

HUD believes that the burden on housing authorities and project owners will not be onerous for the reason set forth above, and also because documentation of citizenship or noncitizenship status is similar to and can be undertaken at the same time as determination of income eligibility. Additionally the house authority and project owner is not required to assist the family in obtaining evidence or to determine the validity of the evidence submitted.

For family members, the burden should be minimal because for citizens only a declaration is required. For noncitizens with eligible immigration status, such noncitizens should have with them their evidence of eligible immigration status.

[FR Doc. 95-12714 Filed 5-23-95; 8:45 am]

BILLING CODE 4210-32-M

[Docket No. N-95-3918; FR-3907-N-01]

Office of the Assistant Secretary for Housing—Federal Housing Commissioner; FY 1995 Funding Availability for HUD—Approved Housing Counseling Agencies

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

ACTION: Fiscal Year 1995 notice of funding availability for HUD-approved housing counseling agencies.

SUMMARY: This Notice announces the availability of Fiscal Year (FY) 1995 funding from the U.S. Department of Housing and Urban Development (HUD) for HUD-approved housing counseling agencies to provide housing counseling to homebuyers, homeowners, and renters. HUD anticipates that a maximum of \$9.5 million dollars will be available through this Notice of Funding Availability (NOFA). All housing counseling agencies approved by HUD as of the publication date of this NOFA may apply for FY 1995 funding. This includes: (1) Multi-State, regional, or national intermediary organizations, and (2) local housing counseling agencies that do not elect to affiliate with a HUD-approved intermediary organization.

This NOFA contains additional information on the purpose and background of the NOFA and funding levels available to local counseling agencies and intermediary organizations respectively; eligible activities and funding criteria; and application requirements and procedures.

DATES: Completed applications must be submitted no later than 4 p.m. E.S.T. on June 23, 1995. As further described below, any completed application must be physically *received* by this deadline date and hour at the appropriate local HUD office (for local applicants) or at

the Office of Housing, Department of Housing and Urban Development, 451 7th Street, SW, Room 9282, Washington D.C. 20410 (for national, regional or multi-State applicants). In the interest of fairness to all applicants, late applications will be treated as ineligible for consideration. Applicants should take this requirement into account and make early submission of their applications to avoid loss of eligibility brought about by any unanticipated delays or other delivery-related problems. It is not sufficient for an application to be postmarked within the deadline. Applications sent by facsimile (FAX) will not be accepted. HUD will not waive this submission deadline for any reason.

ADDRESSES: For local housing counseling agency applicants: An original and two copies of the completed application must be submitted to the local HUD office having jurisdiction over the locality or area in which the proposed program is located. These copies should be sent to the attention of the Single Family Division Director, and the envelope should be clearly marked, "FY 1995 Counseling Application". A list of Single Family Division Directors and local HUD Offices appears at the end of this NOFA. Failure to submit an application to the correct office in accordance with the above procedures will result in disqualification of the application.

For national, regional and multi-State housing counseling agencies: An original and two copies of the completed application must be submitted to the person listed below in HUD Headquarters. The envelope should be clearly marked, "FY 1995 Counseling Application."

FOR FURTHER INFORMATION CONTACT: Marion F. Connell, Program Advisor, Office of Housing, Department of Housing and Urban Development, 451 7th Street, SW, Room 9282, Washington D.C. 20410; telephone (202) 708-0614, extension 2315 (voice), or (202) 708-4594 (TDD number). (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 2502-0261.

I. Purpose and Substantive Description

A. Authority and Purpose

HUD's housing counseling program is authorized under section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x). The purpose of the program is to promote and protect the interests of housing consumers participating in HUD and other housing programs, as well as to help protect the interests of HUD and mortgage lenders. The Housing Counseling program is generally governed by HUD Handbook 7610.1, REV-3, which is currently under revision.

The new version of the Handbook is expected to be in effect by the time funding under this NOFA is provided. The new Handbook will differ from the current Handbook in that national, regional, and multi-State housing counseling intermediaries may be approved as counseling agencies and reimbursement will no longer be made on a "counseling unit" basis. Procedures for the approval of housing counseling intermediaries were published on April 25, 1995 (60 FR 20360). New reimbursement procedures are explained in the grant application kit for this NOFA. To the extent that this NOFA and its accompanying application kit are inconsistent with the current Handbook, the Handbook is superseded.

Section 106 authorizes HUD to provide counseling and advice to tenants and homeowners with respect to property maintenance, financial management, and such other matters as may be appropriate to assist tenants and homeowners in improving their housing conditions and in meeting the responsibilities of tenancy and homeownership. In addition, HUD-approved counseling agencies are permitted and encouraged by HUD to conduct community outreach activities and provide counseling to individuals with the objective of increasing awareness of homeownership opportunities and improving access of low and moderate income households to sources of mortgage credit. HUD believes that this activity is key to the revitalization and stabilization of low income and minority neighborhoods. (See the recently published notice inviting the application by national, multi-State and regional organizations for housing counseling agency approval, described above.)

Under the housing counseling program, HUD contracts with qualified public or private nonprofit organizations to provide the services authorized by the statute. When Congress appropriates funds for this

purpose, HUD announces the availability of such funds, and invites applications from eligible agencies, through a notice published in the **Federal Register**. Currently there are 661 HUD-approved housing counseling agencies, serving over 1,000 locations. Annually, all HUD-approved agencies are eligible to apply for housing counseling grants. However, an agency that is approved by HUD does not automatically receive HUD funding, and HUD expects that all counseling agencies will continually work to develop other funding resources. In FY '94, 431 HUD-approved agencies received housing counseling funding from HUD.

B. Allocation Amounts

Approximately \$12 million has been appropriated for FY 1995. Of this amount, \$9.5 million is being made available under this NOFA for lump-sum, performance-based grants, as defined at 24 CFR part 84, subpart E. Approximately \$3.5 million is being set aside to fund national, regional and multi-State organizations that apply for funding under this NOFA. No national, regional, or multi-State agency may receive more than \$1 million. Approximately \$6 million has been made available for grants to local HUD approved housing counseling agencies, and it has been allocated to each of the 10 HUD geographical areas (formerly Regions) by a formula that gives equal

weight to the percentage of HUD insured single family mortgage defaults within each geographical area as of January 31, 1995, compared to the nationwide total the percentage of first-time homebuyers that were approved for FHA-insured mortgages by geographical area during 1994 compared to the nationwide total for those periods. This formula reflects the increased emphasis that HUD is placing on the expansion of homeownership opportunities for first-time homebuyers. For FY 1995, no individual local housing counseling agency may be awarded more than \$100,000.

Amounts allocated for use in local agency programs, by HUD geographical area, are as follows:

Geographical areas	Default data		Allocation amount	First-time homebuyer data			Total allocation
	No. of defaults	Percent of nat'l defaults		No. of 1st timers	Percent of nat'l 1st timers	Allocation amount	
New England	3,052	1.95	58,623	13,720	2.99	89,589	148,213
NY/NJ	13,145	8.42	252,491	27,593	6.01	180,178	432,669
Mid-Atlantic	17,453	11.17	335,239	52,515	11.43	342,915	678,154
SE/Caribbean	38,973	24.95	748,598	89,713	19.53	585,812	1,334,410
Midwest	25,174	16.12	483,545	86,977	18.93	567,946	1,051,491
Southwest	22,486	14.40	431,914	50,966	11.09	332,800	764,714
Great Plains	4,040	2.59	77,601	17,613	3.83	115,010	192,611
Rocky Mts	4,125	2.64	79,233	26,062	5.67	170,181	249,414
Pac/Hawaii	25,020	16.02	480,587	74,670	16.25	487,584	968,171
NW/Alaska	2,716	1.74	52,169	19,600	4.27	127,985	180,154
Totals	156,184	100	3,000,000	459,429	100	3,000,000	6,000,000

Allocations of program funding already made are: \$650,000 specifically to provide training and technical assistance to Home Equity Conversion Mortgage (HECM) counselors and to develop HECM distance learning and outreach materials; \$500,000 to establish a Housing Counseling Clearinghouse as recommended by the National Homeownership Strategy; \$400,000 to develop software for HUD-approved counseling agencies to computerize record-keeping and create a communications network; and \$250,000 to extend the toll-free 800 number (800/569-4287) housing counseling referral service for public use.

If funds remain after HUD has funded all approvable grant applications in a HUD geographical area, or if any funds become available due to deobligation, that amount shall be reallocated and used in keeping with the statute and in a manner that will improve the delivery of housing counseling service nationwide. Any balance will be used to fund training for counselors from HUD approved agencies as provided by the Appropriations Act and requested by program users. HUD already has

earmarked a minimum of \$500,000 for this purpose.

C. Eligible Applicants

1. General

There are two types of HUD-approved organizations that are eligible to submit applications pursuant to this NOFA: (1) National, regional, or multi-State housing counseling organizations (also known as "intermediaries" or "umbrella groups"); and (2) local housing counseling agencies.

National, regional, and multi-State nonprofit, intermediary organizations must identify all their proposed affiliates in their application. These intermediaries must assure that their proposed affiliates are unique to their team and will not undertake a separate application for funds either as an affiliate of another intermediary or directly as a HUD-approved local counseling agency. Should any duplication occur, both the intermediary organization and the local agency involved will automatically be ineligible for further consideration to receive FY 1995 housing counseling funds. In addition, an intermediary-

applicant must also assure that it has executed a sub-agreement with its affiliates that clearly delineates their mutual responsibilities for program management, incorporating appropriate timeframes for reporting results to HUD.

Once funded, the national, regional, and multi-State intermediaries will be given broad discretion in implementing their housing counseling programs. On behalf of HUD, the intermediaries will act as managers in the housing counseling process and, as such, may determine funding levels and counseling activity for each of their affiliates, except that no single affiliate may receive more than \$100,000. HUD will hold the intermediary organization accountable for the performance of its affiliates.

Local counseling agencies may apply either directly to HUD for funding, or as a part of an affiliated intermediary network. Since HUD is not requesting a continuation of funding for housing counseling activities as a separate and discrete program for FY 1996 and thereafter, it encourages local agencies to consider affiliating with a larger entity as one avenue of possible future

funding and support for local programs. Local housing counseling agencies that are not currently HUD-approved may receive FY 1995 funding only as an affiliate of a HUD-approved national, regional, or multi-State intermediary's application for FY 1995 funds. In this instance, the intermediary organization must certify that the quality of services provided will meet, or exceed, standards for local HUD-approved agencies.

2. Civil Rights Prerequisites

Applicants that fall into any one of the following categories will be ineligible for funding under this NOFA:

a. The Department of Justice has brought a civil rights suit against the applicant and the suit is pending;

b. There has been an adjudication of a civil rights violation in a civil action brought against the applicant by a private individual, unless the applicant is operating in compliance with a court order, or implementing a HUD-approved compliance agreement designed to correct the areas of noncompliance;

c. There are outstanding findings of noncompliance with civil rights statutes, Executive Orders or regulations as a result of formal administrative proceedings, or the Secretary has issued a charge against the applicant under the Fair Housing Act, unless the applicant is operating under a conciliation or compliance agreement designed to correct the areas of noncompliance; or

d. HUD has deferred application processing by HUD under one of the following authorities:

i. Title VI of the Civil Rights Act of 1964 and the implementing guidelines of the Attorney General (28 CFR 50.3) and the HUD regulations (24 CFR 1.8);

ii. Section 504 of the Rehabilitation Act of 1973 and the HUD section 504 regulations (24 CFR 8.57);

iii. Executive Order 11063, as amended by Executive Order 12892 and HUD regulations (24 CFR Part 107);

iv. Title II of the Americans with Disabilities Act of 1990 and applicable regulations (28 CFR Part 36); or

v. The Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and implementing regulations (24 CFR Part 146).

3. Requirements Applicable to Religious Organizations

Where the applicant is, or proposes to contract with, a primarily religious organization, or a wholly secular organization established by a primarily religious organization, to provide, manage, or operate a housing counseling program, the organization must undertake its responsibilities under the

counseling program in accordance with the following principles:

a. It will not discriminate against any employee or applicant for employment under the program on the basis of religion and will not limit employment or give preference in employment to persons on the basis of religion;

b. It will not discriminate against any person applying for counseling under the program on the basis of religion and will not limit such assistance or give preference to persons on the basis of religion; and

c. It will provide no religious instruction or religious counseling, conduct no religious services or worship, engage in no religious proselytizing, and exert no other religious influence in the provision of assistance under the housing counseling program.

D. Eligible Activities

Eligible activities will vary depending upon whether the applicant is a HUD-approved local counseling agency or a HUD-approved national, regional, or multi-State housing counseling intermediary.

1. Local Housing Counseling Agencies

Local housing counseling agencies funded under this NOFA may use HUD funds to deliver comprehensive housing counseling or to specialize in the delivery of particular housing counseling services according to the housing needs they identified for their target area in the plan that was previously approved by HUD. HUD recognizes that local housing counseling agencies may offer a wide range of services, including:

a. Renter assistance, including information about rent subsidy programs, rights and responsibilities of tenants, lease and rental agreements, etc.;

b. Outreach initiatives, including providing general information about housing opportunities within the community and providing appropriate information to persons with disabilities;

c. Pre-purchase homeownership counseling, covering such issues as purchase procedures, mortgage financing, downpayment/closing cost fund accumulation, accessibility requirements of the property—if appropriate, credit improvement, debt consolidation, etc.;

d. Post-purchase counseling, including such issues as property maintenance, personal money management, home equity conversion mortgages, etc.; or

e. Mortgage delinquency and default resolution, including restructuring debt,

arrangement of reinstatement plans, loan forbearance, assignment of mortgage to HUD, etc.

HUD-funded local counseling agencies may elect to offer their services to a wide range of clients or may elect to serve a more limited audience. Potential clients include: renters; potential homebuyers; homeowners eligible for and applying for HUD-related, VA, FmHA, State, local, or conventionally financed housing or housing assistance; or persons who occupy such housing and seek the assistance of a HUD-approved housing counseling agency to resolve a housing need (including the need of a person with a disability for accessible housing) or problem. Local housing counseling agencies may elect to offer this assistance in conjunction with any HUD housing program but must be familiar with FHA's single family and multifamily housing programs.

2. National, Regional, or Multi-State Counseling Intermediaries

The primary activity of national, regional, or multi-State nonprofit housing counseling intermediaries will be to manage the use of HUD housing counseling funds, including the distribution of counseling funding to affiliated local housing counseling organizations. Local affiliates of the selected national, regional, or multi-State counseling intermediaries are eligible to undertake any or all of the housing counseling activities outlined above for the HUD-approved local housing counseling agencies. The local affiliates receiving funding through intermediaries do not need to be HUD-approved in order to receive these funds from the intermediary. However, the national, regional, or multi-State intermediary organization must be HUD-approved as of the NOFA publication date.

E. Selection Process

1. Local Housing Counseling Agencies

All applications meeting the requirements of this NOFA will be selected for funding, if sufficient funds are available within the HUD geographic allocation area for local housing counseling agency applicants.

a. Criteria/Ranking Factors

All applications will be rated and ranked by staff in the appropriate local HUD office using the following criteria:

i. Capability of the applicant as determined by HUD, including competent delivery of counseling services and timely drawdown of any HUD funds awarded in the prior Fiscal Year—up to 50 points;

ii. Adequacy of the activities proposed by the applicant in response to housing needs identified in the applicant's housing counseling plan as previously approved by HUD—up to 25 points;

iii. Evidence of private funding sources contributing to the applicant's operating budget over the past calendar year—up to 15 points; and

iv. Evidence of current funding support from units of government located within the target area which the applicant intends to serve—up to 10 points.

b. Selection Procedure

National, regional, and multi-State applications will be ranked in Headquarters and selected for funding, in rank order, until all funds for such agencies are depleted. Local agency applications will be reviewed by the Field Office and assigned points under the selection criteria. Then the Field Office will submit its recommendations for funding to HUD Headquarters for final review, to ensure appropriate geographical distribution of program funds and consistent application of the criteria described above. HUD Headquarters will then rank the local agency applications within the geographical areas and select for funding, in rank order, all acceptable applications to the point at which all funds are depleted.

i. Breaking a Tie

If two or more applications receive the same number of points and sufficient funds are not available to fund all such applications, first the application or applications requesting the smallest grants will be selected, if a sufficient amount remains to fund them. If two or more tied applications request the same amount and sufficient funds are not available to fund all such applications, the following system will be used to break the ties:

A. If the tied applications are for programs to be carried out in different jurisdictions, applications with the highest number of points for the rating criterion a. ii. (adequacy of activities) stated above will be selected, if sufficient funds remain.

B. If the tied applications are to be carried out in the same jurisdiction, applications with the highest number of points for the rating criterion a. i. (capability) stated above will be selected, if sufficient funds remain.

ii. Reallocations

Funds remaining after applying the procedures described in paragraph E.1.b. will be reallocated to fund the

highest ranking remaining applications without regard to their location.

iii. Procedural Errors

Procedural errors by HUD discovered after initial ratings, but before notification to Congress of selected applicants, will be corrected and rankings will be revised.

iv. Reductions

HUD will approve an application for an amount lower than the amount requested or adjust line items in the proposed budget within the amount requested (or both) if it determines that:

A. The amount requested for one or more eligible activities is unreasonable, unnecessary, or unjustified;

B. An activity proposed for funding does not qualify as an eligible activity;

C. The applicant is not able to carry out all the activities requested; or

D. Insufficient amounts remain in that funding round to fund the full amount requested in the application.

v. Limitation of Geographic Scope

HUD may reduce the geographic scope of the proposed program if it determines that:

A. Two or more fundable applications substantially overlap; or

B. The proposed geographic scope is overly large given the capacity of the organization.

2. National, Regional, and Multi-State Counseling Organizations

If more applications are submitted to HUD Headquarters from national, regional, and multi-State organizations that meet all the requirements of this NOFA than can be funded with the amount allocated for this purpose, they will be rated by staff in HUD Headquarters using the above ranking criteria stated in paragraph 1. a., and the top-rated applicants will be selected. Paragraphs 1. c. iii., iv., and v., above also apply to the selection of national, regional, and multi-State counseling organizations.

3. Notification of Approval or Disapproval

After completion of the selection process, but no later than six months after the deadline date for submission of the applications, as stated in this NOFA, HUD will notify, in writing, the applicants that have been selected and the applicants that have not been selected.

F. Funding Levels

Funding levels will be based on the amount authorized by the Congress, geographical distribution as described

above, the performance record of each counseling agency as determined by HUD's analysis of prior year counseling workload and results of the most recent biennial performance review, competent delivery of counseling services and timely drawdown of funds awarded, and the agency's needs, as specified in the application according to its housing counseling plan previously approved by HUD. In addition, applicants that can demonstrate successful efforts to obtain non-HUD funding in their applications will receive extra consideration in HUD's rating and ranking process. HUD funding provided *must* be less than the total actual cost of the agency's housing counseling program.

1. Local Housing Counseling Agencies

HUD will fund local agencies according to the budget submitted with the application, in an amount not to exceed \$100,000. Amounts requested by local housing counseling agencies should reflect anticipated operating needs for housing counseling activities, based upon counseling experience during the last year and existing agency capacity. To the maximum extent possible, local counseling agencies also must seek other private and public sources of funding to supplement HUD funding. HUD never intends for its counseling grant funds to cover all costs incurred by an agency participating in the program.

Local housing counseling agencies may use the HUD grant to undertake any of the eligible counseling activities described in this NOFA and included in their HUD-approved plan. FY 1995 housing counseling grant funds also may be used for "capacity building" as defined in this NOFA. Up to \$4,000 of the grant amount may be used to: purchase computer equipment that meets, or exceeds, HUD specifications; enhance existing telephone service, such as purchasing a Telecommunications Device for the Deaf (TDD) to serve persons with hearing impairments (as an alternative to using TDD relay service); and install FAX machines. The Department will require that all funded grantees that do not currently have adequate computer systems use all or a portion of their \$4,000 capacity building portion of the grant to purchase computer hardware according to HUD specifications. Computer training for one staff person also may be paid from the \$4,000 set-aside, as may training on how to use a TDD. Title to equipment acquired by a recipient with program funds shall vest in the recipient, subject to the provisions of 24 CFR part 84, subpart E.

2. National, Regional, or Multi-State Counseling Intermediaries

The intermediary organization will distribute the majority of funds awarded to their proposed local housing counseling affiliates. Intermediaries should budget an amount which reflects their best estimate of cost to oversee and fund these counseling efforts, as well as the funding needs of their affiliates. Note that HUD housing counseling funding is not intended to fully fund either the intermediary's housing counseling program or the housing counseling programs of the local affiliates. To the maximum extent possible, intermediaries and their local affiliates are expected to seek other private and public sources of funding for housing counseling to supplement HUD funding.

An intermediary may use up to \$5,000 of its total grant amount for capacity building expenses such as: purchasing computer equipment; enhancing telephone service, such as purchasing a Telecommunications Device for the Deaf (TDD) to serve persons with hearing impairments (as an alternative to using TDD relay service); installing FAX machines; and preparing or publishing counseling materials. If the intermediary does not have an adequate computer system, the Department will require that the \$5,000 capacity building portion of the grant be used to purchase necessary equipment meeting HUD specifications. Title to equipment acquired by a recipient with program funds shall vest in the recipient, subject to the provisions of 24 CFR part 84, subpart E.

HUD will give the selected nonprofit intermediaries wide discretion to implement the housing counseling program with their affiliates. The intermediary may decide how to allocate funding among its affiliates and may determine funding levels at or below \$100,000 for individual affiliates with the understanding that a written record will be kept of how this determination is made. This record shall be made available to the agencies affiliated with the intermediary.

III. Checklist of Application Submission Requirements

A. General

Contents of an application will differ somewhat for local housing counseling agencies and for national, regional, or multi-State intermediaries; however, all applicants are expected to submit:

1. Standard Form 424, Application for Federal Assistance.
2. Standard Form 424B, Assurances-Non-construction Programs.

3. Certification of a Drug Free Workplace, in accordance with the Drug-Free Workplace Act of 1988, and HUD's regulations at 24 CFR part 24, subpart F.

4. Anti-lobbying certification in accordance with section 319 of the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352), and the regulations at 24 CFR part 87.

5. Form HUD-2880, Applicant/Recipient Disclosure Update Report, as required under subpart C of 24 CFR part 12, Accountability in the Provision of HUD Assistance.

6. Disclosure of Lobbying Activities on SF-LLL must be used to disclose lobbying with other than Federal funds at the time of application.

7. HUD Form 9902-Housing Counseling Agency Fiscal Year Activity Report for 1994. Where an applicant did not participate in HUD's Housing Counseling Program during FY 1994, this report should be completed to reflect the agency's counseling workload during that period in any case. This form must be fully completed and submitted by every applicant for FY 1995 HUD funding. HUD will reject any application that does not include this form.

8. Assurance that, if funded, it will administer its housing counseling program in keeping with the provisions of HUD Handbook 7610.1, as revised.

9. A description of the counseling services to be offered in response to housing needs in the agency's target area, according to the plan previously approved by HUD, with any modifications necessitated by changing housing market conditions in the agency's target area(s).

10. A realistic, proposed budget for use of HUD funds if awarded. This should be broken down into two categories: direct counseling costs and capacity building costs. Note that the budget submitted by a local agency may not exceed a total of \$100,000. Capacity building costs for local agencies may not exceed \$4,000. National, regional and multi-state organizations may submit a proposed budget up to \$1 million. Capacity building costs for these organizations may not exceed \$5,000.

B. National, Regional, and Multi-State Intermediaries

National, regional, and multi-State intermediaries must submit an application which covers both their network organization and their affiliated agencies. This application must include:

1. Description of affiliated agencies. For each, list the following information:
 - a. Organization name

b. Address

c. Director and contact person (if different)

d. Phone/FAX numbers (including TDD, if appropriate)

e. Federal tax identification number

f. ZIP code service areas

g. Number of staff providing counseling

h. Type of services offered (defined by renter assistance, outreach initiatives, pre-purchase counseling, post-purchase counseling, and mortgage default and delinquency counseling)

i. Number of years of housing counseling experience

2. Relationship with affiliates. Briefly describe the intermediary's relationship with affiliates (i.e. membership organization, field or branch offices, subsidiary organizations, etc.).

3. Oversight system. Describe the process that will be used for determining affiliate funding levels, distributing funds, and monitoring affiliate performance.

IV. Corrections to Deficient Applications

After the submission deadline, applicants may cure only non-substantial, technical deficiencies that surface during HUD screening of their application. Applicants will have a "cure period" to correct such deficiencies that are not integral to HUD's review of the application. Applicants have 14 calendar days from the date HUD notifies them of any problem to submit the appropriate information to HUD. Notification of a technical deficiency may be in writing or by telephone. If the HUD notification is by telephone, a written confirmation will be transmitted by HUD to the applicant. Where HUD determines that an application as initially submitted is fundamentally incomplete, or would require substantial revisions, it will not consider the application further. Note: HUD will not inform applicants regarding application deficiencies other than as described in this section.

V. Other Matters

Environmental Impact

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, in connection with the Notice of Funding Availability published in connection with the Housing Counseling program on March 21, 1994 (59 FR 13366). That Finding is applicable to this 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 Impact

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that this NOFA does not have "federalism implications" because it does not have substantial direct effects on the States (including their political subdivisions), or on the distribution of power and responsibilities among the various levels of government. This NOFA only affects nonprofit or public organizations who seek funding for their housing counseling activities.

Impact on the Family

The General Counsel, as the Designated Official under Executive Order 12606, the Family, has determined that this NOFA has potential significant impact on family formation, maintenance, and general well-being only to the extent that the entities who qualify for participation in HUD's housing counseling program under this notice will provide families with the counseling and advice they need to avoid rent delinquencies or mortgage defaults, and to develop competence and responsibility in meeting their housing needs. Since the potential impact on the family is considered beneficial, no further review under the Order is necessary.

Documentation and Public Access Requirements: HUD Reform Act

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 **Federal Register** notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.16(b).)

Prohibition Against Advance Information on Funding Decisions: HUD Reform Act

HUD's regulation implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a), 24 CFR part 4, applies to the funding competition announced today. 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 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 under 24 CFR part 4.

Applicants who have questions should contact the HUD Office of Ethics (202) 708-3815 (voice) or (202) 708-1112 (TDD). (These are not toll-free numbers.) 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 Assistant General Counsel or Headquarters counsel for the program to which the question pertains.

Influence on Awards: HUD Reform Act

Section 112 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 award of HUD assistance, if the fees are tied to the amount of assistance received, or if they are contingent upon the receipt of assistance. See 24 CFR part 86.

Any questions about these requirements should be directed to the Office of Ethics, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410-0500. Telephone: (202) 708-3815 (voice); (202) 708-1112 (TDD). (These are not toll-free numbers.) Forms necessary for compliance with the rule

may be obtained from the local HUD office.

Prohibition Against Lobbying Activities

The use of funds awarded under this NOFA is subject to the disclosure requirements and prohibitions of 24 CFR part 87. That regulation prohibits recipients of federal contracts, grants, or loans from using appropriated funds for lobbying the Executive or Legislative branches of the federal government in connection with a specific contract, grant, or loan. 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.

Catalog

The Catalog of Federal Domestic Assistance Program number is 14.169.

Dated: May 12, 1995.

Jeanne K. Engel,

General Deputy, Assistant Secretary for Housing-Federal Housing Commissioner.

Appendix A—HUD Offices

Note: The title of all those listed is: Director, Single Family Division, U.S. Department of Housing and Urban Development. Telephone numbers are not toll-free.

Applicants within the Oklahoma State/Southwest Area who would have submitted applications to the HUD Oklahoma State Office in Oklahoma City, should send their applications to the Tulsa, Oklahoma Area Office.

HUD—New England Area

Connecticut State Office

Mr. Ronald T. Black, First Floor, 330 Main Street, Hartford, CT 06106-1860, (203) 240-4569.

Massachusetts State Office

Mr. Edward T. Bernard, Room 375, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Boston, MA 02222-1092, (617) 565-5101.

New Hampshire State Office

Mr. Loren Cole, Norris Cotton Federal Building, 275 Chestnut Street, Manchester, NH 03101-2487, (603) 666-7755.

Rhode Island State Office

Mr. Michael Dziok, Sixth Floor, 10 Weybosset Street, Providence, RI 02903-2808, (401) 528-5351.

HUD—New York, New Jersey Area

New Jersey State Office

Ms. Encarnacion Loukatos, Thirteenth Floor, One Newark Center, Newark, NJ 07102-5260, (201) 622-7900 X3400.

- New York State Office
Mr. Juan Baustista, 26 Federal Plaza, New York, NY 10278-0068, (212) 264-0777 X3746.
- Albany Area Office
Mr. Robert S. Scofield, Jr., 52 Corporate Circle, Albany, NY 12203-5121, (518) 464-4204.
- Buffalo Area Office
Mr. Glenn Ruggles, Fifth Floor, Lafayette Court, 465 Main Street, Buffalo, NY 14203-1780, (716) 846-5732.
- Camden Area Office
Mr. Philip Caulfield, Second Floor, Hudson Building, 800 Hudson Square, Camden, NJ 08102-1156, (609) 757-5083.
- HUD—Midatlantic Area*
- District of Columbia Office
Ms. Carole Catineau, 820 First Street, NE, Washington, D.C. 20002-4502, (202) 275-9200 X3055.
- Maryland State Office
Ms. Candace Simms, Fifth Floor, City Crescent Building, 10 South Howard Street, Baltimore, MD 21201-2505, (410) 962-2520 X3094.
- Pennsylvania State Office
Mr. Mike Perretta, The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3380, (215) 656-0507.
- Virginia State Office
Ms. Rheba G. Gwaltney, The 3600 Centre, 3600 West Broad Street, P.O. Box 90331, Richmond, VA 23230-0331, (804) 278-4512.
- West Virginia State Office
Mr. Peter Minter, Kanawha Valley Building, Suite 708, 405 Capitol Street, Charleston, WV 25301-1795, (304) 347-7064.
- Pittsburgh Area Office
Mr. Richard Nemoytin, 412 Old Post Office Courthouse, 7th Avenue and Grant Street, Pittsburgh, PA 15219-1906, (412) 644-6940.
- HUD—Southeast/Caribbean Area*
- Alabama State Office
Ms. Martha Andrus, Suite 300, Beacon Ridge Tower, 600 Beacon Parkway, West, Birmingham, AL 35209-3144, (205) 290-7648.
- Caribbean Office
Ms. Margarita Delgado, New San Juan Office Building, 159 Carlos Chardon Avenue, San Juan, PR 00918-1804, (809) 766-5402.
- Georgia State Office
Ms. Janice Cooper, Richard B. Russell Federal Building, 75 Spring Street, S.W., Atlanta, GA 30303-3388, (404) 331-4801.
- Kentucky State Office
Mr. David A. Powell, 601 West Broadway, P.O. Box 1044, Louisville, KY 40201-1044, (502) 582-6167.
- Mississippi State Office
Mr. Jerry F. Perkins, Suite 910, Doctor A.H. McCoy Federal Building, 100 West Capitol Street, Jackson, MS 39269-1016, (601) 965-4930.
- North Carolina State Office
Mr. Robert Dennis, Koger Building, 2306 West Meadowview Road, Greensboro, NC 27407-3707, (910) 547-4053.
- South Carolina State Office
Mr. David L. Ball, Strom Thurmond Federal Building, 1835 Assembly Street, Columbia, SC 29201-2480, (803) 765-5593.
- Coral Gables Area Office
Ms. Sara D. Warren, Gables 1 Tower, 1320 South Dixie Highway, Coral Gables, FL 33146-2911, (305) 662-4527.
- Jacksonville Area Office
Ms. Martha A. Littlefield, Suite 2200, Southern Bell Tower, 301 West Bay Street, Jacksonville, FL 32202-5121, (904) 232-2811.
- Knoxville Area Office
Mr. John Robbins, Third Floor, John J. Duncan Federal Building, 710 Locust Street, Knoxville, TN 37902-2526, (615) 545-4377.
- Memphis Area Office
Ms. Bonnie G. Johnson, Suite 1200, One Memphis Place, 200 Jefferson Avenue, Memphis, TN 38103-2335, (901) 544-3403.
- Tennessee State Office
Mr. Ed M. Phillips, Suite 200, 251 Cumberland Bend Drive, Nashville, TN 37228-1803, (615) 736-7154.
- Orlando Area Office
Mr. Robert K. Osterman, Suite 270, Langley Building, 3751 Maguire Boulevard, Orlando, FL 32803-3032, (407) 648-6441.
- Tampa Area Office
Ms. Nikki A. Spitzer, Suite 700, Timberlake Federal Building Annex, 501 East Polk Street, Tampa, FL 33602-3945, (813) 228-2504.
- HUD—Midwest Area*
- Illinois State Office
Ms. Debra F. Robinson, Ralph H. Metcalfe Federal Building, 77 West Jackson Boulevard, Chicago, IL 60604-3507, (312) 886-9043.
- Indiana State Office
Ms. Brenda Laroche, 151 North Delaware Street, Indianapolis, IN 46204-2526, (317) 226-7034.
- Michigan State Office
Mr. John Frelich, Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, MI 48226-2592, (313) 226-6885.
- Minnesota State Office
Mr. John E. Buenger, 220 Second Street, South, Minneapolis, MN 55401-2195, (612) 370-3053.
- Ohio State Office
Mr. Verlon Shannon, 200 North High Street, Columbus, OH 43215-2499, (614) 469-5536.
- Wisconsin State Office
Mr. Larry Milewski, Suite 1380, Henry S. Reuss Federal Plaza, 310 West Wisconsin Avenue, Milwaukee, WI 53203-2289, (414) 297-3156.
- Cincinnati Area Office
Ms. Louistine Tuck, 525 Vine St., Suite 700, Cincinnati, OH 45202-3253, (513) 684-2233.
- Cleveland Area Office
Mr. Kendel King, Fifth Floor, Renaissance Building, 1350 Euclid Avenue, Cleveland, OH 44115-1815, (216) 522-2784.
- Flint Area Office
Mr. Gary Levine, Room 200, 605 North Saginaw Street, Flint, MI 48502-1953, (810) 766-5107.
- Grand Rapids Area Office
Ms. Shirley Bryant, 2922 Fuller Avenue, NE, Grand Rapids, MI 49505-3499, (616) 456-2146.
- HUD—Southwest Area*
- Arkansas State Office
Ms. Susan E. Finister, Suite 900, TCBY Tower, 425 West Capitol Avenue, Little Rock, AR 72201-3488, (501) 324-5961.
- Louisiana State Office
Mr. Byron D. Duplantier, 9th Floor, Hale Boggs Federal Building, 501 Magazine St., New Orleans, LA 70130-3099, (504) 589-6833.
- New Mexico State Office
Ms. Carol G. Johnson, 625 Truman Street, NE, Albuquerque, NM 87110-6443, (505) 262-6269.
- Texas State Office
Mr. Louis Ybarra, 1600 Throckmorton Street, P.O. Box 2905, Fort Worth, TX 76113-2905, (817) 885-6255.
- Houston Area Office
Mr. Henry Hadnot, Suite 200, Norfolk Tower, 2211 Norfolk, Houston, TX 77098-4096, (713) 834-3289.
- Lubbock Area Office
Mr. Miguel Rincon (Acting), Federal Office Building, 1205 Texas Avenue, Lubbock, TX 79401-4093, (806) 743-7262.
- San Antonio Area Office
Mr. Antonio C. Cabral, Washington Square, 800 Dolorosa Street, San Antonio, TX 78207-4563, (210) 229-6898.
- Shreveport Area Office
Ms. Martha Sakre, Suite 1510, 401 Edwards Street, Shreveport, LA 71101-3107, (318) 676-3387.
- Tulsa Area Office
Ms. Jeanne King, 50 East 15th Street, Suite 110, Tulsa, OK 74119-4032, (918) 581-7442.
- HUD—Great Plains*
- Iowa State Office
Mr. Patrick Liao, Room 239, Federal Building, 210 Walnut Street, Des Moines, IA 50309-2155, (515) 284-4804.

Kansas/Missouri State Office

Mr. Deryll Sellmeyer, Room 200, Gateway Tower II, 400 State Avenue, Kansas City, KS 66101-2406, (913) 551-6820.

Nebraska State Office

Ms. Nancy Sheets, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154-3955, (402) 492-3135.

Saint Louis Area Field Office Mr. Art Pearrow, Third Floor, Robert A. Young Federal Building, 1222 Spruce Street, St. Louis, MO 63103-2836, (314) 539-6388.

HUD—Rocky Mountains Area

Colorado State Office

Ms. Sheryl S. Miller, First Interstate Tower North, 633 17th Street, Denver, CO 80202-3607, (303) 672-5343.

Montana State Office

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

Utah State Office

Mr. Richard P. Bell, Suite 550, 257 Tower, 257 East, 200 South, Salt Lake City, UT 84111-2048, (801) 524-5241.

HUD—Pacific/Hawaii Area

Arizona State Office

Ms. Bernice Campbell, Suite 1600, Two Arizona Center, 400 North 5th Street, Phoenix, AZ 85004-2361, (602) 379-6704.

California State Office

Mr. Keith Axtell (Acting), Philip Burton Federal Building and U.S. Courthouse, 450 Golden Gate Avenue, P.O. Box 36003, San Francisco, CA 94102-3448, (415) 556-0796.

Hawaii State Office

Ms. Jill B. Hurt, 7 Waterfront Plaza (Suite 500), 500 Ala Moana Boulevard, Honolulu, HI 96813-4918, (808) 522-8190.

Nevada State Office

Mr. Benjamin F. Davis, Suite 700, Atrium Building, 333 No. Rancho Drive, Las Vegas, NV 89106-3714, (702) 388-6500.

Fresno Area Office

Ms. Yvielle Edwards-Lee, Suite 138, 1630 E. Shaw Avenue, Fresno, CA 93710-8193, (209) 487-5032.

Los Angeles Area Office

Mr. Malcolm Findley, 1615 West Olympic Boulevard, Los Angeles, CA 90015-3801, (213) 251-7217.

Reno Area Office

Mr. William Fattic, Suite 114, 1575 Delucchi Lane, Reno, NV 89502-6581, (702) 784-5388.

Sacramento Area Office

Mr. Ron M. Johnson (Acting), Suite 200, 777 12th Avenue, Sacramento, CA 95814-1997, (916) 498-5254.

San Diego Area Office

Mr. Danny E. Mendez, Mission City Corporate Center, 2365 Northside drive (Suite 300), San Diego, CA 92108-2712, (619) 557-2608.

Santa Ana Area Office

Mr. David A. Westerfield, Suite 500, 3 Hutton Centre, Santa Ana, CA 92707-5764, (714) 957-7352.

Tucson Area Office

Ms. Sharon K. Atwell, Suite 700, Security Pacific Bank Plaza, 33 North Stone Avenue, Tucson, AZ 85701-1467, (520) 670-6000.

HUD—Northwest/Alaska Area

Alaska State Office

Mr. Paul O. Johnson, Suite 401, University Plaza Building, 949 East 36th Avenue, Anchorage, AK 99508-4399, (907) 271-4610.

Idaho State Office

Mr. Gary L. Gillespie, Suite 220, Plaza IV, 800 Park Boulevard, Boise, ID 83712-7743, (208) 334-1991.

Oregon State Office

Ms. Pamela D. West, 520 S.W. 6th Avenue, Portland, OR 97204-1596, (503) 326-2684.

Washington State Office

Mr. David L. Rodgers, Suite 200, Seattle Federal Office Building, 909 First Avenue, Seattle, WA 98104-1000, (206) 220-5200 X3252.

[FR Doc. 95-12729 Filed 5-23-95; 8:45 am]

BILLING CODE 4210-27-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV-030-1220-00; Closure Notice No. NV-030-95-03]

Emergency Closure of Federal Lands

SUMMARY: Notice is hereby given that certain public lands in the vicinity of Golden Valley, Washoe County, Nevada, are closed to all motorized vehicles. This closure is necessary due to unauthorized road construction and off-road vehicle use which is causing considerable adverse effects to soil, vegetation and wildlife habitat in the area.

DATES: This closure goes into effect on June 1, 1995, and will remain in effect until the Carson City District Manager determines it is no longer needed.

FOR FURTHER INFORMATION CONTACT: James M. Phillips, Lahontan Resource Area Manager, Carson City District, 1535 Hot Springs Road, Carson City, Nevada 89706. Telephone (702) 885-6100.

SUPPLEMENTARY INFORMATION: The authorities for this closure are 43 CFR 8341.2, 43 CFR 8342.3 and 43 CFR 8364.1. Any person who fails to comply with a closure order is subject to arrest and fines in accordance with applicable provisions of 18 USC 3571 and/or imprisonment not to exceed 12 months.

This closure applies to all motorized vehicles excluding (1) any emergency or law enforcement vehicle while being used for emergency purposes, and (2) any vehicle whose use is expressly authorized in writing by the Lahontan Resource Area Manager.

The public lands affected by this closure are located in Golden Valley, and while excluding the main access road running from the west-southwest to the east-northeast through these lands, include all other lands within:

Mt. Diablo Meridian

T.20N., R.19E.,

Sec. 2, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

A map of the area closed to motorized vehicles is posted in the Carson City District Office.

Dated: May 16, 1995.

John O. Singlaub,

Carson City District Manager.

[FR Doc. 95-12706 Filed 5-23-95; 8:45 am]

BILLING CODE 4310-HC-M

[WY-920-05-1320-01; WYW136447]

Invitation for Coal Exploration License; Campbell County, WY

May 15, 1995.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of invitation for coal exploration license.

SUMMARY: Pursuant to section 2(b) of the Mineral Leasing Act of February 25, 1920, as amended by section 4 of the Federal Coal Leasing Amendments Act of 1976, 90 Stat. 1083, 30 U.S.C. 201 (b), and to the regulations adopted as Subpart 3410, Title 43, Code of Federal Regulations, all interested parties are hereby invited to participate with Antelope Coal Company on a pro rata cost sharing basis in its program for the exploration of coal deposits owned by the United State of America in the following-described lands in Campbell County, Wyoming:

T. 41 N., R. 71 W., 6th P.M., Wyoming,

Sec. 22: Lots 2, 10;

Sec. 23: Lots 11, 12, 14, 15;

Sec. 27: Lots 6, 11;

Containing approximately 33.60 acres.

All of the coal in the above-described land consists of unleased Federal coal within the Powder River Basin Known Recoverable Coal Resource Area. The purpose of the exploration program is to conduct off-lease exploration by drilling.

ADDRESSES: The proposed exploration program is fully described and will be conducted pursuant to an exploration plan to be approved by the Bureau of