

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

**Office of the Assistant Secretary for
Community Planning and
Development**

[Docket No. N-95-3862; FR-3846-N-01]

**Notice of Funding Availability for
Fiscal Year 1995 for Innovative Project
Funding Under the Innovative
Homeless Initiatives Demonstration
Program**

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice of funding availability (NOFA).

SUMMARY: This Notice announces the availability of \$25 million in funds for applications for Innovative Project Funding under the Innovative Homeless Initiatives Demonstration Program. These funds will be awarded competitively for innovative programs designed to provide aggressive outreach to homeless persons living on the streets or in other places not designed for, or ordinarily used as, regular sleeping accommodations for human beings; provide intensive needs assessments; connect these people with existing community resources when available; and, if necessary, provide additional housing and services for them. Each innovative outreach program must fill a gap within the context of developing a continuum of care system in the jurisdiction designed to assist homeless persons. This notice of funding availability (NOFA) contains information concerning program purpose, eligible applicants, eligible activities, application requirements, and application processing.

DEADLINE DATE: All applications received at HUD Headquarters, Office of Community Planning and Development, at the address shown in the **ADDRESSES** section of this NOFA by 6 p.m. local time on February 6, 1995, will be considered for funding. HUD will treat as ineligible for consideration applications that are received after the deadline. However, any application received at that address within 24 hours after the deadline will be considered for funding if the applicant can show there were circumstances beyond its control that delayed delivery of the application, such as the failure of a delivery service to deliver the application on or before the specified date. Applications may not be sent by facsimile (FAX).

The Department has established a short application period for this NOFA in an effort to make funding quickly

available to applicants who are in need of funding to assist homeless persons, especially during this time when harsh weather conditions necessitate greater and more immediate assistance to homeless persons.

ADDRESSES: A completed application must be submitted to the following address: Processing and Control Unit, Room 7255, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410, Attention: Homeless Innovative Funding.

One copy of the application must also be sent to the HUD Field Office serving the area in which the applicant's project is located. A list of Field Offices appears in Appendix C to this NOFA. The Field Office copy must be received by the application deadline as well, but a determination that an application was received on time will be made solely on receipt of the application at the Office of Community Planning and Development in Headquarters, Washington, DC.

FOR FURTHER INFORMATION CONTACT: The HUD Field Office for the area in which the proposed project is located. Telephone numbers are included in the list of Field Offices set forth in Appendix C to this NOFA.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act Statement

The information collection requirements contained in this NOFA have been submitted, for expedited processing, to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520). No person may be subjected to a penalty for failure to comply with these requirements until they have been approved and assigned an OMB control number. The OMB control number, when assigned, will be announced by separate notice in the **Federal Register**. Any applicant that completes an application before the OMB control number is assigned may have to modify that application in accordance with changes in the application package that are requested by OMB and agreed to by HUD.

Public reporting burden for the collection of information requirements contained in this notice is estimated to include the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Information on the estimated public reporting burden is provided under the preamble heading, *Other Matters*. Send

comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden by January 30, 1995, to the Department of Housing and Urban Development, Rules Docket Clerk, 451 Seventh Street, SW., Room 10276, Washington, DC 20410-0500; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for HUD, Washington, DC 20503.

I. Purpose and Substantive Description

(A) Authority

Innovative Project Funding is part of the Innovative Homeless Initiatives Demonstration Program, which is authorized under section 2 of the HUD Demonstration Act of 1993 (Pub. L. 103-120, approved October 27, 1993).

(B) Purpose

The purpose of this NOFA is to fund innovative programs, within the context of developing a continuum of care system, designed to provide aggressive outreach to homeless persons, including persons with severe mental illness and/or substance abuse problems, who are particularly affected by adverse weather conditions because they are currently living on the streets or in other places not designed for, or ordinarily used as, regular sleeping accommodations for human beings. The purpose of this NOFA is also to provide these persons with intensive needs assessments; connect them with existing community resources when available; and, if necessary, provide additional housing and services. Therefore, the focus of this competition is aggressive outreach and assistance to help homeless persons move as quickly as possible from sidewalks, parks, cars, public transit facilities, and similar places. Heavy emphasis is placed on coordinating existing resources through the combined efforts of service and housing providers in the community. Each innovative program must fill a gap within the context of developing a continuum of care system in the jurisdiction.

A continuum of care system consists of four basic components:

- (1) A system of outreach and assessment for determining the needs and conditions of an individual or family who is homeless, or whether assistance is necessary to prevent an individual from becoming homeless;
- (2) 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;

(3) 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

(4) Permanent housing, or permanent supportive housing, to help meet the long-term needs of homeless individuals and families.

Grant requests in response to this \$25 million NOFA should only be made for activities involving aggressive outreach and assistance to homeless persons living on the streets or in other places not designed for, or ordinarily used as, regular sleeping accommodations for human beings. These are the homeless persons most affected by adverse weather conditions. Grant requests to assist homeless families or individuals in other circumstances should be submitted in response to a separate \$900 million NOFA the Department intends to issue in February.

(C) Funding Availability

This NOFA makes \$25 million available for the Innovative Project Funding. Grant requests may be for up to two years of funding. HUD reserves the right to fund less than the full amount requested in any application. Given the program's emphasis on coordination of resources within communities, it is likely that HUD will fund requests which reflect greater coordinative efforts of private nonprofit organizations, governmental agencies, and other organizations who can help provide resources to meet the needs of this most vulnerable population of homeless persons in one application.

With this focus on connecting these homeless persons with a system of community assistance, no renewals of grant awards made under this NOFA are anticipated. Because there is only \$25 million available for this competition, the Department expects to fund requests ranging from \$100,000 to \$1,000,000, and reserves the right to award no more than 20 percent of the funds (\$5 million) in any State.

II. Application Process

(A) Applications will be reviewed and selected on the basis of the following process.

(1) *Review.* Applications will be reviewed to ensure that they meet the following:

(a) Applicant eligibility. The applicant must be a jurisdiction (i.e., State, metropolitan city, urban county, unit of general local government [including units in rural areas], or

Indian tribe), or other nonprofit organization operating within such jurisdiction.

Projects involving the participation of more than one jurisdiction or more than one nonprofit organization, or a combination of jurisdictions or nonprofit organizations are strongly encouraged. However, of these participating jurisdictions and organizations, only one entity may be identified as the actual applicant.

The terms "State", "metropolitan city", "urban county", "unit of general local government", and "Indian tribe" have the meanings given such terms in section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302).

The term "nonprofit organization" means an organization—

(i) No part of the net earnings of which inures to the benefit of any member, founder, contributor, or individual;

(ii) That, in the case of a private nonprofit organization, has a voluntary board;

(iii) That has an accounting system, or has designated a fiscal agent in accordance with requirements established by the Secretary; and

(iv) That practices nondiscrimination in the provision of assistance.

(b) Eligible population to be served. The population proposed to be served must be homeless individuals or homeless families living in places not designed for, or ordinarily used as, regular sleeping accommodations, such as sidewalks, parks, cars and public transportation facilities (hereafter referred to as persons living on the streets).

The term "homeless family" means a group of one or more related individuals who are homeless individuals.

(c) Eligible activities. The activities for which assistance is requested may include activities needed to operate a program of aggressive outreach to persons living on streets, intensive needs assessments, and related activities. Up to 5 percent of the amount of grant funds requested for these activities may be used for grant administration expenses, such as the costs of audits and reports.

Applicants may not receive assistance to replace funds provided by any State or local government to assist homeless persons.

(d) Fair housing and equal opportunity. Organizations that receive assistance under this NOFA must be in compliance with applicable civil rights laws and Executive Orders.

(e) Outstanding audit or monitoring findings. No organization that receives

assistance may have serious, unaddressed, outstanding audit or monitoring findings that directly affect the proposed program.

(2) *Selection criteria.* Applications will be selected based on the following criteria:

(a) HUD will award up to 40 points based on the extent to which the program described in the application will achieve the purpose of this NOFA, as demonstrated through:

(i) A coordinated plan, developed within the context of a continuum of care system, for aggressive outreach to homeless persons living on the streets, intensive needs assessments, and addressing housing and service needs;

(ii) The marshaling of existing community resources to meet the housing and service needs of these person; and

(iii) If necessary, the provision of additional housing and services.

(b) HUD will award up to 30 points based on the extent to which the applicant demonstrates the capacity to implement a program that achieves the purpose of this NOFA, including the speed with which the activities will become operational. The rating under this criterion will also consider the Department's knowledge of the prior experience of the applicant (and any organizations that will participate in carrying out the program) in serving homeless persons and in carrying out programs similar to those proposed in the application and the prior performance of the applicant (and any organizations that will participate in carrying out the program) with any HUD-administered programs.

(c) HUD will award up to 30 points based on the jurisdiction's need for homeless assistance, as calculated by HUD from generally available data, and the extent to which the program described in the application is innovative and may be replicated or may serve as a model for implementation in other jurisdictions.

After scores have been assigned, the applications will be placed in rank order. Whether an application is selected will depend on its ranking compared to other applications, except that HUD reserves the right to select lower rated applications if necessary to achieve diversity by geography and community type.

III. Application Submission Requirements

(A) *Instructions for Submitting Required Items*

(1) Each submission requirement (listed as exhibits in Section (B) below)

must be clearly identified (including the exhibit subparts), and the application assembled in the order listed below.

After the entire application is assembled, applicants should:

(a) Mark each exhibit with an appropriately numbered tab; and

(b) Number every page of the application sequentially.

(2) All reviews will be based on the application submission.

(B) Application Submissions

All applications must include the following exhibits:

(1) Exhibit 1 consists of two documents that are printed in this **Federal Register** as appendices to this NOFA. The documents may be removed from the **Federal Register** or photocopied (do not re-type), and signed by the official authorized to act on behalf of the applicant. The two documents are:

(a) SF-424—Application for Federal Assistance (published as Appendix A to this NOFA); and

(b) Applicant Certifications (published as Appendix B to this NOFA).

(2) Exhibit 2. Provide on not more than one page the number of persons in the jurisdiction who are living on the streets. Describe the methodology used to obtain that number and the date(s) of relevant data collection.

(3) Exhibit 3. On not more than five pages:

(a) Describe:

(i) A coordinated plan, including a description of each activity for which funding is being requested, for aggressive outreach to homeless persons living on the streets, intensive needs assessments, connection to existing community resources and, if necessary, providing additional housing and services; and

(ii) How this plan fits within the jurisdiction's current system for reaching out and accommodating the housing and service needs of these persons;

(b) In the format shown below, provide a chart with the total grant amount requested for the activities described above and for grant administration, with a breakdown of grant amount by activity. (The request may not exceed two years of Innovative Project funding.) The amount requested for grant administration may not exceed 5 percent of the subtotal for all other activities;

Activities	Amount requested
2.
3. etc.
4. Activity Subtotal
5. Grant Administration (no more than 5 percent of Activity Subtotal)
6. Total Request

(c) Provide a time schedule for carrying out the activities, from beginning to end, noting expected number of days from execution of the grant agreement for achievement of significant milestones;

(d) Estimate the number of homeless persons to be assisted (with Innovative Project funding) over the life of the project (i.e., up to two years); and

(e) List the resources, if any, that will be contributed to the project from States, local governments, and the private sector (including nonprofit organizations, foundations, and communities), and information on the status of any such resources that are essential to the financial feasibility of the project.

(4) Exhibit 4. Describe on not more than two pages the relevant past experience (e.g., conducting aggressive outreach) of the organization(s) that will implement the proposed activities in carrying out these types of activities.

(5) Exhibit 5. Describe on not more than three pages:

(a) The demonstrated willingness and capacity of the applicant and other organizations involved in the project to work cooperatively with all relevant entities to design and implement an innovative program for helping homeless persons move from the streets; and

(b) The extent to which the existing systems, both public and private, for homelessness assistance would benefit from additional resources to implement a coordinated plan for aggressive outreach to homeless persons living on the streets, and to carry out intensive needs assessments.

(6) Exhibit 6. If changes in a jurisdiction's policy or procedure are necessary to provide sufficient flexibility and resources to implement and sustain the proposed activities, submit a statement of commitment from the jurisdiction to make such changes.

(7) Exhibit 7. Applicants that are private nonprofit organizations must submit:

(a) Documentation showing that the applicant is a certified United Way member agency; or

(b) A copy of the organization's Internal Revenue Service (IRS) ruling

providing tax-exempt status under Section 501(c)(3) of the IRS Code of 1986, as amended; and a certification on letterhead stationery from the Executive Director of the organization stating that the organization has a functioning accounting system that meets the criteria listed below or that the organization has designated a qualified entity (include the name and address in the documentation) to maintain a functioning accounting system that meets the criteria below. The certification must attest that the organization's accounting system provides for the following:

(i) Accurate, current and complete disclosure of the financial results of each federally-sponsored project;

(ii) Records that identify adequately the source and application of funds for federally-sponsored activities;

(iii) Effective control over and accountability for all funds, property and other assets;

(iv) Comparison of outlays with budget amounts;

(v) Written procedures to minimize the time elapsing between the transfer of funds to the recipient from the U.S. Treasury and the use of the funds for program purposes;

(vi) Written procedures for determining the reasonableness, allocability and allowability of costs; and

(vii) Accounting records including cost accounting records that are supported by source documentation.

(C) Clarification of Application Information

In accordance with the provisions of 24 CFR part 4, subpart B, HUD may contact an applicant to seek clarification of an item in the applicant's application, or to request additional or missing information, but the clarification or the request for additional or missing information shall not relate to items that would improve the substantive quality of the application pertinent to the funding decision.

(D) Environmental Review

Selection of an application for funding does not imply HUD approval of any particular property for use in the project. HUD will complete an environmental review with respect to particular properties, to the extent required under 24 CFR part 50, at the time the recipient proposes particular properties for use under the program. The recipient may not commit HUD or local funds for acquisition, leasing or physical development activities under the program until it receives HUD approval of the property.

Activities	Amount requested
1.

IV. Reporting Requirements

Each grantee will be required to submit to HUD a progress report, in a form prescribed by HUD, within 90 days after the completion of each operating year or within 90 days after the project is completed if the total project period is less than twelve months. Each report

shall describe the use of the grant funds and include a description and an analysis of the project, the innovative approaches taken, and the level of cooperation among participating parties.

V. Other Matters

The information collection requirements contained in this notice

have been submitted to the Office of Management and Budget under the Paperwork Reduction Act of 1989 (44 U.S.C. 3501–3520). The Department estimates the information collection burden hours as follows:

	Number of respondents	Frequency of responses	Hours per response	Burden hours
Application preparation	250	1	35	8,750

Environmental Impact

A Finding of No Significant Impact with respect to the environment was made in accordance with HUD regulations that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) at the time of development of the NOFA for FY 1994 for Innovative Project Funding under the Innovative Homeless Initiatives Demonstration Program. That Finding remains applicable to this FY 1995 NOFA, and is available for public inspection during business hours in the Office of the Rules Docket Clerk, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410.

Federalism Executive Order

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that this NOFA will not have substantial, direct effects on States, on their political subdivisions, or on their relationship with the Federal Government, or on the distribution of power and responsibilities between them and other levels of government. Specifically, the purpose of the funding under this NOFA is to provide grants to jurisdictions, or nonprofit organizations operating within jurisdictions, for innovative approaches toward providing a continuum of care system designed to assist homeless persons and prevent homelessness.

Family Executive Order

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this document may have the potential for significant beneficial impact on family formation, maintenance, and general well-being to the extent that the activities of grantees will provide housing to homeless persons. Since the impact on the family is considered beneficial, no further review under the Order is necessary.

Prohibition Against Lobbying Activities: The Byrd Amendment

The use of funds awarded under this NOFA is subject to the disclosure requirements and prohibitions of section 319 of the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (the “Byrd Amendment”), and the implementing regulations at 24 CFR part 87. These authorities prohibit 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. The prohibition also covers the awarding of contracts, grants, cooperative agreements, or loans unless the recipient has made an acceptable certification regarding lobbying. Under 24 CFR part 87, applicants, recipients, and subrecipients of assistance exceeding \$100,000, and applicants for Federal commitments exceeding \$150,000 must certify that no Federal funds have been or will be spent on lobbying activities in connection with the assistance.

Indian Housing Authorities (IHAs) 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 IHAs established under State law are not excluded from the statute’s coverage.

Prohibition Against Lobbying of HUD Personnel

Section 13 of the Department of Housing and Urban Development Act (42 U.S.C. 3537b) contains two provisions dealing with efforts to influence HUD’s decisions with respect to financial assistance. The first imposes disclosure requirements on those who are typically involved in these efforts—those who pay others to influence the award of assistance or the taking of a management action by the Department and those who are paid to provide the influence. The second restricts the payment of fees to those who are paid

to influence the award of HUD assistance, if the fees are tied to the number of housing units received or are based on the amount of assistance received, or if they are contingent upon the receipt of assistance. HUD’s regulation implementing section 13 is codified at 24 CFR part 86. If readers are involved in any efforts to influence the Department in these ways, they are urged to read the final rule, particularly the examples contained in Appendix A of the rule. Appendix A of this rule contains examples of activities covered by this rule.

Any questions concerning the rule should be directed to the Office of Ethics, Room 2158, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington DC 20410. Telephone: (202) 708–3815 (voice/TDD). This is not a toll-free number. Forms necessary for compliance with the rule may be obtained from the local HUD office.

Prohibition Against Advance Disclosure of Funding Decisions

HUD’s regulations implementing section 103 of the Department of Housing and Urban Development Reform Act (HUD Reform Act) are codified at 24 CFR part 4 and apply to the funding competition announced today. The requirements of part 4 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 restrained by part 4 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 by 24 CFR part 4.

Applicants who have questions should contact the HUD Office of Ethics

(202) 708-3815 (voice/TDD). (This is not a toll-free number.) The Office of Ethics can provide information of a general nature to HUD employees, as well. However, a HUD employee who has specific program questions, such as whether particular subject matter can be discussed with persons outside the Department, should contact his or her Field Office Counsel, or Headquarters Counsel for the program to which the question pertains.

Accountability in the Provision of HUD Assistance

HUD's regulation implementing section 102 of the HUD Reform Act is codified at 24 CFR part 12. Section 102 contains 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 16, 1992 (57 FR 1942), following publication of the final rule, HUD published additional information that gave the public (including applicants for, and recipients of, HUD assistance) further information on the implementation, public access, and

disclosure requirements of section 102. The requirements of section 102 are applicable to assistance awarded under this NOFA.

a. Document and Public Access Requirements

HUD will ensure documentation and other information regarding each application submitted pursuant to this NOFA 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 five-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 at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in its **Federal Register** notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.6(b), and the notice published in the **Federal Register** on January 16, 1992 (57 FR

1942) for further information on these requirements.

b. Disclosures

HUD will make available to the public for five years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than three years.

All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. (See 24 CFR part 15, subpart C, and the notice published in the **Federal Register** on January 16, 1993 (57 FR 1942) for further information on these disclosure requirements.

Dated: January 18, 1995.

Andrew Cuomo,

Assistant Secretary for Community Planning and Development.

BILLING CODE 4210-29-P

INSTRUCTIONS FOR THE SF 424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

For utmost accuracy please refer to the following examples when completing this form.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
0	1	2	3	4	5	6	7	8	9																

Shade circles like this: ●
Not like this: ⊗ ✓

- | ITEM: | ENTRY: | ITEM: | ENTRY: |
|-------|---|-------|--|
| 1. | Self-explanatory. | 12. | List only the largest political entities affected (e.g., State, counties, cities). |
| 2. | Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable). | 13. | Self-explanatory. |
| 3. | State use only (if applicable). | 14. | List the applicant's Congressional District and any District(s) affected by the program or project. |
| 4. | If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank. | 15. | Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate <u>only</u> the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. |
| 5. | Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application. | 16. | Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. |
| 6. | Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service. | 17. | This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. |
| 7. | Darken the appropriate circle in the space provided. | 18. | To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.) |
| 8. | Darken the appropriate circle in the space(s) provided:
- "New" means a new assistance award
- "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.
- "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. | | |
| 9. | Name of Federal agency from which assistance is being requested with this application. | | |
| 10. | Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested. | | |
| 11. | Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If the appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project. | | |

Appendix B—Applicant Certifications

The Applicant hereby assures and certifies that:

1. It will comply with:

a. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d)) and regulations pursuant thereto (Title 24 CFR part I), which state that no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives financial assistance, and will immediately take any measures necessary to effectuate this agreement. With reference to the real property and structure(s) thereon which are provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer, the transferee, for the period during which the real property and structure(s) are used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

b. The Fair Housing Act (42 U.S.C. 3601–19) and the implementing regulations at 24 CFR part 100, which prohibit discrimination in housing on the basis of race, color, religion, sex, handicap, familial status or national origin, and administer its programs and activities relating to housing in a manner to affirmatively further fair housing. For Indian tribes, it will comply with the Indian Civil Rights Act (25 U.S.C. 1301 *et seq.*), instead of Title VI and the Fair Housing Act and their implementing regulations.

c. Executive Order 11063 on Equal Opportunity in Housing, as amended by Executive Order 12892 (59 FR 2939) and the implementing regulations at 24 CFR part 107 which prohibit discrimination because of race, color, creed, sex or national origin in housing and related facilities provided with Federal financial assistance.

d. Executive Order 11246 on Equal Opportunity in Employment (3 CFR 1964–1965, Comp., p. 339) and the implementing regulations at 41 CFR part 61, which state that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of Federal contracts and shall take affirmative action to ensure equal employment opportunity. The applicant will incorporate, or cause to be incorporated, into any contract for construction work as defined in Section 130.5 of HUD

regulations the equal opportunity clause required by Section 130.15(b) of the HUD regulations.

e. Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701(u)), and the implementing regulations at 24 CFR part 135), which require that to the greatest extent feasible, employment, training and contract opportunities arising in connection with the expenditure of HUD assistance covered by section 3 be given to low-income and very low-income persons and the business concerns identified in the part 135 regulations.

f. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended, and the implementing regulations at 24 CFR part 8, which prohibit discrimination based on handicap in Federally-assisted and conducted programs and activities.

g. The Age Discrimination Act of 1975 (42 U.S.C. 6101–07), as amended, and the implementing regulations at 24 CFR part 146, which prohibit discrimination because of age in projects and activities receiving Federal financial assistance.

h. Executive Orders 11625, 12432, and 12138, which state that program participants shall take affirmative action to encourage participation by businesses owned and operated by members of minority groups and women.

If persons of any particular race, color, religion, sex, age, national origin, familial status, or handicap who may qualify for assistance are unlikely to be reached, it will establish additional procedures to ensure that interested persons can obtain information concerning the assistance.

i. The reasonable modification and accommodation requirements of the Fair Housing Act and, as appropriate, the accessibility requirements of the Fair Housing Act and section 504 of the Rehabilitation Act of 1973, as amended.

2. It will provide drug-free workplaces in accordance with the Drug-Free Workplace Act of 1988 (41 U.S.C. 701) by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

b. Establishing an ongoing drug-free awareness program to inform employees about—

(1) the dangers of drug abuse in the workplace;

(2) the grantee's policy of maintaining a drug-free workplace;

(3) any available drug counseling, rehabilitation, and employee assistance programs; and

(4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a;

d. Notifying the employee in the statement required by paragraph a that, as a condition of employment under the grant, the employee will—

(1) abide by the terms of the statement; and

(2) notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d(2), with respect to any employee who is so convicted—

(1) taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a, b, c, d, e and f;

h. Providing the street address, city, county, state, and zip code for the site or sites where the performance of work in connection with the grant will take place. For some applicants who have functions carried out by employees in several departments or offices, more than one location may need to be specified. It is further recognized that States and other applicants who become grantees may add or change sites as a

result of changes to program activities during the course of grant-funded activities. Grantees, in such cases, are required to advise the HUD Field Office by submitting a revised "Place of Performance" form. The period covered by the certification extends until all funds under the specific grant have been expended.

3. It will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 49 CFR part 24.

4. It 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.

5. It will (i) not enter into a contract for, or otherwise commit HUD or local funds for, acquisition, rehabilitation, conversion, lease, repair, or construction of property to provide housing under the program, prior to HUD's completion of an environmental review in accordance with 24 CFR part 50 and HUD's approval of the application; (ii) supply HUD with information necessary for HUD to perform any applicable environmental review when requested; and (iii) carry out mitigating measures required by HUD or ensure that alternate sites are utilized.

6. The applicant certifies that:

a. No Federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

c. The language of this certification shall be included in the award

documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and of more than \$100,000 for each such failure.

7. For private nonprofit applicants, the applicant certifies that members of its Board of Directors serve in a voluntary capacity and receive no compensation, other than reimbursement for expenses, for their services.

8. The applicant certifies that it and its principals (see 24 CFR 24.105(p)):

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions (see 24 CFR 24.110) by any Federal department or agency;

b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in (b) of this certification; and

d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the applicant is unable to certify to any of the statements in this certification, the applicant shall attach an explanation behind this page.

Signature of Authorized Certifying Official:

Title:

Applicant: Date:

Appendix C—HUD Field Offices

Telephone numbers for Telecommunications Devices for the Deaf (TDD machines) are listed for field

offices; all HUD numbers, including those noted *, may be reached via TDD by dialing the Federal Information Relay Service on 1-800-877-TDDY or (1-800-877-8339) or (202) 708-9300.

Alabama

John D. Harmon, Beacon Ridge Tower, 600 Beacon Pkwy. West, Suite 300, Birmingham, AL 35209-3144; (205) 290-7645; TDD (205) 290-7624.

Alaska

Dean Zinck, 949 E. 36th Avenue, Suite 401, Anchorage, AK 99508-4399; (907) 271-3669; TDD (907) 271-4328.

Arizona

Lou Kislin, 400 N. 5th St., Suite 1600, Arizona Center, Phoenix AZ 85004; (602) 379-4754; TDD (602) 379-4461.

Arkansas

Billy M. Parsley, TCBY Tower, 425 West Capitol Ave., Suite 900, Little Rock, AR 72201-3488; (501) 324-6375; TDD (501) 324-5931.

California

(Southern) Herbert L. Roberts, 1615 W. Olympic Blvd., Los Angeles, CA 90015-3801; (213) 251-7235; TDD (213) 251-7038.

(Northern) Steve Sachs, 450 Golden Gate Ave., P.O. Box 36003, San Francisco, CA 94102-3448; (415) 556-5576; TDD (415) 556-8357.

Colorado

Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

Connecticut

Daniel Kolesar, 330 Main St., Hartford, CT 06106-1860; (203) 240-4508; TDD (203) 240-4522.

Delaware

John Kane, Liberty Sq. Bldg., 105 S. 7th St., Philadelphia, PA 19106-3392; (215) 597-2665; TDD (215) 597-5564.

District of Columbia

James H. McDaniel, 820 First St., NE, Washington, DC (and MD and VA suburbs) 20002; (202) 275-0994; TDD (202) 275-0772.

Florida

James N. Nichol, 301 West Bay St., Suite 2200, Jacksonville, FL 32202-5121; (904) 232-3587; TDD (904) 791-1241.

Miami-So. Dade

Richard P. Garrabrant, South Dade County Government Annex, Room 1400, 10710 SW 211 Street, Miami, FL 33189; (303) 238-2851.

Georgia

John Perry, Russell Fed. Bldg., Room 688, 75 Spring St., SW, Atlanta, GA 30303-3388; (404) 331-5139; TDD (404) 730-2654.

Hawaii (and Pacific)

Patti A. Nicholas, 7 Waterfront Plaza, Suite 500, 500 Ala Moana Blvd., Honolulu, HI 96813-4918; (808) 522-8180; TDD (808) 541-1356.

Idaho

John G. Bonham, 520 SW 6th Ave., Portland, OR 97204-1596 (503) 326-7018; TDD * via 1-800-877-8339.

Illinois

Jim Barnes, 77 W. Jackson Blvd., Chicago, IL 60604-3507; (312) 353-1696; TDD (312) 353-7143.

Indiana

Robert F. Poffenberger, 151 N. Delaware St., Indianapolis, IN 46204-2526; (317) 226-5169; TDD * via 1-800-877-8339.

Iowa

Gregory A. Bevirt, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154-3955; (402) 492-3144; TDD (402) 492-3183.

Kansas

William Rotert, Gateway Towers 2, 400 State Ave., Kansas City, KS 66101-2406; (913) 551-5484; TDD (913) 551-6972.

Kentucky

Ben Cook, P.O. Box 1044, 601 W. Broadway, Louisville, KY 40201-1044; (502) 582-5394; TDD (502) 582-5139.

Louisiana

Greg Hamilton, P.O. Box 70288, 1661 Canal St., New Orleans, LA 70112-2887; (504) 589-7212; TDD (504) 589-7237.

Maine

David Lafond, Norris Cotton Fed. Bldg., 275 Chestnut St., Manchester, NH 03101-2487; (603) 666-7640; TDD (603) 666-7518.

Maryland

Harold Young, 10 South Howard Street, 5th Floor, Baltimore, MD 21202-0000; (410) 962-2520 x3116; TDD (410) 962-0106.

Massachusetts

Frank Del Vecchio, Thomas P. O'Neill, Jr., Fed. Bldg., 10 Causeway St., Boston, MA 02222-1092; (617) 565-5342; TDD (617) 565-5453.

Michigan

Richard Paul, Patrick McNamara Bldg., 477 Michigan Ave., Detroit, MI 48226-2592; (313) 226-4343; TDD * via 1-800-877-8339.

Minnesota

Shawn Huckleby, 220 2nd St. South, Minneapolis, MN 55401-2195; (612) 370-3019; TDD (612) 370-3186.

Mississippi

Jeanie E. Smith, Dr. A. H. McCoy Fed. Bldg., 100 W. Capitol St., Room 910, Jackson, MS 39269-1096; (601) 965-4765; TDD (601) 965-4171.

Missouri

(Eastern) David H. Long, 1222 Spruce St., St. Louis, MO 63103-2836; (314) 539-6524; TDD (314) 539-6331.
(Western) William Rotert, Gateway Towers 2, 400 State Ave., Kansas City, KS 66101-2406; (913) 551-5484; TDD (913) 551-6972.

Montana

Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

Nebraska

Gregory A. Bevirt, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154-3955; (402) 492-3144; TDD (402) 492-3183.

Nevada

(Las Vegas, Clark Cnty) Lou Kislin, 400 N. 5th St., Suite 1600, 2 Arizona Center, Phoenix, AZ 85004; (602) 379-4754; TDD (602) 379-4461.
(Remainder of State) Steve Sachs, 450 Golden Gate Ave., P.O. Box 36003, San Francisco, CA 94102-3448; (415) 556-5576; TDD (415) 556-8357.

New Hampshire

David Lafond, Norris Cotton Fed. Bldg., 275 Chestnut St., Manchester, NH 03101-2487; (603) 666-7640; TDD (603) 666-7518.

New Jersey

Frank Sagarese, 1 Newark Center, Newark, NJ 07102; (201) 622-7900; TDD (201) 645-3298.

New Mexico

Katie Worsham, 1600 Throckmorton, P.O. Box 2905, Fort Worth, TX 76113-2905; (817) 885-5483; TDD (817) 885-5447.

New York

(Upstate) Michael F. Merrill, Lafayette Ct., 465 Main St., Buffalo, NY 14203-1780; (716) 846-5768; TDD * via 1-800-877-8339.

(Downstate) Jack Johnson, 26 Federal Plaza, New York, NY 10278-0068; (212) 264-2885; TDD (212) 264-0927.

North Carolina

Charles T. Ferebee, Koger Building, 2306 West Meadowview Road, Greensboro, NC 27407; (910) 547-4005; TDD (910) 547-4055.

North Dakota

Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

Ohio

Jack E. Riordan, 200 North High St., Columbus, OH 43215-2499; (614) 469-6743; TDD (614) 469-6694.

Oklahoma

Ted Allen, Murrah Fed. Bldg., 200 NW 5th St., Oklahoma City, OK 73102-3202; (405) 231-4973; TDD (405) 231-4181.

Oregon

John G. Bonham, 520 SW 6th Ave., Portland, OR 97204-1596 (503) 326-7018; TDD * via 1-800-877-8339.

Pennsylvania

(Western) Bruce Crawford, Old Post Office and Courthouse Bldg., 700 Grant St., Pittsburgh, PA 15219-1906; (412) 644-5493; TDD (412) 644-5747.
(Eastern) Joyce Gaskins, Liberty Sq. Bldg., 105 S. 7th St., Philadelphia, PA 19106-3392; (215) 597-2665; TDD (215) 597-5564.

Puerto Rico (and Caribbean)

Carmen R. Cabrera, 159 Carlos Chardon Ave., San Juan, PR 00918-1804; (809) 766-5576; TDD (809) 766-5909.

Rhode Island

Frank Del Vecchio, Thomas P. O'Neill, Jr., Fed. Bldg., 10 Causeway St., Boston, MA 02222-1092; (617) 565-5342; TDD (617) 565-5453.

South Carolina

Louis E. Bradley, Fed. Bldg., 1835-45 Assembly St., Columbia, SC 29201-2480; (803) 765-5564; TDD * via 1-800-877-8339.

South Dakota

Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

Tennessee

Virginia Peck, 710 Locust St., Knoxville, TN 37902-2526; (615) 545-4396; TDD (615) 545-4559.

Texas

(Northern) Katie Worsham, 1600 Throckmorton, P.O. Box 2905, Fort Worth, TX 76113-2905; (817) 885-5483; TDD (817) 885-5447.
(Southern) John T. Maldonado, Washington Sq., 800 Dolorosa, San Antonio, TX 78207-4563; (210) 229-6820; TDD (210) 229-6885.

Utah

Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

Vermont

David Lafond, Norris Cotton Fed. Bldg., 275 Chestnut St., Manchester, NH

03101-2487; (603) 666-7640; TDD (603) 666-7518.

Virginia

Joseph Aversano, 3600 W. Broad St., P.O. Box 90331, Richmond, VA 23230-0331; (804) 278-4503; TDD (804) 278-4501.

Washington

John Peters, Federal Office Bldg., 909 First Ave., Suite 200, Seattle, WA 98104-1000; (206) 220-5150; TDD (206) 220-5185.

West Virginia

Bruce Crawford, Old Post Office & Courthouse Bldg., 700 Grant St.,

Pittsburgh, PA 15219-1906; (412) 644-5493; TDD (412) 644-5747.

Wisconsin

Lana J. Vacha, Henry Reuss Fed. Plaza, 310 W. Wisconsin Ave., Ste. 1380, Milwaukee, WI 53203-2289; (414) 297-3113; TDD * via 1-800-877-8339.

Wyoming

Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

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