DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4410–N–01]

Super Notice of Funding Availability (SuperNOFA) for HUD's Housing, Community Development and Empowerment Programs

AGENCY: Office of the Secretary, HUD.

ACTION: Super Notice of Funding Availability (SuperNOFA) for HUD Grant Programs.

SUMMARY: This Fiscal Year 1999 Super Notice of Funding Availability (SuperNOFA) announces the availability of approximately $2.4 billion in HUD program funds covering 32 grant categories within programs operated and administered by the following HUD offices: the Office of Community Planning and Development (CPD); the Office of Housing-Federal Housing Administration (FHA); the Office of Public and Indian Housing; Office of Policy Development and Research; the Office of Fair Housing and Equal Opportunity; and the Office of Lead Hazard Control.

The General Section of this SuperNOFA provides the application procedures and requirements that are applicable to all the programs. The Programs Section of this SuperNOFA provides a description of the specific programs for which funding is made available under this SuperNOFA and describes any additional procedures and requirements that are applicable to a specific program. Please be sure you read both the General Section and the Program Section of this SuperNOFA to ensure you respond to all the requirements for funding.

APPLICATION DUE DATES: *The information in this* **APPLICATION DUE DATES** *section applies to all programs that are part of this SuperNOFA.* You, the applicant, must submit a completed application to HUD no later than the application due date established for the program for which you are seeking funding. HUD will not accept for review and evaluation any applications sent by facsimile (fax).

ADDRESSES AND APPLICATION SUBMISSION PROCEDURES: *Addresses.* You, the applicant, must submit a complete application to the location identified in the Programs Section of this SuperNOFA. When submitting your application, please refer to the name of the program for which you are seeking funding.

For Applications to HUD Headquarters. If your application is due to HUD Headquarters, you must send to the following address: Department of Housing and Urban Development, 451 Seventh Street, SW, Washington DC 20410 (see the Program Chart or Programs Section for Room location and additional information regarding the addresses for application submission). Please make sure that you note the room number. The correct room number is very important to ensure that your application is not misdirected.

For Applications to HUD Field Offices. If your application is required to be submitted to a HUD Field Office, please see the Programs Section for the exact office location for submission of your application.

Applications Procedures. Mailed Applications. Your application will be considered timely filed if your application is 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. If your application is sent by overnight delivery or express mail, your application will be timely filed if it is received before or on the application due date, or when you submit documentary evidence that your application was placed in transit with the overnight delivery service by no later than the application due date.

Hand Carried Applications. Hand-carried to HUD Headquarters. If your application is required to be submitted to HUD Headquarters, and you arrange for the application to be hand carried, hand carried applications delivered before and on the application due date must be brought to the specified location at HUD Headquarters 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, Eastern time. This deadline date is firm. Please make appropriate arrangements to arrive at the HUD Headquarters Building before 12:00 midnight on the application due date.

Hand-carried to HUD Field Office. If your application is required to be submitted to a HUD Field Office, your application must be delivered to the appropriate HUD Field Office in accordance with the instructions specified in the Programs Section of the SuperNOFA. A hand carried application will be accepted at the specified HUD Field Office during normal business hours before the application due date. On the application due date, business hours will be extended to 6:00 p.m. local time. (Please see Appendix A to this SuperNOFA listing the hours of operations for the HUD Field Offices.) Please be sure to arrive at the HUD Field Office with adequate time to submit the application before the 6:00 pm deadline by the application due date.

COPIES OF APPLICATIONS TO HUD OFFICES: The Programs Section of this SuperNOFA may specify that to facilitate the processing and review of your application, a copy of the application also must 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 directions of the Programs Section to ensure that you submit your application to the proper location. For some programs, HUD requests additional copies in order to expeditiously review your application, and to ensure that all reviewers receive complete applications to review. HUD appreciates your assistance in providing the copies. Please note that for those applications for which copies are to be submitted to the Field Offices and HUD Headquarters, timeliness of submission will be based on the time your application is received at HUD Headquarters.

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

For Application Kits and SuperNOFA User Guide. HUD is pleased to provide you with the 1999 application kits and/or a guidebook to all HUD programs that are part of this SuperNOFA. These application kits are designed to guide you through the application process and ensure that your application addresses all requirements for the program funding you are seeking. *Please note that if there is a discrepancy between information provided in the application kit and the information provided in the published SuperNOFA, the information in the published SuperNOFA prevails.* Therefore, please be sure to review your application submission against the requirements in the SuperNOFA. When requesting an application kit, please refer to the name of the program 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). To ensure sufficient time to prepare your application, requests for application kits should be made immediately.

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. Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209. Additionally, you can obtain information on this SuperNOFA and application kits for this SuperNOFA through the HUD web site on the Internet at http://www.hud.gov.

Consolidated Application Submissions. If you, the applicant, would like to apply for funding under more than one program in this SuperNOFA, you need only submit one originally signed SF–424 and one set of original signatures for the other standard assurances and certifications, accompanied by the matrix that is provided in each application kit. As long as you submit one originally signed set of these documents with an application, you need only submit copies of these documents with any additional application you submit. Your application should identify the program for which you have submitted the original signatures for the standard assurances and certifications. Additionally, the Programs Section may specify additional forms, certifications, assurances, or other information that may be required for a particular program in this SuperNOFA.

For Further Information. For answers to your questions about this SuperNOFA, you have several options. You may call, during business hours, the SuperNOFA Information Center at 1–800–HUD–8929, or you may contact the HUD Office or Processing Center serving your area at the telephone number listed in the application kit for the program in which you are interested. If you are a person with a hearing or speech impairment you may call the Center's TTY number at 1–800–HUD–2209. You may also obtain information on this SuperNOFA and application kits for this SuperNOFA 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 you with general guidance and technical assistance about this SuperNOFA. HUD staff, however, are not permitted to assist in preparing the application. Following selection of applicants, but before awards are made, HUD staff are 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.

Hud's Fiscal Year 1999 SuperNOFA Process

Background: the Introduction of the SuperNOFA—the FY 98 SuperNOFA

In Fiscal Year 1998, HUD introduced its first SuperNOFA. HUD's FY 1998 SuperNOFA represented a marked departure from, and HUD believes a significant improvement over, HUD's past approach to the funding process. Before the FY 1998 SuperNOFA, HUD had issued as many as 40 separate NOFAs. These 40 NOFAs had widely varying rules and application processing requirements, and were published at various times throughout the fiscal year. This individual program approach to funding, with different publication schedules, did not encourage and, at times, unintentionally interfered with local efforts directed at comprehensive planning as well as development of comprehensive local solutions. Additionally, the old approach seemed to require communities to respond to HUD's needs instead of HUD responding to local needs.

In his first year as Secretary of HUD, Secretary Andrew Cuomo immediately sought to change this outdated approach to funding. Secretary Cuomo brought 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.

HUD's FY 1998 SuperNOFA promoted HUD's objective, under the direction of Secretary Cuomo, of improving customer service and providing the necessary tools for revitalizing communities and improving the lives of people within those communities. The SuperNOFA increased the ability of applicants to consider and apply for funding under a wide variety of HUD programs in response to a single NOFA. In addition to applicants, HUD believes that everyone interested in HUD's grant programs can benefit from having this information made available in one document, and that having the information on available funding one time will facilitate local planning and coordination.

Changes Made in the SuperNOFA Process for FY 1999

One SuperNOFA. For Fiscal Year 1999, HUD is taking the next step of improving its funding process by issuing one single SuperNOFA. In FY 1998, HUD issued three SuperNOFAs:

(1) The SuperNOFA for HUD's Housing and Community Development Programs;

(2) The SuperNOFA for HUD's Economic Development and Empowerment Programs; and

(3) The SuperNOFA for HUD's Targeted Housing and Homeless Assistance Programs.

HUD's FY 1999 SuperNOFA consolidates the programs in these three SuperNOFAs into one SuperNOFA—the SuperNOFA for HUD's Housing, Community Development and Empowerment Programs. The housing component of this SuperNOFA encompasses many of HUD's housing programs, including targeted housing and homeless assistance. The community development component of this SuperNOFA encompasses HUD's economic development programs, and the empowerment component encompasses HUD's youthbuild and self-help programs.

Plain Language. In addition to increased consolidation, HUD strived to make the FY 1999 SuperNOFA simpler and easier to understand. On June 1, 1998, President Clinton issued a memorandum to all Federal agencies that directs agencies to use plain language in all of their documents. HUD prepared its FY 1999 SuperNOFA to comply with the plain language principles. These principles include using common, everyday words (except for necessary technical terms), the active voice and short sentences.

Earlier Publication and More Time to Prepare Applications. Finally, HUD is publishing its SuperNOFA earlier than in FY 1998. By publishing earlier in the Federal Fiscal Year, HUD can provide you, the applicant, more time to prepare and submit your SuperNOFA application(s).

Program Changes to Note: (1) *HOPWA–TA.* This year technical assistance under the Housing Opportunities for Persons with AIDS (HOPWA) has been consolidated into the Community Development Technical Assistance (CD–TA) Program section of the SuperNOFA. If you are interested in applying for this program, please see the CD–TA Program section.

(2) *Youth Sports Program.* This year, youth sports activities are eligible under

the PIH Drug Elimination Grant Program.

(3) *Possible Formula Funding for Public Housing Drug Elimination Program.* On February 18, 1999, HUD published in the **Federal Register** an Advance Notice of Proposed Rulemaking (ANPR) announcing HUD's intention to develop, through proposed rulemaking, a formula allocation funding for HUD's Public Housing Drug Elimination Program. The February 18, 1999 ANPR solicits comments in advance of this rulemaking on a method, components of a method, or methods that would result in reliable and equitable funding to public housing agencies with drug elimination programs and ensure that this funding is allocated to agencies meeting certain performance standards. If this rulemaking is completed before the application due date for the Public Housing Drug Elimination grants, HUD will publish a notice in the **Federal Register** advising the public of the withdrawal of the Public Housing Drug Elimination Program sections of this SuperNOFA, and advising that funds will be allocated through a formula.

Similarities Between FY 1998 and FY 1999 SuperNOFAs

The FY 1999 SuperNOFA, like the FY 1998 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 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)).

The FY 1999 SuperNOFA is designed to:

- Simplify the application process;
- Promote effective and coordinated use of program funds in communities;
- Reduce duplication in the delivery of services and economic development and empowerment programs;
- Allow 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.

Once again, HUD strongly 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. This coordination also should help applicants jointly 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 that are part of this SuperNOFA. HUD programs that provide assistance for, or complement, similar activities (for example, the Continuum of Care programs and CPD Technical Assistance programs) have a consolidated application that reduces the administrative and paperwork burden applicants would otherwise encounter in submitting a separate 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. *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 the programs that are part of this SuperNOFA continue to apply to each program. The SuperNOFA will identify, 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 programs identified in this SuperNOFA.*

The SuperNOFA is divided into two major sections. The General Section of the SuperNOFA describes the procedures and requirements that are applicable to all applications. The Programs Section of the SuperNOFA describes each program that is part of this SuperNOFA. For each program, the Programs Section describes the eligible applicants, eligible activities, factors for award, 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. Your careful reading 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 programs that are part of this SuperNOFA are identified in the chart below. The approximate available funds for each program are expected funding levels based on appropriated funds. In the event HUD recaptures funds 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.

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HUD FY 1999 SUPERNOFA FUNDING

Program Name	Funding Available (approximate)	Due Date	Submission Location and Room
HOUSING AND COMMUNITY DEVELOPMENT			
Community Development Technical Assistance	**$ 24.25 million**		
Community Development Block Grant (CDBG) TA CFDA No: 14.227 OMB Approval No.:2506-0166	$ 2.5 million	May 26, 1999	HUD Headquarters Room 7251, and copies to appropriate local HUD Field Offices
Community Housing Development Organization (CHDO) TA CFDA No. 14.239 OMB Approval No.:2506-0166	$ 9 million	May 26, 1999	HUD Headquarters Room 7251, and copies to appropriate local HUD Field Offices
HOME TA CFDA No. 14.239 OMB Approval No.:2506-0166	$ 8 million	May 26, 1999	HUD Headquarters Room 7251, and copies to appropriate local HUD Field Offices
Supportive Housing Program (SHP) TA CFDA No. 14.235 OMB Approval No.:2506-0166	$ 2.5 million	May 26, 1999	HUD Headquarters Room 7251, and copies to appropriate local HUD Field Offices
HOPWA TA CFDA No. 14.241 OMB Approval No.:2506-0133	$ 2.25 million	May 26, 1999	HUD Headquarters Room 7251

Program Name	Funding Available (approximate)	Due Date	Submission Location and Room
UNIVERSITY AND COLLEGE PARTNERSHIPS			
University and College Programs	**$ 16.5 million**		
Community Outreach Partnership Centers (COPC) CFDA No: 14511 OMB Approval No.:2528-0180	$ 7.5 million	June 9, 1999	HUD Headquarters Room 7251
Historically Black Colleges and Universities (HBCUs) Program CFDA No.: 14.237 OMB Approval No.: 2506-0122	$ 9 million	June 9, 1999	HUD Headquarters Room 7251 and copies to local HUD Field Office
Hispanic-Serving Institutions Assisting Communities (HSIAC) Program CFDA No.: 14.514 OMB Approval No.:2528-0198	$ 5.65 million	June 9, 1999	HUD Headquarters Room 7251
FAIR HOUSING OUTREACH, ENFORCEMENT AND ASSISTED HOUSING COUNSELING			
Fair Housing and Housing Counseling Programs	**$ 31.6 million**		
Education and Outreach Initiative (EOI) CFDA No.: 14.409 OMB Approval No.: 2529-0033	$ 4.5 million	April 27, 1999	HUD Headquarters Room 5234
Private Enforcement Initiative (PEI) CFDA No.: 14.410 OMB Approval No.: 2539-0033	$ 9.3 million	April 27, 1999	HUD Headquarters Room 5234
Fair Housing Organizations Initiative (FHOI) CFDA No.: 14.413 OMB Approval No.: 2539-0033	$ 1.2 million	April 27, 1999	HUD Headquarters Room 5234

Program Name	Funding Available (approximate)	Due Date	Submission Location and Room
Local Housing Counseling Agencies CFDA No.: 14.169 OMB Approval No.: 2502-0261	$ 5.6 million	May 25, 1999	Appropriate HUD Homeownership Center (HOC)
National, Regional, and Multi-State Intermediaries CFDA No.: 14.169 OMB Approval No.: 2502-0261	$ 7.5 million	May 25, 1999	HUD Headquarters Room 9166
State Housing Finance Agencies CFDA No.: 14.169 OMB Approval No.: 2502-0261	$ 3.5 million	May 25, 1999	Appropriate HUD Homeownership Center (HOC)
LEAD HAZARD CONTROL			
Lead-Based Paint Hazard Control Programs	**$ 62.5 million**		
Lead-Based Paint Hazard Control Program CFDA No.: 14.900 OMB Approval No.: pending	$ 56 million	May 26, 1999	Postal Service: HUD Headquarters, Office of Lead Hazard Control, Room P3206
Research to Improve Evaluation and Control of Residential Lead-Based Paint Hazards CFDA No.: 14.900 OMB Approval No.: 2529-0011	$ 2.5 million	May 26, 1999	Postal Service: HUD Headquarters, Office of Lead Hazard Control, Room P3206
Mold and Moisture Control in Inner City Housing CFDA No.: 14.900 OMB Approval No.: pending	$ 4 million	May 26, 1999	Postal Service: HUD Headquarters, Office of Lead Hazard Control, Room P3206

Program Name	Funding Available (approximate)	Due Date	Submission Location and Room
PUBLIC AND INDIAN HOUSING REVITALIZATION AND DEMOLITION			
Revitalization and Demolition Programs	**$ 583 million**		
Hope VI Revitalization Grants CFDA No.: 14.866 OMB Approval No.: 2577-0208	$ 523 million	May 27, 1999	HUD Headquarters Room 4138 and copies to appropriate local HUD Field Office
HOPE VI Demolition Grants CFDA No.: 14.866 OMB Approval No.: 2577-0208	$ 60 million	May 6, 1999 (first come, first serve but no later than May 6, 1999)	HUD Headquarters Room 4138 and copies to appropriate local HUD Field Office
DRUG ELIMINATION IN PUBLIC AND ASSISTED HOUSING			
Drug Elimination Programs	**$ 289.30 million**		
Public Housing Drug Elimination Program (including Youth Sports Eligible Activities) CFDA No.: 14.854 OMB Control No.: 2577-0124	$ 242.75 million	June 16, 1999	Appropriate local HUD Field Office or Area Office of Native American Programs
Public Housing Drug Elimination New Approaches (Formerly Safe Neighborhood Grant) CFDA No.: 14.854 OMB Control No.: 2577-0124	$ 28.3 million	July 1, 1999	Appropriate local HUD Field Office or Area Office of Native American Programs
Public Housing Drug Elimination TA CFDA No.: 14.854 OMB Control No.: 2577-0124	$ 2 million	June 16, 1999	HUD Headquarters Room 4206
Drug Elimination Grants for Multifamily Low Income Housing CFDA No.: 14.193 OMB Approval No.: 2502-0476	$ 16.25 million	June 16, 1999	Appropriate local HUD Field Office or Area Office of Native American Programs

Program Name	Funding Available (approximate)	Due Date	Submission Location and Room
ECONOMIC DEVELOPMENT AND EMPOWERMENT			
Economic and Empowerment Programs	**$ 120 million**		
Economic Development Initiative CFDA No.: 14.246 OMB Approval No.: 2506-0153	$ 35 million	June 11, 1999	HUD Headquarters Room 7251 and copy to appropriate local HUD Field Office
Brownfields Economic Development Initiative CFDA No.: 14.246 OMB Approval No.: 2506-0153	$ 25 million	June 25, 1999	HUD Headquarters Room 7251 and copy to appropriate local HUD Field Office
Self-Help Homeownership Opportunity Program (SHOP) CFDA No.: 14.247 OMB Approval No.: N/A	$ 20 million	April 29, 1999	HUD Headquarters Room 7251
Youthbuild CFDA No.: 14.243 OMB Approval No.: 2508-0142	$ 40 million	April 30, 1999	HUD Headquarters Room 7251 and copy to appropriate local HUD Field Office

Program Name	Funding Available (approximate)	Due Date	Submission Location and Room
TARGETED HOUSING AND HOMELESS ASSISTANCE			
Targeted Housing and Homeless Assistance Programs	**$ 12,894.27 million**		
Continuum of Care Homeless Assistance - Supportive Housing CFDA No.: 14.235 - Shelter Plus Care CFDA No.: 14.238 - Section 8 Moderate Rehabilitation Single Room Occupancy (SRO) CFDA No.: 14.249 OMB Approval No.: 2506-0112	$ 750 million	June 2, 1999	HUD Headquarters Room 7270 and copies to appropriate local HUD Field Offices
Housing Opportunities for Persons with AIDS CFDA No.: 14.241 OMB Approval No.: 2506-0133	$ 22.275 million	June 2, 1999	HUD Headquarters Room 7251 and copies to appropriate local HUD Field Office
Section 202 Supportive Housing for the Elderly CFDA No.: 14.157 OMB Approval No.: 2502-0267	$ 434.8 million	May 27, 1999	Appropriate local HUD Multifamily HUB or Multifamily Program Center
Section 811 Supportive housing for Persons with Disabilities CFDA No.: 14.181 OMB Approval No.: 2502-0462	$ 87.2 million	May 27, 1999	Appropriate local HUD Multifamily HUB or Multifamily Program Center

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Paperwork Reduction Act Statement. The information collection requirements in this SuperNOFA have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The chart shown above provides the OMB approval number for each program that is part of this SuperNOFA. Where the chart notes that an OMB number is pending, this means that HUD has submitted the information to OMB to obtain an approval number and HUD's request for the number is pending. As soon as HUD receives the approval number, the number will be published in the **Federal Register** and provided to the SuperNOFA Information Center. Under the Paperwork Reduction Act, 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; Purposes of the FY 1999 SuperNOFA; Funding Amount; Eligible Applicants and Eligible Activities

(A) Authority

HUD's authority for making funding under this SuperNOFA is the Fiscal Year 1999 Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1999 (Pub.L. 105–276, 112 Stat. 2461, approved October 21, 1998) (FY 1999 HUD Appropriations Act).

(B) Purposes

The purposes of this SuperNOFA are to:

(1) *Make funding available to empower communities and residents.* The funding made available by this SuperNOFA will assist community residents, particularly the poor and disadvantaged, to develop viable communities and provide decent housing for all citizens, without discrimination.

(2) *Simplification of the application process for funding under HUD programs.* This year's SuperNOFA continues to provide a single, uniform set of rating factors and submission requirements. This year's SuperNOFA also allows, as did last year's, for you, the applicant, to apply for more than one program with a single application.

(3) *Promote comprehensive approaches to housing and community development.* Through the SuperNOFA process, HUD encourages you, the applicant, to focus on the interrelationships that exist in a community and in HUD's funding programs, and to build community-wide efforts that coordinate the resources of multiple applicants and programs. The needs and problems of a community rarely, if ever, stand in isolation from each other. Due to this fact, it is very difficult to address these problems and to provide opportunities to use existing community resources in a piecemeal fashion. To successfully address community needs and solve community problems, and to take advantage of existing resources, HUD encourages members of a community to join together and pool all available resources in a common, coordinated effort. In 1998, HUD began structuring its funding process to help its community partners take this coordinated, holistic approach. Further, by making all of HUD's competitive funding available in one document, HUD allows you, the applicant, to be able to relate the activities proposed for funding under this SuperNOFA to the community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice.

(C) Funding Available

As noted in the Introduction Section to the SuperNOFA, the HUD programs that are part of this SuperNOFA are allocated amounts based on appropriated funds. If HUD recaptures funds 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 Programs Section of the SuperNOFA describes the eligible applicants and eligible activities for each program.

II. Requirements and Procedures Applicable to All Programs

Except as may be modified in the Programs Section of this SuperNOFA, or as noted within the specific provisions of this Section II, the principles listed below apply to all programs that are part of this SuperNOFA. Please be sure to read the Programs Section of the SuperNOFA for additional requirements or information.

(A) Statutory Requirements

To be eligible for funding under this SuperNOFA, you, the applicant, must meet all statutory and regulatory requirements that are applicable to the program or programs for which you are seeking funding. If you need copies of the program regulations, they are available from the SuperNOFA Information Center or through the Internet at the HUD web site located at http://www.HUD.gov. Among the reasons that HUD may reject an application from further funding consideration is if the activities or projects proposed in the application are not eligible activities and projects, or (with the exception of the Section 202 and 811 programs) 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.

With the exception of Federally recognized Indian tribes, all applicants and their subrecipients must comply with all Fair Housing and civil rights laws, statutes, regulations and executive orders as enumerated in 24 CFR 5.105(a). If you are a Federally recognized Indian tribe, you must comply with the Age Discrimination Act of 1975, section 504 of the Rehabilitation Act of 1973, and the Indian Civil Rights Act.

If you, the applicant—

(1) Have been charged with a systemic violation of the Fair Housing Act by the Secretary alleging ongoing discrimination;

(2) Are a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging an ongoing pattern or practice of discrimination; or

(3) Have received a letter of noncompliance findings under Title VI, Section 504, or Section 109,—

HUD will not rank and rate your application under this SuperNOFA if the charge, lawsuit, or letter of findings has not been resolved to the satisfaction of the Department before the application deadline stated in the individual program NOFA. HUD's decision regarding whether a charge, lawsuit, or a letter of findings has been satisfactorily resolved will be based upon whether appropriate actions have been taken to address allegations of ongoing discrimination in the policies or practices involved in the charge, lawsuit, or letter of findings.

(C) Additional Nondiscrimination Requirements

You, the applicant and your subrecipients, 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, if you are a successful applicant, you will

have a duty to affirmatively further fair housing. Again, except as may be provided otherwise in the Programs Section of this SuperNOFA, you, the applicant, should include in your application or work plan the specific steps that you 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, you, the applicant, have a duty to carry out the specific activities provided in your responses to the SuperNOFA rating factors that address affirmatively furthering fair housing. Please see the Programs Section of this SuperNOFA for further information.

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

Certain programs in this SuperNOFA require recipients of assistance to comply with section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (Economic Opportunities for Low and Very Low-Income Persons in Connection with assisted Projects) and the HUD regulations at 24 CFR part 135, including the reporting requirements subpart E. Section 3 requires recipients to ensure that, to the greatest extent feasible, training, employment and other economic opportunities will 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. As noted in the Programs Section of this SuperNOFA, Section 3 is applicable to the following programs:

1. Historically Black Colleges and Universities (HBCU);
2. Hispanic Serving Institutions Assisting Communities (HSIAC);
3. Lead-Based Paint Hazard Control;
4. Mold and Moisture Control in Inner City Housing Program;
5. HOPE VI Public Housing Revitalization;
6. Public Housing Drug Elimination Program (PHDEP);
7. Public Housing Drug Elimination Program—New Approaches
8. Multifamily Housing Drug Elimination;
9. Economic Development Initiative (EDI);
10. Brownfields Economic Development Initiative (BEDI);
11. Self-Help Homeownership Opportunity Program (SHOP);
12. Youthbuild;
13. Continuum of Care Homeless Assistance Programs;
14. Housing Opportunities for Persons with AIDS (HOPWA);
15. Section 202 Supportive Housing for the Elderly; and
16. Section 811 Supportive Housing for Persons with Disabilities.

(F) Relocation

Any person (including individuals, partnerships, corporations or associations) who moves from real property or moves personal property from real property directly (1) because of a written notice to acquire real property in whole or in part, or (2) because of the acquisition of the real property, in whole or in part, for a HUD-assisted activity is covered by Federal relocation statute and regulations. Specifically, this type of move is covered by the 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. The relocation requirements of the URA and the governmentwide regulations cover any person who moves permanently from real property or moves personal property from real property directly because of rehabilitation or demolition for an activity undertaken with HUD assistance.

(G) Forms, Certifications and Assurances

You, the applicant, are required to submit signed copies of the standard forms, certifications, and assurances listed in this section, unless the requirements in the Programs Section specifies otherwise. Additionally, the Programs Section may specify additional forms, certifications, assurances or other information that may be required for a particular program in this SuperNOFA. As part of HUD's continuing efforts to improve the SuperNOFA process, several of the required standard forms have been simplified this year. The standard forms, certifications, and assurances are as follows:

(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 (TDHEs) 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 applying for funds under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*) 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

Certain OMB circulars also apply to this SuperNOFA. The policies, guidance, and requirements of OMB Circular No. A–87 (Cost Principles Applicable to Grants, Contracts and Other Agreements with State and Local Governments), OMB Circular No. A–122 (Cost Principles for Nonprofit Organizations), 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations) and 24 CFR part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally recognized Indian tribal governments) may 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 1999 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

If you become a grantee under one of the programs in this SuperNOFA that assist physical development activities or property acquisition, you are generally prohibited from acquiring, rehabilitating, converting, leasing, repairing or constructing property, or committing or expending HUD or non-HUD funds for these types of 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.

You, the applicant, should consult the Programs Section of the SuperNOFA for the applicable program to determine the procedures for, timing of, and any exclusions from environmental review under a particular program. For applicants applying for funding under the Sections 202 or 811 Programs, please note the environmental review requirements for these programs.

(J) Conflicts of Interest

If you are a consultant or expert who is assisting HUD in rating and ranking applicants for funding under this SuperNOFA, you are subject to 18 U.S.C. 208, the Federal criminal conflict of interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR part 2635. As a result, if you have assisted or plan to assist applicants with preparing applications for this SuperNOFA, you may not serve on a selection panel and you may not serve as a technical advisor to HUD for this SuperNOFA. All individuals involved in rating and ranking this SuperNOFA, including experts and consultants, must avoid conflicts of interest or the appearance of conflicts. Individuals involved in the rating and ranking of applications must disclose to HUD's General Counsel or HUD's Ethic Law Division the following information if applicable: the selection or non-selection of any applicant under this SuperNOFA will affect the individual's financial interests, as provided in 18 U.S.C. 208; or the application process involves a party with whom the individual has a covered relationship under 5 CFR 2635.502. The individual must disclose this information prior to participating in any matter regarding this SuperNOFA. If you have questions regarding these provisions or if you have questions concerning a conflict of interest, you may call the Office of General Counsel, Ethics Law Division, at 202–708–3815 and ask to speak to one of HUD's attorneys in this division.

III. Application Selection Process

(A) Rating Panels

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

(1) *Rating.* HUD will evaluate and rate all applications for funding that meet the threshold requirements and rating factors for award described in this SuperNOFA. The rating of you, as the ''applicant,'' or of your organization, ''the applicant's organization and staff,'' for technical merit or threshold compliance will include any sub-contractors, consultants, sub-recipients, and members of consortia which are firmly committed to the project.

(2) *Ranking.* HUD will rank applicants within each program (or, for Continuum of Care applicants, across the three programs identified in the Continuum of Care section of this SuperNOFA). HUD will rank applicants only against other applicants that applied for the same program funding. Where there are set-asides within a program competition, you, the applicant, only will compete against applicants in the same set-aside competition.

(B) Threshold Requirements

HUD will review your application to determine whether your application meets all of the threshold requirements described in Section II(B), above. Only if your application meets all of the threshold requirements will it be eligible to be rated and ranked.

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

For each program that is part of this SuperNOFA, the points awarded for the rating factors total 100. Depending upon the program for which you the applicant seek funding, the program may provide for up to four bonus points as provided in paragraphs (1) and (2) of this Section III(C).

(1) *Bonus Points.* The SuperNOFA provides for the award of up to two bonus points for eligible activities/projects that the applicant proposes to be located in high performing federally designated Empowerment Zones (EZs) or Enterprise Communities (ECs). To be eligible to receive the two bonus points, you must certify that the proposed activities/projects: (a) will be located in a Federally designated Empowerment Zone or Enterprise Community and will serve residents of the EZ/EC; and (b) are consistent with the strategic plan of the EZ/EC. If you provide this certification and HUD determines that the area is a high performing EZ/EC, as announced in HUD's list to be published in the **Federal Register** in March 1999, you will be awarded the two points. A listing of the high performing federally designated EZs/ECs will be available from the SuperNOFA Information Center, or through the HUD web site on the Internet at http://www.HUD.gov, as well as in the **Federal Register**.

(2) *Court-Ordered Consideration.* For any application submitted by the City of Dallas, Texas, for funds under this SuperNOFA for which the City of Dallas is eligible to apply, HUD will consider the extent to which the strategies or plans in the city's application or applications will be used to eradicate the vestiges of racial segregation in the Dallas Housing Authority's low income housing programs. The City of Dallas should address the effect, if any, that vestiges of racial segregation in Dallas Housing Authority's low income housing programs have on potential participants in the programs covered by this NOFA, and identify proposed actions for remedying those vestiges. HUD may add up to 2 points to the score based on this consideration. This special consideration results from an order of the U.S. District Court for the Northern District of Texas, Dallas, Division. (This Section III(C)(2) is limited to applications submitted by the City of Dallas.)

(3) *The Five Standard Rating Factors.* Additional details about the five rating factors listed below, and the maximum points for each factor, are provided in the Programs Section of the SuperNOFA. You, the applicant, should carefully read the factors for award as described in the Programs Section of the SuperNOFA. HUD has established these five factors as the basic factors for award in every program that is part of this SuperNOFA. For a specific HUD program, however, HUD may have modified these factors 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

The Continuum of Care Homeless Assistance Programs have only two factors that receive points: Need and Continuum of Care.

(D) Negotiation

After HUD has rated and ranked all applications and has made selections, HUD may require, depending upon the program, 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 with a selected applicant or a selected applicant fails to provide HUD with requested information, an award will not be made to that applicant. In this instance, 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

(1) HUD reserves the right to fund less than the full amount requested in your application to ensure the fair distribution of the funds and to ensure that the purposes of a specific program are met.

(2) HUD may choose not to fund any portion of your application that is not eligible for funding under specific program statutory or regulatory requirements, or which do not meet the requirements of this SuperNOFA or which may be duplicative of other funded programs or activities from previous years' awards. HUD may choose to fund only the eligible portions of your application.

(3) If funds remain after funding the highest ranking applications, HUD may fund part of the next highest ranking application in a given program. If you, the applicant, turn 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 where there is a balance of funds.

(4) In the event HUD commits an 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

HUD will measure and address the performance and compliance actions of grantees in accordance with the applicable standards and sanctions of their respective programs.

IV. Application Submission Requirements

As HUD discussed earlier in the introductory section of this SuperNOFA, part of the simplification of this funding process is to reduce the duplication of effort that has been required of applicants in the past. Before the SuperNOFA process, many of HUD's applicants were required to complete and submit similar applications for HUD funded programs. As the Program Chart above shows, the FY 1999 SuperNOFA provides, as did the FY 1998 SuperNOFA, 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 its regulations in 24 CFR part 4, subpart B, consider any unsolicited information you, the applicant, may want to provide. HUD may contact you, however, to clarify an item in your application or to correct technical deficiencies. You should note, however, that HUD may not seek clarification of items or responses that improve the substantive quality of your response to any eligibility or selection factors. *Examples* of curable (correctable) technical deficiencies include your failure to submit the proper certifications or your failure to submit an application that contains an original signature by an authorized official. In each case, HUD will notify you in writing by describing the clarification or technical deficiency. HUD will notify applicants by facsimile or by return receipt requested. You 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 your deficiency is not corrected within this time period, HUD will reject your application as incomplete, and it will not be considered for funding. (Note that the Sections 202 and 811 Programs, by regulation, provide for appeal of rejection of an application on technical deficiency. Please see the Programs Sections for these programs for additional information and instructions.)

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 these grant programs available in one document, 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. There are certain HUD grant programs that are not part of this SuperNOFA (primarily those for which funding is allocated by lottery).

(B) Linking Program Activities With AmeriCorps

You are encouraged to link your 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, you 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 do 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 (UFAS) 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 SuperNOFA Information Center (1–800–HUD–2209) and also 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

You, the applicant, 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. You are required to certify, using the certification found at Appendix A to 24 CFR part 87, that you will not, and have not, used appropriated funds for any prohibited lobbying activities. In addition, you 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 (TDHEs) 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 5.

(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 1999 SuperNOFA Process and Future HUD Funding Processes

In FY 1998, Secretary Cuomo took the first significant step in changing HUD's funding process to better promote comprehensive, coordinated approaches to housing and community development by developing the SuperNOFA process. The three SuperNOFAs published in FY 1998 reflected a marked improvement over HUD's previous funding process and assisted communities to make better use of available resources through a coordinated approach.

This FY 1999 SuperNOFA takes HUD's funding process to the next step—a single SuperNOFA. The FY 1999 SuperNOFA 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 2000, 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 programs for which funding is available under this SuperNOFA follows.

Dated: February 18, 1999.

Saul N. Ramirez, Jr.,

Deputy Secretary.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY DEVELOPMENT TECHNICAL ASSISTANCE

Community Development Block Grant (CDBG) TA

Community Housing Development Organization (CHDO) TA

HOME TA

Supportive Housing Program (SHP) TA

HOPWA TA

BILLING CODE 4210–32–C

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

Program Overview

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 promote the ability of Community Housing Development Organizations (CHDOs) to maintain, rehabilitate and construct housing for low-income and moderate-income families; facilitate the education of low-income homeowners and tenants; and 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 land bank programs; and encouraging private lenders and for-profit developers of low-income housing to participate in public-private partnerships.

Supportive Housing Program (SHP) Technical Assistance. To provide HUD-funded Supportive Housing Program 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.

Housing Opportunities for Persons with AIDS (HOPWA). To train communities to create comprehensive housing strategies and responsive area programs that assist residents who are living with HIV/AIDS; to train HOPWA grantees to administer formula and competitive funds in an efficient and effective manner, including undertaking community consultations, program planning, housing development and operations, program evaluation and reporting on accomplishments; and to build the capacity of nonprofit organizations to carry out activities as HOPWA projects sponsors.

Available Funds. Up to $24.3 million is available for the five CD–TA programs.

Eligible Applicants. Specific eligibility requirements for the five CD–TA programs are found below in Section III(C). Forty percent of the CDBG, CHDO, HOME and Supportive Housing technical assistance funds is limited to qualified providers who have not previously received a technical assistance award. This limitation is not applicable to HOPWA technical assistance.

Application Deadline. May 26, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit your completed applications (an original and one copy) on or before 12:00 midnight, Eastern time, on May 26, 1999. The original application that you submit to Headquarters is considered the official application. Send a copy of your application on or before the application deadline date to the HUD CPD Field Office(s) in which you are seeking to provide services. Only one application per applicant is permitted; however, one application can include as few as one or as many as all five CD–TA programs. 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. Submit your completed original application to HUD Headquarters, U.S. Department of Housing and Urban Development, CPD Processing and Control Branch, Room 7251, 451 Seventh Street, SW, Washington, DC 20410. Send a copy of the application to the appropriate CPD Field Office(s) at 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), telephone number (including area code), and fax number (including area code).

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), telephone number (including area code), and fax 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 Ms. Deirdre Neighbors at 202–708–3176 x4386 in HUD Headquarters. Information on this SuperNOFA also may be obtained through the HUD web site on the Internet at http://www:HUD.gov.

II. Amount Allocated

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

CDBG TA funds:
Up to $2,500,000
CHDO TA funds:
Up to $9,000,000 Total
$3,600,000 Single State
$5,400,000 Multi-State
HOME TA funds:
Up to $8,000,000
SHP TA funds:
Up to $2,500,000
HOPWA TA funds:
Up to $2,250,000

(B) Each HUD/CPD Field Office has been allocated a ''fair-share'' of CD–TA funds for purposes of this competition, except for the HOPWA TA funds which will be awarded only through a national 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 for you to develop your program budgets by Field Office jurisdiction and are not the exact amounts to be awarded to you in each area.

HUD will determine the total amount to be awarded to 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, 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.

(C) In order to reach new technical assistance providers in the CDBG, HOME, CHDO and SH program areas, 40% of the funds in each of these four program areas within a field office (or at the national level) will be awarded to applicants who have not previously been funded under a technical assistance competition. Therefore, approximately $1 million will be awarded to new providers in CDBG; $3.2 million in HOME; $3.6 million in CHDO; and $1 million in SHP. With respect to CHDO funds, 40% of the total funds (single state and multi-state combined) are earmarked for new providers. If qualified new applicants are not found in each program area in each Field Office and/or at the national level, the remaining funds will be made available for previously funded providers. The reverse also is true.

(D) 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 V 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.

III. Program Description; Program Award Period; Eligible Applicants; Eligible and Ineligible Activities; and Sub-Grants/Pass Through Funds

(A) *Program Description.* Up to $24.3 million in technical assistance (TA) funds is available from five separate technical assistance programs: Community Development Block Grant (CDBG) TA, Community Housing Development Organization (CHDO) TA, HOME TA, SHP TA, and HOPWA TA (collectively ''CD–TA'').

The funding of these five 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 five, separate CD–TA programs, individually or collectively, singularly or in combination. The specific provisions of the five 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 five different CD–TA programs.

(B) *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.

(C) *Eligible Applicants.*

(1) *General.* The eligible applicants for each of the five CD–TA programs are listed in paragraphs (2), (3), (4) and (5) of this Section (C). 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.

(g) All applicants must meet the applicable threshold requirements of Section II(B) of the General Section of the SuperNOFA.

(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 before assistance is provided, unless the assistance is limited to conferences/workshops attended by more than one unit of government. Do not include letters of designation in your application since granting of an award does not constitute approval of assistance to a given community and is provided only through a Technical Assistance Delivery Plan (see Section IV(A)(3) of this program section of the SuperNOFA).

(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.

HUD will consider an intermediary 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.

(5) *HOPWA Eligible Applicants.*

(a) Non-profit organizations; and

(b) States and units of general local government.

(D) *Eligible and Ineligible Activities.* Eligible and ineligible activities as appropriate for each of the five 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). HUD shall give priority under this paragraph to providing technical assistance for organizations rehabilitating single family or multifamily housing owned or controlled by HUD 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 and accessibility, 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, manuals, guides and brochures; person-to-person exchanges; on-site assessments and provision of technical expertise; and training and related costs.

(5) *HOPWA Technical Assistance*.

For the purposes of this program section of the SuperNOFA, HOPWA technical assistance shall mean the transfer to HOPWA grantees and project sponsors and potential recipients of program funds, the skills and knowledge needed to develop, operate and support HOPWA-eligible projects and activities.

An applicant for HOPWA TA funds must propose activities on a national or regional basis (e.g. serving a multi-state area). The application should emphasize how activities will advise and train communities and project sponsors in undertaking program planning, community consultations, housing development and operations, coordination with related health-care and other supportive services, and evaluation and reporting on program performance. The Department has established the following four national goals for HOPWA TA projects:

(a) *Comprehensive Strategies for HIV/AIDS Housing*. HOPWA TA funds can be used to advise and train communities in: undertaking community-based needs assessments of the housing needs of persons living with HIV/AIDS and their families; drafting comprehensive multiple-year HIV/AIDS housing plans; undertaking community-wide consultations, including consulting with potential clients, providers of HIV/AIDS housing and/or services, and local, State and Federal agencies that administer HIV/AIDS-related programs, including programs funded under the Ryan White CARE Act, and programs that address serious mental illness, chronic alcohol and other drug abuse issues, and homelessness; integrating HIV/AIDS housing efforts within the area's consolidated planning processes: and collaborating with the area's Continuum of Care Homeless Assistance processes in assisting persons with HIV/AIDS who are homeless. Technical assistance also may be used to train communities in how to best target assistance to traditionally underserved subpopulations in developing community-based needs assessments and may build capacity for State-wide, metropolitan, non-metropolitan and/or rural areas in development of area multi-year HIV and AIDS housing plans. You also could provide technical assistance to HOPWA formula grantees that are new recipients of formula allocations or that are designated by HUD as prospective recipients in future allocations to promote the planning and startup for the use of funds.

(b) *Sound Management of HOPWA Programs*. HOPWA TA funds can be used to help ensure that grantees and project sponsors use funds in a manner that upholds the public trust in the operation of programs, including: advising on management practices to provide responsive, efficient and cost effective facility and program operations; advising on fiscal management to ensure accountability in the use of funds; advising on the coordination of housing with health-care and other related supportive services for eligible persons; assisting in developing collaborations with local, State and Federal agencies that administer HIV/AIDS-related programs, including programs funded under the Ryan White CARE Act; advising on data collection and evaluation of programs; providing program handbooks, guidance materials, audio/visual products, training, and other activities to promote good management practices.

(c) *Use of HUD Information Management Tools*. HOPWA TA funds may be used to assist grantees, project sponsors and other organizations involved in HIV/AIDS plans in using the Department's information technology, financial systems and information management systems for developing, operating and reporting on program activities. Applications should address how TA activities will support the use of the Department's Consolidated Planning Process, Integrated Disbursement and Information System (IDIS), the use of HOPWA Annual Progress Reports, the Grants Management System, the LOCCS/HUDCAPS and other HUD information collection or financial management tools. The use of these management tools will help to ensure that your performance is measured under the HOPWA national performance goals, established in the Department's Annual Performance Plan. You should address plans for conducting grantee and sponsor workshops, developing training materials, developing or adapting software for program activities and goals, and sponsoring conferences of grantees and sponsors.

(d) *National HOPWA Information*. HOPWA TA funds may be used to

establish a component to support HIV/AIDS housing discussions, panels, presentations, information, exhibit booths, and other training materials at national, regional, state-wide and local meetings of organizations that are involved in housing, community development, health-care and supportive services, veterans affairs and other human service efforts. The component should help promote understanding on HIV/AIDS housing issues and needs of persons living with HIV/AIDS, and offer training on developing and accessing HIV/AIDS housing and related services. A research and information services component of this effort should include the development of information on HIV/AIDS housing and activities supported under HOPWA grants which will be published for national distribution, including disseminating information on the success and lessons learned by the HOPWA Special Projects of National Significance and Long-term grants in non-formula areas that have been awarded in the HOPWA national competitions. This component should emphasize the collection and dissemination of information on the ''best practices'' of HUD grantees that should serve as a basis for peer support, technical assistance, and program improvement or address emerging and unresolved issues in assisting persons living with HIV/AIDS and their families.

(E) *Sub-Grants/Pass-Through Funds.* Applicants may propose to make sub-grants to achieve the purposes of their proposed CA–TA programs in accordance with program requirements in Section IV 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.

IV. Program Requirements

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

(A) Program Requirements for CDBG, CHDO, HOME and SHP

(1) *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.

(2) *Demand/Response Delivery System.*

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

(b) If selected as the lead CD–TA provider in any Field Office jurisdiction, as an awardee you 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.

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

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

(ii) 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 SHP grantees may request assistance from the CD–TA provider directly, but such requests must be approved by the local HUD Field Office.

(iii) 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. These 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.

(iv) 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 3 below).

(v) 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.

(3) *Technical Assistance Delivery Plan (TADP).*

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

(b) In developing the TADP, you must follow the Field Office's Business Operating Plan (BOP) and management strategies/workplans for each community/State in the Field Office's jurisdiction. You must use these BOP/management strategies/workplans in determining your priority work activities, location of activities, and organizations to be assisted during the cooperative agreement performance period.

(c) The BOP/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.

(d) The TADP must delineate all the tasks and sub-tasks for each CD program the applicant will undertake in each Field Office jurisdiction. It must 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 must be included in the TADP.

(4) *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.

(5) *Forms, Certifications and Assurances.* You must submit with your application the forms, certifications and assurances listed in the General Section of this SuperNOFA. After selection for funding but prior to your providing services to a specific community you must submit the CDBG Nexus Statement (where applicable) and/or the CHDO TA designation letter (where applicable).

(6) *Financial Management and Audit Information.* After selection for funding but prior to award, you must submit a certification from an Independent Public Accountant or the cognizant government auditor, stating that your financial management system 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.

(7) *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.

(8) *Training Sessions.* When conducting training sessions as part of its CD–TA activities, CD–TA providers are required to:

(a) 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;

(b) Arrange for joint delivery of the training with Field Office participation when so requested by the Field Office or by the GTR for national grants; and

(c) When requested by a Field Office and/or GTR, provide 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).

(d) When required by HUD, deliver HUD-approved training courses that have been designed and developed by other HUD contractors or HUD cooperating parties on a ''step-in'' basis for CD–TA clients, and send trainers to HUD-approved Train-the Trainer sessions.

(9) *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 will be on a quarterly basis unless otherwise specified in the approved TADP.

(10) *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.

(11) *CHDO Pass-Through Funds.* CD–TA providers proposing pass-through grants are required to:

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

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

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

(b) 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.

(12) *CHDO TA Program Limitations.* 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 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). Pursuant to section 233(e), HUD is making available through this program section of the SuperNOFA 40% of the total CHDO TA funds to single state providers within the Field Offices. If there are no single state applicants or the qualified single state applicants utilize less than the 40% set-aside in a given Field Office, that Field Office's single state CHDO set-aside will be redistributed among the qualified multi-state providers in that Field Office. Field Offices also may utilize their multi-state set-aside for single state applicants if the reverse is true.

(13) *HOME TA Program Limitations.* Pursuant to section 243(b) of the Cranston-Gonzalez National Affordable Housing Act, funding to any single eligible HOME TA organization, whether as an independent or joint applicant, is limited to not more than 20% of the operating budget of the recipient organization in any one year and is limited to 20% of the funds available under this program section of the SuperNOFA.

(14) *Affirmatively Furthering Fair Housing.* Section II(D) of the General Section of the SuperNOFA does not apply to these technical assistance programs.

(B) Program Requirements for HOPWA Technical Assistance

(1) *General Requirements.* The items listed below specify the requirements that apply to the HOPWA TA applications as follows: in Section (A), Paragraphs: (1) on Profit/Fee; (4) Negotiation, except that the TADP reference will apply to a workplan negotiated between the applicant and the GTR for the HOPWA TA grant in HUD Headquarters; (5) Forms, Certifications and Assurances; (6) Financial Management and Audit Information; (8) Training Sessions; (9) Reports to Field Offices and/or GTRs, except that you must report to the HOPWA Headquarters GTR, at a minimum, on a quarterly basis, unless otherwise specified in an approved HOPWA TA workplan; and the HOPWA TA grantees must also report to the GTR in the Headquarters program office by September 30, 1999 for activities carried out in Fiscal Year 1999; and (14) Affirmatively Furthering Fair Housing.

(2) *Coordination of HOPWA TA Requests.* Except for national meetings, research, information and other activities that are conducted on a program-wide basis in cooperation with HUD Headquarters, as the grantee of HOPWA TA funds, you must work

cooperatively with HUD Field Offices. You must notify the applicable HUD Field Office of the planned activities; must consider the views or recommendations of that office, if any; must follow those recommendations, to the degree practicable; and must report to the applicable Field Office on the accomplishments of this assistance.

V. Application Selection Process

(A) Rating and Ranking.

(1) HUD will evaluate applications competitively and rank them against all other applicants that have applied for the same CD–TA program (CDBG, HOME, SHP) within each Field Office or as a National Provider under HOPWA. CHDO applications are similarly evaluated and ranked but are separated into two sub-groups—single State providers and multi-State providers. There will be separate rankings for each CD–TA program, and you 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 the HOPWA 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 HOME TA program will be listed in rank order on another list, all applications for the SHP TA program will be listed in rank order on another list, and all applications for the HOPWA TA national projects will be ranked separately on another list. All applications for the CHDO TA program will be ranked separately on either the single state provider list or the multi-state provider list. Under this system, a single application from one organization for all 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 HOPWA TA 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 one applicant in each of the four (CDBG, CHDO, HOME and SHP) CD–TA programs in each Field Office, 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; persons with disabilities; 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) Award additional funds to organizations designated as lead CD–TA providers as discussed in Section IV(A)(2)(b) of this CD–TA Program section of the SuperNOFA;

(b) 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;

(c) 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.

(6) If you apply for HOPWA TA funds, you must propose activities that will be carried out on a national or regional basis. With respect to the HOPWA TA program, the amount of funds you request may be adjusted by HUD to ensure that at least $300,000 of the TA funds will be designated for each of the following four HOPWA TA goals:

(a) Comprehensive Strategies for HIV/AIDS Housing;

(b) Sound Management of HOPWA Programs;

(c) Use of HUD Information Management Tools; and

(d) National HOPWA Information.

If the highest rated application fails to adequately address one or more of the HOPWA TA goals, HUD reserves the right after selecting the highest rated application, to also provide funds to address the goal(s) that is not addressed by: selecting an application that does address this goal(s) in the rank order of all applications that address this goal(s); or, if no application is found to adequately address this goal(s), by modifying the proposed program of the selected application(s) to address this goal(s). To ensure that activities are carried out on a national basis, HUD may also modify the service area of a selected application, if practicable.

(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 minimum score for an applicant to be considered in funding range is 55, with a minimum of 11 points in Factor 1 and 9 points in Subfactor 2 of Factor 3. The CD–TA program is not an eligible program for the EZ/EC bonus points, as described in Section III(C)(1) 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 it suggests be carried out during the term of the cooperative agreement. See Sections IV(A)(2) and (3) for a discussion of the extent to which such activities may be revised at or after the time of award.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points) (Minimum for Funding Eligibility—11 Points)

In rating this factor, HUD will consider the extent to which the application demonstrates in relation to CD–TA program funding that is requested:

(1) (10 points) Recent, relevant and successful experience of your 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) (5 points) The relevant experience and competence of your key personnel in managing complex, multi-faceted or multi-disciplinary programs that require coordination with other CD–TA entities or multiple, diverse units in an organization;

(3) (5 points) You have 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 your application:

(1) (10 points) Identifies high priority needs and issues for the CD program in each community or Field Office jurisdiction for which CD–TA funding is requested, or on a national or regional basis for national HOPWA grants;

(2) (5 points) Outlines a clear and cost-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; and

(3) (5 points) Identifies creative activities to assist eligible grantees in participating in the development of, and improving, local Consolidated Plans and comprehensive strategies.

Rating Factor 3: Soundness of Approach (40 Points)

In rating this factor, HUD will consider the extent to which your application evidences a sound approach in addressing identified needs and:

(1) (15 points) Provides a cost effective plan for designing, organizing, and carrying out the suggested technical assistance activities within the framework of the Demand/Response System or, for HOPWA TA applicants, in addressing the four HOPWA TA goals on a national or regional basis.

(2) (15 points) (Minimum for Funding Eligibility—9 points) Demonstrates an effective outreach and assistance program to previously underserved disadvantaged communities and/or organizations with the potential to participate in CPD programs.

(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, or for HOPWA TA applicants, addresses national or regional approaches;

(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 your ability 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 you have 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 you are 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. You also may partner with other program funding recipients to coordinate the use of resources in the target area.

You 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 Continuum of Care homeless assistance strategy, 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 you demonstrates you have:

(1) Coordinated your 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. Describe any written agreements, memoranda of understanding in place, or that will be in place after award.

(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.

VI. Application Submission Requirements

In addition to the forms, certifications and assurances listed in Section II(G) of the General Section of the SuperNOFA, your application must, at a minimum, contain the following items, (except that the following paragraphs (C), (D), (E), (F), (G) and (H) do not apply to HOPWA TA applicants):

(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. If your organization has never received a HUD technical assistance award, please include a statement to this effect in the transmittal letter.

(B) Narrative statement addressing the Factors for Award described in Section V(B) of this CD–TA Program section of this SuperNOFA. You should number the narrative response in accordance with each factor for award. This narrative statement will be the basis for evaluating your application. It should include a plan of suggested TA activities as described in Factors 2, 3, and elsewhere. These suggested TA activities may form a starting point for negotiating the TADP described in Section IV(A)(3) of this CD–TA Program section of the SuperNOFA. However, they are used primarily for purposes of rating and evaluation and may be substantially altered and revised during negotiations with the Field Offices on the content of the TADPs (see Section IV(A)(3) or Headquarters program office for national projects.

(C) Statement that identifies the Field Office jurisdictions in which you propose to offer services. If you will not offer services throughout the full jurisdictional area of the Field Office, your statement should identify the service areas involved (e.g., States, counties, etc.), as well as the communities in which you propose to offer services.

(D) A matrix that summarizes the amount of funds you are requesting for each CD–TA program in each Field Office jurisdiction. (See CD–TA Appendix B for a copy of the matrix to be submitted.)

(E) A statement as to whether you propose 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 certification as to whether you qualify as a primarily single-State provider under section 233(e) of the Cranston-Gonzalez Affordable Housing Act and as discussed in Section III(C)(3) of the CD–TA Program section of this SuperNOFA.

(G) A statement as to whether you propose 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, your organization's capabilities and attributes that qualify you for the role.

(H) 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.

VII. Corrections to Deficient Applications

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

VIII. 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.

IX. 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.

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

HOPWA Technical Assistance. The HOPWA Technical Assistance program is authorized under the Department's FY 1999 appropriation act. The HOPWA program is authorized under the AIDS Housing Opportunities Act (42 U.S.C. 12901) and the HOPWA regulations are found at 24 CFR part 574.

BILLING CODE 4210–32–P

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

HUD CPD Field Office	CDBG TA	CHDO TA Single State	CHDO TA Multi-State	HOME TA	SHP TA	HOPWA TA
Alabama State Office	$40,000	$41,400	$53,550	$80,600	$40,000	
Alaska State Office	$40,000	$23,640	$30,300	$45,600	$40,000	
Arkansas State Office	$40,000	$35,280	$45,645	$68,700	$40,000	
California State Office	$153,200	$247,320	$319,455	$480,900	$181,600	
Los Angeles Area Office	$157,000	$253,440	$327,360	$492,800	$191,300	
Caribbean Office	$40,000	$64,800	$83,700	$126,000	$40,000	
Colorado State Office	$83,950	$135,360	$174,840	$263,200	$40,000	
Connecticut State Office	$40,000	$52,920	$68,355	$102,900	$40,000	
District of Columbia Office	$40,000	$52,920	$68,385	$103,000	$62,500	
Florida State Office	$40,000	$59,040	$76,260	$114,800	$52,800	
Jacksonville Area Office	$43,750	$70,560	$91,140	$137,200	$40,000	
Georgia State Office	$43,750	$70,560	$91,140	$137,200	$40,000	
Hawaii State Office	$40,000	$23,640	$30,300	$45,600	$40,000	
Illinois State Office	$91,200	$147,240	$190,185	$286,300	$109,300	
Indiana State Office	$43,750	$70,560	$91,140	$137,200	$40,000	
Kansas/ Missouri State Office	$40,000	$64,800	$83,700	$126,000	$40,000	

HUD CPD Field Office	CDBG TA	CHDO TA Single State	CHDO TA Multi-State	HOME TA	SHP TA	HOPWA TA
St. Louis Area Office	$40,000	$35,280	$45,645	$68,700	$40,000	
Kentucky State Office	$40,000	$41,400	$53,550	$80,600	$40,000	
Louisiana State Office	$40,000	$52,920	$68,355	$102,900	$40,000	
Maryland State Office	$40,000	$35,280	$45,645	$68,700	$40,000	
Massachusetts State Office	$91,200	$147,240	$190,185	$286,300	$136,700	
Michigan State Office	$76,700	$123,840	$159,960	$240,800	$103,500	
Minnesota State Office	$40,000	$52,920	$68,355	$102,900	$40,000	
Mississippi State Office	$40,000	$35,280	$45,645	$68,700	$40,000	
Nebraska State Office	$40,000	$47,160	$60,990	$91,800	$40,000	
New Jersey State Office	$76,700	$123,840	$159,960	$240,800	$40,000	
New Mexico State Office	$40,000	$23,640	$30,300	$45,600	$40,000	
New York State Office	$98,600	$159,120	$205,530	$309,400	$179,700	
Buffalo Area Office	$175,100	$282,960	$365,490	$550,200	$43,100	
North Carolina State Office	$43,750	$70,560	$91,140	$137,200	$40,000	
Ohio State Office	$87,650	$141,480	$182,745	$275,100	$78,000	
Oklahoma State Office	$40,000	$41,400	$53,550	$80,600	$40,000	
Oregon State Office	$40,000	$47,160	$60,990	$91,800	$40,000	
Pennsylvania State Office	$76,700	$123,840	$159,960	$240,800	$80,000	

HUD CPD Field Office	CDBG TA	CHDO TA Single State	CHDO TA Multi-State	HOME TA	SHP TA	HOPWA TA
Pittsburgh Area Office	$43,750	$70,560	$91,140	$137,200	$43,100	
South Carolina State Office	$40,000	$59,040	$76,260	$114,800	$40,000	
Tennessee Knoxville Area Office	$40,000	$59,040	$76,260	$114,800	$40,000	
Texas State Office	$105,800	$171,000	$220,875	$332,500	$66,400	
San Antonio Area Office	$40,000	$47,160	$60,915	$91,800	$40,000	
Virginia State Office	$40,000	$52,920	$68,355	$102,900	$40,000	
Washington State Office	$47,450	$76,680	$99,045	$149,100	$50,900	
Wisconsin State Office	$40,000	$64,800	$83,700	$126,000	$41,100	
National			$750,000	$1,000,000		$2,250,000
Total	$2,500,000	$3,600,000	$5,400,000	$8,000,000	$2,500,000	$2,250,000

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

HUD CPD Field Office	CDBG TA	CHDO TA Single State	CHDO TA Multi-State	HOME TA	SHP TA	HOPWA 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						
Florida State Office						
Jacksonville Area Office						
Georgia State Office						
Hawaii State Office						
Illinois State Office						
Indiana State Office						
Kansas/ Missouri State Office						

HUD CPD Field Office	CDBG TA	CHDO TA Single State	CHDO TA Multi-State	HOME TA	SHP TA	HOPWA TA
St. Louis Area Office						
Kentucky State Office						
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						
New York State Office						
Buffalo Area Office						
North Carolina State Office						
Ohio State Office						
Oklahoma State Office						
Oregon State Office						
Pennsylvania State Office						

HUD CPD Field Office	CDBG TA	CHDO TA Single State	CHDO TA Multi-State	HOME TA	SHP TA	HOPWA TA
Pittsburgh Area Office						
South Carolina State Office						
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

COMMUNITY OUTREACH PARTNERSHIP CENTERS

BILLING CODE 4210–32–C

Funding Availability for the Community Outreach Partnership Centers Program Program Overview

Purpose of the Program. To provide funds to community colleges, four-year colleges, and universities to establish and operate Community Outreach Partnership Centers (COPCs) to address the problems of urban areas.

Available Funds. Approximately $7.5 million.

Eligible Applicants. Public and private profit and 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.

Application Deadline. June 9, 1999.

Match. 50% of the total costs of establishing and operating research activities and 25% of the total costs of establishing and operating outreach activities.

Additional Information:

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Your completed application is due on or before 12:00 midnight, Eastern time on June 9, 1999, 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. Submit your completed application (one original and two copies) 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. For an application kit and supplemental information you should 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, you should refer to COPC and provide your name, address (including zip code), and telephone number (including area code). You may also download the application kit on the Internet through the HUD web site at http://www.hud.gov.

For Further Information. For answers to your questions, you have several options. You may contact Jane Karadbil of HUD's Office of University Partnerships at (202) 708–1537, ext. 5918. If you have a speech or hearing impairment, you 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. You may also reach Ms. Karadbil via the Internet at Jane__R.__Karadbil@hud.gov.

For Technical Assistance. HUD will hold an information broadcast via satellite 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, you should consult the HUD web site at the web address listed above.

II. Amount Allocated

Up to $7.5 million to fund grants under the program. This year, HUD will award two kinds of grants—(A) New Grants to applicants who have never received a COPC grant before to undertake eligible work and (B) New Directions Grants to fund previous COPC recipients (as identified in III.(B) below) to undertake new directions in their activities. Institutionalization Grants will not be funded under this funding announcement for COPC. HUD will use up to $6.6 million to fund New Grants and up to $900,000 to fund New Directions Grants.

III. Program Description; Eligible Applicants; Eligible Activities

(A) *Program Description.* 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 program is used to establish and operate local Community Outreach Partnership Centers (COPC).

The five key concepts that your COPC Program should include are:

(1) You 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 your partners throughout the life of the project, from planning to implementation;

(3) Your applied research should be related to the outreach activities and be used to influence your activities within the grant period or shortly after it ends. HUD will not fund research without practical application;

(4) The assistance you provide should be primarily by faculty, students, or to a limited extent, by neighborhood residents or community-based organizations funded by the university; and

(5) Your program should be part of your 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. Your 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 and research missions.

(B) *Eligible Applicants.* Eligible applicants for both New Grants and New Directions Grants 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. For New Grants, only applicants that have never previously received a New Grant or an Institutionalization Grant are eligible. For New Directions Grants, only COPC grantees who received grants in Fiscal Years 1994, 1995, or 1996 are eligible. Joint Community Development Program grantees are not eligible for either kind of funding, nor are FY 1997 and 1998 COPC Grantees.

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 you may be part of only one consortium or submit only one application or you will be disqualified. HUD will hold you responsible for ensuring that neither you nor any part of your institution, including specific faculty, participate in more than one application. For New Directions Grants, if you originally received funding as a consortium, you are not required to submit again with all the consortium members. Members of a previously approved consortium may submit on their own or as part of their old consortium. However, as with New Grants, only one application from an institution will be permitted.

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.

(C) *Eligible Activities.* Your COPC Program 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, your application should be multifaceted and address three or more urban problems. You should address urban 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. Single purpose applications are not eligible.

Funded research must have a clear near-term potential for solving specific, significant urban problems. You must have the capacity to apply your 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.

While the list of eligible and ineligible activities is the same for both New Grant applicants and New Directions Grant applicants, New Directions Grant applicants must demonstrate that the proposed activities either implement new eligible projects in the current target neighborhood(s) or implement eligible projects in a new target neighborhood(s).

Eligible activities include:

(1) Research activities that 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 your project 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 your 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, including development of accessible and visitable 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 their fair housing planning process;

(h) Services to assist low-income students to attend college, as part of the U.S. Department of Education's Gaining Awareness and Readiness for Undergraduate Program (GEAR UP). (For more information call 1–800–USA–LEARN or visit the Department of Education's website at www.ed.gov.); and

(i) Regional projects that maximize the interaction of targeted inner city distressed neighborhoods with suburban job opportunities similar to HUD's Bridges-to-Work or Moving to Opportunity programs.

(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 IV(B) 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 not requiring rehabilitation or consultation;

(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.

(6) Components of your program may address metropolitan or regional strategies. You must clearly demonstrate how:

(a) Your 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.

(D) *Ineligible Activities.* (1) Research activities that 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 institutions of higher education, local governments or neighborhood groups.

IV. Program Requirements

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

(A) *Grant Sizes and Terms.* Each New Grant will be for a three-year period. 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 a New Grant application that is under $250,000 or over $400,000.

Each New Directions Grant will be for a two-year period. HUD has set the maximum size of any New Directions Grant at $150,000. 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 a New Directions application that is over $150,000.

(B) *Responsibilities.* You are required to:

(1) Employ the research and outreach resources of your institution of higher education to solve specific urban

problems identified by communities served by your Center;

(2) Establish outreach activities in areas identified in your 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 your Center;

(5) Facilitate public service projects in the communities served by your 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.

(C) *Cap on Research Costs.* No more than 25% of your total project costs (Federal share plus match) can be spent on research activities.

(D) *Match.* The 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.'' You may not count as match any costs that would be ineligible for funding under the program (e.g., housing rehabilitation).

(1) If you are a New Grant applicant, you must meet the following match requirements:

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

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

(2) If you are a New Directions Grant applicant, you must meet the following match requirements:

(a) *Research Activities.* 60% of the total project costs of establishing and operating research activities.

(b) *Outreach Activities.* 35% of the total project costs of establishing and operating outreach activities.

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

(E) *Administrative.* Your grant will be governed by the provisions of 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations), A–21 (Cost Principles for Education Institutions), and A–133 (Audits of States, Local Governments, and Non-Profit Organizations. You may not spend more than 20% of your grant on planning or administrative costs. The application kit contains a detailed explanation of what these costs are. You can access the OMB circulars at the White House website at http://whitehouse.gov/WH/EOP/OMB/html/circulars.

V. Application Selection Process

There will be two separate competitions—one for New Grants and one for New Directions Grants. For each type of grant, applications will be rated, ranked, and selected separately. Two types of reviews will be conducted: a threshold review to determine your applicant eligibility; and a technical review to rate your application based on the rating factors in this Section, paragraph C below.

(A) *Additional Threshold Requirements For Funding Consideration.* Under the threshold review, you will be rejected from the competition if you are not in compliance with the requirements of the General Section of the SuperNOFA or if you do not meet the following additional standards:

(1) You have met the statutory match requirements, if applying for a New Grant or the higher match levels described above, if applying for a New Directions Grant.

(2) You have proposed a program in which at least 75% of the total project costs will be for outreach activities.

(3) For New Grants, you have requested a Federal grant between $250,000 and $400,000 over the three-year grant period. For New Directions Grants, you have requested a Federal grant that is no more than $150,000 over the two-year grant period.

(4) You have addressed 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) You and any part of your organization are participating in only 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 you have 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) For New Grants (15 points): For New Direction Grants (10 points).

(a) The knowledge and experience of your 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 your staff to undertake eligible program activities. In rating this factor, HUD will consider experience within the last 5 years to be recent; experience pertaining to the specific activities being proposed to be relevant; and experience producing specific accomplishments to be successful. The following categories will be evaluated:

(i) 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 including accessible and visitable housing, economic development, neighborhood revitalization, infrastructure, health care, job training, education, crime prevention, planning, and community organizing;

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

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

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

(2) For New Directions Grants only (5 points). The extent to which you performed successfully under your previous COPC grant(s), as measured by:

(a) Your achievement of specific measurable outcome objectives; and

(b) Your leveraging of funding beyond the funds originally proposed to be leveraged for that project.

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

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

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

(1) Is sound and reliable. To the extent that the targeted community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI) identify the level of the problem and the urgency in meeting the need, you should include references to these documents in your response. The Department will review your application more favorably if you 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), you 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 Census reports, Continuum of Care gaps analysis, law enforcement agency crime reports, Public Housing Authorities' Comprehensive Plan, and other sound and reliable sources appropriate for your program. You may also address needs in terms of fulfilling court orders or consent decrees, settlements, conciliation agreements, and voluntary compliance agreements.

(2) To the extent possible, the data you use should be specific to the area where the proposed activity will be carried out. You should document needs as they apply to the area where activities will be targeted, rather than the entire locality or state, unless the target area is an entire locality or state.

Rating Factor 3: Soundness of Approach (50 Points)

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

(1) (10 points) Identify the specific services or activities to be performed. In reviewing this subfactor HUD will consider the extent to which:

(a) Your proposal outlines a clear research agenda, based on your familiarity with existing research on the subject.

(b) You demonstrate how the research will fit into and strengthen the outreach strategy and activities. For example, if you propose to study the extent of housing abandonment in a neighborhood and then design a plan for reusing this housing, you would be able to demonstrate the link between your proposed research and outreach strategies.

(c) Your plan outlines a clear outreach agenda and there is a plan for involving your institution as a whole in the execution of your outreach strategy. Your outreach program should provide for on-site or a frequent presence in the targeted communities and neighborhoods.

(d) Your 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.

(e) You demonstrate that your proposed research and outreach activities do not duplicate research and outreach previously completed or currently underway by others.

(f) You propose activities that are appropriate for an institution of higher education because they are tied to the institution's teaching or research mission.

(2) (9 points) Involve the communities to be served in implementation of your activities. In reviewing this subfactor, HUD will look at the extent to which:

(a) You have formed or will form 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 to develop and implement strategies to address the needs identified in Factor 2. You will be expected to demonstrate that you 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 you will seek.

(b) You have involved a wide range of neighborhood organizations and local government entities in the identification of your research and outreach activities.

(3) (5 points) Help solve or address an urgent problem as identified in Rating Factor 2 and will achieve the purposes of the program within the grant period. In reviewing this subfactor, HUD will look at the extent to which:

(a) You identify specific time phased and measurable objectives to be accomplished; your proposed short and long term program objectives to be achieved as a result of the proposed activities; the tangible and measurable impacts your work program will have on the community in general and the target area or population in particular including affirmatively furthering fair housing for classes protected under the Fair Housing Act; and the relationship of your proposed activities to other on-going or proposed efforts to improve the economic, social or living environment in the impact area; and

(b) Grant funds will pay for activities you conduct directly, rather than passing funds through to other entities.

(4) (4 points) 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 subfactor, HUD will assess your demonstrated ability to disseminate results of research and outreach activities to other COPCs and communities. HUD will evaluate your past experience and the scope and quality of your plan to disseminate information on COPC results, strategies, and lessons learned through such means as conferences, cross-site technical assistance, publications, etc.

(5) (8 points)

(a) (3 points) Further and support the policy priorities of HUD including:

(i) Promoting healthy homes;

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

(iii) 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;

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

(b) (5 points) Include activities that affirmatively further fair housing, for example:

(i) Working with other entities in the community to overcome impediments to fair housing, such as discrimination in the sale or rental of housing or in advertising, provision of brokerage services, or lending;

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

(iii) Providing housing mobility counseling services.

(6) For New Grants (14 points): For New Directions Grants (9 points). Result in the COPC function and activities becoming part of the urban mission of your 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 your 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 part of a service learning program at your institution (rather than just volunteer activities); and are reflected in your curriculum. HUD will look at your institution's commitment to faculty and staff continuing work in COPC neighborhoods or replicating successes in other neighborhoods and to your longer term commitment (e.g., five years after the start of the COPC) of hard dollars to COPC work.

(b) You have received commitments for funding from sources outside the university for related COPC-like 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.

(7) For New Direction Grants only (5 points). Previous grantees have a wealth of knowledge that they can and should share with other institutions. If you send a faculty member of your team who has been listed in your application to participate in the peer review process for New Grants, you will receive 5 points .

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. This factor measures the extent to which you have established partnerships with other entities to secure additional resources to increase the effectiveness of your proposed program activities. Resources may include funding or in-kind contributions, such as services or equipment, allocated to the purpose(s) of the award you are seeking. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities willing to establish partnerships with you. You may also establish partnerships with funding recipients in other grant programs to coordinate the use of resources in the target area. In evaluating this factor, HUD will allocate points as follows:

(1) Up to a total of 5 points will be awarded for a match that is 50% over the required match, as described in Section IV D above.

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

(2) Up to an additional 5 points will be awarded for the extent to which you document that matching funds are provided from eligible sources other than your institution (e.g., funds from the city, including CDBG, other State or local government agencies, public or private organizations, or foundations).

You 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. Unless matching funds are accompanied by a commitment letter, they will not be counted towards the match.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you coordinated your activities with other known organizations, participate or promote participation in your community's Consolidated Planning process, and are 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 you have:

(1) (4 points) Coordinated your 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 you 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, you must receive a minimum score of 70. HUD intends 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. If HUD decides to use this option, it will do so only if two adjacent HUD regions do not yield at least one fundable COPC on the basis of rank order. If this occurs, HUD will fund the highest ranking applicant within the two regions 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 you, if you are selected, to participate in negotiations to determine the specific terms of your Statement of Work and grant budget. In cases where HUD cannot successfully conclude negotiations, or you fail to provide HUD with requested information, an award 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 that applicant.

After award but before grant execution, if you are selected, you 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 your institution meets proscribed standards for fund control and accountability required by OMB Circular A–133, Audits of States, Local Governments, and Non-Profit Organizations, or 24 CFR part 84, Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, 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.

VI. Application Submission Requirements

You 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 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, your application must, at a minimum, contain the following items:

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

(B) *A Statement of Work* (25 page limit) incorporating all activities to be funded in your application and details how your 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 you will 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 V (B).* (25 page limit, including tables and maps, but not including 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.* Your budget presentation should be consistent with your 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 you arrived at your cost estimates, for any line item over $5,000.

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

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

(5) An explanation of your 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 your program.

VII. Corrections to Deficient Applications

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

VIII. 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.

IX. 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. The HUD, VA and Independent Agencies Appropriations Act of 1999 (Pub.L. 105–276, approved October 21, 1998) continued the program beyond the initial five-year demonstration by providing funding for it for FY 1999.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU)

BILLING CODE 4210–32–C

Funding Availability for the Historically Black Colleges and Universities Program

Program Overview

Purpose of the Program. 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.

Available Funds. Approximately $9 million.

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.

Application Deadline. June 9, 1999.

Match: None

Additional Information

If you are interested in applying for funding under the HBCU program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Your completed application is due on or before 12:00 midnight, Eastern time on June 9, 1999, at HUD Headquarters with a copy to the appropriate HUD CPD Field Office. See the General Section of this SuperNOFA for specific procedures covering the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications. Submit your original signed application and one copy 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 your application, submit one copy 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 HUD receives more than one application from a single HBCU, the application that was received earliest will be considered for funding. All others are ineligible. If HUD receives more than one application simultaneously from an HBCU then all applications will be considered ineligible for funding. You should take this policy into account to ensure that multiple applications are not submitted.

For Application Kits. For an application kit and any supplemental information, you should call the SuperNOFA Information Center at 1–800–HUD–8929. If you have a hearing or speech impairment please call the Center's TTY number at 1–800–843–2209. When requesting an application kit, you should refer to the HBCU Program and provide your name, address (including zip code), and telephone number (including area code). You may also download the application on the Internet through the HUD web site at http://www.hud.gov.

For Further Information. 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.) If you have a hearing or speech impairment, you may access this number via TTY by calling the Federal Information Relay Service toll-free at 1–800–877–8339. You may also obtain information from the HUD Field Office located in your 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, you can call the SuperNOFA Information Center at 1–800–HUD–8929.

II. Amount Allocated

(A) In order to ensure that some previously unfunded HBCUs will receive awards in this competition, approximately one-fourth of the available funds will be awarded to HBCUs 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 Housing and Community Development Act of 1974.) Therefore, of the $9 million in FY 1999 funds made available under this SuperNOFA for the HBCU Program:

(1) Approximately $2,250,000 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. This includes competitions for Fiscal Years 1991 through 1998 (''previously unfunded HBCUs''). Previously unfunded HBCUs are listed in Appendix A of this HBCU Program section of the SuperNOFA.

(2) The remaining approximately $6,750,000 million of FY 1999 funds will be awarded to HBCUs that have received funding under such competitions (''previously funded HBCUs''). Previously funded HBCUs are listed in Appendix B of this HBCU Program section of the SuperNOFA.

If recaptured funds are made available, those funds will also be divided proportionately between the two types of applicant funding pools; i.e. one fourth to previously unfunded HBCUs and three fourths to previously funded HBCUs.

HUD reserves the right to make awards for less than the maximum amount or less than the amount requested in a particular application. Awards will be made in the form of grants. The maximum amount awarded to previously unfunded applicants will be $400,000 and the maximum amount awarded to previously funded applicants will be $500,000.

(B) The maximum period for performance of your proposed program under this SuperNOFA for the HBCU Program is 24 months. The performance period will commence on the effective date of your grant agreement.

III. Program Description; Eligible Applicants; Eligible Activities

(A) *Program Description.* Approximately $9,000,000 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, 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) If your HBCU is located in a metropolitan statistical area (MSA), as established by the Office of Management and Budget, you may consider your

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 the area within the locality in which your HBCU will implement its proposed HUD grant activities.

(B) *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, which will be rated, ranked, and selected separately.

(1) The first category of eligible applicant, previously unfunded HBCUs, includes HBCUs that *have not* received funding under section 107(b)(3)13 of the Housing and Community Development Act of 1974, which includes competitions for Fiscal Years 1991 through 1998.

(2) The second category, previously-funded HBCUs, includes HBCUs that have received funding in past HUD HBCU competitions. Lists of previously unfunded HBCUs and previously funded 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 your application should be considered.

(C) *Eligible Activities.* (1) *General.* Each activity you propose for funding must meet both a Community Development Block Grant (CDBG) Program national objective AND the CDBG eligibility requirements. Eligible activities that may be funded under the HBCU Program 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. If you propose an activity which otherwise is eligible it may not be funded if State or local law requires that it be carried out by a governmental entity.

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 SuperNOFA Information Center at 1–800–HUD–8929. 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 which are:

(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 you to comply with the requirement that not less than 70% of the grant expenditures be for activities benefiting low and moderate income persons).

(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. If you are proposing to undertake this activity, you will be required to provide reasonable estimates, from a *qualified* entity other than your university, 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. If you are proposing to undertake this activity, you will be required to provide reasonable estimates, from a *qualified* entity other than you, 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; HBCU curriculum development of courses which will lead to a certificate or degree in community planning and development; 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; 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; and/ or other support activities for low- and moderate-income residents, senior citizens and youth, including the U.S. Department of Education's Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP). (For more information regarding GEAR UP, call 1–800–USA–LEARN or visit the Department of Education's website at www.ed.gov);

(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). If you are proposing a Community Development Corporation (CDC) component, it 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 enhance the capacity of HBCUs eligible under this SuperNOFA, you may propose to use up to 10% of the award funds to acquire technical assistance (TA) from a qualified TA provider to assist you in implementing your proposed activities.* While you are responsible for ensuring that potential TA providers are qualified, we 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 you propose. Previously unfunded HBCUs are particularly encouraged to consider acquiring technical assistance from a qualified HBCU TA provider, as described in the paragraph below entitled ''Partnering With A Qualified HBCU Technical Assistance (TA) Provider.''

(3) *Activities Designed to Promote Training and Employment Opportunities.* In selecting proposed eligible activities, we urge you to consider 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. We also encourage you, 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.* We encourage you 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 you do not currently have such capability. You may obtain more information on the Community 2020 Software from your local HUD Community Planning and Development Office.

(5) *Use of Grant Funds for the Provision of Public Services.* If you plan to use grant funds to provide public services, you are bound by the statutory requirement that not more than 15% of the total grant amount be used for public service activities. Therefore, you must propose to use at least 85% of the grant amount for activities qualifying under an eligibility category other than public services (as described at 24 CFR 570.201(e)). While HUD encourages HBCUs to use a portion of their grant funds for curriculum development of courses that would lead to a certificate or degree in community planning and development, this activity is considered a public service and subject to the public service cap of 15%.

(6) *Partnering With A Qualified HBCU Technical Assistance (TA) Provider.* In order to foster further partnerships between HBCUs, you are encouraged to propose using a portion of the award funds to acquire technical assistance from a qualified HBCU to assist you to develop and implement the proposed activities. The cost for the technical assistance must be for post award assistance and must be deemed by HUD as necessary and reasonable for the purposes of the grant. Under no circumstances may an applicant use more than 10 percent of the total HUD grant (not including matching funds, if any) to purchase technical assistance. While you are responsible for ensuring that potential TA providers are qualified, we would expect that the most qualified HBCU TA providers would be previously funded HBCUs that have demonstrated the expertise and capacity to successfully conceptualize, develop and implement community and economic development projects and initiatives, particularly by successfully carrying out activities funded under the HUD HBCU Program.

IV. Program Requirements

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

(A) Leveraging

Although a match is not required to qualify for funding, if you claim a match, you 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. If you have evidence in support of the proposed match commitment, then you are 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, cash or in kind, you must submit a letter from the provider on the provider's letterhead. Number each letter as a page in your application. For each match, include 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 you indicated on the Standard Form (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.)

(B) Forms, Certifications and Assurances

The following forms, certifications and assurances are required to be submitted with your application:

(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 a high performing EZ/EC.

(C) Employment of Local Area Residents (Section 3)

Please see Section II(E) of the General Section of this SuperNOFA. The requirements are applicable to certain activities that may be funded under this program section of the SuperNOFA.

V. Application Selection Process

(A) Rating and Ranking

(1) *Threshold Review.* HUD will conduct a review to insure that applications are complete and consistent with the General Section of the SuperNOFA, this HBCU Program section of the SuperNOFA and the HBCU Program regulations (24 CFR 570.404) before reviewing the application for rating and ranking. The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

(2) *Funding of Applications.* To be considered for funding, your application

must receive a minimum score of 70 out of the possible total of 100 points possible for Factors 1 through 5. In addition, two bonus points may be awarded for EZ/EC, as described in the General Section of the SuperNOFA. 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 score on Factor 3, 4, 2, 1, 5 in that order. HUD will give the higher rank to the application with the most points for a factor in the above order. At whichever factor one of the applicants has the higher score, the tie will be broken, and no other scores will be considered for the purpose of breaking the tie.

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) *After Selection.* After selection, but prior to grant award, you will be required to:

(a) Negotiate. After HUD has rated and ranked all applications and HUD has selected the competition winners, 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. If you are selected for funding, you 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 you 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. Your application must contain sufficient information for HUD to review it for its merits. The score for each factor will be based on the qualitative and quantitative aspects of your response to that factor. You may use up to a total of twenty-five (25) pages to respond to Factor 1 through 5. This limitation applies to your narrative response, tables, and maps, and NOT to firm commitment letters, the performance narrative and progress reports for previously-funded HBCUs. Please note that this page limitation is different from last year's in that (1) the page limitation has been decreased and (2) tables and maps are included in the limitation.

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 you have the organizational resources necessary to successfully implement your proposed activities in a timely manner. In rating this factor, HUD will consider the extent to which:

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

(a) Undertaking specific successful community development projects with community-based organizations or local governments; and

(b) Providing proven leadership in solving community problems which have a direct bearing on the proposed activity.

(c) Also, for previously funded HBCUs, the extent to which you have been successful with past HUD/HBCU projects. For each HUD HBCU grant, you must submit a performance narrative, as outlined in the application package, and copies of the last two progress reports. HUD will consider your performance, including meeting established target dates and schedules, in applying the rating for this subfactor.

(2) (5 points) You propose to partner with a qualified HBCU technical assistance (TA) provider to receive technical assistance. Qualified HBCUs that will provide the technical assistance to other HBCUs responding to this SuperNOFA can also be awarded five (5) points for this subfactor. Whether you are a TA recipient or a TA provider, you must (a) name the other party to the TA assistance; (b) describe the technical assistance to be provided; (c) state the costs of the technical assistance; (d) state the duration of the technical assistance; and (e) state the expected results of the technical assistance.

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

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

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

(a) Are sound and reliable. To the extent that your community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI) identify the level of the problem and the urgency in meeting the need, you should include references to these documents in your response to this factor. The Department will view your application more favorably if you have used these documents to identify need.

If your proposed activities are not covered under the scope of the Consolidated Plan and AI, you 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, HUD's Continuum of Care gaps analysis, law enforcement agency crime reports, Public Housing Authorities' Comprehensive Plan, community needs analysis such as provided by the United Way, local Urban League, the HBCU and other sound and reliable sources appropriate for the HBCU program. You also may address needs in terms of fulfilling court orders or consent decrees, settlements, conciliation agreements, and voluntary compliance agreements.

(b) To the extent possible, the data you use should be specific to the area where the proposed activities will be carried out. You should document needs as they apply to the area where the activities will be targeted, rather than the entire locality or State, unless the target area is the entire locality or State.

Rating Factor 3: Soundness of Approach (50 Points)

This factor addresses the quality and cost-effectiveness of your proposed work plan. There must be a clear relationship between the proposed activities, the community's needs and

the purpose of the HUD HBCU Program for you to receive points for this factor.

HUD will consider the effectiveness/impact and feasibility of your work plan in addressing the needs described in your response to Factor 2 (Needs) including the extent to which you will provide geographic coverage for the target area.

(1) *Quality of the Work Plan* (35 Points). Your work plan must incorporate all proposed activities, describing in detail how your activities will alleviate and/or fulfill the needs identified in Factor 2, including how your activities will benefit low-income and elderly residents, welfare recipients, and the working poor in the target area to be served, and how your activities will be implemented. If relocation is to be a part of your work activities, you should discuss your plan for temporary or permanent relocation of occupants of units affected, including storage or moving of household goods, stipends and/or incentives. Your 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. In evaluating this factor, HUD will consider:

(a) *Specific Services or Activities.* (20 points) The extent to which your proposed work program identifies the specific services or activities to be performed. In reviewing this subfactor, HUD will consider the extent to which:

(i) Your proposal outlines a clear agenda based on a thorough familiarity with existing work/activities in the target area. You should demonstrate that your proposed activities do not duplicate work/activities previously completed or work/activities currently underway by others and that they meet a CDBG national objective and are eligible activities under the CDBG program;

(ii) You demonstrate how the activities will fit into and strengthen your role in addressing community development needs in the targeted locality, and how the proposed project will potentially yield innovative strategies or ''best practices'' that can be duplicated and disseminated to other organizations; and

(iii) Your plan outlines a clear agenda for citizen involvement in the planning and implementation. HUD will look at the extent to which:

- Local community representatives are involved and reflect a balance of race, ethnic, disability, gender and income of the residents of the community to be served, or will be involved to address the needs identified in Factor 2;
- Evidence is provided that neighborhood organizations and local government entities were invited to, or participated in, the identification of activities to be undertaken; and
- The methods you used for outreach to the community during the development of your application and propose to use for the implementation of the proposed project will be effective.

(b) *Feasibility of Success and Timely Delivery of Products and Implementation.* (10 points) In evaluating this subfactor, HUD will consider the extent to which your proposed activities will achieve the purposes of the program within the grant period, and the extent to which your schedule represents an efficient and feasible plan for implementation of your proposed activities. You should identify measurable objectives to be accomplished during the period of performance e.g., 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.; the proposed short and long term program objectives to be achieved as a result of your proposed activities; the tangible and measurable impacts your work program will have on the community in general and the target area or population in particular; and the relationship of your proposed activities to other on-going or proposed efforts to improve the economic, social, or living environment in the target area.

Your work plan must describe the timing of all activities you will undertake and complete under your grant. You should describe the products you will deliver in 6 month intervals, up to 24 months and indicate which staff described in your response to Factor 1 will be responsible and accountable for the deliverables.

(c) *HUD Priorities.* (5 points) The extent to which your 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 Neighborhood Networks and Campus of Learners, and linking programs to Americorps activities.

The *Healthy Homes* initiative implements a series of initiatives to protect children from home hazards such as lead-based paint, radon, fires and accidents around the home.

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.

(2) *Institutionalization of Project Activities* (10 Points). The extent to which your project will result in the kinds of activities being proposed sustained by becoming part of the mission of your institution. HUD will look at your commitment to continuing to work in the target area or other similar areas and to your longer term commitment of hard dollars to similar work.

(3) *Affirmatively Furthering Fair Housing* (5 Points). 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 services for minorities, families with children, and persons with disabilities; or

(c) providing mobility counseling.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to secure community resources which can be combined with HUD program funds 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 you have established partnerships with other entities to secure additional resources to increase the effectiveness of your proposed activities. Resources may include funding or in-kind contributions, such as services or equipment, allocated solely to the purpose(s) of the award you are seeking.

Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities. You may also establish partnerships with other program funding recipients to coordinate the use of resources in the target area.

You 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 your own resources). These commitment letters or documents must be dated *no earlier* than the date of this published SuperNOFA. If you have evidence in support of your proposed match commitment, you are eligible for more rating points than applicants who do not have a *firm commitment* for a match.

The maximum number of rating points you can receive for leveraging is 10 points. HUD will award a higher number of points for a CASH match than in-kind goods or services of the same value. To be recognized as leveraging, contributions must be made available for performance of pertinent grant activity(ies). If you do not have evidence of leveraging, you will receive zero (0) points for this Factor.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you have coordinated your activities with other known organizations, participate or promote participation in your community's Consolidated Planning process, and are working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community. For specific information about your locality's planning process, contact the local or State Community Development Agency or the local HUD Field Office.

In evaluating this factor, HUD will consider the extent to which you demonstrate you have:

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

(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 your proposed activities.

(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.

VI. Application Submission Requirements

You must complete and submit your application for an HBCU grant in accordance with instructions contained in the University and College Programs Application Kit for 1999. The application kit will request information in sufficient detail for HUD to determine whether your 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 your HBCU application:

(A) *Transmittal Letter.* A transmittal letter must accompany your application. Your cover letter must be signed by the *Chief Executive Officer* (usually the President or Provost) of your 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/Executive Summary* (one page limit) describing the goals and activities of your project.

(D) *Budget Document* The budget presentation must be consistent with the Work Plan and the Standard Form (SF) 424. Your budget submission must include: (1) a budget summary covering the Federal and non-Federal share of the costs proposed by cost category. You should pay particular attention to accurately estimating costs, determining the necessity for and reasonableness of costs; and correctly computing all budget items and totals. Indirect costs must be substantiated and approved by the cognizant Federal agency or you must provide an indirect cost rate plan. The indirect cost rate should be indicated in your budget; (2) a budget justification, which should be a narrative statement indicating how you arrived at your costs. When possible, you should use quotes from vendors or historical data. You must support all direct labor and salaries with mandated city/state pay scales or other documentation; and (3) a budget-by-task which includes a listing of tasks to be completed for each activity needed to implement the program, the overall costs for each task, and the cost for each funding source.

You must submit reasonable cost estimates supplied by a qualified entity other than yourself if you are proposing to do any of the following: rehabilitation of residential, commercial *and/or* industrial structures; and/or acquisition, construction, or installation of public facilities and improvements. The supplier of cost estimates must be involved in the business of housing rehabilitation, construction and/or management. You may obtain guidance for securing these estimates 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.

(E) *Narrative Statement Responding To The Factors For Award* (25 page limit, including tables and maps, but not including firm commitment letters, the performance narrative and progress reports). The narrative should be numbered in accordance with each factor and subfactor.

(F) *Certifications.* All certification forms must be signed by the Chief Executive Officer of your organization.

HUD will not consider appendices to an application. You must submit your documentation, including firm commitment letters, the performance narrative and progress reports, with your responses to the pertinent factors in order to receive points for it.

VII. Corrections to Deficient Applications

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

VIII. Environmental Review

If you propose activities (such as physical development activities) that are not excluded from environmental review under 24 CFR 50.19(b), an environmental review by HUD staff 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 HUD 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. You are not authorized to proceed with any activity requiring approval until written approval is received from the appropriate HUD Field Environmental Clearance Officer in your area certifying

that the project has been approved and released from all environmental conditions.

IX. 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.

HBCU Program Appendix A

Historically Black Colleges and Universities (Previously Unfunded By HUD During Fiscal Years 1991–1998)

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

Morehouse College
Morehouse School of Medicine
Paine College

Louisiana

Dillard University
Southern University at Shreveport/Bossier City

Maryland

University Of Maryland Eastern Shore

Michigan

Lewis College of Business

Mississippi

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

Jarvis Christian College
Southwestern Christian College
Texas College

Virginia

Virginia Union University

West Virginia

Bluefield State College
West Virginia State University

U.S. Virgin Islands

University of the Virgin Islands

HBCU Program Appendix B

Historically Black Colleges and Universities (Previously Funded By HUD During Fiscal Years 1991–1998)

Alabama

Alabama A&M University
Alabama State University
Gadsden State Community College
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
Interdenominational Theological Center
Morris Brown College
Savannah State University
Spelman College

Kentucky

Kentucky State University

Louisiana

Grambling State University
Southern University A & M College System at Baton Rouge
Southern University at New Orleans
Xavier University of New Orleans

Maryland

Bowie State University
Coppin State College
Morgan State University

Mississippi

Alcorn State University
Coahoma Community College
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

Huston-Tillotson College
Paul Quinn College
Prairie View A&M University
Saint Philip's College
Texas Southern University
Wiley College

Virginia

Hampton University
Norfolk State University
Saint Paul's College
Virginia State University

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HISPANIC-SERVING INSTITUTIONS ASSISTING COMMUNITIES (HSIAC)

BILLING CODE 4210–32–C

Funding Availability for the Hispanic-Serving Institutions Assisting Communities Program

Program Overview

Purpose of the Program. To assist Hispanic-serving institutions of higher education (HSIs) expand their role and effectiveness in addressing community development needs in their localities, consistent with the purposes of Title I of the Housing and Community Development Act of 1974, as amended.

Available Funds. Approximately $5.65 million.

Eligible Applicants: Only nonprofit Hispanic-serving institutions of higher education that meet the definition of an HSI established in Title V of the 1998 Amendments to the Higher Education Act of 1965 (Pub. L. 105–244; enacted October 7, 1998).

Application Deadline. June 9, 1999.

Match. None.

Additional Information:

If you are interested in applying for funds under the HSIAC Program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Your completed application is due on or before 12:00 midnight, Eastern Time on June 9, 1999 at HUD Headquarters.

See the General Section of this SuperNOFA for specific procedures covering the form of the application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications. Submit your original signed application and two copies 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 HSIAC and include your name, mailing address (including zip code) and telephone number (including area code).

HUD will accept only one application per HSI for this program. If your institution submits more than one application, all of your applications for HSIAC will be disqualified. You should take this policy into account and take steps to ensure that multiple applications are not submitted.

For Application Kits. For an application kit and any supplemental information, you should call the SuperNOFA Information Center at 1–800–HUD–8929. If you have a hearing or speech impairment, please call the Center's TTY number at 1–800–843–2209. When requesting an application kit, you should refer to HSIAC Program and provide your name and address (including zip code) and telephone number (including area code). You may also access the application on the Internet through the HUD web site at www.hud.gov.

For Further Information and Technical Assistance. For answers to your questions, you have several options. You may call Jane Karadbil of HUD's Office of University Partnerships at 202–708–1537, extension 5918. If you have a hearing or speech impairment, you may access this number via TTY by calling the Federal Information Relay Service toll-free at 1–800–877–8339. You may also write to Ms. Karadbil via email at Jane__R.__Karadbil@HUD.Gov.

There will be an information broadcast via satellite so that you can learn more about this program and how to prepare an application. For more information about the date and time of this broadcast, you should consult the HUD web site.

II. Amount Allocated

Approximately $5.65 million in FY 1999 funds is being made available under this SuperNOFA for HSIAC. The maximum grant period is 24 months. The performance period will commence on the effective date of the grant agreement. The maximum amount request and amount to be awarded is $400,000. 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, if you submit an application requesting more than $400,000 in HUD funds, it will be ruled ineligible. HUD reserves the right to make awards for less than the maximum amount or less than the amount requested in your application.

III. Program Description; Eligible Applicants; Eligible Activities

(A) *Program Description.* The purpose of HSIAC is to assist HSIs expand their role and effectiveness in addressing community development needs in their localities, including neighborhood revitalization, housing, and economic development.

(1) For the purposes of this program, the term ''locality'' includes any city, county. Township, parish, village, or other general political subdivision of a State, Puerto Rico, or the U.S. Virgin Islands within which your HSI is located.

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

(3) A ''target area'' is the locality or the area within the locality in which your institution will implement its proposed HUD grant.

(B) *Eligible Applicants.* Only if your institution is a nonprofit institution of higher education and meets the statutory definition of an HSI in Title V of the 1998 Amendments to the Higher Education Act of 1965 (P.L. 105–244) are you eligible to apply. In order for you to meet this definition, at least 25 percent of the full-time undergraduate students enrolled in your institution must be Hispanic and not less than 50 percent of these Hispanic students must be low-income individuals. You are not required to be on the list of eligible institutions prepared by the U.S. Department of Education. However, if you are not, you will be required to certify in the application that you meet the statutory definition.

(C) *Eligible Activities.* (1) *General.* Each activity you propose for funding must meet both a Community Development Block Grant Program (CDBG) national objective and the CDBG eligibility requirements. A discussion of the national objectives can be found at 24 CFR part 570.208. There are three national objectives:

(a) Benefit to low- and 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.

(It is not necessary for you to comply with the requirement that not less than 70% of the grant expenditures be for activities benefiting low- and moderate-income persons.)

You can find the regulations governing activities eligible under the CDBG program at 24 CFR part 570, subpart C, particularly §§ 570.201 through 570.206. Ineligible activities are listed at § 570.207. The CDBG publication entitled ''Everything You Wanted to Know About CDBG''

discusses the regulations. You can obtain a copy from the SuperNOFA Information Center. If you propose an activity which otherwise is eligible, it may not be funded if State or local law requires that it be carried out by a governmental entity.

In addition, you may not propose the construction or rehabilitation of your own facilities unless you can demonstrate that such activities would meet the purpose of this program to expand the role and effectiveness of an HSI in its locality. HUD will scrutinize proposed activities for eligibility. As examples of eligible and ineligible on-campus activities, rehabilitating a library for use by your students would not be an eligible activity, but rehabilitating it to convert it to a micro-business enterprise center for the community would be.

(2) *Examples of Eligible Activities.* Examples of activities that generally can be carried out with these funds, under one the three national objectives, 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;

(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;

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

(g) Up to 15 percent of the grant for eligible public services activities including:

(i) Work study programs that meet the program requirements of the Hispanic-serving Institutions Work Study program, which can be found at 24 CFR 570.416;

(ii) Outreach and other program activities as described in the Community Outreach Partnership Centers Program section of the SuperNOFA;

(iii) Educational activities including English as a Second Language (ESL) classes, adult basic education classes, GED preparation and testing, and curriculum development of courses that will lead to a certificate or degree in community planning and development;

(iv) Job and career counseling and assessment and other activities designed to promote employment opportunities;

(v) Capacity building for community organizations;

(vi) Social and medical services for youths, adults, senior citizens, and the homeless;

(vii) 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, familial status and/or disability aware of the range of housing opportunities available to them;

(viii) Day care services and costs for the children of students attending your institution;

(ix) Continuum of care services for the homeless;

(x) Public access telecommunications centers including ''Campus of Learners'' and ''Neighborhood Networks;''

(xi) Services to assist low-income students to attend college, as part of the U.S. Department of Education's Gaining Awareness and Readiness for Undergraduate Program (GEAR UP). (For more information, call 1–800–USA–LEARN or visit the Department of Education's website at www.ed.gov).

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

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

(j) Assistance to community-based development organizations (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). If you are proposing a Community Development Corporation (CDC) component, it may qualify for CBDO activities;

(k) Activities designed to promote training and employment opportunities;

(l) Up to 20% of your grant for program administration costs related to the planning and execution of community development activities assisted in whole or in part with grant funds. Pre-award planning costs may not be paid out of grant funds.

(3) *Use of Grant Funds for Acquisition of Computer Hardware and Software.* HUD encourages you 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 you do not currently have such capability. You may obtain more information on the Community 2020 Software from the local HUD Community Planning and Development Office.

(D) *Other Requirements.* (1) *Leveraging.* Although a match is not required to qualify for funding, if you claim a match, you 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.

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, cash or in kind, you must submit a letter from the provider on the provider's letterhead. Number each letter as a page in the application. For each match, include 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 you indicated on the SF–424 and in the Budget;
- 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 HSIAC 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.)

(2) *Employment of local area residents (Section 3).* Please see Section II(E) of the General Section of this SuperNOFA. The requirements are applicable to certain activities that may be funded under this program section of the SuperNOFA.

(3) *Labor Standards.* If you are awarded a grant, you must comply with the labor standards as found at 24 CFR 570.6603.

(4) *OMB Circulars.* Your 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–21 (Cost Principles for Education Institutions, and A–133 (Audits of States, Local Governments, and Non-Profit Organizations. You may not spend more than 20% of your grant on planning or administrative costs. The application kit contains a detailed explanation of what these costs are. You can access the OMB circulars at the White House website at http://whitehouse.gov/WH/EOP/OMB/html/circulars.

IV. Application Selection Process

HUD will conduct two types of review: a threshold review to determine applicant eligibility; and a technical review to rate the application based on the rating factors in this section.

(A) Threshold Factors for Funding Consideration

Under this threshold review, your application will be rejected from competition if it is not in compliance with the requirements of the General Section of the SuperNOFA or the following additional standards are not met:

(1) You must be an eligible HSI;

(2) Your application requests a Federal grant that is no more than $400,000 over a two-year period;

(3) There is only one application from your institution or a part of your institution;

(4) At least one of the activities in your application is eligible.

(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 you have the organization resources necessary to successfully implement the proposed activities in a timely manner. In rating this factor, HUD will consider the extent to which your application demonstrates the knowledge and experience of the overall project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing the kinds of programs for which funding is being requested. If this experience is found within the HSI, you will receive higher points on this factor than if you have secured this experience from consultants, contractors, and other staff outside your institution. In addition, if you demonstrate that the previous experience is for the project team from the institution proposed for this project, you will receive higher points than if the experiences are for people not proposed to work on this project. Experience will be judged in terms of recent, relevant, and successful experience of your staff to undertake activities in:

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

(b) Undertaking specific successful community development projects with community-based organizations; and

(c) Providing proven leadership in solving community problems which have a direct bearing on the proposed activity.

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, you will be evaluated on the extent to which you *document* the level of need for the proposed activities and the importance of meeting the need.

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

(1) Is sound and reliable. To the extent that your targeted community's Five (5) Year Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI) identify the level of the problem and the urgency in meeting the need, you should include references to these documents in your response to this factor. The Department will view your application more favorably if you have used these documents to identify need.

If your proposed activities are not covered under the scope of the Consolidated Plan and AI, you 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 Census reports, HUD Continuum of Care gaps analysis, law enforcement agency crime reports, Public Housing Authorities' Comprehensive Plans, community needs analyses such as provided by the United Way, the HSI , etc., and other sound and reliable sources appropriate for the HSIAC program. You may also address needs in terms of fulfilling court orders or consent decrees, settlements, conciliation agreements, and voluntary compliance agreements.

(2) To the extent possible, the data you use should be specific to the area where the proposed activities will be carried out. You should document needs as they apply to the area where the activities will be targeted, rather than the entire locality or State, unless the target area is the entire locality or State.

Rating Factor 3: Soundness of Approach (50 Points)

This rating factor addresses the quality and cost-effectiveness of your proposed work plan. There must be a clear relationship between the proposed activities, the community's needs, and the purpose of HSIAC for you to receive points on this factor.

(1) *Quality of the Statement of Work.* (20 points) Your statement of work must incorporate all proposed activities, describing in detail how the activities will alleviate and/or fulfill the needs identified in Factor 2 and how the activities will be implemented. In evaluating this factor, HUD will consider:

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

(i) Your proposal outlines a clear agenda based on your familiarity with existing work/activities in the target area. You should demonstrate that your proposed activities do not duplicate work/activities previously completed or currently underway by others and that they meet a CDBG national objective and are eligible activities under the CDBG program;

(ii) You demonstrate how your activities will fit into and strengthen your role in addressing community development needs in your locality; and how the proposed project will potentially yield innovative strategies or ''best practices'' that can be duplicated and disseminated to other organizations.

(b) (10 points) The extent to which the proposed activities involve the communities to be served in implementation of these activities. HUD will look at the extent to which:

(i) Representatives of the local communities (that reflect a balance of race, ethnic, disability, gender, and income of the residents of the community to be served) are involved or

will be involved to address the needs identified in Rating Factor 2;

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

(iii) The methods you used for outreach to the community during the development of the application and propose to use for implementation of the proposed project will be effective.

(2) *Feasibility of Successful and Timely Delivery of Products and Implementation.* (10 points) Your statement of work must describe the timing of all activities to be undertaken and completed under the grant. You should describe the products you will deliver in 6 month intervals, up to 24 months and indicate which staff under Factor 1 will be responsible and accountable for the deliverables. In evaluating this factor, HUD will consider the extent to which the proposed activities will achieve the purposes of the program within the grant period and the extent to which the schedule represents an efficient and feasible plan for implementation of your proposed activities. You should identify specific time-phases 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 statement of work will have on the community in general and on the target area 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 target area.

(3) *Affirmatively Furthering Fair Housing.* (5 points) The extent to which you propose to undertake activities designed to affirmatively further fair housing, for example:

(a) Working with other entities in the community to overcome 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 choice through the expansion of homeownership opportunities and improved quality of services for minorities, families with children, and persons with disabilities; or

(c) Providing housing mobility counseling services.

(4) *HUD priorities.* (5 points) The extent to which your application will further and support the following priorities of HUD:

(1) Promoting healthy homes;

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

(3) 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; or

(4) Providing educational, job training, and homeownership opportunities through such initiatives as GEAR UP, Neighborhood Networks, Campus of Learners, and linking programs to Americorps.

The *Healthy Homes* initiative implements a series of initiatives to protect children from home hazards such as lead-based paint, radon, fires, and accidents around the home.

The *GEAR UP* initiative promotes partnerships between colleges and middle or junior high schools in low-income communities, to help teach students how they can 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* 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 them with on-site access to computer and training resources.

The *Campus of Learners* 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.

(4) *Institutionalization of Project Activities.* (10 points) The extent to which your project will result in the kinds of proposed activities being sustained by becoming part of the mission of your institution. In reviewing this subfactor, HUD will consider the extent to which program activities relate to your institution's mission; are part of a climate that rewards faculty work on these kinds of activities through promotion and tenure; benefits students because they are part of a service learning program at your institution; and are reflected in the curriculum. HUD will look at your commitment to faculty and staff continuing work in the target area or other similar areas and to your longer term commitment (five years after the start of the grant) of hard dollars to similar work.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to secure community resources, which can be combined with HUD program funds to achieve program objectives.

In evaluating this factor, HUD will consider the extent to which you have established partnerships 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. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities. You may also establish partnerships with other program funding recipients to coordinate the use of resources in the target area.

You may count overhead and other institutional costs (e.g., salaries) that are waived as leveraging. However, higher points will be awarded if you secure leveraging resources from sources outside the institution.

You must provide letters or other documentation showing the extent and firmness of commitments of leveraged funds (including your own resources) in order for these resources to count in determining points under this factor. These commitment letters or documents must be dated no earlier than the date of this published SuperNOFA. This documentation 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 the official of the organization legally able to make commitments on behalf of the organization. Any resource for which there is no commitment letter will not be counted, nor will the resource be counted without the proposed level of commitment being quantified. If your application does not include evidence of leveraging, it will receive zero (0) points for this Factor.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you have coordinated your activities with other known organizations, participate or promote participation in a community's Consolidated Planning process, and are working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community. For specific information about your locality's process, contact the local or State Community

Development Agency or the local HUD field office.

In evaluating this factor, HUD will consider the extent to which you demonstrate that you have:

(1) (4 points) Coordinated your 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 you will take to share information on solutions 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 Planing process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities you propose.

(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, you must receive a minimum score of 70 points. HUD will fund applications in rank order, until it has awarded all available funds. 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, shall be selected.

HUD will not fund specific proposed activities that do not meet eligibility requirements (see 24 CFR part 570, subpart C) or do not meet a national objective in accordance with 24 CFR 570.208.

HUD reserves the right to make selections out of rank order to provide for geographic distribution of funded HSIACs. If HUD decides to use this option, it will do so only if two adjacent HUD regions do not yield at least one fundable HSIAC on the basis of rank order. If this occurs, HUD will fund the highest ranking applicant within the two regions as long as the minimum score of 70 points is achieved.

After all application selections have been made, HUD may require that you participate in negotiations to determine the specific terms of the Statement of Work and the grant budget. In cases where HUD cannot successfully complete negotiations, or you fail to provide HUD with requested information, an award 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 that 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 your institution meets proscribed standards for funds control and accountability required by OMB Circular A–133, Audits of States, Local Governments, and Non-Profit Organizations, or 24 CFR part 84, or the Federal Acquisitions 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.

V. Application Submission Requirements

You 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 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, your application must, at a minimum, contain the following items:

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

(B) *Application Checklist.*

(C) *Abstract/Executive Summary* (one page limit) describing the goals and activities of the project.

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

(1) Arrange the presentation of major related activities (e.g., rehabilitation of a child care center, provision of tutoring services), 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 tasks are to be performed, noting areas of work that must be performed simultaneously.

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

(E) *Narrative Statement Addressing the Factors for Award.* (25 page limit, including tables, and maps, but not including any letters of commitment) You should number the narrative in accordance with each factor and subfactor. Please do not repeat material in the Statement of Work.

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

(1) A budget by task, using the sample form included in the application kit. This form separates the Federal and non-Federal costs of each program activity. Particular attention should be paid to accurately estimating costs; determining the necessity for and reasonableness of costs; and correctly computing all budget items and totals.

(2) A narrative statement of how you arrived at your costs, for any line item over $5,000. When necessary, quotes from various vendors or historical data should be used and included. All direct labor or salaries must be supported with mandated city/state pay scales or other documentation. Indirect costs must be substantiated and the rate must have been approved by the cognizant Federal agency. If you are proposing to undertake rehabilitation of residential, commercial, or industrial structures or acquisition, construction, or installation of public facilities and improvements, you must submit reasonable costs supplied by a qualified entity other than your institution. Such an entity must be in the business of housing rehabilitation, construction or management. Guidance for securing these estimates can be obtained from the CPD Director in your HUD field office or from your local government.

You may not submit appendices or general support letters or resumes. If you submit letters of leveraging commitment, they must be included in your response to Factor 4. If you submit other documentation, it must be included with the pertinent factor responses (taking note of the page limit).

VI. Corrections to Deficient Applications

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

VII. Environmental Requirements

If you propose activities (such as physical development activities) that are not excluded from environmental review under 24 CFR 50.19(b), HUD will conduct an environmental review in accordance with 24 CFR part 50, before HUD approves the proposal (i.e., releases HSIAC funds). If the requirements of part 50 are not met, HUD reserves the right to terminate all or portions of your award. You are not authorized to proceed with any activity requiring such approval until written approval is received from the appropriate HUD Field Office Environmental Clearance Officer in its area certifying that the project has been approved and released from all environmental conditions.

VIII. Authority

This program is authorized under the section 107 of the CDBG appropriation for fiscal year 1999, as part of the ''Veterans Administration, HUD and Independent Agencies Appropriations Act of 1999'' (Pub. L. 105–276, approved October 21, 1998). For this first year of the program, HSIAC is being implemented through this program section of the SuperNOFA and the policies governing its operation are contained herein.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

FAIR HOUSING INITIATIVES PROGRAM (FHIP)

BILLING CODE 4210–32–C

Funding Availability for the Fair Housing Initiatives Program

Program Overview

Purpose of the Program. To increase compliance with the Fair Housing Act (the Act) and with substantially equivalent State and local fair housing laws.

Available Funds. Approximately $15,000,000 is allocated as follows:

A. Private Enforcement Initiative (PEI)	$9,300,000
B. Education and Outreach Initiative (EOI)	4,500,000
C. Fair Housing Organizations Initiative (FHOI)	1,200,000

Eligible Applicants. Qualified Fair Housing Organizations (QFHOs); Fair Housing Organizations (FHOs); public or private non-profit organizations or institutions and other public or private entities that are working to prevent or eliminate discriminatory housing practices; State and local governments; and Fair Housing Assistance Program Agencies (FHAP) (as defined in Section IV.(A)(13), *Program Definitions,* and described in detail under the initiatives that follow).

Application Deadline. April 27, 1999.

Match: None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. You must submit completed applications for all Initiatives/Components on or before 12:00 midnight, Eastern time on April 27, 1999 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. You must submit completed applications (one original and five copies) to: FHIP SuperNOFA '99, [Specify Initiative/Component], 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 you submit your application, please provide your name, mailing address (including zip code) and telephone number (including area code) on the front of the mailing envelope.

For Application Kits. For an application kit and supplemental information, please call the HUD SuperNOFA Information Clearinghouse at 1–800–HUD–8929. If you have a hearing or speech impairment, you may use the Center's TTY at 1–800–HUD–2209. When requesting an application kit, please refer to FHIP SuperNOFA '99, and provide your name, address (including zip code), and telephone number (including area code). Application kits also will be available on the Internet at: http://www.hud.gov.

For Further Information and Technical Assistance. For answers to your technical questions, you may contact Ivy L. Davis, Director, FHIP/FHAP Support Division at 202–708–0800 ext. 7028 (this is not a toll-free number). If you prefer to use a TTY telephone, you may call 1–800–290–1617.

II. Amount Allocated

The amount of $23,500,000 has been appropriated for the Fair Housing Initiatives Program in FY 1999. Approximately $15,000,000 is being made available for National and Regional/Local/Community-Based activities on a competitive basis to eligible organizations responding to this SuperNOFA. The remaining approximately $8,500,000 will be made available through separate Requests for Proposals.

The amount available for each initiative is divided as follows:

(A) *Private Enforcement Initiative (PEI).* The objective of this initiative is to support private fair housing enforcement organizations in their investigations of alleged violations of the Fair Housing Act and substantially equivalent State and local fair housing laws. Approximately $9,300,000 is allocated as follows:

(1) *General Multi-Year Component.* $7,800,000; award cap: $300,000 for single projects, $600,000 for partnership projects; project duration 24–36 months.

(2) *Joint Enforcement Project Component.* $1,500,000; award cap: $300,000; project duration 24–36 months.

(B) *Education and Outreach Initiative (EOI).* The objective of this initiative is to assist projects which inform the public about their rights and obligations under the Fair Housing Act and substantially equivalent State and local fair housing laws, to educate the public about the procedures for filing claims with HUD, and to increase the referrals of credible, legitimate fair housing cases (complaints) and other information to HUD. Approximately $4,500,000 is allocated for 18 month projects; of this, $450,000 is allocated for the National Program and $4,050,000 is allocated for the Regional/Local/Community-Based Program as follows:

(1) *Regional/Local/Community-Based Program.*

(a) *General Component.* $2,550,000; award cap: $300,000.

(b) *Homeownership Component.* $750,000; award cap: $150,000.

(c) *Disability Component.* $750,000; award cap: $150,000.

(2) *National Program. Best Practices Component.* $450,000; award cap: $225,000.

(C) *Fair Housing Organizations Initiative (FHOI).* The objective of this initiative is to establish new fair housing enforcement organizations and to build the capacity of fair housing enforcement organizations to carry out enforcement activities. Approximately, $1,200,000 is allocated for the following components:

(1) *Establishing New Organizations Component (ENOC).* $800,000; award cap: $400,000; project duration 24–36 months.

(2) *Continued Development Component (CDC).* $400,000; award cap: $200,000; project duration 24 months. Under this component, your award may not exceed 50 percent of the operating budget of your organization for one year. *Operating budget* means your organization's total planned budget expenditures from all sources, including the value of in-kind and monetary contributions, in the 24 months for which funding is received.

III. Program Descriptions; Eligible Applicants; Eligible Activities

The Fair Housing Initiatives Program (FHIP) assists projects and activities that increase compliance with the Fair Housing Act and substantially equivalent State and local fair housing laws. In September 1997, HUD announced a ''crackdown on housing discrimination'' pledging to substantially increase its enforcement actions. The activities funded under this SuperNOFA are expected to contribute to the accomplishment of this pledge.

Immigrant populations are increasingly responsible for new household formations in the United States and they often face formidable barriers because of discriminatory housing practices. As the President has stated, these unlawful barriers hinder the goal of ''One America.'' It is imperative that fair housing efforts be directed to educating immigrant populations about their fair housing rights and ensuring that enforcement mechanisms address the specific types of discrimination they encounter on a

national, regional, local or community basis. Therefore, activities under the following components should address the fair housing needs of these and other ''underserved populations:'' (1) the General Component of the Private Enforcement Initiative; (2) the General Component of the Regional/Local/Community-Based Education and Outreach Initiative; and, (3) the Best Practices Component of the Education and Outreach Initiative National Program.

(A) Private Enforcement Initiative (PEI)

(1) *PEI-General Multi-Year Component.* (a) *Component Description.* If you apply for this component, you must place special emphasis on the fair housing enforcement needs of new immigrant groups and other underserved populations, as defined in the introductory paragraph of Section III. of this program section of the SuperNOFA. The objective of this component is to carry out audits, tests, and other investigative activities which:

(i) Determine compliance with accessibility requirements;

(ii) Discover and remedy discrimination in the public and private real estate markets;

(iii) Propose and undertake activities to detect and remedy more subtle and sophisticated forms of discriminatory practices; and

(iv) Reduce the incidence of steering and other practices perpetuating segregation.

(b) *Eligible Applicants.* (i) Eligible organizations are FHOs with at least one year of experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims; and QFHOs.

(ii) If you are currently receiving PEI Multi-Year funding awarded to you under a previous NOFA, and, as of the date of this SuperNOFA, your funding expires after June 30, 2000, you are not eligible to apply for this General Multi-Year Component under this SuperNOFA. You are, however, eligible to apply for funding under any other initiative/component.

(iii) Your proposal will be considered either as a single or partnership project (see Section IV.(C)(3), *Program Requirements*, for more details). If you are submitting a partnership proposal, although your award will be made to a single organization, all members of your partnership must meet the eligibility requirements of this initiative.

(c) *Eligible Activities.* Eligible activities include:

(i) Complaint intake of allegations of housing discrimination, testing, evaluating testing results, or providing other investigative and complaint support for administrative and judicial enforcement of fair housing laws;

(ii) Investigations of individual complaints and systemic housing discrimination for further enforcement processing by HUD, through testing and other investigative methods;

(iii) Mediation or otherwise voluntarily resolving allegations of fair housing discrimination after a complaint has been filed; and

(iv) Costs and expenses of litigating fair housing cases, including expert witness fees.

(2) *Joint Enforcement Project Component (JEP).* (a) *Component Description.* This component promotes partnerships between private fair housing enforcement organizations, FHAP agencies and/or traditional civil rights organizations to focus on systemic investigations of housing discrimination. As set forth in Rating Factor 3: Soundness of Approach, these partnerships are expected to result in enforcement proposals being filed with HUD or sufficient information being provided to HUD for the filing of Secretary-initiated complaints or other use by the Department.

(b) *Eligible Applicants.* If you are a QFHO or FHO, you are eligible for funding under this component and may subcontract with other organizations to carry out Joint Enforcement Project Components. Subcontracts should be discussed in accordance with Rating Factor 3: Soundness of Approach.

(c) *Eligible Activities.* Eligible activities include:

(i) Conducting joint investigations;

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

(iii) Developing complaints for referral to HUD for action; and

(iv) Sharing information with HUD regarding potential violations for investigation based upon complaints, data, or other sources.

(B) Education and Outreach Initiative (EOI)

(1) *General.* (a) *Initiative Description.* This initiative assists projects which inform and educate the public about their rights and obligations under the Fair Housing Act and substantially equivalent State and local fair housing laws, and educate the public about the procedures for filing claims with HUD. The activities funded under this initiative are expected to result in an increased number of referrals of credible, legitimate fair housing claims and other information regarding discriminatory practices.

(b) *Eligible Applicants.* QFHOs; FHOs; public and 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. If you are a traditional civil rights organization, you are encouraged to apply under this initiative.

(c) *Eligible Activities.* The following activities are eligible for all components under this initiative, unless otherwise noted under the specific component: holding educational symposia; duplicating existing fair housing materials for distribution throughout your project area; conducting outreach and providing information on fair housing through printed and electronic media; and providing outreach to 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. Regional/Local/Community-Based activities must use existing locally available materials. You may not develop new fair housing materials except as a supplement to existing materials and/or in languages other than English or Braille.

(2) *Regional/Local/Community-Based Program.*

(a) *General Component.* (i) *Component Description.* This component places special emphasis on the fair housing needs of new immigrant groups and other underserved populations.

(ii) *Eligible Applicants.* Are the same as described in Section III.(B)(1)(b), above.

(iii) *Eligible Activities.* Are the same as described in Section III.(B)(1)(c), above.

(b) *Homeownership Component.* (i) *Component Description.* This component focuses on education and outreach activities that improve access to homeownership for racial/ethnic minorities by addressing multiple barriers to fair housing choice (e.g., mortgage lending discrimination) and education and outreach aimed at reducing racial and other housing segregation.

(ii) *Eligible Applicants.* Are the same as described in Section III.(B)(1)(b), above.

(iii) *Eligible Activities.* Are the same as described in Section III.(B)(1)(c), above.

(c) *Disability Component.* (i) *Component Description.* This component focuses on the education and outreach efforts of organizations

that assist persons with disabilities to understand their fair housing rights and the forms of discrimination they confront.

(ii) *Eligible Applicants.* Are the same as described in Section III.(B)(1)(b), above.

(iii) *Eligible Activities.* Are the same as described in Section III.(B)(1)(c), above.

(3) *National Program.* (a) *Best Practices Component.* (i) *Component Description.* This component will fund a Best Practices Campaign for Fair Housing Enforcement and Education to collect prototypes of successful fair housing education and enforcement business practices and techniques which benefit underserved populations making them available to State and local governments and others.

(ii) *Eligible Applicants.* Are the same as described in Section III.(B)(1)(b), above.

(iii) *Eligible Activities.* Your program must include: (1) collecting examples of good fair housing enforcement, business practices and education techniques which benefit underserved populations, particularly non-English speaking persons and new immigrants, and (2) disseminating these best practices for use by State and local governments, fair housing organizations, housing industry groups and others. The Department encourages you to address at least one of the following statutory objectives: cooperation with real estate industry organizations; and/or dissemination of educational information and technical assistance to support compliance with the housing adaptability and accessibility guidelines contained in the Fair Housing Amendments Act of 1988.

(C) Fair Housing Organizations Initiative (FHOI)

(1) *Establishing New Organizations Component (ENOC).*

(a) *Component Description.* The objective of this component is to establish new fair housing enforcement organizations in underserved areas.

(b) *Eligible Applicants.* Only QFHOs are eligible to apply under this component.

(c) *Eligible Activities.* You must propose the establishment of a new fair housing organization in an underserved area.

(2) *Continued Development Component (CDC)*

(a) *Component Description.* The objective of this component is to provide support to build the enforcement capacity of newly established fair housing enforcement organizations created under past FHOI–ENOC awards (new organizations).

(b) *Eligible Applicants.* Only new organizations previously funded as new organizations through FHOI–ENOC grants that will have expired as of June 30, 2000, are eligible for funding under this component. A list of these organizations is provided in the FHIP Appendix at the end of this program section of the SuperNOFA.

(c) *Eligible Activities.* Your application must build your enforcement capacity by proposing all or some of the following activities:

(i) Complaint intake of allegations of housing discrimination; testing, evaluating testing results or providing other investigative and complaint support for administrative and judicial enforcement of fair housing laws;

(ii) Investigations of individual complaints and systemic housing discrimination for further enforcement processing by HUD, through testing and other investigative methods;

(iii) Mediation or otherwise voluntarily resolving allegations of fair housing discrimination after a complaint has been filed; and

(iv) Costs and expenses of litigating fair housing cases, including expert witness fees.

IV. Program Requirements

(A) Requirements for All Initiatives/ Components.

In addition to the requirements listed in Section II of the General Section of this SuperNOFA, you must also meet the following application requirements:

(1) *Performance Measures and Deliverables.* Your application must demonstrate how your program activities will support HUD goals, identify performance measures/ outcomes in support of those goals, and identify current (baseline) conditions and target level of the performance measure that you plan to achieve. Your proposal also must contain a strategy for achieving project deliverables, with related timelines and milestones. If you are selected, your final performance measures and deliverables will be negotiated between you and HUD as part of your executed grant agreement, based upon your proposal.

(2) *Reports and Meetings On Performance Measures and Deliverables.* In your final grant report, you must describe the status of performance measures in a spreadsheet format or other manner specified by the Department [also see the reporting requirements for PEI and FHOI grants at Section IV.(B)(9), below, of this program section of the SuperNOFA]. You are required to report quarterly on the status of project deliverables against your approved milestones and timelines and meet at least semi-annually with HUD to ensure that project activities satisfy grant requirements.

(3) *Single Award Limitation/ Preference Must be Stated.* (a) Except as provided in paragraph (b) of this section, you may apply for funding under more than one component for which you are an eligible applicant, but you may receive only one award under this program section of the SuperNOFA. If you apply for funding under more than one component, you must state your priority for selection and submit your preference in your application. If you fail to submit your preference, your application will be ineligible.

(b) The requirements of paragraph (a) of this section do not apply to the components listed in this paragraph. In addition to the single award for which you are eligible under paragraph (a) of this section, if you are an eligible applicant for the following components, you may also apply for, and are eligible to receive:

(i) An FHOI-Establishing New Organizations Component (ENOC) award, and/or

(ii) One EOI-National Program award.

(4) *Independence of Awards.* Although there is no limitation on the number of applications that you may submit, 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 you or other applicants. This provision does not preclude you from submitting a proposal which includes other organizations as sub-recipient.

(5) *Project Starting Period.* For planning purposes, assume a start date no later than September 30, 1999.

(6) *Page Limitation.* The narrative response for each of the five rating factors for award is limited to ten pages (this does not include forms or documents which are required under each factor). Pages exceeding that limit will not be evaluated. Furthermore, unrequested items, such as brochures and news articles, will not be considered. You should respond to each factor. Failure to provide narrative responses to all factors will result in your application not receiving points for the information omitted, which may significantly affect your application score.

(7) *Training.* Your proposed budget must include a training set-aside of $3,000 for single-year projects and $6,000 for multi-year projects. HUD will permit recipients to use these funds to

attend both HUD-sponsored and HUD-approved training.

(8) *Payment Contingent on Completion.* Payments including multi-year award increments, are contingent on the satisfactory completion of your project activities and deliverables as called for in your grant agreement.

(9) *Accessibility Requirements.* All activities and materials funded by this Program must be accessible to persons with disabilities [24 CFR 8.4, 8.6, and 8.54].

(10) *Copyright Materials.* You may copyright any work that is subject to copyright; however, HUD reserves the right to reproduce, publish, or otherwise use your work for Federal purposes, and to authorize others to do so as outlined in 24 CFR 84.36.

(11) *Ineligible Applications.*

(a) If you fail to meet the requirements set forth in Section II of the General Section of this SuperNOFA, your application will be ineligible for funding.

(b) *Award Caps.* If you exceed the award cap for the component for which you are requesting funding, your application will be ineligible.

(c) *Research Activities.* Projects 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.

(d) *Non-Profit Status.* If you are applying under the PEI and FHOI Initiatives, you must submit documentation with your application that, as of the application due date of this program section of the SuperNOFA, you are a 501(c)(3) tax-exempt organization as determined by the Internal Revenue Service. Failure to submit this documentation with your application will be treated as a technical deficiency as discussed in Section V of the General Section of this SuperNOFA.

(e) *JEP Component.* You must include in your JEP application a memorandum of understanding (MOU) from all project participants describing the signatories's duties and responsibilities. The MOU must be signed by an official of each project organization who is authorized to make commitments on behalf of the participating organization. If you fail to submit this documentation with your application, you will be ineligible.

(f) *Single Award Limitation/ Preference Must be Stated.* If your application does not state a funding preference as required by Section IV.(A)(3), above, of this program section of the SuperNOFA, your application will be ineligible.

(12) *Ineligible Activities.*

(a) *Fair Housing and Free Speech.* None of the amounts made available under this SuperNOFA 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 non-frivolous 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.

(b) *Suits Against the United States.* No recipient of assistance under this program may use any funds provided by HUD for the payment of expenses in connection with litigation against the United States (24 CFR 125.104(f)).

(13) *Program Definitions.* The definitions that apply to this FHIP section of the SuperNOFA are as follows:

Enforcement actions includes charges issued under the Fair Housing Act, settlements with relief equivalent to or greater than what HUD would seek had a charge been issued; settlements with relief for a broad class of victims; referrals to the Department of Justice (DOJ) where it has legal authority to take further action: zoning and land use cases (42 U.S.C. 3614(b)); pattern and practice cases [42 U.S.C. 3614(a)]; requests for prompt judicial action; [42 U.S.C. 3610(e)]; and allegations of criminal violations of the Fair Housing Act (42 U.S.C. 3631).

Enforcement proposals are potential complaints under the Fair Housing Act which are timely, jurisdictional, and well developed which could 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.

Fair Housing Assistance Program (FHAP) Agencies means State and local agencies which administer laws substantially equivalent to the Fair Housing Act, 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).

Traditional Civil Rights Organizations means non-profit organizations or institutions and/or private entities with a history and primary mission of securing Federal civil rights protection for groups and individuals protected under the Fair Housing Act and substantially equivalent State or local laws and which are engaged in programs to prevent or eliminate discriminatory housing practices.

Underserved areas means jurisdictions where no public or private fair housing enforcement organizations exist or which are not sufficiently served by one or more public or private enforcement fair housing organizations, and which contain large concentrations of protected classes.

Underserved populations means protected class members among new immigrant populations (especially ethnic minorities who are not English speaking) rural populations, persons with disabilities and the homeless that can be documented as historically not having been the focus of Federal, State or local fair housing enforcement efforts.

(B) *Requirements For Private Enforcement Initiative and Fair Housing Organizations Initiative*

(1) *Broad-Based and Full Service Projects.* If you are applying under the Private Enforcement Initiative (PEI) and Fair Housing Organizations Initiative (FHOI), your activities must be broad-based and full service enforcement projects that address discrimination against persons protected by the Fair Housing Act. Furthermore, your activities must contribute in measurable ways to HUD's commitment to increase its number of enforcement actions. Full service projects must include more than one type of the following enforcement related activities in your project proposal: interviewing potential victims of discrimination; analyzing housing-related issues; intaking complaints; testing; evaluating testing results; conducting preliminary investigations; conducting mediation; enforcing meritorious claims through litigation or referral to administrative enforcement agencies; and disseminating information about fair housing laws. ''Broad-based'' projects are not limited to a single fair housing issue, instead they cover multiple issues related to housing discrimination covered under the Fair Housing Act, such as: rental, sales and financing of housing.

(2) *Non-Profit Status.* If you are applying under the PEI and FHOI Initiatives, you must submit documentation with your application that, as of the application due date of this program section of the SuperNOFA, you are a 501(c)(3) tax-exempt organization as determined by the Internal Revenue Service. Failure to

submit this documentation with your application will be treated as a technical deficiency as described in Section V. of the General Section of this SuperNOFA.

(3) *Mandatory Referrals.* You are required to refer to HUD all cases arising from FHIP-funded audit testing. In all FHIP-funded cases where you find a basis for filing a complaint with a bona fide complainant other than your organization, you must file the complaint with HUD unless, consistent with the Act, the complainant refuses, in writing, to do so. In addition to filing with HUD, a bona fide complainant may file in Federal or State Court.

(4) *Outreach Expenses.* Your budget may designate up to 5% of requested funds for education and outreach to promote awareness of services available, if the education activities are necessary for the successful implementation of your project.

(5) *Tester Requirements.* Testers in your FHIP-funded testing activities must not have prior felony convictions or convictions of crimes involving fraud or perjury. All testers 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.

(6) *Testing Experience.* When proposing testing other than rental or accessibility testing, you must document, to HUD's satisfaction, that at minimum you have conducted successful rental testing. Documentation of your experience must include, a general description of: when and where tests occurred, the entities tested, and the overall results of the tests, including complaints filed and settlements or remedies secured. You must include copies of testing methodologies and training materials used. The testing methodology and procedures will remain confidential for enforcement purposes.

(7) *Review and Approval of Testing Methodology.* If your Statement of Work proposes testing, other than rental testing, HUD reserves the right to require as a deliverable to be reviewed and approved by HUD prior to your carrying out the testing activities: (a) The testing methodology to be used, and (b) the training to be provided to testers. Your testing methodology and procedures will remain confidential for enforcement purposes.

(8) *Conflict of Interest and Use of Settlement Funds Certifications.*

(a) You must certify you 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 you during the 12 month period following the test. This does not preclude settlement based on investigative findings. HUD reserves the right to negotiate with awardees additional provisions addressing potential conflicts of interest.

(b) You must certify that any compensation you receive directly or indirectly from a settlement, conciliation, or award of damages as a result of activities funded under this SuperNOFA, will be used only to carry out activities specifically authorized under your cooperative agreement/grant agreement or to carry out other activities approved by HUD.

(9) *Reports.* You must provide reports in a format (which may be computer generated), at a frequency and with contents specified by HUD. Your report must include: the number and basis of claims/complaints filed with HUD or in Federal/State court, the number and terms of settlements or other outcomes achieved. The terms of settlements ordered by a court or other tribunal to be kept confidential need not be produced.

(10) *Enforcement Log.* You are required to record information about the funded project in a case tracking log (or Fair Housing Enforcement Log) to be supplied by HUD. Such information must include: the number of complaints of possible discrimination you have 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. You must agree to make this log available to HUD. This log will be considered confidential for enforcement purposes.

(C) *Additional Requirements for Private Enforcement Initiative*

(1) Your proposal must include a description of the enforcement proposals to be referred to HUD to increase enforcement actions. Therefore, you must state what information you intend to collect and analyze, the kind and number of complaints you anticipate referring to HUD for enforcement purposes, and a method for referring such complaints. Your application should explain how you plan to structure tests, train investigators, conduct investigations, etc. This description should make clear the safeguards to be used to ensure that complaints referred to HUD for enforcement action are fully jurisdictional under the Act and supported by credible and legitimate evidence that the Act has been violated.

(2) Neither you nor any sub-recipient are permitted to charge or claim credit for any activities performed under the FHIP Program toward any other Federal project/funds. For example: If you receive a PEI-JEP award and you are a FHAP agency, you will not be able to count any cases/referrals arising under an approved project toward your FHAP case processing calculations.

(3) *PEI-General Multi-Year Component.* If you apply for this component as a single or partnership project the amount awarded will vary as noted in Section II.(A)(1), Amount Allocated, above in this program section of the SuperNOFA. A higher award cap is allocated for partnership projects. If you are submitting a partnership proposal you must meet the following requirements:

(a) You must designate a single organization with responsibility for administering the grant and overseeing project activities which must be the organization submitting the application.

(b) All members of your partnership must be identified in your application with the duties and responsibilities for each partner described fully,

(c) All partnership members must meet the eligibility requirements of this initiative (see Section III.(A)(1)(b), eligible applicants for PEI), and

(d) Your application must make clear you are submitting a partnership proposal.

(D) *Additional Requirements for Education and Outreach Initiative National Program and Regional/Local/Community-Based Program*

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

(2) Your proposal must contain a description of how your activities or your final products can be used by other agencies and organizations. If modifications are necessary for use by others, describe the modifications.

(3) Your proposal must describe the referral process and list in the Statement of Work the projected referrals to be submitted to HUD.

(E) *Additional Requirements for Fair Housing Organizations Initiative: Establishing New Organizations Component ENOC.* You must propose the establishment of a new fair housing enforcement organization in an underserved area. You must provide a justification for why the target project area is underserved. Your justification must include data and studies that indicate the presence of housing discrimination, segregation and/or other indices of discrimination in the locality based upon race, color, religion, sex, national origin, familial status, or disability.

V. Application Selection Process

(A) Rating and Ranking

(1) Your application for funding will be evaluated competitively under one of the following components:

(a) Private Enforcement Initiative (PEI):

(i) General Multi-Year Component;

(ii) Joint Enforcement Project Component;

(b) Education and Outreach Initiative (EOI):

(i) Regional/Local/Community-Based Program:

(*1*) General Component;

(*2*) Homeownership Component;

(*3*) Disability Component;

(ii) National Program:

(*1*) Best Practices Component;

(c) Fair Housing Organizations Initiative (FHOI):

(i) Establishing New Organizations Component;

(iii) Continuing Development Component.

(2) You will be awarded points and assigned a score based on the Factors for Award. After eligible applications are evaluated against the factors for award and assigned a score, they will be ranked in order by score. A minimum score will be established below which applications will not be considered to be of sufficient quality for funding. This score (based upon review of the applications by applying the factors for award) will identify applications that will not effectively achieve the objectives of this SuperNOFA. This score will vary based upon the overall quality of the proposals received in each program or component, but will be set within 30 percentage points of the average score of all proposals that are scored in that program or component. The Rating Factor requirements listed in the General Section of this SuperNOFA are applicable to applicants applying for funding under this Program.

(3) *Tie Breaking.* When there is a tie in the overall score, the applicant with the higher score under Rating Factor 3: Soundness of Approach will be ranked higher. If the 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 be ranked higher. If these scores are identical then the applicant with the lower request for FHIP funding will be ranked higher.

(B) Selections

(1) *In general.* Except as noted in paragraph (2) ''Achieving Diversity of Awards,'' proposals of sufficient quality to be funded will be funded in rank order until all available funds have been obligated or until no applications of sufficient quality remain. The final decision rests with the selecting official—the Assistant Secretary for Fair Housing and Equal Opportunity, or designee.

(2) *Achieving Diversity of Awards.* The selecting official shall have discretion to pass over applicants in funding a component in accordance with the funding diversity or geographic diversity procedure or both procedures. If the selecting official decides to use any of these procedures, the selecting official shall apply that procedure equally to all applicants. If the selecting official opts to use both procedures, he/she will use the funding diversity procedure first, and then apply the geographic diversity procedure. These procedures are applied component-by-component. No shifting of leftover funds from a component will occur until all applications of sufficient quality in that component are awarded funds.

(a) *Funding Diversity.* The selecting official may pass over applicants to provide broader representation among funded entities. For any component in which the Selecting Official decides to use this procedure, the selecting official will pass over applicants who have received two FHIP SuperNOFA grants in the past five years in favor of lower ranked applications of sufficient quality to be funded who have not received two FHIP SuperNOFA grants in the past five years. Prior receipt of an ENOC award will not be included in determining whether an applicant received two grants in the past five years. Passed over applications of sufficient quality will be placed at the bottom of the ranking list of applications of sufficient quality for the component, but will be placed in rank order among passed over applications. Once applications of sufficient quality to be funded are reordered to reflect the funding diversity procedure, the selecting official shall proceed in one of two ways:

(i) The selecting official may apply the geographic diversity procedure to all applications of sufficient quality, or

(ii) The selecting official may not apply geographic diversity and award funds to applicants based on their rank order except that passed over applicants are funded in rank order after all other applicants of sufficient quality are funded, until funds are exhausted or there are no more applications of sufficient quality to be funded.

(b) *Geographic Diversity.* To provide for broader geographic representation among funded projects, the selecting official will have the discretion to pass over an applicant where there is more than one applicant located in a Metropolitan Statistical Area (MSA), as defined by the Bureau of the Census. If the selecting official decides to use this procedure in a component, the selecting official will select from the applications of sufficient quality to be funded the highest ranked applicant in each MSA, once applications of sufficient quality have been reordered to reflect the funding diversity procedure. If funding diversity has been applied, this is the highest ranked applicant in each MSA that was not passed over in that procedure. Passed over applications of sufficient quality will go to the bottom of the ranking list of applications of sufficient quality to be funded for the component, but will be placed in rank order among passed over applications, whether passed over for funding or geographic diversity. If additional funds remain in the component after funding the highest ranked applicant in each MSA, the selecting official shall proceed in one of two ways:

(i) The selecting official may decide to apply geographic diversity to the passed over applicants, to the extent that additional funds remain. If, after applying geographic diversity a second time, additional funds still remain, the remaining funds will be awarded based on the rank order of any remaining applications of sufficient quality to be funded, irrespective of MSA.

(ii) If the selecting official opts not to apply geographic diversity a second time, then remaining funds shall be awarded to passed over applicants based on their rank order until funds are exhausted.

(C) Priority for Shifting Left Over Funds

If after all applications within funding range have been selected in a initiative/component and leftover funds remain

available, the selecting official or designee will have the discretion to shift leftover funds in rank order within and between initiatives/components as follows:

(1) First, within initiatives:

(a) For PEI and EOI, leftover funds from any component will be shifted to the General Component;

(b) For FHOI, leftover funds from ENOC will be shifted to CDC.

(2) Second, between initiatives: if after shifting funds, as noted above, leftover funds remain, those funds will be shifted to the PEI-Multi-Year General Component.

(D) Factors for Award Used To Evaluate and Rate All Applications Except the National Program of the Education and Outreach Initiative

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

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

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

(1) (10 points) Specific Description of Staff for Proposed Activities.

(a) The knowledge and experience of your proposed project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing programs for which you're requesting funding. Experience will be judged in terms of recent, relevant and successful experience of you and your staff to undertake eligible program activities.

(b) Whether there is sufficient personnel or you will be able to quickly access qualified experts or professionals to deliver the proposed activities in a timely and effective fashion, and your readiness and ability to immediately begin your proposed work program. To demonstrate there is sufficient personnel, you must submit the proposed number of staff years for your proposed employees and experts, the titles and relevant professional background and experience of each employee and expert proposed, and the roles to be performed by each. You should identify the key personnel in your Statement of Work, as discussed in Rating Factor 3: Soundness of Approach.

(2) (10 points for either (a) or (b)) Specific Description of Experience Relevant to the Proposed Activities.

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

(b) If you have not received funding in the past, your demonstration of experience in managing programs, and carrying out management responsibilities for programs similar in scope or nature to the work activities proposed. Therefore, if you have managed large, complex, interdisciplinary programs, or work similar in scope or complexity to your proposed program, you should include that information in your response.

Rating Factor 2: Need/Distress/Extent of the Problem (25 Points)

This factor addresses the extent to which there is a need to fund your proposed activities and an indication for the urgency of meeting the need in your target area. In addition, if you are applying under the General Components of PEI and/or EOI, you should address the fair housing needs of new immigrants and other underserved populations as defined in Section IV.(A)(11) of this program section of the SuperNOFA. In rating this factor, HUD will consider the extent to which you demonstrate:

(1) (15 points) Documentation of Need. The level of need for your project activities in your target area, including the needs of new immigrants and other underserved populations (under the EOI-General and PEI-General Components), and the urgency in meeting the need using statistics and analyses contained in a data source(s) that is sound and reliable. You should analyze the level of need for your proposed activities and document the level of need in the specific area where your activities will be carried out. Attention must be paid to documenting need where activities will be targeted, rather than the entire locality or State. If your target area is an entire locality or State, then documenting need at this level is appropriate. Your proposal may reference the extent to which your community's Consolidated Plan (CP) and Analysis of Impediments to Fair Housing Choice (AI) identify the level of the problem and urgency of need. In addition, your proposal should reference the extent to which project activities will affirmatively further fair housing (AFFH), by describing how proposed activities will assist 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 (CP), or other planning document that addresses fair housing issues. Additional examples of how you may document need may be obtained from Chapter 5 of the ''Fair Housing Planning Guide, Vol. 1,'' use of 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 your proposed activities.

In evaluating this sub-factor for applications submitted under the General Components of PEI and EOI, five of the 15 points will be awarded to proposals which address the needs of underserved populations, as defined in Section IV.(A)(11) of this program section of the SuperNOFA. When describing the need of underserved populations, you should include: (a) the extent to which there is an urgent and/or unmet need for undertaking eligible activities aimed at underserved populations in the area to be served, and (b) a strategy for providing fair housing services to these populations.

(2) (10 points) Rationale for Proposed Activities and Methods. The extent to which your proposal provides a rationale for how the proposed activities and methods most effectively deal with the need you described in responding to the preceding sub-factor. You should discuss how you 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 complements or supplements existing efforts and why additional funds are being requested.

Rating Factor 3: Soundness of Approach (35 Points)

This factor addresses the quality and cost-effectiveness of your proposed Statement of Work. You must show a clear relationship between your proposed activities, community needs and the purpose of the program funding in order to receive points for this factor. In addition, HUD has pledged to substantially increase its enforcement

actions, and all projects funded under this SuperNOFA shall contribute to the accomplishment of this goal. In evaluating your response to this rating factor, HUD will consider the extent to which your proposal demonstrates:

(1) (15 points) Description of Proposed Activities. How your proposed activities will result in the referral of enforcement proposals to HUD as demonstrated by the number projected in your proposal and method used to obtain that projection. Specifically, your projection should relate to cases being referred to HUD during the period of performance of the grant from activities you will perform under your award. In responding to this factor, describe the methods to be developed or used to identify and refer enforcement proposals to HUD, how you derived your projected number of referrals and the relationship to your proposed activities. If your past activities have resulted in successful enforcement proposals being referred to HUD, describe these actions and the outcome of such referrals.

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), Community Reinvestment Act (CRA) Analyses, Census data, current studies of residential segregation, or other similar documentation supporting allegations of discrimination; and

(iv) Referrals of claims to HUD on behalf of individuals or groups other than your organization.

(b) Your application must provide a basis for your specific activities relating to enforcement proposal referrals to HUD and your projected number of enforcement proposal referrals that are described in your Statement of Work. Your final performance measures for enforcement proposal referrals will be negotiated between you and HUD as part of the executed grant agreement and will be based upon your proposal.

(2) (10 points) Statement of Work. Additionally, HUD is looking for an efficient, effective and feasible Statement of Work that:

(a) Describes in broad terms the design and objectives of your proposal, including the geographic area to be served; the protected classes to be served; end product(s); program improvements to be achieved; total number of staff needed to complete all proposed activities and projected referrals to HUD; key personnel by years of experience, name and function; and the number of referrals for enforcement you expect to refer to HUD. You must also describe how program objectives for the component for which you are seeking funding will be met (e.g., enforcement efforts (PEI); education and outreach (EOI); creating or building a fair housing capacity organization (FHOI));

(b) Outline in chronological order your administrative and program tasks to be performed and the duration of the project. Your outline should identify all tasks and sub-tasks to be performed and by whom, i.e., you or a sub-recipient; deliverables which will be provided to HUD and when; and technically competent methodologies you will use to carry out these tasks.

(3) (10 points) Budget and Financial Controls. HUD also will assess the soundness of your approach by evaluating the following:

(a) The quality, thoroughness and reasonableness of the cost estimates provided. As part of your response, a summary budget should be provided which identifies costs by 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 a 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, you 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;

(v) *Per diem,* as applicable. You 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. You should use the Federal Travel Regulation for per diem rate for cities listed under ''Transportation Costs'' in your cost estimate;

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

(vii) *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;

(viii) *Subcontract Costs,* if applicable. Indicate each proposed individual subcontract and amount. Each proposed subcontract should include a separate budget which identifies proposed costs by cost categories. In addition, your 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 sub-recipient's role in the project. A separate detailed budget for each subcontract should be included in the application. If you have selected sub-recipients or are submitting a joint application with one partner serving as a lead applicant, you must provide the actual subcontract costs;

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

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

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

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

(d) The extent to which you demonstrate capability in handling financial resources with adequate financial control procedures and accounting procedures. HUD will consider items such as findings identified in your 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 your ability to secure community resources (Note: financing is a community resource) which can be combined with HUD's program resources to achieve program purposes. In other words, to what extent can you get groups in the community to work with you. In evaluating this factor HUD will consider:

(1) (5 points) Extent to Which Applicant Has Secured Other Resources. The extent to which local groups will provide 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 your proposal. Resources may be provided by governmental entities, public or private non-profit organizations, for-profit private organizations, or other entities willing to work with you. You may also work with other FHIP-funded recipients to coordinate the use of resources in your project area.

(2) (5 points) Evidence of Firm Commitment of Leveraging. The extent to which there is evidence of leveraging. You can establish this by providing letters of firm commitment; memoranda of understanding (MOU); or agreements to participate from those entities identified as partners in your application. Each letter of commitment, memorandum of understanding, or agreement to participate should: (a) identify the organization, (b) describe the proposed level of commitment, (c) outline the responsibilities as they relate to your proposal, and (d) be signed by an official of the organization legally able to make commitments on behalf of the organization. If you are applying under the PEI–JEP you must submit a memorandum of understanding in support of your leveraged partnership.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you coordinate your activities with other organizations in the project area, participate or promote participation in the project area's Consolidated Planning process (including Analysis of Impediments to Fair Housing Choice), and are creating linkages with other activities in the community. In other words, to what extent are you working with others to address community needs in your project area. In evaluating this factor, HUD will consider the extent to which you demonstrate:

(1) Project activities will reach your targeted audience. This includes a discussion of how: (a) your methods or approaches will ensure that project activities and materials are made available to local groups and organizations, and (b) the project can enhance the activities or work in tandem with such groups or organizations in your project area. At a minimum, your application should discuss procedures you will use to promote awareness of the services provided by your proposal.

(2) Project activities will make communities and organizations in your project area aware of opportunities for linking activities with:

(a) Other proposed or on-going HUD-funded program activities;

(b) Other proposed or on-going State, Federal, local or privately funded activities which, taken as a whole, support and sustain a comprehensive system to address the purpose of these programs; and

(c) Other activities being undertaken to address barriers to housing choice identified in the Consolidated Plan's Analysis of Impediments to fair housing choice.

(E) Factors for Award Used To Evaluate and Rate Applications for the National Education and Outreach Initiative Program

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

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

This factor addresses the extent to which you have the organizational resources necessary to successfully implement your proposed activities in a timely manner, and your ability to collect or make available prototypes of successful fair housing education and enforcement business practices and techniques, as appropriate, on a national scale. The rating of your organization and staff for technical merit or threshold compliance, unless otherwise specified, will include any consultants, sub-recipients, and partners that are firmly committed to the project. In rating this factor, HUD will consider the extent to which your application demonstrates:

(1) (5 points) General Description of Applicant Organization and Relevant Experience.

(a) The eligibility and qualifications of your organization; the type of organization (e.g., public, private, non-profit, for profit); and your general areas of activity or line of business;

(b) Your management of large, complex, interdisciplinary projects;

(c) Awards and major accomplishments of your organization. HUD may also consider any documented evidence, such as performance reviews, newspaper articles, or monitoring findings, that may reflect positively or negatively upon your ability and the proposed staff's ability to perform the work;

(d) Your ability to handle financial resources with adequate financial control procedures and accounting procedures. In addition, HUD will consider findings identified in your most recent audits; internal consistency in the application of numeric quantities; accuracy of mathematical calculations; and other available information on financial management capability.

(2) (10 points) Specific Description of Staff for Proposed Activities. Whether you have sufficient personnel or will be able to quickly access qualified experts or professionals to deliver your proposed activities in a timely and effective fashion, including your readiness and ability to immediately begin your proposed work program; the knowledge and experience of your overall proposed project director and staff, including the day-to-day program manager, consultants and sub-recipients in planning and managing programs for which funding is being requested. To demonstrate that you have sufficient personnel, you must submit the proposed number of staff hours for your employees and experts allocated to your project, the titles and relevant professional background and experience of each employee and expert proposed to be assigned to your project, and the roles to be performed by each identified employee and expert. Experience will be judged in terms of at least two years' worth of recent and relevant experience to undertake eligible program activities or projects similar in scope or nature and directly relevant to your work activities proposed.

(3) (5 points) Specific Description of Experience Relevant to the Proposed Activities. Demonstrated past experience(s) in collecting, analyzing and making available prototypes of successful fair housing education and enforcement business practices and techniques, as appropriate, on a national scale. You must describe your ability to understand fair housing enforcement-related issues/policies/practices which influence discriminatory housing

practices. In responding to this rating factor, it will be especially helpful to describe your past experiences with developing and implementing innovative strategies and the results of those efforts. The rating of this factor for technical merit will include any consultants, sub-recipients, and partners that are identified as participants in your project. If you have or are currently receiving funding under FHIP, you should list and provide the status of your previous referrals of enforcement proposals to HUD, especially those made during FY 1998 and a list of cases referred to HUD for joint enforcement.

Rating Factor 2: Need/Distress/Extent of the Problem (25 Points)

This factor addresses the extent to which you document and address the national need for educating immigrant and other underserved populations about their fair housing rights and ensure that enforcement mechanisms address the specific types of discrimination they encounter. You should state which activities and methods you intend to address, and how your proposal offers the most effective approach for dealing with that national need. In responding to this factor, you will be evaluated on the following:

(1) (15 points) Documentation of Need. The extent to which you describe and document the national need you intend to address, and demonstrate a grasp of the elements of the problem and its pervasiveness at the national level. Your description of the national need will be used to evaluate the depth of your understanding of the problem as an indication of your ability to address the problem; and

(2) (10 points) Rationale for Proposed Activities and Methods. The extent to which you provide a rationale for how your proposed activities and methods most effectively deal with the national need described in response to sub-factor (1), above.

Rating Factor 3: Soundness of Approach (35 Points)

This factor addresses the quality and cost-effectiveness of your proposed Statement of Work. In evaluating this factor, HUD will consider the extent to which:

(1) (15 Points) Description of Proposed Activities. Your proposed activities will be conducted in a manner (e.g., languages, formats, locations, distribution, use of minority media) to reach and benefit all members of the public, especially underserved populations; and proposed activities will yield long-term results and innovative strategies or ''best practices'' that can be readily disseminated to other organizations and State and local governments.

(2) (10 Points) Statement of Work. Applications include Statement of Work that:

(a) Clearly describe your specific tasks and sub-tasks to be performed; the sequence in which the tasks are to be performed, noting areas of work which must be performed simultaneously; estimated completion dates; and program deliverables to be completed within the grant period, including specific numbers of quantifiable end products and program improvements you intend to deliver by the end of the award agreement period as a result of the work performed;

(b) Provide national coverage and identify the protected class focus of the project, and serve the needs of new immigrants and underserved populations; and

(c) Describe the immediate benefits of your proposal and how you will measure the benefits. You must describe the methods you will use to determine the effectiveness of your proposed activities and benefits achieved to receive points.

(3) (10 Points) Budget and Financial Controls. You must include proposed budgets that demonstrate:

(a) Cost estimates, salary levels, staff assignments, number of staff hours, and other budget items are reasonable, allowable, and appropriate for your proposed activities.

(b) Your proposed program is cost effective in achieving its anticipated results, as well as in achieving significant impact.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to secure community resources (Note: financing is a community resource) which can be combined with HUD's program resources to achieve program purposes. In other words, to what extent can you get others to work with you. In evaluating this factor HUD will consider:

(1) (5 points) Extent to Which Applicant has Secured Other Resources. The extent to which others will provide additional resources to increase the effectiveness of your proposed project activities. Resources may include funding or in-kind contributions, such as services or equipment allocated to the purpose(s) of your proposal. Resources may be provided by governmental entities, public or private non-profit organizations, for-profit private organizations, or other entities willing to work with you. You may also work with other FHIP-funded recipients to coordinate the use of resources in the project area.

(2) (5 points) Evidence of Firm Commitment of Leveraging. The extent to which there is evidence of leveraging. You can establish this by providing letters of firm commitment; memoranda of understanding; or agreements to participate from those entities identified as partners in your application. Each letter of commitment, memorandum of understanding, or agreement to participate should: (a) identify the organization, (b) describe the proposed level of commitment, (c) outline the responsibilities as they relate to the proposed project, and (d) 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 you coordinate your activities with other organizations in your project area, and are creating linkages with other activities in your project area. In other words, to what extent are you working with others to address needs in your project area. In evaluating this factor, HUD will consider the extent to which you demonstrate:

(1) Project activities will reach your targeted audience. This includes a discussion of how: (a) your methods or approaches will ensure that project activities and materials are made available to local groups and organizations, and (b) the project can enhance the activities or work in tandem with such groups or organizations in your project area. At a minimum, your application should discuss procedures you will use to promote awareness of services provided by your proposed project.

(2) Project activities will make communities and organizations in your project area aware of opportunities for linking activities with:

(a) Other HUD-funded programs activities, proposed or on-going; or (b) Other proposed or on-going State, Federal, local or privately funded activities which, taken as a whole, support and sustain a comprehensive system to address the purpose of these programs.

(F) Applicant Notification and Award Procedures

(1) *Notification.* No information will be available to you during the period of HUD evaluation, approximately 90 days, except for notification in writing or by telephone if HUD determines your

application is ineligible or has correctable deficiencies (as described in Section V. of the General Section of the SuperNOFA). Selections will be announced by HUD upon completion of the evaluation process and will be subject to final award negotiations of award.

(2) *Negotiations.* After HUD has ranked the applications and provided notifications to those selected, HUD will require selected applicants to participate in negotiations to determine the specific terms of the cooperative or grant agreement. HUD will follow the negotiation procedures described in Section III.(D) of the General Section of the SuperNOFA.

(3) *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 selected applicants.

(4) *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 that special conditions be added to the grant agreement, in accordance with 24 CFR 84.14, the requirements of this SuperNOFA, or where:

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

(b) An ineligible activity is proposed in an otherwise eligible project;

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

(d) An applicant has demonstrated an inability to manage HUD grants, particularly FHIP grants.

(5) *Performance Sanctions.* A grantee or sub-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.

VI. Application Submission Requirements

In addition to the statements, forms, certifications and assurances required by Section II(G) of the General Section of the SuperNOFA and by the Program Requirements in Section IV. of this program section of the SuperNOFA, your application must, at a minimum, contain the following items:

(A) *Transmittal Letter.* Your letter must identify: (1) the dollar amount requested for each component, (2) the specific FHIP initiative and component under which your application is submitted, and (3) in the case of the EOI, whether it is the Regional/Local/Community Based Program or the National Program.

(B) *Narrative Statement.* Your narrative statement must address, and should be numbered to track, the Factors for Award in Section V.(D), above, of this FHIP section of the SuperNOFA.

(C) *Financial Management and Audit Information.* You must submit a certification from an Independent Public Accountant or the cognizant government auditor, stating that the financial management system employed by you 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.

(D) *Non-Profit Status.* If you are applying under the PEI and FHOI Initiatives, you must submit documentation with your application that, as of the closing date of this FHIP section of the SuperNOFA, you are a 501(c)(3) tax-exempt organization as determined by the Internal Revenue Service. Failure to submit this documentation with your application will be treated as a technical deficiency as discussed in Section V. of the General Section of this SuperNOFA.

(E) *JEP Component.* If you are submitting a JEP application, your application must include a memorandum of understanding (MOU) from all project participants describing the signatories' duties and responsibilities. The MOU must be signed by an official of the partnership organization authorized to make commitments on behalf of the organization. If you fail to submit this documentation with your application, your application will be ineligible.

(F) *Preference for Award Must Be Stated.* If your application does not state a funding preference as required by Section IV.(A)(3), above, of this program section of the SuperNOFA, your application will be ineligible.

VII. Corrections to Deficient Applications

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

VIII. 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.

IX. 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.

FHIP APPENDIX—NEW ORGANIZATIONS ESTABLISHED UNDER FHIP ENOC

Name and address of new organization	Area served
The Fair Housing Continuum, 846 N. Cocoa Blvd., Cocoa, FL 32922	Brevard County, Florida.
North Carolina Fair Housing Center, 101 St. Mary Street, Raleigh, NC 27609	State of North Carolina.
Southern Center of Civil Rights Enforcement, 1083 Austin Ave, NE, Atlanta, GA 31107	Areas in Georgia, Arkansas, Mississippi and South Carolina.
Central Alabama Fair Housing Center, 207 Montgomery St. Suite 725, Montgomery, AL 36104	Central and Southern Alabama.
Arkansas Fair Housing Organization, 2101 South Main Street, Little Rock, AR 72206	Central Arkansas.
Arkansas Fair Housing Council, 103 West Capitol, #1115, Little Rock, AR 72201	Arkansas Congressional Districts #1, 2 and 4.
Fair Housing Action Center, 938 Lafayette St., #413, New Orleans, LA 70113	Greater Metropolitan New Orleans.

FHIP APPENDIX—NEW ORGANIZATIONS ESTABLISHED UNDER FHIP ENOC—Continued

Name and address of new organization	Area served
Legal Aid Society of Albuquerque, 121 Tijereas, NE, #3100, Albuquerque, NM 87102	State of New Mexico.
Louisiana Fair Housing Organization, 1624 Elysian Fields, Ave., New Orleans, LA 70117	Southern Louisiana.
New Mexico Fair Housing Organization, 918 Silver SW, Albuquerque, NM 87102	Central New Mexico (primarily Albuquerque and Santa Fe).
Fair Housing Center of Nebraska, 2522 N. 24th St., #103, Omaha, NE 68110	Omaha, Nebraska and South Sioux City.
Kansas City Fair Housing Center, 3033 Prospect Ave., Kansas City, MO 64128	Metropolitan Kansas City, Missouri.
Metro St. Louis Equal Housing Opportunity Center, 1027 VanDerventer Ave., 4th Floor, St. Louis, MO 63110.	Metropolitan St. Louis, Missouri.
North Dakota Fair Housing Council, 533 Airport Rd, Suite B, Bismark, ND 58504	State of North Dakota.
Greater Nevada Fair Housing Council, 410 East John Street, Carson City, NV 89706	Northern Nevada.
Nevada Fair Housing Center, 2725 East Desert Inn Road, Suite 180, Las Vegas, NV 89121	Southern Nevada.
Fair Housing Council of Fresno County, 2014 Tulane St., ı413, Fresno, CA 93721	Fresno, California.
Idaho Fair Housing Council, 310 N. 5th Street, Boise, ID 83702	State of Idaho.
Northwest Fair Housing Alliance, 1613 West Gardner Ave., Spokane, WA 99201	Eastern Washington.
Fair Housing Council of South Puget Sound, 8815 S. Tacoma Way, Suite 211, Tacoma, WA 98499.	Puget Sound.
Asian Americans for Equality FH Cntr	Queens, NY.
San Antonio Fair Housing Center	San Antonio, TX.
Fair Housing Center of Houston	Houston, TX.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING COUNSELING

BILLING CODE 4210–32–C

Funding Availability for the Housing Counseling Program

Program Overview

Purpose of the Program. The purpose of this program is to provide comprehensive housing counseling through national, regional, multi-State housing counseling agencies, State housing finance agencies, and local HUD-approved housing counseling agencies. Counseling assists homebuyers, homeowners, and tenants to meet their housing needs and resolve their housing problems.

Available Funds. Approximately $16.6 million.

Eligible Applicants. (1) HUD-approved national, regional, or multi-State intermediaries; (2) HUD-approved local housing counseling agencies; and (3) State housing finance agencies.

Application Deadline. May 25, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. You must submit a completed application on or before 12:00 midnight, Eastern time on May 25, 1999 to the addresses 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. If you are a Local Housing Counseling Agencies or State Housing Finance Agencies: Send an original and two copies of your completed application to the respective HUD Homeownership Center (HOC) having jurisdiction over the locality, area or State in which your proposed program is located. Your application should be sent to the attention of the Program Support Division Director, and the envelope should be clearly marked ''FY 1999 Housing Counseling Application''. A list of the HUD Homeownership Centers, including their jurisdictions, and the Program Support Division Directors appears below and in the Application Kit.

	Office
Philadelphia Homeownership Center: Mr. Michael Perretta, The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3380, Contact: Robert Wright Flint, (215) 656–0527 x3406.	Albany, Baltimore, Boston, Buffalo, Camden, Cleveland, Charleston, Cincinnati Columbus, Detroit, Grand Rapids, Hartford, Manchester, New York, Newark Philadelphia, Pittsburgh, Providence, Richmond, District of Columbia.
Atlanta Homeownership Center: Ms. Gayle Knowlson, Richard B. Russell Federal Building, 75 Spring Street, S.W., Room 572, Atlanta, GA 30303–3308, Contact: Fellece Sawyer-Coleman (404) 331–5001 x2675.	Atlanta, Birmingham, Caribbean, Chicago and Springfield, Columbia, Coral Gables, Greensboro, Indianapolis, Jackson, Jacksonville, Knoxville, Louisville, Memphis, Nashville, Orlando, Tampa.
Denver Homeownership Center: Ms. Jane Hall First Interstate Tower North, 633 17th Street, Denver, CO 80202–3607, Contact: Lorraine Griscavage-Frisbee (303) 672–5216 x1515.	Albuquerque, Denver, (Casper, Fargo, Sioux Falls), Dallas, Des Moines, Denver, Ft. Worth, Helena, Houston, Kansas City, Little Rock, Lubbock, Milwaukee, Minneapolis, New Orleans, Oklahoma City, Omaha, Salt Lake City, San Antonio, Shreveport, St. Louis, Tulsa.
Santa Ana Homeownership Center: Mr. Jerrold Mayer, 1600 N. Broadway, Suite 100, Santa Ana, CA 92706–3927, Contact: Rhonda J. Rivera, Chief, x3210, 1–888–827–5605, (714) 796–1200.	Anchorage, Boise, Fresno, Honolulu, Las Vegas and Reno, Los Angeles, Phoenix, Portland, Sacramento, San Diego, San Francisco, Santa Ana, Seattle, Spokane, Tucson.

If you are a National, Regional or Multi-State Housing Counseling Intermediary, send an original and two copies of the completed application to Director, Program Support Division, Office of Single Family Housing, HUD Headquarters, 451 7th Street, S.W., Washington, DC 20410, Room 9166. The envelope should be clearly marked, ''FY 1999 Intermediary Application''. If you submit an application to HUD using the above procedures, you will avoid having your application disqualified.

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 Federal Information Relay Service at 1–800–877–8339. 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. If you are a local housing counseling agency or State housing finance agency, you may call the HUD Homeownership Center serving your area. If you are a national, regional, or multi-State intermediary, you may call HUD Headquarters. Please see above and 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.

II. Amount Allocated

Under this SuperNOFA, $16.6 million of the $17.5 million appropriated is made available for eligible applicants. An allocation of $900,000 of the $17.5 million total in program funding has been set aside for Housing Counseling support, which may include continuation of the Housing Counseling Clearinghouse, and/or HUD counseling initiatives.

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

—*Local Housing Counseling Agencies (LHCA)*. Approximately $ 5.6 million has been made available for grants to local HUD-approved housing counseling agencies. Funding is 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 HUD's intent to ensure appropriate geographical distribution of program funds. For FY 1999, no individual local housing

counseling agency may be awarded more than $100,000.

—*National, Regional, and Multi-State Intermediaries.* Approximately $7.5 million is being set aside to fund HUD-approved national, regional and multi-State intermediaries that apply for funding under this SuperNOFA. There is no longer any cap on the amount that national, regional, or multi-State intermediaries may receive.

—*State Housing Finance Agencies (SHFA).* Approximately $3.5 million is being set aside to fund 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.

The amount of funding available to each of the four HUD Homeownership Center jurisdictions for allocation to local housing counseling agencies and State housing finance agencies is:

Homeownership center	Funding allocation* (LHCA)	Funding allocation** (SHFA)
Atlanta, GA	$1,200,000	$890,000
Denver, CO	1,400,000	890,000
Philadelphia, PA	1,700,000	935,000
Santa Ana, CA	1,300,000	785,000

*Each HOC has been allocated a minimum of $1 million, with the balance being distributed to each HOC based on the number of clients counseled within its jurisdiction during FY 1998.

**Each HOC has been allocated a minimum of $750,000, with the balance being distributed to each HOC based on the number of SHFAs funded within its jurisdiction under the FY 1998 SuperNOFA.

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 will be retained by HUD Headquarters for future housing counseling use.

Funding Levels. The Factors for Award will be used to evaluate your application for funding. If you are a successful applicant, HUD requires that you 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. Housing Counseling grants are fundable for a period of twelve (12) calendar months. This period may begin from the date that your award is executed by HUD, or not more than 90 days prior to your award execution date.

III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

HUD-approved housing counseling agencies provide counseling and advice to tenants and homeowners on property maintenance, financial management, and other matters appropriate to assist tenants and homeowners in improving their housing conditions and meeting responsibilities of tenancy and homeownership. In addition, HUD-approved housing counseling agencies conduct community outreach activities and provide counseling to individuals, including persons with visual or hearing impairments or other disabilities, 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. Agencies assist first-time homebuyers by offering Homebuyer Education and Learning Program (HELP) training sessions. Agencies also meet the counseling needs of eligible persons 62 or older who desire to use the Home Equity Conversion Mortgage (HECM) to convert their equity into a lump sum payment or an income stream that can be used for home improvements, medical costs, and/or living expenses.

(B) Eligible Applicants

Under the housing counseling program, HUD contracts with qualified public or private nonprofit organizations to provide housing counseling services. There are three categories of applicants eligible to submit applications:

—HUD-approved national, regional, or multi-State intermediaries.

If you are a HUD-approved national, regional, or multi-State intermediary, your primary activity is to manage the use of HUD housing counseling funds. This includes the distribution of housing counseling funding to affiliated local housing counseling agencies. Your local affiliates are eligible to undertake any or all of the housing counseling activities, described for HUD-approved local housing counseling agencies. Local affiliates receiving funding through your organization do not need to be HUD-approved in order to receive funds from you. However, your intermediary organization must be HUD-approved as of the date of this SuperNOFA. You must identify all of your proposed affiliates in your application. An affiliate of your organization may also apply to a State housing finance agency for a sub-grant, whether or not it received a sub-grant from you. However, if your affiliate is not HUD-approved, you must certify the quality of services provided will meet, or exceed, standards for local HUD-approved housing counseling agencies.

As a selected intermediary, you must distribute the majority of your award funds to your housing counseling affiliates. HUD will give you wide discretion to implement your housing counseling program with your affiliates. You must execute sub-grant agreements with your affiliates that clearly delineate the mutual responsibilities for program management and appropriate time frames for reporting results to HUD.

You can decide how to allocate funding among your affiliates with the understanding that a written record must be kept of how you determined your funding levels. This record must be made available to your affiliates and to HUD. You should budget an amount which reflects your best estimate of the cost to oversee and fund the housing counseling efforts of your affiliates. You must seek other private and public sources of funding to supplement HUD funding. HUD does not intend for its counseling grant funds to cover all costs incurred by an agency participating in this program.

Your organization, as well as all your affiliates, must meet the Civil Rights Threshold requirements that are listed in Paragraph II.(B) of the General Section of the SuperNOFA.

Note: If you are a national, regional, or multi-State intermediary, you must assure that your proposed affiliates are unique to your team, and will *not* undertake a separate application for

funds. Should any duplication occur, both your intermediary organization and the local housing counseling agency requesting separate funds will automatically be ineligible for further consideration to receive FY 1999 housing counseling funds.

—*HUD-approved local housing counseling agencies*

These agencies are private and public non-profit organizations, approved by HUD to provide housing counseling services directly to clients. If you are a HUD-approved private or public non-profit organization, HUD will fund your local housing counseling agency activities according to the budget submitted with your application. The amounts you request should reflect anticipated operating needs for your housing counseling activities, based upon your counseling experience during the previous fiscal year and your current agency capacity.

You may also apply for a sub-grant to a State housing finance agency, whether or not you have a housing counseling grant from HUD. However, you must disclose all funding sources to HUD. If you are a local housing counseling agency that is not currently HUD-approved, you may receive FY 1999 funding only as an affiliate of a HUD-approved national, regional, or multi-State intermediary; or State housing finance agency.

—*State housing finance agencies*

Your primary activity as a State housing finance agency is 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 your affiliated local housing counseling organizations. You and your local affiliates are eligible to undertake any or all of the housing counseling activities described for HUD-approved local housing counseling agencies. As either a housing counseling agency or intermediary, you and your local affiliates do not need to be HUD-approved in order to receive these funds. As a State housing finance agency, you can operate as a housing counseling agency and/or as an intermediary for affiliates that perform housing counseling functions in your State or territory. As an intermediary, you must identify all your proposed affiliates in your application. The amount you request should reflect anticipated operating needs for housing counseling activities, based upon the counseling experience during FY 1998 and your current capacity. In your role as an intermediary, the amount you request should reflect your best estimate of costs to oversee and fund your housing counseling affiliates. HUD will give you wide discretion to implement your housing counseling program with your affiliates. As a State intermediary, you must execute sub-grant agreements with your affiliates that clearly delineate the mutual responsibilities for program management, including appropriate time frames for reporting results to HUD. Your affiliate may be a local housing counseling agency. Local housing counseling agencies may also be affiliates of national, regional, or multi-State intermediaries. You must decide how to allocate funding among your affiliates with the understanding that a written record will be kept of how your determination was made. This record must be made available to the affiliates and to HUD. You must certify that, if your affiliate is not HUD-approved, the quality of services provided will meet, or exceed, standards for local HUD-approved housing counseling agencies.

You must seek other private and public sources of funding to supplement HUD funding. HUD does not expect its counseling grant funds to cover all costs incurred by your organization's participation in this program. You may use the HUD grant to undertake any of the eligible counseling activities.

(C) Eligible Activities.

If you are a housing counseling agency funded under this SuperNOFA, you may use HUD funds to deliver comprehensive housing counseling, or you may specialize in delivering of particular housing counseling services. Either way, your activities must reflect the housing needs you submitted in your funding application for your target area and identified in your plan. You may conduct a wide range of housing counseling services that are eligible under this program, including:

(1) *Homebuyer Education Programs* where HUD's Homebuyer Education and Learning Program (HELP) materials are used in sessions consisting of approximately sixteen (16) hours of training. Completion of the training allows graduates to receive first-time homebuyer incentives, such as a reduction in their FHA insurance premium. HUD staff at each HUD Homeownership Center will be available to provide you with the HELP materials.

(2) *Pre-purchase Homeownership Counseling* covering purchase procedures, mortgage financing, down payment/closing cost fund accumulation, accessibility requirements, and if appropriate, credit improvement, and debt consolidation.

(3) *Post-purchase Counseling* including property maintenance, and personal money management.

(4) *Mortgage delinquency and default resolution counseling* including restructuring debt, arrangement of reinstatement plans, loan forbearance, and loss mitigation.

(5) *Home Equity Conversion Mortgage (HECM) counseling* to assist clients who are 62 years old or older with the complexities of converting the equity in their homes to income to pay living expenses or medical expenses.

(6) *Loss Mitigation Counseling* for clients who may be facing default and foreclosure, and need mortgage default resolution and foreclosure avoidance counseling.

(7) *Marketing and Outreach Initiatives* including providing general information about housing opportunities within your target area and providing housing counseling services and information to persons with disabilities. Under this program, you are required to extend marketing and outreach services to all segments of the population.

(8) *Renter Assistance Counseling* including information about rent subsidy programs, rights and responsibilities of tenants, and lease and rental agreements.

(9) *Fair Housing Assistance* including:

(a) Advocating with lenders, appraisers and developers on behalf of clients to recognize the value of non-traditional lending standards, the vitality of housing values in all areas, and the added value of accessible housing design; and

(b) Advising clients on how to recognize discriminatory acts, and how to file a Fair Housing complaint. (This will require being familiar with the provisions of the Fair Housing Act).

You may elect to offer your services to a wide range of clients, or serve a more limited audience, provided your limited services do not constitute discrimination on the basis of race, color, religion, sex, national origin, disability or familial status. Your 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 housing counseling agency to resolve a housing need. You may elect to offer this assistance in conjunction with any HUD housing program; however, to do this, you must be familiar with FHA's single

family and multifamily housing programs.

IV. Program Requirements

(A) General Requirements.

The requirements listed in Section II of the General Section of the SuperNOFA apply to this program.

(B) Requirements Applicable to Religious Organizations.

Where your organization is, or you propose 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, you must undertake your responsibilities in accordance with the following principles:

(1) You will not discriminate against any segment of the population;

(2) You will not provide religious instruction or religious counseling, conduct religious services or worship, engage in religious proselytizing, and exert religious influence in the provision of assistance under your Housing Counseling Program.

(3) You will make counseling offices and services accessible to persons with a wide range of disabilities and help such persons locate suitable housing in locations throughout your community, target area or metropolitan area.

(C) Performance Measurement.

You are required to complete and submit a form HUD–9902, Fiscal Year Activity Report. The information compiled from this report provides HUD with its primary means of measuring your program performance and program effectiveness.

V. Application Selection Process

(A) General

Your application will be evaluated competitively, and ranked against all other applicants that applied in the same funding category. However, after selection, the actual amount funded will be based on successful completion of negotiations. National, regional, and multi-State applications will be rated and ranked in HUD Headquarters, and selected for funding in rank order. Local agency and State Housing Finance Agency applications will be rated and ranked by the HUD Homeownership Centers and selected for funding in rank order.

(B) 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 you have the organizational resources necessary to successfully implement your proposed activities in a timely manner. Your rating or the rating of your organization and staff for technical merit will include any subcontractors, consultants, subrecipients, and members of consortia that are identified as participants in your proposal. In rating this factor, HUD will consider the extent to which your proposal demonstrates:

(1) (10 points) The knowledge and experience of your proposed project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing programs for which you are requesting funding. Your experience will be judged in terms of recent, relevant and successful experience of your staff to undertake eligible program activities. You are expected to have sufficient personnel, or be able to quickly access qualified experts or professionals, to deliver the proposed activities in a timely and effective fashion. HUD will assess the readiness and ability of your organization to immediately begin your proposed work program. To demonstrate that you have sufficient personnel, you must submit the proposed number of staff for each task to be conducted, by the employees and experts allocated to each activity you plan to undertake in your program. You must identify their titles and relevant professional background and experience related to the tasks they are to perform. In addition, you must allocate the staff hours for each task of these employees and experts.

(2) (10 points) Your past experience in terms of your ability to attain measurable progress in the implementation of your most recent activities where your performance has been assessed. HUD will consider your performance as measured by your expenditures and demonstrated progress in achieving the purpose of the activities. HUD will also consider any documented evidence, such as form HUD–9902, of your 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 your proposed program activities to address a documented problem in your target area. To the extent that the community served by your 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 your proposed activities are not covered under the scope of the Consolidated Plan or AI, you should indicate such and use other sound data sources to identify the level of need for your proposed program of activities.

In responding to this factor, you will be evaluated on the extent to which you document a critical level of need for your proposed activities in the area where activities will be carried out. The documentation of need should demonstrate the extent of the problem addressed by the proposed activities. Examples of data that might be used to demonstrate need, include economic and demographic data relevant to the target area and your proposed activities. There must be a clear relationship between the proposed activities, community needs and the purposes of this program 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 your proposed work plan. In rating this factor, HUD will consider the following:

(1) The extent to which the design and scope of your 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 you have a clear agenda and identify specific activities to be performed, such as:

(a) Screening interviews with clients;

(b) Setting up a client file with intake information and counseling plan; and

(c) Having the client sign an agreement accepting the counseling plan and making a commitment to attend the required counseling sessions;

(3) The extent to which your proposed tasks use documented, technically competent methodologies for conducting the work to be performed.

HUD will assess the extent to which your proposed work plan identifies documented, proven methodologies for the types of services to be performed.

(4) The extent to which you demonstrate the relationship between the proposed activities, community needs and the purposes of this program.

(5) The extent to which your proposed activities undertake affirmatively furthering fair housing (AFFH). Affirmatively furthering fair housing may be undertaken in a variety of ways, as appropriate to your target area. The following are some suggestions for all housing counseling agencies:

(a) Implementing affirmative marketing strategies to attract all segments of the population regardless of race, color, religion, national origin, sex, familial status, and disability, especially those least likely to request housing counseling services to purchase or retain their homes.

(b) Being pro-active in reducing concentrations of poverty and/or minority populations in the target area. This could include working with, or adopting the counseling practices of, agencies which conduct housing opportunity counseling to encourage low-income and minority persons to move to low-concentration areas, and helping to locate suitable housing in such areas.

(c) Working with local lenders to develop alternative lending criteria. For instance, you may make referrals to lenders of clients with good credit and payment histories, but who do not fit the standard profiles for lending practices, or advocate with financial institutions on behalf of clients with financial patterns which reflect cultural differences (such as family savings pools, which are common among some Asian populations). Your activities 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) The following are some suggested activities for national, regional, or multi-State intermediaries and State Housing Finance Agencies:

(i) Training affiliates in Fair Housing issues.

(ii) Making national or regional agreements with lenders, insurers, and organizations which train appraisers and loan appraisers on fair housing requirements, accessibility, and financing methods which support your organization's fair housing and housing opportunity efforts.

Rating Factor 4: Leveraging Resources (10 Points)

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

(1) The extent to which you have partnered with other entities to secure additional resources to increase the effectiveness of your proposed program activities. Resources may include funding or in-kind contributions, such as services or equipment, allocated to the purpose(s) of your program. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities willing to partner with you. You may also partner with other program funding recipients to coordinate the use of housing counseling and support services in your target area.

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

If you are a local counseling agency, you are expected to 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.

If you are a local housing counseling agency, you may use your HUD grant to undertake any of the eligible housing counseling activities described in this Housing Counseling Program section of the SuperNOFA. All of your proposed activities and the activities of your partners must be included in your HUD-approved plan. NOTE: HUD housing counseling funding is not intended to fully fund either an intermediary's housing counseling program, or the housing counseling programs of the its local affiliates. All 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 you have coordinated your activities with other known organizations, participated or promoted participation in a community's Consolidated Planning process and are working towards addressing identified needs in a holistic and comprehensive manner through linkages with other activities in your community. In evaluating this factor, HUD will consider the extent to which you can demonstrate you have:

(1) Coordinated your 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 you 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 Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established in your target area to identify and address needs/problems related to the activities you propose in your application. If you reported in your FY 1998 application that you ''will take specific steps'', describe what steps you have taken.

(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 target area's Consolidated Plan; and

(b) Other Federal, State or locally funded activities, including those proposed or on-going in your target area.

If you reported in your FY 1998 application that you ''will take specific steps'', describe what steps you have taken.

VI. Application Submission Requirements

(A) General.

The contents of your application will differ if you are a local housing counseling agency; or a national, regional, or multi-State intermediary; or a State housing finance agency. However, all applicants are expected to submit the forms, certifications and assurances set forth in the General Section of the SuperNOFA. Copies of all form/documents required to be

completed can be found in the application kit. In addition to these certifications and assurances the following are required to be part of your housing counseling application:

(1) *Narrative statement* addressing the five Rating Factors in Section V.(B) of this program section of the SuperNOFA. Your narrative response should be numbered in accordance with the rating factors and subfactors identified in Section V.(B) of this program section of the SuperNOFA.

(2) Form HUD–9902, Housing Counseling Agency Fiscal Year Activity Report, for fiscal year October 1, 1997 through September 30, 1998. If you did not participate in HUD's Housing Counseling Program during FY 1998, this report should be completed to reflect your counseling workload during that period. This form must be fully completed and submitted by every applicant for FY 1999 HUD funding;

(3) *Budget Work Sheet.* A proposed budget for use of the requested HUD funds;

(4) Evidence of Housing Counseling Funding Sources (required by all applicants);

(5) You must provide a descriptive narrative that sets forth your prior fiscal year's performance as related to its goals, objectives and mission. Your narrative must describe the most recent operational and program activities of your organization;

(6) *Current Housing Counseling Plan.* Your Housing Counseling Plan must describe your housing counseling needs, goals, and objectives related to the scope of services you propose to provide, including a description of all counseling activities to be performed.

(7) Direct-labor and Hourly-labor rate and Counseling Time Per Client for proposed tasks;

(8) The Congressional District in which your proposed activities are to occur;

(9) If you are a State housing finance agency, you must submit your statutory authority to operate as a State housing finance agency.

(B) National, Regional, and Multi-State Intermediaries; and State Housing Finance Agencies.

If you are a national, regional, or multi-State intermediary or a State housing finance agency, you must submit an application which covers both your network organization and your affiliated agencies. Your application must include:

(1) *A description of your affiliated agencies.* For each affiliated agency, list the following information:

(a) Organization name;

(b) Address;

(c) Director and contact person (if different);

(d) Phone/FAX numbers (including TTY, if available);

(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.* You must briefly describe your relationship with your affiliates (i.e. membership organization, field or branch office, subsidiary organization, etc.).

(3) *Oversight System.* You must briefly describe the process that will be used to determine affiliate funding levels, distribute funds, and monitor affiliate performance.

VII. Corrections to Deficient Applications

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

VIII. 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.

IX. 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.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

LEAD-BASED PAINT HAZARD CONTROL PROGRAM

BILLING CODE 4310–32–C

Funding Availability for the Lead-Based Paint Hazard Control Grant Program

Program Overview

Purpose of the Program. The purpose of the Lead-Based Paint Hazard Control Grant Program is to assist States, Indian Tribes and local governments in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned housing for rental or owner-occupants in partnership with community-based organizations.

Available Funds. Approximately $56 million.

Eligible Applicants. States, Indian Tribes or local governments. If you are a State or Tribal applicant, you must have a Lead-Based Paint Contractor Certification and Accreditation Program authorized by EPA.

Application Deadline. May 26, 1999.

Match. A minimum of 10% match in local funds.

Additional Information

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit your original and four copies of your completed application to HUD on or before May 26, 1999.

See the General Section of this SuperNOFA for additional information regarding submitting your application.

Address for Submitting Applications. Submit your completed application (original and four copies): Department of Housing and Urban Development, Office of Lead Hazard Control, Room P3206, 451 Seventh Street, SW, Washington, D.C. 20410. Applications which are hand carried or sent via overnight delivery should be delivered to Suite 3206, 490 East L'Enfant Plaza, Washington, D.C. 20024.

For Application Kits. You may obtain an application kit from the SuperNOFA Information Center at 1–800-HUD–8929, or the 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. Contact 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). If you are a hearing-or speech-impaired person, you may reach 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 Lead Hazard Control staff that will provide technical assistance for the Lead-Based Paint Hazard Control Program. Please see the ''For Further Information'' section above for the address and phone number.

II. Amount Allocated

(A) Approximately fifty six million dollars ($56 million) will be available for the Lead-Based Paint Hazard Control Grant Program.

(B) Approximately 20–25 grants of $1 million-$4 million will be awarded. If you are an existing grantee or previously unfunded applicant, you are eligible to apply for grants of $1 million-$4 million. A maximum of 60% of the funds under this program section of the SuperNOFA shall be available to current Lead-Based Paint Hazard Control grantees. Applications from existing (or previous) grantees will be evaluated and scored as a separate group and will not be in direct competition with applications from previously unfunded applicants.

(C) 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 to offer any residual amount as partial funding to the next eligible applicant, provided HUD is satisfied that the residual amount is sufficient to support a viable, though reduced effort, by such applicant(s). If you are an applicant offered a reduced grant amount you will have a maximum of seven (7) calendar days to accept such the reduced award. If you fail to respond within the seven day limit, you shall be considered to have declined the award.

III. Program Description, Eligible Applicants, and Eligible Activities

(A) Program Description.

The Lead-Based Paint Hazard Control Grant Program assists States, Indian Tribes and local governments in undertaking programs for the identification and control of lead-based paint hazards in eligible privately-owned housing units for rental and owner-occupants. The application kit for this program section of the SuperNOFA lists HUD-associated housing programs which also meet the definition of eligible housing.

(1) Because lead-based paint is a national problem, these funds will be awarded to:

(a) Maximize both the number of children protected from lead poisoning and housing units where lead-hazards are controlled;

(b) Target lead hazard control efforts at housing in which children are at greatest risk of lead poisoning;

(c) Stimulate cost-effective approaches that can be replicated;

(d) Emphasize lower cost methods of hazard control;

(e) Build local capacity to safely and effectively address lead hazards during lead hazard control, renovation, remodeling, and maintenance activities; and

(f) Affirmatively further 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 community's capacity necessary to eliminate lead-based paint hazards in all housing, as widely and quickly as possible by establishing a workable framework for lead-based paint hazard identification and control;

(b) Mobilization of public and private resources, involving cooperation among all levels of government, the private sector, and community-based organizations to develop, cost-effective methods for identifying and controlling lead-based paint hazards;

(c) Development of comprehensive community approaches which result in integration of all community resources (governmental, community-based, and private businesses) to address lead hazards in housing;

(d) Integration of lead-safe work practices into housing maintenance, repair, weatherization, rehabilitation, and other programs which will continue beyond your grant period;

(e) Establishment of a public registry (listing) of lead-safe housing; and

(f) To the greatest extent feasible, promotion of job training, employment, and other economic opportunities for low-income and minority residents and businesses that 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).

(B) Eligible Applicants.

(1) To be eligible to apply for funding under this program, you must be a State, Indian Tribe, or unit of local government. Multiple units of a local government (or multiple local governments) may apply as part of a consortium; however, you must identify a single lead government or agency as ''the applicant.'' You may submit only one application. In the event you submit multiple applications, this will be

considered a curable (minor) defect and the application review process delayed until you notify HUD in writing which application should be reviewed. Your other applications will be returned unevaluated.

(2) As an applicant, you must meet all of the threshold requirements of Section II (B) of the General Section of the SuperNOFA.

(3) Consolidated Plans.

(a) If your jurisdiction has a current HUD approved Consolidated Plan, you must submit documentation of the HUD approval of the current program year Consolidated Plan. You must submit, as an appendix, a copy of the lead-based paint element included in the approved Consolidated Plan.

(b) If your jurisdiction does not have a currently approved Consolidated Plan, but it is otherwise eligible for this grant program, you must include your jurisdiction's abbreviated Consolidated Plan, which includes a lead-based paint hazard control strategy developed in accordance with 24 CFR 91.235.

(4) If you are a local government, your application must provide written documentation of partnerships or contractual relationships with community-based organizations to carry out the proposed work plan. Such relationships may include program planning; public awareness, education, and outreach; inspection and hazard control; relocation; and other related services.

If you are a State government, you must provide written documentation of partnerships or contractual relationships with community-based organizations prior to grant award. This requirement does not apply to Indian Tribes.

(5) If you are a State government or an Indian Tribal government, you must have an authorized EPA Lead-Based Paint Contractor Certification and Accreditation Program to be eligible.

(6) If you were funded under the FY 1998 Lead-Based Paint Hazard Control NOFA issued March 31, 1998 (63 FR 15555), you are not eligible for funding under this program section of the SuperNOFA.

(7) The eligibility factors discussed in (1) through (6) above are threshold requirements. If you do not satisfy the appropriate eligibility requirements stated in these paragraphs, your HUD will not review your application.

(C) Eligible Activities

HUD will provide considerable latitude to grantees in designing and implementing the methods of lead-based paint hazard control to be used in their jurisdictions. Experience and data from past and ongoing evaluations have 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 techniques which are cost-effective, efficient, and can be used elsewhere. HUD will allow flexibility within the parameters established below.

(1) Generally, funds will 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 an EPA authorized State or Tribal Lead-Based Paint Contractor Certification and Accreditation Program under the requirements of section 404 of the Toxic Substances Control Act (TSCA). However, low level hazard interventions (e.g., dust control and minor paint stabilization) do not require certified personnel.

(2) Direct Project Elements that you may undertake directly or through subrecipients, include:

(a) Performing dust testing, hazard screens, inspections, and risk assessments of eligible housing constructed before 1978 to determine the presence of lead hazards from paint, dust, or soil.

(b) Conducting pre-hazard control blood lead testing of children under the age of six residing in units undergoing inspection, risk assessment, or hazard control.

(c) 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); abatement of lead-based paint hazards using different methods for each unit (based on the condition 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 or lead-contaminated soil is not acceptable as a cost effective strategy unless justification is provided and approved by HUD. Abatement of lead-contaminated soil should be limited to areas with bare soil in the immediate vicinity of the structure, i.e., dripline or foundation of the structure being treated, and children's play areas.

(d) 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.

(e) Performing blood lead testing and air sampling to protect the health of the hazard control workers, supervisors, and contractors.

(f) 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. Hazard Control grant funds may be used for lead hazard control work done in conjunction with other housing rehabilitation programs. HUD strongly encourages integration of this grant program with housing rehabilitation.

(g) Conducting clearance dust-wipe testing and laboratory analysis.

(h) Engineering and architectural activities that are required for, and in direct support of, lead hazard control.

(i) Providing lead-based paint worker or contractor certification training and/or licensing to low-income persons.

(j) Providing free training on lead-safe, essential maintenance practices to homeowners, renters, painters, remodelers, and apartment maintenance staff working in low-income private housing.

(k) Providing cleaning supplies for lead-hazard control to community/neighborhood-based organizations, homeowners, and renters in low-income private housing.

(l) Conducting general or targeted community awareness, education or outreach programs on lead hazard control and lead poisoning prevention. This includes educating owners of rental properties on the Fair Housing Act and training on lead-safe maintenance and renovation practices. Upon request, this also would include making all materials available in alternative formats to persons with disabilities (e.g.; Braille, audio, large type).

(m) Securing liability insurance for lead-hazard control activities.

(n) Supporting data collection, analysis, and evaluation of grant program activities. This includes compiling and delivering such information and data as may be required by HUD. This activity is separate from administrative costs.

(o) Conducting applied research activities directed at demonstration of cost effective methods for lead hazard control.

(p) Purchasing or leasing equipment having a per unit cost under $5,000, except for X-ray fluorescence (XRF) analyzers.

(q) Purchasing or leasing up to two (2) X-ray fluorescence analyzers for use by the Lead-Based Paint Hazard Control Grant Program.

(r) Preparing a final report at the conclusion of grant activities.

(3) Support Elements.

(a) Administrative costs. There is a 10% maximum for administrative costs. The application kit contains specific information on administrative costs in Annex 7.

(b) Program planning and management costs of sub-grantees and other sub-recipients.

(D) Ineligible Activities

You may not use grant funds for any of the following:

(1) Purchase of real property.

(2) Purchase or lease of equipment having a per unit cost in excess of $5,000, except for X-ray fluorescence analyzers.

(3) 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.

(4) Lead hazard control activities in publicly owned housing, or project-based Section 8 housing. A table listing eligibility of various HUD programs is included in Annex 5 of the application kit.

IV. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, you, the applicant, must comply with the following requirements:

(A) *Budgeting.* (1) Matching Contribution. You must 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 (non-cash) contribution or a combination of both. With the sole exception of Community Development Block Grant (CDBG) funds, Federal funds may not be used to satisfy the statutorily required ten (10) percent matching requirement. Federal funds may be used, however, for contributions above the statutory requirement. If you do not show a minimum 10% match in your application, you will be rated lower during the evaluation process, and, if selected, you will be required to provide the matching contribution before being given the grant.

(2) Applied Research Activities. You may identify a maximum of five (5%) percent of the total grant request for applied research activities.

(3) Administrative Costs. There is a 10% maximum for administrative costs.

(B) *Period of Performance.* The period of performance is 36 months.

(C) *Certified Performers.* You may use grant funds only for projects conducted by certified contractors, risk assessors, inspectors, workers and others engaged in lead-based paint activities.

(D) *Coastal Barrier Resources Act.* Pursuant to the Coastal Barrier Resources Act (16 U.S.C. 3501), you may not use grant funds for properties located in the Coastal Barrier Resources System.

(E) *Flood Disaster Protection Act.* Under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001–4128), you may not use grant funds for lead-based paint hazard control of a building or mobile home that 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 parts 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)). You are responsible for assuring that flood insurance is obtained and maintained for the appropriate amount and term.

(F) *National Historic Preservation Act.* The National Historic Preservation Act of 1966 (16 U.S.C. 470) 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 for use by grantees and State Historic Preservation Officers in carrying out activities under this program.

(G) *Waste Disposal.* You must handle waste disposal according to the requirements of the appropriate local, State and Federal regulatory agencies. You must handle disposal of wastes from hazard control activities that contain lead-based paint but are not classified as hazardous in accordance with the HUD Guidelines for the Evaluation and Control of Lead-Based Hazards in Housing (HUD Guidelines).

(H) *Worker Protection Procedures.* You must 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 protective. If other applicable requirements contain more stringent requirements than the HUD Guidelines, the more rigorous standards shall be followed.

(I) *Prohibited Practices.* You must not engage in practices that are not allowed because of health and safety risks. Methods that generate high levels of lead dust shall be undertaken only with requisite worker protection, containment of dust and debris, suitable clean-up, and clearance. 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.

(J) *Proposed Modifications From Current Procedures.* Proposed methods that differ 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 you make such a request, 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. HUD will not approve proposed modifications that, in HUD's opinion, involve a lowering of standards with potential to adversely affect the health of residents, contractors or workers, or the quality of the environment.

(K) *Written Policies and Procedures.* You must have clearly established, 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. Grantees, subcontractors, sub-grantees, sub-recipients, and their contractors must adhere to these policies and procedures.

(L) *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. You must maintain a registry (listing) of units in which lead hazards have been controlled for distribution and marketing to agencies and families as suitable housing for children under six.

(M) *Testing.* In developing your application budget, include costs for inspection, risk assessment, and clearance testing for each dwelling that will receive lead hazard control, as follows:

(1) Testing.

(a) General. All testing and sampling shall conform to the current HUD Guidelines. It is particularly important to provide this full cycle of testing for lead hazard control, including interim controls.

(b) Pre-Hazard Control. A combined inspection and risk assessment is recommended. You should ensure that the results of the pre-hazard control investigation are sufficient to support hazard control decisions. When appropriate, you may elect to perform a lead hazard screen in lieu of an inspection or risk assessment.

(c) In the event you propose to conduct lead hazard control work without identification of lead hazards from paint, dust, and soil, you must fully justify the technical and other rationale for such a proposal. HUD must approve such proposals. Approval is subject to HUD environmental review under 24 CFR part 50.

(d) Clearance Testing. Clearance dust testing must be conducted according to the HUD Guidelines. You are required to meet the current post-hazard control dust-wipe test clearance thresholds contained in the HUD Guidelines (these are also provided in the application kit). 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 EPA National Lead Laboratory Accreditation Program (NLLAP). Units treated shall not be reoccupied until clearance is achieved.

(2) Blood lead testing. Before lead hazard control work begins, each occupant who is under six years old must be tested for lead poisoning within six months prior to the housing intervention. Any child with an elevated blood lead level must be referred for appropriate medical follow-up.

(N) *Cooperation With Related Research and Evaluation.* You shall cooperate fully with any research or evaluation sponsored by HUD and associated with this grant program, including preservation of project data and records and compiling requested information in formats provided by the researchers, evaluators or HUD. This also may include the compiling of certain relevant local demographic, dwelling unit, and participant data not contemplated in your original proposal. Participant data shall be subject to Privacy Act protection.

(O) *Data collection.* You 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.

(P) *Section 3 Employment Opportunities.* Please see the General Section of this SuperNOFA. The Section 3 requirements are applicable to the Lead-Based Paint Hazard Control Program.

(Q) *Certifications and Assurances.* In addition to the certifications and assurances listed in the General Section of the SuperNOFA, a single certification form is included in the application kit for your signature. This includes:

(1) Assurance of your compliance with the environmental laws and authorities described in 24 CFR part 58.

(2) Certification of your compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the implementing regulations at 49 CFR part 24; and HUD Handbook 1378 (Tenant Assistance, Relocation and Real Property Acquisition).

(3) Assurance that your financial management system meets the standards for fund control and accountability described in 24 CFR 85.20.

(4) Assurance that you will conduct testing associated with pre-hazard control and clearance conducted by certified performers.

(5) Assurance that, to the extent possible, you will conduct the blood lead testing, blood lead level test results, and medical referral and follow up 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) Assurance that you will not use Lead-Based Paint Hazard Control Grant Program funds to replace existing resources dedicated to any ongoing project.

(7) Assurance that the housing units in which lead hazards have been controlled under this program will be occupied by and/or continue to be available to low-income residents as required by Title X. You 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) Certification that you will carry out your lead hazard control program under an EPA authorized State lead-based paint contractor certification and accreditation program that is at least as protective as the training and certification program requirements cited in the application kit for this program section of the SuperNOFA.

(R) *Davis-Bacon Act.* The Davis-Bacon Act does not apply to this program. However, if you use grant funds in conjunction with other Federal programs in which Davis-Bacon prevailing wage rates apply, then Davis-Bacon provisions would apply to the extent required under the other Federal programs.

V. 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. A decision to advance an applicant will be based on programs that: foster local approaches or lead hazard control methods that 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 stated below. The maximum number of points to be awarded is 102. This maximum includes two EZ/EC bonus points as described in the General Section of the SuperNOFA. Also, Section III(C)(2) of the General Section, which addresses a court-ordered consideration, is applicable to this program. The application kit will provide additional guidance for responding to these factors. The application kit also contains definitions and references that will be incorporated into your grant award.

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 your organizational capacity 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, includes any community-based organizations, sub-contractors, consultants, sub-recipients, and members of consortia which are firmly committed to your project. In rating this factor, HUD will consider:

(1) Your recent, relevant and successful demonstrated experience (including governmental and community-based partners) to undertake eligible program activities. You 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. You must demonstrate that you have sufficient personnel or will be able to quickly retain qualified experts or professionals, to immediately begin your proposed work program and to perform your proposed activities in a timely and effective fashion. In the narrative response for this factor, you should include information on your program staff, their experience, commitment to the program, salary information, and position titles. Resumes (for up to three key personnel), position descriptions, and a clearly identified organizational chart for the lead hazard control grant program effort must be included in an appendix. Indicate the percentage of time that key personnel will devote to your project. We recommend using a full-time day-to-day program manager. Describe how other principal components of your agency or other organizations will participate in or otherwise support the grant program. You may demonstrate capacity by prior experience in initiating and implementing lead hazard control efforts and/or related environmental, health, or housing projects and should be thoroughly described. You should indicate how this prior experience will be used in carrying out your proposed comprehensive Lead-Based Paint Hazard Control Grant Program.

(2) If you have received previous HUD Lead Hazard Control Grant funding, your past experience will be evaluated in terms of progress under the most recent previous grant. You must provide a description of your progress in implementing your most recent grant award within the period of performance, including the total number of housing units completed as of the most recent calendar quarter.

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

This factor addresses the extent to which there is a need for the proposed program activities to address a documented problem in the target area.

(1) Document a critical level of need for your proposed activities in the area where activities will be carried out. Since the principal objective of the program is to prevent at-risk children from being poisoned, specific attention must be paid to documenting such need as it applies to the targeted areas, 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) Document the extent of the problem which will be addressed by your proposed activities. Examples of data that you might use to demonstrate need, include, but are not limited to:

(a) Numbers and proportions of children with elevated blood lead levels;

(b) Economic and demographic data relevant to the target area, including poverty and unemployment rates;

(c) Housing market data available from HUD, or other data sources, including the Consolidated Plan/AI, Public Housing Authority's Five Year Comprehensive Plan, State or local Welfare Department's Welfare Reform Plan; or

(d) Lack of other Federal, State or local funding that could be, or is used, to address lead hazard control.

(3) To the extent that statistics and other data contained in your community's Consolidated Plan or Analysis of Impediments to Fair Housing Choice (AI) support the extent of the problem, you should include references to the Consolidated Plan and the AI in your response.

(4) Provide information on your jurisdiction, or preferably, the areas targeted for the lead hazard control activities (data may be available in your currently approved Consolidated Plan, derived from 1990 Census Data, or special local studies):

(a) The age and condition of housing;

(b) The number and percentage of very-low (income less than 50% of the area median) and low (income less than 80% of the area median) income families, as determined by HUD, with adjustments for smaller and larger families;

(c) The number and proportion of children under six years (72 months) of age at risk of lead poisoning;

(d) The extent 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 demonstrate a need to establish or continue lead hazard control work in your jurisdiction.

(5) You also must provide documentation of the priority that the community's Consolidated Plan has placed on addressing the needs you described.

(6) If your application addresses 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, you will receive more points than applicants that do not relate their program to identified needs.

(7) For you to receive maximum points for this factor, there must be a direct relationship between your proposed activities, community needs, and the purpose of the program funding.

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 your proposed work plan. You should present information on your proposed lead-based paint hazard control program and describe how it will satisfy the identified needs. To the extent possible, describe a comprehensive strategy to address the need to protect entire neighborhoods rather than individual units or homes. Your response to this factor should include the following elements:

(1) *Lead Hazard Control Strategy* (35 points for previously unfunded applicants; 25 points for existing grantees). Describe your strategy to plan and execute your lead hazard control grant program. You should provide information on:

(a) *Implementing a Lead Hazard Control Program* (15 points for previously unfunded applicants; 10 points for existing grantees). Describe your overall strategy for your proposed lead hazard control program. The description must include information on:

(i) Your previous experience in reducing or eliminating lead-based paint hazards in conjunction with other Federal, State or locally funded programs.

(ii) Your overall strategy for the identification, selection, prioritization, and enrollment of units of eligible privately-owned housing for lead hazard control. Describe the proposed activities that will occur in a high performing Empowerment Zone or Enterprise Community (EZ/EC). Provide estimates of the total number of owner occupied and/or rental units which will receive lead hazard control.

(iii) The degree to which the work plan focuses on eligible privately-owned housing units with children under six years (72 months) old. Describe your 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. Describe your process for referring and tracking children with elevated blood lead levels for medical case management. Provide estimates of the number of children you will assist through this program.

(iv) The financing strategy, including eligibility requirements, terms, conditions, and amounts available, you will use in carrying out lead hazard control activities. You 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 that will administer the financing process.

(v) You should describe how your proposed program will satisfy the stated needs or will assist in addressing the impediments in the AI. Describe how your 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.

(b) *Lead Hazard Control Outreach and Community Involvement* (5 points for all applicants). Your application must describe:

(i) Proposed methods of community education. These may include community awareness, education, training, and outreach programs in support of the work plan and objectives. This description should include general and/or targeted efforts undertaken to assist your program in reducing lead exposure. Programs should be culturally sensitive, targeted, and linguistically appropriate. Upon request, this approach would include making all materials available in alternative formats to persons with disabilities (e.g., Braille, audio, large type), to the extent possible.

(ii) How you intend to involve neighborhood or community-based organizations in your proposed activities. Your activities may include outreach, community education, marketing, inspection (including dust lead testing), and the conduct of lead hazard control activities. HUD will evaluate the level of substantive involvement during the review process.

(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, 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 lead hazard control activities and tries to ensure, for the long term, that all families will have adequate, lead-safe housing choices.

(iv) Describe the ways you will train individuals and contractors in housing related trades, such as painters, remodelers, renovators, and maintenance personnel, in lead-safe practices. Describe how you will integrate such practices into lead hazard control activities.

(c) *Technical Approach for Conducting Lead Hazard Control Activities* (15 points for previously unfunded applicants; 10 points for existing grantees).

(i) Describe your process for risk assessment and/or inspection of units of eligible privately-owned housing in which you will undertake lead hazard control. You may include in the inventory of housing to receive lead hazard control 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.

(ii) Describe your testing methods, schedule, and costs for performing blood lead testing, risk assessments and/or inspections to be used. If you propose to use a more restrictive standard than the HUD thresholds (e.g., 0.5% or 1.0 mg/cm^2), identify the lead-based paint threshold for undertaking lead hazard control which will be used. All testing shall be performed in accordance with the HUD Guidelines.

(iii) Describe the lead hazard control methods you will undertake and the number of units you will treat for each method selected (interim controls, hazard abatement, and complete abatement). Provide an estimate of the per unit costs (and a basis for those estimates) for each lead hazard control method proposed and a schedule for initiating and completing lead hazard control work in the selected units. Discuss efforts to incorporate cost-effective lead hazard control methods. If you propose complete abatement, provide HUD with a detailed rationale for that decision.

(iv) Describe how you will integrate proposed lead hazard control activities with rehabilitation activities.

(v) Describe your contracting process, including development of specifications for selected lead hazard control methods. Describe the management processes you will use to ensure the cost-effectiveness of your lead hazard control methods. Your application must include a discussion of the contracting process for the conduct of lead hazard control activities in the selected units.

(vi) Describe your plan for occupant protection or the temporary relocation of occupants of units selected for lead hazard control work. This discussion should address your use of safe houses and other housing arrangements, storage of household goods, stipends, incentives, etc.

(vii) If you are an existing grantee, you must describe the actions you will take to ensure that your proposed lead hazard control work will occur concurrently with other ongoing HUD lead hazard control grant work. Your application must provide the detail necessary to assure HUD that you will implement the proposed work immediately and perform it concurrently with existing lead hazard control grant work.

(viii) If you are an existing grantee, you must describe your progress in implementing your most recent lead hazard control grant award. If the production achieved is below the performance values (percentages of units completed) provided in the application kit, and no changes are proposed, you should explain why the strategy in the earlier grant remains appropriate.

(2) *Economic Opportunity* (5 points for all applicants)

Describe the methods to be used to provide economic opportunities for residents and businesses in the community. This discussion should include information on how you will promote training, employment, business development, and contract

opportunities as part of your lead hazard control program. Describe how you will accomplish 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.

(3) *Program Evaluation, Data Collection, and Research* (5 points for all applicants).

Identify and discuss the specific methods and measures you will use (in addition to HUD reporting or data collection forms) to measure progress, evaluate program effectiveness, and make program changes to improve performance. Describe how you will obtain, document and report the information. Describe your plans to develop and maintain 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. In addition, provide a detailed description of any proposed applied research activities.

(4) *Budget* (not scored) HUD will evaluate your proposed budget (for 36 month period) to determine if 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. You may devote up to 36 months for the planning, implementation, and completion of lead hazard control activities. You must thoroughly document and justify all budget categories and costs (Part B of Standard Form 424A) and all major tasks. Describe in detail the budgeted costs for each program element (major task) included in the overall plan (the program elements are: administration; program management; marketing, community awareness, education and outreach; lead hazard control (including testing); relocation; program evaluation (including data collection); and applied research).

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to obtain other community resources (financing is a community resource) that can be combined with HUD's program resources to achieve program objectives.

(1) In evaluating this factor, HUD will consider the extent to which you have established working partnerships with other entities to get additional resources or commitments to increase the effectiveness of the proposed program activities. Resources may include cash or in-kind contributions (such as services or equipment) allocated to the proposed program. Resources may be provided by governmental entities, public or private organizations, or other entities partnering with you. Partnership relationships with community-based organizations are a requirement for State and local government applicants. State applicants which do not have such partnerships at the time of application will be required to establish partnership relationships between the state and/or local subgrantees and community-based organizations immediately following grant award (this requirement does not apply to you if you are an Indian Tribe applicant). You also may partner with other program funding recipients to coordinate the use of resources in your target area.

(2) You may not include funding from any Federally funded program (except the CDBG program) as part of your 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 funds from other Federally funded programs. You must support each source of contributions, cash or in-kind, both for the required minimum and additional amounts, by a letter of commitment from the contributing entity, whether a public or private source. This letter must describe the contributed resources that you will use in the program. Staff in-kind contributions should be given a monetary value. If you do not provide letters specifying details and the amount of the actual contributions, those contributions will not being counted.

(3) You must provide evidence of leveraging or partnerships by including letters of firm commitment, memoranda of understanding, or agreements to participate from those entities identified as partners in your application. Each letter of commitment, memorandum of understanding, or agreement to participate should include the organization's name, the proposed level of commitment and responsibilities as they relate to your proposed program. The commitment must be signed by an official of the organization legally able to make commitments on behalf of the organization. Describe the role of community-based organizations in specific program activities, such as hazard evaluation and control; monitoring; and awareness, education, and outreach within the community.

Rating Factor 5: Comprehensiveness and Coordination (10 Points).

This factor addresses the extent to which your program reflects a coordinated, community-based process of identifying needs and building a system to address the needs by using available HUD and other community resources. In evaluating this factor, HUD will consider how you have:

(1) Coordinated your proposed activities with those of other groups or organizations to best support and coordinate all known activities and, the specific steps you will take to share information on solutions and outcomes with others. Any written agreements or memoranda of understanding in place or proposed should be described.

(2) Become actively involved (or if not currently active, the specific steps it will take to become active) in your community's Consolidated Planning process established to identify and address a need/problem that is related in whole, or part, directly, or indirectly to the activities you propose.

(3) Developed linkages, or the specific steps you will take to develop linkages with other activities, programs or projects through meetings, information networks, planning processes or other mechanisms to coordinate your activities so solutions are comprehensive, including linkages 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.

(4) Coordinated and integrated lead hazard control work with housing rehabilitation, housing and health codes, other related housing programs, or including work of community development corporations and childhood lead poisoning prevention programs.

(a) Described the degree to which lead hazard control work will be done in conjunction with other housing-related activities (i.e., rehabilitation, weatherization, correction of code violations, and other similar work), and your plan for the integration and coordination of lead hazard control activities into those activities.

(b) Described plans to incorporate lead-based paint maintenance, essential maintenance practices, and hazard control standards with the applicable housing codes and health regulations.

(c) Described plans to generate and use public subsidies or other resources (such as revolving loan funds) to finance future lead hazard control activities.

(d) Described plans to develop public-private lending partnerships to finance lead hazard control as part of acquisition and rehabilitation financing

including the use of Community Reinvestment Act ''credits'' by lending institutions.

(e) Evidenced firm commitments from participating organizations by describing:

(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.

(f) Described plans to implement a registry of lead-safe housing.

(g) Detailed the extent to which the policy of affirmatively furthering fair housing for all segments of the population is advanced by the proposed activities. Detail how your proposed work plan will support the community's efforts to further housing choices for all segments of the population. If you have an existing grant, you should discuss activities which have contributed to enhanced lead safe housing opportunities to all segments of the population.

(h) Described plans to adapt or amend statutes, regulations, or policies which will more fully integrate lead hazard control into community policies and priorities.

(5) Coordinated and cooperated with other organizations which will lead to a reduction in lead risks to community residents. This could include such activities as free training on lead-safe repainting and remodeling; promotion of essential maintenance practices; and provision of lead dust testing to low-income, privately-owned homes which may not receive lead hazard control assistance under this grant program.

VI. Application Submission Requirements

(A) Applicant Information

(1) *Application Format*

The application narrative response to the Rating Factors is limited to a maximum of 25 pages. Your response 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 certifications and assurances listed in the General Section of the SuperNOFA, you must submit the following:

(a) Transmittal Letter that identifies ''the applicant'' (or applicants) submitting the application, the dollar amount requested, what the program funds are requested for, and the nature of involvement with community-based organizations.

(b) The name, mailing address, telephone number, and principal contact person of ''the applicant.'' If you have consortium associates, sub-grantees, partners, major subcontractors, joint venture participants, or others contributing resources to your project, you must provide similar information for each of these partners.

(c) Lead-Based Paint Contractor Certification and Accreditation Program

(i) If you are a State or Indian Tribe, the EPA authorization of the state program (Section 402 and 404 of TSCA) must be included.

(ii) If you are a local government in States which do not have an EPA authorized lead-based paint contractor certification program, you must provide assurances that you will use only performers certified under EPA-authorized state programs in conducting lead hazard control work.

(d) A detailed budget with supporting cost justifications for all budget categories of your grant request. You must provide a separate estimate for the overall grant management element (Administrative Costs), which is more fully defined in the application kit for this 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. In the event of a discrepancy between grant amounts requested in various sections of the application, the amount you indicate on the SF–424 will govern as the correct value.

(e) An itemized breakout (using the SF–424A) of your 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.

(f) 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.

(g) A copy of your approval notification for the current program year for your jurisdiction's Consolidated Plan. You also should include a copy of the lead hazard control element included in your current program year's Consolidated Plan.

(h) Narrative responses to the five rating factors.

(B) Proposed Activities

All applications must, at a minimum, contain the following items:

(1) A description of the affected housing and population you will serve.

(a) Describe the size and general characteristics of the target housing within the 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. You should provide other characteristics described in Rating Factor 2 (Need). If you are targeting specific area(s) (neighborhoods, census tracts, etc.) within your jurisdiction for lead hazard control activities, describe these same characteristics for the area. You should also include vacant housing that subsequently will be occupied by low-income renters or owners in this description. You may include maps as an appendix.

(b) Provide information on the magnitude and extent of the childhood lead poisoning problem within your jurisdiction and for any area(s) you will include in your lead hazard control program.

(c) Narrative statement addressing the rating factors for award of funding under this program section of the SuperNOFA. Your narrative statement must be numbered in accordance with each factor for award (Factor 1 through 5).

VII. Corrections to Deficient Applications

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

VIII. Environmental Requirements

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 NOFA will be given guidance in these responsibilities.

IX. 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).

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

RESEARCH TO IMPROVE EVALUATION AND CONTROL OF RESIDENTIAL LEAD-BASED PAINT HAZARDS

BILLING CODE 4210–32–C

Notice of Funding Availability for Research to Improve the Evaluation and Control of Residential Lead-Based Paint Hazards

Program Overview

Purpose of the Program. To fund research to improve methods for detecting and controlling residential lead-based paint hazards.

Available Funds. Approximately $2.5 million.

Eligible Applicants. Academic and not-for-profit institutions located in the U.S., and State and local governments. For-profit firms also are eligible; however, they are not allowed to earn a fee (i.e., no profit can be made from the project).

Application Deadline. May 26, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit an original and four copies of your completed application on or before 12:00 midnight Eastern time on May 26, 1999.

See the General Section of this SuperNOFA for specific procedures that you must follow for the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications. For Mailed Applications. The address for mailed applications is: Department of Housing and Urban Development, 451 7th Street, S.W., Room P3206, Washington, D.C. 20410.

For Overnight/Express Mail or Hand Carried Applications. The address for overnight/express mail or hand carried applications is: HUD Office of Lead Hazard Control, 490 L'Enfant Plaza, SW, Suite 3206, Washington, DC 20024.

For Application Kits. You may obtain an application kit from the SuperNOFA Information Center at 1–800–HUD–8929, or the TTY number at1–800–483–2209. When requesting an application kit, please refer to the Lead Hazard Control Research grant program. Please be sure to provide your name, address (including zip code), and telephone number (including area code).

For Further Information and Technical Assistance. For further information, you may contact: Dr. Peter Ashley, Office of Lead Hazard Control, at the address above; telephone (202) 755–1785, extension 115, or Ms. Karen Williams, Grants Officer, extension 118 (these are not toll-free numbers). Hearing- and speech-impaired persons may access the above telephone number via TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8339.

II. Amount Allocated

Approximately $2.5 million will be available to fund research proposals in FY 1999. Grants or cooperative agreements will be awarded on a competitive basis according to the Rating Factors described in section V(B). HUD anticipates that individual awards will range from approximately $250,000 to approximately $1,000,000.

III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

Background. HUD has been actively engaged in a number of activities relating to lead-based paint as a result of the Lead-Based Paint Poisoning Prevention Act (LBPPPA) of 1971, as amended, 42 U.S.C. 4801–4846. Sections 1051 and 1052 of the Lead Based Paint Hazard Reduction Act of 1992 (''Title X'') (42 U.S.C. 4854 and 4854a) state that the Secretary of HUD, in cooperation with other Federal agencies, shall conduct research on specific topics related to the evaluation and subsequent mitigation of residential lead hazards. This research program also implements, in part, HUD's Departmental Strategy for Achieving Environmental Justice pursuant to Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

The HUD-sponsored research also responds to recommendations that were made by the Task Force on Lead-Based Paint Hazard Reduction and Financing, which was established pursuant to section 1015 of Title X. The Task Force presented its final report to HUD and the Environmental Protection Agency (EPA) in July 1995. The Task Force Report, entitled ''Putting the Pieces Together: Controlling Lead Hazards in the Nation's Housing'' (see Appendix A of this program section of the SuperNOFA), recommended research be conducted on a number of key topics to address significant gaps in our knowledge of lead exposure and hazard control. Research findings will be used in part to update HUD's *Guidelines for the Evaluation and Control of Lead-Based Paint in Housing* (''*Guidelines*''), which were published in June, 1995 (see Appendix A of this program section of the SuperNOFA). The *Guidelines* are a report on state-of-the-art procedures for all aspects of lead-based paint hazard evaluation and control. The *Guidelines* reflect the Title X framework for lead hazard control, which distinguishes three types of control measures: interim controls, abatement of lead-based paint hazards, and complete abatement of all lead-based paint. Interim controls are designed to address hazards quickly, inexpensively, and temporarily, while abatement is intended to produce a permanent solution. While the *Guidelines* recommend procedures that are effective in identifying and controlling lead hazards while protecting the health of abatement workers and occupants, HUD recognizes that targeted research and field experience will result in future changes to the *Guidelines*.

(B) Eligible Applicants

Academic and not-for-profit institutions located in the U.S., and State and local governments are eligible under all existing authorizations. Nonprofit institutions must submit proof of their nonprofit status. For-profit firms also are eligible; however, they are not allowed to earn a fee (i.e., no profit can be made from the project). Federal agencies and Federal employees are not eligible to submit applications. The General Section of the SuperNOFA provides additional eligibility requirements.

(C) Eligible Activities

(1) *General Goals and Objectives.* The overall goal of this research is to gain knowledge to improve the efficacy and cost-effectiveness of methods for lead-based paint hazard evaluation and control. Specific research topics for which applications are being solicited include:

(a) Treatment of lead-contaminated residential soils;

(b) Efficacy of the current guidance on conducting risk assessments of multifamily housing; and,

(c) Other areas of research that are consistent with the overall goals of this program section of the SuperNOFA.

Research objectives for the specific research topics listed above are provided separately in the expanded discussion of these topic areas that follows in Section III(C)(2). Although HUD is soliciting proposals for research on these specific topics, the Department will also consider funding applications for research on topics which are relevant under the overall goals and objectives of this research, as described above. In such instances, the applicant

should describe how the proposed research activity addresses these overall goals and objectives.

(2) *Background and Objectives for Specific Research Topic Areas.*

(a) *Treatment of Lead-Contaminated Soils.*

(i) *General.* Soils can become lead contaminated as a result of the shedding of leaded paint from the exterior of structures and by the deposition of airborne particulate lead. Before the removal of lead from gasoline, vehicular emissions were a significant source of airborne lead, especially in urban areas. Children can be exposed to lead in soil and exterior dust through direct contact and incidental ingestion, and indirectly as a result of soil or dust being tracked or blown into the home and becoming incorporated into house dust. The degree to which soil-lead is a hazard depends upon the potential for contact and the lead concentration of the soil.

The HUD *Guidelines* (Chapter 5) indicate that bare soils should be considered hazardous if they exceed 400 ppm Pb in ''high contact'' areas (e.g., play areas) and if they exceed 2,000 ppm Pb in other areas of the yard. The *Guidelines* further indicate that outside of high contact areas, hazard control measures are not required unless the surface area for bare soils exceeds 9 ft^2. Requirements for soil-lead hazard assessment and controls in HUD's proposed rule implementing sections 1012 and 1013 of Title X (evaluation and control of lead hazards in federally assisted housing) are generally consistent with the HUD *Guidelines*. The *Guidelines* are also generally consistent with interim guidance for lead in soil published by the U.S. EPA (Guidance on the Identification of Lead-Based Paint Hazards, 60 FR 47247; September 11, 1995).

The EPA has also recently proposed soil-lead standards, as required by section 403 of the Toxic Substances Control Act (TSCA) (63 FR 30302–55; June 3, 1998). Soil-lead hazards can be mitigated using approaches that can be described as either interim controls or long term abatement measures (i.e., interventions that remain effective for at least 20 years). Interim controls include various means of covering bare soil, such as with grass, gravel, or mulch. Land use controls can also be employed and include measures such as fencing and changing the location of play equipment. Interim controls are generally low cost and relatively easy to employ; however, they require periodic monitoring to ensure that they remain effective.

Current HUD guidance calls for residential soils to be abated if soil-lead levels exceed 5,000 ppm. Soil abatement includes such measures as covering soil with impervious materials like concrete or asphalt, or removing contaminated soils for off-site disposal. Another, more experimental approach, includes removing soil for on-site treatment that removes lead, followed by replacing the ''cleaned'' soil. Because of the high cost of soil abatement methods, in conjunction with other barriers to their implementation (e.g., disposing of lead-contaminated soils), these methods are currently impractical for widespread adoption.

Other approaches to reducing soil-lead hazards cannot be readily characterized as either interim controls or soil abatement. An example, which has not been evaluated scientifically, is tilling the soil to reduce the lead concentration at the soil surface. Another example is the untested concept of treating soil with a substance (e.g., ground phosphate rock) that would be expected to reduce the biological availability (i.e., the degree to which the lead is absorbed into the bloodstream following ingestion) of the soil-lead to humans.

Relatively little research has been reported on the effectiveness of residential soil treatments in reducing children's lead exposures. Some studies have reported significant reductions in the blood-lead levels of children following the implementation of interim soil hazard reduction measures in conjunction with other lead hazard control measures performed on dwelling interiors. However, this type of study design makes it difficult to parse out the effect of the soil hazard controls in reducing lead exposure.

The EPA-funded ''Three City Study'' assessed the impact of residential or neighborhood soil and dust abatement on children's blood lead levels (USEPA 1996). A small decline in the mean blood lead of children was observed following soil abatement at one of the three study sites.

The major goals of this research are to improve methods for assessing potential risks from soil-lead exposure, to determine the effectiveness of various interim control methods of reducing residential soil-lead hazards, and to identify novel, cost-effective approaches to reducing or eliminating residential soil-lead hazards.

(ii) *Specific Research Objectives.* Specific research objectives include the following:

(*1*) Assess the effectiveness of selected interim control methods at reducing or eliminating residential soil-lead hazards;

(*2*) Develop and assess novel, cost-effective methods for reducing or eliminating residential soil-lead hazards;

(*3*) Assess the adequacy of the current EPA (1994 interim guidelines and 1998 proposed rule) and HUD *Guidelines* for identifying residential soil-lead hazards (e.g., area of bare soil for a hazardous condition, soil sampling guidelines); and

(*4*) Improve knowledge regarding the relative importance of exterior dust and soil as lead exposure sources for children in various residential environments.

(b) *Lead Hazard Risk Assessment of Multifamily Housing.*

(i) *General.* For the purpose of assessing residential housing for lead-based paint hazards, Title X defines a lead-based paint hazard risk assessment as an on-site investigation of a dwelling for the purpose of identifying any lead-based paint hazards. Risk assessments include, but are not limited to, a visual assessment and limited environmental sampling, and creation of a written report with results and recommendations. It is also suggested that a risk assessor, to the extent feasible, conduct an investigation of the history and management of a dwelling and the age of the residents. Chapter 5 of the HUD *Guidelines* provides guidance on conducting risk assessments in single and multifamily housing, and addresses painted surfaces, dust, and soil. The described approaches for conducting lead hazard risk assessments in multifamily housing include methods that are based on: (a) targeted, worst case, and random sampling of housing units and common areas when assessing painted surfaces and/or dust for lead-based paint hazards, and (b) sampling of selected locations of building properties when assessing soil for lead hazards. These aspects of risk assessment are addressed by the *Guidelines* as follows:

Painted surfaces and dust

Targeted sampling involves the selection of housing units and common areas deemed most likely to contain lead-based paint hazards. These units and common areas are identified primarily through information that is supplied by the owner (i.e., verbally and/or through written records). Examples of criteria for selecting units to be sampled include condition (e.g., select if ''poor''), the presence of children under age 6, and recent preparation for reoccupancy. One limitation of condition-based targeting is that most owners have little knowledge of lead risk assessment, and

may unintentionally fail to identify the units most likely to have LBP hazards; another arises from the potential conflict of interest of a risk assessor's reliance on the owner's characterization of the units and common areas. The *Guidelines* also provide a minimum number of units to be sampled in conducting risk assessments of similar multifamily units in developments of various sizes. The values provided were in part derived from a public housing risk assessment/insurance program.

The other approaches discussed in the *Guidelines* for choosing units to be assessed, worst case and random sampling, are suggested for use when there is not adequate information on which to select a target sample. They would be more costly than the targeted approach in most cases. The worst-case sampling approach requires an initial visual inspection of all units and common areas with subsequent selection of those in poorest condition, while the random sampling method requires the random selection of a statistically based sample, as is required for conducting lead-based paint inspections. The statistically based random sample generally requires the selection of many more units than targeted sampling.

A focused research effort is needed to assess the adequacy of the current HUD guidance for conducting risk assessments of multifamily developments. Research efforts could include the analysis of existing data from past risk assessments of multifamily developments (e.g., public housing) and/or the generation and analysis of new data generated from the assessment of a limited number of multifamily developments. As part of an evaluation of multifamily risk assessment guidance, consideration should be given as to how an assessor should characterize the results of a multifamily risk assessment in a manner that would maximize its utility to the client. If no lead hazards are identified, or if a clear pattern in the occurrence of lead hazards emerges, the reporting of results is straightforward. Other findings, however, such as the situation in which some lead hazards are detected with no apparent pattern of occurrence, are more difficult to characterize.

Soil

Chapter 5 of the HUD Guidelines recommends that bare soils be sampled during a risk assessment of multifamily housing; however, no additional guidance specific to multifamily housing is provided. The general guidance for soil sampling is to collect a minimum of two composite samples per building, with one sample collected from the children's play area and the other sample collected from the front or back yard and/or an additional sample from the foundation drip line. It would be useful to expand this guidance to cover a wider range of conditions, such as large-area properties with a few high-occupancy buildings and multiple areas of bare soil, or small properties for which play areas may not be distinct from other areas. Improving the clarity of identification and characterization of play areas would also improve the existing guidance. Another question relates to the possible sampling of exterior dust. Should exterior dust be sampled, and if so, using what protocol, and how should results be interpreted?

(ii) *Specific Research Objectives.* The major objective is to assess the utility of the current HUD guidance on conducting lead-based paint hazard risk assessments in multifamily developments and to identify changes that could be made to improve this guidance. Specific research objectives include:

(*1*) Assess the utility of a ''targeted sampling'' approach in identifying lead hazards in multifamily housing in contrast to other approaches (e.g., random sampling).

(*2*) Evaluate the current guidance on the minimum number of units to be assessed in targeted risk assessments of multifamily housing.

(*3*) Develop guidance to risk assessors on cost effective methods of determining the location of hazards in unsampled units when the pattern of hazard occurrence is uncertain based on sampled units.

(*4*) Improve the guidance for conducting soil sampling in conjunction with risk assessments for a wide variety of multifamily housing.

(c) *Other Relevant Research.* HUD will also consider funding applications for research on topics which, although not specifically identified in this program section of the SuperNOFA, are relevant under the overall objective of improving the efficacy and cost-effectiveness of methods for the evaluation and control of lead-based paint hazards. All applications must comply with all requirements of this program section of the SuperNOFA.

Other research topics that are of interest to HUD include, but are not limited to:

(i) Assessment of the level of worker protection required for typical lead hazard abatement and control activities (i.e., as determined by personal exposure monitoring) with respect to evaluations of the type of work, properties of the work surfaces, training and experience of workers and supervisors, etc.

(ii) The degree to which it is necessary to follow the approach recommended in the HUD *Guidelines* (Chapter 14) for clean-up (e.g., washing walls and ceilings, use of a HEPA vacuum and high phosphate detergents) following the completion of various lead hazard control interventions.

IV. Program Requirements.

The threshold requirements are listed in Section II.B of the General Section of this SuperNOFA.

V. Application Selection Process

(A) Submitting Applications for Grants

Your application must conform to the formatting guidelines specified in the application kit. This program section of the SuperNOFA specifies the sections to be included in the application and the application kit provides related formatting and content guidelines.

Applications that meet all of the threshold requirements will be eligible to be scored and ranked, based on the total number of points allocated for each of the rating factors described below in section V(B). Your application must receive a total score of at least 65 points to remain in consideration for funding.

HUD intends to make awards to qualifying applications in the following order:

STEP 1 An award will be made to the highest ranked application in each of the three topic areas (including the ''other'' area) listed at sections III(C)(1)(a) through (c) of this program section of the SuperNOFA, within the limits of funding availability. If there are insufficient funds to award in all topic areas, HUD will make awards in topics (a) through (c) in rank order;

STEP 2 If funding remains available, an award will be made to the second highest ranked application in each of the three topic areas listed at sections III.(C)(1)(a) through (c), within the limits of funding availability.

STEP 3 If funding remains available, awards will be made in rank order regardless of topic area.

You may address more than one of the research topic areas within your proposal; however, each topic area will be rated and ranked separately. Separate budgets should also be included for each of the topic areas, with the total cost not to exceed the total amount to be awarded. Projects need not address all of the objectives within a given topic area. While you will not be penalized for not addressing all of the specific objectives for a given topic area, if two applications for research in a given

topic have equal scores, HUD will select the applicant whose project addresses the most objectives.

You are encouraged to plan projects that can be completed over a relatively short time period (e.g., 12 to 24 months from the date of award) so that any useful information that is generated from the research can be available for policy or program decisions and be disseminated to the public as quickly as possible.

(B) *Rating Factors.* 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 maximum includes two EZ/EC bonus points as described in the General Section of the SuperNOFA. Also, Section III(C)(2) of the General Section, which addresses a court-ordered consideration, is applicable to this program. The application kit contains additional guidance for responding to these factors.

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

This factor addresses the extent to which you have the ability and organizational resources necessary to successfully implement the proposed activities in a timely manner. The rating of you, the ''applicant,'' will include any sub-grantees, consultants, sub-recipients, and members of consortia which are firmly committed to the project (generally, ''subordinate organizations''). In rating this factor HUD will consider the extent to which your application demonstrates:

(1) *The capability and qualifications of the principal investigator and key personnel* (10 points). Qualifications to carry out the proposed study as evidenced by academic background, relevant publications, and recent (within the past 10 years) relevant research experience. Publications and research experience are considered relevant if they required the acquisition and use of knowledge and skills that can be applied in the planning and execution of the research that is proposed under this program section of the SuperNOFA.

(2) *Past performance of the research team in managing similar research* (10 points). Demonstrated ability to successfully manage the various aspects of a complex research study in such areas as logistics, research personnel management, data management, quality control, community research involvement (if applicable), and report writing, as well as overall success in project completion (i.e., research completed on time and within budget). You should also demonstrate that the project would have adequate administrative support, including clerical and specialized support in areas such as accounting and equipment maintenance.

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

(1) You must demonstrate responsiveness to solicitation objectives. You should explain in detail the likelihood that the research would make a significant contribution towards achieving some or all of HUD's stated goals and objectives for one or more of the topic areas described in sections III(C)(2)(a)-(c) of this program section of the SuperNOFA. You also should explain how the proposed research could lead to improvements or additions to the HUD Guidelines.

(b) If you are seeking funding for ''other'' research, as is described in section III(C)(2)(c), you must provide an explanation which demonstrates the importance and need for the research with respect to addressing the overall goal of this program section of the SuperNOFA (see section III(C)(1)).

Rating Factor 3: Soundness of Approach (45 Points)

This factor addresses the quality of your proposed research plan. Specific components include the following:

(1) *Soundness of the study design* (25 points). The study design must be thorough and feasible, and reflect your knowledge of the relevant scientific literature. You should include a plan for analyzing and archiving data.

(2) *Project management plan* (10 points). The proposal should include a management plan that provides a schedule for the completion of major tasks and deliverables, with an indication that there will be adequate resources (e.g., personnel, financial) to successfully meet the proposed schedule. Projects with a duration of 24 months or less will be awarded more points in this category than projects with a longer duration.

(3) *Quality assurance mechanisms* (5 points). You must describe the quality assurance mechanisms which will be integrated into your research design to ensure the validity and quality of the results. Areas to be addressed include acceptance criteria for data quality, procedures for selection of samples/sample sites, sample handling, measurement and analysis, and any standard/nonstandard quality assurance/control procedures to be followed. Documents (e.g., government reports, peer-reviewed academic literature) which provide the basis for the quality assurance mechanisms should be cited.

(4) *Budget Proposal* (5 Points). The budget proposal should be thorough in the estimation of all applicable direct and indirect costs, and should be presented in a clear and coherent format in accordance with the requirements listed in the General Section of this SuperNOFA.

Rating Factor 4: Leveraging Resources (10 Points)

The extent to which you can demonstrate that the effectiveness of the HUD research grant funds is being increased by securing other public and/or private resources or by structuring the research in a cost-effective manner, such as integrating the project into an existing research effort. Resources may include funding or in-kind contributions (such as services, facilities or equipment) allocated to the purpose(s) of the research. Staff and in-kind contributions should be given a monetary value.

You 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)

You should describe how the results of your proposed research efforts will support planning, policy development, implementation of lead hazard control programs, and/or public education in the area of residential lead hazard control.

VII. Application Submission Requirements

(A) Applicant Data

Applications should be submitted in accordance with the format and instructions contained in this program section of the SuperNOFA. The following are required elements of the application (the application kit provides all necessary details and information):

(1) Transmittal Letter that identifies what the program funds are requested

for, the dollar amount requested, and the applicant or applicants submitting the application.

(2) 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 entities.

(3) Completed Forms HUD–2880, Applicant/Recipient Disclosure/Update Report; Certification Regarding Lobbying; and SF–LLL, Disclosure of Lobbying Activities, where applicable.

(4) Standard Forms SF–424, 424A, 424B, and other certifications and assurances listed in the General Section of the SuperNOFA and in section VII(B) of this program section of the SuperNOFA.

(5) A detailed total budget with supporting cost justification for all budget categories of the Federal grant request.

(6) A one-page abstract containing the following information: The project title, the names and affiliations of all investigators, and a summary of the objectives, expected results, and study design described in the proposal.

(7) A project description that does not exceed 25 pages for each research topic area.

(8) Any important attachments, appendices, references, or other relevant information may accompany the project description, but must not exceed fifteen (15) pages for the entire application.

(9) A narrative statement addressing the rating factors for award of funding under this program section of the SuperNOFA. The narrative statement must be numbered in accordance with each factor for award (Factor 1 through 5). The response to the rating factors should not exceed a total of 20 pages for each research topic area. (See application kit for format and required elements.)

(10) The résumés of the principal investigator and other key personnel. Resumes shall not exceed three pages, and are limited to information that is relevant in assessing the qualifications of key personnel to conduct and/or manage the proposed research.

(11) Copy of State Clearing House Approval Notification (see application kit to determine if applicable).

(B) *Certifications and Assurances.* The following certifications and assurances are to be included in all applications:

(1) Compliance with all relevant State and Federal regulations regarding exposure to and proper disposal of hazardous materials.

(2) Assurance that the financial management system meets the standards for fund control and accountability (24 CFR 84.21 or 24 CFR 85.20, as applicable);

(3) Assurance, to the extent possible and applicable, that any blood lead testing, blood lead level test results, and medical referral and follow-up for children under six years of age will be conducted according to the recommendations of the Centers for Disease Control and Prevention (CDC) (*Preventing Lead Poisoning in Young Children,* See Appendix A of this program section of the SuperNOFA);

(4) Assurance that HUD research grant funds will not replace existing resources dedicated to any ongoing project; and

(5) Certification of compliance with the Drug-Free Workplace Act of 1988 in accordance with the requirements set forth at 24 CFR part 24.

(6) Assurance that laboratory analysis covered by the National Lead Laboratory Accreditation Program (NLLAP) is conducted by a laboratory recognized under the program.

(7) Assurance that human research subjects will be protected from research risks in conformance with the Common Rule (Federal Policy for the Protection of Human Subjects, codified by HUD at 24 CFR part 60).

VIII. Corrections to Deficient Applications

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

IX. Environmental Requirements

In accordance with 24 CFR 50.19(b)(1) and (5) of the HUD regulations, activities assisted under this program are categorically excluded from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and are not subject to environmental review under the related laws and authorities.

X. Authority

These grants are authorized under sections 1051 and 1052 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, which is Title X of the Housing and Community Development Act of 1992.

Appendix A—Relevant Publications and Guidelines

To secure any of the documents listed, call the listed telephone number (generally, the telephone numbers are not toll-free).

Regulations

1. Worker Protection: OSHA publication—Telephone: 202–693–1888 (OSHA Regulations) (available for a charge)—Government Printing Office—Telephone: 202–512–1800 (not a toll-free number):

—General Industry Lead Standard, 29 CFR 1910.1025; (Document Number 869022001124)

—Lead Exposure in Construction, 29 CFR 1926.62, and appendices A, B, C, and D; (Document Number 869022001141)

2. Waste Disposal: 40 CFR parts 260–268 (EPA regulations) (available for a charge)—Telephone 1–800–424–9346, or, from the Washington, DC, metropolitan area, 1–703–412–9810 (not a toll-free number).

3. Lead; Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; Final Rule: 40 CFR Part 745, Subparts L and Q (EPA) (State Certification and Accreditation Program for those engaged in lead-based paint activities)—Telephone: 1–202–554–1404 (Toxic Substances Control Act Hotline) (not a toll-free number).

4. Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Proposed Rule: 24 CFR Parts 35, 36 and 37 (HUD)—Telephone: 1–202–755–1785 (Office of Lead Hazard Control) (not a toll-free number).

5. U.S. Environmental Protection Agency. Lead; Identification of Dangerous Levels of Lead; Proposed Rule. **Federal Register**: 63 FR 30302–30355, June 3, 1998. TSCA Hotline: 202–554–1404 (not a toll-free number).

Guidelines

1. Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing; HUD, June 1995 (available for a charge)—Telephone: 800–245–2691:

2. Preventing Lead Poisoning in Young Children; Centers for Disease Control, October 1991: Telephone: 888–232–6789.

3. Screening Young Children for Lead Poisoning: Guidance for State and Local Public Health Officials, November 1997; Centers for Disease Control and Prevention (CDC): Telephone: 888–232–6789.

Reports

1. Putting the Pieces Together: Controlling Lead Hazards in the Nation's Housing, (Summary and Full Report); HUD, July 1995 (available for a charge)—Telephone 800–245–2691.

2. Comprehensive and Workable Plan for the Abatement of Lead-Based Paint in Privately Owned Housing: Report to Congress; HUD, December 7, 1990 (available for a charge)—Telephone 800–245–2691.

3. A Field Test of Lead-Based Paint Testing Technologies: Summary Report (Summary also available); U.S. Environmental Protection Agency, May 1995. EPA 747–R–95–002a (available at no charge)—Telephone 800–424–5323.

4. Urban Soil Lead Abatement Demonstration Project. EPA Integrated Report, U.S. Environmental Protection Agency, April, 1996. EPA/600/P–93–001AF (available from National Technical Information Service (NTIS) for a charge)—Telephone 800–553–6847.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MOLD AND MOISTURE CONTROL IN INNER CITY HOUSING

BILLING CODE 4210–32–C

Funding Availability for Interventions to Control Mold and Moisture Problems in Inner-City Housing

Program Overview

Purpose of the Program. The purpose of the program is to assist State and local governments in undertaking demonstration projects of preventive measures to correct mold and moisture problems in inner-city housing occupied by families with young children in communities where exposure to toxigenic molds has been linked to cases of acute pulmonary hemorrhage and death in infants.

Available Funds. Approximately $4.0 million.

Eligible Applicants. State or local governments.

Application Deadline. May 26, 1999.

Match. None.

Additional Information

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit an original and four copies of your completed application on or before 12:00 midnight Eastern Time on May 26, 1999.

The General Section of the SuperNOFA provides additional information regarding the delivery methods for the applications.

Address for Submitting Applications. For Mailed Applications. The address for mailed applications is: Department of Housing and Urban Development, 451 Seventh Street, SW, Room P3206, Washington, D.C. 20410.

For Overnight/Express Mail or Hand Carried Applications. The address for applications that are hand carried or sent via overnight delivery is : HUD Office of Lead Hazard Control, Suite 3206, 490 L'Enfant Plaza SW, Washington, D.C. 20024.

For Application Kits. You may obtain an application kit from the SuperNOFA Information Center at 1–800–HUD–8929, or the TTY number at 1–800–483–2209. When requesting an application kit, please refer to ''Interventions to Control Mold and Moisture.'' Please be sure to provide your name, address (including zip code), and telephone number (including area code). Alternatively, you may obtain an application kit by downloading it from the internet at *http://www.hud.gov*.

For Further Information Contact. Dr. Peter Ashley, Planning and Standards Division, Office of Lead Hazard Control, at the address above; telephone (202) 755–1785, extension 115, or Ms. Karen Williams, Grants Officer, extension 118 (these are not toll-free numbers). 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.

II. Amount Allocated

Approximately $4.0 million will be available to fund demonstration projects in FY 1999. Grants will be awarded on a competitive basis following evaluation of all proposals according to the Rating Factors described in section V(B). HUD anticipates that approximately 1 to 3 grants will be awarded, ranging from approximately $1,500,000 to approximately $4,000,000.

III. Program Description, Eligible Applicants, and Eligible Activities

(A) Program Description

(1) *Background.* (a) Molds (filamentous fungi) can grow on and within various substrates within a home following water intrusion as a result of events such as flooding and plumbing and roof leaks. Of particular concern is the growth of molds that are capable of forming toxic substances (i.e., toxigenic molds). Exposure to molds and their toxic byproducts can be hazardous to humans through direct contact with the skin, ingesting mold-contaminated foods, or by inhaling mold particles. Such exposures have been associated with a variety of symptoms, including rashes, fever, headache, upper respiratory infection, asthma, chronic fatigue, and in severe cases, death (Croft et al. 1986, Johanning et al. 1996).

One of the most hazardous of the toxigenic molds is *Stachybotrys chartarum*. *Stachybotrys* is a greenish-black mold that grows on water-soaked, cellulose-containing materials such as wood paneling, ceiling tiles, paper products, and some types of insulation. An association was found between the presence of this mold in water-damaged homes in a large, midwestern city, and the occurrence of acute pulmonary hemorrhage in infants, leading to death in some cases (Etzel et al. 1998; MMWR 1994, 1997). Air sampling conducted in the homes of the disease cases also identified considerably higher concentrations of other varieties of mold in the homes of victims as compared to control homes. The cases were found to be geographically clustered in an area of the city with housing that is old and often times inadequately maintained, with evidence of water damage and chronic moisture problems. A cluster of cases of acute infant pulmonary hemorrhage was also reported in another U.S. city; however, no epidemiological study of potential causative environmental agents has been published (MMWR 1995).

Inspection of homes for mold problems can include visual survey for mold and water damage, bulk and surface sampling of contaminated materials, and air monitoring. Mold is especially serious when substantial amounts are found to occur in air ducts that are part of the home heating system. Heating ducts provide a means for the wide distribution of mold particulates throughout the house. To be effective, any remediation strategy must include elimination of moisture intrusion into the home. Because water damage and mold growth are most likely to occur in older housing, as has been reported, it is likely that the affected dwellings also contain lead-based paint which could be in a deteriorated condition. Therefore, any remediation strategy for mold growth should include the identification and control of lead-based paint hazards. Remediation workers must be trained to work safely in mold-contaminated environments as well as in safe methods for lead hazard control. Precautions also must be taken to adequately protect occupants during interventions.

(b) References. See Appendix A.

(2) *Goals and Objectives.* The primary goal of this program is to protect children by supporting one or more demonstration projects employing cost-effective, replicable interventions to remediate moisture intrusion and associated mold growth in inner-city housing occupied by families with young children in communities where toxic mold exposure has been linked to acute pulmonary hemorrhage in infants (''eligible housing'').

Objectives include the following:

(a) Developing a cost-effective survey protocol for identifying homes that are candidates for moisture control interventions, identifying lead-based paint and other hazards associated with moisture intrusion, and screening out homes where structural or other condition factors make interventions infeasible or impractical.

(b) Developing a flexible set of intervention strategies that take into account the range of conditions likely to be encountered in older inner-city housing, and the need to maximize the number of housing units that receive an intervention.

(c) Developing an efficient strategy for evaluating the effectiveness of interventions in preventing moisture intrusion and controlling mold growth.

(d) Building local capacity to develop a sustainable program that will continue to prevent and, where they occur, minimize and control toxic mold

hazards in low and very-low income residences when HUD funding is exhausted.

(e) Affirmatively furthering fair housing and environmental justice.

(f) Mobilizing public and private resources, involving cooperation among all levels of government, the private sector, and community-based organizations to develop the most promising, cost-effective methods for identifying and controlling moisture problems and associated mold hazards in inner city housing.

(g) Integrating mold- and lead-safe work practices into housing maintenance, repair, and improvements.

(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).

(B) Eligible Applicants

To apply for funding under this announcement, you must be a State or unit of local government. Multiple units of local government (or multiple local governments) may apply as part of a consortium; however, a single lead government or agency must be identified and that agency will be considered ''the applicant.'' Only one application may be submitted from each applicant. If your name appears as lead agency in multiple applications, this will be considered a curable (minor) defect. HUD will request that you clarify which application you want HUD to consider as your application. If you fail to respond, any application in which you are identified as the lead agency will be returned unevaluated.

(C) Eligible Activities

You will be afforded considerable latitude in designing and implementing the interventions to prevent moisture intrusion and remediate existing mold hazards. However, in developing a strategy, you should use all reasonably available sources of information on controlling moisture and associated mold problems in buildings and protecting workers and occupants during and after the intervention process. HUD is interested in promoting housing intervention approaches that result in the reduction of this health threat for the maximum number of residents, and in particular 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.

(1) Direct Project Elements (activities conducted by you and any sub-recipients):

(a) Performing evaluations of eligible housing to determine the presence of moisture intrusion and related conditions (e.g., mold growth, damaged lead-based paint) through the use of generally accepted testing procedures.

(b) Conducting medical examinations of young children for conditions caused or exacerbated by mold exposure where this is considered essential to your project, and there are no alternative sources to cover these costs.

(c) Conducting housing interventions to remediate existing mold growth and address conditions that could result in the recurrence of mold growth by preventing the intrusion of moisture into a dwelling. Any lead hazard evaluation and control work shall be conducted in accordance with the HUD *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing* (''*Guidelines*'').

(d) Carrying out temporary relocation of families and individuals during the period in which intervention is conducted and until the time the affected unit receives clearance for reoccupancy.

(e) Performing medical testing recommended by a physician or applicable occupational or public health agency for individuals working with toxic molds and air sampling to protect the health of the intervention workers, supervisors, and contractors.

(f) Undertaking housing rehabilitation activities that are specifically required to carry out effective control of moisture intrusion and mold hazards, and without which the intervention could not be completed and maintained. Grant funds under this program may also be used to control immediate lead-based paint hazards.

(g) Conducting clearance testing and analysis for lead and/or mold, as appropriate.

(h) Carrying out architectural, engineering and work specification development and other construction management services necessary to, and in direct support of, activities to control moisture problems and remediate existing mold and/or lead hazards.

(i) Providing training on safe maintenance practices to homeowners, renters, painters, remodelers, and housing maintenance staff working in low- or very-low income housing.

(j) Providing cleaning supplies for mold-hazard intervention and lead-hazard control to community/neighborhood-based organizations for use by homeowners and renters in low income housing, or to such homeowners, and renters directly, in conjunction with training under section III.(C)(1)(i), or as part of research activities under section III.(C)(1)(n) of this program section of this SuperNOFA.

(k) Conducting general or targeted community awareness or education programs on environmental health hazards associated with moisture intrusion. This activity would include training on safe maintenance and renovation practices. It would also include making materials available, upon request, in alternative formats for persons with disabilities (e.g., Braille, audio, large type), and in languages other than English that are common in the community, whenever possible.

(l) Securing liability insurance for mold-intervention and lead-hazard evaluation and control activities to be performed.

(m) Supporting data collection, analysis, and evaluation of project activities. This activity is separate from administrative costs.

(n) Conducting applied research activities directed at demonstration of cost-effective evaluation and intervention methods for preventing moisture intrusion into dwellings and abating associated mold hazards, particularly in conjunction with concurrently evaluating and controlling other moisture-related environmental health hazards.

(o) Presenting research findings at a scientific conference in each project year after the first.

(p) Maintaining a registry (updated at least monthly) of housing units in which moisture problems, mold hazards and lead hazards were not found during evaluation, or in which such problems and hazards have been controlled.

(q) Preparing quarterly progress reports, interim and final research reports, and an overall final grant report detailing activities, findings, conclusions and recommendations, at the conclusion of grant activities.

(2) Support Elements.

(a) Your administrative costs.

(b) Program planning and management costs of sub-grantees and other sub-recipients.

(D) Ineligible Activities

Program funds shall not be used for:

(1) Purchase of real property.

(2) Purchase or lease of equipment having a per unit cost in excess of $5,000, except upon approval by HUD.

(3) Medical treatment costs for children with illness associated with

exposure to molds or for children with elevated blood lead levels, except as part of research activities under section III.(C)(1)(n), above, in this program section of the SuperNOFA.

IV. Program Requirements

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

(A) *Budgeting.* Administrative Costs. There is a 10% maximum for administrative costs. The application kit contains specific information on allowable administrative costs.

(B) *Period of Performance.* The period of performance cannot exceed 36 months.

(C) *Coastal Barrier Resources Act.* Pursuant to the Coastal Barrier Resources Act (16 U.S.C. 3501), funds may not be used for properties located in the Coastal Barrier Resources System.

(D) *Flood Disaster Protection Act.* Under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001–4128), funds may not be used for construction, reconstruction, repair or improvement 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 parts 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)). You are responsible for assuring that flood insurance is obtained and maintained for the appropriate amount and term.

(E) *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 mold intervention and related hazard control activities that are undertaken pursuant to this program. HUD and the Advisory Council for Historic Preservation have developed an optional Model Agreement for use by grantees and State Historic Preservation Officers in carrying out any lead hazard control activities under this program.

(F) *Waste Disposal.* Waste disposal will be handled according to the requirements of OSHA (e.g., 29 CFR part 1910 and/or 1926, as applicable), the Environmental Protection Agency (EPA) (e.g., 40 CFR parts 61, 260–299, 300–399, and/or 700–799, as applicable), the Department of Transportation (e.g., 49 CFR parts 171–177), and/or appropriate State or local regulatory agency(ies). Disposal of wastes from intervention activities that contain lead-based paint but are not classified as hazardous will be handled in accordance with the HUD *Guidelines*.

(G) *Worker Protection Procedures.* You must comply with the requirements of the Occupational Health and Safety Administration (OSHA; e.g., 29 CFR part 1910 and/or 1926, as applicable), or the State or local occupational safety and health regulations, whichever are most stringent.

(H) *Written Policies and Procedures.* You must have written policies and procedures for all phases of intervention, including evaluation, development of specifications, financing, occupant relocation, independent project inspection, and clearance testing (for mold and/or lead, as applicable). You and all your subcontractors, sub-recipients, and their contractors must comply with these policies and procedures.

(I) *Continued Availability of Safe Housing to Low-Income Families.* Units in which mold hazards have been controlled under this program shall be occupied by and/or continue to be available to low-income residents.

(J) *Data collection and provision.* You must collect, maintain and provide to HUD the data necessary to document the various approaches used to evaluate and control mold and lead hazards, including evaluation and control methods, building conditions, medical and familial information (with confidentiality of individually-identifiable information ensured) in order to determine the effectiveness and relative cost of these methods.

(K) *Section 3 Employment Opportunities.* Please see Section II(E) of the General Section of this SuperNOFA. The requirements of Section 3 are applicable to this program.

(L) *Certifications and Assurances.*

In addition to the certifications and assurances listed in the General Section of the SuperNOFA, a single certification form is included in the application kit. This includes:

(1) An assurance in accordance with 24 CFR 50.3(h) that the applicant will carry out its responsibilities regarding HUD's environmental review.

(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 any pre-intervention and clearance evaluation for lead will be conducted by certified performers.

(5) An assurance that project funds obtained through this SuperNOFA will not replace existing resources dedicated to any ongoing project.

(6) Assurance that human research subjects will be protected from research risks in conformance with the Common Rule (Federal Policy for the Protection of Human Subjects, codified by HUD at 24 CFR part 60).

(M) *Davis-Bacon Act.* The Davis-Bacon Act does not apply to this program. However, if program funds are used in conjunction with other Federal programs in which Davis-Bacon prevailing wage rates apply, then Davis-Bacon provisions would apply to the extent required under the other Federal programs.

V. Application Selection Process

(A) Rating and Ranking

HUD intends to fund the highest ranked applications within the limits of funding. 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.

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

This section provides the factors for rating and ranking your application and the maximum points for each factor. The application kit provides additional instructions for responding to these factors. The maximum number of points to be awarded is 102. This maximum includes two EZ/EC bonus points as described in the General Section of the SuperNOFA. Also, Section III(C)(2) of the General Section, which addresses a court-ordered consideration, is applicable to this program.

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

This factor addresses your organizational capacity necessary to

successfully implement your proposed activities in a timely manner. The rating of you or your staff includes any community-based organizations, sub-contractors, consultants, sub-recipients, and members of consortia that are firmly committed to your project. In rating this factor HUD will consider:

(1) Your recent, relevant and successful demonstrated experience in undertaking eligible program activities. You 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 those involving housing rehabilitation, public health, or environmental programs. In your narrative response for this factor, you should include information on your program staff, their experience, commitment to the program, and position titles. Resumes of up to three (3) pages each and position descriptions for up to three personnel in addition to the project director and program manager, and a clearly delineated organizational chart for your project must be included as an appendix. Copies of job announcements (including salary range) should be included for any key positions that are currently vacant. Indicate the percentage of time that key personnel will devote to your project and any salary costs to be paid by funds from this program.

(2) Whether you have sufficient personnel or will be able to quickly retain qualified experts or professionals to begin your proposed program immediately and to perform your proposed activities in a timely and effective fashion. Describe how other principal components of your agency or other organizations will participate in or support your project. You should thoroughly describe capacity, as demonstrated by experience in initiating and implementing related environmental, health, or housing projects.

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

This factor addresses the extent to which there is a need for your proposed program activities to address a documented problem in your target inner city area(s).

(1) Document a critical level of need for your proposed activities in the inner city area where activities will be carried out. You should pay specific attention to documenting need as it applies to your target area(s), rather than the larger geographic area.

(2) Your documentation of need should summarize available data linking toxigenic mold growth with cases of acute pulmonary hemorrhage in infants in your target area(s). Examples of supporting data that might be used to demonstrate need, include:

(a) Economic and demographic data relevant to your target area(s), including poverty and unemployment rates;

(b) Rates of childhood illnesses (e.g., asthma) that could be caused or exacerbated by mold exposure, among children residing in your target area(s), and rates of environmental intervention blood lead levels in your target area(s);

(c) 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) For the areas targeted for your project activities, provide data available in your jurisdiction's currently approved Consolidated Plan, or derived from 1990 Census Data, or derived from other sources (all data should be documented):

(a) The age and condition of housing;

(b) The number and percentage of very-low and low income families with incomes less than 80% of the median income, as determined by HUD, for the area, with adjustments for smaller and larger families (See application kit for additional information.);

(c) The number and proportion of children under six years old.

(4) Describe how proposed research activities would help HUD achieve its goals for this program area of this SuperNOFA.

(5) There must be a direct relationship between the proposed activities, community needs, and the purpose of the program.

Rating Factor 3: Soundness of Approach (45 Points)

This factor addresses the quality and cost-effectiveness of your proposed work plan. You should present information on the proposed approach for controlling moisture intrusion and remediating existing mold problems. The response to this factor should include the following elements:

(1) *Intervention Strategy* (30 points). Describe the strategy you will use in planning and executing the moisture control and mold hazard interventions in inner city housing. You should provide information on:

(a) *Strategy for Implementing the Demonstration Project* (10 points). Describe your overall strategy for your proposed demonstration project. The description must include a discussion of:

(i) Your previous experience in reducing or eliminating mold and moisture problems in urban housing (if any).

(ii) Your overall strategy for identifying, selecting, prioritizing, and enrolling units of eligible housing in which you will undertake mold and moisture control. Describe the extent to which your proposed activities will occur in an Empowerment Zone or Enterprise Community (EZ/EC), if applicable.

(iii) The estimated total number of owner occupied and/or rental units in which you will conduct interventions.

(iv) The degree to which your work plan focuses on eligible privately-owned and/or publicly-owned housing units with young children. Describe your planned approach to control moisture, mold and other environmental health problems associated with moisture intrusion before children are affected; and/or to control these hazards in units where children have already been treated for illnesses associated with mold exposure (e.g., acute pulmonary hemorrhage, asthma). Describe the process for your referral of ill children for medical case management if this is not ongoing.

(v) The financing strategy, including eligibility requirements, terms, conditions, and amounts available, to be employed in conducting mold and moisture control activities. You must discuss the way 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. Describe how your proposed project 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.

(b) *Outreach and Community Involvement* (5 points). You must describe:

(i) Proposed methods of community education. These should include community awareness, education, training, and outreach programs in support of your work plan and objectives. This should include general and/or targeted efforts undertaken to assist your efforts in reducing exposure to residential mold hazards. To the extent possible, programs should be culturally sensitive, targeted, and linguistically appropriate.

(ii) Proposed involvement of neighborhood or community-based organizations in the proposed activities. These activities may include outreach, community education, marketing,

inspection, and housing evaluations and interventions.

(c) *Technical Approach for Conducting Mold and Moisture Interventions* (15 points)

(i) Describe your process for evaluating units of eligible housing in which you will undertake moisture control and mold removal.

(ii) Describe any specialized testing or visual inspection that you will conduct during unit inspection with reference to source(s) of the protocol(s). Describe qualifications and experience requirements for laboratories, which shall include, as applicable, successful participation in the Clinical Laboratory Program, National Lead Laboratory Accreditation Program, and/or National Voluntary Laboratory Accreditation Program.

(iii) Describe the mold and moisture control interventions you will undertake. Provide an estimate of the per unit costs (and a basis for those estimates) for the type of interventions that are planned. Provide a schedule for initiating and conducting interventions in the selected units. Discuss efforts to incorporate cost-effective control methods to address other environmental health hazards resulting from water damage (e.g., deteriorating lead-based paint, damaged asbestos-containing materials). Work should be conducted in accordance with the HUD *Guidelines* in units where lead hazards are identified.

(iv) Describe your process for the development of work specifications for selected interventions. Describe your management processes to be used to ensure the cost-effectiveness of the housing interventions. Discuss your contracting process to obtain contractors to conduct interventions in selected units.

(v) Describe your plan for the temporary relocation of occupants of units selected for intervention, and how you will determine the need for relocation. Address the use of safe houses and other housing arrangements, storage of household goods, stipends, incentives, etc.

(2) *Economic Opportunity* (5 points) Describe methods that will result in economic opportunities for residents and businesses in the community where activities will be carried out. Include information on how you will provide employment, business development, and contract opportunities. Describe how you or your partners will satisfy the requirements of Section 3 of the Housing and Community Development Act of 1992 to give preference to hiring low- and very low-income persons or contracting with businesses owned by or employing low-and very-low income persons.

(3) *Program Evaluation and Research* (10 points).

(a) Identify and discuss the specific methods you will use to measure progress, and evaluate the effectiveness of interventions. Describe how the information will be obtained, documented, and reported.

(b) Provide a detailed description of your proposed applied research activities. Your research designs should be feasible and display thorough knowledge of relevant scientific literature. They should include an appropriate plan for managing, analyzing and archiving data. Also, quality assurance mechanisms must be well integrated into your research design to ensure the validity and quality of collected data.

(4) *Budget* (Not Scored). Your proposed budget will be evaluated for the extent to which it is reasonable, clearly justified, and consistent with the intended use of program funds. HUD is not required to approve or fund all proposed activities. You must thoroughly document and justify all budget categories and costs (Part B of Standard Form 424A) and all major tasks. Describe in detail your budgeted costs for each required program element (major task) included in your overall plan. The four required program elements are: administration; education and outreach; control of mold and moisture-related hazards (including sampling); and program evaluation and applied research.

(5) *Court-Ordered Consideration*. Due to an order of the U.S. District Court for the Northern District of Texas, Dallas Division, HUD will award up to two (2) additional points to an application submitted by the City of Dallas, Texas, to the extent the application's proposed activities will eradicate the vestiges of racial segregation in the Dallas Housing Authority's programs consistent with the Court's order.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to secure other community resources (such as financing, supplies or services) which can be combined with HUD's resources to achieve project purposes.

(1) In evaluating this factor, HUD will consider the extent to which you have partnered with other entities to secure additional resources to increase the effectiveness of your proposed project. Resources may include funding or in-kind contributions (such as services or equipment) allocated to your proposed program. Resources may be provided by governmental entities, public or private organizations, or other entities willing to be your partner in this effort.

(2) Each source of contributions must be supported by a letter of commitment from the contributing entity, whether a public or private source, which must describe the contributed resources that will be used in your program. Staff in-kind contributions should be given a market-based monetary value. If you fail to provide letters of commitment with specific details including the amount of the actual contributions, you will not get rating points for this factor. Each letter of commitment, memorandum of understanding, or agreement to participate shall include the organization's name and the proposed level of commitment and responsibilities as they relate to the proposed program. The commitment must be signed by an official 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 your program reflects a coordinated, community-based process of identifying needs and building a system to address the needs by using available HUD and other community resources. In evaluating this factor, HUD will consider:

(1) The degree of coordination of your proposed project with those of other groups or organizations to best support and coordinate all activities, and the specific steps you will take to share information on solutions and outcomes with others. Any written agreements or memoranda of understanding in place must be described.

(2) The extent to which you have developed linkages, or the specific steps you will take to develop linkages, to coordinate your activities so solutions are holistic and comprehensive. Linkages include linkages with other HUD, Federal, State or locally funded activities through meetings, information networks, planning processes, or other means.

(3) The degree of coordination with housing rehabilitation, housing and health codes, and other related housing programs.

(a) Describe your plan for integrating and coordinating mold and moisture control interventions with other housing-related activities (e.g., lead hazard control, rehabilitation, weatherization, removal of code violations, and other similar work).

(b) Describe your plans to incorporate mold and moisture control interventions

with applicable housing codes and health regulations.

(c) Describe your plans to generate and use public subsidies or other resources (such as revolving loan funds) to finance future interventions to prevent and control mold hazards, particularly in low- and very-low-income housing.

(d) Detail the extent to which you will ensure that the needs of minorities and persons with disabilities will be addressed adequately during your intervention activities; and that housing in which mold and moisture problems have been addressed will still be available and affordable for low income minority and disabled individuals.

VI. Application Submission Requirements

(A) Applicant Information

You should submit your application in accordance with the format and instructions contained in this program section of this SuperNOFA. The following is a checklist of required application contents:

(1) Transmittal letter that summarizes your proposed program, provides the dollar amount requested, and identifies you and your partners in the application.

(2) The name, mailing address, telephone number, and principal contact person. If you are a consortium of associates, sub-recipients, partners, major subcontractors, joint venture participants, or others contributing resources to the project, similar information shall also be provided for each of these entities and you must specify the lead entity.

(3) Completed Forms HUD–2880, Applicant/Recipient Disclosure/Update Report; Certification Regarding Lobbying; and SF–LLL, Disclosure of Lobbying Activities, where applicable.

(4) Standard Forms SF–424, 424A, 424B, and other certifications and assurances listed in the General Section of the SuperNOFA and in this program section of the SuperNOFA (see application kit).

(5) A narrative statement addressing the rating factors for award. The narrative statement must be numbered in accordance with each factor for award (Factor 1 through 5). The response to the rating factors should not exceed a total of 30 pages.

(6) Any attachments, appendices, references, or other relevant information may accompany the project description, but must not exceed fifteen (15) pages for your entire application.

(7) A detailed budget with supporting cost justification for all budget categories of your funding request.

(8) The resumes and position descriptions of your project director and program manager and up to three additional key personnel.

VII. Corrections to Deficient Applications

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

VIII. Environmental Requirements

Activities assisted under this program are subject to HUD environmental review to the extent required under 24 CFR part 50. An award under the Mold and Moisture Control Program does not constitute approval of specific sites where activities may be carried out. Following award execution, HUD will perform environmental reviews for activities to be carried out on properties proposed by your organization. You may not rehabilitate, convert, repair or construct a property, or commit or expend program funds or non-HUD funds for program activities for any eligible property until you receive written notification from the appropriate HUD official that HUD has completed its environmental review and the property has been approved. The results of environmental reviews may require that proposed activities be modified or proposed sites rejected.

IX. Authority

This program is authorized by the Fiscal Year 1999 Appropriations Act.

Appendix A

References

Centers for Disease Control and Prevention. Acute pulmonary hemorrhage/hemosiderosis among infants: Cleveland, January 1993–November 1994. MMWR Morb. Mortal. Wkly. Rep. 1994; 43(48):881–883.

Centers for Disease Control and Prevention. Acute pulmonary hemorrhage among infants—Chicago, April 1992–November 1994. MMWR Morb. Mortal. Wkly. Rep. 1995; 44(4):67.

Centers for Disease Control and Prevention. Update: Pulmonary hemorrhage/hemosiderosis among infants—Cleveland, Ohio, 1993–1996. MMWR Morb. Mortal. Wkly. Rep. 1997; 46(2):33–35.

Croft, W.A., B.B. Jarvis and C.S. Yatawara. 1986. Airborne outbreak of trichothene toxicosis. Atmospheric Environment. 20: 549–552.

Etzel, R.A., E. Montana, W.G. Sorenson, G. Kullman, T.M. Allan, and D.G. Dearborn. 1998. Acute pulmonary hemorrhage in infants associated with exposure to Stachybotrys chartarum and other fungi. Arch. Pediatr. Adolesc. Med. 152: 757–762.

Johanning, E., R. Biagini, D. Hull, P. Morey, et al. 1996. Health and immunology study following exposure to toxigenic fungi (Stachybotrys chartarum) in a water-damaged office environment. Int. Arch. Occup. Environ. Health. 68:207–218.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOPE VI REVITALIZATION AND DEMOLITION

BILLING CODE 4210–32–C

Funding Availability for the Demolition and Revitalization of Severely Distressed Public Housing (HOPE VI)

Program Overview

Purpose of the Program. The purpose of this program is to provide Revitalization Grants to enable public housing agencies (PHAs) to improve the living environment for public housing residents of severely distressed public housing projects and Demolition Grants to expedite the demolition of obsolete and/or severely distressed public housing units.

Available Funds. Approximately $583 million, as allocated in accordance with Section II.(A) of this program section of the SuperNOFA, below.

Eligible Applicants. PHAs that own public housing units, in accordance with the requirements at Section III.(B) of this program section of the SuperNOFA, below.

Application Deadlines. Revitalization grant applications are due on May 27, 1999. Demolition grant applications are due on May 6, 1999. (See Section V.(D)(2)(c), below, for important information regarding the application deadline and deficiency cure period for Demolition grants.)

Match. For Revitalization grants only, 5 percent of total grant amount plus an additional match for Community and Supportive Services, as described in Section IV.(B)(4) of this program section of the SuperNOFA, below. No match is required for Demolition grants.

Additional Information

If you are interested in applying for a HOPE VI grant, please review the following information, the General Section of this SuperNOFA, and the HOPE VI Application Kit.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. HUD must receive your Revitalization grant application at HUD Headquarters no later than 12:00 midnight Eastern time on May 27, 1999. HUD must receive your Demolition grant application at HUD Headquarters on or before 12:00 midnight Eastern time on May 6, 1999. See Section V.(D)(2)(c) below for important information regarding the application deadline and deficiency cure period for Demolition grants.

Address for Submitting Applications. Send one copy of your completed application to HUD Headquarters, 451 Seventh Street, SW, Room 4138, Washington, DC 20410, Attention: Elinor Bacon, Deputy Assistant Secretary for Public Housing Investments. In addition, send two copies of your completed application to your local HUD Field Office. HUD will determine whether your application is timely filed based on the date and time of receipt at HUD Headquarters, not the date and time that copies are received in your local Field Office.

Mailed Applications. HUD will consider your application to be timely filed if it is postmarked no later than 12:00 midnight on the application due date and if HUD receives it at HUD Headquarters on or within ten days of the application due date.

Applications Sent by Overnight/Express Mail Delivery. If you send your application by overnight delivery or express mail, HUD will consider it to be timely filed if HUD receives it at Headquarters on or before the application due date. HUD will also consider it to be timely filed if HUD does not receive it on the due date, but you can provide documentary evidence that you placed the application in transit with the overnight delivery service by no later than the application due date.

Hand Carried Applications. If you wish to hand carry your application to HUD Headquarters, you may bring it to Room 4138 of the HUD Headquarters Building in Washington, DC any time between 8:45 am and 5:45 pm Eastern Time before or on the application due date. You may also hand carry your application to HUD Headquarters between 5:15 pm and 12:00 midnight Eastern Time by delivering it to the South Lobby of the HUD Headquarters Building.

Applications Submitted to HUD Field Offices. If you wish to hand carry the required two copies of your application to your local HUD Field Office, you may do so 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 of the General Section of the SuperNOFA for the hours of operation of the HUD Field Offices.)

For Application Kits, Further Information and Technical Assistance. If you are planning to apply for a HOPE VI grant under this program section of the SuperNOFA, your application must conform to the requirements of the Fiscal Year (FY) 1999 HOPE VI application kit. The kit provides specific instructions, data forms to complete, certification forms, and other information required in every application. Each Revitalization application must contain no more than 75 pages of narrative and 100 pages of attachments. HUD will mail a copy of the application kit to every eligible PHA. You may also obtain copies of application kits and any supplementary information 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. When requesting an application kit, please refer to HOPE VI and provide your name, address (including zip code), and telephone number (including area code). The application kit also will be available on the Internet through the HUD web site at http://www.hud.gov.

For answers to your questions, you may call Mr. Robert Prescott, Acting Director, Office of Urban Revitalization, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4142, Washington, DC 20410; telephone (202) 708–2822 (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 1–800–877–8339.

II. Amount Allocated

Type of assistance	Allocation of appropriation	Announced in this program section of the SuperNOFA
Revitalization	$523,050,000	$523,050,000
Demolition	60,000,000	60,000,000
Section 8	26,950,000	.....
Technical Assistance	15,000,000	.....
Total	625,000,000	583,050,000

(A) Revitalization Grants

Approximately $523 million of the FY 1999 HOPE VI appropriation has been allocated to fund HOPE VI Revitalization grants and will be awarded in accordance with this program section of the SuperNOFA. The total amount you may request is limited to the sum of the amounts in Section (1) below or the amount in Section (2) below, whichever is lower.

(1)(a) *Total Development Cost*. The total cost of development, including relocation costs, is limited to the sum of:

(i) HUD's Total Development Costs (TDCs) up to 100 percent of HUD's published TDC limits for the costs of demolition and new construction, multiplied by the number of HOPE VI Replacement Units; and/or

(ii) 90 percent of the TDC limits, multiplied by the number of public housing units after substantial rehabilitation and reconfiguration.

TDCs are 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. You may not request funds to replace units if you have previously received HOPE VI or other public housing funds to replace those same units. However, you may use any non-HUD funds to supplement HUD funds for any project cost. Your application must disclose all prior HUD grant assistance received for the project(s) you have targeted for revitalization.

(b) *Community and Supportive Services*. You may request an amount up to 15 percent of the total HOPE VI grant to pay the costs of Community and Supportive Services. These costs are in addition to the TDC calculation in section II.(A)(1)(a) of this program section of the SuperNOFA, above.

(c) *Demolition and Site Remediation Costs of Unreplaced On-site Units*. You may request an amount necessary for demolition and site remediation costs of units that will not be replaced on-site. This cost is in addition to the TDC calculation in section II.(A)(1)(a) of this program section of the SuperNOFA, above.

(d) *Extraordinary Site Costs*. You may request an amount necessary to pay extraordinary site costs necessary to complete the project. These costs are in addition to the TDC calculation in section II.(A)(1)(a) of this program section of the SuperNOFA, above.

(2) *Total Grant Amount*. (a) You may submit one or two separate Revitalization applications. The *total* amount you may request in one or both applications may not exceed $35 million. If you submit two applications, each application will be reviewed separately.

(b) Each of the one or two applications you submit may request funds for only one public housing development. For the purposes of this program section of the SuperNOFA, the definition of one ''development'' may also include more than one project, as long as those projects are contiguous, immediately adjacent to one another, or within a quarter-mile of each other at their closest. If you include more than one project in a single application, you must provide clear documentation that the projects are within a quarter-mile of each other.

(3) Within the grant limitations above, you may request funds for as few or as many units as you wish in a single application. HUD will review requests for small numbers of units on an equal basis with requests for large numbers of units.

(B) *Demolition Grants*

Approximately $60 million of the FY 1999 HOPE VI appropriation has been allocated to fund HOPE VI Demolition grants and will be awarded in accordance with this program section of the SuperNOFA. If all of these funds are not needed for demolition of obsolete and/or severely distressed public housing, unused funds will be reallocated for HOPE VI Revitalization grants.

(1) You may submit multiple applications;

(2) You may target units in only one public housing project per application;

(3) You may submit more than one application targeting units in a single housing project;

(4) You may request funds for as many or as few units in an application as you wish, subject to the following provisions:

(a) *Per Unit Limitation*. You may receive no more than:

(i) $5,000 per vacant unit;

(ii) $6,500 per unit occupied as of the date of HOPE VI demolition funding application submission. This amount includes relocation costs; and

(iii) Reasonable costs for demolition of significant nondwelling facilities related to the demolition of dwelling units, such as heating plants, community buildings, or streets. These costs must be included in an application for funding of demolition of public housing units; you may not apply for them in a separate application.

(b) *Overall Limitation*. The sum of all Demolition funding applications from a single applicant may not exceed $12.5 million, in accordance with the evaluation procedures provided in section V.(D) of this NOFA, below. It is recognized that the HOPE VI grant may not pay for the total costs of relocation, abatement and demolition in all cases, and that the PHA may have to provide additional funding from other sources.

(2) You may apply for both HOPE VI Revitalization and Demolition funding to demolish the same units. If HUD determines that both applications are eligible for funding, HUD will use its discretion to determine whether the demolition will be funded under a Revitalization or a Demolition grant.

(C) *Section 8*

If necessary, HUD reserves the right to allocate up to $26,950,000 (approximately 3,500 units) for Section 8 tenant-based assistance for public housing relocation or public housing replacement (including units associated with HOPE VI grants). If any funds allocated for Section 8 tenant-based assistance are not needed for such assistance, those funds will be reallocated for HOPE VI Revitalization grants. If you have already received Section 8 assistance to relocate residents from obsolete or severely distressed units, you may still apply for HOPE VI funds to physically replace those same units. If you will need Section 8 assistance in order to carry out the proposed revitalization, you must indicate the number of certificates needed in your HOPE VI application. HUD will award Section 8 certificates needed for HOPE VI sites after the HOPE VI selections have been made.

(D) *Technical Assistance*. The FY 1999 appropriation allocated $15 million to provide Technical Assistance in the planning, development, and implementation of the HOPE VI program.

III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

(1) *HOPE VI Revitalization grants* enable public housing agencies (PHAs) to:

(a) Improve the living environment for public housing residents of severely distressed public housing projects through the demolition, substantial rehabilitation, reconfiguration, and/or replacement of severely distressed units;

(b) Revitalize the sites on which severely distressed public housing projects are located and contribute to the improvement of the surrounding neighborhood;

(c) Lessen isolation and reduce the concentration of low-income families;

(d) Build sustainable mixed-income communities; and

(e) Provide well-coordinated, results-based community and supportive

services that directly complement housing redevelopment and that help residents to achieve self-sufficiency, young people to attain educational excellence, and the community to secure a desirable quality of life.

(2) *HOPE VI Demolition Grants* enable PHAs to expedite the demolition of obsolete and/or severely distressed public housing units. Any subsequent new construction or revitalization of any remaining units must be funded from other resources.

(B) *Eligible Applicants*

An eligible applicant for any HOPE VI grant is:

(1) Any PHA that is not designated as ''troubled'' pursuant to section 6(j)(2) of the United States Housing Act of 1937 (1937 Act);

(2) Any PHA for which a private housing management agent has been selected, or a receiver has been appointed, pursuant to section 6(j)(3) of the 1937 Act; and

(3) Any PHA that is designated as ''troubled'' pursuant to section 6(j)(2) of the 1937 Act and that:

(a) Was designated as troubled principally for reasons that will not affect its capacity to carry out the proposed revitalization or demolition;

(b) Is making substantial progress toward eliminating the deficiencies that resulted in its troubled status; or

(c) Has sufficiently demonstrated to HUD that it is capable of carrying out the proposed revitalization or demolition.

(C) Eligible Activities

(1) *Revitalization Grants*. Eligible activities are those eligible under the Appropriations Acts for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, for the Fiscal Years 1993, 1994, 1995, 1997, 1998 and 1999; and the Omnibus Consolidated Rescissions and Appropriations Act of 1996. In addition, eligible HOPE VI activities are those included in the 1937 Act, including Section 24 of the 1937 Act, as amended by Section 535 of the Quality Housing and Work Responsibility Act of 1998 (Pub.L. 105–276, 112 Stat. 2461, approved October 21, 1998) (QHWRA).

Revitalization activities using HOPE VI funds must be for severely distressed Public Housing projects. Accordingly, certain proposed activities are subject to statutory requirements applicable to public housing projects under the 1937 Act, other statutes, and the Annual Contributions Contract (ACC). Within such restrictions, HUD seeks innovative solutions to the long-standing problems of severely distressed public housing projects. You 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 that will permit you to undertake measures that enhance the long-term viability of a development revitalized under this program.

The following is a list of specific activities that are eligible using HOPE VI Revitalization grant funds. Other activities may also be eligible with HUD approval. If HOPE VI Revitalization funds are used for any of the following activities, you must conduct them in accordance with the following program requirements unless HUD has provided written approval to follow other requirements.

(a) *Total or partial demolition of buildings*. Section 24 of the 1937 Act provides that severely distressed public housing demolished in conjunction with a revitalization plan with HOPE VI funds is not subject to Section 18 of the 1937 Act or regulations at 24 CFR Part 970. Instead, if you are selected to receive a HOPE VI Revitalization grant, HUD will use information in your application to determine whether the proposed demolition can be approved. If you are not selected to receive a HOPE VI Revitalization grant, the information in your application will *not* be used to process a request for demolition. Please note that demolition is not a required element of a HOPE VI Revitalization application.

(b) *Disposition of property*, in accordance with Section 18 of the 1937 Act and regulations at 24 CFR part 970;

(c) *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;

(d) *Major rehabilitation and other physical improvements of housing and community facilities* primarily intended to facilitate the delivery of self-sufficiency, economic development, or other community and 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);

(e) *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 services 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;

(f) *Homeownership activities*, including: (i) Development of replacement homeownership units that meet the regulatory requirements of the Section 5(h) Program at 24 CFR part 906;

(ii) Development of replacement homeownership units that meet the statutory requirements of the HOPE II program (42 U.S.C. 12871–80; Pub. L. 101–625, secs. 421–31; 104 Stat. 4079, 4162–72);

(iii) Development of replacement homeownership units that meet the statutory requirements of the HOPE III program (42 U.S.C. 12891–98; Pub.L. 101–625, secs. 441–48; 104 Stat. 4079, 4172–80);

(iv) Replacement homeownership units that are made available through housing opportunity programs for construction or substantial rehabilitation of homes meeting essentially the same eligibility requirements as the Nehemiah Program; and

(v) Other appropriate replacement homeownership activities, including downpayment assistance for displaced residents and the provision of closing costs.

(g) *Management improvements*;

(h) *Reasonable costs for administration*, planning, and technical assistance, including fees and costs as specifically approved by HUD;

(i) *Well-integrated Community and Supportive Services programs* designed to assist residents to attain educational excellence, gain employment, and become self-sufficient, and related support programs such as day care, after school activities, etc.;

(j) *Economic development activities*, including the costs of infrastructure and site improvements associated with developing retail/commercial facilities, but excluding hard development costs;

(k) *Leveraging other resources*, including additional housing resources, retail supportive services, jobs, and other economic development uses on or near the project that will benefit future residents of the site; and

(1) *Relocation*, conducted in accordance with 24 CFR 970.5 (demolition) or 24 CFR 968.108 (rehabilitation), as appropriate.

(2) *Demolition Grants*. The following is a list of specific activities that are eligible using HOPE VI Demolition grant funds. Other activities may also be eligible with HUD approval. If HOPE VI Demolition funds are used for any of the following activities, you must conduct them in accordance with the following program requirements unless HUD has

provided written approval to follow other requirements.

(a) *Demolition*, including any required asbestos and/or lead-based paint abatement, of dwelling units and nondwelling facilities, in accordance with Section 18 of the 1937 Act and regulations at 24 CFR part 970;

(b) *Minimal site restoration* after demolition and subsequent site improvements to benefit the remaining portion of the project, to provide project accessibility, or to make the site more saleable;

(c) *Demolition of nondwelling facilities*, only where related to the demolition of dwelling units;

(d) *Necessary administrative costs*; and

(e) *Relocation* and other assistance related to the permanent relocation of families under the approved demolition, conducted in accordance with 24 CFR 970.5.

IV. Program Requirements

In addition to the requirements listed in section II. of the General Section of this SuperNOFA, you must also meet the following requirements.

(A) Program Requirements—All HOPE VI Applications

(1) *Flood Insurance*. In accordance with the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001–4128), HUD will not approve your application for a grant that proposes to provide 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:

(a) 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

(b) Where the community is participating in the National Flood Insurance Program, flood insurance is obtained as a condition of execution of a Grant Agreement and approval of any subsequent demolition or disposition application.

(2) *Coastal Barrier Resources Act*. In accordance with the Coastal Barrier Resources Act (16 U.S.C. 3501), HUD will not approve your grant application if it targets properties in the Coastal Barrier Resources System.

(3) *Internet Access*. If you are selected for funding, you must have access to the Internet and provide HUD with email addresses of key staff and contact people.

(4) *Labor Standards*. Davis-Bacon or HUD-determined wage rates apply to development or operation of revitalized housing to the extent required under Section 12 of the U.S. Housing Act of 1937. In the case of demolition, Davis-Bacon wage rates apply to demolition followed by construction on the site; HUD-determined wage rates apply to demolition followed only by filling in the site and establishing a lawn. 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 your HOPE VI Program, labor standards requirements apply to the extent required by the other Federal programs, on portions of the project that are not subject to Davis-Bacon rates under the Act.

(5) *Lead-Based Paint Testing and Abatement*. All property assisted under your HOPE VI Program is covered by the Lead-Based Paint Poisoning Prevention Act (24 U.S.C. 4821 *et seq.*) and 24 CFR part 35; 24 CFR part 965, subpart H; and 24 CFR 968.110(k).

(6) *Building Standards*. (a) All activities that include construction, rehabilitation, lead-based paint removal, and related activities must meet or exceed local building codes. New construction must comply with the latest HUD-adopted Model Energy Code issued by the Council of American Building Officials. In addition, HUD encourages you to set higher standards for energy and water efficiency in HOPE VI new construction, which can achieve utility savings of 30 to 50 percent with minimum extra cost. Upon request, HUD will provide technical assistance and training in design and financing to assist your authority, architects, and contractors in improving resource efficiency.

(b) You are encouraged to design programs that incorporate sustainable construction and demolition practices, such as the dismantling or ''deconstruction'' of public housing units, recycling demolition debris, and reusing salvage materials in new construction.

(7) *Program Income*. If you expect to receive program-related income prior to grant closeout (e.g., from sale of homeownership Replacement Units or the disposition of improved land), this income must be reflected in your HOPE VI budget and used for program purposes.

(8) *Environmental Review*. (a) 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 by HOPE VI. If your organization objects to the responsible entity conducting the environmental review, on the basis of performance, timing or compatibility of objectives, HUD will review the facts and determine who will perform the environmental review. At any time, HUD 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 HUD determines that the responsible entity should not perform the environmental review, HUD may designate another responsible entity to conduct the review or may conduct the environmental review in accordance with the provisions of 24 CFR part 50. After selection by HUD for Joint Review, you must provide any documentation to the responsible entity (or HUD, where applicable) that is needed to perform the environmental review.

(b) If the environmental review is completed before HUD approval of the HOPE VI Revitalization Plan (RP) and you have submitted your request for release of funds (RROF), the RP approval letter will require any conditions, modifications, prohibitions, etc. arising from the environmental review.

(c) If the environmental review is not completed and/or you have not submitted the RROF before HUD approval of the RP, the RP approval letter will require you to refrain from undertaking, or obligating or expending funds on, physical activities or other choice-limiting actions, until HUD approves your RROF and the related certification of the responsible entity (or HUD has completed the environmental review). The RP approval letter will also tell you that the approved RP may be modified on the basis of the results of the environmental review.

(B) Program Requirements—Revitalization Applications

(1) *Severe Distress*. The targeted public housing project or building in a project must be severely distressed. The term ''severely distressed public housing'' means a public housing project or building in a project that fits the description of either all of the elements in paragraph (a) of this section, or is described by paragraph (b) of this section, as follows:

(a)(i) The public housing requires major redesign, reconstruction or redevelopment, or partial or total demolition, to correct serious deficiencies in the original design (including inappropriately high population density), deferred maintenance, physical deterioration or obsolescence of major systems, and other deficiencies in the physical plant of the project;

(ii) The condition of the public housing project is a significant contributing factor to the physical decline of and disinvestment by public and private entities in the surrounding neighborhood;

(iii)(*1*) The public housing is occupied predominantly by families who are very low-income families with children, are unemployed, and are dependent on various forms of public assistance; or

(*2*) The public housing has high rates of vandalism and criminal activity (including drug-related criminal activity) in comparison to other housing in the area;

(iv) The public housing cannot be revitalized with funds from other programs because the costs are much greater than the amounts that are available;

(v) If only individual buildings of the project are targeted for revitalization, they must be sufficiently separated from the remainder of the project to make use of the building feasible; or

(b) Public housing that has been legally vacated or demolished is deemed severely distressed if it met the description in paragraph (a) of this section, above, and has not yet been replaced other than with Section 8 certificates.

(c) To demonstrate that the targeted public housing project, or buildings in a project, meets the severe distress requirement you must:

(i) Sign a certification, included in the HOPE VI Revitalization Certifications as provided in Appendix A below, that the public housing targeted in the application meets the definition of severe distress provided in paragraphs (a) or (b) of this section, above; and

(ii) Include in your application a certification by an independent engineer, signed on or before the application deadline date, that the project meets the severe distress requirement in paragraph (a)(1) of this section, above.

(2) *Public Meetings.* (a) You must conduct at least one training session for residents on the HOPE VI development process and at least three public meetings with residents and community members to involve them in the process of planning the revitalization and preparing the application. At least one meeting must be held after the publication date of this HOPE VI NOFA.

(b) You must cover the following issues in the public meetings:

(i) The HOPE VI planning and implementation process;

(ii) The proposed physical plan, including site and unit design;

(iii) The extent of proposed demolition;

(iv) Community and supportive services;

(v) Relocation issues; and

(vi) Other proposed revitalization activities.

(c) To demonstrate that you have conducted the required public meetings, you must include the following evidence of each meeting in your application:

(i) The notices announcing the meetings. In addition to other means of notification, at least one notice for each meeting must be placed in a commercial newspaper or journal that serves both the public housing project and the broader community;

(ii) A copy of the meeting sign-in sheets; and

(iii) A signed and notarized copy of the meeting minutes, describing in detail the resident training and/or discussion regarding the proposed plan.

(d) Submission of the documentation required of the meetings is a curable item and is not rated. If you fail to properly document that you have conducted all of the required meetings, after being provided with the opportunity to correct any deficiencies in accordance with section V of the General Section of this SuperNOFA, your application cannot be considered for funding. You may not conduct a required meeting after the application due date in order to cure a deficiency identified by HUD.

(3) *Community and Supportive Services.*

(a) Each HOPE VI Revitalization application must propose a program of Community and Supportive Services that meets the needs of residents, and self-sufficiency programs that are designed to promote upward mobility, independence, and improved quality of life for residents of the targeted public housing development.

(b) Community and Supportive Services must be designed to serve existing residents of the severely distressed project, residents who have been displaced by revitalization activities, and new residents of the revitalized units.

(c) Community and Supportive Services may also be provided to non-public housing residents, as long as the primary users of the services are residents as described in paragraph (b) of this section, above.

(d) Community and Supportive Service Programs may include, but are not limited to:

(i) Substance/alcohol abuse treatment and counseling;

(ii) Health care services;

(iii) Domestic violence prevention;

(iv) Transportation as necessary to enable any participating family member to receive available services or to commute to his or her place of employment;

(v) On-site credit unions;

(vi) ''Life skills'' courses on topics such as parenting, family budgeting, consumer education;

(vii) Child care that provides sufficient hours of operation and serves appropriate ages as needed to facilitate parental access to education and job opportunities and that stimulates children to learn and be responsible citizens;

(viii) Employment training and counseling, such as the Step-Up and Youthbuild Programs, that includes job training, preparation, counseling, development, placement, and follow-up assistance after job placement;

(ix) Motivational and self-empowerment training;

(x) Computer skills training;

(xi) Education, including remedial education, literacy training, completion of secondary or post-secondary education, assistance in the attainment of certificates of high school equivalency, and the integration of modern computer technology into the education program;

(xii) Programs that promote learning for children from infancy, created with strong partnerships with public and private educational institutions;

(xiii) Mentoring for children, non-literate adults, potential entrepreneurs, and English as a Second Language (ESL), as needed;

(xiv) Job placements for residents who complete adult education and job training programs, as provided through partnerships with local businesses;

(xv) Services and programs provided through results-oriented partnerships with Empowerment Zones and Enterprise Community Boards and economic development agencies and non-profit organizations; and

(xvi) Business development training, with the goal of establishing resident-owned businesses.

(4) *Match.*

(a) *Overall Match.* The HOPE VI Revitalization Applicant Certifications (Appendix A to this NOFA, below) include a certification that if you are

selected for funding, you will provide resources other than HOPE VI funds in an amount that is at least 5 percent of the HOPE VI grant amount.

(b) *Additional Community and Supportive Services Match.* In addition to the match requirement in paragraph (a) of this section, above, if you use more than 5 percent of the HOPE VI grant for Community and Supportive Services programs described in section IV.(B)(3) of this program section of the SuperNOFA, above, you must certify that you will provide resources other than HOPE VI funds in an amount that is equal to the amount used over 5 percent.

(c) *Matching Funds.* Your matching funds may include amounts from other Federal sources, any State or local government sources, any private contributions, the value of any donated material or building, the value of any lease on a building, the value of the time and services contributed by volunteers, and the value of any other in-kind services or administrative costs provided. Active involvement of the city government in your HOPE VI plan is key to the success of the program. Providing a strong city match is one way for a city to demonstrate its commitment to the proposed development.

(5) *Replacement Units.*

(a) 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.

(b) Homeownership units will be deemed Replacement Units only if they meet the requirements listed in Section III(C)(1)(f) of this program section of the SuperNOFA, above.

(c) HOPE VI funds may not directly support mixed-finance units, including tax credit units, which are not themselves to be placed under ACC or to be sold as homeownership units as specified above.

(6) *Timeliness of Construction.* If selected, you will be held to strict schedules and performance measures. If you fail to obligate construction funds within the timeframes provided below, HUD may withdraw grant funds. HUD will take into consideration those delays caused by factors beyond your control when enforcing these schedules.

(a) You must enter into a binding General Contractor (GC) Contract within 18 months from the date of HUD's approval of the Revitalization Plan (RP). In no event may this time period exceed 24 months from the date the Grant Agreement is executed.

(b) You must complete construction under the GC Contract within 48 months from the date of HUD's approval of the RP. In no event may the time period for completion exceed 54 months from the date the Grant Agreement is executed.

(C) Program Requirements—Demolition Applications

(1) *Eligible Units.* Public housing units to be demolished with HOPE VI Demolition grant funds must meet one of the following criteria:

(a) The units must be targeted in an approved or submitted Conversion Plan (i.e., a plan for removal of the obsolete and/or severely distressed project from the public housing inventory in accordance with the requirements at 24 CFR 971.7(b)). To meet this requirement, you must have submitted a Conversion Plan to HUD on or before the HOPE VI Demolition funding application due date. You must meet the requirements of 24 CFR part 971 to meet this requirement; or

(b) The units must have been targeted in a HOPE VI Demolition funding application that you submitted in FY 1998 but that HUD did not fund solely because of a lack of funds; or

(c) The units must be approved by HUD for demolition in accordance with 24 CFR part 970 on or before the application due date, but the approved units have not yet been demolished. The demolition application must be approved:

(i) If you have merely submitted a demolition application, your HOPE VI application does not meet this requirement.

(ii) If HUD has approved your demolition application but HUD later rescinded the approval at your request, your HOPE VI application does not meet this requirement.

(2) *Previous Demolition.* You must not have an executed demolition contract for or have previously demolished any of the targeted units.

(3) *Previous Funding.* You may not submit a HOPE VI Demolition application for units that have been previously funded for demolition with HOPE VI funds. HUD will determine whether the units have been previously funded by looking at the most recent HUD-approved budget for any HOPE VI Revitalization or Demolition grant for the same development. If that grant budget shows that HOPE VI funds have been budgeted for demolition of the units you have targeted in your HOPE VI Demolition application, even if you have subsequently made an internal decision not to fund the demolition with HOPE VI funds, your HOPE VI Demolition application will not be considered for funding.

(4) *Timeliness of Demolition.* You must procure a demolition contractor within six months from the date of ACC Amendment execution, and complete the demolition within two years from the date of ACC Amendment execution.

V. Application Selection Process

(A) Revitalization Threshold Criteria

In addition to any applicable threshold requirements listed in the General Section of this SuperNOFA, your application must meet the following threshold requirements to be considered for funding.

(1) *Eligible Applicant.* You must be an eligible Public Housing Agency, as defined in Section III.(B) of this program section of the SuperNOFA, above. If HUD has designated your housing authority as troubled pursuant to section 6(j)(2) of the 1937 Act, HUD's Troubled Agency Recovery Center will use documents and information available to it to determine whether you meet the eligibility criteria in this program section of the SuperNOFA.

(2) *Severe Distress.* The targeted public housing project, or buildings in a project must be severely distressed, as defined in section IV.(B)(1) of this program section of the SuperNOFA, above.

(3) *Public Meetings.* You must conduct at least one training session and at least three public meetings in accordance with section IV.(B)(2) of this program section of the SuperNOFA, above.

(B) Revitalization Application Evaluation

HUD's selection process is designed to ensure that HOPE VI Revitalization grants are awarded to PHAs with the most meritorious applications.

(1) *Threshold and Completeness Review.* HUD will screen each application to determine if it is complete and meets the Threshold Criteria in Section V.(A) of this program section of the SuperNOFA, above. If necessary, HUD will contact you to provide missing information, in accordance with the provisions of section V. of the General Section of this SuperNOFA.

(2) *Preliminary Rating and Ranking.* (a) HUD will preliminarily review, rate and rank each eligible application on the basis of the rating factors described in Section V.(C) of this program section of the SuperNOFA, below.

(b) After preliminary review, the following applications will be deemed ''competitive:''

(i) Applications with a preliminary score above a base score that

encompasses all applications that represent approximately twice the amount of funds available, and

(ii) Applications that propose revitalization of public housing that was targeted in HOPE VI Revitalization applications submitted to HUD in both the FY 1997 and 1998 HOPE VI Revitalization competitions but were not selected for funding.

(3) *Final Panel Review.* (a) A Final Review Panel will:

(i) Assess each competitive application;

(ii) Assign the final scores; and

(iii) Recommend for funding the most highly-rated eligible applications up to the amount of available funding.

(b) If two or more applications have the same score and there are insufficient funds to select all of them, HUD will select for funding the application(s) with the highest score for Rating Factor 3, Soundness of Approach. If a tie still remains, HUD will select for funding the application(s) with the highest score for the Capacity rating factor. HUD will select further tied applications on the basis of their scores in the Need, Leveraging Resources, and Comprehensiveness and Coordination rating factors, in that order.

(c) HUD reserves the right to make adjustments to funding in accordance with Section III.(E) of the General Section of this SuperNOFA.

(d) HUD may not give competitive advantage to applications that propose to use HOPE VI grant funds to pay judgments or undertake HOPE VI revitalization activities in order to settle litigation.

(C) Revitalization Application Rating Factors.

The following are the factors HUD will use to rate and rank your HOPE VI Revitalization application and the maximum points for each factor. The maximum number of points for each Revitalization application is 102, which includes two Empowerment Zone/Enterprise Community (EZ/EC) bonus points, in accordance with section III.(C)(1) of the General Section of this SuperNOFA.

Rating Factor 1: Capacity (20 Points Total)

This factor measures the capability and record of the applicant PHA or any alternative entity you choose to serve as your representative for managing large-scale redevelopment or substantial rehabilitation projects and administering Community and Supportive Services and management improvements. To ensure that revitalization efforts will take place without delays due to problems in administration and management, HUD will award the most points to applications that demonstrate the highest degree of capacity to implement revitalization in a timely manner upon grant award.

If you are selected for funding, HUD *may* require you to use an outside entity as directed by HUD to carry out the revitalization activities. HUD does not require you to select a developer and/or Program Manager, if any, prior to submission of your application, although you may choose to do so. Rather, you must demonstrate (1) your current capacity to manage a large scale redevelopment and/or substantial rehabilitation project, or (2) your ability to identify needs in your current staffing and fill such gaps in order to successfully implement your proposed program, and/or (3) your proposed method for securing a program manager, and/or development partner to implement your plan. 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 that are firmly committed to the project.

HUD will evaluate the information you provide in your application when rating subfactors (1)–(3) below.

(1) *Revitalization Capacity and Experience:* 7 Points. To receive maximum points, you and/or your proposed partners, including the overall proposed development director and staff of the PHA, the developer (if any), program manager (if any), consultants, and contractors, must convincingly demonstrate your team's knowledge and recent, successful experience in planning, implementing, and managing large scale revitalization activities as described in the first two paragraphs above, and meeting construction timetables.

(2) *Community and Supportive Services Experience:* 5 Points. To receive maximum points, you and/or your proposed partners, including the overall proposed development director and staff of the PHA, the developer (if any), program manager (if any), consultants, and contractors, must convincingly demonstrate your team's knowledge and recent, successful experience in planning, implementing, and managing the Community and Supportive Service Programs proposed in your application.

(3) *Property Management Experience:* 5 Points. To receive maximum points, you and/or your proposed partners, including the overall proposed development director and staff of the PHA, the developer (if any), program manager (if any), consultants, and contractors, must convincingly demonstrate your team's knowledge and recent, successful experience in property management of public housing. You must thoroughly evaluate the obstacles, if any, that previously prevented good management, as well as other problems that contributed to the severe distress of the targeted project, and develop a new management plan that will protect against such obstacles and problems in the future and will improve the efficiency and economy of management.

(4) *Obligation of Modernization Funds:* 3 Points. To receive maximum points, you must have obligated at least 90 percent of your FY 1997 and prior year Modernization (e.g., Comprehensive Improvement Assistance Program or Comprehensive Grant Program) amounts by the HOPE VI application submission date. HUD will use the LOCCS disbursement system as of the application due date to verify your obligation rate.

Rating Factor 2: Need (20 Points Total)

This factor addresses the extent to which you have demonstrated that the targeted public housing project, or portion of the project, is severely distressed.

To be considered for funding, your application must earn at least 12 of the 14 points available for elements (1)–(4) of this rating factor, and your application must earn all 5 points for element (1), Physical Distress.

For all elements under this factor, HUD will consider the extent to which the information you provide is documented by objective, measurable indicators.

In rating this factor, HUD will consider:

(1) *Physical Distress:* 5 Points. To receive maximum points, the targeted project or portion of the project must be severely distressed as defined in Section IV.(B)(1) of this SuperNOFA, above. If a targeted site has been demolished or approved by HUD for demolition (including sites approved for demolition under 24 CFR Part 970 (demolition) and 24 CFR Part 971 (Mandatory Conversion)) on or before the HOPE VI application due date, your application will receive full points for this subfactor. Indications of physical distress may include:

(a) Major structural deficiencies, including settlement, leaking roofs, electrical systems not meeting code, high levels of lead based paint, high levels of deferred maintenance, and

units that do not meet Housing Quality Standards;

(b) Major site deficiencies, including lack of reliable and efficient heat and hot water, poor soil conditions, inadequate drainage, deteriorated laterals and sewers, and inappropriate topography;

(c) Design deficiencies, including inappropriately high population density, isolation, indefensible space, inaccessibility for persons with disabilities with regard to individual units, entrance ways, and/or common areas;

(d) Environmental conditions that make the current site or a portion of the site and its housing structures unsuitable for residential use.

(2) *Impact on the Neighborhood:* 5 Points. To receive maximum points, the public housing must be a significant current or potential contributing factor to the physical decline of and disinvestment by public and private entities in the surrounding neighborhood. If the surrounding neighborhood is not currently distressed, you must demonstrate that the targeted project is causing deterioration in the neighborhood which will become worse if the project remains in its current condition and that its revitalization would have a positive effect on the neighborhood. It is critical to show concretely how the public housing revitalization through HOPE VI will spur reinvestment in the surrounding community and/or how the redevelopment will positively impact and support the surrounding community. You should include a careful strategy for comprehensive revitalization with housing redevelopment as the impetus.

(3) *Demographic Distress:* 3 Points. To receive maximum points, the public housing must:

(a) Be occupied predominantly by families who are very low-income families with children, are unemployed and dependent on various forms of public assistance; or

(b) Have high rates of vandalism and criminal activity (including drug-related criminal activity) in comparison to other housing in the area.

(4) *Need for Funding:* 2 Points. To receive maximum points, the public housing cannot be revitalized with funds from other programs because the costs are much greater than available funds. Indications that you have inadequate funds are:

(a) If you receive Comprehensive Grant Program (CGP) funds and you will use 50 percent or more of your CGP funds for one year to fund a combination of emergency needs and critical needs at other public housing projects. A critical need is defined as a modernization need that is a threat to health and safety of residents but that does not qualify as an emergency since there is no immediate threat to resident health or safety. An example of a critical need is the repair of roofs and plumbing in cases where failure to repair the problem would result in a significant increase in the expenditure of funds in the future.

(b) If you receive CIAP funds and you do not have adequate leftover CIAP funds (i.e., funds remaining from previous modernization programs that are subject to reprogramming after completion of all approved work items in the program) to perform the revitalization activities without affecting current emergency or critical needs.

(5) *Need for Affordable Housing in the Community:* 2 Points. To receive maximum points, there must be a need for affordable housing in the community, and there must be an inadequate supply of other housing available and affordable to accommodate families receiving tenant-based assistance under Section 8. HUD will make this determination based on your analysis of the need for affordable housing in the community on the basis of the rental apartment listings in a newspaper of general circulation in the community over the most recent complete month prior to the HOPE VI application deadline, supplemented by additional relevant data, if any.

(6) *Documentation of Need:* 3 Points. To receive maximum points, you must document the level of need for your proposed activities and the urgency in meeting the need with statistics and analyses contained in a data source(s) that is sound and reliable. If your community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice identify the level of the problem and the urgency in meeting the need, you must include references to these documents in your response in order to receive maximum points. If these documents are not applicable to your jurisdiction or do not address the level of problem and the urgency in meeting the need, specifically state as such.

If your proposed activities are not covered under the scope of the Consolidated Plan and Analysis of Impediments to Fair Housing Choice, explain why they are not covered 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.

Rating Factor 3: Soundness of Approach (40 Points Total)

This factor addresses the quality of your design and planning and the cost-effectiveness of your proposed revitalization activities; your plan's appropriateness in the context of the broader community; the degree to which housing and non-housing aspects of your strategy are integrated and well-segmented; how your plan fits into needs of the local housing market; and the likelihood that a HOPE VI grant will result in a revitalized site that will enhance the neighborhood in which the project is located and enhance economic opportunities for residents. HUD will award full points to applications that demonstrate a clear relationship between the proposed activities, community assets and needs, and the purpose of HOPE VI funding.

(1) *Vision:* 5 Points. To receive maximum points, you must present the most innovative physical, social, and economic development approach possible given your local conditions, constraints, and opportunities. HUD will evaluate your Executive Summary to make this determination.

(2) *Feasibility:* 4 Points Total.

(a) *Market.* 1 Point. To receive this point there must be a demonstrated considerable market for the revitalized and/or replacement units of the type and size proposed. HUD will use a preliminary market assessment letter prepared by an independent, third party, recognized market resource firm or professional to make this determination.

(b) *Development Costs.* 2 Points. To receive maximum points, you must show that:

(i) Hard costs are comparable to industry standards for the kind of construction to be performed in the proposed geographic area;

(ii) Soft costs (developers' fees, PHA administration costs, legal fees, program manager's fees, consultants' fees, etc.) are reasonable, comparable to industry standards, and justified. HUD is particularly concerned that soft costs be minimized and will review carefully the proposed soft cost structure (i.e., is your reliance on outside entities at an appropriate level given the scope of your project and your in-house capacity), total soft costs as a percentage of overall development costs, and any innovative means you propose to keep such costs at a minimum so that as many HOPE VI resources as possible

can go into hard development and transforming the lives of the residents;

(iii) Costs are realistic and developed through the use of technically competent methodologies; and

(iv) Cost estimates represent a cost-effective plan for designing, organizing and carrying out your proposed activities.

(c) *Coherence and Consistency.* 1 Point. To receive this point, the information and strategies described in the application must be coherent and internally consistent, particularly the data provided for types and numbers of units, budgets and other financial estimates, and other numerical information. It is critical that you carefully review all numbers for unit mix, costs, etc. to make sure that all numbers are consistent throughout the application. HUD will make this determination based on your entire application.

(3) *Lessen Concentration: 9 Points Total.* The activities you propose must lessen concentration of low-income households, create opportunities for desegregation, and offer viable housing choices.

(a) *Physical Plan and Design.* 6 Points. To receive maximum points, you must show that:

(i) The physical plan and design of the proposed on-site housing will significantly reduce the isolation of low-income residents and/or significantly promote mixed-income communities in well-functioning neighborhoods;

(ii) Any plans for off-site housing will lessen concentration of low-income residents and create opportunities for desegregation by actively ensuring that locations of housing will not be in neighborhoods with high levels of poverty and/or high concentrations of minorities. (You do not have to have selected the precise location of off-site units in your application to receive full points for this element.);

(iii) For both on-site and any off-site units, the plan will increase access to municipal services, jobs, mentoring opportunities, transportation, and educational facilities; i.e., the physical plan and services strategy are integrated;

(iv) Proposed new units and buildings are designed in a creative way that ensures that they blend into and enrich the surrounding neighborhood. Design elements and amenities present in houses in the broader community are incorporated into the revitalized homes and will appeal to the market segments for which they are intended.

(b) *Section 8.* 3 Points. To receive maximum points, you must propose to provide assistance to residents of the targeted development receiving Section 8 certificates and vouchers with relocation assistance and smooth the transition from public to private housing for relocatees and members of their new communities. Such activities include:

(i) Helping Section 8 assistance holders find housing in non-poverty areas;

(ii) Conducting programs designed to prepare residents for the transition to private rental housing;

(iii) Involving faith-based, non-profit and/or other institutions and/or individual members of the community that relocatees choose to move into, in order to ease the transition and minimize the impact on the neighborhood. HUD will view favorably innovative programs such as community mentors, support groups, and the like;

(iv) Tracking families receiving Section 8 assistance;

(v) Providing Community and Supportive Service program support to Section 8 relocatees to achieve self-sufficiency;

(vi) Offering eligible residents who have been given Section 8 relocation assistance as a result of HOPE VI revitalization opportunities to return to the revitalized units.

(4) *Community and Supportive Services:* 5 Points

This factor evaluates the quality of your proposed Community and Supportive Services Programs, as required and described in Section IV.(B)(3) of this program section of the SuperNOFA, above, and gauges the probability that the Community and Supportive Services Programs you propose will result in ''living wage'' jobs, economic development, and educational advancements which are quantifiable and long-lasting. You are encouraged to be innovative and to create results-based programs which break new ground and can serve as national models.

You must implement public housing revitalization in tandem with the principles of welfare reform, self-sufficiency, and educational achievement. Not only must the physical environment meet the needs of residents, but the social environment must encourage and enable low-income residents to achieve long-term self-sufficiency, particularly for persons enrolled in welfare-to-work programs. To that end, it is crucial that local welfare agencies are part of your HOPE VI partnership. Many HOPE VI residents are directly affected by Temporary Assistance to Needy Families (TANF), making these self-sufficiency efforts critical to their success. You must design your Community and Supportive Services Programs not only for residents remaining on-site, but also for residents who have relocated to other PHA units or to Section 8 housing, and for new residents of the revitalized units.

To receive maximum points, your proposed Community and Supportive Services Programs must:

(a) Identify objectives that are results-oriented, with measurable goals and outcomes that will result in ''living wage'' jobs and educational advancements;

(b) Demonstrate consistency with state and local welfare reform requirements and goals;

(c) Be well integrated with the development process, both in terms of timing and the provision of facilities to house on-site service programs;

(d) Be of an appropriate scale, type, and variety of services to meet the needs of residents remaining on-site, residents who have relocated to other PHA units or Section 8 housing, and new residents of the revitalized units;

(e) Demonstrate an effective use of technology;

(f) Incorporate the enforcement of Section 3, both in the area of hiring residents from the HOPE VI site and in contracting with Section 3 firms;

(g) Be developed in response to a rigorous resident needs identification process and directly respond to the identified needs;

(h) Be coordinated with the efforts of other service providers and agencies in your locality; and

(i) Be sustainable after the grant term has expired.

(5) *Evaluation:* 2 Points

To receive maximum points, you must propose to work with local universities and other institutions of learning, foundations, and/or others to evaluate the performance and impact of your proposed HOPE VI revitalization. Where possible, HUD encourages you to form partnerships with Historically Black Colleges and Universities (HBCUs) and Hispanic-Serving Institutions (HBIs), Community Outreach Partnership Centers (COPCs), others in HUD's University Partnerships Program. Areas for evaluation might include such issues as:

(a) The impact of your HOPE VI effort on the lives of the residents;

(b) The nature and extent of economic development generated;

(c) The effect of the revitalization effort on surrounding communities, including spillover revitalization activities, property values, etc.;

(d) Your success at integrating physical and non-physical (Services) aspects of your strategy.

(6) *Resident and Community Outreach and Involvement:* 5 Points

In addition to the Threshold requirement for public meetings provided in Section IV.(B)(2) of this program section of the SuperNOFA, above, this rating subfactor evaluates the nature, extent, and quality of the resident and community outreach and involvement you have done by the time your application is submitted, as well as your plans for continued and/or additional outreach and involvement. HUD will evaluate your efforts to include affected residents and members of the surrounding community in the planning and development of your application.

To receive maximum points, you must demonstrate that you have:

(a) Communicated regularly with affected residents and members of the surrounding community about your application and that you have:

(i) Included all interested parties, especially affected residents and members of the surrounding community, in the development of your application;

(ii) Developed specific plans for continued or different involvement and participation in the planning and implementation of revitalization activities if your application is successful;

(iii) Scheduled informational and planning meetings with affected residents and other interested parties during the development of your application at frequent and convenient times; and

(iv) Announced meetings in ways that are designed to generate the most participation. Methods of announcing upcoming meetings include, but are not limited to:

(*1*) Publishing notices of meetings in newspapers of local distribution;

(*2*) Hand distributing flyers to residences and locations likely to attract notice;

(*3*) Posting meeting information in adequate time to allow participants to plan to attend;

(*4*) Addressing the language needs of affected residents;

(*5*) Making meetings and information available to persons with disabilities.

(b) Communicated effectively with affected residents and members of the surrounding community and that you have:

(i) Provided training and technical assistance on the HOPE VI development process and general principles of development to affected residents to enable them to participate meaningfully in the development of your application, and developed plans to provide further training and technical assistance if your application is successful;

(ii) Provided information to affected residents and other interested parties about your planned revitalization;

(iii) Provided affected residents with substantive opportunities to participate in the development of your HOPE VI plan;

(iv) Incorporated input and recommendations of interested parties, especially affected residents, into your application;

(v) Generated support for your application among interested parties;

(vi) Recognized and addressed dissenting viewpoints among affected residents and other interested parties. Your application will not lose points if there has been opposition to your plan, but may lose points if you do not demonstrate that any such opposition has been addressed; and

(vii) Provided status reports on the development of your application.

(7) *Operation and Management Principles and Policies:* 5 Points.

(a) *Self Sufficiency and Economic Diversity.* To receive maximum points, you must propose operation and management principles and policies to be applied to on-site public housing and any on-site or adjacent assisted housing that will encourage residents to move in, move up, and move on. Such principles must:

(i) Complement self-sufficiency programs and result in a mix of residents in the revitalized development who have a range of incomes, including substantial numbers of working residents;

(ii) Reward work and promote family stability by promoting positive incentives such as income disregards and ceiling rents;

(iii) Promote economic and demographic diversity by instituting a system of local preferences; and

(iv) Encourage self-sufficiency by including lease requirements that promote resident involvement in the tenants association, community service, self-sufficiency, and transition from public housing.

(b) *Safety and Security.* To receive maximum points, you must demonstrate that your proposed operation and management principles and policies will 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, the Department of Justice ''Weed and Seed'' programs, or HUD's ''Operation Safe Home'' and Drug Elimination programs;

(iv) Improving the safety and security of residents through the implementation of defensible space principles, anti-crime measures, and the installation of physical security systems such as surveillance equipment, control engineering systems, etc.;

(v) Improving the safety of children by promoting the concept of healthy homes. Healthy homes activities are described in Section VI(D) of the General Section of this SuperNOFA.

(8) *Affirmatively Furthering Fair Housing:* 5 Points. To receive maximum points, you must affirmatively further fair housing through the physical design of the revitalized units, the location of new units, and marketing of housing that will encourage diversity. You are encouraged to work with local advocacy groups which represent individuals with disabilities, the elderly, and other special needs populations to further these goals.

(a) *Accessibility.* (i) *Accessibility Requirements.* The design of your proposed new construction and/or rehabilitation of housing must conform to the civil rights statutes and regulations required in Section II.(B) of the General Section of this SuperNOFA.

(ii) *Accessibility Priorities.* HUD encourages you to promote greater opportunities for housing choice by implementing the following accessibility activities:

(*1*) Make at least 5 percent of for-sale units accessible to individuals with mobility disabilities and 2 percent of for-sale units accessible to individuals who have visual or hearing disabilities;

(*2*) Provide one-bedroom accessible rental units for single individuals with disabilities so that they too can live in the revitalized community;

(*3*) Implement innovative designs and room configurations, particularly for homeownership housing, which are both accessible to disabled residents and marketable to non-disabled households;

(*4*) Provide for accessibility modifications, where necessary, to Section 8 units of residents who have been relocated out of the targeted project due to revitalization activities.

(iii) *Visitability.* HUD encourages you to meet the visitability standards adopted by HUD that apply to units not otherwise covered by the accessibility requirements. The elements of visitability are described in Section VI.(C) of the General Section of this

SuperNOFA and in the HOPE VI Application Kit Glossary.

(iv) *Adaptability.* HUD encourages you to meet the adaptability standards adopted by HUD at 24 CFR 8.3 that apply to those units not otherwise covered by the accessibility requirements. The elements of adaptability are included in the HOPE VI Application Kit Glossary.

(b) *Diversity.* To receive maximum points, program activities must aid a broad diversity of eligible residents, including the elderly, the disabled, etc. HUD will also evaluate your efforts to increase community awareness in a culturally sensitive manner through education and outreach, as applicable. Describe specific steps to address the elimination of impediments to fair housing that were identified in your jurisdiction's Analysis of Impediments to Fair Housing Choice, remedy discrimination in housing, or promote fair housing rights and fair housing choice. Your marketing and outreach activities should be targeted to all segments of the population on a nondiscriminatory basis, promote housing choice and opportunity throughout your jurisdiction, and contribute to the deconcentration of minority and low-income neighborhoods.

Rating Factor 4: Leveraging Resources (10 Points Total)

In accordance with Section IV(B)(4) of this program section of the SuperNOFA, above, all HOPE VI Revitalization grant funds are subject to a matching requirement. By signing the HOPE VI Revitalization Applicant Certifications (Appendix A to this NOFA, below), you are certifying that, if selected, you will provide matching funds which can be combined with HUD funds to carry out revitalization activities, including Community and Supportive Services Programs. Although firm commitments for these matching resources are not required in your application, if funded you will be required to show evidence of matching resources through your quarterly reports as your project proceeds.

Although you will provide evidence of matching resources during the course of the grant term, you must provide evidence of any currently-available funds in order to earn points under this rating factor. Your application will be rated based on the extent to which you have secured additional resources now for proposed activities which can be added to HUD funds to achieve program purposes, and will secure additional resources. It is important that you do not just seek endorsements from organizations or describe vendor relationships, but actively enlist individuals and/or entities who will provide significant financial and/or other assistance to the revitalization effort.

In rating this factor, HUD will evaluate the strength of your partnerships and relationships with other entities, and the extent those other entities will provide significant, *firm* funding commitments and other resources if HOPE VI funds are awarded.

In your application, you must provide evidence of each proposed resource by including letters of firm commitments, memoranda of understanding, agreements to participate, or letters of support. If you cannot secure firm commitments, the entity must describe why the firm commitment cannot be made at the current time and affirm that your PHA and your HOPE VI project meet all eligibility criteria for receiving the resource. This is particularly important with regard to Low Income Housing Tax Credits (LIHTC). All such documentation must include the donor organization's name, the specific resource proposed, and the purpose of that resource. Letters providing only general support of the revitalization effort, and letters offering to provide vendor services will not count toward this rating factor. The commitment must be signed by an official of the organization legally authorized to make commitments on behalf of the organization. HUD will evaluate the strength of commitment that the letters articulate.

If you propose to use Low Income Housing Tax Credits (LIHTC) as a part of your financing, provide in your application a letter from your State Housing Finance Agency that provides information from the state allocation plan regarding the total amount and type (4 percent vs. 9 percent) of tax credits available, any setasides available for PHAs, per project funding limits, the schedule of funding rounds, verification that your project meets eligibility criteria, and other pertinent information.

(1) *Development Resources:* 6 Points. HUD seeks to fund mixed-finance development that will use HOPE VI funds to leverage other development funds, resulting in revitalized public housing, other types of assisted and market rate housing, and retail and economic development. To receive full points, you must actively enlist other stakeholders who are vested in and can provide significant financial assistance to your revitalization effort. In rating this factor, HUD will consider the amount, breadth, and firmness of financial commitments for development purposes.

Sources of development resources may include public and private non-profit and for-profit entities with experience in the development and/or management of low- and moderate-income housing; foundations; LIHTC syndicators; State Housing Finance Agencies; nonprofit organizations; private debt and equity; and banks or insured loans. If your PHA is also a redevelopment agency or otherwise has citywide responsibilities, HUD will consider the City's housing and/or redevelopment agency or other functional area to be a separate entity with which you are partnering.

(2) *Community and Supportive Services Program Resources:* 4 Points. It is critical that you form partnerships to achieve quantifiable self-sufficiency goals and that you leverage scarce HOPE VI self-sufficiency funds with other funds. It is essential that you provide for the sustainability of Community and Supportive Services programs so that they may continue after the HUD funds have been expended.

HUD encourages you to create public/private partnerships with hard commitments from and accountability to organizations skilled in the delivery of services to residents of public housing. It is particularly important to create partnerships with local Boards of Education which will provide the foundation for young people from infancy through high school graduation to succeed in academia, the professional world, and mainstream society. You are encouraged to form partnerships with organizations such as local businesses, faith-based organizations, non-profit organizations, foundations, banks, welfare departments, Private Industry Councils, Departments of Transportation, Police, and economic development agencies, charitable, fraternal, and business organizations, Weed and Seed programs, and individual employers. Identify prospective employers, the number and types of jobs they propose to make available, the kind and level of training needed to prepare residents for such jobs and how such training will be provided.

Resources may include financial resources such as Federal, State, or local government grants or private contributions. Resources may also include in-kind contributions such as the value of any donated material or building; the value of any lease on a building; the value of the time and services contributed by volunteers, staff, supplies, municipal or county

government services and infrastructure; and the value of any other in-kind services or administrative costs provided which are critical to the successful transformation of the project and the lives of its residents.

In rating this factor, HUD will consider the amount, breadth and firmness of financial and in-kind commitments for Community and Supportive Services Programs, and the sustainability of such programs during the life of the grant and after HOPE VI funds have been expended.

Rating Factor 5: Comprehensiveness and Coordination (10 Points Total)

This factor evaluates your efforts to address the need for revitalized public housing in a holistic and comprehensive manner by creating linkages with other activities in the community, incorporating the revitalization of public housing into the overall plans for revitalization of the broader community, and participating or promoting participation in the community's Consolidated Planning process.

(1) *Coordination:* 5 Points. To receive maximum points, you must indicate that you have and/or will:

(a) Coordinate your proposed activities with related activities of other groups or organizations prior to submission in order to best complement, support and coordinate all known related activities. For example, it is important to know about changes in transportation, infrastructure, land use, and other revitalization issues when planning the locations of revitalized housing to prevent future site problems.

(b) Take specific steps to share information about solutions and outcomes with others.

(c) Take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan, such as civil rights organizations; Local Area Agency on Aging, if applicable; local agencies and organizations serving persons with disabilities; Local Weed and Seed task force if the targeted project is located in a designated Weed and Seed area; HUD drug elimination, welfare-to-work, and self-sufficiency programs; other Federal, State or locally funded activities, including those proposed or on-going in the community; and Local law enforcement agencies and the local United States Attorney.

(d) Forge relationships 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 young people in the revitalized development from birth through higher education.

(2) *Community Planning:* 5 points. To receive maximum points, you must indicate that you have or that you 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 the need for revitalized public housing, that your plans are tied to revitalization plans for the broader community and the jurisdiction as a whole, and that your plans are consistent with plans or organizing efforts in the immediate, surrounding neighborhoods.

(D) Demolition Application Evaluation

(1) *Demolition Funding Categories.* HUD will select Demolition applications on a first-come, first-served basis, by an application's Funding Tier, Priority Group, and Ordinal. Demolition applications are not rated.

(a) *Funding Tiers.* If you wish to request more than $7.5 million for HOPE VI Demolition grants, you must divide your applications and identify each of your applications as either Tier 1 or Tier 2. If funds remain after all Tier 1 applications are funded, HUD will begin to fund Tier 2 applications, in accordance with the procedures in Section V.(D)(3) of this program section of the SuperNOFA, below.

(i) The total amount requested in all of your Tier 1 applications may not equal more than $7.5 million.

(ii) The total amount requested in all of your Tier 2 applications may not equal more than $5 million.

(iii) The total amount requested in all your applications, both Tier 1 and Tier 2, may not exceed $12.5 million.

(b) Priority Groups. You must also identify each of your applications by its appropriate Priority Group, as described below. Each application must target units of a single Priority Group, e.g., do not include Priority Group I units in the same application as Priority Group 2 units.

(i) *Priority Group 1:* HOPE VI Demolition funding applications that target units included in a Conversion Plan (i.e., plan for removal of the obsolete and/or severely distressed development from the public housing inventory in accordance with the requirements at 24 CFR 971.7(d)) that HUD has approved on or before the HOPE VI Demolition funding application due date under this program section of the SuperNOFA. Please note that the term ''Conversion Plan'' used in this program section NOFA is the plan required by 24 CFR part 971.

(ii) Priority Group 2: HOPE VI Demolition funding applications that target units that were included in a HOPE VI Demolition funding application that you submitted in FY 1998 and that HUD deemed eligible for funding, but could not select for lack of sufficient funds.

(iii) Priority Group 3: (*1*) HOPE VI Demolition funding applications that target units included in a Conversion Plan (i.e., plan for removal of the obsolete and/or severely distressed development from the public housing inventory in accordance with the requirements at 24 CFR 971.7(d)) that you have submitted to HUD on or before the HOPE VI Demolition funding application due date under this program section of the SuperNOFA.

(*a*) If you submit a HOPE VI Demolition funding application for units that are targeted in a Conversion Plan that was submitted under 24 CFR Part 971 but not yet approved (Priority Group 3), and the Conversion Plan is subsequently approved (before the application deadline), you may revise your application and it will be reclassified as Priority Group 1. HUD will change the Ordinal to the Ordinal corresponding to the date that the revised application was received.

(*b*) If you submit a Conversion Plan but you are not eligible under 24 CFR part 971, your HOPE VI Demolition will not be considered to be in Priority Group 3. Please check with your local HUD Office before submitting a HOPE VI Demolition funding application based on submission of a Conversion Plan.

(*2*) Applications that target units that you included in a HUD-approved 24 CFR part 970 Demolition Application. If you have submitted a Part 970 Demolition Application to HUD's Special Applications Center (SAC) but it has not yet been approved by HUD, your HOPE VI Demolition application will not be considered complete and you will not receive an Ordinal until your Part 970 Demolition application is approved.

(c) *Ordinals.* Upon receipt, HUD will assign each application an Ordinal (i.e., ranking number) that reflects the date HUD Headquarters received the application. Ordinals correspond to business days, starting with the date HUD receives the first Demolition funding application and ending on the application due date, as specified in Section I of this program section of the SuperNOFA, above. HUD will consider all applications received on the same

date as received at the same time on that date, and those applications will all be assigned the same Ordinal.

(2) *Demolition Screening.* (a) Within a day after HUD receives your application, HUD will screen the application to ensure that it has met each HOPE VI Demolition funding program requirement listed in Section IV.(C) of this program section of the SuperNOFA, above, and that it includes each application submission requirement listed in Section VI.(B) of this program section of the SuperNOFA, below.

(b) If HUD determines that an application is not eligible for funding (e.g., the applicant is not a PHA), HUD will not consider the application further and will immediately notify the applicant that the application has been rejected.

(c) If HUD determines that an application is eligible but incomplete, within one day of receipt of the application, HUD will contact you in writing by fax (followed up with a hard copy by mail) to request the missing information. If HUD finds your application and other applications received on the same day to be incomplete, HUD will notify all such applicants of their missing items on the same day. Since Demolition funding applications are not rated, you may submit information to complete your application at any time before the Demolition funding application deadline date. However, if your application is received on the deadline date and it is missing a required submission, you will have no opportunity to submit any missing item after the deadline date and your application will be ineligible for funding.

Please Note: This provision means that the nearer to the deadline you submit your application, the less time you will have to correct any deficiencies, and if HUD receives your application ON the deadline date and there is a deficiency, that application will NOT be considered for funding. You are advised to submit your application as soon as possible, in the event that HUD identifies a deficiency that you need to correct.

(d) When HUD receives information in response to its letter asking for missing information and determines that it completes the application, HUD will change the application's Ordinal to the Ordinal corresponding to the date that HUD received the information. If the information does not make the application complete, HUD will treat the submitted information in the same manner as a newly-submitted application and send you another letter requesting the missing information, up until the deadline date.

(e) Notwithstanding the above, if HUD approves a demolition application or a conversion plan on the day before or on the application deadline date, the requirements to provide evidence of these approvals will be considered to be met and you will not be required to submit your approval letters from HUD.

(3) *Funding.* HUD will award HOPE VI Demolition grants in the following order, based on fund availability.

(a) HUD will fund eligible Tier 1, Priority Group 1 applications by Ordinal.

(b) If funds remain after HUD has funded all eligible Tier 1, Priority Group 1 applications, HUD will fund Tier 1, Priority Group 2 applications by Ordinal.

(c) If funds remain after HUD has funded all eligible Tier 1, Priority Group 2 applications, HUD will fund Tier 1, Priority Group 3 applications by Ordinal.

(d) If funds remain after HUD has funded all eligible Tier 1 HOPE VI Demolition funding applications, HUD will fund eligible Tier 2 applications, by Priority Group and Ordinal.

(e) If funds remain after all eligible Tier 1 and Tier 2 HOPE VI Demolition funding applications have been funded, the remaining funds will be reallocated for HOPE VI Revitalization grants.

(f) At any stage, if there are insufficient funds to fund all applications with the next Ordinal, HUD will conduct a lottery among the applications sharing the Ordinal to determine funding. HUD reserves the right to partially fund the last lottery winner chosen if insufficient funds remain to fund the entire amount requested, if HUD deems such partial funding will be a viable alternative to full funding.

(E) Grant Award Procedures

(1) *Notification of Funding Decisions.* (a) The HUD Reform Act prohibits HUD from notifying you as to whether or not you have been selected to receive a Revitalization grant until it has announced all HOPE VI Revitalization grant recipients. If your application has been found to be ineligible or that it did not receive enough points to be funded, you will not be notified until the successful applicants have been notified. HUD will provide written notification to all HOPE VI applicants, whether or not they have been selected for funding.

(b) HUD notification that you have been selected to receive a HOPE VI grant constitutes only preliminary approval. Grant funds may not be released until the following activities have been completed:

(i) You or HUD must complete a subsidy layering review pursuant to 24 CFR 941.10(b), if required by HUD;

(ii) You and HUD must execute a HOPE VI Revitalization Grant Agreement or Demolition ACC Amendment in accordance with Sections (2) or (3) below, as applicable; and

(iii) The responsible entity has completed an environmental review and you have submitted and obtained HUD approval of a request for release of funds and the responsible entity's environmental certification in accordance with Section IV(A)(8) of this program section of the SuperNOFA, above.

(2) *Revitalization Grant Agreement.* When you are selected to receive a Revitalization grant, HUD will send you a HOPE VI Grant Agreement, which constitutes the contract between you and HUD to carry out and fund public housing revitalization activities. Both you and HUD will sign the cover sheet of the Grant Agreement, and it is effective on the date of HUD's signature. The Grant Agreement sets forth:

(a) The amount of the grant;

(b) Applicable rules, terms, and conditions, including sanctions for violation of the Agreement;

(c) The precise schedules of the HOPE VI Program;

(d) Program requirements;

(e) Requirements for implementation of the proposed plan;

(f) Any applicable special conditions that you must meet;

(g) Certifications in which you will agree to:

(i) Carry out the program in accordance with the provisions of this program section of the SuperNOFA, applicable law, the approved application, and all other applicable requirements, including requirements for mixed finance development;

(ii) Comply with any other terms and conditions, including recordkeeping and reports, that 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;

(iii) Assemble a team to implement the HOPE VI Program that has a strong management and development track record and is able to start and carry out a quality HOPE VI program. If you fail to demonstrate your ability to assemble a competent team to the satisfaction of HUD and its program oversight manager, HUD will direct corrective

actions as a condition of retaining the grant;

(iv) Execute a construction contract within 18 months from the date of HUD's approval of the revitalization Plan (or a period specified in the Grant Agreement);

(v) Establish interim performance goals and complete the physical component of the HOPE VI revitalization within 54 months from the date that HUD executed the Grant Agreement. If you fail to meet this or other deadlines established in the Grant Agreement, HUD may enforce default remedies described in the Grant Agreement, up to and including the withdrawal of grant funding. HUD will take into consideration those delays caused by factors beyond your control when enforcing these schedules;

(vi) Execute an ACC Amendment for Mixed-Finance development with HUD, if required by HUD; and

(vii) Foster the involvement of and gather input and recommendations from affected residents throughout the entire development process.

(3) *Demolition ACC Amendment.* If you are selected to receive a Demolition grant, HUD will send you an ACC Amendment setting forth the amount of the grant. Both you and HUD will sign the ACC Amendment, and it is effective on the date of HUD's signature.

(a) By signing the ACC Amendment, you will agree that:

(i) You will carry out the demolition and relocation work in accordance with the requirements of this program section of the SuperNOFA, applicable law including all HUD regulations, the approved HOPE VI Demolition Funding Application, applicable Demolition Application approval, and all other applicable requirements; and

(ii) You will procure a demolition contractor within six months from the date of ACC Amendment execution, and complete the demolition within two years from the date of ACC Amendment execution; and

(iii) You will 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.

(b) Subject to the provisions of Part A of the ACC, and to assist in the demolition and relocation, HUD will agree to disburse to the PHA from time to time as needed, up to the amount of funding assistance awarded.

VI. Application Submission Requirements

(A) Revitalization Application Exhibits

(1) *Application Kit.* The HOPE VI Application Kit provides explicit, specific instructions as to the format of a HOPE VI Revitalization application. Your application must conform to the requirements of this program section of the SuperNOFA and follow the format described in the Kit. In addition to the narratives that respond to the rating criteria in this program section of this SuperNOFA, your application will also include submissions that provide HUD with detailed information about your proposed revitalization, including forms and other documentation.

(2) *Submissions Required for Rating.* HUD will review the following application submissions and rate them in accordance with the Revitalization rating factors in section V.(C) of this program section of the SuperNOFA, above. Because these submissions are rated, they cannot be improved after submission of the application, and you may not submit any missing submissions after the deadline date.

(a) An Executive Summary.

(b) A description of your experience and that of your committed partners in developing and managing housing and providing Community and Supportive Services Programs.

(c) A description of existing site conditions, which demonstrates the extent of need for your proposed revitalization.

(d) A description of all predevelopment activities.

(e) A description of all revitalization activities proposed in your application and details of how the proposed work will be accomplished.

(f) A description of Community and Supportive Services Programs.

(g) A plan for resident and community outreach and involvement in the planning process.

(h) A description of current or planned coordination with related activities of other groups or organizations, including any applicable EZ/EC local empowerment board.

(i) A description of proposed management principles and policies which will support revitalization efforts, increase safety and security for residents, affirmatively further fair housing, lessen concentration of low-income residents and create desegregation opportunities, and promote mixed-income communities.

(j) Program Resources and Financing: budget, sources and uses, documentation of resources.

(k) Photographs of distressed public housing and representative photographs of the neighborhood.

(l) A current site map showing the various buildings of the project and identifying the buildings to be demolished and/or disposed of.

(m) A relocation plan for relocation not described in a demolition application.

(n) A city map which clearly identifies key facilities in the context of existing city streets, the central business district, other key city sites, and census tracts and which indicates the existing project, the planned development, and any off-site housing.

(o) A neighborhood map which clearly shows the distance, and distance scale, between two projects, if the two projects are being submitted as a single development for HOPE VI funding, pursuant to Section II.(A)(2)(b), above, of this NOFA.

(p) A proposed site map which indicates where proposed construction, rehabilitation acquisition, or disposition activities will take place.

(q) Site and unit design illustrations.

(3) *Submissions Required for Completeness.* The following submissions are required in your application but HUD will not use them for rating purposes. In accordance with section V. of the General Section of this SuperNOFA, HUD will give you the opportunity to submit missing submissions. If, after the cure period, HUD has not received and accepted the missing submissions, your application will not be eligible for funding.

(a) A certification by an independent engineer that the targeted public housing project, or buildings in a project, meets the severe distress requirement described in Section IV.(B)(1)(a)(i) of this program section of the SuperNOFA, above.

(b) An Implementation Schedule.

(c) Evidence that at least one training session on the HOPE VI development process and three public meetings were held in accordance with the requirements of section IV.(B)(2) of this program section of the SuperNOFA, above.

(d) The HOPE VI Revitalization Applicant Certifications. The text of the Revitalization Applicant Certifications is included as Appendix A below, and the actual form to sign is located in the HOPE VI Application Kit; and

(e) Signed copies of the standard forms, certifications, and assurances listed in section II.(G) of the General Section of this SuperNOFA.

(B) Demolition Application Requirements

The HOPE VI Application Kit provides explicit, specific instructions as to the format of a HOPE VI Demolition application. Your application must conform to the requirements of this program section of the SuperNOFA and follow the format described in the kit. The following is a summary of the application information required by this program section of the SuperNOFA. Demolition grants are awarded on a first-come, first-served basis and HUD does not rate the applications. Therefore, any missing information may be submitted after the application is first submitted in accordance with section V.(D) of this program section of the SuperNOFA, above. HUD will not consider any application for funding until you submit each of the following requirements to HUD's satisfaction.

(1) Standard Form 424, Request for Federal Assistance, signed by a person legally authorized to enter into an agreement with the Department.

(2) Site Information and Proposed Activities: information and description of the proposed demolition and related activities.

(3) Documentation of unit eligibility:

(a) Evidence of HUD approval of a demolition/disposition application (approval letter); or

(b) Approval by HUD or submission to HUD by the HOPE VI demolition application due date of an obsolete and/or severely distressed public housing conversion plan in conformance with the requirements of 24 CFR part 971.

(4) A description of program financing, including a program budget submitted on Form HUD–52825–A and third-party certification of reasonable and accurate costs.

(5) A program schedule which clearly shows that you will complete the proposed demolition within two years from the date your ACC Amendment is executed.

(6) The HOPE VI Demolition Applicant Certifications. The text of the Demolition Applicant Certifications is included in Appendix B below, and the actual form to execute is located in the HOPE VI Application Kit; and

(7) Signed copies of the standard forms, certifications, and assurances listed in Section II.(G) of the General Section of this SuperNOFA.

VII. Corrections to Deficient Applications

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

VIII. Authority

The funding for HOPE VI Revitalization and Demolition grants under this program section of the SuperNOFA is provided by the FY 1999 HUD Appropriations Act under the heading ''Revitalization of Severely Distressed Public Housing (HOPE VI).''

Appendix A—HOPE VI Revitalization Applicant Certifications

The text of the HOPE VI Revitalization Applicant Certifications is as follows:

Acting on behalf of the Board of Commissioners of the Housing Authority listed below, as its Chairman, I approve the submission of the HOPE VI application of which this document is a part and make the following certifications to and agreements with the Department of Housing and Urban Development (HUD) in connection with the application and implementation thereof:

1. The PHA will comply with all policies, procedures, and requirements prescribed by HUD for the HOPE VI program, including the implementation of HOPE VI activities in a timely, efficient, and economical manner.

2. The PHA has not and will not receive assistance from the Federal government, State, or unit of local government, or any agency or instrumentality, for the specific activities for which funding is requested in the application. The PHA has established controls to ensure that any activity funded by the HOPE VI grant is not also funded by any other HUD program, thereby preventing duplicate funding of any activity.

3. The PHA will not provide to any development more assistance under the HOPE VI Program than is necessary to provide affordable housing after taking into account other governmental assistance provided. The PHA could not undertake the activities proposed in the application without the additional assistance provided by the requested HOPE VI grant.

4. The PHA will supplement the aggregate amount of the HOPE VI grant with funds from sources other than HOPE VI in an amount not less than 5 percent of the amount of HOPE VI grant.

5. In addition to supplemental amounts provided in accordance with Certification 4 above, if the PHA uses more than 5 percent of the HOPE VI grant for Community and Supportive Services Programs, it will provide supplemental funds from sources other than HOPE VI in an amount equal to the amount used in excess of 5 percent.

6. The PHA has conducted at least one training session for residents on the HOPE VI development process and three public meetings with residents and community members to involve them in the process of planning the revitalization and preparing the application. At least one meeting was held after the publication date of the FY 1999 HOPE VI Revitalization NOFA.

7. The PHA does not have any litigation pending which would preclude timely startup of activities.

8. The application is in full compliance with any desegregation or other court order related to Fair Housing (e.g., Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and Section 504 of the Rehabilitation Act of 1973) that affects the PHA's public housing program and that is in effect on the date of application submission.

9. Disposition activity under the grant will be conducted in accordance with 24 CFR part 970.

10. Acquisition of land, or acquisition of off-site units with or without rehabilitation to be used as public housing, will be carried out in accordance with 24 CFR part 941.

11. Major rehabilitation and other physical improvements of housing and non-dwelling facilities will be carried out 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).

12. Construction of replacement rental housing, both on-site and off-site, economic development, and community facilities, will be carried out in accordance with 24 CFR part 941, including mixed-finance development in accordance with subpart F.

13. Replacement housing activity with units acquired or otherwise provided for homeownership under Section 5(h) of the 1937 Act will be conducted in accordance with 24 CFR part 906.

14. Replacement housing activities provided through housing opportunity programs of construction or substantial rehabilitation of homes will meet essentially the same eligibility requirements of the Nehemiah Program.

15. The administration and operation of units will be in accordance with all existing public housing rules and regulations.

16. The PHA will comply with the requirements of the Fair Housing Act (42 U.S.C. 3601–19) and regulations pursuant thereto (24 CFR part 100); Executive Order 11063 (Equal Opportunity in Housing) and regulations pursuant thereto (24 CFR part 107); the fair housing poster regulations (24 CFR part 110) and advertising guidelines (24 CFR part 109); Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and regulations pursuant thereto (24 CFR part 1).

17. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975 (42 U.S.C. 6101–07) and regulations issued pursuant thereto (24 CFR part 146); the prohibitions against discrimination against, and reasonable modification and accommodation and accessibility requirements for, handicapped individuals under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and regulations issued pursuant thereto (24 CFR part 8); the Americans with Disabilities Act (42 U.S.C. 12101 et. seq.) and regulations issued pursuant thereto (28 CFR Part 36); and the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151) and regulations issued pursuant thereto (24 CFR Part 40).

18. The PHA has adopted the goal of awarding a specified percentage of the dollar value of the total of the HOPE VI contracts to be awarded during subsequent fiscal years to minority business enterprises and will take appropriate affirmative action to assist resident-controlled and women's business enterprises in accordance with the requirements of Executive Orders 11246, 11625, 12432, and 12138.

19. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Employment Opportunities for Lower Income Persons in Connection with Assisted Projects) and its implementing regulation at 24 CFR part 135.

20. The PHA will comply with Davis-Bacon or HUD-determined prevailing wage rate requirements to the extent required under Section 12 of the U.S. Housing Act of 1937.

21. The PHA will comply with the relocation assistance and real property acquisition requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and government-wide implementing regulations at 49 CFR part 24 and will provide temporary relocation assistance in accordance with 24 CFR 968.108.

22. The PHA will comply with the HOPE VI requirements for reporting, and for access to records and audits as required in the HOPE VI Grant Agreement.

23. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821, et seq.) and is subject to 24 CFR parts 35 and 965 (subpart H) and Section 968.110(k), as they may be amended from time to time.

24. The PHA will comply with the policies, guidelines, and requirements of OMB Circular Nos. 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), as modified by 24 CFR 941 subpart F relating to the procurement of partners in mixed finance developments, except when inconsistent with the provisions of the 1998 Appropriations Act or other applicable Federal statutes or the NOFA pursuant to which the application was submitted.

25. PHA has returned any excess advances received during development or modernization, or amounts determined by HUD to constitute excess financing based on a HUD-approved Actual Development Cost Certificate (ADCC) or Actual Modernization Cost Certificate (AMCC), or that HUD has approved a pay-back plan.

26. There are no environmental factors, such as sewer moratoriums, precluding development in the requested locality.

27. The application is consistent with Environmental Justice Executive Order 12898, in that the proposed public housing will be developed only in environmentally sound and desirable locations and will avoid disproportionately high and adverse environmental effects on minority and low-income communities.

28. The PHA will comply with the provisions of 24 CFR part 24 with regard 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.

29. The public housing project or building in a project targeted in this HOPE VI application meets the definition of severe distress provided in Section IV.(B)(1) of the FY 1999 HOPE VI NOFA.

Appendix B—HOPE VI Demolition Applicant Certifications

The text of the HOPE VI Demolition Applicant Certifications is as follows:

Acting on behalf of the Board of Commissioners of the Public Housing Authority (PHA) listed below, as its Chairman, I approve the submission of the HOPE VI Demolition funding application of which this document is a part and make the following certifications to and agreements with the Department of Housing and Urban Development (HUD) in connection with the application and implementation thereof:

1. The PHA will comply with all policies, procedures, and requirements prescribed by HUD for the HOPE VI program, including the implementation of HOPE VI activities in a timely, efficient, and economical manner.

2. The PHA has not and will not receive assistance from the Federal government, State, or unit of local government, or any agency or instrumentality, for the specific activities for which funding is requested in the application. The PHA has established controls to ensure that any activity funded by the HOPE VI grant is not also funded by any other HUD program, thereby preventing duplicate funding of any activity.

3. The PHA will not provide to any development more assistance under the HOPE VI Program than is necessary to perform demolition activities after taking into account other governmental assistance provided.

4. Disposition activity under the grant will be conducted in accordance with 24 CFR part 970;

5. The PHA will comply with the requirements of the Fair Housing Act (42 U.S.C. 3601–19) and regulations pursuant thereto (24 CFR part 100); Executive Order 11063 (Equal Opportunity in Housing) and regulations pursuant thereto (24 CFR part 107); the fair housing poster regulations (24 CFR part 110) and advertising guidelines (24 CFR part 109); Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and regulations pursuant thereto (24 CFR part 1).

6. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975 (42 U.S.C. 6101–07) and regulations issued pursuant thereto (24 CFR part 146); the prohibitions against discrimination against, and reasonable modification and accommodation and accessibility requirements for, handicapped individuals under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and regulations issued pursuant thereto (24 CFR part 8); the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and regulations issued pursuant thereto (28 CFR Part 36); and the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151) and regulations issued pursuant thereto (24 CFR Part 40).

7. The PHA will address the elimination of impediments to fair housing that were identified in the jurisdiction's Analysis of Impediments to Fair Housing Choice; remedy discrimination in housing; and promote fair housing rights and fair housing choice.

8. The PHA has adopted the goal of awarding a specified percentage of the dollar value of the total of the HOPE VI contracts to be awarded during subsequent fiscal years to minority business enterprises and will take appropriate affirmative action to assist resident-controlled and women's business enterprises in accordance with the requirements of Executive Orders 11246, 11625, 12432, and 12138.

9. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Employment Opportunities for Lower Income Persons in Connection with Assisted Projects) and its implementing regulation at 24 CFR part 135.

10. The PHA will comply with Davis-Bacon or HUD-determined prevailing wage rate requirements to the extent required under Section 12 of the U.S. Housing Act of 1937.

11. The PHA will comply with the relocation assistance and real property acquisition requirements of 24 CFR 970.5.

12. The PHA will keep records in accordance with 24 CFR 85.20 that facilitate an effective audit to determine compliance with program requirements.

13. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821, et seq.) and is subject to 24 CFR parts 35 and 965 (subpart H) and Section 968.110(k), as they may be amended from time to time.

14. The PHA will comply with the policies, guidelines, and requirements of OMB Circular Nos. A–87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).

15. The PHA does not have any litigation pending which would preclude timely startup of activities.

16. PHA has returned any excess advances received during development or modernization, or amounts determined by HUD to constitute excess financing based on a HUD-approved Actual Development Cost Certificate (ADCC) or Actual Modernization Cost Certificate (AMCC), or that HUD has approved a pay-back plan.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC HOUSING DRUG ELIMINATION PROGRAM

BILLING CODE 4210–32–C

Funding Availability for the Public and Indian Housing Drug Elimination Program (PHDEP)

Program Overview

Purpose of the Program. To provide grants to eliminate drugs and drug-related crime in public housing and Indian communities.

Available Funds. Approximately $242,750,000 is available during FY 99 for PHDEP grants.

Eligible Applicants. Public Housing Authorities (PHAs), Tribes, or Tribally Designated Housing Entities (TDHEs) on behalf of the Tribe.

Application Deadline. June 16, 1999.

Match. None

Additional Information:

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following information.

I. Application Due Date, Application Kits, Further Information and Technical Assistance

Application Due Date. Applications (an original and two copies) are due on or before 6:00 pm local time on June 16, 1999 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. Submit an original and two identical copies of the application by the application due date at the local Field Office with delegated public housing responsibilities: Attention: Director, Office of Public Housing, or, in the case of the Tribes or TDHEs, to the local HUD Administrator, Area Office of Native American Programs (AONAP), as appropriate.

For Application Kits. To receive a copy of the Public Housing Drug Elimination Program (PHDEP) application kit 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 Public Housing Drug Elimination Program (PHDEP). Please 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 PHDEP.

For Further Information and Technical Assistance. Please call the local HUD Field Office HUB with delegated housing responsibilities for your housing agency, the Area Office of Native American Programs (AONAPs) with jurisdiction over your Tribe or Tribally Designated Housing Entity (TDHE) preparing your application, HUD's Drug Information and Strategy Clearinghouse (DISC) at 1–800–952–2232; or Sonia Burgos in the Community Safety and Conservation Division, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4206, Washington, DC 20410, telephone (202) 708–1197, extension 4227; or Tracy C. Outlaw, National Office of Native American Programs, Department of Housing and Urban Development, 1999 Broadway, Suite 3390, Denver, CO 80202, telephone (303) 675–1600. (With the exception of the ''1–800'' telephone number, these are not toll-free numbers.)

II. Amount Allocated

Public Law 105–276 (the FY 1999 HUD Appropriations Act) appropriated $310,000,000 for the Public Housing Drug Elimination Program. Of the total $310,000,000 appropriated, approximately $242,750,000 is being made available for PHDEP grants. Additionally, $14,399 in FY 1999 funds is awarded to the Housing Authority of the City of Cedartown, GA, an FY 1997 PHDEP grantee mistakenly denied this amount for an eligible law enforcement activity.

III. Program Description; Eligible Applicants; Eligible/Ineligible Activities

(A) Program Description

Funds are available for Public Housing Authorities (PHAs), Tribes or Tribally Designated Housing Entities (TDHEs) to develop and finance drug and drug-related crime elimination efforts in their developments. You may use funds for enhancing security within your developments, making physical improvements to enhance security; and/or developing and implementing prevention, intervention and treatment programs to stop drug use in public and Indian housing communities.

In FY 1999, HUD is requiring all applicants to establish measurable baseline information and realistic goals for drug-related crime in Public Housing and for all major PHDEP activities being proposed. This information will be reported in a new PHDEP Semi-Annual Reporting System which will be implemented by July 1999. In addition, HUD is developing a formula based system for use in awarding PHDEP grants.

(B) Eligible Applicants

Eligible applicants include PHAs, Tribes or TDHEs. (A Tribe can apply either in its own name or through its TDHE. A TDHE cannot apply on behalf of a Tribe that is applying on its own behalf.) Resident Management Corporations (RMCs); and incorporated Resident Councils (RCs) are eligible for funding from PHAs as sub-grantees. RMCs and ROs that were operating pursuant to 24 CFR part 950 are eligible for funding from Tribes or TDHEs as subgrantees to develop security and substance abuse prevention programs.

(C) Eligible/Ineligible Activities

Under statute, PHDEP grants may be used for seven types of activities including: Physical improvement specifically designed to enhance security; Programs designed to reduce use of drugs in and around public or Indian housing developments including drug-abuse prevention, intervention, referral, and treatment; Funding for non-profit public housing resident management corporations (RMCs), Resident Councils (RCs), and Resident Organizations (ROs) to develop security and drug abuse prevention programs involving site residents; Employment of security personnel; Employment of personnel to investigate and provide evidence in administrative or judicial proceeding; Reimbursement of local law enforcement agencies for additional security and protective services; and Training, communications equipment, and related equipment for use by voluntary tenant patrols.

Following is a discussion by activity type of: what is fundable; what is not fundable; and specific requirements or items that need to be discussed in your application if you are including that activity in your application.

(1) *Physical Improvements to Enhance Security.* (a) Physical improvements specifically designed to enhance security may include: installing barriers, speed bumps, lighting systems, fences, surveillance equipment (e.g., Closed Circuit Television (CCTV), computers and software, fax machines, cameras, monitors, and supporting equipment), bolts, locks, and landscaping or reconfiguring common areas to discourage drug-related crime.

(i) All physical improvements must be accessible to persons with disabilities. For example, locks or buzzer systems that are not accessible to persons with restricted or impaired strength, mobility, or hearing may not be funded by PHDEP. Defensible space improvements must comply with civil rights requirements and cannot exclude

or segregate people because of their race, color, or national origin from benefits, services, or other terms or conditions of housing. All physical improvements must meet the accessibility requirements of 24 CFR part 8.

(ii) Funding is permitted for the purchase or lease of house trailers of any type that are not designated as a building if they are used for eligible community policing, educational, employment, and youth activities. A justification of purchase versus lease must be supported by your cost-benefit analysis.

(b) *Ineligible Improvements.* (i) Physical improvements that involve demolishing any units in a development.

(ii) Physical improvements that would displace persons are ineligible.

(iii) Acquiring real property.

(2) *Programs to Reduce Drug Use (Prevention, Intervention, Treatment, Structured Aftercare and Support Systems).* (a) *General Requirements and Strategies.* HUD is looking for you to structure your substance abuse prevention, intervention, treatment, and aftercare program using a ''continuum of care'' approach. A ''continuum of care'' approach includes not just treating the addiction or dependency but providing aftercare, mentoring, and support services such as day care, family counseling, education, training, employment development opportunities, and other activities.

You must develop a substance abuse/sobriety (remission)/treatment (dependency) strategy to adequately plan your substance abuse prevention, intervention, treatment, and structured aftercare efforts. In many cases, you may want to include education, training, and employment opportunities for residents; and support Welfare to Work initiatives. When undertaking these activities, you should be leveraging your PHDEP resources with other Federal, State, local and Tribal resources. For example, your application may propose providing space and other infrastructure for these efforts with several public agencies providing staff and other resources at limited or no cost. Your application should also discuss how your strategy incorporates existing community resources and how they will be used in your program. The strategy should also document how community resources will be provided on-site, or how participants will be referred and transported to treatment programs that are not on-site.

A community-based approach also requires you to develop a culturally appropriate strategy. Curricula, activities, and staff should address the cultural issues of the local community, which requires your application to indicate your familiarity and facility with the language and cultural norms of the community. As applicable, your strategy should discuss cultural competencies associated with Hispanic, African-American, Asian, Native American or other racial or ethnic communities.

Your activities should focus resources directly to housing authority residents and families.

For all activities involving education, training and employment, you 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.

The current Diagnostic and Statistical Manual (DSM) of Mental Disorders of the American Psychiatric Association dated May 1994, contains information on substance abuse, dependency and structured aftercare. For more information about this reference, 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.

Eligible activities may include:

(i) Substance abuse prevention, intervention, and referral programs;

(ii) Programs of local social, faith-based and/or other organizations that provide treatment services (contractual or otherwise) for dependency/remission; and

(iii) Structured aftercare/support system programs.

(b) *Activities must be ''in and around''.* PHDEP funding is permitted for programs that reduce/eliminate drug-related crime ''in and around'' the premises of the housing authority/development(s). HUD has defined the term ''in and around'' to mean within, or adjacent to, the physical boundaries of a public or Indian housing development. This ensures that program funds and activities are targeted to benefit, as directly as possible, public and Indian housing developments and their residents.

(c) *Eligible cost.* (i) Funding is permitted for reasonable, necessary, and justified purchasing or leasing (whichever is documented as the most cost effective) of vehicles for transporting adult and youth residents for education, job training, and off-site treatment programs directly related to reducing drugs and drug-related crime. The cost reasonableness can be determined by a comparison of the number of participants in and anticipated costs of these programs compared to the purchase or lease cost of the vehicles. If these costs are included in your application, you must include a description of why the expenses are necessary. Under no circumstances are these vehicles to be used for other than their intended purpose under your grant.

(ii) Funding is permitted for reasonable, necessary and justified program costs, such as meals and beverages incurred only for training, education and employment activities, and youth services directly related to reducing drugs and drug-related crime. Refer to Office of Management and Budget (OMB) Circular A–87, Cost Principles for State, Local and Indian Tribal Governments.

(d) *Prevention.* 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.

Prevention programs should provide a comprehensive prevention approach for residents that address the individual resident and his or her relationship to family, peers, and the community. Your prevention programs activities should identify and change the causal factors present in housing authorities that lead to drug-related crime thereby lowering the risk of drug usage. Many components of a comprehensive approach, including refusal and restraint skills training programs or drug, substance abuse/dependency and family counseling, may already be available in the community of your housing developments and should be included to the maximum extent possible in your proposed program of activities.

The following eligible activities under a prevention program are discussed in more detail below: educational opportunities; family and other support services; youth services; and economic and educational opportunities for resident adult and youth activities.

(i) *Educational Opportunities.* The causes and effects of illegal drug/substance abuse must be discussed in a culturally appropriate and structured setting. You may contract (in accordance with 24 CFR 85.36) to provide such knowledge and skills through training programs. The professionals contracted to provide these services are required to base their services on your needs assessment and program plan. 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.* ''Supportive services'' are services that allow housing authority families to have access to prevention, educational and employment opportunities. Supportive services may include: child care; employment training; computer skills training; remedial education; substance abuse counseling; help in getting a high school equivalency certificate; and other services to reduce drug-related crime.

(iii) *Youth Services.* ''Educating and enabling America's youth to reject illegal drugs'' is Goal #1 of the Office of National Drug Control Policy (ONDCP) top five goals in the Nation's Drug Control Strategy. Activities that target youth further this goal. Proposed youth prevention programs must demonstrate that they have included groups composed of young people ages 16 through 18. Your youth prevention activities should be coordinated by adults but have housing authority youth actively involved in organizing youth leadership, sports, recreational, cultural and other activities. Eligible youth services may include: youth sports; youth leadership skills training; cultural and recreational activities. These youth services provide an alternative to drugs and drug-related criminal activity for public housing and Native American youth. Youth leadership skills training may include training in leadership, peer pressure reversal, resistance or refusal skills, life skills, goal planning, parenting skills, and other relevant topics. Youth leadership training should be designed to place youth in leadership roles including: mentors to younger program participants, assistant coaches, managers, and team captains. Cultural and recreational activities may include ethnic heritage classes, art, dance, drama and music appreciation.

The following are eligible youth services activities:

(*1*) Salaries and expenses for staff for youth sports programs and cultural activities and leadership training;

(*2*) Sports and recreation equipment to be used by participants;

(*3*) Non-profit subgrantees that provide scheduled organized sports competitions, cultural, educational, recreational or other activities, including: Boys and Girls Clubs, YMCAs, YWCAs, the Inner City Games, Association of Midnight Basketball Leagues.

(*4*) Liability insurance costs for youth sports activities.

(iv) *Economic and Educational Opportunities for Resident Adult and Youth.* Your proposed economic and educational activities must provide residents opportunities for interaction with, or referral to, established higher education, vocational institutions and/or private sector businesses in the immediate surrounding communities with the goal of developing or building on the residents' skills to pursue educational, vocational and economic goals and become self-sufficient.

You should discuss your economic and educational opportunities for residents and youth activities 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. Establishing or referring adults and youth to computer learning centers, employment service centers (coordinated with Federal, Tribal, State and local employment offices), and micro-business centers are eligible.

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 $10,000. Educational scholarship FY 1999 PHDEP funds must be obligated and expended during the term of your grant. You must demonstrate in your plan and timetable the scholarship strategy; the financial and management controls that will be used; and projected outcomes.

(e) *Intervention.* The aim of intervention is to identify or detect residents with substance abuse issues, assist them in modifying their behavior, and in getting early treatment, and structured aftercare.

(f) *Substance Abuse/Dependency Treatment.* (i) Treatment funded under this program should be ''in and around'' the premises of the housing authority/development(s) you proposed for funding. In undertaking substance abuse/dependency treatment programs, you must establish a confidentiality policy regarding medical and disability related information.

(ii) Funds awarded for substance abuse/dependency treatment must be targeted towards developing and implementing, or expanding and improving sobriety maintenance, substance-free maintenance support groups, substance abuse counseling, referral treatment services, and short or long range structured aftercare for residents.

(iii) Your proposed drug program must address the following goals for residents:

(*1*) Increasing accessibility of treatment services;

(*2*) Decreasing drug-related crime ''in and around'' your housing authority/development(s) by reducing and/or eliminating drug use; and

(*3*) Providing 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, domestic or youth violence counseling).

(iv) Approaches that have proven effective with similar populations will be considered for funding. You must discuss in your overall strategy the following factors:

(*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, you 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 your substance dependency treatment proposal.

(vi) You 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) You must get certification from the Single State Agency or authority with substance abuse and dependency programs coordination responsibilities that your 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 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. If you are undertaking drug treatment programs, your proposal must demonstrate how individuals that complete drug treatment will be provided employment training, education and employment

opportunities related to ''welfare to work.''

(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.

(3) *Resident Management Corporations (RMCs), Resident Councils (RCs), and Resident Organizations (ROs).* RMCs, and incorporated RCs and ROs, may be a subcontractor to their housing authorities, or Tribe/TDHE, to develop security and substance abuse prevention programs for residents. Such programs may include voluntary tenant patrol activities, substance abuse education, intervention, and referral programs, youth programs, and outreach efforts. The elimination of drug-related crime within housing authorities/developments must have the active involvement and commitment of public and Indian housing residents and their organizations. Active involvement requires that residents be involved in the planning process and implementation.

To enhance the ability of housing authorities, and Tribes/TDHEs, to combat drug-related crime within their developments, Resident Councils (RCs), Resident Management Corporations (RMCs), and Resident Organizations (ROs) may undertake program management functions, notwithstanding the otherwise applicable requirements of 24 CFR part 964. Subcontracts with the RMC/RC/RO must include the amount of funding, applicable terms, conditions, financial controls, payment mechanism schedule, performance and financial report requirements, special conditions, including sanctions for violating the agreement, and monitoring requirements.

Costs must not be incurred until a written contract is executed.

(4) *Employment of HA Security Personnel.* You may employ HA security personnel. Employment of security personnel is divided into two categories: security personnel services, and housing authority police departments. You are encouraged to involve police officials residing in public housing to partake in PHDEP security-related programs. The following specific requirements apply to all employment of security personnel activities funded under PHDEP:

(a) *Compliance.* Security guard personnel and public housing authority police departments must meet; and demonstrate compliance with, all relevant Federal, State, Tribal or local government insurance, licensing, certification, training, bonding, or other law enforcement requirements.

(b) *Law Enforcement Service Agreement.* You must enter into a law enforcement service agreement with the local law enforcement agency and if applicable, the contract provider of security. Your service agreement must include:

(i) The activities security guard personnel or the public housing authority police department (HAPD) will perform; the scope of authority; written policies, procedures, and practices that will govern security personnel or HAPD performance (i.e., a policy manual and how security guard personnel or the HAPD shall coordinate activities with your local law enforcement agency);

(ii) The types of activities that your approved security guard personnel or the HAPD are expressly prohibited from undertaking.

(c) *Policy Manual.* Security guard personnel services and PHPDs must 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 describes in detail how jobs are to be performed. The policy manual must exist before HUD will execute your grant agreement. To comply with State police department standards and/or Commission on Accreditation Law Enforcement Agencies (CALEA), you must also ensure all security guard personnel and housing authority police officers are trained in the following areas. These areas must also be covered in your policy manual:

(i) Use of force;
(ii) Resident contacts;
(iii) Enforcement of HA rules;
(iv) Response criteria to calls;
(v) Pursuits;
(vi) Arrest procedures;
(vii) Reporting of crimes and workload;
(viii) Feedback procedures to victims;
(ix) Citizens' complaint procedures;
(x) Internal affairs investigations;
(xi) Towing of vehicles;
(xii) Authorized weapons and other equipment;
(xiii) Radio procedures internally and with local police;
(xiv) Training requirements;
(xv) Patrol procedures;
(xvi) Scheduling of meetings with residents;
(xvii) Reports to be completed;
(xviii) Record keeping and position descriptions on all personnel;
(xix) Post assignments;
(xx) Monitoring;
(xxi) Self-evaluation program requirements; and
(xxii) First aid training.

(d) *Data Management.* A daily activity and incident complaint form approved by the housing authority must be used by security personnel and officers for the collection and analysis of criminal incidents and responses to service calls. Security guard personnel and HAPDs 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. Costs 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. However, 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.* HUD encourages you to employ qualified resident(s) as security guard personnel, and/or to contract with security guard personnel firms that demonstrate a program to employ qualified residents as security guard personnel. Since your program of eliminating drug-related crime should promote ''welfare to work'' an excellent way to implement this is to employ residents.

(6) *Employment of Personnel and Equipment for HUD Authorized Housing Authority Police Departments.* Funding equipment and employment of housing authority police department (HAPD) personnel is permitted for housing authorities that already have HAPDs. The following 12 housing authorities are approved by HUD as being eligible under the FY 1999 PHDEP for these activities:

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) Notice PIH 98–16, issued March 11, 1998, reinstated PIH 95–58 (PHA) ''Guidelines for Creating, Implementing and Managing Public Housing Authority Police Departments in Public Housing Authorities).'' This Notice identifies prerequisites for creating HAPDs and provides guidance to assist housing authorities in making decisions about public housing security, analysis of security needs, and performance measures and outcomes.

(b) Housing authorities with their own HAPDs, but that are not included in the list above, shall request (in writing) to be recognized by HUD as a HAPD. The written request must be sent to the Office of the Deputy Assistant Secretary for Public and Assisted Housing Delivery, Public and Indian Housing, Department of Housing and Urban Development, Room 4204, 451 Seventh Street, SW, Washington, D.C. 20410. This request must be approved by HUD before you submit your FY 1999 PHDEP application.

(c)(i) HAPDs 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 HAPD accreditation activities is permitted.

(ii) Housing authorities receiving grants for funding HAPDs are required to hire an HAPD accreditation specialist to manage the accreditation program. HAPDs must submit a plan and timetable to be funded for this activity. If you have a public housing police department funded under the FY 1996, 1997, or 1998 PHDEP you must demonstrate in your plan what progress you made in implementing your accreditation program and the projected date of accreditation. HUD will monitor results of your plan and timetable. HAPDs not meeting their timetables will be ineligible for funding in FY 2000.

(d) If you are an applicant seeking funding for this activity, you 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 part of the overall city and/or 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.

(e) If you are requesting funding for housing authority public housing authority police department officers, you must have car-to-car (or other vehicles) and portable-to-portable radio communications links between public housing authority police officers and local 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. If you do not have such links you must submit a plan and timetable for the implementation of such communications links. This activity is eligible for funding. If you were a housing authority funded under the FY 1994, 1995, 1996, 1997, and/or 1998 PHDEP for public housing police departments, you must demonstrate what progress has been made in implementing its planned communications links.

(f) HAPDs funded under this program that are not employing a community policing concept must submit a plan and timetable for the implementation of community policing with their application for funding. If you were a housing authority funded under the FY 1994, 1995, 1996, 1997, or 1998 PHDEP for HAPDs shall demonstrate what progress they have made in implementing a community policing program.

(g) Community policing under PHDEP is defined as a method of providing law enforcement services 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 fear of crime. Community policing uses proactive measures including foot patrols, bicycle patrols, and motor scooters patrols. It also includes KOBAN activities where police officers operate out of police mini-stations, and other community-based facilities in housing authorities providing human resource activities with youth), and citizen contacts. This concept empowers police officers at the beat and zone level and residents in neighborhoods to:

(i) Reduce crime and fear of crime;

(ii) Ensure the maintenance of order;

(iii) Provide referrals of residents, victims, and homeless persons to social services and government agencies;

(iv) Ensure feedback of police actions to victims of crime; and

(v) Promote a law enforcement value system based on the needs and rights of residents.

For additional information regarding KOBAN community policing contact Cedric Brown, (202) 708–1197, extension 4057.

(h) Authorized PHPDs can purchase or lease law enforcement clothing or equipment. Eligible law enforcement clothing or equipment may include uniforms and protective vests; firearms/weapons and ammunition; police vehicles including cars, vans, buses; or other equipment supporting PHPDs crime prevention and security mission. If you have not been identified by HUD as having an authorized PHPD, you are not permitted to use PHDEP funds to 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 security and protective services are permitted if services are over and above the local police department's current level of baseline services. Housing authorities, Tribes, and TDHEs are required to identify the level of local law enforcement services received and the increased level of services to be received in their local Cooperation Agreement.

(8) *Employment of Investigators.* Employment of, and equipment for, one or more individuals to investigate drug-related crime ''in and around'' the real property comprising your development(s) and providing evidence relating to such crime in any administrative or judicial proceedings is permitted. 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.

(a) If you are a housing authority that employs investigators funded by this program, you must demonstrate compliance with all relevant Federal, Tribal, State or local government insurance, licensing, certification, training, bonding, or other similar law enforcement requirements.

(b) Both you and the provider of the investigative services are required to execute a written agreement that describes the following:

(i) The activities that your investigators will perform, their scope of authority, reports to be completed, established investigative policies, procedures, and practices that will govern their performance (i.e., a Policy Manual; and how your investigators will coordinate their activities with local, State, Tribal, and Federal law enforcement agencies); and prohibited activities.

(ii) The activities the housing authority/Tribal investigators are expressly prohibited from undertaking.

(c) Your investigator(s) may 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.

(d) Your investigator(s) shall report on drug-related crime in your developments. You must 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 collection, analysis and reporting of activities by your investigators. You are encouraged to develop and use Management Information Systems (MIS) (Computers, software, hardware, and associated equipment) and hire management personnel for crime and workload reporting in support of your crime prevention and security activities.

(e) You may not expend funds and funds will not be released by the local HUD Field Office/AONAP until you have met the requirements of (6)(i)(d).

(9) *Voluntary Tenant Patrols.* HUD believes 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. Members of tenant patrols must be volunteers and must be residents of the housing authority's development(s). Voluntary tenant patrols are expected to patrol in your 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.

(a) Training equipment, uniforms) for use by voluntary tenant patrols acting in cooperation with officials of local law enforcement agencies is permitted. All costs must be reasonable, necessary and justified. Bicycles, motor scooters, all season uniforms and associated equipment to be used, exclusively, by the members of your voluntary tenant patrol are eligible items. Voluntary tenant patrol uniforms and equipment must be identified with your specific housing authority/development(s) identification and markings.

(b) 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 eligible.

(c) If you are funding voluntary tenant patrol activities, you, your local law enforcement agency, and the tenant patrol, before expending grant funds, are required to execute a written agreement that includes:

(i) The nature of the activities to be performed by your voluntary tenant patrol, the patrol's scope of authority, assignment, 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 activities the voluntary tenant patrol is expressly prohibited from undertaking and that the carrying or use of firearms,weapons, nightsticks, clubs, handcuffs, or mace is prohibited;

(iii) Required initial and on-going voluntary tenant patrol training members will receive from the local law enforcement agency; (Please note that training by HUD-approved trainers and/or the local law enforcement agency is required before putting a voluntary tenant patrol into effect); and

(iv) Voluntary tenant patrol members will be subject to individual or collective liability for any actions undertaken outside the scope of their authority (described in paragraph (ii) above) and that such acts are not covered under your housing authority liability insurance.

(d) PHDEP grant funds *must not* be used for any type of financial compensation, such as 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. Excessive staffing is not submitted.

(10) *Evaluation of PHDEP Activities.* Funding is permitted to contractually hire organizations and/or consultant(s) to conduct an independent assessment and evaluation of the effectiveness of your PHDEP program. You should include in your plan and budget contracting with an independent survey organization to conduct an annual resident survey in your targeted developments/areas. The amount of funding proposed for conducting assessments or evaluations should be necessary, reasonable, and justified. However, even except if adequately justified, HUD would not expect that this cost should exceed ten (10) percent of the total grant amount requested.

(11) *High Intensity Drug Trafficking Areas (HIDTAs).* Funding may be used for activities to eliminate drug-related crime in housing owned by a public housing agency that is not public housing assisted under the United States Housing Act of 1937 and is not otherwise federally assisted. For example, housing that receives tenant subsidies under Section 8 is federally assisted and would not qualify, but housing that receives only State, Tribal, or local assistance would qualify if it meets the following two requirements:

(a) The housing is located in a high intensity drug trafficking area designated pursuant to Section 1005 of the Anti-Drug Abuse Act of 1988 (see Appendix A); and

(b) The PHA owning the housing demonstrates, on the basis of information submitted, that the drug-related crime at the housing authority project has a detrimental affect in or around the housing.

The High Intensity Drug Trafficking Areas (HIDTAs) are areas identified as having problems that adversely impact the rest of the country.

(D) 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 your grant agreement (Form HUD–1044), including, but not limited to, consultant fees related to the development of your application or the actual writing of your 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 clothing or equipment, vehicles (including cars, vans, and buses), uniforms, ammunition, firearms/weapons, protective vests, and any other supportive equipment for use in law enforcement or military enforcement except for HAPDs and investigator activities listed in this program section of the SuperNOFA.

(5) Construction of facility space in a building or unit, and the costs of retrofitting/modifying existing buildings owned by the housing authorities and TDHEs for purposes other than: community policing mini-station operations, adult/youth education, employment training facilities, and drug abuse treatment activities.

(6) Organized fund raising, advertising, financial campaigns, endowment drives, solicitation of gifts and bequests, rallies, marches, community celebrations, stipends and similar expenses.

(7) Court costs and attorneys fees related to screening or evicting residents for drug-related crime are not allowable.

(8) PHDEP grant funds cannot be transferred to any Federal agency.

(9) Costs to establish councils, resident associations, resident organizations, and resident corporations are not allowable.

(10) Indirect costs are not allowable.

(11) Supplant existing positions/activities. For purposes of the PHDEP, supplanting is defined as ''taking the place of or to supersede''.

(12) Alcohol-exclusive activities and programs *are not eligible* for funding under this program section of the SuperNOFA, although activities and programs may address situations of multiple abuse involving controlled substances and alcohol. This is because under law, PHDEP is limited to only controlled substances.

IV. Program Requirements

Your application must meet all the applicable threshold requirements described in Section II.B. of the General Section of this SuperNOFA. In addition to the program requirements listed in the General Section of this SuperNOFA, the following are requirements specific to PHDEP:

(A) 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 PHDEP on a sliding scale, using an overall maximum cap, depending upon the number of housing authority, tribe or TDHE units eligible for funding.

(1) *PHAs.* (a) The unit count includes rental, Turnkey III Homeownership, and Section 23 leased housing bond-financed projects. Eligible units are those that are under management and fully developed, and must be covered by an ACC during the period of grant award. In determining unit count for PHA-Owned Rental Housing, a long-term vacancy unit as defined in 24 CFR 990.102 is included in the count.

(b) PHAs preparing PHDEP applications are required to confirm/validate the unit count with the local Field Office (Office of Public Housing) before you submit your application. Field Offices shall not include non-Federally Assisted Housing located in High Intensity Drug-Trafficking Areas in the unit count. Confirmation/Validation may be given if the unit count to be used for a particular program (e.g., PHA-Owned Rental) is the same as the unit count reflected on a PHA's most recently approved Operating Budget (Form HUD–52564) and/or subsidy calculation (Form HUD–52723) submitted for that program. Field Offices that have PHAs that are not required to submit either of these forms may confirm/validate the PHDEP unit count if it is the same as the most recently submitted Form HUD–51234. Field Offices in validating the unit count shall not include Non-Federally Assisted Housing units located in High Intensity Drug-Trafficking Areas.

(2) *Tribes and TDHEs.* (a) The unit count includes rental, Turnkey III and Mutual Help Homeownership 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.

(b) Eligible units are those units which are under management and fully developed. However, you 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. If you are an applicant for Native American housing developments, you must certify that the targeted units were covered by an Annual Contributions Contract (ACC) on September 30, 1997.

(c) Use the number of units counted as Formula Current Assisted Stock for Fiscal Year 1999 as defined in 24 CFR 1000.316.

(3) *FY 1999 grant award amounts.* (i) If you are a PHA, Tribe, or TDHE with 1–1,250 units: The maximum grant award cap is $300.00 multiplied by the number of eligible units.

(ii) If you are a PHA, Tribe, or TDHE with 1,251–24,999 units: The maximum grant award is $260.00 multiplied by the number of eligible units.

(iii) If you are a PHA, Tribe, or TDHE with 25,000–49,999 units: The maximum grant award is $230.00 multiplied by the number of eligible units.

(iv) If you are a PHA, Tribe, or TDHE with 50,000 or more units: The grant award is $200.00 multiplied by the number of eligible units; up to, but not to exceed, a maximum grant award of $35 million.

You can not apply for more funding than is permitted in accordance with the maximum grant award amounts described above. If you request funding that exceeds the maximum grant award amount permitted your application will be rejected and you will not be eligible for any funding, unless a computational error was involved in the funding request.

(B) Complying With Civil Rights Requirements

To protect and insure the civil rights of occupants of HUD-sponsored housing and residents around that housing, your proposed strategies should ensure that you do not undertake crime-fighting and drug prevention activities that violate civil rights and fair housing statutes. You may not use race, color, sex, religion, national origin, disability or familial status to profile persons as suspects or otherwise target them in conducting these activities. You are encouraged to involve as many segments of your intended population as possible in developing and implementing your strategies.

(C) Section 3 Economic Opportunity

Please see Section II of the General Section of this SuperNOFA. Section 3 may be applicable to some of your activities funded by this PHDEP NOFA.

(D) Confidentiality of Records Requirements

You must establish a confidentiality policy regarding medical and disability-related information for programs involving prevention, intervention, or substance abuse/dependency treatment and aftercare.

(E) Commingling of Funds

Housing authorities must not co-mingle funds of multiple HUD programs including: CIAP; CGP; OTAR; EDSS; TOP; IHBG; HOPE projects; Family Investment; Elderly Service Coordinator; and Operating Subsidy.

(F) Term of Grant

Your grant funds must be expended within 24 months after HUD executes a Grant Agreement. There will be no extensions of this grant term and at the end of the grant term all unspent funds will be returned to HUD.

(G) Reports and Closeout

(1) In accordance with 24 CFR 761.35, if funded, you are required to submit semiannually a PHDEP Semi-Annual Performance Report and the Semi-Annual Financial Status Report (SF–269A) to the appropriate HUD Field Office.

(2) In the past, the PHDEP Semi-Annual Performance report was often referred to as the ''narrative'' report. For FY 1999 PHDEP grants, HUD will be requiring more specific data to facilitate providing more meaningful performance information to comply with the requirements of the Government Performance and Results Act (GPRA), and to provide greater assurance that the program activities undertaken are effective in reducing drugs and drug-related or violent crime in areas targeted by PHDEP funds. These reports will evaluate your overall performance under the grant, against the baselines and goals and objectives contained in your approved FY 99 application.

(3) For FY 1999 grants, HUD will require selected applicants to report semiannually on their progress in reducing drugs and drug-related crime using the objective Part I and Part II crime data as a baseline and the specific percentage reduction goals within targeted areas over the 24 month grant period as stated in your application. HUD will also be requiring you to report the number of full-time equivalent positions for law enforcement and security services. Thirdly, you will be reporting on PHDEP-supported activities for residents broken out by: (1) youth; and (2) adults, families, or communities. For each category of PHDEP-supported activities, other than law enforcement, you will be required to report program or activity goals that are specific, measurable and were contained in your application, the results achieved and the total hours of participation in the activity. Lastly, you will be required to have an independent survey organization conduct an annual resident survey within the PHDEP targeted developments to determine if residents feel safer than before PHDEP activities began.

(4) These PHDEP Semi-Annual Performance Reports shall cover the periods ending June 30 and December 31, and must be submitted to HUD by July 30 and January 31 of each year. You must submit these reports electronically. Access to grants funds will be denied if these reports are not received on a timely basis.

(5) At grant completion, you must comply with the closeout requirements described in Public Housing Notice PIH 98–60 (HA), entitled ''Grant Closeout Procedures,'' and, when appropriate, in the return of grant funds not expended according to applicable requirements.

(H) 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.

V. Application Selection Process

(A) Rating and Ranking

(1) *General.* HUD will rate and rank applications based on the 5 rating factors listed in Section V(B) of this PHDEP section of the SuperNOFA, below. HUD will select and fund the highest ranking applications based on total 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 to award funds. 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, and included under Rating Factor 3.

(2) *Tiebreakers.* 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 neither can 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.

(B) *Factors For Award to Evaluate and Rank Applications.* Your application must address the five (5) factors, and subfactors listed below. The maximum number of points for this program is 102. This includes the two bonus points for EZ/EC. Your 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 you have the capacity, the proper organizational experience and resources to implement the proposed activities in a timely and effective manner. The rating of the ''applicant'' or the ''applicant's organization and staff'' for technical merit, unless otherwise specified, includes any subcontractors, consultants, subrecipients, and members of consortia which are firmly committed to your project. In rating this factor, HUD will consider the following:

(1) (10 points.) The knowledge and experience of your staff and your administrative capability to manage grants of this size and type. This includes your administrative support and procurement entities, defined organizational lines of authority, and demonstrated fiscal management capacity.

(2) (10 points.) Past performance in administering Drug Elimination grants and/or other Federal, state or local grants of similar size and complexity during the last 3 years.

You must identify your participation in HUD grant programs within the last three years and discuss the degree of your success in implementing planned activities, achieving program goals and objectives, timely drawdown of funds, timely submission of required reports with satisfactory outcomes within budget and schedule, audit compliance, whether there are, and the extent of any, unresolved findings and/or outstanding recommendations from prior HUD reviews or audits undertaken by HUD, HUD-Office of Inspector General, the General Accounting Office (GAO) or independent public accountants (IPAs). For PHAs (and TDHEs that had previously applied as IHAs), HUD will consider the results of: PHMAP and more specifically Security Indicator #8, physical inspections, agency monitoring of records, Line of Credit Control System Reports (LOCCS) on the status of prior grants, audits and other relevant information available to HUD on your capacity to undertake this grant.

In response to HUD–OIG audit findings concerning outstanding, unexpended PHDEP funds remaining from prior grants, HUD will reduce your score by two (2) points for every open PHDEP grant for FY 91 through FY 95 without HUD approved extensions or waivers. HUD will use the LOCCS disbursement system as of the date the application is received to verify grant status.

Rating Factor 2: Need/Extent of the Problem (25 Points)

This factor examines the extent to which there is a need for funding the proposed program activities to address a documented problem in your proposed 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, you will be evaluated on: (1) the extent to which a critical level of need for your proposed activities is explained; and (2) the urgency of meeting the need in the target area. You must include in your response 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) (20 points) ''Objective Crime Data'' relevant to your target area. To the extent that you can provide objective drug-related crime data specific to the community or targeted development proposed for funding, you will be awarded up to 20 points. Objective crime data must include the most current and specific Part I Crime data and relevant Part II Crime data available from the FBI's Uniform Crime Reporting Program (UCR) system or the local law enforcement's crime statistics. Part I Crimes include: homicide; rape; robbery; aggravated assault; burglary; larceny; auto theft; and arson. Part II drug-related crimes include: drug abuse violations; simple assault; vandalism; weapons violations; and other crimes which you are proposing to be targeted as part of your grant. In assessing this subfactor, HUD will consider the extent of specificity that the statistical data is provided and the data's specificity to the targeted sites (e.g., data specific to those targeted developments proposed for funding by Part I crime type versus HA/TDHE-wide data by aggregated Part I crimes).

The objective crime data provided in your application will become a ''baseline'' against which the success of your grant activities will be measured if funded. You will also be required to report not only this objective crime data in your first PHDEP Semiannual Performance Report but your goal(s) for reducing drug-related crime in the developments targeted under your grant. Your grant will be measured against these targets. This information will also support the ONDCP's National Drug Control Strategy's Goal 2 to, ''increase the safety of America's citizens by substantially reducing drug-related crime and violence.''

If you can not provide objective crime data, you will receive 5 points for including:

(a) The reasons why objective crime data can not be obtained;

(b) The efforts being made to obtain it;

(c) What efforts will be made during the grant period to begin obtaining the data; and

(d) An explanation of how you plan to measure how grant activities will result in reducing drug-related crime in the targeted developments and what will be used as a baseline. If you can not provide objective crime data and are awarded an FY 99 PHDEP grant, you will be required to provide baseline objective crime data in your first PHDEP semi-annual report. Such data may include police records or other verifiable information from records on the types or sources of drug related crime in the targeted developments and surrounding area, PHA/Tribe or TDHE wide, or at jurisdictional level.

(2) (5 Points) *Other Data Supporting the extent of Drug and Drug-related Crime.* You must identify supporting data indicating the extent of drugs and drug-related crime problems in the developments proposed for assistance under your program. HUD will consider the extent and quality of the data provided. Examples of the data include:

(a) Surveys of residents and staff in your targeted developments about drugs and drug-related crime or on-site reviews to determine drug/crime activity;

(b) Government or scholarly studies or other research in the past year that analyze drug-related crime activity in your targeted developments.

(c) Annual vandalism cost at your targeted developments, to include elevator vandalism (where appropriate) and other vandalism attributable to drug-related crime as a ratio to total annual approved budget for the targeted developments.

(d) 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).

(e) The school dropout rate and level of absenteeism for youth that you can relate to drug-related crime as a percentage or ratio of the rate outside the area.

(f) To the extent that your 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 your response. The Department will review more favorably applicants who used these documents to identify need, when applicable.

(g) The number of lease terminations or evictions for drug-related crime at the targeted developments; and

(h) 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.

(i) The number of police calls for service from housing authority 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. You should show these as a ratio of calls for service to calls in the community as a whole.

Rating Factor 3: Soundness of Approach—(Quality of the Plan) (35 Points)

This factor examines the quality and effectiveness of your proposed work plan. In rating this factor, HUD will consider the impact of your activities on the drug and drug-related crime problems identified in Factor 2 and the extent to which you identify attainable goals, objectives, and performance measures to ensure that; tangible benefits can be attained by the community and by your target population.

Your application must include a detailed narrative describing: each proposed activity for your developments proposed for assistance; the amount and extent of resources committed to each activity or service proposed; measurable goals and objectives for all major program activities that focus on outcome and results; and the process used to collect the data needed to report progress made against these goals.

In evaluating this factor, HUD will consider the following:

(1) The quality of your plan to address the drug-related crime problem, and the problems associated with drug-related crime in your developments proposed for funding, the resources allocated, and how well the proposed activities fit with the plan, including:

(a) The extent to which you have stated:

(i) Performance goals that will measure program outcomes;

(ii) The actual baseline data which will establish a starting point against which program outcomes will be measured and stated expected results for all major grant activities proposed in your application;

(iii) What performance measurement system exists for providing information to HUD semi-annually on progress made in achieving the established outcome goals. Please note: If your application is funded, this information will be the basis for required semi-annual reporting throughout your grant period.

(b) The extent to which you have designed your major activities to meet stated, measurable goals and objectives for drug and drug-related crime reduction. The extent to which your goals and objectives focus on program outcomes and results in addition to ''process or output'' data measures. While measures of process or outputs (number of residents trained) are important, they do not measure program outcomes. Outcomes include accomplishments, results, impact, and the ultimate effects of your program on the drug or crime problem in your target/project area. The goals must be objective, quantifiable, and/or qualitative and they must be stated in such a way that at the end of the 24 month grant, one can determine if the activities were effective.

(c) The extent and quality of your plan in defining specific crime reduction goals that are specific and measurable, and defining ''baselines from objective crime'' data in Factor 2. For example, eliminate or reduce crime and drug-related crime is not specific nor measurable, whereas a goal of, ''reducing Part 1 reported homicides or Part II drug abuse, etc. by 5% in development X by the end of the 24 month grant period based on measurements against the baseline year crime selection rate in the targeted development X as stated in the application,'' is specific and measurable.

(d) The rationale for your proposed activities and methods used including evidence that proposed activities have been effective in similar circumstances in controlling drug-related crime. If you are proposing new methods for which there is limited knowledge of the effectiveness, you should provide the basis for modifying past practices and rationale for why you believe the modification will yield more effective results.

If you are proposing PHDEP supported activities for residents, HUD will evaluate the quality and extent to which you provide measurable, specific and objective goals and objectives for your major activities and programs; and how the data to measure success against your goals will be obtained. HUD will award greater points if you report youth activities separately from activities for families, adults, or communities.

(2) Two bonus points will be awarded for EZs/ECs as described in the General Section of this SuperNOFA. For bonus points related to activities located in Empowerment Zones or Enterprise Communities, the applicant must demonstrate that there is a connection between such EZ or EC and tenant, local government, and local community support and participation in the design and implementation of the proposed activities to be funded under this program.

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 your ability to secure community and government resources that can be combined with HUD's program resources to achieve program purposes.

(1) In assessing this factor, HUD will consider the following:

(a) 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.

(b) 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, ''One Strike and You're Out,'' Operation Weed and Seed, Neighborhood Networks, Campus of Learners, Computerized Community Connections, Operation Safe Home, Safe Neighborhood Anti-drug Program (SNAP), local law enforcement initiatives and/or successful coordination of its law enforcement, or other activities with local, state, Tribal or Federal law enforcement agencies. Additional points will be given if your activities supporting these efforts extend beyond the 24 month grant period.

(2) In evaluating this factor, HUD will also consider the extent to which these initiatives are used to leverage resources for your 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) Your application must describe what role residents in your targeted developments, applicable community leaders and organizations, and law enforcement agencies have had in planning the activities described in your application and what role they will have in carrying out such activities.

(b) Your 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 your plan and will continue to be involved in implementing such activities during and after the period of your PHDEP funding.

(c) Your application must demonstrate the extent to which the relevant governmental jurisdiction has met its local law enforcement obligations under the Cooperation Agreement with your organization (as required by the Annual Contributions Contract with HUD). You must describe the current level of baseline local law enforcement services being provided to your housing authority/developments proposed for assistance.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you have coordinated your activities with other known organizations, participate or promote participation in your Community's Consolidated Planning Process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in your community. In evaluating this factor, HUD will consider the extent to which you can demonstrate you have:

(1) Coordinated your 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 you 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 your 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 you propose.

(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.

VI. Application Submission Requirements

(A) You must comply with the submission requirements described in the General Section of the SuperNOFA. To qualify for a grant under this program, your application submitted to HUD must also include those requirements listed under Section V., above, of the PHDEP section of this SuperNOFA, including the plan to address the problem of drug-related crime in the developments proposed for funding. You must accurately complete the form for HUD's application database entry. The form, with examples, is provided in the application kit.

(B) You must submit no more than one application per housing authority (or per Tribe or TDHE on behalf of the Tribe) for each drug elimination program contained in this PHDEP section of the SuperNOFA. In addition, joint applications that include more than one housing authority (or TDHE representing the Tribe) are permitted only in those cases where the HAs have a single administration (such as HAs managing another HA under contract or HAs sharing a common executive director). In those cases, a separate budget, plan and timetable, and unit count shall be supplied in the application. In addition, you must respond to the factors for award for each HA for which you are acting as administrator and requesting funds, if your responses would be different (e.g., the HAs are in different jurisdictions and, therefore, the Consolidated Plans, crime data, etc. would all be different). The application kit includes the forms, certifications and assurances listed in the General Section of the SuperNOFA.

(C) Each PHDEP application must conform to the requirements of this PHDEP section of the SuperNOFA and the PHDEP application kit, both in format and content. Each PHDEP application must include the following items:

(1) An application cover letter.

(2) A summary of the proposed program activities in five (5) sentences or less.

(3) A description of the subgrantees, if applicable. The description must include the names of the subgrantees, as well as the relative roles and contributions of each subgrantee in implementing the PHDEP grant activities.

(4) An overall budget and timetable that includes separate budgets, goals, and timetables for each activity, and addresses milestones towards achieving each described goal. You must also describe the contributions and implementation responsibilities of each partner for each activity, goal, and milestone.

(5) A description of the number of staff, the titles, professional qualifications, and respective roles of the staff assigned full or part-time to grant implementation.

(6) Your plan and lines of accountability (including an organization chart) for implementing the grant activity, coordinating the partnership, and assuring that the commitment made by you and your subgrantees will be met.

VII. Corrections to Deficient Applications

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

VIII. 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.

IX. Authority

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.

Appendix A

Additional Information on High Intensity Drug Trafficking Areas (HIDTAs). These areas are designated as HIDTAs by the Director, Office of National Drug Control Policy (ONDCP), pursuant to the Anti-Drug Abuse Act of 1988. As of October 30, 1998, the following areas were confirmed by the ONDCP as designated HIDTAs:

—New York/New Jersey HIDTA consists of the city of New York and all the municipalities therein and Nassau, Suffolk, and Westchester Counties (in New York), and Union, Hudson, Essex, Bergen, and Passaic Counties (in New Jersey) and all municipalities therein.

—Washington, DC/Baltimore HIDTA consists of Washington, DC; the City of Baltimore, and Baltimore, Howard, Anne Arundel, Prince George's, Montgomery and Charles Counties (in Maryland); and the City of Alexandria, and Arlington, Fairfax, Prince William, and Loudoun Counties (in Virginia) and all municipalities therein.

—South Florida HIDTA consists of the city of Miami and the surrounding areas of Broward, Dade, and Monroe Counties and all municipalities therein.

—Houston HIDTA consists of the city of Houston and surrounding areas of Harris, and Galveston Counties, and Aransas, Brooks, Jim Wells, Kenedy, Kleberg, Nueces, Refugio, San Patricio, and Victoria counties, and all municipalities therein;

—Lake County HIDTA consists of Lake County, Indiana, and all municipalities therein.

—Gulf Coast HIDTA consist of Baldwin, Jefferson, Mobile, and Montgomery Counties (in Alabama); Caddo, East Baton Rouge, Jefferson, and Orleans Parishes (in Louisiana); and Hancock, Harrison, Hinds, and Jackson Counties (in Mississippi) and all the municipalities therein.

—Midwest HIDTA consists of Muscatine, Polk, Pottawattamie, Scott and Woodbury Counties (in Iowa); Cherokee, Crawford, Johnson, Labette, Leavenworth, Saline, Seward, and Wyandotte Counties (in Kansas); Cape Garardeau, Christian, Clay, Jackson, Lafayette, Lawrence, Ray, Scott, and St. Charles Counties, and the City of St. Louis (in Missouri); Dakota, Dawson, Douglas, Hall, Lancaster, Sarpy, and Scott's Bluff Counties (in Nebraska); Clay, Codington, Custer, Fall River, Lawrence, Lincoln, Meade, Minnehaha, Pennington, Union, and Yankton Counties (in South Dakota); and all municipalities therein.

—Rocky Mountains HIDTA consists of Adams, Arapahoe, Denver, Douglas, Eagle, El Paso, Garfield, Jefferson, La Plata, and Mesa Counties (in Colorado); Davis, Salt Lake, Summit, Utah, and Weber Counties (in Utah); and Laramie, Natrona, and Sweetwater Counties (in Wyoming) and all municipalities therein.

—Southwest Border HIDTA consists of San Diego and Imperial Counties (in California), and all municipalities therein; Yuma, Maricopa, Pinal, Pima, Santa Cruz, and Cochise Counties, (in Arizona) and all municipalities therein; Bernalillo, Hidalgo, Grant, Luna, Dona Ana, Eddy, Lea, and Otero, Chaves, and Lincoln counties, (in New Mexico) and all municipalities therein; El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Pecos, Terrell, Crockett Counties (in West Texas) and all

municipalities therein; Bexar, Val Verde, Kinney, Maverick, Zavala, Dimmit, La Salle, Webb, Zapata, Jim Hogg, Starr, Hildago, Willacy and Cameron Counties (in South Texas) and all municipalities therein.

—Northwest HIDTA consists of King, Pierce, Skagit, Snohomish, Thurston, Whatcom and Yakima Counties (in the State of Washington) and all municipalities therein.

—Los Angeles HIDTA consists of the city of Los Angeles and surrounding areas of Los Angeles, Orange, Riverside, and San Bernadino Counties, and all municipalities therein.

—Puerto Rico/U.S. Virgin Islands HIDTA consists of the U.S. territories of Puerto Rico and the Virgin Islands.

—San Francisco Bay Area HIDTA consists of Alameda, Contra Costa, Lake, Marin, Monterey, San Francisco, San Mateo, Santa Clara, Santa Cruz, Sonoma counties and all the municipalities therein.

—Appalachia HIDTA consist of Adair, Bell, Breathitt, Clay, Clinton, Cumberland, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, McCreary, Magoffin, Marion, Monroe, Owsley, Perry, Pike, Pulaski, Rockcastle, Taylor, Wayne, and Whitley counties in Kentucky; Boone, Braxton, Cabell, Gilmer, Lewis, Lincoln, Logan, Mason, McDowell, Mingo and Wayne Counties in West Virginia, Bledsoe, Campbell, Claiborne, Clay, Cocke, Cumberland, Fentress, Franklin, Grainger, Greene, Grundy, Hamblen, Hancock, Hawkins, Jackson, Jefferson, Macon, Marion, Overton, Pickett, Putnam, Rhea, Scott, Sequatchie, Sevier, Unicoi, Van Buren and White Counties in Tennessee and all the municipalities therein.

—Central Florida HIDTA consists of Hillsborough, Orange, Osceola, Pinellas, Polk, Seminole, and Volusia counties and all the municipalities therein.

—Chicago HIDTA consists of Cook County, incorporating the City of Chicago.

—Atlanta HIDTA consists of Fulton, Dekalb counties and the City of Atlanta.

—Milwaukee HIDTA consists of Milwaukee county and all the municipalities therein.

—Southeastern Michigan HIDTA consists of Wayne, Oakland, Macomb, and Washtenaw counties and all the municipalities therein.

—Philadelphia/Camden HIDTA: consists of the Cities of Philadelphia and Camden.

—North Texas HIDTA consists of the cities of Dallas and Fort Worth, the surrounding counties of Collin, Dallas, Ellis, Henderson, Hood, Hunt, Johnson, Lubbock, Kaufman, Parker, Rockwall and Tarrant, Texas and all the municipalities therein.

For further information on HIDTAs contact Rich Yamamoto, at the ONDCP, Executive Office of the President, Washington, DC 20500 on (202) 395–6755 and/or Catherine S. Barker on (202) 395–6603, fax (202) 395–6841.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC HOUSING DRUG ELIMINATION -- NEW APPROACHES

BILLING CODE 4210–32–C

Funding Availability for the New Approach Anti-Drug Program (Formerly Known as the Safe Neighborhood Grant Program)

Program Overview

Purpose of the Program. The purpose of this program is to provide funding to 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. With these grants, HUD is taking a comprehensive neighborhood/community-based approach to crime prevention. In applying, you will be required to demonstrate that you have formed a partnership with units of general local government, including with the local law enforcement agency to play key roles in this partnership.

Available Funds. Approximately $28.3 million, which includes FY 1998 carryover funds.

Eligible Applicants. Eligible applicants include: units of general local government, public housing agencies (PHAs), Indian tribes or Tribally Designated Housing Entities (TDHEs), and owners of assisted housing developments. To be an eligible applicant you must be an owner of an assisted housing development, as defined in this program section of the SuperNOFA, except a unit of general local government may qualify if it operates an assisted housing development. The assisted housing development that makes a PHA eligible may not be assisted under the United States Housing Act of 1937 with the exception of project-based Section 8 assistance. Similarly, for an Indian tribe or a TDHE, the development may not be formerly assisted under those programs.

Application Deadline. July 1, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

Application Due Date. Your application must be physically received on or before 6:00 pm, local time on July 1, 1999 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 your application must be physically received on or before the application deadline at the local HUD Field Office, Attention: Director of Multifamily Housing Programs or, in the case of the Native American population, to the local HUD Administrator, Area Offices of Native American Programs (AONAPs), as appropriate. See Appendix A to this NOFA for a list of local HUD Field Offices, AONAPs, and their respective jurisdictions.

For Application Kits. For an application kit and any supplemental information, please call the SuperNOFA Information Center at 1–800–HUD–8929. 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). Persons with hearing or speech impairments may call the Center's TTY number at 1–800–483–2209. An application kit also will be available on the Internet through the HUD web site at http://www.HUD.gov.

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) 278–4500, x 3027, or (804) 278–4501 (the TTY number).

II. Amount Allocated

(A) Available Funding

Approximately $28.3 million is available for funding under the New Approach Anti-Drug Program, as provided in the FY 1999 Appropriations Act, including FY 1998 carryover funding.

(B) Maximum Grant Award

The maximum grant award amount is limited to $250,000 per application.

(C) Reduction of Requested Grant Amounts

You may be awarded an amount less than requested if:

(1) HUD determines that some elements of the proposed action plan are ineligible for funding;

(2) HUD determines the amount requested for an eligible activity and/or any budget line item is not cost effective;

(3) Insufficient amounts remain under the allocation to fund the full amount you requested, and HUD determines that partial funding is a viable option; or

(4) HUD determines that a reduced grant would prevent duplicative Federal funding.

III. Definitions, Program Description; Eligible Applicants; Eligible Activities

(A) Definitions

(1) *Assisted Housing Development.* For purposes of this program, the term ''assisted housing development'' means five or more dwelling units in a building or five or more adjoining, adjacent, or scattered site (within a single neighborhood) dwelling units, having common ownership and project identity. Some or all of the units must be receiving a project-based subsidy from a unit of government at the Federal, State, or local level, or from a private nonprofit entity. This 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 as defined by the United States Housing Act of 1937.

(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) *Augmented Services. For purposes of this program, augmented services are activities which exceed current levels of services or ''baseline'' services provided by any other parties signing the memorandum of understanding required for this program.*

(4) *Drug-related crime.* For purposes of this New Approach Anti-Drug Program, the term ''drug-related crime'' means drug-related crime as defined in 42 U.S.C. 11905(2) and Part I Crime and Part II Crime as defined by the Uniform Crime Reporting System.

(5) *Eligible project area.* For purposes of the New Approach Anti-Drug Program, the term ''neighborhood'' means a geographic area within a jurisdiction of a unit of general local government designated in comprehensive plans, ordinances, or other local documents as a neighborhood, village, or similar geographical designation. If, however, the unit of general local government has a population of less than 25,000 persons, then ''neighborhood'' means

the entire jurisdiction of the unit of general local government.

(c) A project area must include at least one assisted housing development under:

(i) Section 221(d)(3), section 221(d)(4), or section 236 of the National Housing Act (12 U.S.C. 1715l, 1715z–1), provided that such development 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. An FHA-insured project that has no project-based subsidy does not qualify as an area for eligibility even though it houses tenants receiving tenant-based assistance, such as Section 8 rental vouchers or certificates.

(ii) Section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); or

(iii) 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).

(5) *Project-based Subsidies.* For purposes of this program, the term ''project-based subsidies'' means 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.

(B) Program description

(1) *Purpose.* 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 capital improvements that enhance security at these developments.

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. The long term solution to the crime problems of assisted housing developments and their surrounding neighborhoods rest in a comprehensive approach that changes the conditions—and the culture that exists. HUD believes that 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 PHAs and TDHEs). Therefore, to address crime in a comprehensive manner to receive funding, you must take the following actions:

(a) Have a subgrantee or subrecipient relationship with the local police department and the local district attorney or prosecutor's office. If the local police department, local district attorney or prosecutor's office does not have the legal authority to accept program funds or enter into a binding agreement with you, then you must provide funds through the unit of general local government—city or county.

(b) Enter into Memorandums of Understanding with the owners of, and resident organizations in, assisted housing developments that receive grant funds from you.

(c) Encourage other neighborhood based entities to participate in your program of activities through partnership arrangements. Such entities are community residents; neighborhood businesses; and non-profit providers of support services, including spiritually-based organizations and their affiliates.

(2) *Implementation Principles.* HUD has established the following principles in implementing the New Approach Anti-Drug Program Grants:

(a) *Comprehensive Approach.* With these grants, HUD is taking a comprehensive neighborhood/community-based approach to crime. The long term solution to the crime problems of assisted housing developments and their surrounding neighborhoods rests in changing the conditions—and the culture that exists.

(b) *Required Partnerships.* You will be required to demonstrate that you have formed a partnership with units of general local government, with the local police department and the local district attorney or prosecutor's office playing key roles in this partnership. You must also form partnerships with the following entities, if they will receive funding from you:

(i) All owners of assisted housing developments in the targeted neighborhood; and

(ii) Resident organizations of these assisted housing developments.

(c) *Encouraging Partnerships.* (i) 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; and partnering with the U.S. Attorney's Office, the Federal Bureau of Investigation, and the Drug Enforcement Agency. HUD now wishes to encourage these successful partnerships to address similar problems in and around privately-owned, Federally assisted housing. In addition to providing points for applications with these partnerships, HUD is requiring that at least one project in each targeted neighborhood be multifamily housing with either:

(A) A HUD-insured, held, or direct mortgage and Rental Assistance Payments (RAP), Rent Supplement, or interest reduction payments; or

(B) Section 8 project-based assistance with or without HUD interest in the project mortgage.

(ii) 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 you to address the needs of multiple assisted housing developments which may feature a mix of ownership types and subsidy sources.

(d) *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. Your 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 basis is not allowed. In addition, all segments of the population should be represented in developing and implementing crime-fighting strategies.

(e) *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. HUD encourages owners to participate in Departmental and other Federal law enforcement agencies' programs such as: Operation Safe Home, Operation Weed and Seed through the Department of Justice and the Safe Neighborhood Action Program (SNAP). The use of New Approach Anti-Drug funds, however, is to be part of a comprehensive approach. These funds may indirectly support other Federal law enforcement activities provided that use is consistent with the comprehensive approach.

(f) *Safe Neighborhood Action Program (SNAP) Grants.* (i) The New Approach Anti-Drug Program was formerly known as the Safe Neighborhood Action Program, announced June 12, 1994 by HUD, the National Assisted Housing Management Association (NAHMA), and the U.S. Conference of Mayors (USCM). The New Approach Anti-Drug Program was expanded from the SNAP Program to include funds to augment security; assist in the investigation and prosecution of drug related criminal activity in and around the housing developments; and provide for the development of capital improvements directly related to the security of the developments. SNAP 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.

(ii) 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.

(iii) 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.

(iv) The cities participating in the SNAP initiative include: Atlanta, Ga; Boston, Mass; 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.

(v) For more information on SNAP, contact Henry Colonna, National SNAP Coordinator, Virginia State Office, 3600 West Broad Street, Richmond, VA 23230–4920; telephone (804) 278–4500, 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.

(C) Eligible Applicants

(1) *General.* To be an eligible applicant:

(a) You must be:

(i) The owner of a federally-assisted housing development. If you are a unit of general local government you do not need to be the owner, but must be the operator of such housing. (A TDHE is not a unit of general local government.);

(ii) The owner of an assisted housing development that is assisted by a non-Federal governmental entity or similar housing development supported by nonprofit sources. If you are a unit of general local government, you do not need to be the owner, but must be the operator of such housing;

(iii) A PHA. To be eligible to apply you must own an assisted housing development that is not assisted under the United States Housing Act of 1937, with the exception of project-based assistance under section 8 of the Act. If you do not own such an assisted housing development, you may still participate in the New Approach Anti-Drug Program as a subgrantee or subrecipient of an eligible applicant; or

(iv) An Indian tribe or TDHE. To be eligible to apply you must own an assisted housing development that was not formerly assisted under the United States Housing Act of 1937, with the exception of project-based assistance under section 8 of the Act. If you do not own such an assisted housing development, you may still participate in the New Approach Anti-Drug Program as a subgrantee or subrecipient of an eligible applicant;

(b) The property that makes you eligible must be in the neighborhood to be assisted; and

(c) You may not have any outstanding findings of civil rights violations. (See Section II(B) of the General Section of this SuperNOFA.)

(2) *Lead Applicant.* Two or more eligible applicants may file a joint application. If filing jointly, you must designate one entity to be the lead applicant. The lead applicant will be the grantee if HUD funds your application.

(D) Memorandum of Understanding

You must include with your application Memorandums of Understanding (MOU) that you have entered with each required party. (See Section III(B) of this program section of the SuperNOFA). The MOU may indicate the agreement is subject to the actual receipt of funds from HUD.

(1) *Required Parties to the MOU.* (a) You must sign a MOU that provides funds through a subgrantee or subrecipient relationship with the following entities:

(i) The local police department; and

(ii) The local district attorney's office or the local prosecutor's office.

(b) If you provide funds to an owner or entity participating in the program, you also must sign a MOU with that owner or other entity; and

(c) You also must sign an MOU with each resident organization that will receive grant funding through you. The resident organization must have been established by, and have a governing board consisting of, tenants in an assisted housing development in the neighborhood. The resident organization's commitment must describe the extent to which it is involved in the planning, and will be participating in, and supporting, your action plan.

(d) All parties signing the MOU must have the legal authority to enter into a binding agreement with you.

(2) *Content of MOU.* This MOU must commit these entities to actively support the grant project in partnership with you. The MOU must also describe:

(a) The level of current services (baseline) being provided by these entities;

(b) The level of services above this baseline which the entities are committed to providing in support of your grant;

(c) The amount of time to be devoted to the activities by each party;

(d) The skills each party brings to assist in implementation of your specific action plan activities.

Your MOU will be taken into account in reviewing and rating your application, so you should strive to be as specific as possible in your MOU document.

(3) *Encourage Partnerships.* We encourage you 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. You are encouraged to enter into MOUs with these entities but an MOU is not required.

(E) Eligible Project Areas

(1) HUD will award one grant per project neighborhood. The project area must be a ''neighborhood.''

(2) The project area must include at least one assisted housing development. See definition in Section III(A)(1) of this program section of the SuperNOFA.

(3) You must provide documentation of the population used to define eligibility as a neighborhood. The documentation may include census data or documentation provided by local government officials.

(F) Eligible Activities

The following is a listing of eligible activities under this program and guidance as to their parameters:

(1) *Augmenting Security (Including Personnel).*

(a) *General.* You must document in your MOU(s) all security services above baseline established in your MOU. Anyone providing augmented security services must have liability insurance.

(b) *Baseline Services.* Additional security services are permitted but must be over and above the local police department's current level of baseline services. If you are seeking funding for augmenting security, you 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). Your 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. For a proposed activity to be considered eligible as an augmented security activity, you must demonstrate to what extent the proposed funded activity will represent an increase over and above the baseline.

(c) *Police Presence.* You may reimburse local law enforcement entities for the costs of additional police presence (police salaries and other expenses directly related to additional police presence or security that is over and above baseline services) in and around assisted housing developments in the neighborhood. Of the funds devoted to additional police presence, at least 70 percent of such reimbursed costs must be for police presence in assisted housing developments served and the remaining 30 percent must be for police presence within the project area.

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:

(i) 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

(ii) 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).

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.

(d) *Security Services Provided by Other Entities (such as the Owner of an Assisted Housing Development).* (i) The activities of any contract security personnel funded under this Program must be coordinated with other law enforcement and crime prevention efforts under your proposed action plan. You must describe in your action plan your efforts to achieve this coordination. 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. Any contract security personnel funded under this Program must meet State and local licensing requirements.

(ii) You may only contract with a security service provider that has 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. If you use your own staff to provide security services, then you must have such a policy manual.

(2) *Enhancing the Investigation and Prosecution of Drug-Related Crime.*

(a) *Reimbursement of State and Local Law Enforcement Agencies.*

As the grantee, you may reimburse local or State prosecuting offices and related public agencies for activities, other than salaries or ineligible activities in Section III(G) of this program section of the SuperNOFA, related to the prosecution or investigation of crime committed in the neighborhood identified in your application. These costs are subject to a cost reimbursement agreement. Reimbursement must be for costs over and above what the office or agency incurred for such purposes for crimes committed in the same neighborhood during the period equal in length and immediately before the period of reimbursement. For any grant, at least 70 percent of reimbursed costs must be in connection with crimes committed in and around the assisted housing developments and the remainder of reimbursed costs directly related to crime committed within the neighborhood.

(b) *Hiring of Private Investigator Services.* You may use grant funds to hire private investigator services to investigate crime in and around an assisted housing development and the surrounding neighborhood. You must explain why local law enforcement services are inadequate and justify the need for hiring private investigator services.

(3) *Capital Improvements to Enhance Security.* You may use grant funds for capital improvements to enhance security. You should, however, consider using other sources of funding for this purpose. These 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 your grant. Capital improvements to implement defensible space concepts in the design and implementation of your enhanced security measures are eligible provided such design elements permit accessibility and visitability by persons with disabilities. Capital improvements to enhance security 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 will 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) New construction or rehabilitation of structures housing police substations or mini-stations;

(b) Installation of barriers (including speed bumps and fences) and appropriate use of close circuit television (CCTV), provided any barriers make reasonable accommodations for persons with disabilities;

(c) Improved door or window security such as locks, bolts, or bars; and

(d) Landscaping or other reconfiguration of common areas to discourage drug-related criminal activities.

(G) Ineligible Activities

In addition to the ineligible activities mentioned elsewhere in this program section of the SuperNOFA, New Approach Anti-Drug Program Grant funding is not permitted for any of the activities listed below, unless otherwise specified in this program section of the SuperNOFA:

(1) Crime prevention, treatment, or intervention activities;

(2) Costs incurred before the effective date of the grant agreement, including but not limited to consultant fees related to the development of your application or the actual writing of your application;

(3) Purchase of controlled substances for any purpose. Controlled substance has 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; or

(5) Although participation in activities with Federal drug interdiction or drug enforcement agencies is encouraged, these grant funds may not be transferred to any Federal agency.

Profiling on any prohibited basis is not allowed.

(H) Threshold Requirements

In addition to requirements listed in Section II of the General Section of the SuperNOFA, you are subject to the following:

(a) You must show how you meet the eligibility requirements; and

(b) The amount of funding requested must be within the maximum grant award amount.

IV. 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 a successful applicant will 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 your HUD approved application as may be amended by any special condition in the Grant Agreement. HUD will monitor your grant using your Grant Agreement to ensure that you have achieved commitments set out in your approved grant agreement. Failure to honor such commitments would be the basis for HUD determining your default of the Grant Agreement, and exercising available sanctions, including grant suspension, termination, and/or the recapture of your grant funds.

(B) Requirements Governing Grant Administration, Audits and Cost Principles

The policies, guidelines, and requirements of this NOFA, 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 your acceptance and use of funds. 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 allocation 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

Your grant funds must be expended within 24 months after HUD executes a Grant Agreement with you. There will be no extensions or waivers of this grant term.

(D) Subgrants and Subcontracting

(1) In accordance with your approved grant agreement, you may directly undertake any of the eligible activities under this NOFA, you may contract with a qualified third party, or you may make a subgrant to any entity approved by HUD as a member of the partnership, provided such entity is a unit of government, a prosecutor's office, a police department or a TDHE; 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 participate 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 development 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 you, the grantee, and your subgrantee. The agreement must include a program budget that is acceptable to you, and that is consistent with the eligible activities and requirements. The agreement must require the subgrantee to permit you to inspect your 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 for the use of grant funds and implementation of program activities. In addition, your subgrant 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 carried by you and the subgrantee to protect your respective interests.

(3) You are responsible for monitoring, and for providing technical assistance to, any subgrantee to ensure compliance with applicable HUD and OMB requirements. You must also ensure that subgrantees have appropriate insurance liability coverage.

(E) 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.

(F) Section 3 Economic Opportunity

See Section II(E) of the General Section of the SuperNOFA. The requirements of Section 3 apply to some of the activities that may be funded by this NOFA.

(G) Drawdown of Grant Funds

You will be required to access your 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. If HUD changes the procedures for the draw of grant funds, HUD will notify you through the issuance of a grant amendment.

(H) Reports and Closeout

If you receive a grant, you will be required to submit to HUD a semi-annual progress report (Form 269). The narrative of the Form 269 must be sent in a format prescribed by HUD that indicates program expenditures and measures performance in achieving goals. At grant completion, you will be required to participate in a closeout process 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 you and HUD and, when appropriate, in the return of grant funds which have not been expended in accordance with applicable requirements, or which may be remaining after all activities have been completed and paid for.

(I) Suspension or Termination of Funding

HUD may suspend or terminate funding if you fail to undertake the approved program activities on a timely basis in accordance with your grant agreement, adhere to grant agreement requirements or special conditions, or submit timely and accurate reports.

(J) Affirmatively Furthering Fair Housing

You do not have to address Section II(D) of the General Section of the SuperNOFA.

V. Application Selection Process

(A) Rating and Ranking

(1) HUD will evaluate all eligible applications based on the factors for award identified in this Section V.

(2) After the applications have been scored, HUD will rank them on a national basis. An application must receive a score of at least 70 points, excluding the EZ/EC and Dallas bonus points, to be eligible for funding. Awards will be made in ranked order until all funds are expended.

(3) In the event of a tie, HUD will select the applicant with the highest score in Rating Factor 1. If Rating Factor 1 is scored identically, the scores in Rating 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 to promote the more efficient use of resources.

(B) Factors for Award To Evaluate and Rank Applications

The maximum number of points for this program is 102 (except for an application submitted by the City of Dallas, Texas which would be eligible for a maximum of 104 points in accordance with Rating Factor 3, paragraph (7), below. 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 you have 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) (5 Points) *The applicants' administrative capacity to implement the grant.* HUD will award points based on the quality and amount of staff allocated to the grant activity by you; the anticipated effectiveness of your 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 your grant activity, coordinating your partnerships, and ensuring that you and your MOU partners' commitments will be met. You must include in your narrative a discussion of financial capacity, staff resources, and prior experience that will enable you to effectively administer the grant and meet reporting requirements. This narrative must not exceed five pages. For an owner of an assisted housing development that is HUD-insured, HUD will consider the most recent Management Review (including Rural Housing Management Review), Housing Quality Standards (HQS) review, State Agency review and such other relevant information available to HUD on the capacity of the owner and manager to undertake the grant; you must include a copy of the most recent management review (not a physical inspection report) for the property to be served by your grant. These documents will not be counted against your 5 page narrative limitation.

(2) *The applicant's performance in administering Drug Elimination grants and/or other Federal, state or local grants of similar size and complexity during the last 3 years.* In assessing this factor, HUD will verify you and your partners' successful experience and performance based on information on file with the Department and will consider the following factors with the indicated total available points:

(a) (5 Points) *Your successful experience combined with your MOU partners' successful experience in utilizing similar strategies to alleviate crime.* You must identify your participation in HUD grant programs within the last three years and discuss the degree of your success in implementing planned activities; achieving program goals and objectives; timely drawdown of funds; timely submission of required reports and ability to complete activities on time and within budget; what if any audit findings were noted; whether there was audit compliance; whether there are and the extent of any unresolved findings and/or outstanding recommendations from prior HUD reviews or audits undertaken by HUD, HUD-Office of Inspector General, the General Accounting Office (GAO) or independent public accountants (IPAs). To receive maximum points under this section, you must have worked in partnership with one or more of your MOU partners (or two or more of your

MOU partners may have worked together in partnership) using similar strategies to reduce crime in and around assisted housing developments. To demonstrate success in implementing past projects, you must identify the reduction in the occurrence of the types of crime as indicated in Rating Factor 2 of this NOFA. In the absence of previous partnerships, your capacity will weigh more heavily than the experience of any of your partners, in HUD's assignment of points under this subfactor.

(b) (4 Points) *Your performance in administering other Federal, State or local grant programs.* You must identify your participation in HUD grant programs within the preceding three years, and discuss the degree of your 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.

(3) (6 Points) *The strength of the applicants' partnership as it relates to eliminating the crime problem identified in Rating Factor 2.* HUD will award points in this area based on the strength of resource commitments identified in your MOUs in terms of the amount of staff, time, money, or other assets committed by each MOU party toward implementing your program. Your description should identify what skill each party will bring to help successfully implement your program, and the firmness of the commitments); evidence of your MOU partners' (and project tenants') pre-application role in developing 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 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 on their project premises; the willingness of the unit of general local government to use its prosecutor's office as its lead agency in implementing the grant; participation of additional partners other than those required to sign MOUs (for example, neighborhood business organizations); and the effectiveness of the partnership structure.

Rating Factor 2: Need/Extent of the Problem (25 Points)

This factor addresses the extent to which there is a need for funding your proposed program activities to address the documented degree of the severity of the drug-related crime problem in the project area proposed for funding. In responding to this factor, HUD will evaluate the extent to which you have explained a critical level of need for your proposed activities and have indicated the urgency of meeting the need in the target area. You must include a description of the extent and nature of drug-related crime ''in and around'' the housing units or developments proposed for funding.

You will be evaluated on the following:

(1) (15 points) ''Objective Crime Data'' relevant to the target area. To the extent that you can provide objective crime data specific to the community or targeted development proposed for funding, your application will be awarded up to 15 points. Your application must include the most current and specific Part I Crime data and relevant Part II Crime data available from the FBI's Uniform Crime Reporting Program (UCR) system or the local law enforcement's crime statistics. Part I Crimes include: homicide; rape; robbery; aggravated assault; burglary; larceny; auto theft; and arson. Part II drug-related crimes include: drug abuse violations; simple assault; vandalism; weapons violations; and other crimes which you are proposing to be targeted as part of your grant. In assessing this subfactor, HUD will consider the extent of specificity that the statistical data is provided (e.g., data specific to the neighborhood covered by your application). These data must 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). These data may include:

(a) Police records or other verifiable information from records on the types or sources of drug related crime in your targeted developments and surrounding area;

(b) The number of lease terminations or evictions for drug-related crime at your 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 authority 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 of drug related crime ''in and 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 element, you can receive up to 10 points. To the extent that objective data as described above may not be available, or to complement that data, your 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. If you are using other relevant information in place of objective data, however, your application must indicate the reasons why you could not obtain objective data and what efforts you made to obtain it and what efforts you will make 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 your 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 your targeted developments, including 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 you can relate to drug-related crime. If crime or other statistics are not available at the development or precinct level, you must use other verifiable, reliable and objective data.

(e) To the extent that the 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 your 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 anticipated effectiveness of your proposed action plan in taking a comprehensive community-based approach toward the problem of drugs and drug-related crime in the neighborhood identified in your application.

Your application must include an action plan for crime reduction and elimination efforts, describing in detail: the specific activities to be under taken; the parties responsible for or involved in the activities for each development proposed for assistance; and the dollar amount and extent of resources committed to each activity or service proposed.

In evaluating this factor, HUD will consider the following:

(1) (25 Points) The quality, comprehensiveness of your action plan to address the drug-related crime problem, and the problems associated with drug-related crime in the developments proposed for funding, including its anticipated effectiveness in reducing or eliminating drug-related crime problems immediately and over an extended period, as evidenced by:

(a) The extent to which your proposed activities provide services over the existing baseline of services currently provided to the project area;

(b) The extent of the commitment of the partners, as described and documented in the MOU in implementing your plan. HUD will evaluate the extent to which the activities are comprehensive and result of collective actions that effectively work together. If you provide for a comprehensive approach, you will receive a higher number of rating points. HUD will provide no points under this subfactor if your application does not include an MOU with the local law enforcement entity with jurisdiction over the neighborhood identified in your application;

(c) The extent to which you have partnered with appropriate neighborhood and community stakeholders;

(d) The extent to which the resources allocated and the budget proposed are adequate to conduct the work plan as proposed; and

(e) Your rationale for the proposed activities and methods and why you believe the activities will be effective in reducing drug use and drug-related crime. If you are proposing new methods for which there is limited knowledge of the effectiveness, you should provide the basis for modifying past practices and rationale for why you believe the modification will yield more effective results.

(2) (10 Points) The adequacy of the process you 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 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, patterns over a period of time, type of crime, and plans to improve data collection and reporting. Your proposed analysis of the data collected should include a method for assessing the impact of grant activities on the collected crime statistics on an on-going basis during the award period.

(3) Up to two (2) additional points will be awarded to any application submitted by the City of Dallas, Texas, to the extent this subfactor is addressed. Due to an order of the U.S. District Court for the Northern District of Texas, Dallas Division, with respect to any application submitted by the City of Dallas, Texas, HUD's consideration of this subfactor will consider the extent to which the applicant's plan for the use of New Approach Anti-Drug funds will be used to eradicate the vestiges of racial segregation in the Dallas Housing Authority's programs consistent with the Court's order.

Rating Factor 4: Leveraging Resources (Support of Residents, the Local Government and the Community in Planning and Implementing the Proposed Activities and Interagency Activities) (10 Points)

This factor addresses your ability to secure community and government resources, in-kind services from local governments, non-profit entities, including resident organizations, for-profit entities, or private organizations to be combined with HUD's program resources to achieve program purposes. To be considered as documented evidence of leveraging, you must submit a letter signed by the organization head authorized to commit the organization which details the amount of funds or type of services to be provided. The letter also must identify the dollar value of any services or goods in lieu of a cash contribution. Therefore, in responding to the factor you must equate the time or services provided into a dollar value. This dollar value will be added to any cash funding commitments identified as part of your leveraging of funds. For example, if you are receiving a donation of security alarm systems, you should indicate the number of security systems to be provided and give a dollar value for those alarm systems. The value will be added to any cash contributions you have noted from others. The letter may indicate that the commitment is predicated on the applicant receiving the grant from HUD. In assessing this factor, HUD will consider the following:

(1) Evidence of the extent and amount of the 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) HUD may award more points for applications with a higher percentage of these resources as compared to Anti-Drug New Approach funds requested.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you have coordinated your activities with other known organizations, participants or have promoted participation in a community's Consolidated Planning process, and are 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:

(1) You have coordinated your 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 you 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) You have 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) You have shared and coordinated 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.

(4) You have 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.

VI. 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 VI of this program section of the SuperNOFA:

(A) Application Cover Letter;

(B) Congressional Summary—Summary of your proposed program activities in five (5) sentences or less:

(C) A neighborhood description. 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 NOFA; 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 your organization.

(F) An action plan which describes the activities and roles to be undertaken by you and each subgrantee or subrecipient of program funds. This action plan may be attached to and referenced in your MOU.

(G) Narrative responses to the factors for award including any required documentation identified under each factor.

(H) A line item budget which identifies salaries, fringe benefits, consultants or subgrantees, equipment, supplies, travel, and general and administrative expenses; as well as an estimated dollar amount for each activity to be undertaken as part of your action plan.

(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) 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) Your plan and lines of accountability (including an organization chart) for implementing your grant activity, coordinating the partnership, and assuring that your and your 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.

VII. Corrections to Deficient Applications

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

VIII. 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, your application may be downgraded or rejected.

The General Section of this SuperNOFA provides additional guidance on Environmental Reviews.

IX. Authority

This program is authorized under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Pub.L. 105–276, approved October 21, 1998), under the heading ''Drug Elimination Grants for Low-Income Housing.''

Appendix A—Office of Public Housing, Field Office Directory

New England Region

Boston (Hub)

Donna Ayala, Deputy Director, Office of Public Housing, DHUD—Massachusetts State Office, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 553, Boston, MA 02222–1092, (617) 565–5197, (617) 565–7305 (FAX)

Hartford (Program Center)

Sonia D. Samuels, Program Center Coordinator, Office of Public Housing, DHUD—Connecticut State Office, One Corporate Center, 19th Floor, Hartford, CT 06103–3220, (860) 240–4800, (860) 240–4854 (FAX)

New York/NJ Region

New York (Hub)

Mirza Del Rosario, Director, Office of Public Housing, DHUD—New York State Office, 26 Federal Plaza, Suite 32–116, New York, New York 10278–0068, (212) 264–8931, (212) 264–9834 (FAX)

Buffalo (Hub)

Joan Spilman, Director, Office of Public Housing, DHUD—Buffalo State Office, Lafayette Court, 465 Main Street, Fifth Floor, Buffalo, New York 14203–1780, DIRECT NUMBER: (716) 551–5719, (716) 551–5755, (716) 551–4789 (FAX)

Newark (Hub)

Carmen Valenti, Director, Office of Public Housing, DHUD—New Jersey State Office, One Newark Center, 13th Floor, Newark, NJ 07102–5260, (973) 622–7900, Ext. 3600, (973) 645–2270 (FAX)

Mid-Atlantic Region

Philadelphia (Hub)

Malinda Roberts, Director, Office of Public Housing, DHUD—Pennsylvania State Office, The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3390, (215) 656–0576, ext. 3308, (215) 656–3424 (FAX)

Baltimore (Hub)

William Tamburrino, Director, Office of Public Housing, DHUD—Maryland State Office, City Crescent Building, 10 South Howard Street, 5th Floor, Baltimore, Maryland 21201–2505, (410) 962–2520, ext. 3102, (410) 962–4378 (FAX)

Pittsburgh (Hub)

Paul LaMarca, Director, Office of Public Housing, DHUD—Pittsburgh Area Office, 339 Sixth Avenue, Sixth Floor, Pittsburgh, PA 15222–2515, (412) 644–6571, (412) 644–5486 (FAX)

Richmond (Program Center)

Pat Anderson, Program Center Coordinator, Office of Public Housing, DHUD—Virginia State Office, The 3600 Centre, 3600 West Broad Street, P.O. Box 90331, Richmond, VA 23230–0331, (804) 278–4500, X3217, (804) 278–4636 (FAX)

Washington, DC (Program Center)

Lee Palman, Program Center Coordinator, DHUD—District of Columbia Office, 820 First Street, NE; Suite 450, Washington, DC 20002–4205, (202) 275–7965, ext 3175, (202) 275–6690 (FAX)

Southeast Region

Atlanta (Hub)

Boyce Norris, Deputy Director, Office of Public Housing, DHUD—Georgia State Office, Richard B. Russell Federal Building, 75 Spring Street, SW, Atlanta, GA 30303–3388, (404) 331–4766, (404) 331–1022 (FAX)

Birmingham (Hub)

Mack Heaton, Director, Office of Public Housing, DHUD—Alabama State Office, Beacon Ridge Tower, 600 Beacon Parkway West, #300, Birmingham, AL 35209–4144, (205) 290–7601, ext 1101, (205) 290–7502 (FAX)

Columbia (Program Center)

Larry Knighter, Program Center Coordinator, Office of Public Housing, DHUD—South Carolina State Office, Strom Thurmond Federal Building, 1835 Assembly Street, Columbia, SC 29201–2480, (803) 765–5831, (803) 765–5515 (FAX), (806) 253–3428

Greensboro (Hub)

Ledford Austin, Director, Office of Public Housing, DHUD—North Carolina State Office, Koger Building, 2306 West Meadowview Road, Greensboro, NC 27407–3707, (336) 547–4038, (336) 547–4129 (FAX)

Jackson (Program Center)

George Smith, Program Center Coordinator, Office of Public Housing, DHUD—Mississippi State Office, Doctor A.H. McCoy Federal Building, 100 West Capitol Street, Room 910, Jackson, MS 39269–1016, (601) 965–4761, (601) 965–4733 (FAX)

Coral Gables (Hub)

Karen Cato-Turner, Director, Office of Public Housing, DHUD—Florida State Office, Gables I Towers, Suite 501, 1320 South Dixie Highway, Coral Gables, FL 33146–2911, (305) 662–4589, X2270, (305) 662–4537 (FAX)

Jacksonville (Hub)

John Niesz, Director, Office of Public Housing, DHUD—Jacksonville Area Office, Southern Bell Tower, 301 West Bay Street, Suite 2200, Jacksonville, FL 32202–5121, (904) 232–1777, X2142, (904) 232–1721 (FAX)

Louisville (Hub)

Arthur Wasson, Director, Office of Public Housing, DHUD—Kentucky State Office, 601 West Broadway, Post Office Box 1044, Louisville, KY 40201–1044, (502) 582–6163, ext 370, (502) 582–6558 (FAX)

Knoxville (Program Center)

Sidney McBee, Program Center Coordinator, Office of Public Housing, DHUD—Knoxville Area Office, John J. Duncan Federal Building, 710 Locust Street, Third Floor, Knoxville, TN 37902–2526, (423) 545–4402, X4, (423) 545–4558 (FAX)

Nashville (Program Center)

Karen Gill, Acting Program Center Coordinator, Office of Public Housing, DHUD—Tennessee State Office, 251 Cumberland Bend Drive, Suite 200, Nashville, TN 37228–1803, (615) 736–5063, ext. 6132, (615) 736–2385 (FAX)

San Juan (Hub)

Hildamar Ortiz, Director, Office of Public Housing, DHUD—Caribbean Office, Administracion de Terrenos Building, 171 Carlos E. Chardon Avenue, Suite 301, San Juan, PR 00918–0903, (787) 766–5400, X2031, (787) 766–6504 (FAX)

Mid-West Region

Chicago (Hub)

Debra Torres, Director, Office of Public Housing, DHUD—Illinois State Office, Ralph H. Metcalf Federal Building, 77 West Jackson Boulevard, Chicago, IL 60604–3507, (312) 353–1915, (312) 353–6236, x2302, (312) 886–4060 (FAX)

Cleveland (Hub)

Thomas Marshall, Director, Office of Public Housing, DHUD—Cleveland Area Office, Renaissance Building, 1350 Euclid Avenue, Suite 500, Cleveland, OH 44115–1815, (216) 522–2700, (216) 522–7100 (FAX)

Columbus (Program Center)

David Kellner, Program Center Coordinator, Office of Public Housing, DHUD—Ohio State Office, 200 North High Street, Columbus, OH 43215–2499, (614) 469–5787, X8224, (614) 469–5123 (FAX)

Detroit (Hub)

Joann L. Adams, Director, Office of Public Housing, DHUD—Michigan State Office, Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, MI 48226–2592, (313) 226–6880, X8111, (313) 226–6160 (FAX)

Indianapolis (Program Center)

Forrest Jones, Program Center Coordinator, Office of Public Housing, DHUD—Indiana State Office, 151 North Delaware Street, Suite 1200, Indianapolis, IN 46204–2556, (317) 226–6557, (317) 226–5594 (FAX)

Milwaukee (Program Center)

John Finger, Program Center Coordinator, DHUD—Wisconsin State Office, Henry S. Reuss Federal Plaza, 310 West Wisconsin Avenue, Suite 1380, Milwaukee, WI 53203–2289, (414) 297–1029, Ext. 8212, (414) 297–1180 (FAX)

Minneapolis (Hub)

Daniel Larson, Director, Office of Public Housing, DHUD—Minnesota State Office, 220 South Second Street, Minneapolis, Minnesota 55401–2195, (612) 370–3135, Ext. 2220, (612) 370–3003 (FAX)

Southwest Region

Fort Worth (Hub)

Eileen Rogers, Director, Office of Public Housing, DHUD—Texas State Office, 1600 Throckmorton, Post Office Box 2905, Fort Worth, TX 76113–2905, (817) 978–9325, X3332, (817) 978–9382 (FAX)

Albuquerque (Program Center)

Dolly A. Clark, Acting Program Center Coordinator, Office of Public Housing, DHUD—New Mexico State Office, 625 Truman Street, N.E., Albuquerque, N.M. 87110–6443, (505) 346–7303, ext. 271, (505) 346–6604 (FAX)

Houston (Program Center)

Raynold Richardson, Program Center Coordinator, Office of Public Housing, DHUD—Houston Area Office, Norfolk Tower, 2211 Norfolk, Suite 200, Houston, TX 77098–4096, (713) 313–2274/2280, (713) 313–2371 (FAX)

Little Rock (Hub)

Catherine Lamberg, Director, Office of Public Housing, DHUD—Arkansas State Office, TCBY Tower, 425 West Capitol Avenue, Suite 900, Little Rock, AR 72201–3488, (501) 324–5933, (501) 324–5448 (FAX)

New Orleans (Hub)

Chester Drozdowski, Director, Office of Public Housing, DHUD—Louisiana State Office, 501 Magazine Street, Ninth Floor, New Orleans, LA 70130, (504) 589–7235, (504) 589–6177 (FAX)

Oklahoma City (Program Center)

Robert Vasquez, Program Center Coordinator, Office of Public Housing, DHUD—Oklahoma State Office, 500 West Main Street, Oklahoma City, OK 73102, (405) 553–7454, (405) 552–7530 (FAX)

San Antonio (Hub)

Diana Armstrong, Director, Office of Public Housing, DHUD—San Antonio Area Office, Washington Square, 800 Dolorosa Street, San Antonio, TX 78207–4563, (210) 475–6865, (210) 472–6816 (FAX)

Great Plains Region

Kansas City (Hub)

Andrew Boeddeker, Director, Office of Public Housing, DHUD—Kansas/Missouri State Office, Gateway Tower II, 400 State Avenue, Kansas City, KS 66101–2406, (913) 551–5582, (913) 551–6981 (FAX)

Omaha (Program Center)

Charlie D. Hill, Program Center Coordinator, Office of Public Housing, DHUD—Nebraska State Office, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154–3955, (402) 492–3137, (402) 492–3163 (FAX)

St. Louis (Program Center)

Patricia Straussner, Program Center Coordinator, Office of Public Housing, DHUD—St. Louis Area Office, Robert A. Young Federal Building, 1222 Spruce Street, St. Louis, MO 63103, (314) 539–6505, (314) 539–6508 (FAX)

Rocky Mountain Region

Denver (Hub)

John Dibella, Director, Office of Public Housing, DHUD—Colorado State Office, First Interstate Tower North, 633—17th Street, 12th Floor, Denver, CO 80202–3607, (303) 672–5380, ext 1244, (303) 672–5065 (FAX)

Pacific/Hawaii Region

San Francisco (Hub)

Joyce Lee, Director, Office of Public Housing, DHUD—California State Office, Phillip Burton Federal Building/Courthouse, 450 Golden Gate Avenue, Ninth Floor, San Francisco, CA 94102–3448, (415) 436–8375, (415) 436–6440 (FAX)

Los Angeles (Hub)

Bob Cook, Director, Office of Public Housing, DHUD—Los Angeles Area Office, AT&T Center, 611 West 6th Street, Suite 800, Los Angeles, CA 90017–3127, (213) 894–8000, ext 3500, (213) 894–8125 (FAX)

NW/Alaska Region

Seattle (Hub)

Lynn Martin, Director, Office of Public Housing, DHUD—Washington State Office, Seattle Federal Office Building, 909—1st Avenue, Suite 360, Seattle, WA 98104–1000, (206) 220–5290, Ext 3694, (206) 220–5255 (FAX)

Portland (Program Center)

Elizabeth Santone, Program Center Coordinator, DHUD—Oregon State Office, 400 Southwest Sixth Avenue, Suite 700, Portland, OR 97204–1596, (503) 326–2619, (503) 326–4065 (FAX)

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC HOUSING DRUG ELIMINATION TECHNICAL ASSISTANCE

BILLING CODE 4210–32–C

Funding Availability for Public and Indian Housing Drug Elimination Technical Assistance Program

Program Overview

Purpose of the Program. The purpose of the Public and Indian Housing Drug Elimination Technical Assistance Program (PHDE–TA) is to provide no more than 30 billable days of technical assistance (TA) consultant services to assist public housing agencies (PHAs), Indian 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. The TA services may be conducted over a period of not more than 90 days.

Available Funds. Approximately $2 million (which includes Fiscal Year 1997 carryover) is available for funding short-term technical assistance.

Eligible Applicants. Public Housing Authorities (PHAs), Indian tribes and Tribally Designated Housing Entities (TDHEs); incorporated Resident Management Corporations (RMCs), incorporated Resident Councils (RCs), and Resident Organizations (ROs).

Application Deadline. June 16, 1999.

Match. None.

Additional Information

If you are interested in applying for Public Housing Drug Elimination Technical Assistance funding, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit one original application and one copy to the Community Safety and Conservation Division (CSCD), Room 4206 at the HUD Headquarters Building located at 451 Seventh Street, SW, Washington, DC, 20410, on or before 12:00 midnight on June 16, 1999. The only exception to this deadline is for HUD-Initiated Public Housing Drug Elimination Technical Assistance, for which there is no application deadline. See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mail applications, express mail, overnight delivery, or hand-carried).

Submit a copy of your application to the appropriate HUD Field Office or HUB with delegated public housing responsibilities for your organization. See Appendix I for a list of HUD offices with delegated responsibilities. You may also call the SuperNOFA Information Center at 1–800–HUD–8929 if you have a question regarding where you should submit your application (persons with hearing or speech impairments may call the Center's TTY number at 1–800–843–2209).

You must submit with your application(s) to CSCD, a Confirmation Form documenting that the appropriate HUD Field Office or HUB received your TA application (this form is a threshold requirement).

HUD will review PHDE–TA applications on a continuing basis until June 15, 1999, or until funds available under this program are expended. Due to the reduced availability of funds in FY 1999, HUD encourages you to submit early.

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. 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). An application kit is also available on the Internet through the HUD web site at http://www.hud.gov.

For Further Information and Technical Assistance. For answers to your questions please call the local HUD Field Office or HUB where you will be submitting your application or you may call the Public Housing Drug Elimination TA Support Center at the 1–800–578–3472.

II. Amount Allocated

For FY 1999, approximately $2 million is available for Public Housing Drug Elimination Technical Assistance.

III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

(1) The purpose of this program is to provide not more than 30 billable days of technical assistance (TA) consultant services to assist public housing agencies (PHAs), Indian 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. The TA services may be conducted over a period not to exceed 90 days. Housing Authorities are encouraged to use this program as a tool to evaluate and monitor the Public Housing Drug Elimination Program grants.

(2) HUD may also initiate TA under this program. HUD initiated TA does not require an application but is also short term assistance.

(3) 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) Training for housing authority staff and residents in anti-crime and anti-drug prevention practices and programs;

(c) Evaluating current anti-crime and anti-drug-related crime programs.

(d) 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; and

(v) Security and physical design.

(B) Eligible Applicants

PHAs, Indian tribes and TDHEs, RCs, ROs in the case of Indian tribes and TDHEs, and RMCs are eligible to receive short-term technical assistance services under this PHDE–TA Program. Specific eligibility requirements are:

(1) If you are an RC or RO, you must be an incorporated nonprofit organization or association that meets all seven of the following requirements:

(a) You must be representative of the residents you purport to represent.

(b) You may represent residents in more than one development or in all of

the developments of a PHA or Indian tribe or TDHE, but you must fairly represent residents from each development that you represent.

(c) You must adopt written procedures providing for the election of specific officers on a regular basis, but at least once every 3 years.

(d) You must have a democratically elected governing board. The voting membership of your board must consist of residents of the development or developments that you represent.

(e) You must be supported in your application by a PHA or an Indian tribe or TDHE.

(f) You must provide evidence of incorporation.

(g) You must provide evidence of adopted written procedures for electing officers.

(2) If you are an RMC, you 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 an Indian tribe or TDHE. You must have all seven of the following characteristics:

(a) You must be a nonprofit organization incorporated under the laws of the State or Indian tribe where you are located.

(b) You may be established by more than one RO or RC, so long as each: approves the establishment of your corporation; and has representation on the Board of Directors of your corporation.

(c) You must have an elected Board of Directors.

(d) Your by-laws must require the Board of Directors to include representatives of each RO or RC involved in establishing the corporation.

(e) Your voting members must be residents of the development or developments you manage.

(f) You must be approved by the RC. If there is no council, a majority of the households of the development must approve the establishment of your organization to determine the feasibility of establishing a corporation to manage the development.

(g) You may serve as both the RMC and the RC, so long as your corporation meets the requirements of 24 CFR part 964 for a RC. (In the case of a RMC for an Indian tribe or TDHE, you may serve as both the RMC and the RO, so long as your corporation meets the requirements of this program for a RO.)

(3) You can only submit one application per award period. A PHA and its eligible resident groups, and an Indian tribe and its TDHE may apply during the same award period as long as there is no conflict or overlap in your proposed activities. You are eligible to apply to receive technical assistance even if you are already receiving technical assistance under this program, as long as your request creates no scheduling conflict with other PHDE–TA requests. If HUD Initiates TA with your organization, you may not receive more than one type of technical assistance concurrently unless HUD, in consultation with your organization, determines that the TA will not negatively affect the quality of the PHDE–TA.

(4) You are eligible to apply to receive technical assistance whether or not you are already receiving drug elimination funds under the Public and Indian Housing Drug Elimination Program.

(5) You must comply with the laws, regulations, and Executive Orders applicable to the Drug Elimination TA Program, including applicable civil rights laws.

(C) 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 following circumstances 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 due to drug- and/or crime-related circumstances that require immediate attention. HUD-Initiated technical assistance may be requested by HUD staff for one or more of the following circumstances:

(a) Housing authorities, Indian tribes, TDHEs, RCs, ROs, and RMCs that applied, but did not receive a Public Housing Drug Elimination Program Grant;

(b) Housing authorities, Indian tribes, TDHEs, RCs, ROs, and RMCs that are unable to document their drug and/or crime problems through crime statistics;

(c) Housing authorities, Indian tribes, TDHEs, RCs, ROs, and RMCs that do not have the expertise to develop effective drug and crime prevention programs;

(d) Housing authorities, Indian tribes, TDHEs, RCs, ROs, and RMCs that have difficulty developing and/or maintaining partnerships within the community;

(e) Housing authorities, Indian tribes, TDHEs, RCs, ROs, and RMCs that have difficulty developing and/or fostering a sense of partnership regarding drug- and/or crime-related problems with residents;

(f) Housing authorities, Indian tribes, TDHEs, RCs, ROs, and RMCs that need assistance in developing evaluation mechanisms for drug elimination programs and strategies to include ''One Strike and You're Out'' and the Public Housing Drug Elimination Program; and

(g) Housing authorities, Indian tribes, TDHEs, RCs, ROs, and RMCs with special circumstances whose needs fit under the scope of this program section of the SuperNOFA.

(4) *Ineligible Activities.* Funding is not permitted for:

(a) Any type of monetary compensation for residents.

(b) Any activity that is funded under any other HUD program, including TA and training for the incorporation of RCs or RMCs, and other management activities.

(c) Any type of resident training that does not relate to or result in crime and drug reduction or elimination.

(d) Salary or fees to your staff, or your former staff within a year of their employment.

(e) Underwriting conferences.

(f) Conference speakers.

(g) Program implementation, proposal writing, financial support for existing programs, or efforts requiring more than 30 billable days of technical assistance over a 90 day period or assistance that will require more than 90 days to complete; the purchase of hardware or equipment, or any activities deemed ineligible in the Drug Elimination Program, excluding consultant's fees.

IV. Program Requirements

Except as stated below in this section, you must meet the requirements listed in Section II of the General Section of this SuperNOFA. You must also meet these additional requirements:

(A) *Individual Award Amounts.* You may not submit an application for more than $15,000.

(1) Applications for short-term technical assistance may be funded up to $15,000, with HUD providing payment directly to your authorized consultant for the consultant's fee, travel, room and board, and other approved costs at the government rate approved by HUD.

(2) Technical assistance initiated by HUD 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 a group of RCs, ROs, or RMCs, or an Indian tribe and a TDHE, 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) *Affirmatively Furthering Fair Housing.* Section II.(D) of the General Section does not apply to this technical assistance program.

(D) *Eligible Consultants.* 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 HUD's TA Consultant Database need not reapply, but are encouraged to update their file with more recent experience and rate justification.

(1) To qualify as an eligible consultant, you should have experience in one or more of the following general areas:

(a) PHA/Indian 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 an eligible applicant may be funded as a consultant to that organization by this Drug Elimination Technical Assistance Program.

(b) If you are a consultant who wishes to provide drug elimination technical assistance services through this program, you must not have had any involvement in the preparation or submission of any PHDE–TA proposal. Your involvement will be considered a conflict of interest, making you ineligible for providing consulting services to the eligible applicant and will disqualify you from future consideration. This prohibition shall also be invoked for preparing and distributing prepared generic or sample applications to entities eligible to apply for funding under this program. If HUD determines that any application submitted by a PHA, Indian tribe or TDHE, RC, RO or RMC duplicates a sufficient amount of any prepared sample to raise issues of possible conflict of interest, and HUD determines you provided and distributed the sample, you will be disqualified from receiving HUD funds.

(4) HUD-registered consultants are eligible to receive funds to be reimbursed for up to $15,000 for conducting short-term technical assistance. Long-term results are expected from each job. After your work is completed, evaluations from recipients of the technical assistance services will be submitted to HUD on your work performance. The evaluations will be carefully reviewed to make sure the recipients of TA are satisfied with your services. If your performance receives a satisfactory rating, you will be reimbursed by HUD. In extreme cases of technical assistance needs, staff members of HUD Headquarters and field offices may recommend specialized technical assistance for which you can receive up to $25,000 in funds.

(E) *Ineligible Consultants.* Consultants and/or companies currently debarred or suspended by HUD are not eligible to perform services under this program. Also, consultants that are not in the official Consultant database are considered ineligible for this program.

(F) *Application Process for Consultants.* (1) If you are an individual or entity interested in being listed in the PHDE–TA Consultant Database, you must prepare your application and send it to the address specified in the application kit. Before you can be entered into the Consultant Database, you 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 PHA, Indian tribe or TDHE, RC, RO or RMC;

(b) A resume;

(c) Documented evidence of the standard daily fee previously paid to you for technical assistance services similar to eligible activities under this PHDE–TA Program. If you can justify up to the equivalent of ES–IV, or $462.00 per day, your evidence must include an accountant's statement, W–2 Wage Statements, or payment statements, 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).

(2) You may not have any more than two contracts or purchase orders at one time nor be involved with more than one company at a time that has active Technical Assistance contracts. If you are working as a member of a multi-person firm, the key individual for the specific contract must be listed on each contract as the point of contact. The 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 two purchase orders active at the same time.

(3) HUD will determine your specific fee based upon the evidence you submitted under this PHDE–TA Program.

(4) If you are an employee of a housing agency (HA), Indian tribe, or TDHE, you may not serve as a consultant to your employer. If you serve as a consultant to other than your employer, you must be on annual leave to receive the consultant fee.

(5)(i) Consultants may not be requested by name from HUD's database.

(ii) Consultants will be recommended to an organization seeking TA, based on factors including previous experience, reasonableness of the fee, and geographic proximity to the site where TA will be provided. Section V of this PHDE–TA section of this SuperNOFA explains this further.

V. Application Selection Process

(A) General

HUD will review applications on a continuing first-come, first-served basis, until funds under this PHDE–TA section of the SuperNOFA are no longer available. Eligible applications will be

funded in the order in which negotiations for a statement of work are completed. HUD-Initiated applications will be received throughout the year with no deadline or until funds are expended.

(B) Threshold Requirements for Funding Consideration

If you are requesting TA services, you must meet the following requirements:

(1) Your application must not request an ineligible activity. You cannot request PHDE–TA by answering ''to conduct a needs assessment or survey.'' You must be able to answer the questions below and discuss what prevents you from identifying, describing, and/or measuring the problems.

(a) What is the nature of the drug-related crime problem in your community in terms of the extent of crime, the types of crime, and the types of drugs being used? You should include quantifiable or qualitative data on drug problems or criminal activity.

(b) What problem(s) do you need technical assistance to address, how do you plan to address them, and how will you know the technical assistance provided was successful in addressing the problem(s)?

(c) What types of partnerships currently exist between your organization and other organizations in or within the community (i.e., the police, social service organizations, universities, the YMCA/YWCA, etc.)?

(d) How will PHDE–TA be used to improve those relationships?

(e) What specific output, outcome, results, or deliverables do you expect from the consultant, including improved coordination or partnership arrangements within your community?

(f) What steps are you and your organization currently taking to measure, understand or address the drug-related crime problem in your development or housing authority?

(g) How will the proposed assistance allow you to develop an anti-drug, anti-crime strategy; or how will the proposed assistance fit into your current strategy?

(2) The application must include the form, ''HUD Field Office/AONAP Confirmation Form.''

(3) If your application does not meet the requirements described above it will not be considered for funding.

(C) Application Awards

(1) If your application is deemed eligible for funding and sufficient funds are available, you will be contacted by HUD or its agent to confirm the work requirements.

(2) Only one application will be accepted from a HA, Indian tribe or TDHE; or group of RCs, ROs or RMCs in proximity to one another. HUD may exercise its 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.

(3) Once your application for TA has been reviewed and found acceptable by HUD, the TA Consultant Database will be searched for consultants who have:

(a) A principal place of business or residence located within the same geographic area as the applicant. For purposes of this program section of the SuperNOFA, the term ''geographic area'' refers to, in order of priority: city, state, region, and country;

(b) The requisite knowledge, skills, and abilities to respond to the request and in address the identified needs; and

(c) The most reasonable (least expensive) fees.

(4) HUD will then forward to you a list of suggested consultants from the consultant data base. From this list, you must select a consultant to provide your requested TA.

(5)(a) From the list provided by HUD, you must contact three TA consultants. HUD may request confirmation from each contacted consultant that they were contacted. If HUD determines that any consultant was not contacted, HUD may consider your selection by the applicant void, and can choose a consultant for you.

(b) After contacting each consultant, you must send a written justification for your recommended selection in order preference. If any are unacceptable, you must also indicate the consultant and the reasons you find them unacceptable.

(c) If you find that all referred consultants lack the requisite expertise, you must provide written detailed documentation justifying this decision. If HUD determines that your justification is adequate, you will be provided with a second list of potential consultants.

(d) If you do not provide HUD the written justification of consultant choice within 30 calendar days, HUD reserves the right to cancel your TA request.

(6)(a) HUD or its agent will work with your selected consultant and you to develop a ''statement of work.'' The statement of work should include:

(i) A time line and estimated budget;

(ii) 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

(iii) 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.

(b)(i) When HUD has completed the authorization to begin work, your selected consultant will be contacted to start work. Your consultant must receive written authorization from HUD or its authorized agent before beginning to provide technical assistance. The requesting organization and the relevant Field Office or Area Office of Office of Native American Programs will also be notified that authorization to begin work has been given.

(ii) Work begun before the authorized date will be considered unauthorized and will not be compensated by HUD.

(iii) 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. The exception to this will be for HUD-Initiated technical assistance.

VI. Application Submission Requirements

(A) General

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.

(B) 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 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.

(2) The certification must indicate that:

(a) 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;

(b) The application was reviewed by both the housing authority Executive

Director or Tribal Council or authorized TDHE official, and a resident leader of your organization; and

(c) Any technical assistance received will be used in compliance with all requirements in the SuperNOFA.

(3) The application must contain a four page (or fewer) application letter responding to each of the requirements listed in Section V(B) of the PHDE–TA Program section of the SuperNOFA.

VII. Corrections to Deficient Applications

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

VIII. 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.

IX. Authority

The FY 1999 HUD Appropriations Act under the heading, ''Drug Elimination Grants for Low-Income Housing (Including Transfer of Funds).''

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MULTIFAMILY HOUSING DRUG ELIMINATION

BILLING CODE 4210–32–C

Funding Availability for Drug Elimination Grants for Federally Assisted Low-Income Housing (Multifamily Housing Drug Elimination)

Program Overview

Purpose of the Program. The purpose of this Multifamily Housing Drug Elimination Grant Program is to enable owners of federally assisted low-income housing developments to deal effectively with drug-related criminal activity in and around their developments, through a plan of activities including enhanced security measures, and drug-abuse prevention, intervention, referral, and treatment programs.

Available Funds. Approximately $16.25 million.

Eligible Applicants. Only owners of eligible developments may apply for and become the recipient of grant funds. Property management companies may administer grant programs, but are not eligible applicants.

Application Deadline. June 16, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Your completed application (an original and two copies) is due on or before 6:00 pm local time in the HUD Field Office with jurisdiction over your development on June 16, 1999.

See the General Section of this SuperNOFA for specific procedures concerning the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications. The Appendix contains a list of HUD Field Offices where you must send your application by the deadline. Please address your application to the Director, Multifamily Housing Hub or Program Center in your local HUD Field Office.

For Application Kits. For an application kit, please call the SuperNOFA Information Center at 1–800-HUD–8929. If you have a hearing or speech impairment, please call the Center's TTY number at 1–800–843–2209. 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). An application kit also will be available on the Internet at http://www.hud.gov.

For Further Information and Technical Assistance. Your local HUD Field Office staff can answer most of the questions you have regarding this program section of the SuperNOFA and your application kit. Please contact the Resident Initiatives Specialist or Drug Elimination Grants contact person in your local office.. If you have a general question that the Field staff are unable to answer, please call Carissa Janis, Housing Project Manager, Office of Portfolio Management, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 6174, Washington, DC 20410; (202) 708–3944, extension 2484 (this number is not toll free). If you are hearing or speech impaired, you may access this number via TTY by calling the Federal Information Relay Service at 1–800–877–8339.

II. Amount Allocated

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, Maine, New Hampshire, New York, 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

The Award Offices will select applicants for award according to the process discussed in Section V of this program section of the SuperNOFA.

III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

The Federally Assisted Low-Income Housing Drug Elimination Grant program is designed to assist property owners to reduce or eliminate drug-related criminal activity in and around their developments and to provide programs to prevent or eliminate drug use and abuse among their residents. While this program is centered in and around the premises of one or more HUD assisted multifamily housing sites, you are expected to work closely with other community social service and law enforcement organizations to achieve specific program objectives to reduce or eliminate drug-related criminal activity. The development of these strong working partnerships is an essential part of this program and is seen by the Department as necessary for long-term strategies to fight crime and drug abuse. Thus, while your activities are targeted in or around one or more developments, HUD expects you to link your activities with services available in your community. In particular, HUD is seeking plans that provide successful, proven, and cost-effective deterrents to drug-related crime and drug abuse that are designed to address the realities of federally assisted low-income housing environments.

Changes to This Year's Program. This year the Rating Factors, application selection process, and submission requirements have changed significantly from last year. In developing your application, please pay special attention to Sections V.(A), V.(B), and VI., below, of this program section of the SuperNOFA, which discuss these items in detail. This program section of the SuperNOFA also clarifies that Section 202 developments with project-based Section 8 assistance are eligible to apply. A number of activities have been added to both the ''eligible'' and ''ineligible'' activities sections, so be sure to read these carefully.

(B) Eligible Applicants

(1) To be eligible for funding, you must meet all of the applicable threshold requirements of Section II.(B) of the General Section of the SuperNOFA and must be owners of developments assisted under the following programs:

(a) Sections 221(d)(3), 221(d)(4), or 236 of the National Housing Act;

(b) Section 101 of the Housing and Urban Development Act of 1965; or

(c) Project-based assistance under Section 8 of the United States Housing Act of 1937. This includes Section 202, Section 515, State Housing Finance Agency, and Moderate Rehabilitation developments.

(2) If you are a management agent, you may prepare applications and sign application documents if you provide written authorization from the owner corporation as part of your application.

(3) If your eligibility status changes during the course of the grant term, making you ineligible to receive a grant (e.g. due to prepayment of mortgage, sale of property, or opting out of a Section 8 Housing Assistance Payment (HAP) contract), HUD has the right to terminate your grant.

(C) Eligible Activities

Your proposed drug elimination program should foster interrelationships among the residents, the housing owner and management, the local law enforcement agencies, and other community groups affecting your development. Resident participation in the determination of programs and activities to be undertaken is critical to the success of all aspects of your program. In addition to working closely with the development's residents, your program must include working with community groups, the neighborhood law enforcement precinct, residents of adjacent developments, and the community as a whole to enhance and magnify the effect of your specific program activities. HUD seeks result-oriented programs that promote stability, positive and lasting changes in and around your development and the surrounding community, and which use proven cost-effective measures to reduce drug use or prevent criminal activity.

With the very real need to protect occupants of HUD-assisted housing and the areas around the housing, the civil rights of all citizens must be protected. Your 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. You may not use race, color, sex, religion, national origin, disability, or familial status to profile persons as suspects or otherwise target them in conducting these activities. In addition, all segments of the population should be represented in developing and implementing your crime-fighting strategies.

(1) *Physical Improvements To Enhance Security.* Physical improvements to enhance security are eligible activities under this program. All physical improvements must be accessible to persons with disabilities and 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.

Your physical improvements may include systems to limit building access to development residents; installation of barriers, lighting systems, fences, bolts, locks; landscaping or reconfiguration of common areas to discourage drug-related crime; or other physical improvements that enhance security and discourage drug-related activities. Rehabilitation of existing space for use by drug-related intervention and prevention programs is an eligible activity.

(2) The provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with local law enforcement officials is an eligible activity.

(3) *Programs to Reduce the Use of Drugs.* Programs to reduce the use of drugs in and around your development, including drug-abuse prevention, intervention, referral, and treatment are eligible for funding. Where appropriate, you must establish a confidentiality policy regarding medical and disability-related information. 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.

(a) *Drug Prevention.* Your drug prevention activities should provide a comprehensive drug prevention approach that will address the individual resident and his or her relationship to family, peers, and the community. Prevention activities should identify and change the conditions in federally assisted low-income housing that lead to drug-related problems and lower the risk of drug usage. Many components of a comprehensive approach, such as refusal and restraint skills training or drug-related family counseling, may already be available in your community. Your plan should include bringing program components already available in the community onto the premises. Proposed activities may include the following:

(i) *Drug Education Opportunities for Residents.* Activities should provide both young people and adults with the working knowledge and skills needed to avoid the potential and immediate dangers of illegal drugs. You may contract (in accordance with 24 CFR Part 85.36) with drug education professionals to provide training or workshops. Contracted drug education services must reflect or be tied to your program plan.

(ii) *Family and Other Support Services.* Prevention programs should be designed to help foster successful family relationships that may inhibit or reduce drug use. Examples of services include parenting skills workshops, short-term family counseling, child care, or family educational, cultural, or educational programs. You may provide these programs directly or refer residents to such services already available in your community.

(iii) *Youth Services.* If you propose drug prevention services in your plan and your development has a substantial number of young residents, HUD strongly encourages you to include youth in your prevention programs. Your proposed prevention activities for youth must involve the active participation of youth in planning programs and service delivery. Such youth-oriented drug prevention programs may include youth leadership skills training; events incorporating dissemination of drug education information; and sports, recreational, cultural, and general education activities.

(iv) *Economic/Educational Opportunities.* Eligible economic or educational programs should have the objectives of assisting residents in improving their educational status, vocational and job readiness skills, and opportunities for obtaining employment. The ultimate goal of services should be to assist residents in obtaining suitable lifelong employment and self-sufficiency to deter drug use, abuse, and related crime.

(b) *Intervention.* The aim of intervention is to provide residents with substance abuse/dependency remission services to assist them in modifying their behavior; obtaining early treatment and structured aftercare; and maintaining remission. Your program should also be designed to prevent drug problems from continuing once detected. If you propose any

intervention program that seeks to accomplish the above objectives, you must describe how you expect the activities to assist residents in reducing or ceasing their use of illicit drugs and involvement in drug-related crime.

(c) *Drug Treatment.* If your program provides treatment services, they must be targeted to the development and its residents. Your program should be conducted in or around the premises of the development, or residents must be referred to receive treatment from other available sources within the community. You may include implementing new drug referral treatment or aftercare services, or improve or expand currently available services. Your proposed drug treatment program should aim to reduce illicit drug use among residents by increasing resident accessibility to, and effective participation in, drug treatment activities, and decreasing criminal activity in and around your development. Your proposed plan must demonstrate a working partnership with your Single State Agency (or State license provider or authority with drug program coordination responsibilities in your State) to coordinate, develop, and implement your drug treatment program. In particular, you and the appropriate agency must confirm that your proposed drug treatment provider(s) has provided these services to similar populations for two prior years and your drug treatment program is consistent with the State treatment plan, meeting all State licensing requirements. Services eligible for funding may include:

(i) Drug treatment supportive services designed for youth and/or maternal drug abusers. Examples of services are: prenatal/postpartum care; specialized counseling for women; or, parenting classes. You are encouraged to draw upon approaches that have proven effective with similar populations.

(ii) Formal referral arrangements to treatment programs not in or around the development when treatment costs from sources other than this program are available.

(iii) Transportation for residents to out-patient treatment and/or support programs.

(iv) Family/collateral counseling.

(v) Linking programs with educational/vocational counseling.

(vi) Coordinating services with appropriate local drug agencies, HIV-related service agencies, and mental health and public health programs.

(D) Ineligible Activities

The following activities are not eligible for funding:

(1) Hiring of, or contracting for, employment of security guards to provide security services in and around the development.

(2) 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;

(3) The acquisition of real property or those physical improvements that involve the demolition of any units in your development or displacement of tenants;

(4) Costs incurred prior to the effective date of your grant agreement, including consultant fees for surveys related to your application or its preparation;

(5) Reimbursement of local law enforcement agencies for additional security and protective services;

(6) Employment of one or more individuals to investigate drug-related crime in or around federally-assisted low-income developments and/or to provide evidence relating to such crime in any administrative or judicial proceeding;

(7) Treatment of residents at any in-patient medical treatment programs or facilities;

(8) Detoxification procedures designed to reduce or eliminate the presence of toxic substances in 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.]

(10) Programs to treat alcoholism; and

(11) Funding of police informants who provide information about drug-related activity.

IV. Program Requirements

In addition to the requirements listed in Section II of the General Section of this SuperNOFA, you must also meet the additional requirements in this Section IV. These requirements apply to all activities, programs, and functions used to plan, budget, and evaluate the work funded under your program.

(A) Administrative Costs

Administrative costs cannot exceed 10% of your proposed program's total cost.

(B) Term of Funded Activities

Your grant term cannot exceed twelve months.

(C) Multiple Developments

There is no limit to the number of developments that can be included in your application. However, if you include more than one development in your application, all developments must be eligible and located in the same Field Office jurisdiction. In addition, you must demonstrate in your response to Rating Factor 3 ''Soundness of Approach—(Quality of the Plan)'' that your program will be feasible to implement among all proposed developments.

(D) Subgrants and Subcontracting

You may directly undertake or subcontract for any of the eligible activities under this Multifamily Drug Elimination Program section of the SuperNOFA. Resident groups that are not incorporated may work with you in the implementation of your program, but may not receive funds as subgrantees.

(E) Collection of Crime Data

If you receive a grant, you will be required to collect and report on Parts I and II crime data. Parts I and II crime data are defined by the Uniform Crime Reporting (UCR) System (see Rating Factor 2, paragraph (1)(d)).

V. Application Selection Process

(A) Rating and Ranking

All applications will be evaluated competitively and ranked against applications in the same Field Office.

The maximum number of points for this program is 102. This includes two Empowerment Zone/Enterprise Community (EZ/EC) bonus points, as described in the General Section of the SuperNOFA. For bonus points related to activities located in Empowerment Zones or Enterprise Communities, the applicant must demonstrate that there is a connection between such EZ or EC and tenant, local government, and local community support and participation in the design and implementation of the proposed activities to be funded under this program.

(B) *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. Award Offices will receive the scores from each HUD Field Office which has received, rated, and ranked its applications.

The Award Offices will conduct the selection process as follows: The Award Office will first select the highest ranked application in each Field Office for funding. After this ''round,'' the Award Office will select the second highest

ranked application in each Field Office for funding (the second round). The Award Office will continue this process with the third, fourth, and so on, highest ranked applications in each Field Office until the last complete round is selected for funding. If available funds exist to fund some but not all eligible applications in the next round, the Award Office will make awards to those remaining applications in rank order regardless of Field Office and will fully fund as many as possible with remaining funds. Any funds still remaining after the Award Office distribution by rank will be forwarded to Headquarters, which shall make awards to fully fund as many remaining applications as possible by national rank order. All applications must receive a score equal to or greater than the minimum score of 70 without bonus points to be considered for funding.

The selection process is designed to achieve both geographic diversity and a more equitable distribution of grant awards throughout the country. Every HUD Field Office will receive several grant awards, as long as the scores of their applications meet or exceed the minimum score. It also means that your one application submitted to a Field Office will primarily compete for funding with other applications submitted to that same Field Office.

(C) Procedure to resolve tied scores.

If two or more applications have the same score and there are insufficient funds to fund all of them, the application with the highest score for the Soundness of Approach rating factor shall be selected for funding. If a tie still remains, the application with the highest score for the Capacity of the Applicant and Relevant Organizational Experience rating factor shall be selected. Further tied applications will be selected by their scores in the Need/Extent of Problem, Leveraging Resources, and Comprehensiveness and Coordination rating factors, in that order. If the applications received the same score for each of the five factors, the Award office or Headquarters will break the remaining tie by selecting the application that requests less funding.

(D) 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 70 points to be eligible for funding under this competition. Each application submitted will be evaluated using the following 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 you have organizational resources necessary to successfully implement the proposed activities in a timely manner. In rating this factor, HUD will consider the extent to which you demonstrate the capabilities described below.

(1) (20 points) The knowledge and experience of your staff and administrative capacity to manage grants, including administrative support functions, procurement, lines of authority, and fiscal management capacity. Your narrative must include a discussion of financial capacity, staff resources, and prior experience that will enable you to effectively administer a grant and meet reporting requirements. This narrative must not exceed five pages.

(2) *HUD's evaluation approach.* (a) For Public Housing Authorities (PHAs) and tribally designated housing entities (TDHEs) that had previously applied as IHAs, HUD will also consider such measurements as the uniform crime index, physical inspections, agency monitoring of records, Line of Credit Control System (LOCCS) Reports, audit and such other relevant information available to HUD on the capacity of the owner or manager to administer the grant.

(b) For owners of federally-assisted low income housing, HUD will also consider the most recent Management Review (including Rural Housing Management Review), HUD's Uniform Physical Conditions Standards review, State Agency review, physical inspection, and other relevant information available to HUD on the capacity of the owner and manager to undertake the grant.

(3) (Deduct up to 5 points for prior poor performance) *Your performance in administering Drug Elimination funding in the previous 5 years.*

You must identify your participation in HUD grant programs within the preceding five years and discuss the degree of your success in implementing and managing these grant programs. Your discussion should describe 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).

For PHAs, your past experience will be evaluated in terms of your 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 you have formed a collaboration with Tribal, State and local law enforcement agencies and courts to gain access to criminal conviction records of potential tenants to determine their suitability for residence in public housing. Such data will be measured and evaluated based on your Public Housing Management Assessment Program (PHMAP) score (24 CFR part 901).

Rating Factor 2: Need/Extent of the Problem (25 Points)

This factor addresses the extent to which there is a need for funding your 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 development proposed for funding). In responding to this factor, HUD will evaluate your application based on the extent to which a critical level of need for the proposed activities is explained and you provide a justification for the urgency of meeting the need in your development and the area around your development. Your application must include a description of the extent and nature of drug-related crime ''in or around'' the housing units or development you propose for funding.

You will receive up to 25 points for this factor if your statistics and explanation of need establish critical crime problems and an urgency to address these problems in and around your development. To receive the maximum number of points, you must provide statistics for both the premises of your development and the smallest geographic area surrounding your development for which objective statistics are available in your community, town, or city. If you use statistics from institutions (e.g. hospitals or schools), the institutions must directly serve the residents of the targeted development. If the statistics you provide do not indicate a critical need, urgency to meet this need, or you do not provide statistics that document the need within your development or the area around your development, you will not receive the maximum number of points. If you do not submit the letter or documentation for the ''non-objective'' data, indicated in paragraph

2(a), below, you will also receive fewer points.

The statistics and information you provide must include the following:

(1) *''Objective Crime Data'' relevant to the target area.* 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 one-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 development and surrounding area;

(b) The number of lease terminations or evictions for drug-related crime at the targeted development; 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 your development 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.

(d) To the extend possible, you should obtain statistics on Part I and Part II crimes, as defined by the Uniform Crime Reporting (UCR) System. Part 1 crimes include: criminal homicide, forcible rape, robbery, aggravated assault two (including domestic violence through use of a weapon or by means likely to produce death or great bodily harm), burglary-breaking or entering, larceny-theft (except motor vehicle theft), motor vehicle theft, and arson. Part II crimes include: assaults, forgery and counterfeiting, fraud, embezzlement, vandalism, weapons (carrying or possessing), prostitution and commercialized vice, sex offenses (except forcible rape, prostitution, and commercialized vice), drug abuse violations, gambling, offenses against the family and children, driving under the influence, violation of liquor laws, drunkenness, disorderly conduct, vagrancy, all other offenses related to curfew and loitering laws and runaways.

For PHAs, such data should include housing authority police records on the types and sources of 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) *Other Crime Data.* If you are unable to attain objective crime statistics as mentioned above, you may submit other supporting, verifiable data on the extent of drug-related crime in the target area. If you submit other relevant information in place of objective data, you must provide the following to receive the maximum number of points:

(a) A letter or supporting documentation from your local law enforcement agency or another relevant neighborhood organization explaining why the objective data mentioned above is not available, and

(b) A narrative explanation of the reasons why objective data could not be obtained, what efforts were made to obtain it, and what efforts will be made (if possible) during the grant period to begin obtaining the data. Such data may include the following:

(i) Surveys of residents and staff in the targeted development 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 your targeted development.

(ii) Vandalism cost at your targeted development, to include elevator vandalism (where appropriate) and other vandalism attributable to drug-related crime.

(iii) 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 your development 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.)

(iv) The school dropout rate and level of absenteeism for youth that you can relate to drug-related crime.

(v) To the extent that the community's Consolidated Plan identifies the level of the drug abuse and related crime problems in and around your targeted development, and the urgency in meeting the need, references to these documents should be included in your response. You will receive more points if you use these documents to identify need.

Rating Factor 3: Soundness of Approach—(Quality of the Plan) (35 Points)

This factor addresses the quality and effectiveness of your proposed work plan. In rating this factor, HUD will consider the impact of your proposed activities and the tangible benefits that can be attained by the community and by the target population. Your 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.

In evaluating this factor, HUD will consider the following:

(1) (14 points) Your plan's approach to address the drug-related crime problem and associated problems in the development proposed for funding, the resources allocated, and the extent to which your proposed activities are targeted to residents, provide for linkages with existing community resources, and are likely to have long term impacts on reducing drug use and drug-related crime in and around your targeted development. Also, you must include the rational for the proposed activities and methods to be used in developing your program and approach to reducing drug-related crime and drug abuse. If you propose drug prevention or intervention activities, these services must constitute a continuing and comprehensive approach to deter drug use or abuse among your residents and their neighbors. Your proposal must demonstrate how your activities work together with other on-going activities in the community and how these activities rely upon each other to form a holistic plan. Your plan must include the following items. If these are not included, you will receive fewer points under this subfactor:

(a) An explanation of how any proposed physical improvements will be accessible to persons with disabilities and a statement that they will 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;

(b) A discussion of how any drug education services that you propose to

undertake directly or through a subcontract will reflect the objectives of your program plan;

(c) A specific explanation of how you plan to incorporate the active participation of youth in planning prevention programs and services targeted to their needs; and

(d) If you propose drug treatment activities, you must provide a letter from your Single State Agency (or State license provider or authority with drug program coordination responsibilities in your State) that states that your program is effectively coordinating, developing, and implementing drug treatment programs in partnership with that entity.

(2) (10 points) The anticipated effectiveness of the plan and proposed activities in reducing or eliminating drug-related crime problems immediately and over an extended period. This should include the following:

(a) A description of established performance goals for the results to be achieved during the period of your grant. The goals must be objective, quantifiable, and measurable, and they must be outcome or result-oriented. Outcomes include accomplishments, results, impact and the ultimate effects of the program on the drug or crime problem in the target/development area.

(b) An explanation of how your proposed activities enhance and are coordinated with on going or proposed programs sponsored by HUD, such as Neighborhood Networks, Campus of Learners, Operation Safe Home, ''One Strike and You're Out'', Department of Justice Weed and Seed Efforts, or any other prevention/intervention/treatment activities in your community. Explain the specific steps you 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 by you with these entities.

(3) (3 points) Evidence and explanation of how proposed activities have been effective in similar circumstances in controlling drug-related crime. If you are proposing new methods for which there is limited knowledge of effectiveness, you should provide the basis for modifying past practices and rationale for why you believe the modification will yield more effective results. HUD will look more favorably upon proposals that target grant funds to hard program costs and propose minimal, if any, administrative expenses.

(4) (3 points) The process you will use to maintain, analyze, and report Part I and II crimes, as well as police workload data. Police workload data may include, but are not limited to: all calls for service by residents of your development, crime pattern over a period of time by type of crime, and plans to improve data collection and reporting. Your proposed analysis of the data collected must include a method for assessing the impact of activities on the collected crime statistics throughout your award period. The results of your activities and the effect on statistics is of much greater importance than the method you will use to collect such data, so you should pay attention to the benchmarks you establish for measuring and evaluating your performance, particularly measuring changes in crime rates by Part I and Part II crime data.

(5) (1 point deducted if not addressed) 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. Provide a brief statement outlining the benchmarks you will use to measure your success in affirmatively furthering fair housing through this program. This may include such items as lower vacancy and turnover rates and increased new applications for housing in your development and in other rental properties in your neighborhood, new businesses and other community development initiatives in your area, or increased rates of homeownership in your community. If such a statement is not provided, you will not receive this point.

(6) (5 points) *Resident Support.* The extent to which you have sought the support of residents in planning and implementing the proposed activities.

(a) You must provide evidence that you actively sought comments, suggestions, and support from residents for your proposed plan. State the steps you took to obtain this information and support.

(b) Describe and provide written documentation of these comments, suggestions, and support. HUD needs clear evidence that the residents agree with, support, and will work with your proposed program. If applicable, you must explain why you do not have written documentation of such support or did not receive any comments or suggestions.

(c) Describe how residents will be involved in implementing your program. If involvement would be minimal or not appropriate, please state and explain why.

Rating Factor 4: Leveraging Community Resources (10 Points)

To receive points under this rating factor, you must provide evidence of the level and type of participation and support by the local government or law enforcement agency for your proposed activities. This should include the level of assistance received from local government, community organizations, and/or law enforcement agencies. If a community organization is providing you with staff or supporting services, you must include a letter from each organization providing staff or support in order to receive maximum points. Each letter *must* specify what type of participation or contributions the organization will make to your program. Such letters must be from community or public agencies (or businesses) within your unit of general local government (i.e. county, town, city) or incorporated resident organizations. Letters stating general support or from people or organizations not in or around your development are not adequate and you should not include them in your application.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you coordinate your activities with other known organizations, participate or promote participation in your community's Consolidated Planning process, and are 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 your prior efforts and future plans to coordinate with other local agencies and organizations as follows:

(1) (3 points) Describe past efforts to coordinate your proposed activities with those of other groups or organizations prior to submission of your application in order to best complement, support, and coordinate all known activities. Explain what specific steps you will take to share information on solutions and outcomes with others. Please describe any written agreements or memoranda of understanding that are or will be in place after award.

(2) (6 points) Explain what specific steps you have taken or will take to develop linkages or coordinate comprehensive solutions through meetings, information networks, planning processes, or other mechanisms. Explain your past efforts or planned efforts for involvement with such programs or other HUD-funded projects/activities outside the scope of

those covered by the Consolidated Plan; and/or other Federal, State, or locally funded activities, including those proposed or on-going in the community.

(3) (1 point) Explain specific steps you have taken or will take to become active in your 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 you propose.

VI. Application Submission Requirements

(A) *Number of Applications, Projects Per Application, and Maximum Application Amounts.* If you are an owner of an eligible project listed in Section III.(B) of this program section of the SuperNOFA, you may only submit one application for one or more projects within a local HUD Field Office jurisdiction. The maximum amount of funds you may receive for an application with one development is $125,000 and the maximum for an application for two or more developments is $200,000.

(B) If you are an owner of developments served by a number of HUD Field Offices, you may submit multiple applications, as long as you submit only one application per Field Office jurisdiction.

(C) There is no limit to the number of developments per application. However, all developments in one application must be eligible and located in the same Field Office jurisdiction. You must demonstrate in Rating Factor 3 ''Soundness of Approach—(Quality of the Plan)'' that your program will be feasible to implement among all proposed developments. In addition, you must provide pertinent information for each Rating Factor for each proposed development.

VI. Corrections to Deficient Applications

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

VII. 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.

VIII. 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.

BILLING CODE 4210–32–Y

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ECONOMIC DEVELOPMENT INITIATIVE (EDI)

BILLING CODE 4210–32–C

Funding Availability for the Economic Development Initiative (EDI)

Program Overview

Purpose of the Program. EDI funds are used to enhance the security of the Section 108 guaranteed loan for the same project or to improve the viability of a project financed with a Section 108-guaranteed loan. An EDI grant is required to be used in conjunction with a new Section 108 guaranteed loan commitment.

Available Funds. Approximately $35 million is available for EDI grants under this SuperNOFA.

Eligible Applicants. Any public entity eligible to apply for Section 108 loan guarantee assistance in accordance with 24 CFR 570.702 may apply for EDI assistance under section 108 (q) and this SuperNOFA. (See Section III(B) below for additional information regarding eligible applicants.)

Application Deadline. June 11, 1999.

Match. None.

Additional Information:

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit your completed applications (one original and two copies) on or before 12:00 midnight, Eastern time, on June 11, 1999, to the addresses 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. To HUD Headquarters. Submit your completed application (an original and one copy) to: Processing and Control Unit, Room 7251, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410,

Attention: EDI Grant, by mail or hand delivery.

To the Appropriate CPD Field Office. At the same time you submit your application to HUD Headquarters, you must submit an additional copy of your application to the Community Planning and Development Division of the appropriate HUD Field Office for your jurisdiction.

When submitting your application, please refer to EDI, and include your name, mailing address (including zip code) and telephone number (including area code).

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

For Further Information and Technical Assistance. Contact either Stan Gimont or Paul Webster, Financial Management Division, Office of Block Grant Assistance, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7178, Washington, DC 20410; telephone (202) 708–1871 (this is not a toll-free number). Persons with speech or hearing impairments may access this number via TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8339.

See the General Section of this SuperNOFA for guidance on technical assistance. With respect to the Section 108 Loan Guarantee program, which is not a competitive program and thus not subject to those provisions of the HUD Reform Act pertaining to competitions, HUD staff will be available to provide advice and assistance to develop Section 108 loan applications.

II. Amount Allocated

HUD has available a maximum of $35 million for the EDI program, as appropriated in Pub.L. 105–276 (the FY 1999 VA-HUD Appropriations Act). If any additional EDI grant monies for this SuperNOFA become available, HUD may either fund additional applicants in accordance with this SuperNOFA during Fiscal Year 1999 or may add any funds that became available to funds that are available for any future EDI competitions.

As part of EDI, HUD is developing a program enhancement designed to reduce the risk that CDBG funds will have to be used to repay Section 108 loans that finance economic development projects. This mechanism will allow public entities to pool economic development loans and related reserves. The diversification created by the pooling of loans and reserves will reduce the risk that a public entity will incur a catastrophic loss to its CDBG program if a business defaults on an economic development loan made with Section 108 funds. The CDBG Risk Reduction Pool will also assist public entities in satisfying the collateral requirements for Section 108 loans. The pool's reserves and incremental cash flows will provide an additional credit enhancement for the Section 108 loan and thereby satisfy Section 108 additional collateral requirements.

HUD is developing this pooling mechanism in consultation with other Federal agencies and outside experts. HUD is considering a $10 to $20 million demonstration in FY 1999 (only $10 million of this demonstration will be from FY 1999 funds). If the demonstration occurs, then $25 million will be available for the EDI competition announced in this SuperNOFA. In this event, HUD will publish a notice announcing the availability of the funds for the FY 1999 demonstration of this mechanism. Should there be no demonstration in FY 1999, then HUD reserves the right to utilize the $10 million in FY 1999 funds for the EDI competition announced in this SuperNOFA, making the total amount available $35 million.

III. Program Description; Eligible Applicants; Eligible Activities.

(A) Program Description.

EDI is designed to enable local governments to enhance both the security of loans guaranteed through HUD's Economic Development Loan Fund (also known as the Section 108 loan guarantee program) and the feasibility of the economic development and revitalization projects that Section 108 guarantees finance. EDI accomplishes this by providing grants to local governments to be used in conjunction with Section 108 loan guarantees.

(1) *Definitions*. Terms used in this program section of this SuperNOFA have the meanings given in 24 CFR part 570 unless otherwise specified.

Act means Title I, Housing and Community Development Act of 1974, as amended, (42 U.S.C. 5301-*et seq*.).

CDBG funds means those funds collectively defined at 24 CFR 570.3, including grant funds received pursuant to section 108(q) of the Act and this program section of this SuperNOFA.

Economic Development Initiative (EDI) means the provision of economic development grant assistance under section 108(q) of the Act, as authorized by Section 232 of the Multifamily Housing Property Disposition Reform Act of 1994 (Pub.L. 103–233, approved April 11, 1994).

Economic development project means an activity or activities (including mixed use projects with housing components) that are eligible under the Act and under 24 CFR 570.703, and that increase economic opportunity for persons of low- and moderate-income or that stimulate or retain businesses or jobs or that otherwise lead to economic revitalization.

Empowerment Zone or Enterprise Community means an urban area so designated by the Secretary of HUD pursuant to 24 CFR part 597 or 598, or a rural area so designated by the Secretary of Agriculture pursuant to 7 CFR part 25, subpart B.

Strategic Plan means a strategy developed and agreed to by the nominating local government(s) and State(s) and submitted in partial fulfillment of the application requirements for an Empowerment Zone or Enterprise Community designated pursuant to 24 CFR part 597 or 598.

(2) *Background*. (a) HUD has multiple programs which are intended to stimulate and promote economic and community development. Primary among HUD's resources are the Community Development Block Grant (CDBG) program and the Section 108 loan guarantee program.

(b) The CDBG program provides grant funds (approximately $4.232 billion in FY 1999) by formula to local governments (either directly or through States) to carry out community and economic development activities. The Section 108 loan guarantee program provides local governments with a source of financing for economic development, housing rehabilitation and other eligible large scale physical development projects. HUD is authorized pursuant to Section 108 to guarantee notes issued by CDBG entitlement communities and non-entitlement units of general local government eligible to receive funds under the State CDBG program. The Section 108 program is subject to the regulations of 24 CFR part 570 applicable to the CDBG program, with the exception of changes embodied in 24 CFR part 570, subpart M. EDI grants support Section 108 loan guarantees as generally described under the above section entitled ''Purpose of the Program.''

(c) For FY 1999, the Section 108 program is authorized at $1.261 billion in loan guarantee authority. The full faith and credit of the United States will be pledged to the payment of all guarantees made under Section 108. Under this program, communities (and States, if applicable) pledge their future years' CDBG allocations as security for loans guaranteed by HUD. The Section 108 program, however, does *not* require CDBG funds to be escrowed for loan repayment (unless such an arrangement is specifically negotiated as loan security and included in the applicable ''Contract for Loan Guarantee Assistance''). This means that a community can ordinarily continue to spend its existing allocation for other CDBG purposes, unless needed for loan repayment.

(3) *EDI Program*. The EDI program was enacted in 1994 and is intended to complement and enhance the Section 108 Loan Guarantee program. A purpose of EDI grant funds is to further minimize the potential loss of future CDBG allocations:

(a) By strengthening the economic feasibility of the projects financed with Section 108 funds (and thereby increasing the probability that the project will generate enough cash to repay the guaranteed loan);

(b) By directly enhancing the security of the guaranteed loan; or

(c) Through a combination of these or other risk mitigation techniques.

(4) *Purpose of EDI Funding*. HUD intends the approximately $35 million in EDI funds to stimulate economic development by local governments and private sector parties. HUD desires to see EDI and Section 108 funds used to finance projects and activities that will provide near-term results and demonstrable economic benefits, such as job creation and increases in the local tax base.

(5) *Additional Security for Section 108 Loan Guarantee*. Public entities should be mindful of the need to provide additional security for the Section 108 loan guarantee pursuant to 24 CFR 570.705(b)(3). Although a public entity is required by the Act to pledge its current and future CDBG funds as security for the Section 108 loan guarantee, the public entity will usually be required to furnish additional collateral. In most cases, the additional collateral consists (in whole or in part) of the asset financed with the Section 108 loan funds (e.g., a loan made to a business as part of an economic development project). Applications proposing uses for EDI funding that enhance the viability of projects will help ensure that the project-based asset(s) will satisfy the additional collateral requirements.

(6) *Typical Project Structures*. Provided that proposals are consistent with other CDBG requirements, including national objectives, HUD envisions that the following project structures could be typical:

(a) *Funding Reserves*. The cash flow generated by an economic development project may be expected to be relatively ''thin'' in the early stages of the project, i.e. potentially insufficient cash flows to meet operating expenses and debt service obligations. The EDI grant can make it possible for reserves to be established in a way that enhances the economic feasibility of the project.

(b) *Over-Collateralizing the Section 108 Loan*. (i) The use of EDI grant funds may be structured in appropriate cases so as to improve the likelihood that project-generated cash flow will be sufficient to cover debt service on the Section 108 loan and directly to enhance the guaranteed loan. One technique for accomplishing this approach is over-collateralization of the Section 108 loan.

(ii) An example is the creation of a loan pool funded with Section 108 and EDI grant funds. The community would make loans to various businesses from the combined pool at an interest rate equal to or greater than the rate on the Section 108 loan. The total loan portfolio would be pledged to the repayment of the Section 108 loan.

(c) *Direct Enhancement of the Security of the Section 108 Loan*. The EDI grant can be used to cover the cost of providing credit enhancements. An example of how the EDI grant can be used for this purpose is by using the grant funds to cover the cost of a standby letter of credit, issued in favor of HUD. This letter of credit will be available to fund amounts due on the Section 108 loan if other sources fail to materialize and thus will serve to protect the public entity's future CDBG funds.

(d) *Provision of Financing to For-Profit Businesses at a Below Market Interest Rate*. (i) While the rates on loans guaranteed under Section 108 are only slightly above the rates on comparable U.S. Treasury obligations, they may nonetheless be higher than can be afforded by businesses in severely economically distressed neighborhoods. The EDI grant can be used to make Section 108 financing affordable.

(ii) EDI grant funds could serve to ''buy down'' the interest rate up front, or make full or partial interest payments, allowing the businesses to be financially viable in the early start-up period not otherwise possible with Section 108 alone. This strategy would be particularly useful where a community was undertaking a large commercial/retail project in a distressed neighborhood to act as a catalyst for other development in the area.

(e) *Combination of Techniques.* You could employ a combination of these or other techniques in order to implement a strategy that carries out an economic development project.

(B) Eligible Applicants.

Any public entity eligible to apply for Section 108 loan guarantee assistance pursuant to 24 CFR 570.702 may apply for EDI grant assistance under Section 108(q). *Eligible applicants are CDBG entitlement units of general local government and non-entitlement units of general local government eligible to receive loan guarantees under 24 CFR part 570, subpart M.* Urban Counties, as defined at 24 CFR 570.3 and 570.307, are eligible applicants for EDI funds; units of general local government which participate in an Urban County program are not independently eligible applicants. For non-entitlement applicants other than those in the States of Hawaii and New York, non-entitlement applicants will be required to provide proof that the State will support the related Section 108 loan with a pledge of its CDBG funds pursuant to the requirements of 24 CFR 570.705(b)(2). Note that effective January 25, 1995, non-entitlement public entities in the states of New York and Hawaii were authorized to apply to HUD for Section 108 loans (see 59 FR 47510, December 27, 1994). Thus, non-entitlement public entities in all 50 states and Puerto Rico are eligible to participate in the Section 108 and EDI programs.

(C) Eligible Activities and National Objectives.

(1) EDI grant funds may be used for activities listed at 24 CFR 570.703, provided such activities are carried out as part of an economic development project as described in Section III(A) of this EDI section of this SuperNOFA. If your application fails to meet the requirements for an EDI project as set forth in this SuperNOFA, HUD will not give it a rating.

(2) Each activity assisted with Section 108 loan guarantee or EDI funds must meet a national objective of the CDBG program as described in 24 CFR 570.208. You must clearly identify in your narrative statement (as described in Section V.(B) below) the CDBG national objective your proposed project will achieve and provide the appropriate CDBG national objectives regulatory citation found at 24 CFR 570.208. Also, you must address, when applicable, how your proposed activities will comply with the public benefit standards of the CDBG program as reflected in the regulation at 24 CFR 570.209 for the CDBG Entitlement program and 24 CFR 570.482 for the State CDBG program.

(3) In the aggregate, your use of CDBG funds, including any Section 108 loan guarantee proceeds and section 108(q) (EDI) funds provided pursuant to this program section of this SuperNOFA, must comply with the CDBG primary objectives requirement as described in section 101(c) of the Act and 24 CFR 570.200(c)(3), or 24 CFR 570.484 in the case of State grantees.

IV. Program Requirements

(A) CDBG Program Regulations

In addition to 24 CFR 570.701 (Definitions), 570.702 (Eligible applicants), and 570.703 (Eligible activities), as explained elsewhere in this program section of the SuperNOFA, the CDBG regulatory requirements cited in 24 CFR 570.707, including subparts J (Grant Administration), K (Other Program Requirements), and O (Performance Reviews) govern the use of EDI funds, as applicable.

(B) Compliance with Applicable Laws

An award of EDI funding does not in any way relieve you or third party users of EDI funds from compliance with all applicable Federal, State and local laws.

(C) Related Section 108 Loan Guarantee Application

(1) Each EDI application must be accompanied by a request for new Section 108 loan guarantee assistance. Both the EDI and Section 108 funds must be used in conjunction with the same economic development project. This request may take any of several forms as defined below.

(a) A formal application for new Section 108 loan guarantee(s), including the documents listed at 24 CFR 570.704(b).

(b) A brief description (not to exceed three pages) of a new Section 108 loan guarantee application(s). Such 108 application(s) will be submitted within 60 days, with HUD reserving the right to extend such period for good cause on a case-by-case basis, of a notice of EDI selection. EDI awards will be conditioned on approval of actual Section 108 loan commitments. This Section 108 application description must be sufficient to support the basic eligibility of the proposed project or activities for Section 108 assistance. (See Section III(C) of this program section of this SuperNOFA.).

(c) A copy of a pending, unapproved Section 108 loan guarantee application, and any proposed amendments to the Section 108 application which are related to the EDI application. The applicant's submission of such a EDI/Section 108 application shall be deemed by HUD to constitute a request to suspend separate processing of the Section 108 application. The Section 108 application will not be approved until on or after the date of the related EDI award.

(d) A request for a Section 108 loan guarantee amendment (analogous to Section IV(C)(1)(a) or (b) above) that proposes to increase the amount of a previously approved application. However, any amount of Section 108 loan guarantee authority approved *before* HUD's announcement of an EDI grant for the same project pursuant to this SuperNOFA is not eligible to be used in conjunction with a EDI grant under this SuperNOFA.

(2) Further, a Section 108 loan guarantee amount that is required to be used in conjunction with a prior EDI or Brownfields Economic Development Initiative (BEDI) grant award, whether or not the Section 108 loan guarantee has been approved as of the date of this SuperNOFA, is not eligible for an EDI award under this SuperNOFA. For example, if a public entity has a previously approved Section 108 loan guarantee commitment of $12 million, even if none of the funds have been utilized, or if the public entity had previously been awarded an EDI grant of $1 million and had certified that it will submit a Section 108 loan application for $10 million in support of that EDI grant, the public entity's EDI application under this SuperNOFA must propose to increase the amount of its total Section 108 loan guarantee commitments beyond those amounts (the $12 million or $10 million in this example) to which it has previously agreed.

(D) Limitations on Use of EDI and Section 108 Funds

Certain restrictions shall apply to the use of EDI and Section 108 funds:

(1) EDI grants must not be used as a resource to immediately repay the principal of a loan guaranteed under Section 108. Repayment of principal is only permissible with EDI grant funds as a matter of security if other sources projected for repayment of principal prove to be unavailable.

(2) You should not use Section 108 funds to finance activities that also include financing generated through the issuance of federally tax exempt obligations. Pursuant to Office of Management and Budget (OMB) Circular A–129 (Policies for Federal Credit Programs and Non-Tax Receivables), Section 108 guaranteed loan funds may not directly or

indirectly support federally tax-exempt obligations.

(3) HUD will not consider for funding any EDI proposal in which the related Section 108 loan guarantee would be used solely as security. EDI funds are to be used to support and enhance activities financed with Section 108 loan guarantee proceeds from HUD's interim lending or public offering mechanisms and thereby leverage greater use of the Section 108 program. Awarding EDI funds to a project which would use the Section 108 guarantee only as a security guarantee for other financing can be tantamount to making a simple grant to the project and thereby fails to fulfill the goals of the EDI program.

(E) Limitations on Grant Amounts

(1) HUD expects to approve EDI grant amounts for approvable applications at a range of ratios of EDI grant funds awarded to new Section 108 loan guarantee commitments, but the minimum ratio will be $1 of Section 108 loan guarantee commitments for every $1 of EDI grant funds. However, if you propose a leverage ratio of 1:1, you will not receive any points under Rating Subfactor 4(1): ''Leverage of Section 108 Funds.'' For example, an applicant requesting an EDI grant of $1 million will be required to leverage a minimum of at least $1 million in new Section 108 loan guarantee commitments. This will be a special condition of the EDI grant award. Of course, even though there is a minimum ratio of 1:1, applications with higher ratios will receive more points under Rating Factor 4, ''Leveraging Resources/Financial Need'' and, all other things being equal, will be more competitive. You should propose projects with a greater leverage ratio of new Section 108 to EDI grant funds (assuming such projects are financially viable). For example, $1 million of EDI could leverage $12 million of new Section 108 loan commitments. HUD intends that the EDI funds will be used for projects which leverage the greatest possible amount of Section 108 loan guarantee commitments. Because a fundable application is competitive in part because of the applicant's proposed ratio of EDI funds to funds guaranteed by a Section 108 loan guarantee, HUD will condition a EDI grant award on the grantee's achievement of that specific ratio. Your failure to meet that condition by obtaining timely HUD approval of a commitment for, and issuance of, the required Section 108 guaranteed obligations ratio may result in the cancellation and recapture of all or a proportionate share of the EDI grant award.

(2) HUD will cap EDI awards at a maximum of $2 million. Any application in excess of $1 million may be reduced below the amount requested by the applicant if HUD determines that such a reduction is appropriate.

(3) If additional EDI grant funds become available to HUD as the result of recaptures prior to the date of this SuperNOFA, HUD reserves the right to award grants under this SuperNOFA whose aggregate total may exceed the $35 million announced in this SuperNOFA, up to the maximum amount authorized by law.

(4) In the event you are awarded an EDI grant that has been reduced below the original request (e.g. the application contained some activities that were ineligible or there were insufficient funds to fund the last competitive application at the full amount requested), you will be required to modify your project plans and application to conform to the terms of HUD's approval before HUD will execute a grant agreement. HUD also will proportionately reduce or deobligate the EDI award if you do not submit approvable Section 108 loan guarantee applications on a timely basis (including any extension authorized by HUD) in the amount required by the EDI/108 leveraging ratio which will be approved by HUD as a special condition of the EDI grant award (see Section IV(E)(1) above of this program section of the SuperNOFA). Any modifications or amendments to your application approved pursuant to this SuperNOFA, whether requested by you or by HUD, must be within the scope of the approved original EDI application in all respects material to rating the application, unless HUD determines that the revised application remains within the competitive range and is otherwise approvable under this SuperNOFA competition.

(5) In the case of requested amendments to a previously approved Section 108 loan guarantee commitment (as further discussed in Section IV(C)(1)(d), above), the EDI assistance approved will be based on the increased amount of Section 108 loan guarantee assistance.

(6) Pursuant to another portion of this SuperNOFA, HUD is simultaneously announcing the availability of $25 million of Brownfields Economic Development Initiative (BEDI) funds. While HUD will permit applicants to pursue BEDI and EDI funds for the same project, HUD requires that the BEDI and EDI applications (and their components) be independent of one another. Thus, each application should have an identifiable amount of Section 108 funding associated with its respective request for EDI and BEDI funds for purposes of determining the leverage of Section 108 funding to the corresponding amount of EDI or BEDI funds requested. Further, the proposed amount of Section 108 borrowing associated with the BEDI or EDI grant shall not be used to determine leverage of other financial resources under Rating Subfactor 4(3). Further, if you seek both BEDI and EDI funds for the same project, you must include in your response to Rating Factor 3 and the ''Financial feasibility'' portion of Rating Factor 4 a discussion of how the project can be financed and implemented if you fail to obtain either BEDI or EDI funds under this SuperNOFA.

(F) Timing of Grant Awards

(1) To the extent you submit a full Section 108 application with your EDI grant application, HUD will evaluate the Section 108 application concurrently with the request for EDI grant funds. Note that EDI grant assistance cannot be used to leverage a Section 108 loan guarantee approved prior to the date of HUD's announcement of an EDI grant pursuant to this SuperNOFA. However, the EDI grant may be awarded before HUD approval of the Section 108 commitment if HUD determines that such award will further the purposes of the Act.

(2) HUD notice to you of the amount and conditions of EDI funds awarded, based upon review of the EDI application, constitutes an obligation of grant funds, subject to compliance with the conditions of award and execution of a grant agreement. EDI funds must not be disbursed to the public entity before the issuance of the related Section 108 guaranteed obligations.

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

Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) is applicable to EDI grant recipients. Please see Section II(E) of the General Section of the SuperNOFA.

V. The Application Selection Process

(A) Rating and Ranking

(1) Each rating factor and the maximum number of points is 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 this SuperNOFA.

(2) Once scores are assigned, all applications will be ranked in order of points assigned, with the applications receiving more points ranking above those receiving fewer points.

Applications will be funded in rank order.

(3) Prior to award, if HUD determines that your application rated, ranked and fundable could be funded at a lesser EDI grant amount than requested consistent with feasibility of the funded project or activities and the purposes of the Act, HUD reserves the right to reduce the amount of the EDI award and/or increase the Section 108 loan guarantee commitment, if necessary, in accordance with such determination. An application in excess of $1 million may be reduced below the amount requested by the applicant if HUD determines that such a reduction is appropriate.

(4) HUD may decide not to award the full amount of EDI grant funds available under this program section of this SuperNOFA and may make any remaining amounts available under a future SuperNOFA, or under a supplementary notice.

(5) HUD desires to fund projects which will quickly produce demonstrable results. EDI grant awards will contain conditions requiring you to adhere to your stated timeframes for implementing your proposed projects and drawing Section 108 and EDI funds. If you fail to adhere to these schedules, HUD may recapture the EDI funds.

(B) Narrative Statement

(1) Provide narrative statements describing the activities that you will carry out with the EDI grant funds. Your narrative statement must not exceed three (3) 8.5'' by 11'' pages.

(2) Describe how your proposed uses of EDI funds will meet the national objectives under 24 CFR 570.208 for the CDBG program and qualify as eligible activities under 24 CFR 570.703. You must include citations to the specific regulatory subsections supporting eligibility and national objective. (See Section III(D) of this program section of this SuperNOFA).

(3) Respond to the rating factors below. Each of the listed rating factors (or, where applicable, each subfactor) below also has a separate page limitation specified.

(4) Print your narrative statement in 12 point type/font, and use sequentially numbered pages.

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

HUD will consider your application for selection based on the following factors that demonstrate the quality of your proposed project or activities, and your creativity, capacity and commitment to obtain maximum benefit from the EDI funds, in accordance with the purposes of the Act.

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

[Your response to this factor is limited to three (3) pages.]

This factor addresses the extent to which you have the organizational resources necessary to successfully implement your 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 subcontractors, consultants, subrecipients, and members of consortia that are firmly committed (i.e., has a written agreement or a signed letter of understanding with the applicant agreeing in principle to its participation and role in the project). In rating this factor, HUD will consider the following:

(1) With regard to the EDI/Section 108 project you propose, you should demonstrate that you have the capacity to implement the specific steps required to successfully carry out your proposed EDI/Section 108 project. This includes factors such as your:

(a) Performance in the administration of your CDBG, HOME or other programs;

(b) Previous experience, if any, in administering a Section 108 loan guarantee;

(c) Performance and capacity in carrying out economic development projects;

(d) Ability to conduct prudent underwriting;

(e) Capacity to manage and service loans made with the guaranteed loan funds or previous EDI or BEDI grant funds;

(f) Capacity to carry out your projects and programs in a timely manner; and,

(g) If applicable, your capacity to manage projects under this program section of this SuperNOFA along with any federal funds awarded as a result of a federal urban Empowerment Zone/Enterprise Community designation (including Enhanced Enterprise Community (EEC) designation).

(2)(a) If you have previously received an EDI or BEDI grant award(s), you must describe the status of the implementation of those project(s) assisted with EDI or BEDI funds, any delays that have been encountered and the actions you are taking to overcome any such delays in order to carry out the project in a timely manner. For such previously funded EDI or BEDI grant projects, HUD will consider the extent to which you have used the awarded EDI or BEDI grant funds and the associated Section 108 guaranteed loan funds.

(b) Further, if you have EDI or BEDI funds and related Section 108 loan guarantee authority available as a result of earlier HUD awards and commitments for activities such as (but not limited to) economic development loan funds, community development banks, and community and individual investment corporations, you should use those existing financial resources before applying for additional EDI or BEDI funds and Section 108 commitments. If HUD determines that you could fund your project from such existing resources, HUD will reduce your score under this rating factor to 0.

(3) The capacity of subrecipients, nonprofit organizations and other entities that have a role in implementing the proposed program will be included in this review. HUD also may rely on information from performance reports, financial status information, monitoring reports, audit reports and other information available to HUD in making its determination under this factor.

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

[Your response to this factor is limited to three (3) pages.]

This factor addresses the extent to which there is need for funding your proposed activities based on levels of distress, and an indication of the urgency of meeting the need/distress in your target area.

(1) In applying this factor, HUD will consider current levels of distress in the immediate community to be served by your project and the jurisdiction applying for assistance. If you are able to indicate a level of distress in the immediate project area that is greater than the level of distress in your jurisdiction as a whole, HUD will give your application a higher score under this factor than other applications that do not. HUD requires you to use sound and reliable data that is verifiable to support the level of distress you claim in your application. You must provide a source for all information you cite and indicate the publication date or origination date of the data.

(2) In previous EDI competitions, the poverty rate was often considered the best indicator of distress. You must provide the poverty rate for your jurisdiction as a whole and for the areas to be served and/or where the EDI/Section 108 funded project is located; however, in addition, you may demonstrate the level of distress with other factors such as income levels and unemployment rates.

(3) To the extent that your Consolidated Plan and your Analysis of Impediments to Fair Housing choice (AI) identifies the level of distress in the community and the neighborhood in which your project is being carried out, you should include references to such documents in preparing your response to this factor. Also, you should discuss the extent to which the analysis of impediments identifies unhealthy environmental conditions in your project area, and how such conditions negatively impact your target neighborhood.

Rating Factor 3: Soundness of Approach (25 Points)

[Your response to this factor is limited to three (3) pages.]

This factor addresses the quality and cost-effectiveness of your proposed plan. There must be a clear relationship between the proposed activities, community needs and purposes of the program funding for you to receive points for this factor. In rating this factor, HUD will consider the following:

(1) The quality of your plan/proposal for the use of EDI funds and Section 108 loan funds, including the extent to which your proposed plan for effective use of EDI grant/Section 108-guaranteed loan funds will address the needs you described in Rating Factor 2 above regarding the distress and extent of the problem in your immediate community and/or jurisdiction. As part of the response to this factor, you should identify the eligible activities you will carry out and fully describe how your project will achieve a national objective. You should make substantial efforts to demonstrate how your proposed project would mitigate or otherwise address the distress identified in Rating Factor 2 above.

(2) The extent to which the plan is logically, feasibly, and substantially likely to achieve its stated purpose. HUD's desire is to fund projects and activities which will quickly produce demonstrable results and advance the purposes of the EDI program, including the number of jobs to be created by the project and the impact of the project on job creation that will benefit individuals on or previously on welfare. You should demonstrate that you have a clear understanding of the steps required to implement your project, the actions that you and others responsible for implementing your project must complete. You must include a reasonable time schedule for carrying out your project. The application kit contains a timeline form that you must use to indicate your project timing.

(3) The extent to which your proposed project addresses your Analysis of Impediments and the needs identified in Rating Factor 2; the extent to which such project activities will result in the physical and economic improvement for the residents in the neighborhood in which your project will be carried out; the extent to which you will offer residents an opportunity to relocate to environmentally healthy housing or neighborhoods; or the extent to which residents will benefit from the funded project to enable them to continue to live in a redeveloped or revitalized neighborhood and thus share in the anticipated economic benefits your project is expected to generate.

(4) The extent to which your project incorporates one or more elements that facilitate a successful transition of welfare recipients from welfare to work. Such an element could include, for example, linking your proposed project or loan fund to social and/or other services needed to enable welfare recipients to successfully secure and carry out full-time jobs in the private sector; provision of job training to welfare recipients who might be hired by businesses financed through the proposal; and/or incentives for businesses financed with EDI/section 108 funds to hire and train welfare recipients.

(5) Due to an order of the U.S. District Court for the Northern District of Texas, Dallas Division, with respect to any application submitted by the City of Dallas, Texas, HUD's consideration of the response to this factor, ''Soundness of Approach,'' will include the extent to which Dallas' plan for the use of EDI funds and Section 108 loans will be used to eradicate the vestiges of racial segregation in the Dallas Housing Authority's programs consistent with the Court's order. Up to two (2) additional points will be awarded to any application submitted by the City of Dallas, Texas, to the extent this subfactor is addressed.

Rating Factor 4: Leveraging Resources/ Financial Need (35 Points)

[Page limits for the response to this factor are listed separately for each subfactor under this factor.]

In evaluating this factor, HUD will consider the extent to which your response demonstrates the financial need and feasibility of your project and the leverage ratio of Section 108 loan proceeds to EDI grant funds. This factor has three subfactors, each with its own maximum point total:

(1) *Leverage of Section 108 funds* (20 points). Your response to this subfactor is limited to one (1) page. The minimum ratio of Section 108 funds to EDI funds in any project may not be less than 1:1. The extent to which your proposed project leverages an amount of Section 108 funds beyond the 1:1 ratio will be considered a positive factor. If you have a ratio of 1:1, your application will not receive any points under this subfactor. If you use your EDI grant to leverage more new Section 108 commitments, your application will receive more points under this subfactor.

(2) *Financial feasibility* (10 points). [Your response to this subfactor is limited to three (3) pages.] HUD will consider the extent to which you demonstrate that your project is financially feasible. In responding to this subfactor, you must clearly address the question of why the EDI funds are critical to the success of this project. This may include factors such as:

(a) Project costs and financial requirements. You should provide a funding sources and uses statement (not included in the 3 page narrative limit), as well as justifications for project costs.

(b) The amount of any debt service or operating reserve accounts you will establish in connection with the economic development project.

(c) The reasonableness of the costs of any credit enhancement paid with EDI grant funds.

(d) The amount of program income (if any) you will receive each year during the repayment period for the guaranteed loan.

(e) Interest rates on those loans to third parties (other than subrecipients) (either as an absolute rate or as a plus/ minus spread to the Section 108 rate).

(f) Underwriting criteria that you will use in determining project feasibility.

(3) *Leverage of other financial resources* (5 points). [Your response to this subfactor is limited to one (1) page plus supporting documentation evidencing third party commitment (written and signed) of funds.] HUD will evaluate the extent to which you leverage other funds (public or private) with EDI grant funds and Section 108 guaranteed loan funds and the extent to which such other funds are firmly pledged to the project. This could include the use of CDBG funds, other Federal or state grants or loans, your general funds, project equity or commercial financing provided by private sources or funds from non-profits or other sources. Funds will be considered pledged to the project if there is evidence of the third party's written commitment to make the funds available for the EDI/108 project, subject to approval of the EDI and Section 108 assistance and completion of any environmental review required under 24

CFR part 50 for the project. Note, that with respect to CDBG funds, your pledge of its CDBG funds will be considered sufficient commitment.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

[Your response to this factor is limited to two (2) pages.]

This factor addresses the extent to which you have coordinated your activities with other known organizations; you participate or promote participation in your or a State's Consolidated Planning process; and you are working towards addressing a need in a comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which you demonstrate you have:

(1) Coordinated your proposed activities with those of other groups or organizations before submission, in order to best complement, support and coordinate all known activities; and developed specific steps to share information on solutions and outcomes with others. Describe any written agreements, memoranda of understanding in place, or that will be in place after award.

(2) Developed linkages, or specific steps to develop linkages with other activities, programs or projects (through meetings, information networks, planning processes or other mechanisms to coordinate its activities), so that solutions are holistic and comprehensive. Describe any linkages with other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan, as well as established linkages and outreach with residents of your project area.

VI. Application Submission Requirements

(A) Public entities seeking EDI assistance must make a specific request for that assistance, in accordance with the requirements of this program section of this SuperNOFA.

(B) You must submit an original and one copy of the items listed below to HUD Headquarters (see the section ''Addresses For Submitting Applications in this program section of this SuperNOFA). In addition, you must submit one additional copy directly to the Community Planning and Development Division of the appropriate HUD Field Office for your jurisdiction.

(C) Your EDI application shall consist of the following items:

(1) Your transmittal letter;

(2) Table of contents;

(3) Application check list (supplied in application kit);

(4) A request for loan guarantee assistance under Section 108 as further described in Section IV(C) of this program section of the SuperNOFA. Application guidelines for the Section 108 loan guarantee program are found at 24 CFR 570.704;

(5) As described in Section V(B) of this program section of this SuperNOFA, a narrative statement (3 page limit) describing the activities that you will carry out with the EDI grant funds;

(6) Responses to each of the rating factors (within the page limits provided for each factor or subfactor as applicable);

(7) Completion of a funding sources and uses statement and a EDI and Section 108 eligibility statement (see the application kit);

(8) Written agreements or signed letters of understanding in support of Rating Factor 1: ''Capacity of the Applicant and Relevant Organizational Experience;''

(9) Signed third party commitment letters pledging funds in support of subfactor 4(2): ''Leverage of other financial resources;''

(10) In addition to the certifications specified in section II(G) of the General Section of this SuperNOFA, the forms and certifications required at 24 CFR 570.704(b)(3), (b)(4), (b)(8)(i), (b)(8)(ii), (b)(8)(vi), (b)(8)(vii), (b)(8)(viii), (b)(8)(x), and (b)(9); and

(11) Acknowledgement of Application Receipt form.

(D) A single application must contain a request for funds for a single EDI project. You may submit more than one application for each additional unrelated EDI project. Each application will be rated and ranked individually. In no event will HUD rate and rank more than one EDI project per application.

(E) Your application must meet all of the applicable threshold requirements of Section IIB of the General Section of this SuperNOFA.

VII. Corrections to Deficient Applications

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

VIII. Environmental Requirements

(A) Environmental Review

After the completion of this competition and after HUD's award of EDI grant funds, pursuant to 24 CFR 570.604, each project or activity assisted under this program is subject to the provisions of 24 CFR part 58, including limitations on the EDI grant and Section 108 public entity's commitment of HUD and non-HUD funds prior to the completion of environmental review, notification and release of funds. No such assistance will be released by HUD until a request for release of funds is submitted and the requirements of 24 CFR part 58 have been met. All public entities, including nonentitlement public entities, shall submit the request for release of funds and related certification, required pursuant to 24 CFR part 58, to the appropriate HUD field office for each project to be assisted.

(B) Environmental Justice

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) directs Federal agencies to develop strategies to address environmental justice. Environmental justice seeks to rectify the disproportionately high burden of environmental pollution that is often borne by low-income, minority, and other disadvantaged communities, and to ensure community involvement in policies and programs addressing this issue.

IX. Authority

Section 108(q), Title I, Housing and Community Development Act of 1974, as amended, (42 U.S.C. 5301–5320); 24 CFR part 570.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

BROWNFIELDS ECONOMIC DEVELOPMENT INITIATIVE (BEDI)

BILLING CODE 4210–32–C

Funding Availability for the Brownfields Economic Development Initiative (BEDI)

Program Overview

Purpose of the Program. BEDI funds are used to enhance the security of the Section 108 guaranteed loan for the same project or to improve the viability of a project financed with a Section 108-guaranteed loan. A BEDI grant is required to be used in conjunction with a new Section 108 guaranteed loan commitment.

Available Funds. Approximately $25 million is available for BEDI grants under this SuperNOFA.

Eligible Applicants. Any public entity eligible to apply for Section 108 loan guarantee assistance in accordance with 24 CFR 570.702 may apply for BEDI grant assistance under section 108(q) and this SuperNOFA. (See Section III(B) below for additional information regarding eligible applicants.)

Application Deadline. June 25, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance.

Application Due Date. Submit your completed applications (one original and two copies) on or before 12:00 midnight, Eastern time, on June 25, 1999, to the addresses 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. To HUD Headquarters. Submit your completed application (an original and one copy) to: Processing and Control Unit, Room 7251, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410, Attention: BEDI Grant, by mail or hand delivery.

To the Appropriate CPD Field Office. At the same time you submit your application to HUD Headquarters, you must submit an additional copy of the application to the Community Planning and Development Division of the appropriate HUD Field Office for your jurisdiction.

When submitting your application, please refer to BEDI, and include your name, mailing address (including zip code) and telephone number (include area code).

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

For Further Information and Technical Assistance. Contact either Stan Gimont or Paul Webster, Financial Management Division, Office of Block Grant Assistance, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7178, Washington, DC 20410, telephone (202) 708–1871 (this is not a toll-free number). Persons with speech or hearing impairments may access this number via TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8339.

See the General Section of this SuperNOFA for guidance on technical assistance. With respect to the Section 108 Loan Guarantee program, which is not a competitive program and thus not subject to those provisions of the HUD Reform Act pertaining to competitions, HUD staff will be available to provide advice and assistance to develop Section 108 loan applications.

II. Amount Allocated

HUD has available a maximum of $25 million for the BEDI program, as appropriated in Pub.L. 105–276 (the FY 1999 VA–HUD Appropriations Act) for the purpose of assisting public entities in the redevelopment of brownfields.

III. Program Description; Eligible Applicants; Eligible Activities

(A) *Program Description.*

BEDI is designed to help cities redevelop abandoned, idled, or underutilized industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination—brownfields. BEDI accomplished this by providing funding to local governments to be used in conjunction with Section 108 loan guarantees to finance redevelopment of brownfield sites.

(1) *Definitions.* Unless otherwise defined herein, terms defined in 24 CFR part 570 and used in this program section of this SuperNOFA shall have the respective meanings given thereto in that part.

Act means Title I, Housing and Community Development Act of 1974, as amended, (42 U.S.C. 5301 *et seq.*).

Brownfield means abandoned, idled, or under-used real property (including industrial and commercial facilities) where expansion or redevelopment is complicated by real or perceived contamination.

Brownfields Economic Development Initiative (BEDI) means the competitive award of up to $25 million, as appropriated in the FY 1999 VA–HUD Appropriations Act, for economic development grant assistance under section 108(q) of the Act for the purpose of assisting public entities in the redevelopment of brownfields.

Brownfields economic development initiative (BEDI) project means an activity or activities (including mixed use projects with housing components) that are eligible under the Act and under 24 CFR 570.703, and that increase economic opportunity for persons of low- and moderate-income or that stimulate or retain businesses or jobs or that otherwise lead to economic revitalization in connection with brownfields.

CDBG funds means those funds collectively defined at 24 CFR 570.3, including grant funds received pursuant to section 108(q) and this program section of this SuperNOFA.

Economic Development Initiative (EDI) means the provision of economic development grant assistance under section 108(q) of the Act, as authorized by Section 232 of the Multifamily Housing Property Disposition Reform Act of 1994 (Pub. L. 103–233, approved April 11, 1994).

Empowerment Zone or Enterprise Community means an urban area so designated by the Secretary of HUD pursuant to 24 CFR part 597 or 598, or a rural area so designated by the Secretary of Agriculture pursuant to 7 CFR part 25, subpart B.

EPA means the U.S. Environmental Protection Agency.

Showcase Community means an applicant chosen by the Federal Government's Brownfields National Partnership for inclusion in the Federal Government's Brownfields Showcase Communities program.

Strategic Plan means a strategy developed and agreed to by the nominating local government(s) and State(s) and submitted in partial fulfillment of the application requirements for an Empowerment Zone

or Enterprise Community designated pursuant to 24 CFR part 597 or 598.

(2) *Background.*

(a) HUD has multiple programs which are intended to stimulate and promote economic and community development and can be effectively employed to address and remedy brownfield conditions. Primary among HUD's resources are the Community Development Block Grant (CDBG) program and the Section 108 loan guarantee program.

(b) The CDBG program provides grant funds (approximately $4.232 billion in FY 1999) by formula to local governments (either directly or through States) to carry out community and economic development activities. The Section 108 loan guarantee program provides local governments with a source of financing for economic development, housing rehabilitation, and other eligible large scale physical development projects. HUD is authorized pursuant to Section 108 to guarantee notes issued by CDBG entitlement communities and non-entitlement units of general local government eligible to receive funds under the State CDBG program. Regulations governing the Section 108 program are found at 24 CFR part 570, subpart M. It must be noted that the Section 108 program is subject to the regulations of 24 CFR part 570 applicable to the CDBG program with the exception of changes embodied in 24 CFR part 570, subpart M. EDI and BEDI grants support Section 108 loan guarantees as generally described under the above section entitled ''Purpose of the Program.''

(c) For FY 1999, the Section 108 program is authorized at $1.261 billion in loan guarantee authority. The full faith and credit of the United States will be pledged to the payment of all guarantees made under Section 108. Under this program, communities (and States, if applicable) pledge their future years' CDBG allocations as security for loans guaranteed by HUD. The Section 108 program, however, does *not* require CDBG funds to be escrowed for loan repayment (unless such an arrangement is specifically negotiated as loan security) and included in the applicable ''Contract for Loan Guarantee Assistance.'' This means that a community can ordinarily continue to spend its existing allocation for other CDBG purposes, unless needed for loan repayment.

(3) *EDI Program.* The EDI program was enacted in 1994 and is intended to complement and enhance the Section 108 Loan Guarantee program. A purpose of EDI (and BEDI) grant funds is to further minimize the potential loss of future CDBG allocations:

(a) By strengthening the economic feasibility of the projects financed with Section 108 funds (and thereby increasing the probability that the project will generate enough cash to repay the guaranteed loan);

(b) By directly enhancing the security of the guaranteed loan; or

(c) Through a combination of these or other risk mitigation techniques.

(4) *BEDI Program.* For FY 1999, Congress has made a specific appropriation of $25 million for the EDI program to assist in financing ''brownfields'' redevelopment. HUD intends the $25 million in Brownfields EDI (BEDI) funds available pursuant to this program section of this SuperNOFA to be used with a particular emphasis upon the redevelopment of brownfield sites consistent with the statutory purpose of the FY 1999 HUD Appropriations Act. Accordingly, BEDI funds shall be used as the stimulus for local governments and private sector parties to commence redevelopment or continue phased redevelopment efforts on brownfield sites where contamination is known or suspected and a redevelopment plans exist. HUD desires to see BEDI and Section 108 funds used to finance projects and activities that will provide near-term results and demonstrable economic benefits, such as job creation and increases in the local tax base. HUD does not encourage applications whose scope is limited only to site acquisition and/or remediation (i.e., land banking), where there is no immediately planned redevelopment.

(5) *Redevelopment Focus.* The redevelopment focus for BEDI-assisted projects is also prompted by the need to provide additional security for the Section 108 loan guarantee pursuant to 24 CFR 570.705(b)(3). While public entities are required by the Act to pledge their current and future CDBG funds as a source of security for the Section 108 loan guarantee, the public entity will usually be required to furnish additional collateral which, ideally, will be the assets financed with the Section 108 loan funds. Clearly, a redevelopment focus for the BEDI funds will help achieve this goal by enhancing the value and improving the viability of projects assisted with Section 108 financing.

(6) *Integration of Other Government Brownfield Programs.* HUD expects and encourages local governments which are designated through (a) the Federal Government's Brownfields Showcase Community program, (b) other Federal brownfields programs (e.g., EPA's Assessment Pilot or Revolving Loan Fund programs), (c) a State-supported brownfields program, or (d) a State or local related economic development program, to integrate efforts arising from those programs in developing projects for assistance under HUD's BEDI and Section 108 programs. Applicants should elaborate upon these ties in their response to the rating factors, where appropriate (e.g. ''Capacity of the Applicant,'' ''Soundness of Approach,'' ''Leveraging Resources,'' or ''Comprehensiveness and Coordination,''—Rating Factors 1, 3, 4, and 5 respectively.)

(7) *Typical Project Structures.* Provided that proposals are consistent with other CDBG requirements, including national objectives, HUD envisions that the following project structures could be typical:

(a) *Land Writedowns.* Local governments may use a combination of Section 108 and BEDI funds to acquire a brownfield site for purposes of reconveying the site to a private developer at a discount from its purchase price. This approach would provide the developer with an asset of enhanced value which could be used as collateral for other sources of funding. Such other sources of financing could be used to finance environmental remediation or other development costs. In theory, the level of BEDI assistance would approximate the difference between the original cost of the site and its remediation in comparison to the market value of the remediated property.

(b) *Site Remediation Costs.* Local governments may use BEDI funds in any of several ways to address site remediation costs. If the local government used Section 108 funds to acquire real property, BEDI funds could be used to address assessment and site remediation costs as part of demolition, clearance, or site preparation activities. If the local government used Section 108 funds to make a loan to a developer, BEDI funds could be granted to the developer for the purpose of addressing remediation costs as part of an economic development activity.

(c) *Funding Reserves.* The cash flow generated by an economic development project may be expected to be relatively ''thin'' in the early stages of the project, i.e. potentially insufficient cash flows to meet operating expenses and debt service obligations. The BEDI grant can make it possible for reserves to be established in a way that enhances the economic feasibility of the project.

(d) *Over-Collateralizing the Section 108 Loan.*

(i) The use of BEDI grant funds may be structured in appropriate cases so as to improve the likelihood that project-generated cash flow will be sufficient to cover debt service on the Section 108 loan and directly to enhance the guaranteed loan. One technique for accomplishing this approach is over-collateralization of the Section 108 loan.

(ii) An example is the creation of a loan pool made up of Section 108 and BEDI grant funds. The community would make loans to various businesses from the combined pool at an interest rate equal to or greater than the rate on the Section 108 loan. The total loan portfolio would be pledged to the repayment of the Section 108 loan.

(e) *Direct Enhancement of the Security of the Section 108 Loan.* The BEDI grant can be used to cover the cost of providing enhanced security. An example of how the BEDI grant can be used for this purpose is by using the grant funds to cover the cost of a standby letter of credit, issued in favor of HUD. This letter of credit will be available to fund amounts due on the Section 108 loan if other sources fail to materialize and thus will serve to protect the public entity's future CDBG funds.

(f) *Provision of Financing to For-Profit Businesses at a Below Market Interest Rate.*

(i) While the rates on loans guaranteed under Section 108 are only slightly above the rates on comparable U.S. Treasury obligations, they may nonetheless be higher than can be afforded by businesses in severely economically distressed neighborhoods. The BEDI grant can be used to make Section 108 financing affordable.

(ii) BEDI grant funds could serve to ''buy down'' the interest rate up front, or make full or partial interest payments, allowing the businesses to be financially viable in the early start-up period not otherwise possible with Section 108 alone. This strategy would be particularly useful where a community was undertaking a large commercial/retail project in a distressed neighborhood to act as a catalyst for other development in the area.

(g) *Combination of Techniques.* An applicant could employ a combination of these or other techniques in order to implement a strategy that carries out an economic development project.

(B) Eligible Applicants. Any public entity eligible to apply for Section 108 loan guarantee assistance in accordance with 24 CFR 570.702 may apply for BEDI grant assistance under section 108(q). *Eligible applicants are CDBG entitlement units of general local government and non-entitlement units of general local government eligible to receive loan guarantees under 24 CFR part 570, subpart M.* Urban Counties, as defined at 24 CFR 570.3 and 570.307, are eligible applicants for BEDI funds; units of general local government which participate in an Urban County program are not independently eligible applicants. Non-entitlement applicants, other than those in the States of Hawaii and New York, will be required to provide proof that the State will support the related Section 108 loan with a pledge of its CDBG funds pursuant to the requirements of 24 CFR 570.705(b)(2). Note that effective January 25, 1995, non-entitlement public entities in the states of New York and Hawaii were authorized to apply to HUD for Section 108 loans (see 59 FR 47510, December 27, 1994). Thus non-entitlement public entities in all 50 states and Puerto Rico are eligible to participate in the Section 108 and BEDI programs.

(C) Eligible Activities and National Objectives

(1) BEDI grant funds may be used for activities listed at 24 CFR 570.703, provided such activities are carried out as part of a BEDI project as defined in Section III(A) of this BEDI section of this SuperNOFA. You are required to submit applications that seek funding for BEDI projects that will contribute to the redevelopment and revitalization of brownfields. Applications that fail to meet the requirements for a BEDI project as set forth in this SuperNOFA will not be rated by HUD.

(2) Each activity assisted with Section 108 loan guarantee or BEDI funds must meet a national objective of the CDBG program as described in 24 CFR 570.208. Applicants must clearly identify in their narrative statement (as described in Section V.(B) below) the CDBG national objective to be achieved by the proposed project and provide the appropriate CDBG national objective regulatory citation found at 24 CFR 570.208. Applicants must also address, when applicable, how the proposed activities will comply with the public benefit standards of the CDBG program as reflected in the regulation at 24 CFR 570.209 for the Entitlement program and 24 CFR 570.482 for the State CDBG program.

(3) In the aggregate, a grantee's use of CDBG funds, including any Section 108 loan guarantee proceeds and section 108(q) (EDI) funds provided pursuant to this program section of this SuperNOFA, must comply with the CDBG primary objectives requirements as described in section 101(c) of the Act and 24 CFR 570.200(c)(3) or 570.484 in the case of State grantees.

IV. Program Requirements

(A) CDBG Program Regulations

In addition to 24 CFR 570.701 (Definitions), 570.702 (Eligible applicants), and 570.703 (Eligible activities), as explained elsewhere in this program section of the SuperNOFA, the CDBG regulatory requirements cited in 24 CFR 570.707, including subparts J (Grant Administration), K (Other Program Requirements), and O (Performance Reviews) govern the use of BEDI funds, as applicable.

(B) Compliance with Applicable Laws

Applicants are advised that an award of BEDI funding does not in any way relieve the applicant or third party users of BEDI funds from compliance with all applicable Federal, State and local laws, particularly those addressing the environment. Applicants are further advised that HUD may require evidence that any project involving remediation has been or will be carried out in accordance with State law, including voluntary clean up programs.

(C) Related Section 108 Loan Guarantee Application

(1) Each BEDI application must be accompanied by a request for new Section 108 loan guarantee assistance. Both the BEDI and Section 108 funds must be used in conjunction with the same BEDI project. The request may take any of several forms as defined below.

(a) A full application for new Section 108 loan guarantee(s), including the documents listed at 24 CFR 570.704(b).

(b) A brief description (not to exceed three pages) of a new Section 108 loan guarantee application(s). Such 108 application(s) will be submitted within 60 days of a notice of BEDI selection, with HUD reserving the right to extend such period for good cause on a case-by-case basis. BEDI awards will be conditioned on approval of actual Section 108 loan commitments. The application description must be sufficient to support the basic eligibility of the proposed project or activities for Section 108 assistance. (See Section III(C) of this program section of this SuperNOFA.); or

(c) A copy of a pending, unapproved Section 108 loan guarantee application, and any proposed amendments to the Section 108 application which are related to the BEDI application. The applicant's submission of such a BEDI/Section 108 application shall be deemed by HUD to constitute a request to

suspend separate processing of the Section 108 application. The Section 108 application will not be approved until on or after the date of the related BEDI award.

(d) A request for a Section 108 loan guarantee amendment (analogous to Section IV(C)(1)(a) or (b) of this BEDI section of the SuperNOFA) that proposes to increase the amount of a previously approved application. However, any amount of Section 108 loan guarantee authority approved *before* HUD's announcement of a BEDI grant for the same project pursuant to this SuperNOFA is not eligible to be used in conjunction with a BEDI grant under this SuperNOFA.

(2) Further, a Section 108 loan guarantee amount that is required to be used in conjunction with a prior EDI or BEDI grant award, whether or not the Section 108 loan guarantee has been approved as of the date of this SuperNOFA, is not eligible for a BEDI award under this SuperNOFA. For example, if a public entity has a previously approved Section 108 loan guarantee commitment of $12 million, even if none of the funds have been utilized, or if the public entity had previously been awarded an EDI grant of $1 million and had certified that it will submit a Section 108 loan application for $10 million in support of that EDI grant, the public entity's application under this program section of this SuperNOFA must propose to increase the amount of its total Section 108 loan guarantee commitments beyond those amounts (the $12 million or $10 million in this example) to which it has previously agreed.

(D) Limitations on Use of BEDI and Section 108 Funds

Certain restrictions shall apply to the use of BEDI and Section 108 funds:

(1) BEDI grants shall not be used as a resource to immediately repay the principal of a loan guaranteed under Section 108. Repayment of principal is only permissible with BEDI grant funds as a matter of security if other sources projected for repayment of principal prove to be unavailable.

(2) You should not use Section 108 funds to finance activities which also include financing generated through the issuance of federally tax exempt obligations. Pursuant to Office of Management and Budget (OMB) Circular A–129 (Policies for Federal Credit Programs and Non-Tax Receivables), Section 108 guaranteed loan funds may not directly or indirectly support federally tax-exempt obligations.

(3) HUD will not consider for funding any BEDI proposal in which the related Section 108 loan guarantee would be used solely as security. BEDI funds are to be used to support and enhance activities financed with Section 108 loan guarantee proceeds from HUD's interim lending or public offering mechanisms and thereby leverage greater use of the Section 108 program. Awarding BEDI funds to a project which would use the Section 108 guarantee only as a security guarantee for other financing can be tantamount to making a simple grant to the project and thereby fails to fulfill the goals of the BEDI program.

(4) BEDI grant funds shall not be used in any manner by grantees to provide public or private sector entities with funding to remediate conditions caused by their actions, where the public entity (or other known prospective beneficiary of the proposed BEDI grant) has been determined responsible for causation and remediation by order of a court or a Federal, State, or local regulatory agency, or is responsible for the remediation as part of a settlement approved by such a court or agency.

(5) Applicants may not propose projects on sites which are listed or proposed to be listed on EPA's National Priority List (NPL). Further, applicants are cautioned against proposing projects on sites where the nature and degree of environmental contamination is not well quantified or which are the subject of on-going litigation or environmental enforcement action.

(E) Limitations on Grant Amounts

(1) HUD expects to approve BEDI grant amounts for approvable applications at a range of ratios of BEDI grant funds awarded to new Section 108 loan guarantee commitments but the minimum ratio will be $1 of Section 108 loan guarantee commitments for every $1 of BEDI grant funds. However, if you propose a leverage ratio of 1:1, your application will not receive any points under the Rating Subfactor 4(1): ''Leverage of Section 108 Funds.''

For example, if you request a BEDI grant of $1 million, you will be required to leverage a minimum of at least $1 million in new Section 108 loan guarantee commitments. Of course, even though there is a minimum ratio of 1:1, applications with higher ratios will receive more points under Rating Factor 4, ''Leveraging Resources/Financial Need'' and, all other things being equal, will be more competitive. You are encouraged to propose projects with a greater leverage ratio of new Section 108 to BEDI grant funds (assuming such projects are financially viable). For example $1 million of BEDI could leverage $12 million of new Section 108 loan commitments. HUD intends that the BEDI funds will be used for projects that leverage the greatest possible amount of Section 108 loan guarantee commitments. Because a fundable application is competitive in part because of the applicant's proposed ratio of BEDI funds to funds guaranteed by a Section 108 loan guarantee, HUD will condition a BEDI grant award on the grantee's achievement of that specific ratio. Your failure to meet that condition by obtaining timely HUD approval of a commitment for, and issuance of, the required Section 108 guaranteed obligations ratio may result in the cancellation and recapture of all or a proportionate share of the BEDI grant award.

(2) HUD will cap BEDI awards at a maximum of $2 million. Any application in excess of $1 million may be reduced below the amount requested by the applicant if HUD determines that such a reduction is appropriate.

(3) In the event you are awarded a BEDI grant that has been reduced below the original request (e.g., your application contained some activities that were ineligible or there were insufficient funds to fund the last competitive application at the full amount requested), you will be required to modify your project plans and application to conform to the terms of HUD approval before execution of a grant agreement. HUD also will proportionately reduce or deobligate the BEDI award if you do not submit an approvable Section 108 loan guarantee application on a timely basis (including any extension authorized by HUD) in the amount required by the BEDI/108 leveraging ratio, which will be approved by HUD as a special condition of the BEDI grant award (see Section IV(E)(1) above of this program section of the SuperNOFA). Any modifications or amendments to your application approved pursuant to this SuperNOFA, whether requested by you or by HUD, must be within the scope of the approved original BEDI application in all respects material to rating the application, unless HUD determines that your revised application remains within the competitive range and is otherwise approvable under this SuperNOFA competition.

(4) In the case of requested amendments to a previously approved Section 108 loan guarantee commitment (as further discussed in section IV(C)(1)(d) above), the BEDI assistance approved will be based on the increased amount of Section 108 loan guarantee assistance.

(5) Pursuant to another portion of this SuperNOFA, HUD is simultaneously announcing the availability of up to $35 million of EDI funds. While HUD will permit you to pursue BEDI and EDI funds for the same project, HUD requires that your BEDI and EDI applications (and components contained in the applications) be independent of one another. Thus, each application should have an identifiable amount of Section 108 funding associated with its respective request for EDI and BEDI funds, for purposes of determining the leverage of Section 108 funding to the corresponding amount of EDI or BEDI funds requested. Further, the proposed amount of Section 108 borrowing associated with either the BEDI or EDI grant must not be used to determine leverage of other financial sources under Rating Subfactor 4(3). Further, if you seek both BEDI and EDI funds for the same project, you must include, in your response to Rating Factor 3 and the ''Financial feasibility'' portion of Rating Factor 4, a discussion of how your project can be financed and implemented if you fail to obtain either BEDI or EDI funds under this SuperNOFA.

(F) Timing of Grant Awards

(1) To the extent you submit a full Section 108 application with the BEDI grant application, HUD will evaluate your Section 108 application concurrently with your request for BEDI grant funds. Note that BEDI grant assistance cannot be used to leverage a Section 108 loan guarantee approved prior to the date of HUD's announcement of a BEDI grant pursuant to this SuperNOFA. However, the BEDI grant may be awarded prior to HUD approval of the Section 108 commitment if HUD determines that such award will further the purposes of the Act.

(2) HUD's notice to you of the amount and conditions of BEDI funds awarded, based upon review of the BEDI application, constitutes an obligation of grant funds, subject to compliance with the conditions of award and execution of a grant agreement. BEDI funds will not be disbursed to the public entity before the issuance of the related Section 108 guaranteed obligations.

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

Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) is applicable to BEDI grant recipients. Please see Section II(E) of the General Section of the SuperNOFA.

V. The Application Selection Process

(A) Rating and Ranking

(1) Each rating factor and the maximum number of points is 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, or two bonus points for having received a Federal designation as a Brownfields Showcase Community. (Please note that in any event, the maximum number of bonus points is limited to a total of two (2).)

(2) Once scores are assigned, HUD will rank all applications in order of points assigned, with the applications receiving more points ranking above those receiving fewer points. Applications will be funded in rank order.

(3) Prior to award, if HUD determines that an application rated, ranked and fundable could be funded at a lesser BEDI grant amount than requested consistent with feasibility of the funded project or activities and the purposes of the Act, HUD reserves the right to reduce the amount of the BEDI award and/or increase the Section 108 loan guarantee commitment, if necessary, in accordance with such determination. An application in excess of $1 million may be reduced below the amount requested by the applicant if HUD determines that such a reduction is appropriate.

(4) HUD may decide not to award the full amount of BEDI grant funds available under this program section of this SuperNOFA and may make any remaining amounts available under a future SuperNOFA.

(5) HUD desires to fund projects which will quickly produce demonstrable results. BEDI grant awards will contain conditions requiring you to adhere to your stated timeframes for implementing your proposed projects and drawing Section 108 and EDI funds. Failure to adhere to these schedules may be cause for HUD to recapture the BEDI funds.

(B) Narrative Statement

(1) Provide a narrative statement describing the activities that you will carry out with the BEDI grant funds, explaining the nature and extent of the Brownfield's problems(s) affecting the project. Your narrative statement must not exceed three (3) 8.5″ by 11″ pages for the description of the activities to be carried out with the BEDI grant funds.

(2) Describe how your proposed uses of BEDI funds will meet the national objectives for the CDBG program under 24 CFR 570.208 and qualify as eligible activities under 24 CFR 570.703. You must include citations to the specific regulatory subsections supporting eligibility and national objectives. (See Section III(C) of this program section of this SuperNOFA.)

(3) Respond to the rating factors below. Each of the listed rating factors (or, where applicable, each subfactor) below also has a separate page limitation specified.

(4) Print your narrative statement in 12 point type/font, and use sequentially numbered pages.

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

HUD will consider your application for selection based on the following factors that demonstrate the quality of your proposed project or activities, and your creativity, capacity and commitment to obtain maximum benefit from the BEDI funds, in accordance with the purposes of the Act.

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

[Your response to this factor is limited to three (3) pages.]

This factor addresses the extent to which you have 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 subcontractors, consultants, subrecipients, and members of consortia that are firmly committed (i.e. have a written agreement or a signed letter of understanding with you agreeing in principle to their participation and role in the project). In rating this factor, HUD will consider the following:

(1) With regard to the BEDI/Section 108 project you propose, you should demonstrate that you have the capacity to implement the specific steps required to successfully carry out the proposed BEDI/Section 108 project. This includes factors such as your:

(a) Performance in the administration of your CDBG, HOME or other programs;

(b) Previous experience, if any, in administering a Section 108 loan guarantee;

(c) Performance and capacity in carrying out economic development projects;

(d) Performance and capacity to carry out Brownfields redevelopment projects;

(e) Ability to conduct prudent underwriting;

(f) Capacity to manage and service loans made with the guaranteed loan funds or previous EDI or BEDI grant funds;

(g) Capacity to carry out your projects and programs in a timely manner; and,

(h) If applicable, your capacity to manage projects under this program section of this SuperNOFA along with any federal funds awarded as a result of a federal urban Empowerment Zone/Enterprise Community designation (including Enhanced Enterprise Community (EEC) designations).

(2)(a) If you have previously received an EDI or BEDI grant award(s), you must describe the status of the implementation of those project(s) assisted with EDI or BEDI funds, any delays that have been encountered and the actions you are taking to overcome any such delays in order to carry out the project in a timely manner. For such previously funded EDI or BEDI grant projects, HUD will consider the extent to which you have used the awarded EDI or BEDI grant funds and the associated Section 108-guaranteed loan funds.

(b) Further, if you have EDI or BEDI funds and related Section 108 loan guarantee authority available as a result of earlier HUD awards and commitments for activities such as (but not limited to) economic development loan funds, community development banks, and community and individual investment corporations, you should use those existing financial resources before applying for additional BEDI or EDI funds and Section 108 commitments. If HUD determines that you could fund your project from such existing resources, HUD will reduce your score under this rating factor to 0.

(3) The capacity of subrecipients, nonprofit organizations and other entities that have a role in implementing your proposed program will be included in this review. HUD also may rely on information from performance reports, financial status information, monitoring reports, audit reports and other information available to HUD in making its determination under this factor.

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

[Your response to this factor is limited to three (3) pages.]

This factor addresses the extent to which there is need for funding your proposed activities based on levels of distress, and an indication of the urgency of meeting the need/distress in your target area.

(1) In applying this factor, HUD will consider current levels of distress in the immediate community to be served by your project and the jurisdiction applying for assistance. If you are able to indicate a level of distress in the immediate project area that is greater than the level of distress in your jurisdiction as a whole, HUD will give your application a higher score under this factor than other applications that do not. HUD requires you to use sound and reliable data that is verifiable to support the level of distress you claim in your application. You must provide a source for all information you cite and indicate the publication date or origination date of the data.

(2) In previous EDI competitions, the poverty rate was often considered the best indicator of distress. You must provide the poverty rate for your jurisdiction as a whole and for the areas to be served and/or where the BEDI/Section 108-funded project is located; however, in addition, you may demonstrate the level of distress with other factors such as income levels and unemployment rates.

(3) To the extent that your Consolidated Plan and its Analysis of Impediments to Fair Housing choice (AI) identifies the level of distress in the community and the neighborhood in which your project is being carried out, you should include references to such documents in preparing your response to this factor. Also, you should discuss the extent to which the analysis of impediments identifies unhealthy environmental conditions, such as contaminated soil and/or water and how such conditions negatively impact your target neighborhood.

Rating Factor 3: Soundness of Approach (25 Points)

[Your response to this factor is limited to three (3) pages.]

This factor addresses the quality and cost-effectiveness of your proposed plan. There must be a clear relationship between the proposed activities, community needs and purposes of the program funding for you to receive points for this factor. In rating this factor, HUD will consider the following:

(1) The quality of your plan/proposal for using BEDI funds and Section 108 loan funds, including the extent to which your proposed plan for effective use of BEDI grant/Section 108-guaranteed loan funds will address the needs you described in Rating Factor 2 above regarding the distress and extent of the problem in your immediate community and/or jurisdiction. As part of the response to this factor, you should identify the eligible activities you will carry out and fully describe how your project will achieve a CDBG national objective. You should make substantial efforts to demonstrate how your proposed project would mitigate or otherwise address the distress you identified in Rating Factor 2 above.

(2) The extent to which your plan is logically, feasibly, and substantially likely to achieve your stated purpose. HUD's desire is to fund projects and activities that will quickly produce demonstrable results and advance the public interest including the number of jobs to be created by the project. You should demonstrate that you have a clear understanding of the steps required to implement your project, the actions that you and others responsible for implementing the project must complete. You must include a reasonable time schedule for carrying out your project. The application kit contains a timeline form that you must use to indicate your project timing.

(3) The extent to which your response to this factor takes into account certain site selection, planning, and environmental issues. Further, you are cautioned against proposing projects on sites where the nature and degree of environmental contamination is not well quantified or that are the subject of on-going litigation or environmental enforcement. Sites with unknown or exceptionally expensive contamination problems may be beyond the scope of the BEDI program's financial resources, and sites subject to pending and current litigation may not be available for remediation and development in a timeframe consistent with HUD's desire for rapid progress in the use of BEDI and Section 108 funds.

(4) The extent to which your projects will integrate environmental justice concerns and provide demonstrable benefits for affected communities and their residents. The BEDI program is intended to promote the clean up and redevelopment of brownfield sites.

(5) The extent to which your proposed project addresses your Analysis of Impediments and the needs identified in Rating Factor 2; the extent to which such project activities will result in the physical and economic improvement for the residents in the neighborhood in which your project will be carried out; the extent to which you will offer residents an opportunity to relocate to environmentally healthy housing or neighborhoods; or the extent to which residents will benefit from the funded project to enable them to continue to live in a redeveloped or revitalized neighborhood and thus share in the anticipated economic benefits and environmental improvements your project is expected to generate.

(6) The extent to which your project incorporates one or more elements that

facilitate a successful transition of welfare recipients from welfare to work. Such an element could include, for example, linking your proposed project or loan fund to social and/or other services needed to enable welfare recipients to successfully secure and carry out full-time jobs in the private sector; provision of job training to welfare recipients who might be hired by businesses financed through the proposal; and/or incentives for businesses financed with BEDI/section 108 funds to hire and train welfare recipients.

(7) Due to an order of the U.S. District Court for the Northern District of Texas, Dallas Division, with respect to any application submitted by the City of Dallas, Texas, HUD's consideration of the response to this factor, ''Soundness of Approach'' will include the extent to which Dallas' plan for BEDI funds and Section 108 loans will speed eradication of the vestiges of racial segregation in the Dallas Housing Authority's programs consistent with the Court's order. Up to two (2) additional points will be awarded to any application submitted by the City of Dallas, Texas, to the extent this subfactor is addressed.

Rating Factor 4: Leveraging Resources/ Financial Need (35 Points)

[Page limits for the response to this factor are listed separately for each subfactor under this factor.]

In evaluating this factor, HUD will consider the extent to which your response demonstrates the financial need and feasibility of your project and the leverage ratio of Section 108 loan proceeds to BEDI grant funds. This factor has three subfactors, each with its own maximum point total:

(1) *Leverage of Section 108 funds* (20 points). [Your response to this subfactor is limited to one (1) page.] The minimum ratio of Section 108 funds to BEDI funds in any project may not be less than 1:1. The extent to which your proposed project leverages an amount of Section 108 funds beyond the 1:1 ratio will be considered a positive factor. If you have a ratio of 1:1, your application will not receive any points under this subfactor. If you use your BEDI grant to leverage more new Section 108 commitments, your application will receive more points under this subfactor.

(2) *Financial feasibility* (10 points). [Your response to this subfactor is limited to three (3) pages.] HUD will consider the extent to which you demonstrate that your project is financially feasible. In responding to this subfactor, you must clearly address the question of why the BEDI funds are critical to the success of your project. This may include factors such as:

(a) Project costs and financial requirements. You should provide a funding sources and uses statement (not included in the 3 page narrative limit), as well as justifications for project costs.

(b) The amount of any debt service or operating reserve accounts you will establish in connection with your economic development project.

(c) The reasonableness of the costs of any credit enhancement you pay with BEDI grant funds.

(d) The amount of program income (if any) you will receive each year during the repayment period for the guaranteed loan.

(e) Interest rates on those loans to third parties (other than subrecipients) (either as an absolute rate or as a plus/ minus spread to the Section 108 rate).

(f) Underwriting criteria that you will use in determining project feasibility.

(3) *Leverage of other financial resources* (5 points). [Your response to this subfactor is limited to one (1) page plus supporting documentation evidencing third party commitment (written and signed) of funds.] HUD will evaluate the extent to which you leverage other funds (public or private) with BEDI grant funds and section 108 guaranteed loan funds, and the extent to which such other funds are firmly pledged to the project. This could include the use of CDBG funds, other Federal or state grants or loans, your general funds, project equity or commercial financing provided by private sources or funds from non-profits or other sources. Funds will be considered pledged to your project if there is evidence of the third party's written commitment to make the funds available for the BEDI/108 project, subject to approval of the BEDI and Section 108 assistance and completion of any environmental clearance required under 24 CFR part 58 for the project. Note that with respect to CDBG funds, your pledge of your CDBG funds will be considered sufficient commitment.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

[Your response to this factor is limited to two (2) pages.]

This factor addresses the extent to which you have coordinated your activities with other known organizations; you participate or promote participation in your or a State's Consolidated Planning process; and you are working towards addressing a need in a comprehensive manner through linkages with other activities in the community.

In evaluating this factor, HUD will consider the extent to which you demonstrate you have:

(1) Coordinated your proposed activities with those of other groups or organizations before submitting your application, in order to best complement, support and coordinate all known activities; and developed specific steps to share information on solutions and outcomes with others. Describe any written agreements, memoranda of understanding in place, or that will be in place after award.

(2) Developed linkages, or specific steps to develop linkages with other activities, programs or projects (through meetings, information networks, planning processes or other mechanisms to coordinate your activities), so that solutions are holistic and comprehensive. Describe any linkages with other HUD-funded projects/ activities outside the scope of those covered by the Consolidated Plan, as well as established linkages and outreach with residents of your project area.

(3) Coordinated your efforts with other Federal, State or locally supported activities, including EPA's various Brownfields initiatives, and those proposed or on-going in the community.

VI. Application Submission Requirements

(A) Public entities seeking BEDI assistance must make a specific request for that assistance, in accordance with the requirements of this program section of this SuperNOFA.

(B) You must submit an original and one copy of the items listed below to HUD Headquarters (see the section ''Addresses For Submitting Applications in this program section of this SuperNOFA). In addition, you must submit one additional copy directly to the Community Planning and Development Division of the appropriate HUD Field Office for your jurisdiction.

(C) Your BEDI application consists of the following items:

(1) Your transmittal letter;

(2) Table of contents;

(3) Application check list (supplied in application kit);

(4) A request for loan guarantee assistance under Section 108, as further described in Section IV(C) of this program section of this SuperNOFA. Application guidelines for the Section 108 program are found at 24 CFR 570.704;

(5) As described in Section V(B) of this program section of this SuperNOFA, a narrative statement (3 page limit) describing the activities that

you will carry out with the BEDI grant funds;

(6) Responses to each of the rating factors (within the page limits provided for each factor or subfactor as applicable);

(7) Completion of a funding sources and uses statement and a BEDI and Section 108 eligibility statement (see the application kit);

(8) Written agreements or signed letters of understanding in support of Rating Factor 1: ''Capacity of the Applicant and Relevant Organizational Experience;''

(9) Signed third party commitment letters pledging funds in support of subfactor 4(2): ''Leverage of other financial resources;''

(10) In addition to the certifications specified in section II(G) of the General Section of this SuperNOFA, the forms and certifications required at 24 CFR 570.704(b)(3), (b)(4), (b)(8)(i), (b)(8)(ii), (b)(8)(vi), (b)(8)(vii), (b)(8)(viii), (b)(8)(x), and (b)(9); and

(11) Acknowledgement of Application Receipt form.

(D) A single application must contain a request for funds for a single BEDI project. You may submit more than one application for each additional unrelated BEDI project. Each application will be rated and ranked individually. In no event will HUD rate and rank more than one BEDI project per application.

(E) Your application must meet all of the applicable threshold requirements of Section II.B. of the General Section of this SuperNOFA.

VII. Corrections to Deficient Applications

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

VIII. Environmental Requirements

(A) Environmental Review

After the completion of this competition and after HUD's award of BEDI grant funds, pursuant to 24 CFR 570.604, each project or activity assisted under this program is subject to the provisions of 24 CFR part 58, including limitations on the EDI grant and Section 108 public entity's commitment of HUD and non-HUD funds prior to the completion of environmental review, notification and release of funds. HUD will not release such assistance until you submit a request for release of funds and you satisfy the requirements of 24 CFR part 58. All public entities, including nonentitlement public entities, must submit the request for release of funds and related certification, pursuant to 24 CFR part 58, to the appropriate HUD field office for each project to be assisted.

(B) Environmental Justice

(1) Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations directs Federal agencies to develop strategies to address environmental justice. Environmental justice seeks to rectify the disproportionately high burden of environmental pollution that is often borne by low-income, minority, and other disadvantaged communities, and to ensure community involvement in policies and programs addressing this issue.

(2) Brownfields are often located in distressed neighborhoods, contribute to neighborhood blight, and lower the quality of social, economic, and environmental health of communities. The BEDI program is intended to promote the clean up and redevelopment of brownfield sites and, to this end, HUD expects that projects presented for BEDI funding will integrate environmental justice concerns and provide demonstrable benefits for affected communities and their residents.

IX. Authority

Section 108(q), Title I, Housing and Community Development Act of 1974, as amended, (42 U.S.C. 5301–5320); 24 CFR part 570.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SELF-HELP HOMEOWNERSHIP PROGRAM (SHOP)

BILLING CODE 4210–32–C

Funding Availability for Self-Help Homeownership Opportunity (SHOP) Program

Program Overview

Purpose of the Program. To facilitate and encourage innovative homeownership opportunities through self-help housing where the homebuyer contributes a significant amount of sweat-equity toward the construction of the new dwelling.

Available Funds. $20,000,0000.

Eligible Applicants. You must be a nonprofit national or regional organization or consortium.

Application Deadline. April 29, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information:

I. Application Due Date, Standard Forms, Further Information, and Technical Assistance

Application Due Date. Applications for SHOP grants must be physically received by HUD on or before 12:00 midnight Eastern Time on April 29, 1999.

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. Submit one original and two copies of the application to Department of Housing and Urban Development, Office of Community Planning and Development, Processing and Control Unit, 451 Seventh Street, SW, Room 7251, Washington, DC 20410, ATTN: Self-Help Program.

Standard Forms. No kit will be made available. For copies of the standard forms, please call HUD's SuperNOFA Information Center at: 1–800-HUD–8929. Please refer to the ''Self-Help Program'' in your request.

Further Information. Further information and technical assistance is available from Joan Morgan, Office of Affordable Housing Programs, Department of Housing and Urban Development, room 7168, 451 Seventh Street, SW, Washington, DC 20410; telephone (202) 708–3226, ext. 2213; (this is not a toll-free number). This number can be accessed via TTY by calling the Federal Information Relay Service Operator at 1–800–877–TDDY (1–800–877–8339).

II. Amount Allocated

The amount available for this program is $20,000,000

III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

SHOP is intended to facilitate and encourage innovative homeownership opportunities on a national geographically-diverse basis through self-help housing where the homebuyer contributes a significant amount of sweat-equity toward the construction or rehabilitation of the dwelling.

Decent, safe, and sanitary non-luxury dwellings developed under SHOP must be made available to eligible homebuyers at prices below the prevailing market prices. Eligible homebuyers are low-income families (families whose annual incomes do not exceed 80 percent of the median income for the area, as established by HUD) who are unable to purchase a dwelling. Housing assisted under this Notice must involve community participation through the use of homebuyers and/or volunteers in the construction of dwellings and by other activities which involve the community in the project.

(B) Eligible Applicants

You must be a nonprofit national or regional organization or consortium that has the capacity and experience to provide or facilitate self-help housing homeownership opportunities. Local affiliates of national or regional organizations or consortia must apply as part of the national or regional organization and may not apply for SHOP independently. ''Regional'' is defined for the purpose of this program section of the SuperNOFA to be a ''regional area'' such as the Southwest or Northeast which must include at least two or more States (the States need not be contiguous and the operational boundaries of the organization need not precisely conform to State boundaries). If you are a consortium, one organization must be chosen as the lead entity. The lead entity must submit the application and, if selected for funding, will execute the grant agreement and assume primary responsibility for carrying out grant activities in compliance with all program requirements. Other participants in your consortium must be identified in your application.

Your application may not propose a partnership with or funding for any affiliate or consortium member which is also included in another SHOP application. You must assure that any affiliate, consortium member, or potential subrecipient under your FY 1999 application is not also seeking funding from another SHOP applicant for FY 1999 funds.

(C) Eligible Activities

The only eligible activities are land acquisition (including financing and closing costs), infrastructure improvement (installing, extending, constructing, rehabilitating, or otherwise improving utilities and other infrastructure, including removal of environmental hazards), and administration, planning and management development (as defined under the HOME Investment Partnerships Program (24 CFR Part 92.207) and not to exceed 20 percent of any SHOP grant). Costs associated with the rehabilitation, improvement, or construction of dwellings *are not eligible* uses of program funds.

IV. Program Requirements

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

(A) Statutory Requirements

You must comply with all statutory requirements applicable to SHOP as cited in Section VIII below. There are no regulations for this program. You must be capable of:

(1) Developing, through significant amounts of sweat-equity and volunteer labor, at least 30 dwellings at an average cost of no more than $10,000 per unit in SHOP funds;

(2) Using your grant to leverage other sources of funding, including private or other public funds;

(3) Developing quality dwellings that comply with local building and safety codes and standards and which will be available to homebuyers at prices below the prevailing market price; and

(4) Scheduling activities to expend all grant funds awarded and substantially fulfill your construction obligations under your grant agreement within 24 months after grant funds are first made available to you.

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

If you fund infrastructure improvements under this program, you are required to comply with Section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (Economic Opportunities for Low and Very Low-Income Persons) and the HUD regulations at 24 CFR part 135, including the reporting requirements subpart E. Section 3 requires that you

provide training, employment and other economic opportunities, to the greatest extent feasible, 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.

V. Application Selection Process

(A) Rating

HUD will review all applications in accordance with the Application Selection Process in the General Section of this SuperNOFA. HUD will review all applications based on the threshold factors listed in Section V.(C) below. Applications which meet all threshold requirements will be rated according to the selection factors in this section of the SuperNOFA. Applications which do not meet all threshold factors will be rejected and will not be rated.

(B) Ranking and Selection Procedures

Applications that receive a total rating of 60 points or more (without the addition of EC/EZ bonus points) will be eligible for selection, and HUD will place them in rank order. After adding any bonus points for EC/EZ, HUD will select these applications based on rank order, up to and including the last application that can be funded, up to amount of funding available.

HUD reserves the right to fund less than the full amount requested in any application to ensure fair distribution of the funds and that dwellings will be developed on a national geographically-diverse basis as required by the statute. HUD may choose not to fund portions of your application that are ineligible for funding under program statutory requirements, or which do not meet the requirements of the General Section of this SuperNOFA or the requirements in the SHOP section of the SuperNOFA, and fund eligible portions of your applications. HUD will not fund any eligible applicant for less than the minimum amount necessary to complete at least 30 homes (at a maximum of $10,000 per home or a lesser amount if lower costs are reflected in the application). If funds remain after all selections have been made, these funds may be available for other competitions.

(C) Threshold Requirements

The following threshold requirements apply specifically to SHOP. You must also be sure to address the threshold requirements listed in the General Section of the SuperNOFA and must submit all forms, certifications, and assurances identified in the General Section.

(1) You, the applicant, must be eligible to apply under SHOP (see Section III(B) of this program section of the SuperNOFA.

(2) The amount of funding you request must support no less than 30 self-help units and may not exceed an average amount of $10,000 per unit.

(3) The population you plan to serve must be eligible under SHOP (see Section III(A) of this program section of the SuperNOFA.

(4) You must demonstrate that you have completed at least 30 self-help homeownership units within a national or regional area (where the homebuyers contributed a significant amount of sweat-equity and/or volunteer labor toward the construction of the dwellings) within the 24 month period preceding the publication of this SuperNOFA.

Submission Requirements for Thresholds:

(1) Evidence of your non-profit status, such as a copy of a current Internal Revenue Service ruling that your organization is exempt from taxation under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986. Where an IRS ruling is unavailable, you may submit a certified copy of your approved charter, articles of incorporation or bylaws demonstrating that you are established as a nonprofit organization under state law. If you are a consortium, each participant in your consortium must be a nonprofit organization, but only the lead entity should submit evidence of its nonprofit status. However, the lead entity must maintain a copy of the above-described documentation for each participant in your consortium.

Submission requirements (2) through (4) require no additional submissions, these requirements are addressed under the submission requirements for the rating factors listed in Section V(D) of this program section of the SuperNOFA below.

(D) Factors for Award Used to Evaluate Applications

HUD will rate all SHOP applications that successfully complete technical processing using the Rating Factors and the Application Submission Requirements described 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 Staff (20 Points)

This factor examines the extent to which you, as a single applicant or as a consortium (including sub-recipients and/or members of the consortium, if any), have the experience and organizational resources necessary to carry out the proposed activities in a timely manner.

In evaluating this factor, HUD will consider your recent and relevant experience in carrying out the activities you propose, and your administrative ability, and fiscal management ability. HUD may also rely on information from performance reports, financial status information, monitoring reports, audit reports and other information available to HUD in making its determination under this factor. If you are not a current recipient of HUD funds, you may submit evidence of internal or external performance reports or other information which will assist HUD in making this determination.

Submission Requirements for Factor 1

(1) You must describe your past experience in carrying out activities that are the same as, or similar to, the activities you propose for funding, and demonstrate reasonable success in carrying out those activities. You may demonstrate such reasonable success by showing that your previous activities were carried out as proposed and in a timely manner. You must show that established benchmarks were met and performance reports were prepared, as required. You must also describe any delays that were encountered, and the actions you took to overcome such delays to successfully complete your program.

(2) You must demonstrate that you have completed at least 30 self-help homeownership units within a national or regional area (where the homebuyers contributed sweat-equity and/or volunteer labor toward the construction of the dwellings) within the 24 month period preceding the publication of this SuperNOFA.

(3) You must provide a description of your management structure. You must also describe how you will staff and manage your proposed activities.

(4) You must demonstrate your ability to handle financial resources with adequate financial control and accounting procedures. Your existing financial control procedures must meet 24 CFR Part 84.21, ''Standards for Financial Management Systems''. You must provide a copy of your most recent audit (only an audit of the lead entity

must be provided with an application for a consortium).

(5) You must demonstrate your experience and ability in constructing and altering homes with accessibility features, when necessary.

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

This factor examines the extent to which you identify the community need, or problem, or distress that your proposed activities will target, and the urgency of meeting that need.

The purpose of this factor is to make sure that funding is provided where a need for funding exists. Under this factor, you must identify the need or needs in the community that your proposed activities are designed to address or, if you plan to select specific subrecipients only after you receive SHOP funding, you must demonstrate how you plan to identify need prior to your selection of any subrecipients.

Submission Requirements for Factor 2.

(1) Identify the communities or areas in which your proposed activities will be carried out or how you will select communities or projects based on need after you have received an award under SHOP.

(2) Depending on the type of activities proposed, the kind of information you submit to demonstrate the need or needs in the target area may include, but is not limited to, one or more of the following:

(a) Housing market data such as information included in the local Five Year Comprehensive Plan or other data sources;

(b) Data dealing with such factors as housing density, housing affordability, housing age or deterioration, and lack of adequate infrastructure or utilities;

(c) Data on the need for accessible homes in the area;

(d) Evidence of housing discrimination;

(e) Evidence from the local Analysis of Impediments to Fair Housing Choice which shows the need for this program.

Rating Factor 3: Soundness of Approach (40 Points)

This factor examines the quality of your plan of proposed activities. In evaluating this factor HUD will consider the specificity in your plan; your established benchmarks for performance; your schedule; your proposed budget and the cost effectiveness of your program; and your plans to reach all potentially-eligible homebuyers, including those with disabilities or least-likely to apply.

In addition, HUD will consider how your planned activities further one or more of the policy priorities of the Department. Department policy priorities are: (i) Affirmatively furthering fair housing by promoting greater opportunities for housing choice for all segments of the population regardless of race, color, religion, national origin, sex, familial status and disability; (ii) Promoting healthy homes; (iii) Providing opportunities for self-sufficiency, particularly for persons enrolled in Welfare to Work programs; (iv) Providing educational and job training opportunities through such initiatives as Neighborhood Networks, and linking programs to AmeriCorps activities; and (v) 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.

Submission Requirements for Factor 3.

(1) You must identify all activities you propose to fund with SHOP.

(2) Provide a timetable for the selection of your participating local affiliates or partners, if they are not specified in the application.

(3) You must submit a construction and completion schedule which expends SHOP funds within 24 months.

(4) List the benchmarks against which HUD is to measure your performance progress in expending funds, completing activities, and substantially fulfilling the obligations of SHOP.

(5) Describe how your proposed activities address the need or needs you have identified under Factor 2, above.

(6) List the long and short term benefits from your activities to the community and targeted groups within the community, and describe how you will ascertain and measure the benefits.

(7) Provide a detailed budget with a break-out for each proposed task and each budget category in the SF–424A.

(8) Demonstrate that projected costs for the proposed activities do not deviate substantially from the norm in the locale in which your activities will take place, will not exceed an average cost of $10,000 per home in SHOP funds, and your ability to carry out your proposed activities cost effectively.

(9) Describe how the policy priorities of the Department are furthered by your proposed activities.

(10) Describe how you will reach potential homebuyers through the use of services and materials that are accessible or visitable to all persons, including persons with disabilities (e.g., languages, formats, locations, distribution, use of minority media to attract those least likely to apply).

(11) Describe how activities will benefit eligible homebuyers and your selection factors for participating homebuyers.

(12) Describe how your proposed activities will yield long-term results and innovative strategies or ''best practices'' that can be readily disseminated to other organizations, communities, and/or State and local governments.

Rating Factor 4: Leveraging Resources (15 Points)

This factor addresses your ability to secure other resources that can be combined with HUD's program resources to achieve the purposes of SHOP. HUD will consider the extent to which you document firm commitments of resources in the form of cash funding, in-kind contributions, or personnel from Federal, State, local, and private sources, who are jointly referred to as your leverage partners. HUD will also consider the extent that the applicant's proposed sweat-equity requirements and other leveraged resources will serve to reduce costs to the homebuyers.

Submission Requirements for Factor 4.

(1) Provide a list of amounts and sources of all firm commitments of cash funding, in-kind contributions, or personnel from other Federal, State, local, and private sources which will be available to complete your project. Together with the grant funds, these commitments must be sufficient to develop not less than 30 units.

(2) Provide copies of written evidence to support your list of firm commitments from the source of the commitment. There must be a written agreement to provide the resources. The written agreement may be contingent upon you receiving a grant award.

(3) You must provide a description of the individual sweat-equity requirements of your program and how this contribution of labor will serve to reduce the costs of the home to the homebuyer. Reasonable accommodation must be allowed for persons with a variety of disabilities to participate in your program.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which your application reflects a coordinated, comprehensive approach to identifying community needs and addressing them on an ongoing basis. In evaluating this factor, HUD will consider:

(1) The extent to which you demonstrate the support and participation of the community's

residents, organizations, businesses, and government in the design and implementation of the proposed activities.

(2) The specific steps you will take to share information on solutions, outcomes, and best practices resulting from the activities, if funded.

(3) The specific steps you have taken or will take to coordinate, through meetings, information networks, planning processes, or other mechanisms, your activities with other proposed or on-going activities in the community funded by Federal, State, local, or private sources.

Submission Requirements for Factor 5

(1) Describe what role residents, community leaders and organizations, and government and private entities in the targeted community have had, or will have, in planning the activities described in your application and what role they will have in carrying out such activities.

(2) Describe how you will share with others information on solutions and outcomes resulting from the activities, if funded.

(3) Describe the specific steps you have taken or will take to become active in the community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice process; or the community's Indian Housing Plan process; and to address, through these processes, the needs that are the focus of the proposed activities.

(4) Describe the specific steps you have taken, or will take, to coordinate your activities with other proposed or on-going activities in the community funded by Federal, State, local, or private sources (through meetings, information networks, planning processes, or other mechanisms).

VI. Checklist for Application Submission

_____Standard Form 424, Application for Federal Assistance
_____Signed by organization eligible to receive funds
_____ Evidence of Non-Profit status
Narrative Statement Addressing:
_____ 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 Forms, Certifications and Assurances:
_____ SF 424A, Budget Information, Non-Construction Programs
_____ SF 424B, Assurances—Non-Construction Programs
_____ SF 424M, Federal Assistance Funding Matrix
_____ HUD–50070, Certification for a Drug-Free Workplace
_____ HUD–50071, Certification of Payment to Influence Federal Transactions
_____ SF LLL, Disclosure of Lobbying Activity
_____ HUD–2880, Applicant/Recipient Disclosure/Update Report
_____ HUD–2990, Certification of Consistency with the EZ/EC Strategic Plan
_____ HUD–2992, Certification Regarding Debarment and Suspension
_____ Acknowledgement of Application Receipt

Note: No kit will be made available. (See Section I for information on how to obtain standard forms.)

VII. Corrections to Deficient Applications

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

VIII. Environmental Requirements

The provisions contained in Section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994, Environmental Review, implemented in the Environmental Review regulations at 24 CFR part 58, are applicable to properties assisted with SHOP funds. All SHOP assistance is subject to the National Environmental Policy Act of 1969 and related federal environmental authorities. SHOP grant applicants are cautioned that no federal or non-federal funds or assistance which limits reasonable choices or could produce a significant adverse environmental impact may be committed to a project until all required environmental reviews and notifications have been completed by a unit of general local government, tribe or State and until HUD approves a recipient's request for release of funds under the environmental provisions contained in 24 CFR part 58.

VIII. Authority

The funding made available under this program section of the SuperNOFA is authorized by section 11 of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note) (the ''Extension Act''). No separate implementing regulations will be issued.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

YOUTHBUILD

BILLING CODE 4210–32–C

Funding Availability for the Youthbuild Program

Program Overview

Purpose of the Program. The purpose of the Youthbuild program is to provide disadvantaged young adults with education, employment, and leadership skills.

Available Funds. Approximately $40,000,000 is available for the Youthbuild Program.

Eligible Applicants. Eligible applicants are public or private nonprofit agencies, State or local housing agencies or authorities, State or local units of general local government, or any entity eligible to provide education and employment training under other Federal employment training programs, as further defined in 24 CFR 585.4.

Application Deadline. April 30, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Your completed application (one original and two copies) is due on or before 12:00 midnight, Eastern time, on April 30, 1999.

See the General Section of this SuperNOFA for specific procedures that you must follow for the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Addresses for Submitting Applications. To HUD Headquarters. Submit your original completed application (that contains the original application and one copy), by hand or mail delivery, to: Processing and Control Branch, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7255, Washington, D.C. 20410, Attention: Youthbuild Grant.

To the Appropriate CPD Field Office. Submit the second copy of your application to the Community Planning and Development Division of the appropriate HUD Field Office for your jurisdiction.

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. 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 Youthbuild and provide your name, address (including zip code), and telephone number (including area code).

For Further Information. Phyllis Williams, Office of Economic Development and Empowerment Service in the Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7140, Washington, DC 20410, telephone (202) 708–2035. 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.

For Technical Assistance. Peter Twichell, YouthBuild USA, 58 Day Street, Somerville, MA 02144, telephone (617) 623–9900, ext. 1211, under contract with HUD to provide technical assistance in developing your application.

II. Amount Allocated

Approximately $40,000,000 is available for the Youthbuild Program. The net available program funds will be divided between two categories of grants (as further specified in Section III(C)):

1. $ 4,800,000—Grants for new applicants for up to $300,000; and
2. $35,200,000—Grants for up to $700,000.

III. Program Description; Eligible Applicants; Eligible Activities; Eligible Participants

(A) Program Description

The purposes of the Youthbuild Program are:

(1) To provide economically-disadvantaged young adults with opportunities to obtain education, employment skills, and meaningful on-site construction work experience as a service to their communities and a means to achieve self-sufficiency;

(2) To foster the development of leadership skills and commitment to community;

(3) To expand the supply of permanent affordable housing for homeless and low- and very low-income persons by providing implementation grants for carrying out a Youthbuild program.

(4) To provide disadvantaged young adults with meaningful on-site training experiences in housing construction and rehabilitation to enable them to provide a service to their communities by helping to meet the housing needs of homeless and low-income families;

(5) To give, to the greatest extent feasible, job training, employment, contracting and other economic opportunities to low-income persons.

(B) Eligible Activities

(1) Work and activities associated with the acquisition, rehabilitation or construction of the housing and related facilities to be used in the program;

(2) Relocation payments and other assistance required to comply with 24 CFR 585.308;

(3) Costs of ongoing training and technical assistance needs related to carrying out a Youthbuild program;

(4) Education, job training, counseling, employment leadership development services and activities;

(5) Wages, benefits, and need-based stipends for participants; and (6) Administrative costs—Youthbuild funds for these costs should not exceed 15 percent of the total amount of Youthbuild assistance, unless a higher amount is justified to support capacity development by a private nonprofit organization.

Please refer to 24 CFR 585.305 for further details on eligible activities.

(C) Eligible Participants

Participants in a Youthbuild program must be very low-income high school dropouts between the ages of 16 and 24, inclusive, at the time of enrollment. Up to 25 percent of participants may be above very low-income or high school graduates (or equivalent), but must have educational needs that justify their participation in the program.

IV. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, as an applicant you must comply with the following requirements:

(A) Resources From Other Federal, State, Local or Private Entities

You should use existing housing and homeless assistance programs administered by HUD or other Federal, State, local, or private and nonprofit housing programs as part of your Youthbuild program. In addition, you should use other non-Youthbuild funds available for vocational, adult, and bilingual education programs or for job training under the Job Training Partnership Act and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The

selection process described in this Youthbuild Program section of the SuperNOFA provides for applicants to receive points where grant applications contain firm commitments from Federal, State, local, or private sources to provide resources to carry out Youthbuild activities.

(B) Grant Period

You should expend funds awarded within 30 months of the effective date of the grant agreement, or such other period specified.

(C) Locational Limitations

You may submit more than one application in the current competition if your program's participant recruitment and housing areas are in different jurisdictions. Each application you submit may only propose activities to carry out one Youthbuild program, i.e., to start a new Youthbuild program or to fund new classes of Youthbuild participants for an existing program.

(D) Youthbuild Program Components

Youthbuild programs that receive assistance under this Youthbuild Program section of the SuperNOFA must contain the three components described in paragraphs (1), (2), and (4) below. Other activities described in paragraph (3) are optional.

(1) Educational and job training services.

(2) Leadership training, counseling, and other support activities.

(3) Special activities such as entrepreneurial training, drivers' education, internships, programs for those with learning disabilities, and in-house staff training. (Optional)

(4) On-site training through actual housing rehabilitation and/or construction work, including the provision of alternative training experiences that are necessary as reasonable accommodation for students with disabilities. Each program must be structured so that 50 percent of each participant's time is spent in on-site training.

(E) Desirable Elements of a Youthbuild Program

You should document the extent to which HUD's policy priorities are furthered by the proposed activities. Such policy priority areas are:

(1) Affirmatively furthering fair housing by promoting greater opportunities for housing choice for minorities and persons with disabilities;

(2) Promoting healthy homes;

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

(4) Providing educational and job training opportunities and linking programs to Americorps activities; and

(5) Promoting welfare reform. Refer to 24 CFR 585.3 for a detailed description of program components.

V. Application Selection Process

You, the applicant, must meet all of the applicable threshold requirements of Section II(B) of the General Section of the SuperNOFA. HUD will review each application and assign points in accordance with the selection factors described in this section. The maximum number of points is 102 (except for an application submitted by the City of Dallas, Texas, which would be eligible for a maximum of 104 points, in accordance with Rating Factor 3, paragraph (3), below). This maximum includes two EZ/EC bonus points as described in the General Section of the SuperNOFA.

To afford applicants every opportunity to submit a ratable application, while at the same time ensure the fairness, integrity and timeliness of the selection process, the following application submission and selection procedures apply to this program:

(A) *Rating and Ranking.* HUD will rate each eligible application based upon the rating factors described in Section V of this Youthbuild Program section of the SuperNOFA. Using the scores assigned, HUD will place the application in rank order within each category. HUD will select applications for funding in accordance with their rank order. An application will be eligible for EZ/EC bonus points and for the Housing Program Priority points in Rating Factor 3, paragraph (2), only if the application receives a combined score of at least 50 points for Rating Factor 1, Rating Factor 2, and Rating Factor 3, paragraph (1), under this Section V.

If two or more applications are rated fundable, and have the same score, but there are insufficient funds to fund all of them, HUD will select the application(s) with the highest score for Rating Factor 3(1) under Soundness of Approach.

(B) *Initial Screening.* During the period immediately following the application deadline, HUD will screen each application to determine eligibility. Applications will be rejected if they:

(1) Are submitted by ineligible applicants, or

(2) Propose a program for which significant activities are ineligible.

(C) *Categories of Grants.*

HUD will award Youthbuild implementation grants only to eligible applicants for the purpose of carrying out Youthbuild programs in accordance with subtitle D of title IV of the Act. HUD will select applications in a competition in accordance with the grant selection process described in Section V of this Youthbuild Program section of the SuperNOFA.

HUD will make grants in two categories:

(1) Grants for new applicants that have not previously received Youthbuild Implementation Grants and that have elected not to apply under category (2), below. These grants will be limited to $300,000, for a period of 18 months, with a maximum of 20 students.

(2) Grants for up to $700,000 to implement a full range of Youthbuild activities for up to a 30-month period. HUD will award half the funding in this category to applicants that propose grants of $400,000 or less for up to 24 months. Applicants in category (1) will receive twelve percent of the funds available. Applicants in category (2) will receive the remainder of the funds available, which in turn will be split evenly between grants for up to and including $400,000, and grants over $400,000. If you have not received funding before, you may apply in either category. If you have received funding before for implementation, you may apply only in category (2).

(D) *Maximum Awards.*

Under the competition established by this Youthbuild Program section of the SuperNOFA, the maximum award for a Youthbuild grant is $700,000. HUD reserves the right to determine the maximum or minimum of any Youthbuild award per application, project, program or budget line item. HUD will not make amendments to awards under this competition that will increase previously approved grant amounts. In order to ensure reasonable geographic diversity, HUD will not give a CDBG entitlement jurisdiction more than $2.1 million in Youthbuild grants.

(E) *Potential Environmental Disqualification.* HUD reserves the right to disqualify an application where one or more environmental thresholds are exceeded if HUD determines that it cannot conduct the environmental review and satisfactorily complete the review within the HUD review period. (See 24 CFR 585.307.)

(F) *Notification of Approval or Disapproval.* HUD will notify you whether or not you have been selected for an award. If you are selected, HUD's notice to you of the amount of the grant award based on the approved

application will constitute HUD's preliminary approval, subject to execution of the grant agreement by HUD.

(G) *Economic Opportunities for Low and Very Low-Income Persons (Section 3).* Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) is applicable to Youthbuild implementation grant recipients. Please see Section II(E) of the General Section of the SuperNOFA.

(H) Factors for Award Used to Evaluate and Rate Applications.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (30 Points)

This factor addresses the qualification and experience of the applicant and participating parties to implement a successful young adult education and training program within a reasonable time period. HUD will review and evaluate the information provided documenting capability. In assigning points for this criterion, HUD will consider evidence in the application that demonstrates the following:

(1) Experience in implementing a comprehensive, integrated, multidisciplinary program with the following components:

(a) Young adult education and training programs, including programs for low-income persons from economically distressed neighborhoods.

(b) Young adult leadership development training and related activities for young adults.

(c) Young adult on-site training in housing construction or rehabilitation for the production of sound and affordable housing for the homeless and low-income families.

(2) The extent to which you or participating parties have been successful in past education, training, and employment programs and activities, including Federally-funded Youthbuild programs. If you have received a Youthbuild grant, you must submit a performance narrative as outlined in the application package, and copies of your last two progress reports or, if applicable, a closeout report. In applying the rating criteria, HUD will take into consideration your performance (including meeting target dates and schedules) as reported.

(3) The extent to which you, including your program director, principal staff, or participating parties have demonstrated past ability to leverage other resources to cover administrative, educational, and training costs.

(4) Staff capacity should address the extent to which you demonstrate that your proposed Staff and Program Manager possess the background, experience, and capacity to conduct the proposed project, as evidenced by recent work experience in managing projects of the same or similar size, dollar amount, and types of activities as those proposed in the application.

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. Documentation of need should address the extent to which you document a critical level of need for the proposed activities in the area where activities will be implemented. The documentation must apply to the targeted area rather than the entire locality. If the target area is an entire locality or State, then documenting need at this level is appropriate.

Your documentation of need should demonstrate the extent and urgency of the problem the proposed activities address. To the extent that your community's Consolidated Plan or Analysis of Impediments to Fair Housing Choice (AI) identifies the level of the problem and the urgency in meeting the need, you should include references to these documents in your response. HUD will review more favorably those applicants that use these documents to identify need, when applicable. Examples of data you might use to demonstrate need include, but are not limited to, economic and demographic data relevant to the target area, including poverty and unemployment rates; levels of homelessness; extent of drug usage and crime statistics; lead poisoning rates; housing market data available from HUD or other data sources including the Public Housing Authorities' Five Year Comprehensive Plan, State or local Welfare Department's Welfare Reform Plan (including, where applicable, the Welfare to Work Plan Addendum); and/or lack of other Federal, State, or local funding that could be or are used to address the problem HUD program funds are designed to address. If the proposed activity is not covered under the scope of the Consolidated Plan and AI, you 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, etc.

Rating Factor 3: Soundness of Approach (40 Points)

(1) (30 points) HUD will consider the overall quality and feasibility of the proposed program as measured by the principles and goals of the proposed program; whether proposed program activities meet the overall objectives of the Youthbuild program; whether the proposed program activities will be accomplished within the projected time frame; whether the proposed program activities are comprehensive and integrated; and the potential for success of the proposed program. Areas HUD will consider in evaluating the overall quality of the proposed program are:

(a) Outreach, recruitment and selection activities including:

(i) Specific steps you will take to attract potential eligible participants who are unlikely to be aware of this program (because of race, ethnicity, sex or disability) and selection strategies;

(ii) Special outreach efforts you will make to recruit eligible young women, young women with dependent children, and persons receiving public assistance; and

(iii) Recruitment arrangements you have made with public agencies, courts, homeless shelters, local school systems, local workforce development systems, community-based organizations, etc.

(b) Educational and job training services and activities including:

(i) The types of instructional services you will provide;

(ii) The number and qualification of program instructors and ratio of instructors to participants;

(iii) Realistic scheduling plan for classroom and on-the-job training; and

(iv) Reasonable payments of participants' wages, stipends, and incentives.

(c) Leadership development, including the leadership development training you will offer to participants, and including the strategies, activities, and plans to build group cohesion and peer support.

(d) Support services, including documentation of counseling and referral services to be offered to participants, including the type of counseling, social services, and/or need-based stipends you will provide (supported by letters of commitments from providers).

(e) On-site training, including:

(i) The housing construction or rehabilitation activities participants will undertake at the site(s) to be used for the on-site training component of the program;

(ii) The qualification and number of on-site supervisors;

(iii) The ratio of trainers to students;

(iv) The number of students per site; and

(v) The amounts, reasonable wages, and/or stipends you will pay to participants during on-site work.

(f) Job placement assistance, including your commitments, strategies, and procedures for:

(i) Participant placement in meaningful employment, enrollment in postsecondary education programs, job development, starting business enterprises, or other opportunities leading to economic independence; and

(ii) Follow-up assistance and support activities to program graduates.

(g) Americorps support or participation as evidenced by approval of Americorps or appropriate State agency.

(2) (10 points) HUD will assign Housing Program Priority Points to all applications that contain evidence that housing resources from other Federal, State, local, or private sources that are available to cover the cost, in full, for the following housing activities for the proposed Youthbuild program: acquisition, architectural and engineering fees, construction, and rehabilitation. It also is imperative that your proposed housing sites provide quality training. The number of units you propose to rehabilitate or construct is secondary in rating this factor. Applications that do not include proper documentation of commitment of non-Youthbuild resources or propose to use Youthbuild grant funds, in whole or in part, for any one of the housing activities listed above will not be entitled to the full priority points. HUD will not use housing resources in evaluating the Leveraging Resources factor.

HUD considers that the quality of the training to be provided is more important than the number of units per se, in evaluating housing sites proposed for Youthbuild training.

(3) HUD will award up to two (2) additional points to any application submitted by the City of Dallas, Texas, to the extent this subfactor is addressed. Due to an order of the U.S. District Court for the Northern District of Texas, Dallas Division, with respect to any application submitted by the City of Dallas, Texas, HUD will consider the extent to which the application's proposed activities will eradicate the vestiges of racial segregation in the Dallas Housing Authority's programs consistent with the Court's order.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the extent to which firm commitment of resources are obtained from Federal, State, local, and private and nonprofit sources other than the applicant. In assigning points for this criterion, HUD will consider the level of nonhousing resources obtained for cash or in-kind contribution to cover the following kinds of areas:

(1) Social services (i.e., counseling and training);

(2) Use of existing vocational, adult, and bilingual educational courses;

(3) Donation of labor, resource personnel, supplies, materials, classroom, and/or meeting space;

(4) Other commitments.

In rating this element, HUD will consider only those contributions for which current firm commitments have been provided. HUD will evaluate the level of nonhousing resources proposed based on their importance to the total program.

Rating Factor 5: Comprehensiveness and Coordination (5 Points)

This factor addresses the extent to which your 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 you demonstrate that you have:

(1) Coordinated your proposed activities with those of other groups or organizations in order to best complement, support, and coordinate all known activities, and the specific steps you will take to share information on solutions and outcomes with others. You should describe any written agreements, memoranda of understanding in place, or those that will be in place after award.

(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 you propose.

(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 activities funded by HUD, Federal, State, or local sources, including those proposed or on-going in the community(s) served.

VI. Application Submission Requirements

You must complete and submit your application for a Youthbuild grant in accordance with the instructions in the FY 1999 Youthbuild application kit. The application kit will request information in sufficient detail for HUD to determine whether your proposed activities are feasible and meet all the requirements of applicable statutes and regulations. The application kit requires you to describe: your and participating parties' experiences in young adult and housing programs; your proposed Youthbuild program; the other public and private resources to be used for the program, including other housing resources (including documentation of these). In addition, you must submit a schedule for the program, budgets, identification of housing sites, and demonstration of site access. The application kit also contains necessary certifications regarding Federal requirements. In addition, you must provide the required certification that the proposed activities are consistent with the HUD-approved Consolidated Plan in accordance with 24 CFR part 91. You should refer to the Youthbuild application kit for further instructions and take into account the uniform guidebook available to all applicants.

VII. Corrections to Deficient Applications

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

VIII. Environmental Requirements

Environmental procedures apply to HUD approval of grants when you propose to use Youthbuild funds to cover any costs for the lease, acquisition, rehabilitation, or new construction of real property proposed for housing project development. Environmental procedures do not apply to HUD approval of your application when you propose to use your Youthbuild funds solely to cover costs for classroom and/or on-the-job construction training and support services.

If you propose to use your Youthbuild funds to cover any costs of the lease, acquisition, rehabilitation, or new construction of real property, you must submit all relevant environmental information in your application to support HUD decisionmaking in accordance with the environmental

procedures and standards set forth in 24 CFR 585.307.

IX. Authority

This program is authorized under subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act (the Act), as added by section 164 of the Housing and Community Development Act of 1992 (Pub. L. 102–550, 106 Stat. 3723, 42 U.S.C. 12899). The Youthbuild Program regulations are found in 24 CFR part 585.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAMS

Supportive Housing Program (SHP)

Shelter Plus Care (S+C)

Section 8 Moderate Rehabilitation Single Room Occupancy for Homeless Individuals (SRO)

BILLING CODE 4210–32–C

Funding Availability for Continuum of Care Homeless Assistance Programs—Supportive Housing Program (SHP), Shelter Plus Care (S+C), Section 8 Moderate Rehabilitation Single Room Occupancy Program for Homeless Individuals (SRO)

Program Overview

Purpose of the Programs. The purpose of the Continuum of Care Homeless Assistance Programs is to fund projects that will fill gaps in locally developed Continuum of Care systems to assist homeless persons move to self-sufficiency and permanent housing.

Available Funds. Approximately $750 million.

Eligible Applicants. The chart in the Appendix to this program section of this SuperNOFA identifies the eligible applicants for each of the three programs under the Continuum of Care.

Application Deadline. June 2, 1999.

Match. Yes.

Additional Information

If you are interested in applying for funding under any of the Continuum of Care Homeless Assistance programs, please review carefully the General Section of the SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Your completed application (an original containing the signed documentation and two copies) is due on or before 12:00 midnight, Eastern time, on June 2, 1999 to the addresses shown below. See the General Section of this SuperNOFA for specific procedures that you must follow for the form of application submissions (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Addresses for Submitting Applications. To HUD Headquarters. Submit your original completed application (the application with the original signed documentation) to: Room 7270, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410, Attention: Continuum of Care Programs.

To the Appropriate CPD Field Office. Also submit two copies of your completed application to the Community Planning and Development Division of the appropriate HUD Field Office for your jurisdiction. The HUD Field Office must receive the two copies of your application by the deadline date as well. The determination, however, that your application was received on time will be made *solely on receipt of the application at HUD Headquarters in Washington.* Reviews will be based upon the contents of the application submitted to HUD Headquarters.

For Application Kits. For an application kit, please call the SuperNOFA Information Center at 1–800–HUD–8929 (voice) or 1–800–483–2209 (TTY), or you may download an application by Internet at http://www.HUD.gov.

For Further Information. For answers to your questions, you may call the HUD Field Office serving your area, at the telephone number shown in the application kit for this program, or you may contact the Community Connections Information Center at 1–800–998–9999 (voice) or 1–800–483–2209 (TTY) or by Internet at: http://www.comcon.org/ccprog.html.

For Technical Assistance. Before the application deadline, HUD staff will be available to provide you with general guidance. HUD staff, however, cannot provide you with guidance in actually preparing your application. HUD Field Office staff also will be available to help you identify organizations in your community that are involved in developing the Continuum of Care system and, in the case of renewals, to determine the HUD final year amount (e.g., leasing, supportive services and operations for SHP, and rental assistance for S+C). Following conditional selection of applications, HUD staff will be available to assist selected applicants in clarifying or confirming information that is a prerequisite to the offer of a grant agreement or Annual Contributions Contract by HUD. However, between the application deadline and the announcement of conditional selections, HUD will accept no information that would improve the substantive quality of your application pertinent to HUD's funding decision.

II. Amount Allocated

Approximately $750 million is available for this competition in FY 1999. Any unobligated funds from previous competitions or additional funds that may become available as a result of deobligations or recaptures from previous awards may be used in addition to 1999 appropriations to fund applications submitted in response to this program section of this SuperNOFA. The funds available for the Continuum of Care program can be used under any of three programs that can assist in creating community systems for combating homelessness. The three programs are:

(1) Supportive Housing;

(2) Shelter Plus Care; and

(3) Section 8 Moderate Rehabilitation for Single Room Occupancy Dwellings for Homeless Individuals.

The chart in the Appendix to this program section of this SuperNOFA summarizes key aspects of the programs, and also provides the citations for the statutes and regulations that authorize these programs. The regulations listed in the chart provide more detailed descriptions of each of the programs.

As in previous funding availability announcements for the Continuum of Care Homeless Assistance Programs, HUD will not specify amounts for each of the three programs this year. Instead, the distribution of funds among the three programs will depend largely on locally determined priorities and overall demand. Local priorities notwithstanding, due to recent Congressional action, not less than 30 percent of this year's total homeless assistance appropriation of $975 million must be used for permanent housing projects. Pursuant to the provisions of the FY 1998 NOFA, up to $60 million of the FY 1999 appropriation may be made available under the FY 1998 NOFA. Permanent housing projects funded with that $60 million will be counted toward the 30 percent requirement. (See Sections V(A)(4)(b) and V(A)(7) of this program section of the SuperNOFA for additional information.)

III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

(1) *Developing Continuum of Care Systems.* The purpose of the Continuum of Care Homeless Assistance Programs is to fund projects that will fill gaps in locally developed Continuum of Care systems to assist homeless persons move to self-sufficiency and permanent housing. The process of developing a Continuum of Care system to assist homeless persons is part of the community's larger effort of developing a Consolidated Plan. For a community to successfully address its often complex and interrelated problems, including homelessness, the community must marshall its varied resources—community and economic development resources, social service resources, housing and homeless assistance resources—and use them in a coordinated and effective manner. The Consolidated Plan, including the Analysis of Impediments to Fair Housing Choice, serves as the vehicle for a community to comprehensively

identify each of its needs and to coordinate a plan of action for addressing them.

A Continuum of Care system consists of four basic components:

(a) A system of outreach and assessment for determining the needs and conditions of an individual or family who is homeless;

(b) Emergency shelters with appropriate supportive services to help ensure that homeless individuals and families receive adequate emergency shelter and referral to necessary service providers or housing finders;

(c) Transitional housing with appropriate supportive services to help those homeless individuals and families who are not prepared to make the transition to permanent housing and independent living; and

(d) Permanent housing, or permanent supportive housing, to help meet the long-term needs of homeless individuals and families.

A Continuum of Care system is developed through a community-wide or region-wide process involving nonprofit organizations (including those representing persons with disabilities), government agencies, other homeless providers, housing developers and service providers, private foundations, neighborhood groups, and homeless or formerly homeless persons. A Continuum of Care system should address the specific needs of each homeless subpopulation: the jobless, veterans, persons with serious mental illnesses, persons with substance abuse issues, persons with HIV/AIDS, persons with multiple diagnoses, victims of domestic violence, youth, and any others. The term ''multiple diagnoses'' may include diagnoses of multiple physical disabilities or multiple mental disabilities or a combination of these two types.

As an applicant, the community process you use in developing a Continuum of Care system should include interested veteran service organizations. To ensure that the Continuum of Care system addresses the needs of homeless veterans, it is particularly important that you involve veteran service organizations with specific experience in serving homeless veterans. In addition, given the large number of youths aging out of the Foster Care system each year, you should seek to include persons knowledgeable on this issue in the planning process and ensure that your continuum of Care system adequately addresses this need.

Your application will be given a high score under the Continuum of Care scoring factors if the application demonstrates the achievement of two basic goals:

- That you have provided maximum participation by non-profit providers of housing and services; homeless and formerly homeless persons; state and local governments and agencies; veteran service organizations; organizations representing persons with disabilities; the private sector; housing developers; foundations and other community organizations.
- That you have created, maintained and built upon a community-wide inventory of housing and services for homeless families and individuals; identified the full spectrum of needs of homeless families and individuals; and coordinated efforts to obtain resources, particularly resources sought through this program section of the SuperNOFA, to fill gaps between the current inventory and existing needs. This coordinated effort must appropriately address all aspects of the continuum, especially permanent housing.

In deciding the geographic area you will cover in your Continuum of Care strategy, you should be aware that the single most important factor in being awarded funding under this competition will be the strength of your Continuum of Care strategy when measured against the Continuum of Care rating factors described in this SuperNOFA. When you determine what jurisdictions to include in your Continuum of Care strategy area, include only those jurisdictions that are involved in the development and implementation of the Continuum of Care strategy.

The more jurisdictions you include in the Continuum of Care strategy area, the larger the pro rata need share that will be allocated to the strategy area (as described in Section V(A)(4) of this program section of the SuperNOFA). However, it would be a mistake to include jurisdictions that are not fully involved in the development and implementation of the Continuum of Care strategy since this would adversely affect the Continuum of Care score. If you are a rural county, you may wish to consider working with larger groups of contiguous counties to develop a region-wide or multi-county Continuum of Care strategy covering the combined service areas of these counties.

Since the basic concept of a Continuum of Care strategy is to create a single, coordinated, inclusive homeless assistance system for an area, the areas covered by Continuum of Care strategies should not overlap. If your Continuum of Care strategy geographically overlaps to the extent that they are essentially competing with each other, projects in the applications/Continuum of Care that receive the highest score out of the possible 60 points for Continuum of Care will be eligible for up to 40 points under Need. Projects in the competing applications/Continuum of Care with the less effective Continuum of Care strategies will be eligible for only 10 points under Need. In no case will the same geographical area be used more than one time in assigning Need points. The local HUD Field Office can help you determine if any of the areas proposed for inclusion by your Continuum of Care system is also likely to be claimed under another Continuum of Care system in this competition.

(2) *Prioritizing.* HUD's policy is that decisions about priority are best made through a locally-driven process and are key to the ultimate goal of reducing homelessness. Again this year, you must list all projects proposed for funding under this program section of the SuperNOFA in priority order from the highest priority to the lowest. Generally, this priority order will mean, for example, that if HUD has funds available only to award 8 of 10 proposed projects, then it will award funding to the first eight eligible projects listed, except as may be necessary to achieve the new 30 percent overall permanent housing requirement—in which case higher priority non-permanent housing projects may be skipped over in order to fund lower priority permanent housing projects. You should give non-profit organizations an opportunity to participate in establishing these priorities.

In order to promote permanent housing, a special incentive is being provided to continuum of care systems that place an eligible, new permanent housing project in the number one priority slot on the priority list. See Section V(A)(4)(b) of this program section of the SuperNOFA for a description of this incentive.

HUD will use this priority list to award up to 40 points per project under the ''Need'' scoring factors. Higher priority projects will receive more points under Need than lower priority projects. A project priority chart is included in the application kit and you should complete and submit it. If you do not submit clear project priority designations for the continuum, or if HUD, at its sole discretion, cannot determine priority designations, then HUD will give all projects the lowest score for Need.

Project renewals. If your Supportive Housing, Supportive Housing Demonstration Program, SAFAH, or Shelter Plus Care grants will be expiring in calendar year 2000, you must apply

under this Continuum of Care program section of the SuperNOFA to get continued funding.

Your local needs analysis process must consider the need to continue funding for projects expiring in calendar year 2000, and you must assign a priority to those projects requesting renewal. HUD will not fund renewals out of order on the priority list except as may be necessary to achieve the new 30 percent overall permanent housing requirement. HUD reserves the authority to use FY 2000 funds, if available, to conditionally select lower-rated eligible SHP renewal projects that are assigned 40 need points in continuum of care systems that would not otherwise receive funding.

Regardless of the priority assigned to expiring projects, you should fully consider how persons currently being served by those projects will continue to be served, and address this issue in your gaps analysis. In previous competitions, some renewal projects that were not assigned top priority by a locality did not receive funding. To the extent your community desires to have such projects renewed, you should give them the top priorities on the priority projects listing in the application. Since renewal projects receive no special consideration during the review, it is important that they meet minimum project eligibility, capacity, and quality standards identified in this program section of the SuperNOFA or they will be rejected.

For the renewal of a Supportive Housing Program project, Supportive Housing Demonstration Program project or SAFAH project, you may request funding for one (1), two (2) or three (3) years. The amount of this request can be up to the total of HUD grant funds for leasing, operations, and supportive services approved for the final year of the expiring grant's term. For the renewal of a Shelter Plus Care project, the grant term is fixed at five (5) years as required by statute. You may request up to the amount determined by multiplying the number of units under lease at the time of application for renewal funding under this SuperNOFA by the applicable current Fair Market Rent(s) by 60 months. While full funding of existing grants may be requested, there is no guarantee that the entire amount will be awarded. As is the case with SHP, HUD will recapture Shelter Plus Care grant funds remaining unspent at the end of the original grant period when it renews a grant.

This program section of the SuperNOFA is not applicable to the renewal of funding under the SRO program. For further guidance on SRO renewals, please contact your local HUD Field Office.

As a project applicant, you are eligible to apply for renewal of a grant only if you have executed a grant agreement for the project directly with HUD. If you are a project sponsor or subrecipient who has not signed such an agreement, you are not eligible to apply for renewal of these projects. HUD will reject applications for renewal submitted by ineligible applicants. If you have questions about your eligibility to apply for project renewal, contact the local HUD field office. To be considered an applicant when applying as part of a consolidated application, you must submit an originally signed HUD Form SF–424 and the necessary certifications and assurances.

(B) Eligible Applicants

See Appendix.

(C) Eligible Activities

See Appendix.

IV. Program Requirements

(A) Statutory and Regulatory Requirements

(1) *SRO Program.* As an applicant, you need to know that the following limitations apply to the Section 8 SRO program:

- Under section 8(e)(2) of the United States Housing Act of 1937, no single project may contain more than 100 assisted units;
- Under 24 CFR 882.802, applicants that are private nonprofit organizations must subcontract with a Public Housing Authority to administer the SRO assistance;
- Under section 8(e)(2) of the United States Housing Act of 1937 and 24 CFR 882.802, rehabilitation must involve a minimum expenditure of $3000 for a unit, including its prorated share of work to be accomplished on common areas or systems, to upgrade conditions to comply with the Housing Quality Standards.
- Under section 441(e) of the McKinney Act and 24 CFR 882.805(d)(1), HUD publishes the SRO per unit rehabilitation cost limit each year to take into account changes in construction costs. This cost limitation applies to rehabilitation that is compensated for in a Housing Assistance Payments Contract. For purposes of Fiscal Year 1999 funding, the cost limitation is raised from $17,200 to $17,500 per unit to take into account increases in construction costs during the past 12-month period.

(2) *Shelter Plus Care/Section 8 SRO Component.* With regard to the SRO component of the Shelter Plus Care program, if you are a State or a unit of general local government, you must subcontract with a Public Housing Authority to administer the Shelter Plus Care assistance. Also with regard to this component, no single project may contain more than 100 units.

(B) Match

You must match Supportive Housing Program funds provided for acquisition, rehabilitation, and new construction with an equal amount of funds from other sources. In addition, in this year's competition, you must match by 25% all funding for supportive services. The cash source may be you, the Federal Government, State and local governments, or private resources. You must match rental assistance provided through the Shelter Plus Care Program in the aggregate with supportive services.

(C) Linking Supportive Housing Programs and Americorps

Applicants for the Supportive Housing Program are encouraged to link their proposed projects 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 SHP partnerships, call the Corporation for National Service at (202) 606–5000, extension 486.

(D) Timeliness Standards

As an applicant, you are expected to initiate your approved projects promptly. HUD may take action if you fail to satisfy certain timeliness standards:

(1) *Supportive Housing Program.*

- HUD will deobligate SHP funds if you have not demonstrated site control within one (1) year after you were initially notified of the grant award, as provided in 24 CFR 583.320(a), subject to the exceptions noted in that regulation.
- Except where HUD finds that delay was due to factors beyond your control, HUD may deobligate SHP funds if you do not meet the following additional timeliness standards:

—You must begin construction activities within eighteen (18) months after initial notification of your grant award and complete them within thirty-six (36) months after that notification.

—For activities that cannot begin until construction activities are completed, such as supportive service or

operating activities that will be conducted within the building being rehabilitated or newly constructed, you must begin these activities within three (3) months after you complete construction.

—You must begin all activities that may proceed independent of construction activities within twelve (12) months after initial notification of your grant award.

(2) *Shelter Plus Care Program Components Except SRO Component.* Except where HUD finds that delay was due to factors beyond your control, HUD will deobligate S+C funds if you do not meet the following timeliness standards:

• For Tenant-based Rental Assistance, for Sponsor-based Rental Assistance, and for Project-based Rental Assistance without rehabilitation, you must start the rental assistance within twelve (12) months of the initial announcement of the grant award.

• For Project-based Rental Assistance with rehabilitation, you must complete the rehabilitation within twelve (12) months of initial notification of the grant award.

(3) *SRO Program and SRO Component of the Shelter Plus Care Program.*

For projects carried out under the SRO program and the SRO component of the S+C program, the rehabilitation work must be completed and the Housing Assistance Payments contract executed within twelve (12) months of execution of the Annual Contributions Contract. HUD may reduce the number of units or the amount of the annual contribution commitment if, in HUD's determination, the Public Housing Authority fails to demonstrate a good faith effort to adhere to this schedule.

V. Application Selection Process

(A) Review, Rating and Conditional Selection

HUD will use the same review, rating, and conditional selection process for all three programs (S+C, SRO, and SHP). The standard factors for award identified in the General Section of this SuperNOFA have been modified in this program section as described below. Only the factors described in this program section—Continuum of Care and Need—will be used to assign points. To review and rate applications, HUD may establish panels.To obtain certain expertise and outside points of view, including views from other Federal agencies, these panels may include persons not currently employed by HUD. Two types of reviews will be conducted. Paragraphs (1) and (2) below describe threshold reviews and paragraphs (3) and (4) describe factors—Continuum of Care and Need—that will be used to assign points. Up to 104 points (including bonus points and points for the court-ordered consideration described in Section III(C)(1) and (2) of the General Section of the SuperNOFA) will be assigned using these factors.

(1) *Applicant and sponsor eligibility and capacity.* HUD will review your capacity as the applicant and project sponsor to ensure the eligibility and capacity standards in this section are met. If HUD determines these standards are not met, the project will be rejected from the competition. The eligibility and capacity standards are:

• You must be eligible to apply for the specific program;

• You must demonstrate ability to carry out the project(s). With respect to each proposed project, this means that in addition to knowledge of and experience with homelessness in general, the organization carrying out the project, its employees, or its partners, must have the necessary experience and knowledge to carry out the specific activities proposed, such as housing development, housing management, and service delivery;

• If you or the project sponsors are current or past recipients of assistance under a HUD McKinney Act program or the HUD Single Family Property Disposition Homeless Program, there must have been no delay in implementing projects exceeding applicable program timeliness standards that HUD determines is within your or the project sponsor's control, unresolved HUD finding, or outstanding audit finding of a material nature regarding the administration of HUD McKinney Act programs or the HUD Single Family Property Disposition Homeless Program; and

• You and the project sponsors must be in compliance with applicable civil rights laws and Executive Orders, and must meet the threshold requirements of Section II(B) of the General Section of the SuperNOFA.

(2) *Project eligibility and quality.* HUD will review projects to determine if they meet the following eligibility and quality standards. If HUD determines the following standards are not met by a specific project or activity, the project or activity will be rejected from the competition.

• The population to be served must meet the eligibility requirements of the specific program, as described in the application instructions;

• At least one of the activity(ies) for which assistance is requested must be eligible under the specific program, as described in the program regulations;

• The housing and services proposed must be appropriate to the needs of the persons to be served. HUD may find a project to be inappropriate if:

—The type and scale of the housing or services clearly does not fit the needs of the proposed participants (e.g., housing homeless families with children in the same space as homeless individuals, or separating members of the same family, without an acceptable rationale provided);

—Participant safety is not ensured;

—The housing or services are clearly designed to principally meet emergency needs rather than helping participants achieve self-sufficiency;

—Transportation and community amenities are not available and accessible; or

—Housing accessibility for persons with disabilities is not provided as required by applicable laws;

• The project must be cost-effective in HUD's opinion, including costs associated with construction, operations, and administration, with such costs not deviating substantially from the norm in that locale for the type of structure or kind of activity;

• Supportive services only projects, and all others, must show how participants will be helped to access permanent housing and achieve self-sufficiency;

• For the Section 8 SRO program, at least 25 percent of the units to be assisted at any one site must be vacant at the time of application; and

• For those projects proposed under the SHP innovative category: Whether or not a project is considered innovative will be determined on the basis that the particular approach proposed is new within its geographic area, and can be replicated.

(3) *Continuum of Care.* HUD will award up to 60 points as follows:

(a) *Process and Strategy.* HUD will award up to 30 points based on the extent to which your application demonstrates:

• The existence of a coordinated and inclusive community process, including organizational structure(s), for developing and implementing a Continuum of Care strategy which includes nonprofit organizations (such as veterans service organizations, organizations representing persons with disabilities, and other groups serving homeless persons), State and local governmental agencies, other homeless providers, housing developers and service providers, private foundations, local businesses and the banking

community, neighborhood groups, and homeless or formerly homeless persons; and

• That a well-defined and comprehensive strategy has been developed which addresses the components of a Continuum of Care system (i.e., outreach, intake, and assessment; emergency shelter; transitional housing; permanent and permanent supportive housing) and that strategy has been designed to serve all homeless subpopulations in the community (e.g., seriously mentally ill, persons with multiple diagnoses, veterans, persons with HIV/AIDS), including those persons living in emergency shelters, supportive housing for homeless persons, or in places not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

(b) *Gaps and Priorities.* HUD will award up to 20 points based on the extent to which your application:

• Describes the gap analysis performed, uses reliable information and sources that are presented completely and accurately, and establishes the relative priority of homeless needs identified in the Continuum of Care strategy; and

• Proposes projects that are consistent with the priority analysis described in the Continuum of Care strategy, describes a fair project selection process, explains how gaps identified through the analysis are being addressed, and correctly completes the priority chart.

When HUD reviews a community's Continuum of Care to determine the points to assign, HUD will consider whether the community took its renewal needs into account in preparing its project priority list. (See discussion on renewals in Section III(A)(2) of this NOFA.)

(c) *Supplemental Resources.* HUD will award up to 10 points based on the extent to which your application demonstrates leveraging of funds requested under this program section of the SuperNOFA with other resources, including private, other public, and mainstream services and housing programs.

(d) *EZ/EC bonus points.* As provided for in Section III(C)(1) of the General Section of this SuperNOFA, HUD will add a bonus of up to 2 points to the Continuum of Care score when: (1) at least one proposed homeless assistance project will be located within the boundaries and/or will principally serve the residents of a high performing federal Empowerment Zone, Enterprise Community or Enhanced Enterprise Community (collectively ''EZ/EC''); and (2) if priority placement will be given by the project(s) to homeless persons living on the streets or in shelters within the EZ/EC, or whose last known address was within the high performing EZ/EC. In addition, and in order for a Continuum of Care system to receive any of the bonus points, the applicant must specifically state how it meets the requirements for the two EZ/EC bonus points, and provide a narrative describing the extent of the linkages and coordination between proposed projects and the EZ/EC. Examples of such coordination include having common board or committee membership (EZ/EC and Continuum of Care), and having EZ/EC resources directed toward Continuum of Care activities. The greater the extent of EZ/EC involvement in and coordination with the implementation strategy for the Continuum of Care system and projects, the greater the likelihood that bonus points will be awarded.

(e) *Court-ordered consideration.* Section III(C)(2) of the General Section is applicable to this program.

(4) *Need.* HUD will award up to 40 points for need. There is a three-step approach to determining the need scores to be awarded to projects:

(a) *Determining relative need:* To determine the homeless assistance need of a particular jurisdiction, HUD will use nationally available data, including the following factors as used in the Emergency Shelter Grants program: data on poverty, housing overcrowding, population, age of housing, and growth lag. Applying those factors to a particular jurisdiction provides an estimate of the relative need index for that jurisdiction compared to other jurisdictions applying for assistance under this program section of the SuperNOFA.

(b) *Applying relative need:* HUD will then apply that relative need index to the total amount of funding estimated to be available under this program section of the SuperNOFA to determine a jurisdiction's pro rata need. However, in order to promote permanent housing for the homeless, if a continuum of care's number one priority project qualifies as an eligible, new permanent housing project, then the full amount of that project's eligible activities, up to $250,000, will be added to the final pro rata need amount for the continuum. HUD also reserves the right to adjust pro rata need, if necessary, to address the issue of project renewals.

(c) *Awarding need points to projects:* Once the pro rata need is established, it is applied against the priority project list in the application. Starting from the highest priority project, HUD proceeds down the list to award need points to each project. An eligible project will receive the full 40 points for need if at least one half of its requested amount falls within the pro rata need amount for that Continuum of Care (COC). Thereafter, HUD proceeds further down the priority project list and awards 20 points for need to each project if at least one half of its requested amount falls within the ''second tier'' of pro rata need amount for that Continuum of Care (COC). The ''second tier'' is the amount between the pro rata need and twice the pro rata need for the COC. Remaining projects each receive 10 points. If projects are not prioritized for the continuum, then all projects will receive 10 points for Need.

In the case of competing applications from a single jurisdiction or service area, projects in the application that received the highest score out of the possible 60 points for Continuum of Care are eligible for up to 40 points under Need. Projects in the competing applications with lower Continuum of Care scores are eligible for only 10 points under Need.

(5) *Ranking.* HUD will add the score for Continuum of Care to the Need score in order to obtain a total score for each project. The projects will then be ranked from highest to lowest according to the total combined score.

(6) *Conditional Selection and Adjustments to Funding.*

(a) *Conditional Selection.* Whether a project is conditionally selected, as described in Section V(B) below, will depend on its overall ranking compared to others, except that HUD reserves the right to select lower rated eligible projects in order to meet the new 30 percent overall permanent housing requirement.

When insufficient funds remain to fund all projects having the same total score, HUD will first fund permanent housing projects if necessary to achieve the 30 percent overall permanent housing requirement. HUD will then break ties among the remaining projects with the same total score by comparing scores received by the projects for each of the following scoring factors, in the order shown: Need, Overall Continuum of Care (COC) score, COC Process and Strategy, COC Gaps and Priorities, and COC Supplemental Resources. The final tie-breaking factor is the priority number of the competing projects on the applicable COC priority list(s).

(b) *Adjustments to Funding.* The Secretary of HUD has determined that geographic diversity is appropriate to carrying out homeless assistance programs in an effective manner. HUD believes that geographic diversity can be

achieved best by awarding grants to as many COCs as possible. To this end, in instances where any of the 50 States does not have at least one funded COC, HUD reserves the right to fund eligible project(s) receiving 40 Need points in the COC with the highest total score in that State. In the case of two or more COCs with the same total score, HUD will use the tie-breaking rules described above. In addition, if the highest priority project passing threshold requirements within a COC fails to meet the criteria for receiving 40 Need points, HUD reserves the right to reduce the total requested amount for that project in order to allow it to qualify for 40 Need points. HUD may otherwise adjust funding of applications in accordance with the provisions of Section III(E) of the General Section of the SuperNOFA. In addition, HUD reserves the right to ensure that a project that is applying for, and eligible for, selection under this competition is not awarded funds that duplicate activities.

(7) *Additional selection considerations.* HUD also will apply the limitations on funding described below in making conditional selections.

In accordance with the appropriation for homeless assistance grants in the Fiscal Year 1999 Appropriation Act for HUD (Pub. L. 105–276, approved October 21, 1998), HUD will use not less than 30 percent of the total FY 1999 homeless grant assistance appropriation to fund projects that meet the definition of permanent housing. Projects meeting the definition of permanent housing are: (1) New Shelter Plus Care projects; (2) Shelter Plus Care renewal projects; (3) Section 8 SRO projects; and (4) new and renewal projects designated as permanent housing for homeless persons with disabilities under the Supportive Housing Program. Since the FY 1999 homeless grant assistance appropriation is $975 million, not less than $292.5 million must be awarded to permanent housing projects unless an insufficient number of approvable permanent housing projects is submitted in which case HUD will carry over the amount of the permanent housing funding shortfall to next year's competition. This permanent housing funding requirement may result in higher scoring non-permanent housing projects being skipped over in order to fund lower scoring permanent housing projects or, within a continuum, higher priority non-permanent housing projects being skipped over in order to fund lower priority permanent housing projects.

In accordance with section 429 of the McKinney Act, HUD will award Supportive Housing funds as follows: not less than 25 percent for projects that primarily serve homeless families with children; not less than 25 percent for projects that primarily serve homeless persons with disabilities; and not less than 10 percent for supportive services not provided in conjunction with supportive housing. After projects are rated and ranked, based on the factors described above, HUD will determine if the conditionally selected projects achieve these minimum percentages. If not, HUD will skip higher-ranked projects in order to achieve these minimum percentages.

In accordance with section 463(a) of the McKinney Act, as amended by the Housing and Community Development Act of 1992, at least 10 percent of Shelter Plus Care funds will be awarded for each of the four components of the program: Tenant-based Rental Assistance; Sponsor-based Rental Assistance; Project-based Rental Assistance; and Section 8 Moderate Rehabilitation of Single Room Occupancy Dwellings for Homeless Individuals (provided there are sufficient numbers of approvable projects to achieve these percentages). After projects are rated and ranked, based on the factors described above, HUD will determine if the conditionally selected projects achieve these minimum percentages. If necessary, HUD will skip higher-ranked projects in order to achieve these minimum percentages.

In accordance with section 455(b) of the McKinney Act, no more than 10 percent of the assistance made available for Shelter Plus Care in any fiscal year may be used for programs located within any one unit of general local government. In accordance with section 441(c) of the McKinney Act, no city or urban county may have Section 8 SRO projects receiving a total of more than 10 percent of the assistance made available under this program. HUD is defining the 10 percent availability this fiscal year as $10 million for Shelter Plus Care and $10 million for Section 8 SRO. However, if the amount awarded under either of these two programs exceeds $100 million, then the amount awarded to any one unit of general local government (for purposes of the Shelter Plus Care program) or city or urban county (for the purposes of the SRO program) could be up to 10 percent of the actual total amount awarded for that program.

Lastly, HUD reserves the right to reduce the amount of a grant if necessary to ensure that no more than 10 percent of assistance made available under this program section of the SuperNOFA will be awarded for projects located within any one unit of general local government or within the geographic area covered by any one Continuum of Care. If HUD exercises a right it has reserved under this program section of the SuperNOFA, that right will be exercised uniformly across all applications received in response to this program section of the SuperNOFA.

(B) Action on Conditionally Selected Applications

HUD will notify conditionally selected applicants in writing. As necessary, HUD will subsequently request them to submit additional project information, which may include documentation to show the project is financially feasible; documentation of firm commitments for cash match; documentation showing site control; information necessary for HUD to perform an environmental review, where applicable; and such other documentation as specified by HUD in writing to the applicant, that confirms or clarifies information provided in the application. HUD will notify SHP, SRO, S+C and S+C/SRO applicants of the deadline for submission of such information. If an applicant is unable to meet any conditions for fund award within the specified timeframe, HUD reserves the right not to award funds to the applicant, but instead to either: use them to select the next highest ranked application(s) from the original competition for which there are sufficient funds available; or add them to funds available for the next competition for the applicable program.

VI. Application Submission Requirements

The application kit provides the application materials, including Form SF–424 and certifications, that must be used in applying for homeless assistance under this SuperNOFA. These application materials substitute for the forms, certifications, and assurances listed in Section II(G) of the General Section of the SuperNOFA.

The application requires a description of the Continuum of Care system and proposed project(s). The application kit also contains certifications that the applicant will comply with fair housing and civil rights requirements, program regulations, and other Federal requirements, and (where applicable) that the proposed activities are consistent with the HUD-approved Consolidated Plan of the applicable State or unit of general local government, including the Analysis of Impediments to Fair Housing Choice and the Action Plan to address these impediments. Projects funded under

this SuperNOFA shall operate in a fashion that does not deprive any individual of any right protected by the Fair Housing Act (42 U.S.C. 3601–19), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5301) or the Age Discrimination Act of 1974 (42 U.S.C. 6101). Section II(D) of the General Section of this SuperNOFA regarding Affirmatively Furthering Fair Housing does not apply to the Continuum of Care Homeless Assistance programs.

There are three options for submitting an application under this program section of the SuperNOFA.

One: A ''Consolidated Application'' is submitted when a jurisdiction (or a consortium of jurisdictions) submits a single application encompassing a Continuum of Care strategy and containing all the projects within that strategy for which funding is being requested. Individual projects are contained within the one consolidated application. Grant funding may go to one entity which then administers all funded projects submitted in the application, or under this option, grant funding may go to all or any of the projects individually. Your application will specify the grantee for each project.

Two: ''Associated Applications'' are submitted when applicants plan and organize a single Continuum of Care strategy which is adopted by project sponsors or operators who choose to submit separate applications for projects while including the identical Continuum of Care strategy. In this case, project funding would go to each successful applicant individually and each would be responsible to HUD for administering its separate grant.

Three: A ''Solo Application'' is submitted when an applicant applies for a project exclusive of participation in any community-wide or region-wide Continuum of Care development process.

Options one and two are not substantively different and will be considered equally competitive. Applicants are advised that projects that are not a part of a Continuum of Care strategy will receive few, if any, points under the Continuum of Care rating factors.

VII. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications (See Section V of the General Section).

VIII. Environmental and Local Resident Employment Requirements

(A) Environmental Requirements

All Continuum of Care assistance is subject to the National Environmental Policy Act of 1969 and related Federal environmental authorities. No Federal or non-Federal funds or assistance that limits reasonable choices or could produce a significant adverse environmental impact may be committed to a project until all required environmental reviews and notifications have been completed. Conditional selection of projects under the Continuum of Care Program is subject to the environmental review requirements under 24 CFR 582.230, 583.230, and 882.804(c), as applicable.

(B) Local Resident Employment

To the extent that any housing assistance (including rental assistance) funded through this program section of the SuperNOFA is used for housing rehabilitation (including reduction and abatement of lead-based paint hazards, but excluding routine maintenance, repair, and replacement) or housing construction, then it is subject to section 3 of the Housing and Urban Rehabilitation Act of 1968, and the implementing regulations at 24 CFR part 135. Section 3, as amended, requires that economic opportunities generated by certain HUD financial assistance for housing and community development programs shall, to the greatest extent feasible, be given to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities for these persons.

IX. Authority

The Supportive Housing Program is authorized by title IV, subtitle C, of the Stewart B. McKinney Homeless Assistance Act (McKinney Act), 42 U.S.C. 11381. Funds made available under this program section of the SuperNOFA for the Supportive Housing Program are subject to the program regulations at 24 CFR part 583.

The Shelter Plus Care program is authorized by title IV, subtitle F, of the McKinney Act, 42 U.S.C. 11403. Funds made available under this program section of the SuperNOFA for the Shelter Plus Care program are subject to the program regulations at 24 CFR part 582.

The Section 8 Moderate Rehabilitation Program for Single Room Occupancy Dwellings for Homeless Individuals (SRO) is authorized by section 441 of the McKinney Act, 42 U.S.C. 11401. Funds made available under this NOFA for the SRO program are subject to the program regulations at 24 CFR part 882, subpart H.

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Appendix

CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAMS

ELEMENT	SUPPORTIVE HOUSING	SHELTER PLUS CARE	SECTION 8 SRO
AUTHORIZING LEGISLATION	Subtitle C of Title IV of the Stewart B. McKinney Homeless Assistance Act	Subtitle F of Title IV of the Stewart B. McKinney Homeless Assistance Act	Section 441 of the Stewart B. McKinney Homeless Assistance Act
IMPLEMENTING REGULATIONS	24 CFR part 583	24 CFR part 582	24 CFR part 882
ELIGIBLE APPLICANT(S)	• States • Units of general local government • Special purpose units of government such as public housing agencies (PHAs) • Private nonprofit organizations • CMHCs that are public nonprofit organizations	• States • Units of general local government • PHAs	• PHAs • Private nonprofit organizations
ELIGIBLE COMPONENTS	• Transitional housing • Permanent housing for disabled persons only • Supportive services not in conjunction with supportive housing • Safe Havens • Innovative supportive housing	• Tenant-based • Sponsor-based • Project-based • SRO-based	• SRO housing
ELIGIBLE ACTIVITIES See footnotes 1, 2, and 3	• Acquisition • Rehabilitation • New construction • Leasing • Operating costs • Supportive services	• Rental assistance	• Rental Assistance
ELIGIBLE POPULATIONS See footnote 2	• Homeless persons	• Homeless disabled individuals • Homeless disabled individuals and their families	• Homeless individuals • Section 8 eligible current occupants

POPULATIONS GIVEN SPECIAL CONSIDERATION	• Homeless persons with disabilities • Homeless families with children	Homeless persons who: • are seriously mentally ill • have chronic problems with alcohol and/or drugs • have AIDS and related diseases	N/A
INITIAL TERM OF ASSISTANCE	3 years	5 years: TRA, SRA, and PRA if no rehab 10 years: SRO and PRA with rehab	10 years

Footnote 1: **Homeless prevention activities are statutorily ineligible under these programs.**

Footnote 2: **Persons at risk of homelessness are statutorily ineligible for assistance under these programs.**

Footnote 3: **Acquisition, construction, rehabilitation, leasing, and operating costs for emergency shelters are statutorily ineligible for assistance under Shelter Plus Care and Section 8 SRO.**

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM

BILLING CODE 4210–32–C

Funding Availability for the Housing Opportunities for Persons With AIDS (HOPWA) Program

Program Overview

Purpose of the Program. To provide States and localities with the resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of persons with HIV/AIDS and their families.

Available funds. $22,275,000 (and under a related part of this SuperNOFA, up to $2,250,000 for technical assistance for the HOPWA program).

Eligible Applicants. (1) States, units of general local government, and nonprofit organizations for grants for Special Projects of National Significance (SPNS) grants.

(2) States and units of general local government may apply for projects under the Long-Term category of grants, if activities will serve areas that were not eligible for HOPWA formula allocations in fiscal year 1999. An appendix in the application kit identifies the formula areas.

Application Deadline. June 2, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. You must submit applications on or before 12:00 midnight, Eastern time, on June 2, 1999 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. You must submit your completed original application to: Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7251, Washington, DC 20410. The original application submitted to HUD headquarters is considered the official application.

In addition, you must submit two (2) copies of your application to the area CPD Field Office or Offices that serve the area in which activities are proposed; the list of addresses for area CPD Field Offices is provided in the HOPWA application kit. If you propose nationwide activities, you must send all copies to the HUD headquarters office. When submitting your applications, please refer to HOPWA, and include your name, mailing address (including zip code) and telephone number (including area code).

For Application Kits. For an application kit, please call the SuperNOFA Information Center at 1–800–HUD–8929 (1–800–483–8929). 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.

For Further Information and Technical Assistance. For answers to your questions, you may call the HUD Field Office serving your area, at the telephone number shown in the application kit for this program, or you may contact the Community Connections Information Center at 1–800–998–9999 (voice) or 1–800–483–2209 (TTY) or by Internet at: http://www.comcon.org/ccprog.html.

II. Amount Allocated

Approximately $22,275,000 is being made available for funding under this program section of the SuperNOFA. Additional funds may be awarded if funds are recaptured, deobligated, appropriated or otherwise made available during the fiscal year.

(A) *Maximum grant amounts.* The maximum amount that you may receive is $1,200,000 for program activities (e.g., activities that directly benefit low-income persons living with HIV/AIDS and their families). You may also add-on up to 3 percent of this program activities amount for grantee administrative costs and, if your program involves project sponsors, add-on up to 7 percent for their administrative costs. In addition, up to $50,000 may be requested to collect data on project outcomes. HUD reserves the right to reduce the amount requested for data collection on project outcomes in relation the amount requested for program activities.

(B) *Award Modifications.* See the General Section of this SuperNOFA for information with regard to adjustments to funding. HUD also reserves the right to ensure that activities funded under the FY 1999 Continuum of Care will not duplicate activities funded under this competition.

III. Program Description; Eligible Applicants, Eligible Activities

(A) Program Description

Funds under this program are to be used to fund projects for low-income persons with HIV/AIDS and their families under two categories of assistance:

(1) Grants for Special Projects of National Significance (SPNS) that, due to their innovative nature or their potential for replication, are likely to serve as effective models in addressing the housing and related supportive service needs of low-income persons living with HIV/AIDS and their families; and

(2) Grants for projects that are part of Long-Term Comprehensive Strategies (Long-Term) which provide housing and related supportive services for low-income persons living with HIV/AIDS and their families in areas that are not eligible for HOPWA FY 99 formula allocations.

(B) Eligible Applicants and Project Sponsors

(1) States, units of general local government, and nonprofit organizations may apply for grants for Special Projects of National Significance;

(2) States and units of general local government may apply for grants for projects under the Long-Term category of grants, if proposed activities will serve areas that were not eligible to receive HOPWA formula allocations in fiscal year 1999. An appendix in the application kit describes the formula areas. Nonprofit organizations are not eligible to apply directly for the Long-Term grants but may serve as a project sponsor for an eligible State or local government grantee. You must identify your project sponsors in your application.

(3) Nonprofit organizations must have appropriate credentials, in accordance with HOPWA regulations at 24 CFR 574.3. If you are a nonprofit organization, to be an eligible applicant or project sponsor, you must either:

—Have, by the application due date, an IRS ruling that grants you tax exempt status under section 501(c)(3) of the Internal Revenue Code; or

—Provide documentation that shows that your organization satisfies the criteria in the statutory definition of nonprofit organization in 42 U.S.C. 12902(13).

The statutory definition reads:

The term ''nonprofit organization'' means any nonprofit organization (including a State or locally chartered, nonprofit organization) that—(A) is organized under State or local laws; (B) has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; (C) complies with standards of financial accountability acceptable to the Secretary; and (D) has among its purposes significant activities related to providing services or

housing to persons with acquired immunodeficiency syndrome or related diseases.

HUD interprets the use of the term ''related diseases'' in this definition to include HIV infection.

Adequate documentation of nonprofit status includes the following:

(a) In lieu of an IRS exemption for nonprofits in Puerto Rico, a ruling from the Treasury Department of the Commonwealth of Puerto Rico granting income tax exemption under section 101 of the Income Tax Act of 1954, as amended (13 LPRA 3101);

(b) In lieu of documentation under section 501(c)(3), documentation of an IRS ruling of tax exempt status under section 501(c)(4), (6), (7), (9), or (19);

(c) Documentation of satisfying the statutory criteria by submitting the following four items:

(i) Certification by the appropriate official of the jurisdiction under whose laws the nonprofit organization was organized that the organization was so organized and is in good standing;

(ii) Documentation that the organization is a certified United Way member agency or other documentation that shows that no inurement of benefits to the managers of the organization occurs;

(iii) Documentation from a CPA or Public Accountant that the organization has a functioning accounting system that is operated in accordance with generally acceptable accounting principles or that a qualifying entity is designated for that activity, or the United Way member agency certification noted in item (ii); and

(iv) A certified copy of the nonprofit organization's articles of incorporation, by-laws, statement of purposes, board of director's resolution or a similar document that includes a provision demonstrating its purpose regarding significant activities for persons living with HIV/AIDS.

If your organization does not provide the requested documentation, you are not eligible to receive funds and serve as the grantee or as a project sponsor. However, you may collaborate with eligible nonprofit organizations or with a government agency that applies for the grant and assist them, for example, in planning for the proposed activities, identifying needs in your community and identifying clients who will be assisted. In addition, you may do work under contract with a grantee for services funded by this grant.

(C) Eligible Activities

(1) The following eligible activities are subject to standards and limitations found in 24 CFR part 574, however, HUD will not approve proposals that depend on future decisions on how funds are to be used, for example, a proposal to establish a local request-for-proposal process to select activities:

(a) Housing information services (including fair housing counseling).

(b) Project-based or tenant-based rental assistance.

(c) New construction of a community residence or SRO dwelling.

(d) Acquisition, rehabilitation, conversion, lease or repair of facilities to provide housing and services.

(e) Operating costs for housing.

(f) Short-term rent, mortgage and utility payments to prevent homelessness.

(g) Supportive services.

(h) Administrative expenses (see limits for grantees and sponsors).

(i) Resource identification to establish, coordinate and develop housing assistance resources and technical assistance in establishing and operating a community residence. HUD will not select under this notice an application that is primarily directed at providing these activities, since national HOPWA technical assistance funds are being made available under the CDTA part of this notice for this purpose. You may propose a resource identification or technical assistance component in your application, if the amount of funds designated for these activities are less than 20 percent of the proposed program activity costs; and

(j) As authorized by the statute, you may propose other activities in your application, if approved by HUD, including data collection on project outcomes, as described below in paragraph (2).

(2) Project Outcomes.

You may request up to $50,000 to collect information and report to HUD, or a third party designated by HUD, on project outcomes. If you requested these funds, you must propose data collection activities in your application. The persons who will conduct these activities may include an expert third-party. Generally, this assistance will help a project:

(a) Define monitoring questions that will be addressed and examined during the project period;

(b) Specify outcome measures;

(c) Develop instruments to assess project outcomes and systems outcomes;

(d) Train project staff in the collection of data;

(e) Monitor data collection activities to assure that submissions are complete and accurate, including data coding and entry;

(f) Summarize data collected; and

(g) Prepare reports summarizing findings, including the standard HOPWA Annual Progress Report.

IV. Program Requirements

(A) Performance Measures and Project Goals and Objectives

You must use HUD's required performance measures that will show your accomplishments in using HOPWA funds to expand the housing options that benefit low-income persons with HIV/AIDS and their families. You may also establish individual goals and objectives for your proposal. They should be specific, achievable and measured within set time periods. Your individual goals and objectives should result in possible findings on the successes and lessons learned in undertaking your activities that would be shared with other communities. In designing your proposal, please use the following:

(1) The required HOPWA performance goals. Your proposed activities must:

(a) Increase the amount of housing assistance and related supportive services to low-income persons living with HIV/AIDS and their families;

(b) Enable them to achieve housing stability; and

(c) Enable them to access health-care and supportive services.

(2) Measurement of your performance. After each year of operation, report on the number of short-term and permanent housing units that were provided with HOPWA funding, in connection with related supportive services. The following are examples of performance measurement:

(a) In your community over the last year, a transitional housing facility providing 5 units of housing was operated with HOPWA funds. Residents also received drug and/or alcohol abuse treatment and counseling by qualified staff. During that year, ten persons resided in the facility and benefited from the intense on-site assistance, which also included helping them develop and follow a plan to find permanent housing and continue treatment after leaving the facility, including monthly phone contacts or visits by staff; and

(b) Over the last 12 months, a nonprofit organization distributed tenant-based rental assistance vouchers to 15 households within your three-county metropolitan area. The vouchers provided for on-going housing assistance (up to three years) and the program advised the clients on tenant-landlord issues and arranged for housing quality standard inspections of

the apartments selected. A case manager who is funded under the Ryan White CARE Act program, advised the tenants and helped them access health-care and other services from providers in this community. During this year, 22 persons received permanent housing assistance with HOPWA funds and for three of these families who were unable to find housing within 30 days, additional efforts were made and an appropriate apartment was located and used.

(B) Performance Benchmarks

Funds received under this competition are expected to be expended within 3 years following the effective date of a grant agreement. If you undertake the listed activities, you will be expected to meet the following performance benchmarks:

(1) If you acquire or lease a site, you are required to gain site control within one year of their selection (i.e, one year from the date of the signing of their selection letter by HUD);

(2) If you propose to use HOPWA funds to undertake rehabilitation or new construction activities, you are required to begin the rehabilitation or construction within 18 months of your selection and to complete that activity within 3 years from the date of your selection letter by HUD; and

(3) Except as noted in paragraph (2) for rehabilitation or construction activities, you must begin to operate your program within one year from your selection. If a selected project does not meet the appropriate performance benchmark, HUD reserves the right to cancel or withdraw the grant funds.

(C) Availability of FY 1999 Formula Allocations

You are also encouraged to consider seeking funds for your proposed activities under the formula component of the HOPWA program and from other resources that are made available in communities. Ninety (90) percent of the HOPWA program is allocated by formula and recipient States and cities are required to consult with the public on designing the use of these funds. In FY 1999, a total of $200.475 million was allocated by formula to the qualifying cities for 63 eligible metropolitan statistical areas (EMSAs) and to 34 eligible States for areas outside of EMSAs. All HOPWA formula grants are available as part of the jurisdiction's Consolidated Plan, which also includes the Community Development Block Grant, HOME Investment Partnerships program, and Emergency Shelter Grants. Plans are developed through a public process that assesses area needs, creates a multiple-year strategy and proposes an action plan for use of Federal funds and other community resources in a coordinated and comprehensive manner. Information on consolidated planning, including HOPWA formula programs and descriptions of previously awarded competitive grants, is available on the HUD HOME Page at www.hud.gov/cpd/cpdalloc.html.

(D) Availability of National HOPWA Technical Assistance

If you are interested in providing technical assistance activities with HOPWA funds, submit an application for funds under the Community Development Technical Assistance part of this notice, which is published elsewhere in this SuperNOFA. The CDTA notice provides up to $2,250,000 in HOPWA funds to organizations for technical assistance support on a national or regional basis.

V. Application Selection Process

(A) HOPWA Application Reviews

HUD will review your HOPWA application to ensure that:

(1) It meets the threshold requirements found in the General Section of the SuperNOFA;

(2) A Certification of Consistency with Consolidated Plans is provided. Under the HOPWA program, proposed activities that are located in a jurisdiction are required to be consistent with the jurisdiction's current, approved Consolidated Plan, including the Analysis of Impediments to Fair Housing and the Action Plan to address these impediments, except that this certification is not required for projects that propose to undertake activities on a national basis; and

(3) You are currently in compliance with the Federal requirements contained in 24 CFR part 574, subpart G, ''Other Federal Requirements.''

(B) The HOPWA Competition

This national competition will involve the review, rating, and selection of HOPWA applications under each of the two categories of assistance (Special Projects of National Significance (SPNS) and Long-Term Comprehensive Strategies (Long-Term) in areas that do not qualify for HOPWA formula allocations.

(C) Procedures for the Rating of Applications

HUD will rate all HOPWA applications based on the criteria listed below.

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

The factors for rating and ranking your application, and the maximum points for each factor, are provided below. The points awarded for the factors total 100. In addition, bonus points for projects in high performing EZ/EC areas and by the City of Dallas may be available under Section III(C)(2) of the General Section of this SuperNOFA apply to this competition. After rating, all applications will be placed in the rank order of their final score for selection within the appropriate category of assistance.

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

This factor addresses the extent to which you and any project sponsor has the organizational resources necessary to successfully implement the proposed activities in a timely manner. HUD will award up to 20 points based on your and any project sponsor's ability to develop and operate the proposed program, such as housing development, management of housing facilities or units, and service delivery, in relation to which entity is carrying out an activity.

(1) With regard to both you and any project sponsor(s), HUD will consider:

(a) Past experience and knowledge in serving persons with HIV/AIDS and their families;

(b) Past experience and knowledge in programs similar to those proposed in your application;

(c) Experience and knowledge in monitoring and evaluating program performance and disseminating information on project outcomes; and

(d) Past experience as measured by expenditures and measurable progress in achieving the purpose for which funds were provided.

(2) In reviewing the elements of paragraph (1), HUD will consider the extent to which your proposal demonstrates:

(a) 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 the kind of activities for which you are requesting funds. You and any project sponsor will be judged in terms of recent, relevant and successful experience of staff to undertake eligible program activities, including experience and knowledge in serving persons with HIV/AIDS and their families.

(b) Your and/or the sponsor's experience in managing complex

interdisciplinary programs, especially those involving housing and community development programs directly relevant to the work activities proposed and carrying out grant management responsibilities.

(c) If you and/or the sponsor received funding in previous years in the program area for which you are currently seeking funding, you and your sponsor's past experience will be evaluated in terms of their ability to attain demonstrated measurable progress in the implementation of their *recent grant awards*, as measured by expenditures and measurable progress in achieving the purpose for which funds were provided.

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. For up to 15 points, HUD will award points as follows under paragraphs (1) to (3), and 5 points under paragraph (4).

(1) (5 Points) AIDS Cases. Up to five of these points will be determined by the relative numbers of AIDS cases and per capita AIDS incidence, in metropolitan areas of over 500,000 population and in areas of a State outside of these metropolitan areas, in the State for proposals involving state-wide activities, and in the nation for proposals involving nation-wide activities. To determine these points, HUD will obtain AIDS surveillance information from the Director of the Centers for Disease Control and Prevention.

(2) (5 Points) Description of Unmet Need. Up to five of these points will be determined by the extent to which there is a need for funding eligible activities in the area to be served. To receive the highest ratings in this factor, you must demonstrate that substantial housing and related service needs of low-income persons living with HIV/AIDS and their families are not being met in the area and that reliable statistics and data sources show this unmet need. To receive the highest number of points, you also must show that your jurisdiction's Consolidated Plan and Analysis of Impediments to Fair Housing Choice, Continuum of Care Homeless Assistance plans (if homeless persons are to be served), and comprehensive HIV/AIDS housing plans are applicable and identify the level of the problem and the urgency of the need. Urgent and unmet needs may be demonstrated, as follows:

(a) If you apply for a proposed Special Project of National Significance, you must describe a need that is not currently addressed by other projects or programs in the area; also describe any unresolved or emerging issues, and the need to provide new or alternative forms of assistance that, if provided, would enhance your area's programs for housing and related care for persons living with HIV/AIDS and their families; or

(b) If you apply for a project that is part of a Long-Term Comprehensive Strategy in an area that does not receive a HOPWA formula allocation, you must describe the need that is not currently addressed by other projects or programs in the area; you must also describe any unresolved or emerging issues, and/or the need to provide forms of assistance that enhance the community's strategy for providing housing and related services to eligible persons.

HUD will consider your presentation of statistics and data sources based on soundness and reliability and the specificity of information to the target population and the area to be served. If you propose to serve a subpopulation of eligible persons on the basis that these persons have been traditionally and are currently underserved (e.g., persons with multiple disabilities including AIDS), your application must document the need for this targeted effort.

(3) (5 Points) Need in Non-Formula Areas and Need for Renewals. Within the points available under this criterion, HUD will award points under the following two circumstances:

(a) Five points will be awarded, if your SPNS application proposes to serve clients in an area that does not qualify for HOPWA formula allocation; or

(b) Up to five points will be awarded, if you propose to continue the operations of HOPWA funded activities that have been supported by HOPWA competitive funds in prior years and that have operated with reasonable success. To receive the highest ratings in this factor, you must describe what unmet need would result if funding for the project was not renewed and describe your efforts to secure other sources of funding to continue this project. You must also show that you operated with reasonable success and your previous HOPWA-funded activities have been carried out and are nearing completion of the planned activities in a timely manner. You must also show that timely performance reports were provided and that benchmarks, if any, in program development and operation have been met, and that the number of persons assisted is comparable to the number that was planned at the time of application.

(4) (5 Points) Highest Rated in a State or the Nation (for nationwide activities). After the other rating factors have been determined, HUD will award five of the points to help achieve greater geographic diversity in funding activities within a variety of States. Under this criterion, five points will be awarded to the highest rated SPNS and Long-term applications in each State and to the highest rated SPNS application among the applications that propose nationwide activities.

Rating Factor 3: Soundness of Approach: Responsiveness and Model Qualities (40 Points)

This factor addresses the quality of your plan in addressing the needs that you identified in your community. HUD will award up to 40 points based on the extent to which your plan evidences a sound approach in its responsiveness to the persons that you will be assisting and how it offers model qualities in providing supportive housing opportunities for low-income persons living with HIV/AIDS and their families, when compared to other applications and projects funded under previous HOPWA competitions. The points will be awarded as follows:

A. Responsiveness (20 Points). HUD will award up to 20 points based on how well your plan responds to the unmet needs that you described under the Need Criterion. To receive the highest ratings in this factor, you must demonstrate how the housing needs of clients will be addressed and how on-going support for clients will be provided. For example, if you propose to use more than 10% of your HOPWA funds for supportive services, emergency or transitional housing activities, to receive the highest number of rating points, you must address permanent housing needs with HOPWA funds or other sources of funds. You can fulfill this commitment by allocating housing vouchers for HOPWA clients or building permanent housing. In addition, HUD will give higher rating points to proposals that maximize client participation in decision-making and allow clients and their families to access health care and other supportive services.

B. Model Qualities (20 Points). HUD will award up to 20 points based on how well your service delivery model offers or expands housing opportunities and related supportive services for low-income persons living with HIV/AIDS and their families. To receive the highest rating, your service delivery model must describe in sufficient detail

your planned actions, how it expands housing opportunities and how activities could be replicated in other similar jurisdictions. To receive the highest ratings in this element, you must offer a plan that evidences the following:

(i) *Your project's goals and objectives.* You must describe your individual goals and objectives and how you will measure how well the project is performing under the required HOPWA performance goal—increasing the amount of housing assistance and related supportive services to low-income persons living with HIV/AIDS and their families to enable them to achieve housing stability and access to health-care and supportive services.

(ii) *Your plans for accomplishing these goals and objectives.* You must describe the service delivery model that you intend to implement and explain how you will integrate the following items:

(a) Housing. You must demonstrate how the housing needs of clients will be addressed by including: the type and number of units of housing to be provided and/or made more appropriate if currently available in the community; the connection of any emergency or transitional housing in obtaining permanent housing; the roles and responsibilities of project sponsors, staff, volunteers and other organizations in undertaking these activities; any appropriate site features, including accessibility and visitability; and how clients can have access to other community amenities.

(b) Supportive Services. You must describe how the supportive service needs of clients will be addressed by including: the type of supportive services that will be offered and/or how services will be coordinated and available; the connection of these services to in helping clients obtain and/or maintain housing; the roles and responsibilities of project sponsors, staff, volunteers and other organizations in undertaking these activities.

(c) Operations. You must describe your outreach, intake, and assessment procedures to identify clients and their needs; your client-level service plan to help connect clients to available and identified community resources; your assistance to clients who need to be monitored and how you will adjust your program to meet their changing needs; your methods for coordinating project sponsor's services, your staff and volunteers, and any other organizations in order to benefit clients; and the ability of your operations to remain viable and sustaining.

(d) Management Oversight. You must describe your oversight of project sponsors, staff, volunteers and management of your activities to ensure sound fiscal and program operations and effective program delivery.

(iii) *Achieving Your Goals and Objectives.* You should describe your method for collecting data on the project outcomes; your method for reviewing this data and other information on the program's operations; and the basis for making relative adjustments based on outcomes and lessons learned. HUD also will consider the extent to which you provide for the dissemination of information on the success or lessons learned from your proposed activities.

(iv) *Innovative Qualities.* If you propose a new program, or an alternative method of meeting the needs of your clients, you should describe the innovative qualities of your activities. HUD will consider the extent to which these qualities will benefit persons or expand our knowledge in offering assistance to persons living with HIV/AIDS and their families, when compared to other applications and HOPWA projects funded in the past.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to secure community resources which can be combined with HUD's program resources to achieve program purposes. HUD will award up to 10 points based on the extent to which resources from other public or private sources have been committed at the time of application, to support your project. To achieve the highest ratings in this criteria, you must evidence commitments of leveraged resources that match or exceed the amount of HOPWA funds that are requested. Exhibit 4 of the application kit provides guidance on the appropriate language that you must use to document these leveraged resources.

In establishing leveraging, HUD will not consider other HOPWA-funded activities, entitlement benefits inuring to eligible persons, or conditioned commitments that depend on future fund-raising or actions. In assessing the use of acceptable leveraged resources, HUD will consider the likelihood that State and local resources will be available and continue during the operating period of the grant. In evaluating this factor HUD will also consider:

(1) The extent to which the applicant documents leveraged resources, such as funding and/or in-kind services from governmental entities, private organizations, resident management organizations, educational institutions, or other entities in order to achieve the purposes of the project for which the applicant is requesting HOPWA funds.

(2) The extent to which the documented resources evidence that you have partnered with other entities to make more effective use of available public or private resources. Partnership arrangements may include funding or in-kind services from local governments or government agencies, nonprofit or for-profit entities, private organizations, educational institutions, or other entities that are willing to partner with you on proposed activities, or partnering with other program funding recipients to make more effective use of resources within the geographic area covered by your award.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you coordinated the specific proposal with other known organizations, consulted prospective clients or persons with HIV/AIDS in designing the proposal, participates or promotes participation in the jurisdiction's Consolidated Planning process, and in a community's Continuum of Care Homeless Assistance planning process (if homeless persons are to be served by proposed activities), and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community. HUD will award up to 10 points based on your proposal's comprehensiveness and coordination. In order to ensure that resources are used to their maximum effect within the community, it is important that you be involved in HUD's planning processes for community development and homeless assistance resources. If you, your sponsors, or others partnering with you have been involved in these processes, you should describe that involvement under this factor.

HUD will consider the extent to which your activities were planned and are proposed to be carried out with HOPWA funds and other resources in order to provide a comprehensive and responsive range of housing and related supportive services to meet the changing needs of persons with HIV/AIDS. Your proposal should demonstrate that housing is provided in conjunction with the client's access to health-care and other supportive services in the area to be served, including assistance provided under the Ryan White CARE Act programs.

In evaluating this factor, HUD will consider the extent to which you demonstrate you have:

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

(2) Been actively involved in your community's Continuum of Care Homeless Assistance planning process (if homeless persons are to be served by proposed activities), and/or the jurisdiction's Consolidated Planning process established to identify and address a need/problem that is related to the activities you propose to undertake.

In the case of technical assistance providers, you will be evaluated on the specific steps you will take to work with recipients of technical assistance services to inform them of, and get them involved in, the community's Continuum of Care Homeless Assistance planning process and/or the jurisdiction's Consolidated Planning process, as applicable. HUD will review more favorably your application if you can demonstrate you are active or are working with recipients of technical assistance to get them involved in local and State planning processes.

(3) Developed linkages, or specific steps you will take to develop linkages with other activities, programs or projects through meetings, information networks, planning processes, or other mechanisms, to coordinate your activities so solutions are holistic and comprehensive, including linkages with:

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

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

(E) *Selection of HOPWA Awards.* Whether your HOPWA application is conditionally selected will depend on your overall ranking compared to other applications within each of the two categories of assistance. HUD will select applications in rank order in each category of assistance to the extent that funds are available, except as noted below. In allocating amounts to the categories of assistance, HUD reserves the right to ensure that sufficient funds are available for the selection of at least one application with the highest ranking under each category of assistance.

HUD reserves the right to achieve greater diversity in the selection of applications by selecting a lower rated application where no applicant in a State has been the recipient of any prior HOPWA competitive grant or formula allocation. In selecting a lower rated application, HUD will not select an application that is rated below 50 points.

In the event of a tie between applications in a category of assistance, HUD reserves the right to break the tie: by selecting the proposal that increases geographic diversity as defined in the prior paragraph; and, if greater geographic diversity is not achievable, by selecting the proposal that was scored higher on a rating criterion in the following order: Soundness of Approach: Responsiveness and Model Qualities (Rating Factor 3); Comprehensiveness and Coordination (Rating Factor 5); the Capacity of the Applicant and Relevant Organizational Experience (Rating Factor 1); the Need/Extent of the Problem (Rating Factor 2); and Leveraging Resources (Rating Factor 4).

HUD will notify you in writing if you are conditionally selected. You may be notified subsequently of any modification made by HUD, the additional project information necessary for grant award, and the date of deadline for submission of the required information. In the event that a conditionally-selected applicant is unable to meet any conditions for fund award within the specified timeframe or funds are deobligated under a grant awarded under this competition, HUD reserves the right not to award funds to the applicant, but use those funds to make awards to the next highest rated applications in this competition; to restore amounts to a funding request that had been reduced in this competition; or to add amounts to funds available for the next competition.

VI. Application Submission Requirements

The HOPWA application kit provides an application that must be used in applying for program funds under this program section of the SuperNOFA. The HOPWA application provides certifications and an SF–424 that are applicable to this program. HOPWA applicants are not required to provide the forms, certifications, and assurances listed in Section II(G) of the General Section of the SuperNOFA. Section II(D) of the General Section of this SuperNOFA regarding Affirmatively Furthering Fair Housing does not apply to the HOPWA program.

The required HOPWA certifications cover the following items: (1) fair housing and non-discrimination; (2) drug-free workplace; (3) uniform relocation assistance; (4) environmental laws and authorities; (5) anti-lobbying requirements; (6) continued use periods for structures assisted; and (7) debarred, suspended and ineligible principals requirements.

Your HOPWA application must contain the following items:

(A) *Project Sponsors.* You must identify any organization that will receive HOPWA funds as a project sponsor and the amount of funds to be received.

(B) *Narrative Statements.* Your application must include narrative statements that address each of the Factors for Award found at Section III(D) of this program section of the SuperNOFA.

(C) *Service Areas.* Your application must identify the area(s) in which you are proposing to offer housing and other assistance.

(D) *Budget.* You must propose a budget and use the form found in the HOPWA Application Kit which lists the amount of HOPWA funds designated for each type of HOPWA-eligible activity.

VII. Corrections to Deficient Applications

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

VIII. Other Requirements

(A) Environmental Requirements

Sec. 207(c) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Pub. L. 105–276, 112 Stat. 2461, approved October 22, 1998), authorizes responsible entities (including units of general local government, States, Indian tribes, and Alaska native villages) to perform the environmental review for proposed HOPWA projects in accordance with 24 CFR part 58. Under 24 CFR part 58, the recipient must request the responsible entity, as defined in 24 CFR 58.2(a)(7), to assume the environmental responsibilities for projects being funded by a HOPWA grant.

HOPWA recipients may not commit or expend any grant or nonfederal funds on project activities (other than activities exempted under § 58.34 or excluded under § 58.35(b)) until HUD has approved the Recipient's request for the release of funds (RROF) under part

58. Where HUD determines, under 24 CFR 58.11, that it will perform an environmental review for a particular project in accordance with 24 CFR part 50, the HOPWA recipient may not acquire, rehabilitate, convert, lease, repair or construct property or commit or expend any grant or nonfederal funds for these program activities until HUD provides written notice to the recipient that HUD has completed the environmental review. The expenditure or commitment of HOPWA or nonfederal funds prior to the HUD approval of the RROF (or prior to completion of a HUD environmental review) may result in denial of assistance for the project under consideration.

(B) Local Resident Employment

For grants in excess of $200,000, to the extent that any housing assistance funded through this program section of the SuperNOFA is used for housing rehabilitation (including reduction and abatement of lead-based paint hazards, but excluding routine maintenance, repair, and replacement) or housing construction, then it is subject to section 3 of the Housing and Urban Rehabilitation Act of 1968, and the implementing regulations at 24 CFR part 135. Section 3 requires that economic opportunities generated by certain HUD financial assistance for housing and community development programs shall, to the greatest extent feasible, be given to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities for these persons.

IX. Authority

This program is authorized under the AIDS Housing Opportunity Act (42 U.S.C. 12901). The regulations for HOPWA are found at 24 CFR part 574.

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY PROGRAM

BILLING CODE 4210–32–C

Funding Availability for Section 202 Supportive Housing for the Elderly Program

Program Overview

Purpose of the Program. This program provides supportive housing for very low-income persons 62 years of age or older.

Available Funds. Approximately $434,870,779.

Eligible Applicants. Private nonprofit organizations and nonprofit consumer cooperatives.

Application Deadline. May 27, 1999.

Match Requirements. No.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit your completed applications on or before 6:00 pm, local time on May 27, 1999 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. Submit your completed application (an original and four copies) to the Director of the appropriate Multifamily Hub Office or Multifamily Program Center as listed in Appendix A to the Section 811 program section of this SuperNOFA.

The application kit also includes a listing of the Multifamily Hubs and Program Centers, their addresses, and telephone numbers, including TTY numbers. This information is also available from HUD's SuperNOFA Information Center at 1–800-HUD–8929 and from the Internet through the HUD web site at http://www.hud.gov.

For Application Kits. For an application kit and any supplemental information, please call HUD's 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 Section 202 Program and provide your name, address (including zip code), and telephone number (including area code). The application kit also will be available on the Internet through the HUD web site at http://www.hud.gov and from the appropriate Multifamily Hub or Multifamily Program Center.

For Further Information and Technical Assistance. For further information and technical assistance, please contact the appropriate Multifamily Hub Office or Multifamily Program Center, or Aretha Williams at HUD Headquarters at (202) 708–2866, or access the Internet at http://www.hud.gov. HUD encourages minority organizations to participate in this program and strongly recommends that prospective applicants attend the local HUD Office workshop. At the workshops, HUD will explain application procedures and requirements as well as address concerns such as local market conditions, building codes and accessibility requirements, historic preservation, floodplain management, displacement and relocation, zoning, and housing costs. If you are interested in attending the workshop, make sure that your name is on the appropriate HUD Office's mailing list so that you will be informed of the date, time and place of the workshop. Persons with disabilities should call the appropriate HUD Office to ensure that any necessary arrangements can be made to enable your attendance and participation in the workshop.

If you cannot attend the workshop, call the appropriate HUD Office if you have any questions concerning the submission of applications to that particular office and to request any materials distributed at the workshop.

II. Amount Allocated

Approximately, $434,870,779 is available for the supportive housing for the elderly program. The FY 1999 HUD Appropriations Act (Appropriations Act) provides $660,000,000 for capital advances, including amendments to capital advance contracts, for supportive housing for the elderly as authorized by section 202 of the Housing Act of 1959 (as amended by the National Affordable Housing Act and the Housing and Community Development Act of 1992), and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended.

In accordance with the waiver authority provided in the Appropriations Act, the Secretary is waiving the following statutory and regulatory provision: the term of the project rental assistance contract is reduced from 20 years to 5 years. HUD anticipates that at the end of the contract terms, renewals will be approved subject to the availability of funds. In addition to this provision, HUD will reserve project rental assistance contract funds based on 75 percent rather than on 100 percent of the current operating cost standards for approved units in order to take into account the average tenant contribution toward rent.

The allocation formula used for Section 202 reflects the ''relevant characteristics of prospective program participants,'' as specified in 24 CFR 791.402(a). The FY 1999 formula consists of one data element: a measure of the number of one and two person renter households with incomes at or below HUD's Very-low Income Limit (50 percent of area median family income, as determined by HUD, with an adjustment for household size), which have housing deficiencies. The counts of elderly renter households with housing deficiencies were taken from a special tabulation of the 1990 Decennial Census. The formula focuses the allocation on targeting the funds based on the unmet needs of elderly renter households with housing problems.

Under Section 202, 85 percent of the total capital advance amount is allocated to metropolitan areas and 15 percent to nonmetropolitan areas. In addition, each HUD Office jurisdiction receives sufficient capital advance funds for a minimum of 20 units in metropolitan areas and 5 units in nonmetropolitan areas. The total amount of capital advance funds to support these minimum set-asides are subtracted from the respective (metropolitan or nonmetropolitan) total capital advance amounts available. The remainder is fair shared to each HUD Office jurisdiction whose fair share exceeds the minimum set-aside based on the allocation formula fair share factors described below. NOTE: The allocations for metropolitan and nonmetropolitan portions of the Multifamily Hub or Program Center jurisdictions reflect the most current definitions of metropolitan and nonmetropolitan areas, as defined by the Office of Management and Budget.

A fair share factor is developed for each metropolitan and nonmetropolitan portion of each local HUD Office jurisdiction by dividing the number of renter households for the jurisdiction by the total number of rental households in the United States. The resulting percentage for each local HUD Office jurisdiction is then adjusted to reflect the relative cost of providing housing among the HUD Office jurisdictions. The adjusted needs percentage for the applicable metropolitan or nonmetropolitan portion of each jurisdiction is then multiplied by the

respective total remaining capital advance funds available nationwide.

Based on the allocation formula, HUD has allocated the available capital advance funds as shown on the following chart:

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FY 1999 SECTION 202 ALLOCATIONS BY FIELD OFFICE

OFFICES	METROPOLITAN UNITS	METROPOLITAN CAPITAL ADVANCE	NONMETROPOLITAN UNITS	NONMETROPOLITAN CAPITAL ADVANCE	TOTALS UNITS	TOTALS CAPITAL ADVANCE
BOSTON HUB						
BOSTON	178	$ 15,567,491	9	793,538	187	16,361,029
HARTFORD	88	7,432,669	5	419,993	93	7,852,662
MANCHESTER	46	3,065,336	35	2,329,761	81	5,395,097
PROVIDENCE	52	4,490,356	5	430,137	57	4,920,493
TOTAL	364	30,555,852	54	3,973,429	418	34,529,281
NEW YORK HUB						
NEW YORK	478	$ 46,520,921	5	486,948	483	47,007,869
BUFFALO HUB						
BUFFALO	137	$ 10,392,707	27	2,047,498	164	12,440,205
PHILADELPHIA HUB						
CHARLESTON	20	$ 1,371,570	17	1,181,488	37	2,553,058
NEWARK	205	18,778,834			205	18,778,834
PHILADELPHIA	172	13,767,018	21	1,711,141	193	15,478,159
PITTSBURGH	87	6,162,106	18	1,287,519	105	7,449,625
TOTAL	484	40,079,528	56	4,180,148	540	44,259,676
BALTIMORE HUB						
BALTIMORE	74	$ 5,271,628	10	724,854	84	5,996,482
RICHMOND	71	4,342,887	24	1,467,222	95	5,810,109
WASHINGTON	76	5,616,281			76	5,616,281
TOTAL	221	15,230,796	34	2,192,076	255	17,422,872

FY 1999 SECTION 202 ALLOCATIONS BY FIELD OFFICE

OFFICES	METROPOLITAN UNITS	METROPOLITAN CAPITAL ADVANCE	NONMETROPOLITAN UNITS	NONMETROPOLITAN CAPITAL ADVANCE	TOTALS UNITS	TOTALS CAPITAL ADVANCE
GREENSBORO HUB						
COLUMBIA	49	$ 3,179,630	18	1,194,267	67	4,373,897
GREENSBORO	82	6,227,838	39	2,952,689	121	9,180,527
TOTAL	131	9,407,468	57	4,146,956	188	13,554,424
ATLANTA HUB						
ATLANTA	82	$ 4,962,443	37	2,227,050	119	7,189,493
KNOXVILLE	39	2,254,704	12	675,174	51	2,929,878
LOUISVILLE	52	3,334,815	28	1,835,878	80	5,170,693
NASHVILLE	56	3,248,259	20	1,142,391	76	4,390,650
SAN JUAN	42	3,563,055	15	1,254,003	57	4,817,058
TOTAL	271	17,363,276	112	7,134,496	383	24,497,772
JACKSONVILLE HUB						
BIRMINGHAM	61	$ 3,695,609	26	1,553,744	87	5,249,353
JACKSON	20	1,209,254	31	1,861,402	51	3,070,656
JACKSONVILLE	241	15,639,530	15	995,852	256	16,635,382
TOTAL	322	20,544,393	72	4,410,998	394	24,955,391
CHICAGO HUB						
CHICAGO	225	$ 19,061,485	34	2,872,612	259	21,934,097
INDIANAPOLIS	84	5,630,374	24	1,618,433	108	7,248,807
TOTAL	309	24,691,859	58	4,491,045	387	29,182,904
COLUMBUS HUB						
CINCINNATI	67	$ 4,338,963	5	324,632	72	4,663,595
CLEVELAND	111	8,091,832	15	1,087,913	126	9,179,745
COLUMBUS	50	3,258,589	18	1,163,992	68	4,422,581
TOTAL	228	15,689,384	38	2,576,537	266	18,265,921

FY 1999 SECTION 202 ALLOCATIONS BY FIELD OFFICE

OFFICES	METROPOLITAN UNITS	METROPOLITAN CAPITAL ADVANCE	NONMETROPOLITAN UNITS	NONMETROPOLITAN CAPITAL ADVANCE	TOTALS UNITS	TOTALS CAPITAL ADVANCE
DETROIT HUB						
DETROIT	117	$ 8,934,763	9	674,202	126	9,608,965
GRAND RAPIDS	46	2,955,833	19	1,202,858	65	4,158,691
TOTAL	163	11,890,596	28	1,877,060	191	13,767,656
MINNEAPOLIS HUB						
MINNEAPOLIS	78	$ 6,155,643	29	2,300,449	107	8,456,092
MILWAUKEE	88	6,579,170	32	2,374,756	120	8,953,926
TOTAL	166	12,734,813	61	4,675,205	227	17,410,018
FT. WORTH HUB						
FT. WORTH	107	$ 6,474,509	32	1,949,810	139	8,424,319
HOUSTON	68	4,133,766	12	740,430	80	4,874,196
LITTLE ROCK	38	2,045,213	28	1,503,078	66	3,548,291
NEW ORLEANS	71	4,038,162	17	954,875	88	4,993,037
SAN ANTONIO	59	3,377,772	13	738,563	72	4,116,335
TOTAL	343	20,069,422	102	5,886,756	445	25,956,178
KANSAS CITY HUB						
DES MOINES	39	$ 2,391,195	29	1,785,058	68	4,176,253
KANSAS CITY	65	4,198,604	28	1,781,389	93	5,979,993
OKLAHOMA CITY	47	2,648,486	22	1,263,116	69	3,911,602
OMAHA	20	1,274,181	16	997,474	36	2,271,655
ST LOUIS	62	4,566,004	21	1,544,120	83	6,110,124
TOTAL	233	15,078,470	116	7,371,157	349	22,449,627
DENVER HUB						
DENVER	84	$ 5,674,279	41	2,523,648	125	8,197,927

FY 1999 SECTION 202 ALLOCATIONS BY FIELD OFFICE

OFFICES	METROPOLITAN UNITS	METROPOLITAN CAPITAL ADVANCE	NONMETROPOLITAN UNITS	NONMETROPOLITAN CAPITAL ADVANCE	TOTALS UNITS	TOTALS CAPITAL ADVANCE
SAN FRANCISCO HUB						
SAN FRANCISCO	198	$ 18,642,038	12	1,066,392	210	19,708,430
HONOLULU	20	2,556,477	5	639,119	25	3,195,596
PHOENIX	62	3,878,126	10	621,072	72	4,499,198
SACRAMENTO	62	5,081,195	11	900,613	73	5,981,808
TOTAL	342	30,157,836	38	3,227,196	380	33,385,032
LOS ANGELES HUB						
LOS ANGELES	365	$ 30,054,318	5	411,877	370	30,466,195
SEATTLE HUB						
SEATTLE	82	$ 6,416,077	17	1,327,060	99	7,743,137
ANCHORAGE	20	2,556,477	5	639,119	25	3,195,596
PORTLAND	63	4,531,694	24	1,651,404	87	6,183,098
TOTAL	165	13,504,248	46	3,617,583	217	17,121,831
NATIONAL TOTAL	4,806	$ 369,640,166	950	65,230,613	5756	434,870,779

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III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

HUD provides capital advances and contracts for project rental assistance in accordance with 24 CFR part 891. Capital Advances may be used for the construction or rehabilitation of a structure, or acquisition of a structure from the Federal Deposit Insurance Corporation (formerly held by the Resolution Trust Corporation) (FDIC/RTC). Capital Advance funds bear no interest and are based on development cost limits published in this SuperNOFA. Repayment of the capital advance is not required as long as the housing remains available for occupancy by very low-income elderly persons for at least 40 years.

Project rental assistance contract (PRAC) funds are used to cover the difference between what the residents pay for rent and the HUD-approved expense to operate the project. Project Rental Assistance Contract funds may also be used to provide supportive services and to hire a service coordinator in those projects serving the frail elderly residents. The supportive services must be appropriate to the category or categories of frail elderly residents to be served.

(B) Eligible Applicants

Private nonprofit organizations and nonprofit consumer cooperatives are the only eligible applicants under this Section 202 Program. Neither a public body nor an instrumentality of a public body is eligible to participate in the program.

A Sponsor or Co-sponsor may not apply for more than 200 units of housing for the elderly in a single Hub or more than 10 percent of the total units allocated to all HUD Offices. Also, no single application may propose more than the number of units allocated to a HUD office or 125 units, whichever is less. Reservations for projects will not be approved for fewer than 5 units. Affiliated entities that submit separate applications are considered to be a single entity for the purpose of these limits.

(C) Eligible Activities

Section 202 capital advance funds must be used to finance the development of housing through new construction, rehabilitation, or acquisition of housing from the FDIC/Resolution Trust Corporation. Project Rental Assistance funds are provided to cover the difference between the HUD-approved operating costs and the amount the residents pay (each resident pays 30 percent of adjusted income) as well as to provide supportive services to frail elderly residents. In projects principally serving the frail elderly, eligible costs include the salary of a service coordinator.

(D) Ineligible Activities

Section 202 funds may not be used for nursing homes, infirmaries, medical facilities, mobile home projects, community centers, headquarters for organizations for the elderly, nonhousekeeping accommodations, or refinancing of sponsor-owned facilities without rehabilitation.

IV. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, as an applicant, you must comply with the following requirements:

(A) *Statutory and Regulatory Requirements.* You must comply with all Section 202 Program statutory and regulatory requirements, as listed in Sections III(A) and IX of this program section of the SuperNOFA.

(B) *HUD/RHS Agreement.* HUD and the Rural Housing Service (RHS) have an agreement to coordinate the administration of the agencies' respective rental assistance programs. As a result, HUD is required to notify RHS of applications for housing assistance it receives. This notification gives RHS the opportunity to comment if it has concerns about the demand for additional assisted housing and possible harm to existing projects in the same housing market area. HUD will consider RHS' comments in its review and application selection process.

(C) *Development Cost Limits.* (1) The following development cost limits, adjusted by locality as described in Section IV(C)(2) of this program section of the SuperNOFA, below, will be used to determine the capital advance amount to be reserved for projects for the elderly:

(a) The total development cost of the property or project attributable to dwelling use (less the incremental development cost and the capitalized operating costs associated with any excess amenities and design features you must pay for) may not exceed:

Nonelevator Structures

$33,638 per family unit without a bedroom;

$38,785 per family unit with one bedroom;

$46,775 per family unit with two bedrooms;

For Elevator Structures

$35,400 per family unit without a bedroom;

$40,579 per family unit with one bedroom;

$49,344 per family unit with two bedrooms.

(b) These cost limits reflect those costs reasonable and necessary to develop a project of modest design that complies with HUD minimum property standards; the accessibility requirements of § 891.120(b); and the project design and cost standards of § 891.120 and § 891.210.

(2) Increased development cost limits.

(a) HUD may increase the development cost limits set forth in Section IV(C)(1) of this program section of the SuperNOFA, above, by up to 140 percent in any geographic area where the cost levels require, and may increase the development cost limits by up to 160 percent on a project-by-project basis. This increase may include covering additional costs to make dwelling units accessible through rehabilitation.

(b) If HUD finds that high construction costs in Alaska, Guam, the Virgin Islands, or Hawaii make it infeasible to construct dwellings, without the sacrifice of sound standards of construction, design, and livability, within the development cost limits provided in Section IV(C)(1) of this program section of the SuperNOFA, above, the amount of the capital advances may be increased to compensate for such costs. The increase may not exceed the limits established under this section (including any high cost area adjustment) by more than 50 percent.

(D) *Minimum Capital Investment.* Selected nonprofit organizations must provide a minimum capital investment of one-half of one percent of the HUD-approved capital advance amount, not to exceed $10,000. If you, as Sponsor or Co-Sponsor, have one or more Section 202 or one or more Section 811 project(s) under reservation, construction, or management in two or more different HUD geographical regions, the minimum capital investment shall be one half of one percent of the HUD-approved capital advance amount, not to exceed $25,000.

(E) *Economic Opportunities for Low and Very Low-Income Persons (Section 3).* You must comply with section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (Economic Opportunities for Low and Very Low Income Persons), and its implementing regulations at 24 CFR part 135. You must ensure that training, employment

and other economic opportunities shall, to the greatest extent feasible, be directed toward low- and very low-income persons, particularly those who are recipients of government assistance for housing and to business concerns which provide economic opportunities to low and very low income persons.

V. Application Selection Process

(A) Review for Curable Deficiencies

HUD will screen all applications received by the deadline for curable deficiencies. A curable deficiency is a missing Exhibit or portion of an Exhibit that will not affect the rating of the application. The following is a list of the deficiencies that will be considered curable in a Section 202 application:

Exhibits

(1)
*Form 92015–CA (Application Form)
(2)
*(a) Articles of Incorporation
*(b) By-laws
*(c) IRS tax exemption ruling
(4)
(c)(ii) Energy efficiency
*(d)(i) Evidence of site control
(d)(vi) SHPO letter
(5)
Applications submitted to other Offices
(6)
Relocation
(7)
*(a) Standard Form 424
(b) Drug-free Workplace
(c) Form-HUD 50071 and Standard Form-LLL
(d) Form-HUD 2880
(e) Form-HUD 2992
(f) Executive Order 12372
(g) Form-HUD 2991, Certification of Consistency with Consolidated Plan
(h) Conflict of Interest Resolution
*(i) Resolution for Commitment to Project
(k) Combined Certifications

The HUD Office will notify you in writing if your application is missing any of the exhibits or portions of exhibits and you will be given 14 days from the date of the HUD notification to submit the information required to cure the noted deficiencies. The items identified by an asterisk (*) must be dated on or before the application deadline date.

(B) Rating

HUD will review and rate your application in accordance with the Application Selection Process in the General Section of this SuperNOFA with the following exception. HUD will not reject your application based on technical review without notifying you of that rejection with all the reasons for rejection, and providing you an opportunity to appeal. You will have 14 calendar days from the date of HUD's written notice to appeal a technical rejection to the HUD office. The HUD office will make a determination on an appeal before making its selection recommendations. All applications will be either rated or technically rejected at the end of technical review. If your application meets all program eligibility requirements after completion of technical review, it will be rated according to the rating factors in Section V(D) of this Section 202 Program section of the SuperNOFA.

(C) Ranking and Selection Procedures

Applications submitted in response to the advertised metropolitan allocations or nonmetropolitan allocations that have a total base score (without the addition of EC/EZ bonus points) of 60 points or more and meet all of the applicable threshold requirements of Section II(B) of the General Section of the SuperNOFA will be eligible for selection, and HUD will place them in rank order per metropolitan or nonmetropolitan allocation. These applications, after adding any bonus points for EC/EZ, will be selected based on rank order, up to and including the last application that can be funded out of each HUD office's metropolitan or nonmetropolitan allocation. HUD offices must not skip over any applications in order to select one based on the funds remaining. After making the initial selections in each allocation area, however, HUD may use any residual funds to select the next rank-ordered application by reducing the number of units by no more than 10 percent, rounded to the nearest whole number, provided the reduction will not render the project infeasible. For this purpose, however, HUD will not reduce the number of units in projects of five units or less.

Once this process has been completed, HUD offices may combine their unused metropolitan and nonmetropolitan funds in order to select the next ranked application in either category, using the unit reduction policy described above, if necessary.

After the offices have funded all possible projects based on the process above, combined metropolitan and nonmetropolitan residual funds from all HUD Offices in each Multifamily Hub will be combined. These funds will be used first to restore units to projects reduced by HUD offices based on the above instructions. Second, additional applications within each Multifamily Hub will be selected in rank order with only one application selected per HUD Office. More than one application may be selected per HUD Office if there are no approvable applications in other HUD Offices within the Multifamily Hub. This process will continue until there are no more approvable applications within the Multifamily Hub that can be selected with the remaining funds without skipping over any application. HUD may use any remaining residual funds, however, to select the next rank-ordered application by reducing the number of units by no more than 10 percent rounded to the nearest whole number, provided the reduction will not render the project infeasible or result in the project being less than five units.

Funds remaining after these processes are completed will be returned to Headquarters. HUD will use these residual funds first to fund American Indian Council, in the jurisdiction of the Milwaukee Multifamily Program Center, a FY 1994 application which was not funded due to litigation. Second, HUD will use these funds to restore units to projects reduced by HUD offices as a result of the instructions for using their residual funds. Third, HUD will use these funds for selecting applications based on field offices' rankings beginning with the highest rated application nationwide. Only one application will be selected per HUD office from the national residual amount (excluding the Milwaukee Multifamily Program Center, already funded). If there are no approvable applications in other HUD offices, the process will begin with the selection of the next highest rated application nationwide. This process will continue until all approvable applications are selected using the available remaining funds.

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

HUD will rate applications that successfully complete technical processing using the Rating Factors set forth below and in accordance with the application submission requirements identified in Section VI(B) below. The maximum number of points an application may receive under 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 Staff (25 Points)

This factor addresses the extent to which you have the organizational resources to successfully implement the proposed activities in a timely manner.

Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(2), (B)(3)(a), (B)(3)(b), and (B)(3)(e) of Section VI of this program section of the SuperNOFA.

In rating this factor, HUD will consider the extent to which your application demonstrates your ability to develop and operate the proposed housing on a long-term basis, considering the following:

(1) (15 points) The scope, extent, and quality of your experience in providing housing or related services to those proposed to be served by the project and the scope of the proposed project (i.e., number of units, services, relocation costs, development, and operation) in relationship to your demonstrated development and management capacity as well as your financial management capability; and

(2) (10 points) The scope, extent, and quality of your experience in providing housing or related services to minority persons or families. For purposes of this program section of the SuperNOFA, ''minority'' means the basic racial and ethnic categories for Federal statistics and administrative reporting, as defined in OMB's Statistical and Policy Directive No. 15. (See 62 FR 58782, October 30, 1997.);

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 activities to address a documented problem in the target area. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(4)(a) and (B)(4)(b) of Section VI of this program section of the SuperNOFA. In evaluating this factor, HUD will consider:

The extent of the need for the project in the area based on a determination by the HUD Office. In making this determination, HUD will consider your evidence of need in the area, as well as other economic, demographic, and housing market data available to the HUD office. The data could include information on the number of existing Federally assisted housing units (HUD and RHS) for the elderly in the area and current occupancy in such facilities; Federally assisted housing for the elderly under construction or for which fund reservations have been issued; and in accordance with an agreement between HUD and the RHS, comments from the RHS on the demand for additional assisted housing and the possible harm to existing projects in the same housing market area. The Department will also review more favorably those applications which establish a connection between the proposed project and the community's Analysis of Impediments to Fair Housing Choice (AI) or other planning document that analyzes fair housing issues and is prepared by a local planning or similar organization. You must show how the proposed project will address an impediment to fair housing choice described in the AI or meet a need identified in the other type of planning document.

Rating Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and effectiveness of your proposal. There must be a clear relationship between the proposed activities, the community's needs and purposes of the program funding for your application to receive points for this factor. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(4)(c), (B)(4)(d) and (B)(4)(e) of Section VI of this program section of the SuperNOFA. In evaluating this factor, HUD will consider the following:

(1) (15 points) The proximity or accessibility of the site to shopping, medical facilities, transportation, places of worship, recreational facilities, places of employment, and other necessary services to the intended occupants; adequacy of utilities and streets; freedom of the site from adverse environmental conditions; compliance with site and neighborhood standards (24 CFR 891.125);

(2) (10 points) The suitability of the site from the standpoints of promoting a greater choice of housing opportunities for minority elderly persons/families, and affirmatively furthering fair housing. In reviewing this criterion, HUD will assess whether the site meets the site and neighborhood standards at 24 CFR 891.125(b) and (c) by examining relevant data in your application or in the HUD Office. Where appropriate, HUD may visit the site. The site will be deemed acceptable if it increases housing choice and opportunity by (a) expanding housing opportunities in non-minority neighborhoods (if located in such a neighborhood); or (b) contributing to the revitalization of and reinvestment in minority neighborhoods, including improvement of the level, quality and affordability of services furnished to minority elderly;

(3) (3 points) The extent to which the proposed design will meet the special physical needs of elderly persons;

(4) (3 points) The extent to which the proposed size and unit mix of the housing will enable you to manage and operate the housing efficiently and ensure that the provision of supportive services will be accomplished in an economical fashion;

(5) (3 points) The extent to which the proposed design of the housing will accommodate the provision of supportive services that are expected to be needed, initially and over the useful life of the housing, by the category or categories of elderly persons the housing is intended to serve;

(6) (3 points) The extent to which the proposed supportive services meet the identified needs of the anticipated residents; and

(7) (3 points) The extent to which you demonstrate that the identified supportive services will be provided on a consistent, long-term basis.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to secure other community resources which can be combined with HUD's program resources to achieve program purposes. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(3)(c) and (B)(3)(d) of Section VI of this program section of the SuperNOFA.

(1) (5 points) The extent of local government support (including financial assistance, donation of land, provision of services, etc.) for the project; and

(2) (5 points) The extent of your activities in the community, including previous experience in serving the area where the project is to be located, and your demonstrated ability to enlist volunteers and raise local funds.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you coordinated your activities with other known organizations, participate or promote participation in a community's Consolidated Planning process, and are working toward addressing a need in a holistic and comprehensive manner through linkages with other activities in the community. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(3)(f), (B)(3)(g), (B)(3)(h) and (B)(3)(i) of Section VI of this program section of the SuperNOFA.

(1) (4 points) Your involvement of elderly persons, particularly minority elderly persons, in the development of the application, and your intent to

involve elderly persons, particularly minority elderly persons, in the development and operation of the project;

(2) (2 points) The extent to which you coordinated your application with other organizations to complement and/or support the proposed project;

(3) (2 points) The extent to which you demonstrated that you have been actively involved, or if not currently active, the steps you will take to become actively involved in your community's Consolidated Planning process to identify and address a need/problem that is related in whole or part, directly or indirectly to the proposed project;

(4) (2 points) The extent to which you developed or plan to develop linkages with other activities, programs or projects related to the proposed project to coordinate your activities so solutions are holistic and comprehensive; and

Bonus Points

(2 bonus points) Location of proposed site in an EZ/EC area, as described in the General Section of this SuperNOFA. Submit the information responding to the bonus points in accordance with the Application Submission Requirements in paragraph (B)(7)(j) of Section VI of this program section of the SuperNOFA.

VI. Application Submission Requirements

(A) Application

Your application must include all of the information, materials, forms, and exhibits listed in Section VI(B) (unless you were selected for a Section 202 fund reservation within the last three funding cycles). If you qualify for this exception, you are not required to submit the information described in Sections VI(B)(2) (a), (b), and (c) of this program section of the SuperNOFA (Exhibits 2.a., b., and c. of the application kit), which are the articles of incorporation, (or other organizational documents), by-laws, and the IRS tax exemption, respectively. If there has been a change in any of the eligibility documents since your previous HUD approval, you must submit the updated information in your application. HUD offices will verify your indication of previous HUD approval by checking the project number and approval status with the appropriate HUD Office.

In addition to this relief of paperwork burden in preparing applications, you will be able to submit information and exhibits you have previously prepared for prior applications under Section 202, Section 811, or other funding programs. Examples of exhibits that may be readily adapted or amended to decrease the burden of application preparation include, among others, those on previous participation in the Section 202 or Section 811 Programs, your experience in provision of housing and services, supportive services plan, community ties, and experience serving minorities.

(B) General Application Requirements

(1) Form HUD–92015–CA, Application for Section 202 Supportive Housing Capital Advance.

(2) Evidence of your and each Co-Sponsor's legal status as a private nonprofit organization or nonprofit consumer cooperative, including the following:

(a) Articles of Incorporation, constitution, or other organizational documents;

(b) By-laws;

(c) IRS tax exemption ruling (this must be submitted by you and each Co-Sponsor, including churches). A consumer cooperative that is tax exempt under State law, has never been liable for payment of Federal income taxes, and does not pay patronage dividends may be exempt from the requirement set out in the previous sentence if it is not eligible for tax exemption.

Note: If you received a Section 202 Fund Reservation within the last Three Funding Cycles, you are not required to submit the documents described in paragraphs (a), (b), and (c), above. Instead, you must submit the project number of the latest application selected and the HUD office to which it was submitted. If there have been any modifications or additions to the subject documents, indicate such, and submit the new material.

(3) A description of your purpose, community ties, and experience, including the following:

(a) A description of your purpose, current activities and how long you have been in existence;

(b) A description of your ties to the community at large and to the minority and elderly communities in particular;

(c) A description of local government support for the project (including financial assistance, donation of land, provision of services, etc.);

(d) Letters of support for your organization and for the proposed project from organizations familiar with the housing and supportive services needs of the elderly that you expect to serve in the proposed project;

(e) A description of your housing and/or supportive services experience. The description should include any rental housing projects and/or supportive services facilities that you have sponsored, owned, and/or operated; your past or current involvement in any programs other than housing that demonstrates your management capabilities (including financial management) and experience; your experience in serving the elderly, including elderly persons with disabilities, and/or families and minorities; and the reasons for receiving any increases in fund reservations for developing and/or operating previously funded Section 202 or Section 811 projects. The description should include data on the facilities and services provided, the racial/ethnic composition of the populations served, if available, and information and testimonials from residents or community leaders on the quality of the activities. Examples of activities that could be described include housing counseling, nutrition and food services, special housing referral, screening and information projects.

(f) A description, if applicable, of your efforts to involve elderly persons, including minority elderly persons, in the development of the application, as well as your intent to involve elderly persons in the development and operation of the project.

(g) A description of the steps you took to identify and coordinate your application with other organizations to complement and/or support the proposed project as well as the steps you will take, if funded, to share information on solutions and outcomes relative to the development of the proposed project.

(h) A description of your involvement in your community's Consolidated Planning process including:

(i) An identification of the lead/facilitating agency that organizes/administers the process;

(ii) An identification of the Consolidated Plan issue areas in which you participate;

(iii) Your level of participation in the process, including active involvement with any neighborhood-based organizations, associations, or any committees that support programs and activities that enhance projects or the lives of residents of the projects, such as the one proposed in your application.

If you are not currently active, describe the specific steps you will take to become active in the Consolidated Planning process. (Consult the local HUD Office for the identification of the Consolidated Plan community process for the appropriate area.)

(i) A description of the linkages that you have developed or plan to develop with other related activities, programs or projects in order that the development of the project provides a

comprehensive and holistic solution to the needs of the target population.

(4) Project information, including the following:

(a) Evidence of need for supportive housing. Such evidence would include a description of the category or categories of elderly persons the housing is intended to serve and evidence demonstrating sustained effective demand for supportive housing for that population in the market area to be served, taking into consideration the occupancy and vacancy conditions in existing Federally assisted housing for the elderly (HUD and RHS; e.g., public housing); State or local data on the limitations in activities of daily living among the elderly in the area; aging in place in existing assisted rentals; trends in demographic changes in elderly population and households; the numbers of income eligible elderly households by size, tenure, and housing condition; the types of supportive services arrangements currently available in the area; and the use of such services as evidenced by data from local social service agencies or agencies on aging. Also, a description of how information in the community's Analysis of Impediments to Fair Housing Choice was used in documenting the need for the project.

(b) A description of how the proposed project will benefit the target population and the community in which it will be located.

(c) A description of the project, including the following:

(i) A narrative description of the building design, including a description of the number of units with bedroom distributions, any special design features, amenities, and/or community space, and how this design will facilitate the delivery of services in an economical fashion and accommodate the changing needs of the residents over the next 10–20 years. NOTE: If these community spaces, amenities, or features would not comply with the project design and cost standards of 24 CFR 891.120 and the special project standards of 24 CFR 891.210, you must state your ability and willingness to contribute both the incremental development cost and continuing operating cost associated with the community spaces, amenities, or features;

(ii) A description of whether and how the project will promote energy efficiency, and, if applicable, innovative construction or rehabilitation methods or technologies to be used that will promote efficient construction.

(d) Evidence of site control and permissive zoning, including the following:

(i) Acceptable evidence of site control is limited to any one of the following:

(*1*) Deed or long-term leasehold which evidences that you have title to or a leasehold interest in the site. If a leasehold, the term of the lease must be at least 50 years;

(*2*) Contract of sale for the site which is free of any limitations affecting ability to deliver ownership to you after you receive and accept a notice of Section 202 capital advance. The only condition for closing on the sale can be your receipt and acceptance of the capital advance;

(*3*) Option to purchase or for a long-term leasehold which must remain in effect for one year from the date on which the applications are due. The option agreement may consist of a single one year term or may include one or more rights to renew up to one year solely at your discretion. The only condition on which the option may be terminated is if you are not awarded a fund reservation.

(*4*) If the site is covered by a mortgage under a HUD program, you must submit evidence that consent to release of the site from the mortgage has been obtained or is being requested.

(*5*) For sites to be acquired from a public body, evidence is needed that the public body possesses clear title to the site and has entered into a legally binding agreement to lease or convey the site to you after you receive and accept a notice of Section 202 capital advance. Where HUD determines that time constraints of the funding round will not permit all of the required official actions (e.g., approval of Community Planning Boards) that are necessary to convey publicly-owned sites, a letter in the application from the mayor or director of the appropriate local agency indicating that conveyance or leasing of the site is acceptable and only contingent on the necessary approval action. In its review of such cases, HUD will consider whether it has had satisfactory experience with timely conveyance of sites from that public body.

Whether you have title to the site, a contract of sale, an option to purchase, or are acquiring the site from a public body, you must provide evidence (a title policy or other acceptable evidence) that the site is free of any limitations, restrictions, or reverters which could adversely affect the use of the site for the proposed project for the 40-year capital advance period under HUD's regulations and requirements (e.g., reversion to seller if title is transferred). Mortgages are not considered to be limitations or restrictions that would adversely affect the use of the site. If the site is subject to any such limitations, restrictions, or reverters the application will be rejected.

Note: A proposed project site may not be acquired or optioned from a general contractor (or its affiliate) that will construct the Section 202 Project or from any other development team member.

(ii) Evidence that the project as proposed is permissible under applicable zoning ordinances or regulations, or a statement of the proposed action required to make the proposed project permissible and the basis for your belief that the proposed action will be completed successfully before the submission of the firm commitment application (e.g., a summary of the results of any requests for rezoning and/or the procedures for obtaining special or conditional use permits on land in similar zoning classifications and the time required for such rezoning, or preliminary indications of acceptability from zoning bodies, etc.);

(iii) A narrative topographical and demographic description of the suitability of the site and area, and how the site will promote greater housing opportunities for minority elderly and elderly persons with disabilities, thereby affirmatively furthering fair housing; (NOTE: You can best demonstrate your commitment to affirmatively furthering fair housing by describing how your proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice identified in the applicable jurisdictions's Analysis of Impediments to Fair Housing Choice (AI), which is a component of the jurisdiction's Consolidated Plan, or any other planning document that addresses fair housing issues. The applicable Consolidated Plan and AI may be the Community's, the County's, or the State's, to which input should have been provided by local community organizations, agencies in the community, and residents of the community. Alternatively, a document that addresses fair housing issues and remedies to barriers to fair housing in the community that was previously prepared by a local planning, or similar organization, may be used. Applicable impediments could include the need for improved housing quality and services for elderly minority families, lack of affirmative marketing and outreach to minority elderly persons, and the need for quality eldercare services within areas of minority concentration when

compared with the type and quality of similar services and housing in nonminority areas.

(iv) A map showing the location of the site and the racial composition of the neighborhood, with the area of racial concentration delineated;

(v) A Phase I Environmental Site Assessment, in accordance with the American Society for Testing and Material (ASTM) Standards E 1527–93, as amended. The Phase I study must be completed and submitted with the application. Therefore, it is important that you start the site assessment process as soon after publication of this SuperNOFA as possible.

If the Phase I study indicates the possible presence of contamination and/or hazards, you must decide whether to continue with this site or choose another site. Should you choose another site, the same environmental site assessment procedure identified above must be followed for that site. NOTE: For properties to be acquired from the FDIC/RTC, include a copy of the FDIC/RTC prepared Transaction Screen Checklist or Phase I Environmental Site Assessment, and applicable documentation, per the FDIC/RTC Environmental Guidelines.

If you choose to continue with the original site on which the Phase I study indicated contamination or hazards, you must undertake a detailed Phase II Environmental Site Assessment by an appropriate professional. If the Phase II Assessment reveals site contamination, the extent of the contamination and a plan for clean-up of the site must be submitted to the local HUD office. The plan for clean-up must include a contract for remediation of the problem(s) and an approval letter from the applicable Federal, State, and/or local agency with jurisdiction over the site. In order for the application to be considered for review under this FY 1999 funding competition, you must submit this information to the local HUD office on or before June 28, 1999.

Note: This could be an expensive undertaking. You must pay for the cost of any clean-up and/or remediation.

(vi) A letter from the State Historic Preservation Officer (SHPO) indicating whether the proposed site has any historical significance. If you cannot obtain a letter from the SHPO due to the SHPO not responding to your request or the SHPO responding that it cannot or will not comply with the requirement, you must submit the following: (*1*) a letter indicating that you attempted to get the required letter from the SHPO but that the SHPO either had not responded to your request or would not honor or recognize your request; (*2*) a copy of your letter to the SHPO requesting the required letter; and, (*3*) a copy of the SHPO's response, if available.

(e) Provision of supportive services and proposed facility:

(i) A detailed description of the supportive services proposed to be provided to the anticipated occupancy;

(ii) A description of public or private sources of assistance that reasonably could be expected to fund the proposed services;

(iii) The manner in which such services will be provided to such persons (i.e., on or off-site), including whether a service coordinator will facilitate the adequate provision of such services, and how the services will meet the identified needs of the residents. NOTE: You may not require residents, as a condition of occupancy, to accept any supportive service.

(5) A list of the applications, if any, that you have submitted or are planning to submit to any other HUD office in response to this announcement of Section 202 Program funding availability or the announcement of Section 811 Program (Supportive Housing for Persons with Disabilities) funding availability, published elsewhere in today's **Federal Register**). Indicate by HUD office, the proposed location by city and State, and the number of units requested for each application. Include a list of all FY 1998 and prior year projects to which you are the Sponsor that have not been finally closed. Such projects must be identified by project number and HUD office.

(6) A statement that:

(a) Identifies all persons (families, individuals, businesses, and nonprofit organizations), by race/minority group, and status as owners or tenants, occupying the property on the date of submission of the application for a capital advance;

(b) Indicates the estimated cost of relocation payments and other services;

(c) Identifies the staff organization that will carry out the relocation activities; and

(d) Identifies all persons that have moved from the site within the past 12 months.

Note: If any of the relocation costs will be funded from sources other than the section 202 capital advance, you must provide evidence of a firm commitment of these funds. When evaluating applications, HUD will consider the total cost of proposals (I.E., cost of site acquisition, relocation, construction, and other project costs).

(7) *Certifications and Resolutions.* In addition to the certifications and assurances listed in the General Section of this SuperNOFA with the exception of SF–424A, SF–424B, SF–424C, SF–424D and the OMB Circulars which are not required, you are required to submit signed copies of the following:

(a) *Standard Form 424.* Application for Federal Assistance and indication of whether you are delinquent on any Federal debt. (See instructions for submitting this form in the Consolidated Application Submission section of the General Section of the SuperNOFA.)

(b) *Drug-Free Workplace (HUD–50070).* Certification to provide a drug-free workplace.

(c) *Payments to Influence Federal Transactions (HUD–50071) and Standard Form LLL, Disclosure of Lobbying Activities.* Certification of whether any of the funds received will be used to influence any Federal transactions and disclosure of those activities, if applicable.

(d) *Applicant/Recipient Disclosure/Update Report, including Social Security Numbers and Employee Identification Numbers, (HUD–2880).* A disclosure of assistance from other government sources received in connection with the project.

(e) *Employment, Engagement of Services, Awarding or Funding of Contracts, Subgrants, etc. (24 CFR 24.510).*

(f) *Executive Order 12372 Certification.* A certification that you have submitted a copy of your application, if required, to the State agency (single point of contact) for State review in accordance with Executive Order 12372.

(g) *Certification of Consistency with the Consolidated Plan (Plan), Form HUD–2991, for the jurisdiction in which the proposed project will be located.* The certification must be made by the unit of general local government if it is required to have, or has, a complete Plan. Otherwise, the certification may be made by the State, or by the unit of general local government if the project will be located within the jurisdiction of the unit of general local government authorized to use an abbreviated strategy, and if it is willing to prepare such a Plan.

All certifications must be made by the public official responsible for submitting the Plan to HUD. The certifications must be submitted as part of the application by the application submission deadline date set forth in this program section of the SuperNOFA. The Plan regulations are published in 24 CFR part 91.

(h) *A certified Board Resolution that no officer or director of the Sponsor or Owner has or will have any financial interest in any contract with the Owner*

or in any firm or corporation that has or will have a contract with the Owner, including a current listing of all duly qualified and sitting officers and directors by title, and the beginning and ending dates of each person's term.

(i) *A certified Board Resolution, acknowledging the responsibilities of sponsorship,* long-term support of the project(s), willingness to assist the Owner to develop, own, manage, and provide appropriate services in connection with the proposed project, and that it reflects the will of its membership. Also, evidence, in the form of a certified Board Resolution, of your willingness to fund the estimated start-up expenses, the Minimum Capital Investment (one-half of 1 percent of the HUD-approved capital advance, not to exceed $10,000, if nonaffiliated with a National Sponsor; one-half of 1 percent of the HUD-approved capital advance, not to exceed $25,000, for all other Sponsors;), and the estimated cost of any amenities or features (and operating costs related thereto) that would not be covered by the approved capital advance.

(j) *Certification of Consistency with the EZ/EC Strategic Plan.* A certification that the project is consistent with the EZ/EC strategic plan, is located within the EZ/EC, and serves EZ/EC residents.

(k) *Sponsor's Combined Certifications.* (i) *Certification in Connection with the Development and Operation of a Section 202 Project.* A certification of compliance with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act, the Age Discrimination Act of 1975, Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the implementing regulations at 24 CFR Part 135, the affirmative fair housing marketing requirements of 24 CFR part 200, subpart M and the implementing regulations at 24 CFR part 108, and other applicable Federal, State and local laws prohibiting discrimination and promoting equal opportunity including affirmatively furthering fair housing.

(ii) *Design and Cost Standards.* Certification of Compliance with HUD's Section 202 project design and cost standards (24 CFR 891.120 and 891.210), the Uniform Federal Accessibility Standards (24 CFR 40.7), Section 504 of the Rehabilitation Act of 1973 and HUD's implementing regulations at 24 CFR part 8, and for covered multifamily dwellings designed and constructed for first occupancy after March 13, 1991, the design and construction requirements of the Fair Housing Act and HUD's implementing regulations at 24 CFR part 100, and the Americans with Disabilities Act of 1990;

(iii) *Acquisition and Relocation.* Certification of Compliance with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (49 CFR part 24 and 24 CFR part 891.155(e));

(iv) *Formation of Owner Corporation.* Certification that you will form an ''Owner'' (24 CFR 891.205) after issuance of the capital advance; cause the Owner to file a request for determination of eligibility and a request for capital advance, and provide sufficient resources to the Owner to insure the development and long-term operation of the project, including capitalizing the Owner at firm commitment processing in an amount sufficient to meet its obligations in connection with the project;

(v) *Supportive Services.* Certification that you will not require residents to accept any supportive services as a condition of occupancy; and,

(vi) *Davis-Bacon.* Certification of compliance with the Davis-Bacon requirements and the Contract Work Hours and Safety Standards Act.

VII. Corrections to Deficient Applications

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

VIII. Environmental Requirements

In accordance with 24 CFR part 50, all Section 202 assistance is subject to the National Environmental Policy Act of 1969 and applicable related Federal environmental authorities. The environmental review provisions of the Section 202 Program regulations are in 24 CFR 891.155(b).

IX. Authority

The Section 202 Supportive Housing for the Elderly Program is authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as amended. See section 801 of the Cranston-Gonzalez National Affordable Housing Act (NAHA)(Pub. L. 101–625; approved November 28, 1990); the Housing and Community Development Act of 1992 (HCD Act of 1992)(Pub.L. 102–550; approved October 28, 1992), and the Rescissions Act (Pub.L. 104–19; enacted on July 27, 1995).

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SECTION 811 SUPPORTIVE HOUSING FOR PERSONS WITH DISABILITIES PROGRAM

BILLING CODE 4210–32–C

Funding Availability for the Section 811 Program of Supportive Housing for Persons With Disabilities

Program Overview

Purpose of the Program. This program provides funding for supportive housing for very low-income persons with disabilities who are at least 18 years old.

Available Funds. Approximately $87,236,604.

Eligible Applicants. Nonprofit organizations that have a section 501(c)(3) tax exemption from the Internal Revenue Service.

Application Deadline. May 27, 1999.

Match Requirements. No.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit your completed application on or before 6:00 pm, local time on May 27, 1999 at the address shown below. See the Application Submission Procedures of the General Section of this SuperNOFA for further information.

Address for Submitting Applications. Submit your completed application(s) (an original and four copies) to the Director of the appropriate Multifamily Hub Office or Multifamily Program Center as listed in Appendix A to this program section of the SuperNOFA.

The application kit also includes a listing of the Multifamily Hubs and Program Centers, their addresses and telephone numbers, including TTY numbers. This information is also available from HUD's SuperNOFA Information Center at 1–800-HUD–8929 and from the Internet through the HUD web site at http://www.hud.gov.

For Application Kits. For an application kit and any supplemental information, please call HUD's 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 Section 811 Program and provide your name, address (including zip code), and telephone number (including area code). The application kit also will be available on the Internet through the HUD web site at http://www.hud.gov and from the appropriate Multifamily Hub Office or Multifamily Program Center.

For Further Information and Technical Assistance. For further information and technical assistance, please contact the appropriate Multifamily Hub Office or Multifamily Program Center, or Gail Williamson at HUD Headquarters at (202) 708–2866, or access the Internet at http://www.hud.gov. HUD encourages minority organizations to participate in this program and strongly recommends prospective applicants attend the local HUD Office workshop. At the workshops, HUD will explain application procedures and requirements, as well as address concerns such as local market conditions, building codes and accessibility requirements, historic preservation, floodplain management, displacement and relocation, zoning, and housing costs. If you are interested in attending the workshop, make sure that your name, address and telephone number are on the appropriate HUD Office's mailing list so that you will be informed of the date, time and place of the workshop. Persons with disabilities should call the appropriate HUD Office to assure that any necessary arrangements can be made to enable their attendance and participation in the workshop.

If you cannot attend the workshop, call the appropriate HUD Office if you have any questions regarding the submission of applications to that particular office and to request any materials distributed at the workshop.

II. Amount Allocated

Approximately $87,236,604 is available for the Section 811 Program of Supportive Housing for Persons with Disabilities. The FY 1999 HUD Appropriations Act (Appropriations Act) provides $194,000,000 for capital advances, including amendments to capital advance contracts; for supportive housing for persons with disabilities, as authorized by section 811 of the NAHA; and for project rental assistance, including amendments to contracts for project rental assistance. Twenty-five percent of this amount is being set aside for tenant-based rental assistance for persons with disabilities administered through public housing agencies (PHAs) and nonprofit organizations and will be announced in the **Federal Register** at a later date.

In accordance with the waiver authority provided in the Appropriations Act, the Secretary is waiving the following statutory and regulatory provision: The term of the project rental assistance contract is reduced from 20 years to 5 years. HUD anticipates that at the end of the contract terms, renewals will be approved subject to the availability of funds. In addition to this provision, HUD will reserve project rental assistance contract funds based on 75 percent rather than on 100 percent of the current operating cost standards for approved units in order to take into account the average tenant contribution toward rent.

The allocation formula used for Section 811 reflects the ''relevant characteristics of prospective program participants,'' as specified in 24 CFR 791.402(a). The FY 1999 formula consists of two data elements from the 1990 Decennial Census: (1) the number of non-institutionalized persons age 16 or older with a work disability and a mobility or self-care limitation and (2) the number of non-institutionalized persons age 16 or older having a mobility or self-care limitation but having no work disability.

A work disability is defined as a health condition that had lasted for 6 or more months which limited the kind (restricted the choice of jobs) or amount (not able to work full time) of work a person could do at a job or business. A mobility limitation is defined as a health condition that lasted for 6 or more months, making it difficult for the person to go outside the home alone. This includes outside activities, such as shopping or visiting a doctor's office. A self-care limitation is defined as a health care limitation that had lasted for 6 or more months which made it difficult for the person to take care of his/her own personal needs such as dressing, bathing, or getting around inside the home. Temporary (short term) problems such as broken bones that are expected to heal normally are not considered problems.

Under the Section 811 Program, each HUD Office jurisdiction receives sufficient capital advance funds for a minimum of 10 units. The total amount of capital advance funds to support this minimum set-aside is then subtracted from the total capital advance available. The remainder is fair shared to each HUD Office jurisdiction whose fair share would exceed the set-aside based on the allocation formula fair share factors described below.

The fair share factors were developed by taking the sum of the number of persons in each of the two elements for each state, or state portion, of each local HUD Office jurisdiction as a percent of the sum of the two data elements from the Decennial Census, described above, for the total United States. The resulting percentage for each local HUD Office is then adjusted to reflect the relative cost of providing housing among the local

HUD Office jurisdictions. The adjusted needs percentage for each local HUD Office is then multiplied by the total amount of capital advance funds available nationwide.

The Section 811 capital advance funds have been allocated, based on the formula above, to 51 local HUD Offices as shown on the following chart:

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Fiscal Year 1999 Allocations for Supportive Housing for Persons with Disabilities
[Fiscal Year 1999 Section 811 Allocations]

Office	Capital Advance Authority	Units
Boston HUB:		
Boston	$ 2,223,038	31
Hartford	1,471,253	21
Manchester	999,185	18
Providence	713,126	10
Total	5,406,602	80
New York HUB:		
New York	5,437,644	67
Total	5,437,644	67
Buffalo HUB:		
Buffalo	1,700,371	27
Total	1,700,371	27
Philadelphia HUB:		
Newark	3,016,382	40
Pittsburgh	1,511,020	26
Philadelphia	2,914,496	44
Charleston	1,094,139	19
Total	8,536,037	129
Baltimore HUB:		
Baltimore	1,333,347	23
Richmond	1,295,840	26
D.C.	1,416,091	23
Total	4,045,278	72

Fiscal Year 1999 Allocations for Supportive Housing for Persons with Disabilities
[Fiscal Year 1999 Section 811 Allocations]

Office	Capital Advance Authority	Units
Greensboro HUB:		
Columbia	1,383,836	26
Greensboro	2,364,426	38
Total	3,748,262	64
Atlanta HUB:		
Atlanta	1,833,629	36
San Juan	1,864,156	26
Louisville	1,428,274	27
Knoxville	935,813	20
Nashville	1,042,627	22
Total	7,104,499	131
Jacksonville HUB:		
Jacksonville	3,598,726	67
Birmingham	1,520,665	30
Jackson	1,187,065	24
Total	6,306,456	121
Chicago HUB:		
Chicago	3,687,108	52
Indianapolis	1,638,662	29
Total	5,325,770	81
Columbus HUB:		
Cincinnati	1,054,105	20
Cleveland	1,899,192	31
Columbus	1,051,076	19
Total	4,004,373	70
Detroit HUB:		
Detroit	2,306,444	36
Grand Rapids	928,884	18
Total	3,235,328	54

Fiscal Year 1999 Allocations for Supportive Housing for Persons with Disabilities
[Fiscal Year 1999 Section 811 Allocations]

Office	Capital Advance Authority	Units
Minneapolis HUB:		
Milwaukee	1,471,995	24
Minneapolis	1,393,572	21
Total	2,865,567	45
Ft. Worth HUB:		
Ft. Worth	2,024,025	40
Houston	1,376,658	27
Little Rock	991,654	22
New Orleans	1,409,919	30
San Antonio	1,248,618	26
Total	7,050,874	145
Kansas City HUB:		
Des Moines	955,504	19
Kansas City	1,299,611	25
Omaha	528,117	10
Oklahoma City	1,063,982	23
St. Louis	1,355,414	22
Total	5,202,628	99
Denver HUB:		
Denver	1,540,292	28
Total	1,540,292	28
San Francisco HUB:		
Honolulu (Guam)	1,059,597	10
Phoenix	1,128,688	22
Sacramento	1,248,454	18
San Francisco	3,229,197	41
Total	6,665,936	91
*** Los Angeles HUB:**		
Los Angeles	5,267,631	77
Total	5,267,631	77

Fiscal Year 1999 Allocations for Supportive Housing for Persons with Disabilities
[Fiscal Year 1999 Section 811 Allocations]

Office	Capital Advance Authority	Units
Seattle HUB:		
Anchorage	1,059,597	10
Portland	1,271,923	22
Seattle	1,461,536	23
Total	3,793,056	55
National Total	87,236,604	1,436

* This amount includes Capital Advance Authority of $612,800 to fund Whiteside Manor, Inc., Riverside, California. Since this seven-unit project was not selected in FY 1998 due to HUD error, the application will be funded from the Fiscal Year 1999 allocation to the Los Angeles Office.

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III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

HUD provides capital advances and contracts for project rental assistance in accordance with 24 CFR part 891. Capital advances may be used to construct, rehabilitate, or acquire structures (including structures from the Federal Deposit Insurance Corporation (formerly held by the Resolution Trust Corporation) (FDIC/RTC), to be developed into a variety of housing options described in C. below. Capital advance funds bear no interest and are based on development cost limits published in this SuperNOFA. Repayment of the capital advance is not required as long as the housing remains available for at least 40 years for occupancy by very low-income persons with disabilities.

Project rental assistance contract (PRAC) funds are used to cover the difference between the tenants' contributions toward rent (30 percent of adjusted income) and the HUD-approved cost to operate the project.

(B) Eligible Applicants

Nonprofit organizations with a section 501(c)(3) tax exemption from the Internal Revenue Service are the only eligible applicants for this program. A Sponsor or Co-sponsor may not apply for more than 100 units of housing for persons with disabilities in a single Hub. In addition, a Sponsor or Co-sponsor may not apply for more units in a given HUD Office than allocated for the Section 811 program in that HUD Office, or for more than 10 percent of the total units allocated in all HUD offices. A single application must propose at least five units, not necessarily in one structure. Affiliated entities that submit separate applications are considered a single entity for the purposes of these limits.

(C) Eligible Activities

The types of housing that can be developed with Section 811 capital advance funds include small group homes, independent living projects and dwelling units in multifamily housing developments, condominium and cooperative housing.

(D) Ineligible Activities

Section 811 funds may not be used for any of the following:

(1) Nursing homes, infirmaries and medical facilities;

(2) Transitional housing facilities;

(3) Manufactured housing facilities;

(4) Intermediate care facilities;

(5) Community centers, with or without special components for use by persons with disabilities;

(6) Sheltered workshops and centers for persons with disabilities;

(7) Headquarters for organizations for persons with disabilities; and

(8) Refinancing of Sponsor-owned facilities without rehabilitation.

IV. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, you must comply with the following requirements:

(A) Statutory Requirements and Regulatory Requirements

You must comply with all statutory and regulatory requirements listed in Sections III(A) and IX of this program section of the SuperNOFA.

(B) HUD/RHS Agreement

HUD and the Rural Housing Service (RHS) have an agreement to coordinate the administration of the agencies' respective rental assistance programs. As a result, HUD is required to notify RHS of applications for housing assistance it receives. This notification gives RHS the opportunity to comment if it has concern about the demand for additional assisted housing and possible harm to existing projects in the same housing market area. HUD will consider RHS comments in its review and application selection process.

(C) Development Cost Limits

(1) The following development cost limits, adjusted by locality as described in paragraph (C)(3) below, must be used to determine the capital advance amount reserved for projects for persons with disabilities:

(a) *For independent living projects and dwelling units in multifamily housing developments, condominium and cooperative housing:* The total development cost of the project attributable to dwelling use (less the incremental development cost and the capitalized operating costs associated with any excess amenities and design features you will pay for) may not exceed:

Non-elevator Structures

$33,638 per family unit without a bedroom;

$38,785 per family unit with one bedroom;

$46,775 per family unit with two bedrooms;

$59,872 per family unit with three bedrooms;

$66,700 per family unit with four bedrooms.

For Elevator Structures

$35,400 per family unit without a bedroom;

$40,579 per family unit with one bedroom;

$49,344 per family unit with two bedrooms;

$63,834 per family unit with three bedrooms;

$70,070 per family unit with four bedrooms.

(b) *For group homes only:*

No. residents	Type of disability	
	physical/developmental	chronic mental illness
3	$154,452	$149,094
4	165,276	158,376
5	176,100	167,658
6	186,912	176,940

(c) These cost limits reflect those costs reasonable and necessary to develop a project of modest design that complies with HUD minimum property standards; the minimum group home requirements of 24 CFR 891.310(a) (if applicable); the accessibility requirements of 24 CFR 891.120(b) and 891.310(b); and the project design and cost standards of 24 CFR 891.120.

(2) Increased development cost limits.

(a) HUD may increase the development cost limits set forth in Section IV(C)(1) of this program section of the SuperNOFA by up to 140 percent in any geographic area where the cost levels require, and may increase the development cost limits by up to 160 percent on a project-by-project basis. This increase may include covering additional costs to make dwelling units accessible through rehabilitation.

(b) If HUD finds that high construction costs in Alaska, Guam, the Virgin Islands or Hawaii make it infeasible to construct dwellings, without the sacrifice of sound standards of construction, design, and livability, within the development cost limits provided in Section IV(C)(1) of this program section of the SuperNOFA, the amount of capital advances may be increased to compensate for such costs. The increase may not exceed the limits established under this section (including any high cost area adjustment) by more than 50 percent.

(c) For group homes only, HUD Offices may approve increases in the development cost limits in paragraph (C)(1)(b), above, in areas where you can provide sufficient documentation that high land costs limit or prohibit project feasibility. An example of acceptable documentation is evidence of at least three land sales which have actually

taken place (listed prices for land are not acceptable) within the last two years in the area where your project is to be built. The average cost of the documented sales must exceed seven percent of the development cost limit for your project in order for an increase to be considered.

(D) Sites

The National Affordable Housing Act requires you to provide in your application either (1) evidence of site control, or (2) a reasonable assurance that you will have control of a site within six months of notification of fund reservation. Accordingly, if you have control of a site at the time you submit your application, you must include evidence of such as described in Section VI(B)(4)(d)(i) of this program section of the SuperNOFA relative to site control and in the application kit. If you do not have site control, you must provide the information required in Section VI(B)(4)(d)(ii) of this program section of the SuperNOFA relative to identification of a site and in the application kit for identified sites as a reasonable assurance that site control will be obtained within six months of fund reservation notification.

Under Criterion 1 of Rating Factor 3 in Section V(D), below, related to your proposed site, your application has the potential of earning 15 points. Criterion 1(a) is related to site approvability and is worth a maximum of 10 points. Regardless of whether you submit evidence of site control or have identified a site without obtaining control of it, the site will be evaluated based on its proximity or accessibility to shopping, medical facilities, transportation, places of worship, recreational facilities, places of employment and other necessary services to the intended tenants. It will also be evaluated to determine whether it complies with the site and neighborhood standards in 24 CFR 891.125. Criterion 1(b) relates to the existence of legally acceptable site control. If you (1) submit evidence of site control for all proposed sites in your application, (2) the evidence is determined to be legally acceptable for all of the sites and (3) all of the sites are approvable (i.e., receive a score of 1 or higher for Criterion 1(a), your application will receive 5 points for Criterion 1(b)).

If your application contains evidence of site control where either the evidence or the site is not approvable, it will *not* be rejected provided you indicate in your application that you are willing to seek an alternate site and provide an assurance that site control will be obtained within six months of fund reservation notification.

(E) Supportive Services

You are required to include a supportive services plan and a certification from the appropriate State or local agency that the provision of services identified in your Supportive Services Plan is well designed to serve the special needs of persons with disabilities who will live in your proposed project. Section VI(B)(4)(e) of this program section of the SuperNOFA, below, outlines the information that must be in the Supportive Services Plan. You must submit one copy of your Supportive Services Plan to the appropriate State or local agency well in advance of the application submission deadline date for the State or local agency to review your Supportive Services Plan (Exhibit 4(d) of the application kit) and complete the Supportive Services Certification (Exhibit 7(l) of the application kit) and return it to you so that you can include it in the application you submit to HUD.

(1) HUD will reject your application if the supportive services certification:

(i) Is not submitted with your application and is not submitted to HUD within the 14-day cure period; or

(ii) Indicates that the provision of supportive services is not well designed to meet the special needs of persons with disabilities.

(2) In addition, if the agency completing the certification will be a major funding or referral source for your proposed project or be responsible for licensing the project, HUD will reject your application if either the agency's supportive services certification indicates—or, where the agency fails to complete item 2 or 3 of the certification, HUD determines that:

(i) You failed to demonstrate that supportive services will be provided on a consistent long-term basis; and/or

(ii) The proposed housing is not consistent with State or local agency plans/policies governing development and operation of housing for persons with disabilities.

Any prospective resident of a Section 811 project who believes he/she needs supportive services must be given the choice to be responsible for acquiring his/her own services or to take part in your Supportive Services Plan which must be designed to meet the individual needs of each resident. Residents or applicants may not be required to accept any supportive service as a condition of occupancy or admission.

(F) Project Size Limits

(1) *Group home*—The minimum number of persons with disabilities that can reside in a group home is three, and the maximum number is six. Only one person per bedroom is allowed, unless two residents choose to share one bedroom or a resident determines he/she needs another person to share his/her bedroom.

(2) *Independent living project*—The minimum number of units that can be applied for in one application is five; not necessarily in one structure. The maximum number of persons with disabilities that can be housed in an independent living project is 18.

(3) *Exceptions*—If you are submitting an application with site control, you may request an exception to the above project size limits by providing the information required in Section VI(B) in this program section of the SuperNOFA, below.

(G) Minimum Capital Investment

Selected nonprofit organizations must provide a minimum capital investment of one-half of one percent of the HUD-approved capital advance amount not to exceed a maximum of $10,000.

(H) Economic Opportunities for Low and Very Low Income Persons

You must comply with section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (Economic Opportunities for Low and Very Low Income Persons) and its implementing regulations at 24 CFR part 135. To comply, you must ensure that training, employment and other economic opportunities are directed, to the greatest extent feasible, toward low and very low income persons, particularly those who are recipients of government assistance for housing; and to business concerns which provide economic opportunities to low and very low income persons.

(I) Accessibility

If you intend to construct, substantially rehabilitate, or acquire, with or without rehabilitation, structures to be used as housing for persons with disabilities, you should note 24 CFR 891.310, which requires that your project meets accessibility requirements. In addition, you should note that 24 CFR 8.4(b)(5) prohibits the selection of a site or location which has the purpose or effect of excluding persons with disabilities from the Federally assisted program or activity. Thus, if you choose an existing structure, make sure that it can be made accessible without resulting in an infeasible project.

V. Application Selection Process

(A) Review for Curable Deficiencies

You should ensure that your application is complete before submitting it to the appropriate HUD office. HUD will screen all applications received by the deadline to determine if there are any curable deficiencies. A curable deficiency is a missing Exhibit or portion of an Exhibit that will not affect the rating of your application. The following is a list of the only deficiencies that will be considered curable in a Section 811 application:

Exhibits

(1)
*Form 92016–CA (Application Form)
(2)
*(a) Articles of Incorporation
*(b) By-laws
*(c) IRS tax exemption ruling
(4)
(c)(ii) Energy efficiency
*(d)(i) Evidence of site control (if submitted with application)
(d)(vi) SHPO letter
(d)(vii) Seek alternate site
(d)(viii) Exception to project size limits
(5)
Applications submitted to other offices
(6)
Relocation
(7)
*(a) Standard Form 424
(b) Drug-free Workplace
(c) Form-HUD 50071 and Standard Form-LLL
(d) Form-HUD 2880
(e) Form-HUD 2992
(f) Executive Order 12372
(g) Form-HUD 2991 Certification of Consistency with Consolidated Plan
(h) Conflict of Interest Resolution
*(i) Resolution for Commitment to Project
(k) Combined Certifications
(l) Supportive Services Certification
(m) Lead-Based Paint Certification

The HUD Office will notify you in writing if your application is missing any of the above exhibits or portions of exhibits and will give you 14 days from the date of the notification to submit the information required to cure the noted deficiencies. The items identified by an asterisk (*) must be dated on or before the application deadline date.

(B) Rating

HUD will review and rate your application(s) in accordance with the Application Selection Process in the General Section of this SuperNOFA with the following exception. HUD will not reject your application based on technical review without notifying you of the rejection with all the reasons for rejection and providing you an opportunity to appeal. You will have 14 calendar days from the date of HUD's written notice to appeal a technical rejection to the HUD Office. The HUD Office will make a determination on an appeal before making its selection recommendations. Your application(s) will be either rated or technically rejected at the end of technical review. If your application meets all program eligibility requirements after completion of technical review, it will be rated according to the Rating Factors in V(D) below.

(C) Ranking and Selection Procedures

Applications that have a total base score of 60 points or more (without the addition of EC/EZ bonus points) and meet all of the applicable threshold requirements of Section II(B) of the General Section of the SuperNOFA will be eligible for selection and will be placed in rank order. HUD will select applications, after adding any bonus points for EC/EZ, based on rank order, up to and including the last application that can be funded out of each HUD office's allocation. HUD Offices must not skip over any applications in order to select one based on the funds remaining. After making the initial selections, however, HUD may use any residual funds to select the next rank-ordered application by reducing the number of units by no more than 10 percent rounded to the nearest whole number, provided the reduction will not render the project infeasible. For this purpose, however, HUD will not reduce the number of units in projects of five units or less.

After this process is completed, residual funds from all HUD Offices within each Multifamily Hub will be combined. These funds will be used first to restore units to projects reduced by HUD Offices based on the above instructions. Second, additional applications within each Multifamily Hub will be selected in rank order with only one application selected per HUD Office. More than one application may be selected per HUD office if there are no approvable applications in other HUD Offices within the Multifamily Hub. This process will continue until there are no more approvable applications within the Multifamily Hub that can be selected with the remaining funds. Applications may not be skipped over to select one based on funds remaining. However, HUD may use any remaining residual funds, to select the next rank-ordered application by reducing the number of units by no more than 10 percent rounded to the nearest whole number, provided the reduction will not render the project infeasible or result in the project being less than 5 units.

Funds remaining after these processes are completed will be returned to Headquarters. HUD will use these residual funds first to fund Ryder Memorial Hospital, Inc., in the jurisdiction of the HUD Caribbean Multifamily Program Center, a FY 1998 application which was not funded due to HUD error. Second, HUD will use these funds to restore units to projects reduced by HUD Offices as a result of the instructions for using their residual funds. Third, HUD will use these funds for selecting applications based on field offices' rankings, beginning with the highest rated application nationwide. Only one application will be selected per HUD Office from the national residual amount, excluding the Caribbean Multifamily Program Center, already funded. If there are no approvable applications in other HUD Offices, the process will begin again with the selection of the next highest rated application nationwide. This process will continue until all approvable applications are selected using the available remaining funds.

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

HUD will rate applications that successfully complete technical processing using the Rating Factors set forth below and in accordance with the application submission requirements in Section VI(B), below. The maximum number of points an application may receive under this program is 102. This includes two (2) EZ/EC bonus points, as described in the General Section of this SuperNOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Staff (25 Points)

This factor addresses the extent to which you have the organizational resources to successfully implement the proposed activities in a timely manner. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(2), (B)(3)(a), (B)(3)(b), and (B)(3)(e) of Section VI of this program section of the SuperNOFA.

In rating this factor, HUD will consider the extent to which your application demonstrates your ability to develop and operate the proposed housing on a long-term basis, considering the following:

(1) (15 points) The scope, extent, and quality of your experience in providing

housing or related services to those proposed to be served by the project and the scope of the proposed project (i.e., number of units, services, relocation costs, development, and operation) in relationship to your demonstrated development and management capacity as well as your financial management capability; and

(2) (10 points) The scope, extent, and quality of your experience in providing housing or related services to minority persons or families. For purposes of this program section of the SuperNOFA, ''minority'' means the basic racial and ethnic categories for Federal statistics and administrative reporting, as defined in OMB's Statistical and Policy Directive No. 15. (See 62 FR 58782 October 30, 1997.)

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 activities to address a documented problem in the target area. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(4)(a) and (B)(4)(b) of Section VI of this program section of the SuperNOFA. In evaluating this factor, HUD will consider:

The extent of the need for the project in the area based on a determination by the HUD Office. In making this determination, HUD will consider your evidence of need in the area, as well as other economic, demographic, and housing market data available to the HUD Office. The data could include the availability of existing comparable subsidized housing for persons with disabilities and current occupancy in such housing, comparable subsidized housing for persons with disabilities under construction or for which fund reservations have been issued, and, in accordance with an agreement between HUD and RHS, comments from RHS on the demand for additional comparable subsidized housing and the possible harm to existing projects in the same housing market area. The Department also will review more favorably those applications which establish a connection between the proposed project and the community's Analysis of Impediments to Fair Housing Choice (AI) or other planning document that analyzes fair housing issues and is prepared by a local planning or similar organization. You must show how the proposed project will address an impediment to fair housing choice described in the AI or meet a need identified in the other type of planning document.

Rating Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and effectiveness of your proposal. There must be a clear relationship between the proposed activities, the community's needs and purposes of the program funding for your application to receive points for this factor. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(4)(c), (B)(4)(d), and (B)(4)(e) of Section VI of this program section of the SuperNOFA. In evaluating this factor, HUD will consider the following:

(1)(a) (10 points) Site approvability—The proximity or accessibility of the site to shopping, medical facilities, transportation, places of worship, recreational facilities, places of employment, and other necessary services to the intended tenants; adequacy of utilities and streets, and freedom of the site from adverse environmental conditions (based on site visit for site control projects only); and compliance with site and neighborhood standards in 24 CFR 891.125;

(b) (5 points) Site control—If your application contains legally acceptable site control for all proposed sites and all of the proposed sites are approvable (i.e., receive a score of 1 or higher on Criterion 1(a)), your application will receive 5 points for site control;

(2) (10 points) The suitability of the site from the standpoints of promoting a greater choice of housing opportunities for minorities and persons with disabilities and affirmatively furthering fair housing. In reviewing this criterion, HUD will assess whether the site meets the site and neighborhood standards at 24 CFR 891.125(b) and (c) by examining relevant data in your application or in the HUD Office. If appropriate, HUD may visit the site. The site will be deemed acceptable if it increases housing choice and opportunity by (a) expanding housing opportunities in non-minority neighborhoods (if located in such a neighborhood); or (b) contributing to the revitalization of and reinvestment in minority neighborhoods, including improvement of the level, quality and affordability of services furnished to minority persons with disabilities.

(3) (5 points) The extent to which the proposed design of the project, including both the exterior and interior design, will meet any special needs of persons with disabilities the housing is expected to serve;

(4) (5 points) The extent to which the proposed design of the project and its placement in the neighborhood will facilitate the integration of the residents into the surrounding community; and

(5) (5 points) Your board includes persons with disabilities (including persons who have disabilities similar to those of the prospective residents).

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to secure other community resources which can be combined with HUD's program resources to achieve program purposes. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(3)(c) and (B)(3)(d) of Section VI of this program section of the SuperNOFA.

(1) (5 points) The extent of local government support (including financial assistance, donation of land, provision of services, etc.) for the project; and

(2) (5 points) The extent of your activities in the community, including previous experience in serving the area where the project is to be located, and your demonstrated ability to enlist volunteers and raise local funds.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you coordinated your activities with other known organizations, participate or promote participation in the community's Consolidated Planning process, and are working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(3)(f), (B)(3)(g), (B)(3)(h), and (B)(3)(i) of Section VI of this program section of the SuperNOFA.

(1) (4 points) You involved persons with disabilities (including minority persons with disabilities) in the development of the application, and will involve persons with disabilities (including minority persons with disabilities) in the development and operation of the project;

(2) (2 points) The extent to which you coordinated your application with other organizations to complement and/or support the proposed project;

(3) (2 points) The extent to which you demonstrated that you have been actively involved, or if not currently active, the steps you will take to become actively involved in the community's Consolidated Planning process to identify and address a need/problem that is related in whole or part, directly

or indirectly to the proposed project; and

(4) (2 points) The extent to which you developed or plan to develop linkages with other activities, programs or projects related to the proposed project to coordinate your activities so solutions are holistic and comprehensive.

Bonus Points

(2 bonus points) Location of proposed site in an EZ/EC area, as described in the General Section of this SuperNOFA. Submit the information responding to the bonus points in accordance with the Application Submission Requirements in paragraph (B)(7)(j) of Section VI of this program section of the SuperNOFA.

VI. Application Submission Requirements

(A) *Application*. Your application must include all of the information, materials, forms, and exhibits listed in Section VI(B) of this program section of the SuperNOFA (unless you were selected for a Section 811 fund reservation within the last three funding cycles). If you qualify for this exception, you are not required to submit the information described in Section VI(B)(2)(a), (b), and (c), below, of this program section of the SuperNOFA (Exhibits 2.a., b., and c. of the application kit), which are the articles of incorporation (or other organizational documents), by-laws, and the IRS tax exemption, respectively. If there has been a change in any of the eligibility documents since your previous HUD approval, you must submit the updated information in your application. The HUD Office will verify your indication of previous HUD approval by checking the project number and approval status with the appropriate HUD Office.

In addition to this relief of paperwork burden in preparing applications, you are able to use information and exhibits previously prepared for prior applications under Section 811, Section 202, or other funding programs. Examples of exhibits that may be readily adapted or amended to decrease the burden of application preparation include, among others, those on previous participation in the Section 202 or Section 811 programs, your experience in the provision of housing and services, supportive services plans, community ties, and experience serving minorities.

Note: You may apply for a scattered site project in one application.

(B) General Application Requirements.

(1) Form HUD–92016–CA, Application for Section 811 Supportive Housing Capital Advance.

(2) Evidence of your and each Co-Sponsor's legal status as a nonprofit organization, including the following:

(a) Articles of Incorporation, constitution, or other organizational documents;

(b) By-laws;

(c) IRS section 501(c)(3) tax exemption ruling (this must be submitted by you and all Co-Sponsors, including churches).

Note: If you received a section 811 fund reservation within the last three funding cycles, you are not required to submit the documents described in (a), (b), and (c), above. instead, you must submit the project number of the latest application selected and the hud office to which it was submitted. If there have been any modifications or additions to the subject documents, indicate such, and submit the new material.

(d) The number of people on your board and the number of those people who have disabilities (including disabilities similar to those of the prospective residents).

(3) A description of your purpose, community ties, and experience, including the following:

(a) A description of your purpose, current activities and how long you have been in existence;

(b) A description of your ties to the community at large and to the minority and disabled communities in particular;

(c) A description of local government support for the project (including financial assistance, donation of land, provision of services, etc.);

(d) Letters of support for your organization and for the proposed project from organizations familiar with the housing and supportive services needs of the persons with disabilities that you expect to serve in the proposed project;

(e) A description of your housing and/or supportive services experience. The description should include any rental housing projects (including integrated housing developments) and/or supportive services facilities that you have sponsored, owned, and/or operated; your past or current involvement in any programs other than housing that demonstrates your management capabilities (including financial management) and experience, and your experience in serving persons with disabilities and minorities; and the reasons for receiving any increases in fund reservations for developing and/or operating any previously funded Section 811 or Section 202 projects. The description should include data on the facilities and services provided, the racial/ethnic composition of the populations served, if available, and information and testimonials from residents or community leaders on the quality of the activities. Examples of activities that could be described include housing counseling, nutrition and food services, special housing referral, screening and information projects.

(f) A description, if applicable, of your efforts to involve persons with disabilities (including minority persons with disabilities and persons with disabilities similar to those of the prospective residents) in the development of your application and in the development and operation of the project.

(g) A description of the steps you took to identify and coordinate your application with other organizations to complement and/or support your proposed project as well as the steps you will take, if funded, to share information on solutions and outcomes relative to the development of your proposed project.

(h) A description of your involvement in the community's Consolidated Planning process, including:

(i) An identification of the lead/facilitating agency that organizes/administers the process;

(ii) An identification of the Consolidated Plan issue areas in which you participate;

(iii) Your level of participation in the process, including active involvement with any neighborhood-based organizations, associations or any committees that support programs and activities that enhance projects, or the lives of residents of projects, such as the one proposed in your application.

If you are not currently active, describe the specific steps you will take to become active in the Consolidated Planning process. (Consult the local HUD Office for the identification of the Consolidated Plan community process for the appropriate area.)

(i) A description of the linkages that you have developed or plan to develop with other related activities, programs or projects in order that the development of the project provides a comprehensive and holistic solution to the needs of the target population.

(4) Project information including the following:

(a) Evidence of need for supportive housing. Such evidence would include a description of the proposed population and evidence demonstrating sustained effective demand for supportive housing for the proposed population in the market area to be served, taking into consideration the

occupancy and vacancy conditions in existing comparable subsidized housing for persons with disabilities, State or local needs assessments of persons with disabilities in the area, the types of supportive services arrangements currently available in the area, and the use of such services as evidenced by data from local social service agencies. Also, a description of how information in the community's Analysis of Impediments to Fair Housing Choice was used in documenting the need for the project.

(b) A description of how the proposed project will benefit the target population and the community in which it will be located;

(c) A description of the project, including the following:

(i) A narrative description of the building(s) including the number and type of structure(s), number of bedrooms if group home, number of units with bedroom distribution if independent living units (including dwelling units in multifamily housing developments, condominiums and cooperatives), number of residents with disabilities, and any resident staff per structure; an identification of all community spaces, amenities, or features planned for the housing and a description of how the spaces, amenities, or features will be used, and the extent to which they are necessary to accommodate the needs of the proposed residents. If these community spaces, amenities, or features would not comply with the project design and cost standards of § 891.120 and the special project standards of § 891.310, you must demonstrate your ability and willingness to contribute both the incremental development cost and continuing operating cost associated with the community spaces, amenities, or features; and a description of how the design of the proposed project will promote the integration of the residents into the surrounding community; and (ii) A description of whether and how the project will promote energy efficiency, and, if applicable, innovative construction or rehabilitation methods or technologies to be used that will promote efficient construction.

(d) Evidence of control of an approvable site, OR identification of a site for which you provide a reasonable assurance that you will obtain control within 6 months from the date of fund reservation (if you are approved for funding).

(i) If you are submitting an application with site control, you must submit the following:

(*1*) Acceptable evidence of site control, as evidenced by one of the following:

(*A*) Deed or long-term leasehold which evidences that you have title to or a leasehold interest in the site. If a leasehold, the term of the lease must be at least 50 years;

(*B*) Contract of sale for the site which is free of any limitations affecting ability to deliver ownership to you after you receive and accept a notice of Section 811 capital advance. The only condition for closing on the sale can be your receipt and acceptance of the capital advance;

(*C*) Option to purchase or for a long-term leasehold which must remain in effect for one year from the date on which the applications are due. The option agreement may consist of a single one year term or may include one or more rights to renew up to one year solely at your discretion. The only condition on which the option may be terminated is if you are not awarded a fund reservation.

(*D*) If the site is covered by a mortgage under a HUD program, you must submit evidence that consent to release of the site from the mortgage has been obtained or is being requested.

(*E*) For sites to be acquired from a public body, evidence is needed that the public body possesses clear title to the site and has entered into a legally binding agreement to lease or convey the site to you after you receive and accept a notice of Section 811 capital advance. If HUD determines that time constraints of the funding round will not permit you to obtain all of the required official actions (e.g., approval of Community Planning Boards) that are necessary to convey publicly-owned sites, you may include in your application a letter from the mayor or director of the appropriate local agency indicating that conveyance or leasing of your site is acceptable and only contingent on the necessary approval action. In its review of such cases, HUD will consider whether it has had satisfactory experience with timely conveyance of sites from that public body.

Whether you have title to the site, a contract of sale, an option to purchase or are acquiring a site from a public body, you must provide evidence (a title policy or other acceptable evidence) that the site is free of any limitations, restrictions, or reverters which could adversely affect the use of the site for the proposed project for the 40-year capital advance period under HUD's regulations and requirements (e.g., reversion to seller if title is transferred). Mortgages are not considered to be limitations or restrictions that would adversely affect the use of the site. If the site is subject to any such limitations, restrictions, or reverters, the site will be rejected.

Note: A Proposed project site may not be acquired or optioned from a general contractor (or its affiliate) that will construct the section 811 project or from any other development team member.

(*2*) Evidence that your project as proposed is permissible under applicable zoning ordinances or regulations, or a statement of the proposed action required to make your proposed project permissible. You must provide the basis for your belief that the proposed action will be completed successfully before the submission of the firm commitment application (e.g., a summary of the results of any requests for rezoning on land in similar zoning classifications and the time required for such rezoning, the procedures for obtaining special or conditional use permits or preliminary indications of acceptability from zoning bodies, etc.).

Note: You should be aware that under certain circumstances the Fair Housing Act requires localities to make reasonable accommodations to their zoning ordinances or regulations to offer persons with disabilities an opportunity to live in an area of their choice. If you are relying upon a theory of reasonable accommodation to satisfy the zoning requirement, then you must clearly articulate the basis for your reasonable accommodation theory.

(*3*) A narrative topographical and demographic description of the suitability of the site and area as well as a description of the area surrounding the site, the characteristics of the neighborhood, how the site will promote greater housing opportunities for minorities and persons with disabilities thereby affirmatively furthering fair housing.

Note: You can best demonstrate your commitment to affirmatively furthering fair housing by describing how proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice identified in the applicable 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. The applicable Consolidated Plan and AI may be the Community's, the County's, or the State's, to which input should have been provided by local community organizations, agencies in the community, and residents of the community. Alternatively, a document that addresses fair housing issues and remedies to barriers to fair housing in the community that was previously prepared by a local planning, or similar organization, may be used. Applicable impediments could include a lack

of units that are accessible to persons with disabilities, a lack of transportation services or other assistance that would serve persons with disabilities, or the need for improved housing quality and services for all persons with disabilities.

(*4*) A map showing the location of the site and the racial composition of the neighborhood, with the area of racial concentration delineated;

(*5*) A Phase I Environmental Site Assessment, in accordance with the American Society for Testing and Material (ASTM) Standards E 1527–93, as amended. The Phase I study must be completed and submitted with the application. Therefore, it is important that you start the site assessment process as soon after publication of this SuperNOFA as possible.

If the Phase I study indicates the possible presence of contamination and/or hazards, you must decide whether to continue with this site or choose another site. Should you choose another site, the same environmental site assessment procedure identified above must be followed for that site.

Note: For properties to be acquired from the FDIC/RTC, include a copy of the FDIC/RTC prepared Transaction Screen Checklist or Phase I Environmental Site Assessment, and applicable documentation, per the FDIC/RTC Environmental Guidelines.

If you choose to continue with the original site on which the Phase I study indicated contamination or hazards, you must undertake a detailed Phase II Environmental Site Assessment by an appropriate professional. If the Phase II Assessment reveals site contamination, the extent of the contamination and a plan for clean-up of the site must be submitted to the local HUD Office. The plan for clean-up must include a contract for remediation of the problem(s) and an approval letter from the applicable Federal, State, and/or local agency with jurisdiction over the site. In order for your application to be considered as an application with site control you must submit this information to the local HUD Office on or before June 28, 1999.

Note: This could be an expensive undertaking. you must pay for the cost of any clean-up and/or Remediation.

(*6*) A letter from the State Historic Preservation Officer (SHPO) indicating whether the proposed site(s) has any historical significance. If you cannot obtain a letter from the SHPO due to the SHPO not responding to your request or the SHPO responding that it cannot or will not comply with the requirement, you must submit the following:

(*A*) a letter indicating that you attempted to get the required letter from the SHPO but that the SHPO either had not responded to your request or would not honor or recognize your request;

(*B*) a copy of your letter to the SHPO requesting the required letter; and

(*C*) a copy of the SHPO's response, if available.

(*7*) A statement that you are willing to seek a different site if the preferred site is unapprovable and that site control will be obtained within six months of notification of fund reservation.

(*8*) If you are requesting an exception to the project size limits found in Section IV(F) of this program section of the SuperNOFA, describe why the site was selected and demonstrate the following:

(*A*) People with disabilities similar to those of the prospective tenants have indicated their acceptance or preference to live in housing with as many units/people as proposed for your project;

(*B*) The increased number of people is necessary for the economic feasibility of your project;

(*C*) Your project is compatible with other residential development and the population density of the area in which your project is to be located;

(*D*) The increased number of people will not prohibit their successful integration into the community;

(*E*) Your project is marketable in the community;

(*F*) The size of your project is consistent with State and/or local policies governing similar housing for the proposed population; and

(*G*) A statement that you are willing to have your application processed at the project size limit should HUD not approve the exception.

(ii) If you have identified a site, but do not have it under control, you must submit the following information:

(*1*) A description of the location of the site, including its street address, its unit number (if condominium), neighborhood/community characteristics (to include racial and ethnic data), amenities, adjacent housing and/or facilities, and how the site will promote greater housing opportunities for minorities and persons with disabilities thereby affirmatively furthering fair housing. You can best demonstrate your commitment to affirmatively furthering fair housing by describing how your proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice identified in the community's AI or any other planning document that addresses fair housing issues. Examples of the applicable impediments include the need for improved housing quality and services for minority persons with disabilities and the need for quality services for persons with disabilities within the type and quality of similar services and housing in minority areas;

(*2*) A description of the activities undertaken to identify the site, as well as what actions must be taken to obtain control of the site, if approved for funding;

(*3*) An indication as to whether the site is properly zoned. If it is not, an indication of the actions necessary for proper zoning and whether these can be accomplished within six months of fund reservation award, if approved for funding;

(*4*) A status of the sale of the site; and

(*5*) An indication as to whether the site would involve relocation.

(e) A supportive services plan (a copy of which must be sent to the appropriate State or local agency as instructed in Section IV(E) of this program section of the SuperNOFA) that includes:

(i) A detailed description of whether the housing is expected to serve persons with physical disabilities, developmental disabilities, chronic mental illness or any combination of the three. Include how and from whom/where persons will be referred to and accepted for occupancy in the project. You may, with the approval of the Secretary, limit occupancy within housing developed under this program section of the SuperNOFA to persons with disabilities who have similar disabilities and require a similar set of supportive services in a supportive housing environment. However, the Owner must permit occupancy by any qualified person with a disability who could benefit from the housing and/or services provided, regardless of the person's disability.

(ii) If you are requesting approval to limit occupancy in your proposed project(s), you must submit the following:

(*1*) A description of the population of persons with disabilities to which occupancy will be limited;

(*2*) An explanation of why it is necessary to limit occupancy of the proposed project(s) to the population described in (*1*) above. This should include but is not limited to:

(*A*) An explanation of how limiting occupancy to a subcategory of persons with disabilities promotes the goals of the Section 811 Program; and,

(*B*) An explanation of why the housing and/or service needs of this population cannot be met in a more integrated setting.

(*3*) A description of your experience in providing housing and/or supportive services to the proposed occupants; and

(*4*) A description of how you will ensure that the occupants of the

proposed project(s) will be integrated into the neighborhood and surrounding community.

(iii) A detailed description of the supportive service needs of the persons with disabilities that the housing is expected to serve.

(iv) You must develop, and submit with your application, a list of community service providers, including those that are consumer-controlled, and include letters of intent to provide services to residents of the proposed project(s) from as many potential service providers as possible. You must make this list available to any residents who wish to be responsible for acquiring their own supportive services. However, a provider may not require residents to accept any particular service.

(v) A detailed description of a comprehensive supportive services plan that you have organized for those residents who do not wish to take responsibility for acquiring their own services. Such a plan must include the following:

(*1*) The name(s) of the agency(s) that will be responsible for providing the supportive services;

(*2*) The evidence of each service provider's capability and experience in providing such supportive services (applicable even if you will be the service provider);

(*3*) A description of how, when, how often, and where (on/off-site) the services will be provided;

(*4*) Identification of the extent of State and/or local agency involvement in the project (i.e., funding for the provision of supportive services, referral of residents, or licensing the project). If there will be any State or local agency involvement, a description of the State or local agency's philosophy/policy concerning housing for the population to be served and a demonstration that your application is consistent with State or local plans and policies governing the development and operation of housing for the same disabled population; and

(*5*) Letters of intent from service providers (including those that are consumer-controlled) or funding sources, indicating commitments to fund or to provide the supportive services, or that a particular service will be available to proposed residents. If you will be providing any supportive services or will be coordinating the provision of any of the supportive services, a letter indicating your commitment to either provide the supportive services or ensure their provision for the life of the project.

(vi) A description of residential staff, if needed.

(vii) Assurances that any supportive services you provide to residents who wish to receive them will be based on the resident's individual needs; and

(viii) A statement that you will not condition occupancy on the resident's acceptance of any supportive services.

(5) A list of the applications, if any, that you have submitted or are planning to submit to any other HUD Office in response to this Section 811 funding announcement under this SuperNOFA or announcement for funding under this SuperNOFA of the Section 202 Program of Supportive Housing for the Elderly. Indicate, by HUD Office, the number of units requested and the proposed location by city and State for each application. Include a list of all FY 1998 and prior year projects to which you are a party, identified by project number and HUD Office, which have not been finally closed.

(6) A statement that:

(a) Identifies all persons (families, individuals, businesses, and nonprofit organizations) by race/minority group and status as owners or tenants occupying the property on the date of submission of the application for a capital advance;

(b) Indicates the estimated cost of relocation payments and other services;

(c) Identifies the staff organization that will carry out the relocation activities; and

(d) Identifies all persons that have moved from the site within the last 12 months. (This requirement applies to applications with site control only. Sponsors of applications with identified sites that are selected will be required to submit this information at a later date once they have obtained site control.)

Note: If any of the relocation costs will be funded from sources other than the section 811 capital advance, you must provide evidence of a firm commitment of these funds. When evaluating applications, HUD will consider the total cost of proposals (i.e., cost of site acquisition, relocation, construction and other project costs).

(7) *Certifications and Resolutions.* In addition to the certifications listed in the General Section of this SuperNOFA with the exception of SF–424A, SF–424B, SF–424C, SF–424D and the OMB Circulars which are not required, you are required to submit signed copies of the following:

(a) *Standard Form 424.* Application for Federal Assistance and indication of whether you are delinquent on any Federal debt. (See instructions for submitting this form in the Consolidated Application Submissions section of the General Section of the SuperNOFA.)

(b) *Drug-Free Workplace (HUD–50070).* Certification to provide a drug-free workplace.

(c) *Payments to Influence Federal Transactions (HUD–50071) and Standard Form LLL, Disclosure of Lobbying Activities.* Certification of whether any of the funds received will be used to influence any Federal transactions and disclosure of those activities, if applicable.

(d) *Applicant/Recipient Disclosure/Update Report, including Social Security Numbers and Employee Identification Numbers, (HUD–2880).* A disclosure of assistance from other government sources received in connection with the project.

(e) *Employment, Engagement of Services, Awarding or Funding of Contracts, Subgrants, etc. (24 CFR 24.510).*

(f) *Executive Order 12372 Certification.* A certification that you have submitted a copy of your application, if required, to the State agency (single point of contact) for State review in accordance with Executive Order 12372.

(g) *Certification of Consistency with the Consolidated Plan (Plan)* (Form HUD–2991) for the jurisdiction in which the proposed project will be located. The certification must be made by the unit of general local government if it is required to have, or has, a complete Plan. Otherwise, the certification may be made by the State, or by the unit of general local government if the project will be located within the jurisdiction of the unit of general local government authorized to use an abbreviated strategy, and if it is willing to prepare such a Plan.

All certifications must be made by the public official responsible for submitting the Plan to HUD. The certifications must be submitted as part of the application by the application submission deadline date set forth in this SuperNOFA. The Plan regulations are published in 24 CFR part 91.

(h) *A certified Board Resolution that no officer or director of the Sponsor or Owner has or will have any financial interest in any contract with the Owner* or in any firm or corporation that has or will have a contract with the Owner, including a current listing of all duly qualified and sitting officers and directors by title and the beginning and ending dates of each person's term.

(i) *A Certified Board Resolution Acknowledging Responsibilities of Sponsorship,* long-term support of the project(s), your willingness to assist the Owner to develop, own, manage and provide appropriate services in connection with the proposed project,

and that it reflects the will of your membership, and your willingness to fund the estimated start-up expenses, the Minimum Capital Investment (one-half of one-percent of the HUD-approved capital advance, not to exceed $10,000), and the estimated cost of any amenities or features (and operating costs related thereto) that would not be covered by the approved capital advance.

(j) *Certification of Consistency with the EZ/EC Strategic Plan.* A certification that the project is consistent with the EZ/EC strategic plan, is located within the EZ/EC, and serves EZ/EC residents.

(k) *Sponsor's Combined Certifications.* (i) *Certification in Connection with the Development and Operation of a Section 811 Project.* A certification of compliance with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act, the Age Discrimination Act of 1975, Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the implementing regulations at 24 CFR part 135, the affirmative fair housing marketing requirements of 24 CFR part 200, subpart M and the implementing regulations at 24 CFR part 108, and other applicable Federal, State and local laws prohibiting discrimination and promoting equal opportunity including affirmatively furthering fair housing.

(ii) *Design and Cost Standards.* Certification of Compliance with HUD's Section 811 project design and cost standards (24 CFR 891.120 and 891.310), the Uniform Federal Accessibility Standards (24 CFR 40.7), Section 504 of the Rehabilitation Act of 1973 and HUD's implementing regulations at 24 CFR part 8, and for covered multifamily dwellings designed and constructed for first occupancy after March 13, 1991, the design and construction requirements of the Fair Housing Act and HUD's implementing regulations at 24 CFR part 100, and the Americans with Disabilities Act of 1990.

(iii) *Acquisition and Relocation.* Certification of Compliance with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (49 CFR part 24 and 24 CFR part 891.155(e)).

(iv) *Formation of Owner Corporation.* Certification that you will form an ''Owner'' (24 CFR 891.305) after issuance of the capital advance; cause the Owner to file a request for determination of eligibility and a request for capital advance, and provide sufficient resources to the Owner to insure the development and long-term operation of the project, including capitalizing the Owner at firm commitment processing in an amount sufficient to meet its obligations in connection with the project.

(v) *Supportive Services.* Certification that you will not require residents to accept any supportive services as a condition of occupancy; and,

(vi) *Davis-Bacon.* Certification of compliance with the Davis-Bacon requirements and the Contract Work Hours and Safety Standards Act.

(l) *Supportive Services Certification.* A certification from the appropriate State or local agency identified in the application kit indicating whether the:

(i) Provision of supportive services is well designed to serve the needs of persons with disabilities the housing is expected to serve;

(ii) Supportive services will be provided on a consistent, long-term basis; and

(iii) Proposed housing is consistent with State or local plans and policies governing the development and operation of housing to serve individuals of the proposed occupancy category if the State or local agency will provide funding for the provision of supportive services, refer residents to the project or license the project. (The name, address, and telephone number of the appropriate agency will be identified in the application kit and can also be obtained from the appropriate HUD Office.)

(m) *Certification that you will comply with the requirements of the Lead-Based Paint Poisoning Prevention Act* (42 U.S.C. 4821–4846) and implementing regulations at 24 CFR part 35 (except as superseded in 24 CFR 891.325).

VII. Corrections to Deficient Applications

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

VIII. Environmental Requirements

In accordance with 24 CFR part 50, all Section 811 assistance is subject to the National Environmental Policy Act of 1969 and applicable related Federal environmental authorities. The environmental review provisions of the Section 811 Program regulations are in 24 CFR 891.155(b).

IX. Authority

Section 811 of the Cranston-Gonzalez National Affordable Housing Act (the NAHA) (Pub. L. 101–625, approved November 28, 1990), as amended by the Housing and Community Development Act of 1992) (HCD Act of 1992) (Pub. L. 102–550, approved October 28, 1992), and by the Rescissions Act (Pub. L. 104–19, approved July 27, 1995) authorized a new supportive housing program for persons with disabilities, and replaced assistance for persons with disabilities previously covered by section 202 of the Housing Act of 1959 (section 202 continues, as amended by section 801 of the NAHA, and the HCD Act of 1992, to authorize supportive housing for the elderly).

Appendix A—Local HUD Offices

Note: The first line of the mailing address for all offices is Department of Housing and Urban Development. Telephone numbers listed are not toll-free.

HUD—Boston Hub

Hartford Office

One Corporate Center, 19th Floor, Hartford, CT 06106–1860, (860) 240–4800, TTY Number: (860) 240–4665

Boston Office

Room 375, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Boston, MA 02222–1092, (617) 565–5234, TTY Number: (617) 565–5453

Manchester Office

Norris Cotton Federal Building, 275 Chestnut Street, Manchester, NH 03101–2487, (603) 666–7681, TTY Number: (603) 666–7518

Providence Office

Sixth Floor, 10 Weybosset Street, Providence, RI 02903–3234, (401) 528–5351, TTY Number: (401) 528–5403

HUD—New York Hub

New York Office

26 Federal Plaza, New York, NY 10278–0068, (212) 264–6500, TTY Number: (212) 264–0927

HUD—Buffalo Hub

Buffalo Office

Fifth Floor, Lafayette Court, 465 Main Street, Buffalo, NY 14203–1780, (716) 551–5755, TTY Number: (716) 551–5787

HUD—Philadelphia Hub

Philadelphia Office

The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3390, (215) 656–0600, TTY Number: (215) 656–3452

Charleston Office

Suite 708, 405 Capitol Street, Charleston, WV 25301–1795, (304) 347–7000, TTY Number: (304) 347–5332

Newark Office

Thirteenth Floor, One Newark Center, Newark, NJ 07102–5260, (201) 622–7900, TTY Number: (201) 645–3298

Pittsburgh Office

339 Sixth Avenue, Sixth Floor, Pittsburgh, PA 15222–2515, (412) 644–6428, TTY Number: (412) 644–5747

HUD—Baltimore Hub

Baltimore Office

Fifth Floor, City Crescent Building, 10 South Howard Street, Baltimore, MD 21201–2505, (410) 962–2520, TTY Number: (410) 962–0106

Washington Office

820 First Street, NE, Washington, D.C. 20002–4502, (202) 275–9200, TTY Number: (202) 275–0772

Richmond Office

The 3600 Centre, 3600 West Broad Street, P.O. Box 90331, Richmond, VA 23230–0331, (804) 278–4507, TTY Number: (804) 278–4501

HUD—Greensboro Hub

Greensboro Office

Koger Building, 2306 West Meadowview Road, Greensboro, NC 27407–3707, (919) 547–4001, TTY Number: (919) 547–4055

Columbia Office

Strom Thurmond Federal Building, 1835–45 Assembly Street, Columbia, SC 29201–2480, (803) 765–5592, TTY Number: (803) 253–3071

HUD—Atlanta Hub

Atlanta Office

Richard B. Russell Federal Building, 75 Spring Street, S.W., Atlanta, GA 30303–3388, (404) 331–5136, TTY Number: (404) 730–2654

San Juan Office

New San Juan Office Building, 159 Carlos Chardon Avenue, San Juan, PR 00918–1804, (809) 766–6121, TTY Number: (809) 766–5909

Louisville Office

601 West Broadway, P.O. Box 1044, Louisville, KY 40201–1044, (502) 582–5251, TTY Number: 1–800–648–6056

Knoxville Office

Third Floor, John J. Duncan Federal Building, 710 Locust Street, Knoxville, TN 37902–2526, (423) 545–4384, TTY Number: (423) 545–4559

Nashville Office

Suite 200, 251 Cumberland Bend Drive, Nashville, TN 37228–1803, (615) 736–5213, TTY Number: (615) 736–2886

HUD—Jacksonville Hub

Jacksonville Office,

Suite 2200, Southern Bell Tower, 301 West Bay Street, Jacksonville, FL 32202–5121, (904) 232–2626, TTY Number: (904) 232–1241

Birmingham Office

Suite 300, Beacon Ridge Tower, 600 Beacon Parkway, West, Birmingham, AL 35209–3144, (205) 290–7617, TTY Number: (205) 290–7630

Jackson Office

Suite 910, Doctor A.H. McCoy Federal Building, 100 West Capitol Street, Jackson, MS 39269–1096, (601) 965–5308, TTY Number: (601) 965–4171

HUD—Chicago Hub

Chicago Office

Ralph H. Metcalfe Federal Building, 77 West Jackson Boulevard, Chicago, IL 60604–3507, (312) 353–5680, TTY Number: (312) 353–5944

Indianapolis Office

151 North Delaware Street, Indianapolis, IN 46204–2526, (317) 226–6303, TTY Number: (317) 226–7081

HUD—Detroit

Detroit Office

Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, MI 48226–2592, (313) 226–7900, TTY Number: (313) 226–6899

HUD—Columbus Hub

Columbus Office

200 North High Street, Columbus, OH 43215–2499, (614) 469–5737, TTY Number: (614) 469–6694

CLeveland Office

Fifth Floor, Renaissance Building, 1350 Euclid Avenue, Cleveland, OH 44115–1815, (216) 522–4065, TTY Number: (216) 522–2261

HUD—Minneapolis Hub

Minneapolis Office

220 Second Street, South, Minneapolis, MN 55401–2195, (612) 370–3000, TTY Number: (612) 370–3186

Milwaukee Office

Suite 1380, Henry S. Reuss Federal Plaza, 310 West Wisconsin Avenue, Milwaukee, WI 53203–2289, (414) 297–3214, TTY Number: (414) 297–3123

HUD—Ft. Worth Hub

Little Rock Office

Suite 900, TCBY Tower, 425 West Capitol Avenue, Little Rock, AR 72201–3488, (501) 324–5931, TTY Number: (501) 324–5931

New Orleans Office

Ninth Floor, Hale Boggs Federal Building 501 Magazine Street, New Orleans, LA 70130–3099, (504) 589–7200, TTY Number: (504) 589–7279

Ft. Worth Office

1600 Throckmorton Street, P.O. Box 2905, Fort Worth, TX 76113–2905, (817) 978–9000, TTY Number: (817) 978–9273

Houston Office

Suite 200, Norfolk Tower 2211 Norfolk, Houston, TX 77098–4096, (713) 313–2274, TTY Number: (713) 834–3274

San Antonio Office

Washington Square, 800 Dolorosa Street, San Antonio, TX 78207–4563, (210) 472–6800, TTY Number: (210) 472–6885

HUD—Great Plains

Des Moines Office

Room 239, Federal Building, 210 Walnut Street, Des Moines, IA 50309–2155, (515) 284–4512, TTY Number: (515) 284–4728

Kansas City Office

Room 200, Gateway Tower II, 400 State Avenue, Kansas City, KS 66101–2406, (913) 551–5462, TTY Number: (913) 551–6972

Omaha Office

Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154–3955, (402) 492–3100, TTY Number: (402) 492–3183

Saint Louis Office

Third Floor, Robert A. Young Federal Building, 1222 Spruce Street, St. Louis, MO 63103–2836, (314) 539–6583, TTY Number: (314) 539–6331

Oklahoma City Office

500 Main Plaza, 500 West Main Street, Suite 400, Oklahoma City, OK 73102–2233, (405) 553–7400, TTY Number: (405) 553–7480

HUD—Denver Hub

Denver Office

633 17th Street, Denver, CO 80202–3607, (303) 672–5440, TTY Number: (303) 672–5248

HUD—San Francisco Hub

Phoenix Office

Suite 1600, Two Arizona Center, 400 North 5th Street, Phoenix, AZ 85004–2361, (602) 379–4434, TTY Number: (602) 379–4464

San Francisco Office

Philip Burton Federal Building and U.S. Courthouse, 450 Golden Gate Avenue, P.O. Box 36003, San Francisco, CA 94102–3448, (415) 436–6532, TTY Number: (415) 436–6594

Honolulu Office

Suite 500, 7 Waterfront Plaza, 500 Ala Moana Boulevard, Honolulu, HI 96813–4918, (808) 522–8175, TTY Number: (808) 522–8193

HUD—Los Angeles Hub

Los Angeles Office

611 West 6th Street, Suite 800, Los Angeles, CA 90015–3801, (213) 894–8000, TTY Number: (213) 894–8133

HUD—Seattle Hub

Portland Office

400 Southwest Sixth Avenue, Suite 700, Portland, OR 97204–1632, (503) 326–2561, TTY Number: (503) 326–3656

BILLING CODE 4210–32–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

APPENDIX A TO SUPERNOFA LIST OF HUD FIELD OFFICE CONTACT INFORMATION

BILLING CODE 4210–32–C

Appendix A To SuperNOFA—HUD Field Office Contact Information

While all Field Offices have staff who can answer your general questions about the SuperNOFA, not all offices have specialists who can provide detailed technical guidance. 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: 8:00–4:30 PM

Maine State Office, 202 Harlow Street, Chase Bldg. Suite 101, P.O. Box 1384, Bangor, ME 04402–1384, 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: 8:00 AM–4:30 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–5:00 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., 3rd Floor, Washington, DC 20002–4205, 202–275–9200, Office Hours: 8:00 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: 8:00 AM–4:30 PM

Pennsylvania State Office, The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107–3380, 215–656–0600, Office Hours: 8:00 AM–4:30 PM

Pittsburgh Area Office, 339 Sixth Avenue, Sixth Floor, Pittsburgh, PA 15222–2515, 412–644–6428, Office Hours: 8:00 AM–4:30 PM

Virginia State Office, The 3600 Centre, 3600 West Broad Street, Richmond, VA 23230–4920, 804–278–4539, Office Hours: 8:00 AM–4:30 PM

West Virginia State Office, 405 Capitol Street, Suite 708, Charleston, WV 25301–1795, 304–347–7000, Office Hours: 8:00 AM–4:30 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–4:30 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–4:30 PM

Florida State Office, 909 Southeast First Avenue, Rm. 500, Miami, FL 33131, 305–536–4421, 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–4:30 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–4:45 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 27401–3707, 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

Springfield Area Office, 320 W. Washington Street, Springfield, IL 62701, 217–492–4120, 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 Silver Avenue S.W., Suite 100, Albuquerque, NM 87102, 505–346–6463, Office Hours: 8:00 A.M.–5:00 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, 14th Floor, 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, 657 Second Avenue North, Rm 366, 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, 3702 South Virginia Ave, Suite G–2, Reno, NV 89502, 702–784–5356, Office Hours: 8:00 AM–4:30 PM

Sacramento Area Office, 925 L Street, 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, 1600 Broadway, Suite 100, Santa Ana, CA 92706–3927, 1–888–827–5605, 714–796–1200, 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 99508–4399, 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, US Courthouse Bldg., 920 W. Riverside, Suite 588, Spokane, WA 99201–1010, 509–353–0674, 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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