

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

**Office of the Assistant Secretary for
Housing—Federal Housing
Commissioner**

[Docket No. N-95-3869; FR-3858-N-01]

**Federally Assisted Low Income
Housing Drug Elimination Grants;
Notice of Funding Availability—FY
1995**

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice of funding availability (NOFA) for fiscal year (FY) 1995.

SUMMARY: This NOFA announces HUD's FY 1995 funding of \$17,800,737 for Federally Assisted Low Income Housing Drug Elimination Grants. The purposes of the Assisted Housing Drug Elimination Program are to eliminate drug-related crime and related problems in and around the premises of federally assisted low income housing, and to make available grants to help owners of such housing carry out plans to address these issues. This document describes the purpose of the NOFA, applicant eligibility, available amounts, selection criteria, financial requirements, management, and application processing, including how to apply, how selections will be made, and how applicants will be notified of results.

DATES: No applications will be accepted after 4:00 p.m. (local time) by the local HUD Office on April 18, 1995. This application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, HUD will treat as ineligible for consideration any application that is received after the deadline. Applicants should take this practice into account and make early submission of their materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery-related problems. A "FAX" will not constitute delivery.

ADDRESSES: (a) *Application form:* An application form may be obtained from the local HUD Office having jurisdiction over the location of the applicant project. The HUD Office will be available to provide technical assistance on the preparation of applications during the application period. In addition, applications may be obtained from the Multifamily Housing Clearinghouse by calling 1-800-685-8470; or for hearing- or speech-impaired persons (202) 708-4594 (TDD). (The TDD number is not a toll-free number.)

(b) *Application submission:* Applications (original and one copy)

must be received by the deadline at the appropriate HUD Office with jurisdiction over the applicant project, Attention: Director of Multifamily Housing. It is not sufficient for the application to bear a postage date within the submission time period. Applications submitted by facsimile are not acceptable. Applications received after the deadline will not be considered.

FOR FURTHER INFORMATION CONTACT: For application material and project-specific guidance, please contact the Office of the Director of Multifamily Housing in the HUD Office having jurisdiction over the project(s) in question. A list of HUD Offices is attached to this NOFA.

For other information, contact Lessley Wiles, Office of Multifamily Housing Management, Department of Housing and Urban Development, Room 6176, 451 Seventh Street, SW., Washington, DC 20410. Telephone (202) 708-2654, Ext. 2618. TDD number (202) 708-4594. (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act Statement

The information collection requirements contained in this NOFA have been approved by the Office of Management and Budget, under section 3504(h) of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520), and assigned OMB control number 2502-0476.

I. Purpose and Substantive Description

(a) *Authority*

These grants are 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 (NAHA) (Pub. L. 101-625, approved November 28, 1990) and section 161 of the Housing and Community Development Act of 1992 (HCDA 1992) (Pub. L. 102-550, approved October 28, 1992).

Note: This NOFA does NOT apply to the funding available under the statute for Public and Indian Housing.

(b) *Allocation Amounts*

(1) *Federal Fiscal Year 1995 Funding*

The amount available for funding under this Notice of Funding Availability (NOFA) is \$17,800,737. Section 581 of NAHA expanded the Drug Elimination Program to include federally assisted low-income housing. The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act of 1995, (Pub. L.

103-327, approved September 28, 1994) appropriated \$290 million for the Drug Elimination Program, and made not more than \$17,406,250 of the total Drug Elimination Program appropriation available for federally assisted low-income housing. The additional \$394,487 represent funds available from recaptured and carry-over funds from prior year appropriations for the Federally Assisted Low-Income Housing Drug Elimination Grant Program.

Of the total \$290 million appropriated, \$247,168,750 will fund the Public and Indian Housing Drug Elimination Program; \$13,925,000 will fund the Youth Sports Program; \$10 million will fund drug elimination technical assistance and training; and \$1.5 million will fund drug information clearinghouse services. The remaining \$17,406,250 plus the \$394,487 is being made available under this NOFA.

HUD is allocating grant funds under this NOFA to four "Award Offices" on the basis of a formula allocation. This formula allocation reflects the number of eligible federally assisted low-income housing units in specific geographic areas and the level of drug-related crime within each area, according to statistics compiled by the U.S. Department of Justice, Federal Bureau of Investigation ("Uniform Crime Reports for Drug Abuse Violations—1990").

(2) *Maximum Grant Award Amounts*

The maximum grant award amount is limited to \$125,000 per project.

(3) *Reallocation*

Any grant funds under this NOFA that are allocated, but that are not reserved for grantees, must be released to HUD Headquarters for reallocation. HUD reserves the right to fund portions of full applications. If the HUD Award Office determines that an application cannot be partially funded and there are insufficient funds to fund the application fully, any remaining funds after all other applications have been selected will be released to HUD Headquarters for reallocation. Amounts that may become available due to deobligation will also be reallocated to Headquarters.

All reallocated funds will be awarded in the following manner: HUD Award Offices will submit to Headquarters a list of applications, with their scores and amount of funding requested, that would have been funded had there been sufficient funds in the appropriate allocation to do so. Headquarters will select applications from those submitted by the HUD Award Offices, using a random number lottery overseen by the Offices of Housing, General Counsel,

and Inspector General, and make awards from any available reallocated funds.

(4) Reduction of Requested Grant Amounts

HUD may award an amount less than requested if:

- (i) HUD determines the amount requested for an eligible activity is unreasonable;
- (ii) Insufficient amounts remain under the allocation to fund the full amount requested by the applicant and HUD determines that partial funding is a viable option;
- (iii) HUD determines that some elements of the proposed plan are suitable for funding and others are not; or
- (iv) For any other reason where good cause exists.

(5) Distribution of Funds

In past years, funds under this program were allocated to the ten HUD Regional Offices. Due to HUD's reorganization, those offices no longer exist. Therefore, this year HUD is allocating funds to four Award Offices, which will receive the scores from each HUD Office that has received, rated, ranked, and scored its applications. Those Award Offices will, in turn, request funding for the properties with the highest score from each HUD Office. If sufficient funds remain, the next highest scored applications, regardless of HUD Office, will be awarded funds. HUD is allocating grant funds under this NOFA to the four Award Offices, in accordance with the following schedule:

Award office	States covered	Allocation
Buffalo	Maine New Hampshire. Vermont. Massachusetts. Connecticut. Rhode Island. New York. New Jersey. Pennsylvania. Delaware. Maryland. District of Columbia. West Virginia. Virginia.	\$4,414,583
Knoxville	Kentucky Tennessee. North Carolina. South Carolina. Georgia. Alabama. Puerto Rico. Mississippi. Florida. Iowa. Kansas. Missouri.	4,467,985

Award office	States covered	Allocation
Minneapolis .	Nebraska. Illinois Indiana. Minnesota. Wisconsin. Michigan. Ohio.	4,343,380
Little Rock ...	Arkansas Louisiana. New Mexico. Oklahoma. Texas. Colorado. Montana. North Dakota. South Dakota. Utah. Wyoming. Arizona. California. Hawaii. Nevada. Alaska. Idaho. Oregon. Washington.	4,574,789

reconfiguration of common areas to discourage drug-related crime; and other physical improvements designed to enhance security and discourage drug-related activities. In particular, HUD is seeking plans that provide successful, proven, and cost effective deterrents to drug-related crime that are designed to address the realities of low-income assisted housing environments. All physical improvements must also be accessible to persons with disabilities. For example, some types of locks or buzzer systems are not accessible to persons with limited strength or mobility, or to persons who are hearing-impaired. All physical improvements must meet the accessibility requirements of 24 CFR part 8.

(ii) *Programs to Reduce the use of Drugs.* Programs designed to reduce the use of drugs in and around federally assisted low-income housing projects, including drug abuse prevention, intervention, referral, and treatment programs, are eligible for funding under this program. The program should facilitate drug prevention, intervention, and treatment efforts, to include outreach to community resources and youth activities, and facilitate bringing these resources onto the premises, or provide resident referrals to treatment programs or transportation to out-patient treatment programs away from the premises. Funding is permitted for reasonable, necessary, and justified leasing of vehicles for resident youth and adult education and training activities directly related to "Programs to reduce the use of drugs" under this section. Alcohol-related activities/programs are not eligible for funding under this NOFA.

(A) Drug Prevention. Drug prevention programs that will be considered for funding under this NOFA must provide a comprehensive drug prevention approach for residents that will address the individual resident and his or her relationship to family, peers, and the community. Prevention programs must include activities designed to identify and change the factors present in federally assisted low-income housing that lead to drug-related problems, and thereby lower the risk of drug usage. Many components of a comprehensive approach, such as refusal and restraint skills, training programs, or drug-related family counseling, may already be available in the community of the applicant's housing projects, and the applicant must act to bring those available program components onto the premises. Activities that should be included in these programs are:

(1) Drug Education Opportunities for Residents. The causes and effects of

(c) Eligibility

The following is a listing of eligible activities, ineligible activities, eligible applicants, and general grant requirements under this NOFA.

(1) Eligible Activities

Please note that the maximum term of the grant is 12 months.

It is the goal and intent of the Federally Assisted Low-Income Housing Drug Elimination Grant Program to foster a sense of community in dealing with the issues of drug-related criminal activity. Programs that foster interrelationships between the residents, the housing owner and management, the local law enforcement agencies, and other community groups impacting on the housing are greatly desired and encouraged. Resident participation in the determination of programs and activities to be undertaken is critical to the success of all aspects of the program. Working jointly with community groups, the neighborhood law enforcement precinct, residents of adjacent properties, and the community as a whole can enhance and magnify the effect of specific program activities and should be the goal of all applicants.

(i) *Physical Improvements to Enhance Security.* Physical improvements that are specifically designed to enhance security are eligible for funding under this program. The improvements may include (but are not limited to) systems designed to limit building access to project residents, the installation of barriers, lighting systems, fences, bolts, and locks; the landscaping or

illegal drug usage must be discussed in a formal setting to provide both young people and adults the working knowledge and skills they need to make informed decisions to confront the potential and immediate dangers of illegal drugs. Grantees may contract (in accordance with 24 CFR part 85.36) with drug education professionals to provide appropriate training or workshops. The drug education professionals contracted to provide these services shall be required to base their services upon the program plan of the grantee. These educational opportunities may be a part of resident meetings, youth activities, or other gatherings of residents.

(2) **Family and Other Support Services.** Drug prevention programs must demonstrate that they will provide directly or otherwise make available services designed to distribute drug education information, to foster effective parenting skills, and to provide referrals for treatment and other available support services in the project or the community for federally-assisted low-income housing families.

(3) **Youth Services.** Drug prevention programs must demonstrate that they have included groups composed of young people as a part of their prevention programs. These groups must be coordinated by adults with the active participation of youth to organize youth leadership, sports, recreational, cultural, and other activities involving housing youth. The dissemination of drug education information, the development of peer leadership skills, and other drug prevention activities must be a component of youth services. Activities or services funded under this program may not also be funded under the Youth Sports Program.

(4) **Economic/Educational Opportunities for Residents and Youth.** Drug prevention programs should demonstrate a capacity to provide residents the opportunity for referral to established higher education or vocational institutions with the goal of developing or building on the residents' skills to pursue educational, vocational, and economic goals. The program must also demonstrate the ability to provide residents the opportunity to interact with private sector businesses in their immediate community for the same desired goals.

(B) **Intervention.** The aim of intervention is to identify federally assisted low-income housing resident drug users and assist them in modifying their behavior and in obtaining early treatment, if necessary. The applicant must establish a program with the goal

of preventing drug problems from continuing once detected.

(C) **Drug Treatment.** (1) Treatment funded under this program shall be in or around the premises of the federally assisted low-income housing projects proposed for funding.

(2) Funds awarded under this program shall be targeted towards the development and implementation of new drug referral treatment services and/or aftercare, or the improvement or expansion of such program services for residents.

(3) Each proposed drug treatment program should address the following goals:

(i) Increase resident accessibility to drug treatment services;

(ii) Decrease criminal activity in and around federally assisted low-income housing projects by reducing illicit drug use among residents; and

(iii) Provide services designed for youth and/or maternal drug abusers (e.g., prenatal/postpartum care, specialized counseling in women's issues, parenting classes, or other drug supportive services).

(4) Approaches that have proven effective with similar populations will be considered for funding. Programs should meet the following criteria:

(i) Applicants may provide the service of formal referral arrangements to other treatment programs not in or around the project when the resident is able to obtain treatment costs from sources other than this program. Applicants may also provide transportation for residents to out-patient treatment and/or support programs.

(ii) Provide family/collateral counseling.

(iii) Provide linkages to educational/vocational counseling.

(iv) Provide coordination of services to appropriate local drug agencies, HIV-related service agencies, and mental health and public health programs.

(v) Applicants must demonstrate a working partnership with the Single State Agency or State license provider or authority with drug program coordination responsibilities to coordinate, develop, and implement the drug treatment proposal. In particular, applicants must review and determine with the Single State Agency or State license provider or authority with drug program coordination responsibilities whether:

(A) The drug treatment provider(s) has provided drug treatment services to similar populations, identified in the application, for two prior years; and

(B) The drug treatment proposal is consistent with the State treatment plan

and the treatment service meets all State licensing requirements.

(vi) Funding is not permitted for treatment of residents at any in-patient medical treatment programs/facilities.

(vii) Funding is not permitted for detoxification procedures, short term or long term, designed to reduce or eliminate the presence of toxic substances in the body tissues of a patient.

(viii) Funding is not permitted for 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.

(iii) *Resident Councils (RCs).*

Providing funding to resident councils to strengthen their role in developing programs of eligible activities involving site residents is eligible for funding under this program.

(2) *Ineligible Activities.* Funding is not permitted for any activities listed below:

(i) 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;

(ii) The acquisition of real property or physical improvements that involve the demolition of any units in the project or displacement of tenants.

(iii) Costs incurred prior to the effective date of the grant agreement, including, but not limited to, consultant fees for surveys related to the application or its preparation;

(iv) Reimbursement of local law enforcement agencies for additional security and protective services;

(v) The employment of one or more individuals:

(A) To investigate drug-related crime on or about the real property comprising any federally assisted low-income project; and

(B) To provide evidence relating to such crime in any administrative or judicial proceeding;

(vi) The provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with local law enforcement officials.

(3) *Eligible Applicants.* The applicant must be the owner of a federally assisted low-income housing project under:

(i) Section 221(d)(3), section 221(d)(4) or 236 of the National Housing Act.

(Note, however, that only section 221(d)(4) and section 221(d)(3) market rate projects with project-based assistance contracts are considered federally assisted low-income housing.

Therefore, section 221(d)(4) and section 221(d)(3) market rate projects with tenant-based assistance contracts are not considered federally assisted low-income housing and are not eligible for funding.)

(ii) Section 101 of the Housing and Urban Development Act of 1965; or

(iii) Section 8 of the United States Housing Act of 1937.

(4) *General Grant Requirements.* The following requirements apply to all activities, programs, or functions used to plan, budget, and evaluate the work funded under this program.

(i) After applications have been ranked and selected, HUD and the applicant shall enter into a grant agreement setting forth the amount of the grant, the physical improvements or other eligible activities to be undertaken, financial controls, and special conditions, including sanctions for violation of the agreement.

(ii) The policies, guidelines, and requirements of this NOFA, 48 CFR part 31, other applicable OMB cost principles, HUD program regulations, HUD Handbooks, and the terms of grant/special conditions and subgrant agreements apply to the acceptance and use of assistance by grantees and will be followed in determining the reasonableness and allocability of costs. All costs must be reasonable and necessary.

(iii) The term of funded activities may not exceed 12 months.

(iv) Owners must ensure that any funds received under this program are not commingled with other HUD or project operating funds.

(v) To avoid duplicate funding, owners must establish controls to assure that any funds from other sources, such as Reserve for Replacement or Rent Increases, are not used to fund the physical improvements to be undertaken under this program.

(vi) Employment preference. A grantee under this program shall give preference to the employment of residents, and comply with section 3 of the Housing and Urban Development Act of 1968 and 24 CFR part 135, to carry out any of the eligible activities under this part, so long as such residents have qualifications and training comparable to nonresident applicants.

(vii) Termination of funding. HUD may terminate funding if the grantee fails to undertake the approved program activities on a timely basis in accordance with the grant agreement, adhere to grant agreement requirements or special conditions, or submit timely and accurate reports.

(viii) Subgrants (subcontracting).

(A) A grantee may directly undertake any of the eligible activities under this NOFA or it may contract with a qualified third party, including incorporated Resident Councils (RCs). Resident groups that are not incorporated RCs may share with the grantee in the implementation of the program, but may not receive funds as subgrantees.

(B) Subgrants or cash contributions to incorporated RCs may be made only under a written agreement executed between the grantee and the RC. The agreement must include a program budget that is acceptable to the grantee and that is otherwise consistent with the grant application budget. The agreement must obligate the incorporated RC to permit the grantee to inspect and audit the RC financial records related to the agreement, and to account to the grantee on the use of grant funds and on the implementation of program activities. In addition, the agreement must describe the nature of the activities to be undertaken by the subgrantee, the scope of the subgrantee's authority, and the amount of insurance to be obtained by the grantee and the subgrantee to protect their respective interests.

(C) The grantee shall be responsible for monitoring, and for providing technical assistance to, any subgrantee to ensure compliance with HUD program requirements, including OMB Circular Nos. A-110 and A-122, that apply to the acceptance and use of assistance by private nonprofit organizations. The procurement requirements of Attachment O of Circular A-110 apply to RCs. The grantee must also ensure that subgrantees have appropriate insurance liability coverage.

(d) Selection Criteria and Ranking Factors

HUD will review each application to determine that it meets the requirements of this NOFA and to assign points in accordance with the selection criteria. A total of 200 points is the maximum score available under the selection criteria. An application must receive a score of at least 151 points out of the maximum of 200 points that may be awarded under this competition to be eligible for funding. After assigning points to each application, HUD Offices will rank the applications in order. The Award Office will select the highest ranking application from each HUD Office whose eligible activities can be fully funded. The Award Office will then select the highest scored unfunded application submitted to it regardless of Field Office and continue the process until all funds allocated to it have been

awarded or to the point where there are insufficient acceptable applications for which to award funds. Grants under this program are categorically excluded from review under the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321). However, 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 50.4. Each application submitted will be evaluated on the basis of the following selection criteria:

(1) The Quality of the Plan To Address the Problem (Maximum Points: 50)

In assessing this criterion, HUD will consider the following factors:

(i) The quality of the applicant's plan to address the drug-related crime problem, and the problems associated with drug-related crime, in the projects proposed for funding, and how well the activities proposed for funding fit in with the plan. (maximum points: 10)

(ii) The anticipated effectiveness of the plan and the proposed activities in reducing or eliminating drug-related crime problems over an extended period. (maximum points: 10)

(iii) How the activities identified in the plan will affect and address the problem of drug-related crime in adjacent properties. (maximum points: 5)

(iv) Evidence that the proposed activities have been found successful in similar circumstances in terms of controlling drug-related crime. (maximum points: 5)

(v) Whether the property is located within an area identified as having a Safe Neighborhood Action Plan (SNAP) or similar plan or program designated for combatting drug-related criminal activity. (20 points if so located, 0 points if not.)

(2) The Support of Local Government/Law Enforcement Agencies (Maximum Points: 20)

In assessing this criterion, HUD will consider the following factors:

(i) Evidence that the project owner has sought assistance in deterring drug-related crime problems and the extent to which the owner has participated in programs that are available from local governments or law enforcement agencies; (maximum points: 10) and

(ii) The level of support by the local government or law enforcement agency for the applicant's proposed activities (Maximum points: 10)

(3) The Extent of the Drug-Related Crime Problem in the Housing Project Proposed for Assistance (Maximum Points: 50)

In assessing this criterion, HUD will consider the degree of severity of the drug-related crime problem in the project proposed for funding, as demonstrated by the information required to be submitted under section III.(h) of this NOFA.

(4) The Support of Residents in Planning and Implementing the Proposed Activities. (Maximum Points: 30)

In assessing this criterion, HUD will consider the following factors:

(i) Evidence that comments and suggestions have been sought from residents to the proposed plan for this program and the degree to which residents will be involved in implementation. (maximum points: 20)

(ii) Evidence of resident support for the proposed plan. (maximum points: 10)

(5) Capacity of Owner and Management To Undertake the Proposed Activities: (Maximum Points: 50)

In assessing this criterion, HUD will consider the following:

(i) The most recent Management Review completed by the HUD Office. (Note: The HUD Office will conduct another management review after application submission if the most recent management review is more than one year old). (maximum points: 40)

(ii) Submission of evidence that project owners have initiated other efforts to reduce drug-related crime by working with tenant/law enforcement groups (e.g., establishment of "Tenant Watches" or similar efforts). (maximum points: 5)

(iii) Submission of evidence that project management carefully screens applicants for units and takes appropriate steps to deal with tenants known or suspected to exhibit drug-related criminal behavior. (maximum points: 5)

II. Application Process

(a) Application Form

An application form may be obtained from the HUD Office having jurisdiction over the location of the applicant project. The HUD Office will be available to provide technical assistance on the preparation of applications during the application period.

(b) Application Submission

A separate application must be submitted for each project. An

application (original and one copy) must be received by the deadline at the appropriate HUD Office with jurisdiction over the applicant project, Attention: Director of Multifamily Housing. It is not sufficient for the application to bear a postage date within the submission time period. Applications submitted by facsimile ("FAX") are not acceptable and will not be considered. Applications received after the deadline will not be considered. No applications will be accepted after 4:00 p.m. (local time) for the appropriate HUD Office on April 18, 1995. This application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, the Department will treat as ineligible for consideration any application that is received after the deadline. Applicants should take this practice into account and make early submission of their materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery-related problems.

(c) Application Notification

HUD will notify all applicants whether or not they were selected for funding.

III. Checklist of Application Submission Requirements

To qualify for a grant under this program, an applicant must submit an application to HUD that contains the following:

(a) Application for Federal Assistance form (Standard Form SF-424 and SF-424A). The form must be signed by the applicant.

(b) A description of the applicant's plan for addressing the problem of drug-related crime in the projects for which funding is sought, which should include the activities to be funded under this program along with all other initiatives being undertaken by the applicant. The description should also include a discussion of:

(1) The anticipated effectiveness of the plan and the proposed activities in reducing or eliminating drug-related crime problems over an extended period.

(2) How the activities identified in the plan will affect and address the problem of drug-related crime in adjacent properties.

(3) Other efforts that project owners have initiated to reduce drug-related crime by working with tenant/law enforcement groups (e.g., establishment of "Tenant Watches" or similar efforts).

(4) Procedures that project management uses to screen applicants for units and steps taken to deal with

tenants known or suspected to exhibit drug-related criminal behavior.

(c) Each applicant for funding for physical improvements must submit a written plan fully describing the physical improvements to be undertaken with dollar costs per unit for each item. This plan must be signed by the owner.

(d) Each applicant must submit a letter from the local government or police (law enforcement) agency that describes the type of drug-related crime in the project proposed for grant funding and its immediate environs, and expresses a commitment to assist the owner in taking steps to reduce or eliminate the drug-related crime problems of the project.

(e) A description of the procedure used to involve residents in the development of the plan and written summaries of any comments and suggestions received from residents on the proposed plan, along with evidence that the owner carefully considered the comments of residents and incorporated their suggestions in the plan, when practical.

(f) A description of the support of residents for the proposed activities and the ways in which residents will be involved in implementing the plan. Letters of support from residents or a resolution from the resident organization may be used.

(g) A copy of the most recent management review performed by HUD and evidence supporting the capacity of the owner and management to undertake the proposed activities.

(h) Detailed information, such as local government and police reports, evidencing the degree of drug-related crime in the project and adjacent properties to demonstrate the degree of severity of the drug-related crime problem. This information may consist of:

(1) Objective data. The best available objective data on the nature, source, and extent of the problem of drug-related crime, and the problems associated with drug-related crime. These data may include (but are not necessarily limited to) crime statistics from Federal, State, tribal or local law enforcement agencies, or information from the applicant's records on the types and sources of drug-related crime in the project proposed for assistance; descriptive data as to the types of offenders committing drug-related crime in the applicant's project (e.g., age, residence, etc.); the number of lease terminations or evictions for drug-related criminal activity; the number of emergency room admissions for drug use or drug-related crime; the number of police calls for

drug-related criminal activity; the number of residents placed in treatment for substance abuse; and the school drop-out rate and level of absenteeism for youth. If crime statistics are not available at the project or precinct level, the applicant may use other reliable, objective data including those derived from the owner's records or those of private groups that collect such data. The crime statistics should be reported both in real numbers, and as a percentage of the residents in each project (e.g., 20 arrests for distribution of heroin in a project with 100 residents reflects a 20 percent occurrence rate). The data should cover the past three-year period and, to the extent feasible, should indicate whether these data reflect a percentage increase or decrease in drug-related crime over the past several years. Applicants must address in their assessment how these crimes have affected the project and how the applicant's overall plan and strategy is specifically tailored to address these drug-related crime problems.

(2) Other data on the extent of drug-related crime. To the extent that objective data as described under paragraph (1) of this section may not be available, or to complement that data, the assessment may use relevant information from other sources that have a direct bearing on drug-related crime problems in the project proposed for assistance. However, if other relevant information is to be used in place of, rather than to complement, objective data, the application must indicate the reason(s) why objective data could not be obtained and what efforts were made to obtain it. Examples of other data include: resident/staff surveys on drug-related issues or on-site reviews to determine drug activity; the use of local government or scholarly studies or other research conducted in the past year that analyze drug activity in the targeted project; vandalism costs and related vacancies attributable to drug-related crime; information from schools, health service providers, residents and police; and the opinions and observations of individuals having direct knowledge of drug-related crime problems concerning the nature and extent of those problems in the project proposed for assistance. (These individuals may include law enforcement officials, resident or community leaders, school officials, community medical officials, drug treatment or counseling professionals, or other social service providers.)

(i) If applying for drug treatment program funding, a certification that the applicant has notified and consulted with the relevant Single State Agency or

other local authority with drug program coordination responsibilities concerning its application; and that the proposed drug treatment program has been reviewed by the relevant Single State Agency or other local authority and that it is consistent with the State treatment plan; and that the relevant Single State Agency or other local authority has determined that the drug treatment provider(s) has provided drug treatment services to similar populations, identified in the application, for two prior years.

(j) Drug-free workplace. The certification with regard to the drug-free workplace required by 24 CFR part 24, subpart F and appendix C.

(k) Disclosure of Lobbying Activities. If the amount applied for is greater than \$100,000, the certification with regard to lobbying required by 24 CFR part 87 must be included. See section VI.(h), below, of this NOFA. If the amount applied for is greater than \$100,000, and the applicant has made or has agreed to make any payment using nonappropriated funds for lobbying activity, as described in 24 CFR part 87, the submission must also include the Disclosure of Lobbying Activities Form (SF-LLL).

(l) Form HUD-2880, Applicant/Recipient Disclosure/Update Report.

IV. Corrections to Deficient Applications

HUD will notify the applicant within 10 working days of the receipt of the application if there are any curable technical deficiencies in the application. Curable technical deficiencies relate to minimum eligibility requirements (such as certifications and signatures) that are necessary for funding approval but that do not relate to the quality of the applicant's program proposal under the selection criteria. The owner must submit corrections in accordance with the information provided by HUD within 14 calendar days of the date of the HUD notification.

V. Other Matters

(a) Nondiscrimination and Equal Opportunity

The following nondiscrimination and equal opportunity requirements apply:

(1) The requirements of Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) (42 U.S.C. 3600-20) and implementing regulations issued at subchapter A of title 24 of the Code of Federal Regulations, as amended by 54 FR 3232 (published January 23, 1989); Executive Order 11063 (Equal Opportunity in Housing) and

implementing regulations at 24 CFR part 107; and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR part 1;

(2) The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8;

(3) The requirements of Executive Order 11246 (Equal Employment Opportunity) and the regulations issued under the Order at 41 CFR Chapter 60;

(4) The requirements of Executive Orders 11625, 12432, and 12138. Consistent with HUD's responsibilities under these Orders, recipients must make efforts to encourage the use of minority and women's business enterprises in connection with funded activities.

(b) Environmental Impact

At the time of the publication of the proposed rule for the Federally Assisted Low Income Housing Drug Elimination Program, a Finding of No Significant Impact with respect to the environment was 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 initial finding applies to this NOFA, and is available for public inspection and copying from 7:30 to 5:30 weekdays in the Office of the Rules Docket Clerk, Room 10276, 451 Seventh Street, SW., Washington, DC 20410.

(c) Federalism Impact

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that the provisions of this NOFA do not have federalism implications within the meaning of the Order. The NOFA announces the availability of funds and provides the application requirements for Federally Assisted Low Income Housing Drug Elimination Grants, which fund activities designed to deter drug-related crime. Deterring drug-related crime is a recognized goal of general benefit without direct implications on States or their political subdivisions, or the relationship between the Federal government and the States, or on the distribution of power and responsibilities among various levels of government.

(d) Family Impact

The General Counsel, as the Designated Official under Executive Order 12606, *The Family*, has determined that the policies announced in this NOFA would not have potential for significant impact on family formation, maintenance, and general well-being, except indirectly to the extent of the social and other benefits expected from this program of assistance.

(e) Section 102 HUD Reform Act Applicant/Recipient Disclosures

Accountability in the Provision of HUD Assistance

HUD has promulgated a final rule to implement section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act). The final rule 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 14, 1992, HUD published in the **Federal Register** (57 FR 1942) additional information that gave the public (including applicants for, and recipients of, HUD assistance) further information on the implementation of section 102. The documentation, public access, and disclosure requirements of section 102 are applicable to assistance awarded under this NOFA as follows:

Documentation and Public Access

HUD will ensure that 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 quarterly **Federal Register** notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.16(b), and the notice published in the **Federal Register** on January 16, 1992 (57 FR 1942), for further information on these requirements.)

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 subpart C, and the notice published in the **Federal Register** on January 16, 1992 (57 FR 1942), for further information on these disclosure requirements.)

(f) Section 103 HUD Reform Act

HUD's regulation implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989 was published May 13, 1991 (56 FR 22088) and became effective on June 12, 1991. That regulation, codified at 24 CFR part 4, applies to this funding competition. The requirements of the rule 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 24 CFR 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 under 24 CFR part 4. Applicants who have general questions about what information may be discussed with them during the selection may contact the HUD Office of Ethics (202) 708-3815 or (202) 708-9300 (TDD). (These are not toll-free numbers.)

(g) Section 112 HUD Reform Act

Section 13 of the Department of Housing and Urban Development Act 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 HUD 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.

Section 13 was implemented by final rule published in the **Federal Register**

on May 17, 1991 (56 FR 22912). If readers are involved in any efforts to influence HUD in these ways, they are urged to read the final rule, particularly the examples contained in Appendix A of the rule.

(h) Prohibition Against Lobbying Activities

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 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 their sovereign power are excluded from coverage, but IHAs established under State law are not excluded from coverage.

Authority: 42 U.S.C. 11901 *et. seq.*

Dated: January 31, 1995.

Nicolas P. Retsinas,

Assistant Secretary for Housing—Federal Housing Commissioner.

Appendix A: Field Office Addresses and Telephone Numbers

Note: The first line of the mailing address for all offices is U.S. Department of Housing and Urban Development. Telephone numbers listed are not toll-free.

HUD—New England Area

Connecticut State Office, First Floor, 330 Main Street, Hartford, CT 06106-1860, (203) 240-4523

Maine State Office, 99 Franklin Street, Bangor, ME 04401-4925, (207) 945-0467
Massachusetts State Office, Room 375, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Boston, MA 02222-1092, (617) 565-5234

New Hampshire State Office, Norris Cotton Federal Building, 275 Chestnut Street, Manchester, NH 03101-2487, (603) 666-7681

Rhode Island State Office, Sixth Floor, 10 Weybosset Street, Providence, RI 02903-2808, (401) 528-5351

Vermont State Office, Room 244, Federal Building, 11 Elmwood Ave., P.O. Box 879, Burlington, VT 05402-0879, (802) 951-6290

HUD—New York, New Jersey Area

New Jersey State Office, Thirteenth Floor, One Newark Center, Newark, NJ 07102-5260, (201) 622-7900

New York State Office, 26 Federal Plaza, New York, NY 10278-0068, (212) 264-6500

Albany Area Office, 52 Corporate Circle, Albany, NY 12203-5121, (518) 464-4200

Buffalo Area Office, Fifth Floor, Lafayette Court, 465 Main Street, Buffalo, NY 14203-1780, (716) 846-5755

Camden Area Office, Second Floor, Hudson Building, 800 Hudson Square, Camden, NJ 08102-1156, (609) 757-5081

HUD—Midatlantic Area

Delaware State Office, Suite 850, 824 Market Street, Wilmington, DE 19801-3016, (302) 573-6300

District of Columbia Office, 820 First Street, NE, Washington, D.C. 20002-4502, (202) 275-9200

Maryland State Office, Fifth Floor, City Crescent Building, 10 South Howard Street, Baltimore, MD 21201-2505, (401) 962-2520

Pennsylvania State Office, Liberty Square Building, 105 South 7th Street, Philadelphia, PA 19106-3392, (215) 597-2560

Virginia State Office, The 3600 Centre, 3600 West Broad Street, P.O. Box 90331, Richmond, VA 23230-0331, (804) 278-4507

West Virginia State Office, Suite 708, 405 Capitol Street, Charleston, WV 25301-1795, (304) 347-7000,

Pittsburgh Area Office, 412 Old Post Office Courthouse, 7th Avenue and Grant Street, Pittsburgh, PA 15219-1906, (412) 644-6428

HUD—Southeast/Caribbean Area

Alabama State Office, Suite 300, Beacon Ridge Tower, 600 Beacon Parkway, West, Birmingham, AL 35209-3144, (205) 290-7617

Caribbean Office, New San Juan Office Building, 159 Carlos Chardon Avenue, San Juan, PR 00918-1804, (809) 766-6121

Florida State Office, Suite 3100, 8600 Northwest 36th Street, P.O. Box 4022, Miami, FL 33166-4022, (305) 717-2500

Georgia State Office, Richard B. Russell Federal Building, 75 Spring Street, S.W., Atlanta, GA 30303-3388, (404) 331-5136

Kentucky State Office, 601 West Broadway, P.O. Box 1044, Louisville, KY 40201-1044, (502) 582-5251

Mississippi State Office, Suite 910, Doctor A.H. McCoy Federal Building, 100 West Capitol Street, Jackson, MS 39269-1016, (601) 965-5308

North Carolina State Office, Koger Building, 2306 West Meadowview Road, Greensboro, NC 27407-3707, (919) 547-4001

South Carolina State Office, Strom Thurmond Federal Building, 1835 Assembly Street, Columbia, SC 29201-2480, (803) 765-5592

Tennessee State Office, Suite 200, 251 Cumberland Bend Drive, Nashville, TN 37228-1803, (615) 736-5213

Coral Gables Area Office, Gables 1 Tower, 1320 South Dixie Highway, Coral Gables, FL 33146-2911, (305) 662-4500

Jacksonville Area Office, Suite 2200, Southern Bell Tower, 301 West Bay Street, Jacksonville, FL 32202-5121, (904) 232-2626

Knoxville Area Office, Third Floor, John J. Duncan Federal Building, 710 Locust Street, Knoxville, TN 37902-2526, (615) 545-4384

Memphis Area Office, Suite 1200, One Memphis Place, 200 Jefferson Avenue, Memphis, TN 38103-2335, (901) 544-3367

Orlando Area Office, Suite 270, Langley Building, 3751 Maguire Boulevard, Orlando, FL 32803-3032, (407) 648-6441

Tampa Area Office, Suite 700, Timberlake Federal Building Annex, 501 East Polk Street, Tampa, FL 33602-3945, (813) 228-2501

HUD—Midwest Area

Illinois State Office, Ralph H. Metcalfe Federal Building, 77 West Jackson Boulevard, Chicago, IL 60604-3507, (312) 353-5680

Indiana State Office, 151 North Delaware Street, Indianapolis, IN 46204-2526, (317) 226-6303

Michigan State Office, Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, MI 48226-2592, (313) 226-7900

Minnesota State Office, 220 Second Street, South, Minneapolis, MN 55401-2195, (612) 370-3000

Ohio State Office, 200 North High Street, Columbus, OH 43215-2499, (614) 469-5737

Wisconsin State Office, Suite 1380, Henry S. Reuss Federal Plaza, 310 West Wisconsin Avenue, Milwaukee, WI 53203-2289, (414) 297-3214

Cincinnati Area Office, Room 9002 Federal Office Building, 550 Main Street, Cincinnati, OH 45202-3253, (513) 684-2884

Cleveland Area Office, Fifth Floor, Renaissance Building, 1350 Euclid Avenue, Cleveland, OH 44115-1815, (216) 522-4058

Flint Area Office, Room 200, 605 North Saginaw Street, Flint, MI 48502-1953, (313) 766-5109

Grand Rapids Area Office, 2922 Fuller Avenue, NE, Grand Rapids, MI 49505-3499, (616) 456-2100

Springfield Area Office, Suite 206, 509 West Capitol Street, Springfield, IL 62704-1906, (217) 492-4085

HUD—Southwest Area

Arkansas State Office, Suite 900, TCBY Tower, 425 West Capitol Avenue, Little Rock, AR 72201-3488 (501) 324-5931,

Louisiana State Office, Fisk Federal Building, 1661 Canal Street, New Orleans, LA 70112-2887 (504) 589-7200,

New Mexico State Office, 625 Truman Street, NE, Albuquerque, NM 87110-6443 (505) 262-6463

Oklahoma State Office, Murrah Federal Building, 200 N.W. 5th Street, Oklahoma City, OK 73102-3202, (405) 231-4181

Texas State Office, 1600 Throckmorton Street, P.O. Box 2905, Fort Worth, TX 76113-2905, (817) 885-5401

Dallas Area Office, Room 860, 525 Griffin Street, Dallas, TX 75202-5007, (214) 767-8359

Houston Area Office, Suite 200, Norfolk Tower, 2211 Norfolk, Houston, TX 77098-4096, (713) 834-3274

Lubbock Area Office, Federal Office Building, 1205 Texas Avenue, Lubbock, TX 79401-4093, (806) 743-7265

San Antonio Area Office, Washington Square, 800 Dolorosa Street, San Antonio, TX 78207-4563, (210) 229-6800

Shreveport Area Office, Suite 1510, 401 Edwards Street, Shreveport, LA 71101-3107, (318) 676-3385

Tulsa Area Office, Suite 110, Boston Place, 1516 South Boston Street, Tulsa, OK 74119-4032, (918) 581-7434

Great Plains

Iowa State Office, Room 239, Federal Building, 210 Walnut Street, Des Moines, IA 50309-2155, (515) 284-4512

Kansas/Missouri State Office, Room 200, Gateway Tower II, 400 State Avenue, Kansas City, KS 66101-2406, (913) 551-5462

Nebraska State Office, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154-3955, (402) 492-3100

Saint Louis Area Field Office, Third Floor, Robert A. Young Federal Building, 1222 Spruce Street, St. Louis, MO 63103-2836, (314) 539-6583

HUD—Rocky Mountains Area

Colorado State Office, 633 17th Street, Denver, CO 80202-3607, (303) 672-5440

Montana State Office, Room 340, Federal Office Building, Drawer 10095, 301 S. Park, Helena, MT 59626-0095, (406) 449-5205

North Dakota State Office, Federal Building, 653 2nd Avenue North, P.O. Box 2483, Fargo, ND 58108-2483, (701) 239-5136

South Dakota State Office, Suite I-201, 2400 West 49th Street, Sioux Falls, SD 57105-6558, (605) 330-4223,

Utah State Office Suite 550, 257 Tower, 257 East, 200 South, Salt Lake City, UT 84111-2048

Wyoming State Office, 4225 Federal Office Building, 100 East B Street, P.O. Box 120, Casper, WY 82602-1918, (307) 261-5252

HUD—Pacific/Hawaii Area

Arizona State Office, Suite 1600, Two Arizona Center, 400 North 5th Street, Phoenix, AZ 85004-2361, (602) 379-4434

California State Office, Philip Burton Federal Building and U.S. Courthouse, 450 Golden Gate Avenue, P.O. Box 36003, San Francisco, CA 94102-3448, (415) 556-4752

Hawaii State Office, Suite 500, 7 Waterfront Plaza, 500 Ala Moana Boulevard, Honolulu, HI 96813-4918, (808) 522-8175

Nevada State Office, Suite 205, 1500 E. Tropicana Avenue, Las Vegas, NV 89119-6516, (702) 388-6500

Fresno Area Office, Suite 138, 1630 E. Shaw Avenue, Fresno, CA 93710-8193, (209) 487-5033

Los Angeles Area Office, 1615 West Olympic Boulevard, Los Angeles, CA 90015-3801, (213) 251-7122

Reno Area Office, Suite 114, 1575 Delucchi Lane, Reno, NV 89502-6581, (702) 784-5356

Sacramento Area Office, Suite 200, 777 12th Avenue, Sacramento, CA 95814-1997, (916) 551-1351

San Diego Area Office, Suite 300, Mission City Corporate Center, 2365 Northside Drive, San Diego, CA 92108-2712, (619) 557-5310

Santa Ana Area Office, Suite 500, 3 Hutton Centre, Santa Ana, CA 92707-5764, (714) 957-7333

Tucson Area Office, Suite 700, Security Pacific Bank Plaza, 33 North Stone Avenue, Tucson, AZ 85701-1467, (602) 670-6237

HUD—Northwest/Alaska Area

Alaska State Office, Suite 401, University Plaza Building, 949 East 36th Avenue, Anchorage, AK 99508-4399, (907) 271-4170

Idaho State Office, Suite 220, Plaza IV, 800 Park Boulevard, Boise, ID 83712-7743, (208) 334-1990

Oregon State Office, 520 S.W. 6th Avenue, Portland, OR 97204-1596, (503) 326-2561
Washington State Office, Suite 200, Seattle Federal Office Building, 909 First Avenue, Seattle, WA 98104-1000, (206) 220-5101

Spokane Area Office, Eighth Floor East, Farm Credit Bank Building, West 601 First Avenue, Spokane, WA 99204-0317, (509) 353-2510

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