program is 102. This includes two EZ/EC bonus points, as described in the General Section of the SuperNOFA.

(B) Factors for Award Used to Evaluate and Rate Applications. The five factors in this section total 100 points. An application must receive a score of at least 51 points out of the total of 100 points provided for the five factors to be eligible for funding under this competition. The Award Office will select the highest ranking application from each HUD Office whose eligible activities can be fully funded. The Award Office will then select the highest scored unfunded application submitted to it regardless of Field Office and continue the process until all funds allocated to it have been awarded or to the point where there are insufficient acceptable applications for which to award funds. Each application submitted will be evaluated on the basis of the selection criteria set forth below.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points).

This factor addresses the extent to which the applicant has proper organizational resources necessary to successfully implement the proposed activities in a timely manner. In rating this factor, HUD will consider the extent to which the application demonstrates the capabilities described below. In rating this factor, HUD will consider the following:

(1) The knowledge and experience of the staff and administrative capability to manage grants, including administrative support functions, procurement, lines of authority, and fiscal management capacity.

(a) For PHAs (and TDHEs that had previously applied as IHAs), HUD will consider such measurement tools as PHMAP, uniform crime index, physical inspections, agency monitoring of records, Line of Credit Control System Reports (LOCCS), audits and such other relevant information available to HUD on the capacity of the owner or manager to undertake the grant.

(b) For owners of multifamily housing, HUD will consider the most recent Management Review (including Rural Development Management Review), HQS review, State Agency review and such other relevant information available to HUD on the capacity of the owner or manager to undertake the grant.

(c) A description of established performance goals to define the results expected to be achieved by all major grant activities proposed in the grant application, and a description of the goals expressed in an objective, quantifiable, and measurable form. The goals must be outcome or result-oriented and not out-put related. Outcomes include accomplishments, results, impact and the ultimate effects of the program on the drug or crime problem in the target/project area.

(2) The applicant's performance in administering Drug Elimination funding in the previous 5 years.

(a) For PHAs the applicant's past experience will be evaluated in terms of their ability to attain demonstrated measurable progress in tracking drug related crime, enforcement of screening and lease procedures in implementation of the ''One Strike and You're Out Initiative'' (as applicable), the extent to which the applicant has formed a collaboration with Tribal, State and local law enforcement agencies and courts to gain access to criminal conviction records of applicants to determine their suitability for residence in public housing. Such data will be measured and evaluated based on the Public Housing Management Assessment Program at 24 CFR part 901.

(b) The applicant must identify their participation in HUD grant programs within the preceding three years and discuss the degree of the applicant's success in implementing and managing (program implementation, timely drawdown of funds, timely submission of required reports with satisfactory outcomes related to the plan and timetable, audit compliance, whether there are any unresolved findings from prior HUD reports (e.g. performance or finance) reviews of audits undertaken by HUD, the Office of Inspector General, the General Accounting Office or independent public accountants.

(3) Submission of evidence that applicants have initiated other efforts to reduce drug-related crime by working with Operation Safe Home, SNAP, Weed and Seed, or tenant and/or law enforcement groups.

(4) The applicant's performance in administering other Federal, State or local grant programs.

Rating Factor 2: Need/Extent of the Problem (25 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities to address a documented problem in the target area (i.e., the degree of the severity of the drug-related crime problem in the project proposed for funding). In responding to this factor, applicants will be evaluated on the extent to which a critical level of need for the proposed activities is explained and an indication of the urgency of meeting the need in the target area. Applicants must include a description of the extent and nature of drug-related crime ''in or around'' the housing units or developments proposed for funding.

Applicants will be evaluated on the following:

(1) (15 points) ''Objective Crime Data'' relevant to the target area. For objective crime data, an applicant can be awarded up to 15 points. Such data should consist of verifiable records and not anecdotal reports. Where appropriate, the statistics should be reported both in real numbers and as an annual percentage of the residents in each development (e.g., 20 arrests in a two-year period for distribution of heroin in a development with 100 residents reflects a 20% occurrence rate). Such data may include:

(a) Police records or other verifiable information from records on the types or sources of drug related crime in the targeted developments and surrounding area;

(b) The number of lease terminations or evictions for drug-related crime at the targeted developments; and

(c) The number of emergency room admissions for drug use or that result from drug-related crime. Such information may be obtained from police Departments and/or fire departments, emergency medical service agencies and hospitals. The number of police calls for service from housing authorities developments that include resident initiated calls, officer-initiated calls, domestic violence calls, drug distribution complaints, found drug paraphernalia, gang activity, graffiti that reflects drugs or gang-related activity, vandalism, drug arrests, and abandoned vehicles.

For PHAs, such data should include housing authority police records on the types and sources on drug related crime ''in or around'' developments as reflected in crime statistics or other supporting data from Federal, State, Tribal or local law enforcement agencies.

(2) (10 Points) Other Crime Data: *Other supporting data on the extent of drug-related crime.* For this section, an applicant can received up to 10 points. To the extent that objective data as described above may not be available, or to complement that data, the assessment must use data from other verifiable sources that have a direct bearing on drug-related crime in the developments proposed for assistance under this program. However, if other relevant information is to be used in place of objective data, the application must indicate the reasons why objective data could not be obtained and what efforts were made to obtain it and what efforts will be made during the grant period to begin obtaining the data. Examples of

the data should include (but are not necessarily limited to):

(a) Surveys of residents and staff in the targeted developments surveyed on drug-related crime or on-site reviews to determine drug/crime activity; and government or scholarly studies or other research in the past year that analyze drug-related crime activity in the targeted developments.

(b) Vandalism cost at the targeted developments, to include elevator vandalism (where appropriate) and other vandalism attributable to drug-related crime.

(c) Information from schools, health service providers, residents and Federal, State, local, and Tribal officials, and the verifiable opinions and observations of individuals having direct knowledge of drug-related crime and the nature and frequency of these problems in developments proposed for assistance. (These individuals may include Federal, State, Tribal, and local government law enforcement officials, resident or community leaders, school officials, community medical officials, substance abuse, treatment (dependency/remission) or counseling professionals, or other social service providers.)

(d) The school dropout rate and level of absenteeism for youth that the applicant can relate to drug-related crime. If crime or other statistics are not available at the development or precinct level the applicant must use other verifiable, reliable and objective data.

(e) To the extent that the applicant's community's Consolidated Plan identifies the level of the problem and the urgency in meeting the need, references to these documents should be included in the response. The Department will review more favorably those applicants who used these documents to identify need, when applicable.

Rating Factor 3: Soundness of Approach—(Quality of the Plan) (35 Points)

This factor addresses the quality and effectiveness of the applicant's proposed work plan. In rating this factor, HUD will consider the impact of the activity; if there are tangible benefits that can be attained by the community and by the target population.

An application must include a detailed narrative describing each proposed activity for crime reduction and elimination efforts for each development proposed for assistance, the amount and extent of resources committed to each activity or service proposed, and process used to collect, maintain, analyze and report Part I and II crimes as defined by the Uniform Crime Reporting (UCR System), as well as police workload data. The process must include the collection of police workload data such as, but not limited to, all calls for service at the housing authority by individual development, pattern over a period of time, type of crime, and plans to improve data collection and reporting.

In evaluating this factor, HUD will consider the following:

(1) The quality of the applicant's plan to address the drug-related crime problem, and the problems associated with drug-related crime in the developments proposed for funding, the resources allocated, and how well the proposed activities fit with the plan.

(2) The anticipated effectiveness of the plan and proposed activities in reducing or eliminating drug-related crime problems immediately and over an extended period, including whether the proposed activities enhance and are coordinated with on going or proposed programs sponsored by HUD such as Neighborhood Networks, Campus of Learners, Computerized Community Connections, Operation Safe Home, ''One Strike and You're Out,'' Department of Justice Weed and Seed Efforts, or any other prevention intervention treatment activities.

(3) The rational for the proposed activities and methods used including evidence that proposed activities have been effective in similar circumstances in controlling drug-related crime. Applicants that are proposing new methods for which there is limited knowledge of the effectiveness, should provide the basis for modifying past practices and rationale for why they believe the modification will yield more effective results.

(4) The process it will use to collect, maintain, analyze and report Part I and II crimes as defined by the Uniform Crime Reporting (UCR System), as well as police workload data. The applicant's proposed analysis of the data collected should include a method for assessing the impact of activities on the collected crime statistics on an on-going basis during the award period.

(5) Specific steps the applicant will take to share and coordinate information on solutions and outcomes with other law-enforcement and governmental agencies, and a description of any written agreements in place or that will be put in place.

(6) The extent to which the applicant's elimination of crime in a development or neighborhood will expand fair housing choice and will affirmatively further fair housing.

Rating Factor 4: Leveraging Resources (10 Points)

In assessing this factor, HUD will consider the following:

(1) The extent to which the owner is participating in programs that are available from local governments or law enforcement agencies.

(2) The level of participation and support by the local government or law enforcement agency for the applicant's proposed activities. This may include letters of support to the owner, documentation that the owner participates in town hall type meetings to develop strategies to combat crime, or any other form of partnership with local government or law enforcement agencies.

(3) The level of assistance received from local government and/or law enforcement agencies.

(4) The extent to which an applicant has sought the support of residents in planning and implementing the proposed activities.

- Evidence that comments and suggestions have been sought from residents to the proposed plan for this program and the degree to which residents will be involved in implementation.
- Evidence of resident support for the proposed plan.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Consolidated Planning process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which the applicant demonstrates it has:

(1) Coordinated its proposed activities with those of other groups or organizations prior to submission in order to best complement, support and coordinate all know activities and if funded, the specific steps it will take to share information on solutions and outcomes with others. Any written agreements, memoranda of understanding in place, or that will be in place after award should be described.

(2) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem

that is related to the activities the applicant proposes.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State, or locally funded activities, including those proposed or on-going in the community.

IV. Application Submission Requirements

An applicant is allowed to submit only one application for funding under this program. A separate application must be submitted for each project. If the grant is to serve connecting or adjacent properties, an applicant may submit one application that will serve all properties. In such a case, the applicant must describe in detail in its application how the grant will serve the properties. Only one project would receive the funding even though the grant would be serving several properties. The application includes the forms, certifications and assurances listed in the General Section of the SuperNOFA.

V. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VI. Environmental Requirements

It is anticipated that activities under this program are categorically excluded under 24 CFR 50.19 (b)(4), (b)(12), or (b)(13). If grant funds will be used to cover the cost of any non-exempt activities, HUD will perform an environmental review to the extent required by 24 CFR part 50, prior to grant award.

Funding Availability for Public and Indian Housing Drug Elimination Technical Assistance Program

Program Description: Approximately $2 million is available for funding short-term, technical assistance services for the Public and Indian Housing Drug Elimination Technical Assistance (PHDE–TA) Program. The purpose of this program is to provide short-term (90 days for completion) technical assistance consultant services to assist public housing agencies (PHAs), Tribes and Tribally Designated Housing Entities (TDHEs), resident management corporations (RMCs), incorporated resident councils (RCs) and resident organizations (ROs) in responding immediately to drug and drug-related crime in public and Tribal housing communities.

Application Due Date: One original application must be received at the Office of Community Safety and Conservation (OCSC), Room 4112 at the HUD Headquarters Building at 451 Seventh Street, SW, Washington DC, 20410, no later than 12:00 midnight on June 15, 1998. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

A copy of the application must be submitted to the appropriate HUD Field Office HUB with delegated housing responsibilities over an applying housing entity, or from the AONAPs with jurisdiction over the Tribes and Tribally Designated Housing Entities.

Applicants will also be required to submit with their applications to OCSC, a Confirmation Form documenting that the appropriate HUD Field Office received the TA application (this form is a threshold requirement).

PHDE–TA applications will be reviewed on a continuing basis until June 15, 1998, or until funds available under this program are expended. Due to the reduced availability of funds in FY 1998, HUD encourages early submission of applications. There is no application deadline for consultants or for HUD initiated Public Housing Drug Elimination Technical Assistance (PHDE–TA).

Address for Submitting Applications: Office of Community Safety and Conservation, Department of Housing and Urban Development, Room 4112, 451 Seventh Street, SW, Washington DC, 20410.

For Application Kits, Further Information, and Technical Assistance

For Application Kits. For an application kit and any supplemental information, please call the SuperNOFA Information Center at 1–800–HUD–8929. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–843–2209. An application kit also will be available on the Internet through the HUD web site at http://www.hud.gov. When requesting an application kit, please refer to the Public Housing Drug Elimination Technical Assistance Program, and provide your name, address (including zip code) and telephone number (including area code).

For Further Information and Technical Assistance. For answers to your questions or for technical assistance, please call the local HUD Field Office HUB with delegated housing responsibilities over an applying housing entity, or the AONAPs with jurisdiction over the Tribes and Tribally Designated Housing Entities. The list of local HUD Field Office with jurisdiction over the applicant is provided in the application kit.

Additional Information

I. Authority; Purpose; Amount Allocated; Eligibility

(A) Authority

The FY 1998 HUD Appropriations Act under the heading, ''Drug Elimination Grants for Low-Income Housing (Including Transfer of Funds).''

(B) Purpose

The funds for the Drug Elimination Technical Assistance (TA) Program are strictly used to hire HUD-registered consultants, whose fields of expertise address the strategies requested to eliminate drugs and drug-related crimes in public housing authorities (PHAs), Tribes, and tribally-designated housing entities (TDHEs), resident management corporations (RMCs), resident councils (RCs) or resident organizations (ROs) nationwide.

(C) Amount Allocated

For FY 1998, up to $2 million in funding is available for Public Housing Drug Elimination Technical Assistance.

(D) Eligible Applicants

Public housing agencies (PHAs), Tribes and Tribally Designated Housing Entities (TDHEs), incorporated resident councils (RCs), resident organizations (ROs) in the case of Tribes and TDHEs, and resident management corporations (RMCs) are eligible to receive short-term technical assistance services under this PHDE–TA Program section of the SuperNOFA. More specific eligibility requirements follow:

(1) An eligible RC or RO must be an incorporated nonprofit organization or association that meets all seven of the following requirements:

(a) It must be representative of the residents it purports to represent.

(b) It may represent residents in more than one development or in all of the developments of a PHA or Tribe or TDHE, but it must fairly represent residents from each development that it represents.

(c) It must adopt written procedures providing for the election of specific officers on a regular basis (but at least once every 3 years).

(d) It must have a democratically elected governing board. The voting membership of the board must consist of residents of the development or developments that the resident organization or resident council represents.

(e) It must be supported in its application by a public housing authority or a Tribe or TDHE.

(f) It must provide evidence of incorporation.

(g) It must provide evidence of adopted written procedures for electing officers.

(2) An eligible RMC must be an entity that proposes to enter into, or that enters into, a management contract with a PHA under 24 CFR part 964, or a management contract with a Tribe or TDHE. An RMC must have all seven of the following characteristics:

(a) It must be a nonprofit organization incorporated under the laws of the State or Indian tribe where it is located.

(b) It may be established by more than one resident organization or resident council, so long as each: approves the establishment of the corporation; and has representation on the Board of Directors of the corporation.

(c) It must have an elected Board of Directors.

(d) Its by-laws must require the Board of Directors to include representatives of each resident organization or resident council involved in establishing the corporation.

(e) Its voting members must be residents of the development or developments it manages.

(f) It must be approved by the resident council. If there is no council, a majority of the households of the development must approve the establishment of such an organization to determine the feasibility of establishing a corporation to manage the development.

(g) It may serve as both the resident management corporation and the resident council, so long as the corporation meets the requirements of 24 CFR part 964 for a resident council.

(In the case of a resident management corporation for a Tribe or TDHE, it may serve as both the RMC and the RO, so long as the corporation meets the requirements of this PHDE–TA Program section of the SuperNOFA for a resident organization.)

(3) Applicants can only submit one application per award period. Applicants are eligible to apply to receive technical assistance if they are already receiving technical assistance under this program, as long as the request creates no scheduling conflict with other PHDE–TA requests. For HUD-initiated TA, the recipient may receive more than one type of technical assistance concurrently unless HUD, in consultation with the recipient, determines that it may negatively affect the quality of the PHDE–TA.

(4) Applicants are eligible to apply to receive technical assistance whether or not they are already receiving drug elimination funds under the Public and Indian Housing Drug Elimination Program.

(5) The applicant must have substantially complied with the laws, regulations, and Executive Orders applicable to the Drug Elimination TA Program, including applicable civil rights laws.

(E) Eligible Consultants

(1) HUD is seeking individuals or entities who have experience working with public or Tribal housing or other low-income populations to provide short-term technical assistance under this PHDE–TA Program section of the SuperNOFA. Consultants who have previously been deemed eligible and are part of the TA Consultant Database need not reapply, but are encouraged to update their file with more recent experience and rate justification. To qualify as eligible consultants, individuals or entities should have experience in one or more of the following general areas:

(a) PHA/Tribe or TDHE-related experience with: agency organization and management; facility operations; program development; and experience working with residents and community organizations.

(b) Anti-crime- and anti-drug-related experience with: prevention/intervention programs; and enforcement strategies.

(c) Experience as an independent consultant, or as a consultant working with a firm with related experience and understanding of on-site work requirements, contractual, reporting and billing requirements.

(2) HUD is especially interested in encouraging TA consultant applications from persons who are qualified and have extensive experience planning, implementing, and/or evaluating the following professional areas:

(a) Lease, screening and grievance procedures;

(b) Defensible space, security and environmental design;

(c) Parenting, peer support groups and youth leadership;

(d) Career planning, job training, tutoring and entrepreneurship;

(e) Community policing, neighborhood watch and anti-gang work;

(f) Strengthening resident organizing, involvement, and relations with management; and

(g) ''One Strike You're Out'' programs.

(3) Additional requirements for consultants include the following:

(a) In addition to the conflict of interest requirements in 24 CFR part 85, no person who is an employee, agent, officer, or appointed official of the applicant may be funded as a consultant to the applicant by this Drug Elimination Technical Assistance Program.

(b) Consultants who wish to provide drug elimination technical assistance services through this program shall not have had any involvement in the preparation or submission of any PHDE–TA proposal. Any involvement of the consultant is considered a conflict of interest, making the consultant ineligible for providing consulting services to the applicant and will disqualify the consultant from future consideration. This prohibition shall also be invoked for preparing and distributing prepared generic or sample applications, when HUD determines that any application submitted by a PHA, Tribe or TDHE, RC, RO or RMC duplicates a sufficient amount of any prepared sample to raise issues of possible conflict of interest.

(4) HUD-registered consultants are eligible to receive funds to be reimbursed for up to $15,000 for conducting the short-term technical assistance, but long-term results are expected from each job. After the work is completed, evaluations are submitted from the housing authorities on the consultants' work performance. The evaluations are carefully reviewed to make sure the housing authorities are satisfied with the services provided through HUD. Afterwards, the consultants are reimbursed by HUD, which completes the PHDE–TA. In extreme cases of technical assistance needs, staff members of HUD headquarters and field offices may recommend specialized technical assistance for which HUD-registered consultants can receive up to $25,000 in funds. HUD encourages housing authorities/agencies and eligible resident organizations with or without a drug elimination grant in their communities to use this resource.

(F) Ineligible Consultants

Consultants and/or companies currently debarred or suspended by HUD are not eligible to perform services under this program.

(G) Eligible Activities

(1) Funding is limited to technical assistance for carrying out activities authorized under Chapter 2, Subtitle C, Title V of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11901 et. seq.), as amended by section 581 of the National Affordable Housing Act of 1990 (Pub. L. 101–625, approved November 28, 1990) (NAHA), and section 161 of the Housing and Community Development Act of 1992 (Pub. L. 102–550, approved October 28, 1992) (HCDA 1992).

(2) The PHDE–TA program is intended to provide *short-term, immediate assistance* to PHAs, Tribes and TDHEs, RMCs, RCs, and ROs in developing and/or implementing their strategies to eliminate drugs and drug-related crime. Short-term technical assistance means that consultants shall only be reimbursed for a maximum of 30 days of work, which must be completed in less than 90 days from the date of the approved statement of work. The program will fund the use of consultants who can provide the necessary consultation and/or training for the types of activities outlined below. HUD will fund the use of consultants to assist the applicant undertaking tasks including preparing a proposed strategic or long range plan for reducing drugs and drug-related crime, or conducting a needs assessment or comprehensive crime survey. The PHDE–TA program also funds efforts in:

(a) Assessing, quantifying and establishing performance measurement systems (including gathering baseline statistics) relating to drug and drug-related crime problems in public or Tribal housing development(s) and surrounding community(ies);

(b) Designing and identifying appropriate anti-crime and anti-drug-related practices and programs in the following areas:

(i) Law enforcement strategies, including negotiating with the local police, working with Federal law enforcement, Operation Safe Home, Weed and Seed, and other Federal anti-crime efforts;

(ii) Crime data collection for establishing baseline performance measurements;

(iii) Youth leadership development; youth anti-gang, anti-violence, anti-drug initiatives; youth peer mediation and conflict resolution to deal directly with anger/violence to prevent future violent episodes;

(iv) Resident Patrols;

(v) Security and physical design.

(c) Training for housing authority staff and residents in anti-crime and anti-drug prevention practices and programs;

(d) Evaluating current anti-crime and anti-drug-related crime programs.

(3) The following are activities which are eligible for HUD-Initiated Technical Assistance under the Public and Indian Housing Drug Elimination Technical Assistance Program. Eligible parties may receive technical assistance initiated and approved by HUD in circumstances determined by HUD to require immediate attention because of severe drug and crime issues and the presence of one of the following circumstances:

(a) HAs that were unsuccessful in gaining Drug Elimination Program Grants;

(b) Applicants having demonstrated an inability to explain the nature and extent of local drug or crime activities;

(c) Applicants with a demonstrated inability to identify or develop potential solutions to their local drug or crime problem;

(d) Applicants unable to develop local anti-drug, anti-crime partnerships;

(e) Applicants lacking the capability to carry out a plan due to a lack of anti-drug, anti-crime-related training;

(f) Applicants with an inability to effectively make progress to address pervasive drug-related violence;

(g) Applicants where there is an inability between tenants, and/or between tenants and management to effectively communicate about drug-and crime-related issues;

(h) Applicants that need an evaluation performed on their ''One Strike You're Out'' program; and

(i) Applicants lacking the capability to perform a program evaluation of current anti-drug, anti-crime activities.

(H) Ineligible Activities

Funding is not permitted for:

(1) Any type of monetary compensation for residents.

(2) Any activity that is funded under any other HUD program, including TA and training for the incorporation of resident councils or RMCs, and other management activities.

(3) Salary or fees to the staff of the applicant, or former staff of the applicant within a year of his or her leaving the housing authority or resident organization.

(4) Underwriting conferences.

(5) Conference speakers.

(6) Program implementation, proposal writing, the financial support of existing programs, or efforts requiring more than 30 billable days of technical assistance over a 90 day period; the purchase of hardware or equipment, or any activities deemed ineligible in the Drug Elimination Program, excluding consultant's fees.

II. Program Requirements

(A) Individual Award Amounts

Applications received from HAs and qualified RCs, ROs, and RMCs; and Tribes and their Tribally Designated Housing Entities (TDHEs) are eligible for a maximum amount of Technical Assistance (TA) no greater than $15,000. HUD-initiated TA is eligible for a maximum of $25,000 where HUD determines the circumstances require levels of assistance greater than $15,000, such as more than 30 billable days are required over a 90-day period for the technical assistance, as one example.

(1) Applications for short-term technical assistance may be funded up to $15,000, with HUD providing payment directly to the authorized consultant for the consultant's fee, travel, room and board, and other approved costs at the approved government rate.

(2) For technical assistance initiated by HUD, the TA may be for any amount up to $25,000 when HUD staff determine that more than 30 billable days of technical assistance over a 90-day period is justified.

(B) Receipt of More Than One Application

If HUD receives more than one application from a HA, or group of RCs, ROs, or RMCs in proximity to one another, HUD may exercise discretion to consider any two or more applications as one, recommending one or more consultants and executing contracts for any combination of applications.

(C) Forms, Certifications and Assurances

In addition to the forms, certifications and assurances listed in Section IV of the General Section of the SuperNOFA, the following, as directed by the application kit, must be complied with:

(1) Applications must be signed and certified by both the Executive Director or Tribal Council or authorized TDHE official and a resident leader, certifying the following:

(a) That a copy of the application was sent to the local HUD Field Office, Director of Public Housing Division, or Administrator, Office of Native American Programs; and

(b) That the application was reviewed by both the housing authority Executive Director or Tribal Council or authorized TDHE official, and a resident leader of the organization that is applying for the PHDE–TA and contains the following:

(i) A four page (or fewer) application letter responding to each of the threshold criteria listed below in Section III(C) of the PHDE–TA section of the SuperNOFA, or the completed application forms available in the application kit; and

(ii) A certification statement, or the form provided in the application kit, signed by the executive director of the housing authority and the authorized representative of the RMC or incorporated RC or RO, certifying that any technical assistance received will be used in compliance with all requirements in the SuperNOFA.

(D) Affirmatively Furthering Fair Housing

Section II(D) of the General Section does not apply to this technical assistance program.

III. Application Selection Process

(A) General

Applications will be reviewed on a continuing first-come, first-served basis, until funds under this PHDE–TA Program section of the SuperNOFA are no longer available or until the application deadline noted in this PHDE–TA Program section of the SuperNOFA. Applications for PHDE–TA will be reviewed as they are received. Applicants are encouraged to submit their applications as early as possible in the fiscal year to ensure that they avoid situations where applications are not eligible for funding. Consultant applications will be received throughout the year with no deadline. Eligible applications will be funded in the order in which negotiations for a statement of work are completed between the consultant and the PHDE–TA program administrator until all funds are expended.

(B) Threshold Criteria for Funding Consideration

(1) The applicant must meet the requirements outlined in this PHDE–TA Program section of the SuperNOFA.

(2) The application must not request an ineligible activity.

(3) The application must answer the following questions:

(a) What is the nature of the drug-related crime problem in your

community in terms of the extent of such crime, the types of crime, and the types of drugs being used? This should include quantifiable or qualitative data on drug problems or criminal activity.

(b) What is the nature of the housing authority's working relationships with law enforcement agencies, particularly local agencies? How will PHDE–TA be used to improve those relationships?

(c) Are housing authority residents selling or using drugs, or committing the crimes?

(d) What about non-residents?

(e) What are the problem(s) you need technical assistance to address and how will you know that the technical assistance provided was successful in addressing the problem?

Applicants cannot request PHDE–TA by answering ''to conduct a needs assessment or survey;'' they must be able to answer the above questions, and discuss what prevents them from identifying, describing and/or measuring the problems.

(4) The application must answer the following questions:

(a) Describe what type of technical assistance you need and how you will know it has been successful?

(b) What specific output, outcome, results, or deliverables do you expect from the consultant?

(5) The application must describe the steps you and your organization are currently taking to measure, understand or address the drug-related crime problem in your development or housing authority.

(6) The application must describe how the proposed assistance will allow you to develop an anti-drug, anti-crime strategy; or describe how the proposed assistance fits into your current strategy.

(7) The application must describe and provide documentation evidencing commitment to providing continued support of anti-drug and anti-crime activities. This must include the community's recommendations in developing and implementing the grant application and in working cooperatively in ensuring success occurs. Applications must include a description of how the community was involved in developing the application and resolutions of support from law enforcement officials and community service providers. The application must include a memorandum of understanding or other written agreement between the parties involved (e.g., housing authority, applicant, law enforcement officials and community service providers).

(8) The application must include a form, ''HUD Field Office/AONAP Confirmation Form.''

(C) Application Awards

(1) If the application is deemed eligible for funding and sufficient funds are available, the applicant will be contacted by HUD or its agent to confirm the work requirements.

(2) If HUD receives more than one application from a HA or TDHE; or group of RCs, ROs or RMCs in proximity to one another, HUD may exercise discretion to consider any two or more applications as one, assuming that the applications are received at the same time, or before approval by the Office of Finance and Accounting and the Office of Procurement and Contracts, executing the contract, and providing notification to the consultant to proceed to work. The TA Consultant Database is then searched for at least three consultants who have:

(a) A principal place of business or residence located within a reasonable distance from the applicant, as determined by HUD or its agent;

(b) The requisite knowledge and skills to assist the applicant in addressing its needs; and

(c) The most reasonable fees.

A list of the suggested consultants is forwarded to the applicant from the consultant data base which is updated annually. From this list, the applicant recommends a consultant to provide the requested technical assistance.

(3) The applicant must contact at least three TA consultants from the list provided. HUD may request confirmation from each recommended consultant. If HUD determines that any consultant was not contacted, HUD may consider the recommendation by the applicant void, and can choose a consultant independent of the applicant. After contacting each consultant, the applicant must send a written justification to HUD with a list of the consultants in order of preference, indicating any that are unacceptable, and stating the reasons for its preference. If the applicant finds that all referred consultants lack the requisite expertise, they must provide written documentation justifying this decision. If after HUD review, it is determined that the justification provided is adequate, the applicant will be provided with a second list of potential consultants. If the applicant does not provide HUD the written justification of consultant choice within 30 calendar days, HUD reserves the right to cancel the Technical Assistance. There is no guarantee that the applicant's first preference will be approved. Consultants will only be approved for the PHDE–TA if the request is not in conflict with other requests for the consultant's services.

(4) HUD or its agent will work with the consultant and applicant to develop a ''statement of work.'' The statement of work should include: a time line and estimated budget; a discussion of the kind of technical assistance and skills needed to address the problem, and how the technical assistance requested will address these needs; and a description of the current crime and drug elimination strategy, and how the requested technical assistance will assist that strategy. If the applicant does not currently have a strategy, there should be a statement of how the technical assistance will help them develop a crime and drug elimination strategy. When HUD has completed the authorization to begin work, the consultant is contacted to start work. The consultant must receive written authorization from HUD or its authorized agent before beginning to provide technical assistance under this PHDE–TA Program section of the SuperNOFA. The applicant and the relevant Field Office or Area Office of Office of Native American Programs will also be notified. Consultants will only be reimbursed for a maximum of 30 days of work, which must be completed in fewer than 90 days from the date of the approved statement of work. Work begun before the authorized date will be considered unauthorized work and may not be compensated by HUD.

(D) Application Process for Consultants

(1) Individuals or entities interested in being listed in the PHDE–TA Consultant Database should prepare their applications and send them to the address specified in the application kit. Before they can be entered into the Consultant Database, consultants must submit an application that includes the following information:

(a) The Consultant Resource Inventory Questionnaire, including at least three written references, all related to the general areas listed in this PHDE–TA Program section of the SuperNOFA. One or two of the written references must relate to work for a public housing authority, Tribe or TDHE, RC, RO or RMC;

(b) A resume;

(c) Evidence submitted by the consultant to HUD that documents the standard daily fee previously paid to the consultant for technical assistance services similar to those requested under this PHDE–TA Program section of the SuperNOFA.

(i) For consultants who can justify up to the equivalent of ES–IV, or $462.00 per day, this evidence may include an

accountant's statement, W–2 Wage Statements, or payment statements, and it should be supplemented with a signed statement or other evidence from the employer of days worked in the course of the particular project (for a payment statement) or the tax year (for a W–2 Statement).

(ii) For consultants who can justify above the equivalent of ES–IV, or $462.00 per day, there must be three forms of documentation of the daily rate: (*1*) A previous invoice and payment statement showing the daily rate charged and paid, or the overall amount paid and the number of days for work of a similar nature to that offered in this PHDE–TA program;

(*2*) A certified accountant's statement outlining the daily rate with an explanation of how the rate was calculated by the accountant. This should include at a minimum the total number of jobs of a similar nature completed by the consultant in the past 12 months, an explanation of the specific jobs used to calculate the rate, and the daily rates for each of the jobs used to justify the rate; and

(*3*) A signed statement from the consultant that the certified daily rate was charged for work of a nature similar to that being provided for the Drug Elimination Technical Assistance Program. The accountant must be able to demonstrate independence from the consultant's business.

(2) No one individual may have active at one time any more than three contracts or purchase orders nor be involved with more than one company at a time that has active Technical Assistance contracts. If an individual is working as a member of a multi-person firm, the key individual for the specific contract must be listed on the contract as the key point of contact. The key point of contact must be on-site more hours than any other contracted staff billing to the purchase order, and that individual may have no more than three purchase orders active at the same time.

(3) HUD will determine a specific fee to pay a consultant based upon the evidence submitted under this PHDE–TA Program section of this SuperNOFA.

(4) Consultants may not be requested by name in any application. HUD or its agent will recommend consultants considering at least three elements including previous experience, proximity and cost. Section I of this PHDE–TA section of this SuperNOFA explains this further.

(5) An employee of a housing agency (HA), Tribe, or TDHE may not serve as a consultant to his or her employer. A HA employee who serves as a consultant to other than their employer must be on annual leave to receive the consultant fee.

IV. Application Submission Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, each TA application must conform to the requirements of the Public and Indian Housing Drug Elimination Technical Assistance Application Kit, both in format and content. A PHDE–TA application must include both the descriptive letter (or form provided in the application kit) and certification statement (or form provided in the application kit) to be eligible for funding.

V. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VI. Environmental Requirements

In accordance with 24 CFR 50.19(b)(9), the assistance provided under this program relates only to the provision of technical assistance and therefore is categorically excluded from the requirements of the National Environmental Policy Act and is not subject to environmental review under the related laws and authorities. This determination is based on the ineligibility of real property acquisition, construction, rehabilitation, conversion, leasing, or repair for HUD assistance under this program.

Appendix A to SuperNOFA—HUD Field Office Contact Information

Not all Field Offices listed handle all of the programs contained in the SuperNOFAs. Applicants should look to the SuperNOFAs for contact numbers for information on specific programs. Office Hour listings are local time. Persons with hearing or speech impediments may access any of these numbers via TTY by calling the Federal Relay Service at 1–800–877–8339.

New England

Connecticut State Office, One Corporate Center, 19th Floor, Hartford, CT 06103–3220, 860–240–4800, Office Hours: 8:00 AM–4:30 PM

Maine State Office, 99 Franklin Street, Third Floor, Suite 302, Bangor, ME 04401–4925, 207–945–0467, Office Hours: 8:00 AM–4:30 PM

Massachusetts State Office, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 375, Boston, MA 02222–1092, 617–565–5234, Office Hours: 8:30 AM–5:00 PM

New Hampshire State Office, Norris Cotton Federal Building, 275 Chestnut Street, Manchester, NH 03101–2487, 603–666–7681, Office Hours: 8:00 AM–4:30 PM

Rhode Island State Office, Sixth Floor, 10 Weybosset Street, 6th floor, Providence, RI 02903–2808, 401–528–5230, Office Hours: 8:00 AM–4:30 PM

Vermont State Office, U.S. Federal Building, Room 237, 11 Elmwood Avenue, P.O. Box 879, Burlington, VT 05402–0879, 802–951–6290, Office Hours: 8:00 AM–4:30 PM

New York/New England

Albany Area Office, 52 Corporate Circle, Albany, NY 12203–5121, 518–464–4200, Office Hours: 7:30 AM–4:00 PM

Buffalo Area Office, Lafayette Court, 465 Main Street, Fifth Floor, Buffalo, NY 14203–1780, 716–551–5755, Office Hours: 8:00 AM–4:30 PM

Camden Area Office, Hudson Building, 800 Hudson Square, Second Floor, Camden, NJ 08102–1156, 609–757–5081, Office Hours: 8:00 AM–4:30 PM,

New Jersey State Office, One Newark Center, 13th Floor, Newark, NJ 07102–5260, 973–622–7900, Office Hours: 8:00 AM–4:30 PM

New York State Office, 26 Federal Plaza, New York, NY 10278–0068, 212–264–6500, Office Hours: 8:30 AM–500 PM

Mid Atlantic

Delaware State Office, 824 Market Street, Suite 850, Wilmington, DE 19801–3016, 302–573–6300, Office Hours: 8:00 AM–4:30 PM

District of Columbia Office, 820 First Street, N.E., Suite 450, Washington, DC 20002–4205, 202–275–9200, Office Hours: 8:30 AM–4:30 PM

Maryland State Office, City Crescent Building, 10 South Howard Street, Fifth Floor, Baltimore, MD 21201–2505, 410–962–2520, Office Hours: 8:30 AM–4:30 PM

Pennsylvania State Office, The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3380, 215–656–0600, Office Hours: 8:30 AM–4:30 PM

Pittsburgh Area Office, 339 Sixth Avenue, Sixth Floor, Pittsburgh, PA 15222–2515, 412–644–6428, Office Hours: 8:30 AM–4:30 PM

Virginia State Office, The 3600 Centre, 3600 West Broad Street, Richmond, VA 23230–4920, 804–278–4539, Office Hours: 8:30 AM–430 PM

West Virginia State Office, 405 Capitol Street, Suite 708, Charleston, WV 25301–1795, 304–347–7000, Office Hours: 8:00 AM–430 PM

Southeast/Caribbean

Alabama State Office, Beacon Ridge Tower, 600 Beacon Parkway West, Suite 300, Birmingham, AL 35209–3144, 205–290–7617, Office Hours: 8:00 AM–430 PM

Caribbean Office, New San Juan Office Building, 159 Carlos E. Chardon Avenue, San Juan, PR 00918–1804, 787–766–5201, Office Hours: 8:00 AM–430 PM

Florida State Office, Gables One Tower, 1320 South Dixie Highway, Coral Gables, FL 33146–2926, 305–662–4500, Office Hours: 8:30 AM–5 PM

Georgia State Office, Richard B. Russell Federal Building, 75 Spring Street, S.W., Atlanta, GA 30303–3388, 404–331–5136, Office Hours: 8:00 AM–430 PM

Jacksonville Area Office, Southern Bell Tower, 301 West Bay Street, Suite 2200, Jacksonville, FL 32202–5121, 904–232–2627, Office Hours: 8:00 AM–4:30 PM

Kentucky State Office, 601 West Broadway, P.O. Box 1044, Louisville, KY 40201–1044, 502–582–5251, Office Hours: 8:00 AM–4445 PM

Knoxville Area Office, John J. Duncan Federal Building, 710 Locust Street, 3rd Floor, Knoxville, TN 37902–2526, 423–545–4384, Office Hours: 7:30 AM–4:15 PM

Memphis Area Office, One Memphis Place, 200 Jefferson Avenue, Suite 1200, Memphis, TN 38103–2335, 901–544–3367, Office Hours: 8:00 AM–4:30 PM

Mississippi State Office, Doctor A. H. McCoy Federal Building, 100 West Capital Street, Room 910, Jackson, MS 39269–1096, 601–965–4738, Office Hours: 8:00 AM–4:45 PM

North Carolina State Office, Koger Building, 2306 West Meadowview Road, Greensboro, NC 27407–3707, 910–547–4000, Office Hours: 8:00 AM–4:45 PM

Orlando Area Office, Langley Building, 3751 Maguire Blvd, Suite 270, Orlando, FL 32803–3032, 407–648–6441, Office Hours: 8:00 AM–4:30 PM

South Carolina State Office, Strom Thurmond Federal Building, 1835 Assembly Street, Columbia, SC 29201–2480, 803–765–5592, Office Hours: 8:00 AM–4:45 PM

Tampa Area Office, Timberlake Federal Building Annex, 501 East Polk Street, Suite 700, Tampa, FL 33602–3945, 813–228–2501, Office Hours: 8:00 AM–4:30 PM

Tennessee State Office, 251 Cumberland Bend Drive, Suite 200, Nashville, TN 37228–1803, 615–736–5213 Office Hours: 8:00 AM–4:30 PM

Midwest

Cincinnati Area Office, 525 Vine Street, 7th Floor, Cincinnati, OH 45202–3188, 513–684–3451, Office Hours: 8:00 AM–4:45 PM

Cleveland Area Office, Renaissance Building, 1350 Euclid Avenue, Suite 500, Cleveland, OH 44115–1815, 216–522–4065, Office Hours: 8:00 AM–4:40 PM

Flint Area Office, The Federal Building, 605 North Saginaw, Suite 200, Flint, MI 48502–2043, 810–766–5108, Office Hours: 8:00 AM–4:30 PM

Grand Rapids Area Office, Trade Center Building, 50 Louis Street, NW, 3rd Floor, Grand Rapids, MI 49503–2648, 616–456–2100, Office Hours: 8:00 AM–4:30 PM

Illinois State Office, Ralph H. Metcalfe Federal Building, 77 West Jackson Blvd, Chicago, IL 60604–3507, 312–353–5680, Office Hours: 8:15 AM–4:45 PM

Indiana State Office, 151 North Delaware Street, Indianapolis, IN 46204–2526, 317–226–6303, Office Hours: 8:00 AM–4:45 PM

Michigan State Office, Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, MI 48226–2592, 313–226–7900, Office Hours: 8:00 AM–4:30 PM

Minnesota State Office, 220 Second St., South, Minneapolis, MN 55401–2195, 612–370–3000, Office Hours: 8:00 AM–4:30 PM

Ohio State Office, 200 North High Street, Columbus, OH 43215–2499, 614–469–5737, Office Hours: 8:00 AM–4:45 PM

Wisconsin State Office, Henry S. Reuss Federal Plaza, 310 West Wisconsin Avenue, Suite 1380, Milwaukee, WI 53203–2289, 414–297–3214, Office Hours: 8:00 AM–4:30 PM

Southwest

Arkansas State Office, TCBY Tower, 425 West Capitol Avenue, Suite 900, Little Rock, AR 72201–3488, 501–324–5931, Office Hours: 8:00 AM–4:30 PM

Dallas Area Office, Maceo Smith Federal Building, 525 Griffin Street, Room 860, Dallas, TX 75202–5007, 214–767–8359, Office Hours: 8:00 AM–4:30 PM

Houston Area Office, Norfolk Tower, 2211 Norfolk, Suite 200, Houston, TX 77098–4096, 713–313–2274, Office Hours: 7:45 AM–4:30 PM

Louisiana State Office, Hale Boggs Federal Building, 501 Magazine Street, 9th Floor, New Orleans, LA 70130–3099, 504–589–7201, Office Hours: 8:00 AM–4:30 PM

Lubbock Area Office, George H. Mahon Federal Building and United States Courthouse, 1205 Texas Avenue, Lubbock, TX 79401–4093, 806–472–7265, Office Hours: 8:00 AM–4:45 PM

New Mexico State Office, 625 Truman Street, N.E., Albuquerque, NM 87110–6472, 505–262–6463, Office Hours: 7:45 AM–4:30 PM

Oklahoma State Office, 500 West Main Street, Suite 400, Oklahoma City, OK 73102, 405–553–7401, Office Hours: 8:00 AM–4:30 PM

San Antonio Area Office, Washington Square, 800 Dolorosa Street, San Antonio, TX 78207–4563, 210–472–6800, Office Hours: 8:00 AM–4:30 PM

Shreveport Area Office, 401 Edwards Street, Suite 1510, Shreveport, LA 71101–3289, 318–676–3385, Office Hours: 7:45 AM–4:30 PM

Texas State Office, 1600 Throckmorton Street, P.O. Box 2905, Fort Worth, TX 76113–2905, 817–978–9000, Office Hours: 8:00 AM–4:30 PM

Tulsa Area Office, 50 East 15th Street, Tulsa, OK 74119–4030, 918–581–7434, Office Hours: 8:00 AM–4:30 PM

Great Plains

Iowa State Office, Federal Building, 210 Walnut Street, Room 239, Des Moines, IA 50309–2155, 515–284–4512, Office Hours: 8:00 AM–4:30 PM

Kansas/Missouri State Office, Gateway Tower II, 400 State Avenue, Kansas City, KS 66101–2406, 913–551–5462, Office Hours: 8:00 AM–4:30 PM

Nebraska State Office, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154–3955, 402–492–3100, Office Hours: 8:00 AM–4:30 PM

St. Louis Area Office, Robert A. Young Federal Building, 1222 Spruce Street, 3rd Floor, St. Louis, MO 63103–2836, 314–539–6583, Office Hours: 8:00 AM–4:30 PM

Rocky Mountains

Colorado State Office, 633–17th Street, Denver, CO 80202–3607, 303–672–5440, Office Hours: 8:00 AM–4:30 PM

Montana State Office, Federal Office Building, 301 South Park, Room 340, Drawer 10095, Helena, MT 59626–0095, 406–441–1298, Office Hours: 8:00 AM–4:30 PM

North Dakota State Office, Federal Building, P. O. Box 2483, Fargo, ND 58108–2483, 701–239–5136, Office Hours: 8:00 AM–4:30 PM

South Dakota State Office, 2400 West 49th Street, Suite I–201, Sioux Falls, SD 57105–6558, 605–330–4223, Office Hours: 8:00 AM–4:30 PM

Utah State Office, 257 Tower Building, 257 East-200 South, Suite 550, Salt Lake City, UT 84111–2048, 801–524–3323, Office Hours: 8:00 AM–4:30 PM

Wyoming State Office, Federal Office Building, 100 East B Street, Room 4229, Casper, WY 82601–1918, 307–261–6250, Office Hours: 8:00 AM–4:30 PM

Pacific/Hawaii

Arizona State Office, Two Arizona Center, 400 North 5th Street, Suite 1600, Phoenix, AZ 85004, 602–379–4434, Office Hours: 8:00 AM–4:30 PM

California State Office, Philip Burton Federal Building and U.S. Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102–3448, 415–436–6550, Office Hours: 8:15 AM–4:45 PM

Fresno Area Office, 2135 Fresno Street, Suite 100, Fresno, CA 93721–1718, 209–487–5033, Office Hours: 8:00 AM–4:30 PM

Hawaii State Office, Seven Waterfront Plaza, 500 Ala Moana Boulevard, Suite 500, Honolulu, HI 96813–4918, 808–522–8175, Office Hours: 8:00 AM–4:00 PM

Los Angeles Area Office, 611 West 6th Street, Suite 800, Los Angeles, CA 90017–3127, 213–894–8000, Office Hours: 8:00 AM–4:30 PM

Nevada State Office, 333 North Rancho Drive, Suite 700, Las Vegas, NV 89106–3714, 702–388–6525, Office Hours: 8:00 AM–4:30 PM

Reno Area Office, 1575 Delucchi Lane, Suite 114, Reno, NV 89502–6581, 702–784–5356, Office Hours: 8:00 AM–4:30 PM

Sacramento Area Office, 777–12th Street, Suite 200, Sacramento, CA 95814–1997, 916–498–5220, Office Hours: 8:00 AM–4:30 PM

San Diego Area Office, Mission City Corporate Center, 2365 Northside Drive, Suite 300, San Diego, CA 92108–2712, 619–557–5310, Office Hours: 8:00 AM–4:30 PM

Santa Ana Area Office, 3 Hutton Centre Drive, Suite 500, Santa Ana, CA 92707–5764, 714–957–3745, Office Hours: 8:00 AM–4:30 PM

Tucson Area Office, Security Pacific Bank Plaza, 33 North Stone Avenue, Suite 700, Tucson, AZ 85701–1467, 520–670–6237, Office Hours: 8:00 AM–4:30 PM

Northwest/Alaska

Alaska State Office, University Plaza Building, 949 East 36th Avenue, Suite 401, Anchorage, AK 99508–4135, 907–271–4170, Office Hours: 8:00 AM–4:30 PM

Idaho State Office, Plaza IV, 800 Park Boulevard, Suite 220, Boise, ID 83712–7743, 208–334–1990, Office Hours: 8:00 AM–4:30 PM

Oregon State Office, 400 Southwest Sixth Avenue, Suite 700, Portland, OR 97204–1632, 503–326–2561, Office Hours: 8:00 AM–4:30 PM

Spokane Area Office, Farm Credit Bank Building, Eighth Floor East, West 601 First Avenue, Spokane, WA 99204–0317, 509–353–2510, Office Hours: 8:00 AM–4:30 PM

Washington State Office, Seattle Federal Office Building, 909 1st Avenue, Suite 200, Seattle, WA 98104–1000, 206–220–5101, Office Hours: 8:00 AM–4:30 PM

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