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#### Wisconsin

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#### Wyoming

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#### Territories

##### Guam

Mr. Giovanni T. Sgambelluri, Director, Bureau of Budget and Management Research, Office of the Governor, P.O. Box 2950, Agana, Guam 96910, Telephone: 011-671-472-2285, FAX: 011-671-472-2825

##### Puerto Rico

Norma Burgos/Jose E. Caro, Chairwoman/Director, Puerto Rico Planning Board, Federal Proposals Review Office, Minillas Government Center, P.O. Box 41119, San Juan, Puerto Rico 00940-1119, Telephone: (809) 727-4444, (809) 723-6190, (809) 724-3270, FAX: (809) 724-3103

##### North Mariana Islands

State Single Point of Contact, Planning and Budget Office, Office of the Governor, Saipan, CM, Northern Mariana Islands 96950

##### Virgin Islands

Jose George, Director, Office of Management and Budget, #41 Norregade Emancipation Garden, Station, Second Floor, Saint Thomas, Virgin Islands 00802.

Please direct all questions and correspondence about intergovernmental review to: Linda Clarke, Telephone: (809) 774-0750, FAX: (809) 776-0069.

#### *Certification Regarding Environmental Tobacco Smoke*

Public Law 103-227, Part C—Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of

the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity.

By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act. The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for children's services and that all subgrantees shall certify accordingly.

[FR Doc. 96-6259 Filed 3-15-96; 8:45 am]

BILLING CODE 4184-01-P

#### [Program Announcement No. OCS 96-05]

#### **Family Violence Prevention and Services Program, National Resource Center on Domestic Violence and Three Special Issue Resource Centers; Availability of Funds for Fiscal Year 1996 and Request for Applications**

**AGENCY:** Office of Community Services, ACF, HHS.

**ACTION:** Announcement of the availability of funds and request for applications for the National Resource Center on Domestic Violence and Three Special Issue Resource Centers: Civil and Criminal Law; Child Custody and Protection; and Health Resources, respectively.

**SUMMARY:** The Office of Community Services (OCS) of the Administration for Children and Families (ACF) expects \$1,130,436 to be available in fiscal year (FY) 1996 for the award of one cooperative agreement and three grant awards in support of a National Resource Center on Domestic Violence (NRC), and three Special Issue Resource Centers (SIRCs) to operate as the Domestic Violence Resource Network. This Announcement contains all the application materials needed to apply for these grants. Please copy and use these materials provided in submitting an application under this Announcement. *No additional application materials are available or needed to submit an application.* Applications will be judged competitively.

Applicants should note that grants and cooperative agreements to be awarded under this Program Announcement are subject to the availability of funds.

The purpose of the Domestic Violence Resource Network (a network of four domestic violence resource centers: the National Resource Center on Domestic

Violence, the Resource Center on Civil and Criminal Law, the Health Resource Center on Domestic Violence, and the Resource Center on Child Protection and Custody) is to strengthen the existing support systems serving battered women, their children and other victims of domestic violence; and to provide comprehensive information and resources, policy development, and technical assistance designed to enhance community response to and prevention of domestic violence.

Each resource center, as part of the network, is required to work in partnership with community-based domestic violence programs, State domestic violence coalitions, Federal, State, and local government agencies, Indian tribal organizations, policy makers and others involved in assisting programs and victims of domestic violence in order to identify and respond to emerging issues, technical assistance requests, and increasing service demands. In addition to promoting research, providing information, and technical assistance, each center within the network must provide:

- Comprehensive statistics, fact sheets, and specialized information packets addressing a range of domestic violence issues;
- Materials to support the development and replication of model programs, legislation and exemplary practices;
- Technical assistance and training to assist organizations, programs and communities to adapt available resources to meet local needs;
- A toll-free information line which allows the public to access the latest developments in research, policy, and practice; and
- A customized service reachable by fax or mail whereby programs, agencies, and professionals may receive packets, newsletters, bibliographies, policy papers and fact sheets.

**DATES:** The closing date for submission of applications is May 17, 1996.

Applications postmarked after the closing date will be classified as late.

**ADDRESSES:** Application receipt point: Department of Health and Human Services, Administration for Children and Families/Division of Discretionary Grants, (OCS-96-05) 370 L'Enfant Promenade, S.W., Mail Stop 6C-462, Washington, D.C. 20447.

**FOR FURTHER INFORMATION CONTACT:** William Riley, Administration for Children and Families, Office of Community Services, Division of State Assistance, 370 L'Enfant Promenade,

S.W., Washington, D.C. 20447.  
Telephone (202) 401-5529.

#### Part I: General Information

##### A. Legislative Authority

The NRC and the SIRC grants are authorized under the Family Violence Prevention and Services Act (FVPSA), 42 U.S.C. 10401 et seq. Enacted as Title III of the Child Abuse Amendments of 1984, the FVPSA was amended and reauthorized by Pub. L. 102-295, the Child Abuse, Domestic Violence, Adoption and Family Services Act of 1992. The FVPSA was further amended by the Violent Crime and Law Enforcement Act of 1994 (Pub. L. 103-322). The Act is administered by the Office of Community Services, Administration for Children and Families, Department of Health and Human Services.

##### B. Program Purpose

The Department is required to establish and maintain a NRC and up to seven SIRCs. (See section 308(a)(2) of the FVPSA, as amended.)

On a nationwide basis, a network composed of the NRC and the SIRCs will offer resource, policy, and training assistance to Federal, State, and local government agencies, to domestic violence service providers, and to other professional and interested parties on issues pertaining to domestic violence. The NRC will maintain a central resource library in order to collect, prepare, analyze, and disseminate information and statistics relating to the incidence and prevention of family violence (particularly the prevention of repeated incidents of violence) and the provision of immediate shelter and related assistance. The SIRCs shall provide a specialization, on a nationwide basis, in at least one area of domestic violence service, prevention or law.

##### C. Eligible Applicants

Private nonprofit organizations that focus primarily on domestic violence. Applicants must have documented organizational experience in the area of domestic violence prevention and services and in the specific special-issue area(s) for which they are applying. Each applicant must have an advisory board.

##### D. Background

To comply with the NRC mandate, the Office of Community Services seeks to support a nationwide effort that is staffed by an expert and experienced multi-disciplinary team that can respond to requests for resource, policy, and training assistance from

individuals, agencies and organizations at the Federal, State and local levels.

Because of our concerns for administrative efficiency, ACF has concluded that the most effective relationships and anticipated coordination activities between the NRC and the SIRCs will be greatly enhanced with the establishment and maintenance of three (3) SIRCs. The areas of domestic violence service, prevention, or law described in section 308 of the FVPSA clearly overlap; therefore OCS has determined that they may be combined with no loss of emphasis.

(1) Areas related to the efforts of the Special Issue Resource Centers will include the:

(a) Identification, documentation and the development of innovative training curricula, materials and manuals for specific program needs;

(b) Provision of technical assistance, training and consultation to improve program administration, service delivery, and to promote the utilization of resources and state-of-the-art techniques related to domestic violence, including methods and techniques for program implementation and evaluation; and

(c) Development of a network of professionals in domestic violence and the coordination of their input and experiences to assist persons, programs or agencies requesting assistance or information.

Considered together, the NRC and the SIRCs will constitute a domestic violence resource network and will provide assistance to Federal, State and local governmental agencies, Tribal agencies, State Domestic Violence Coalitions, community-based domestic violence programs, and other organizations and individuals involved in domestic violence prevention, identification, services, and intervention. To that end, questions related to the forms and extent of the assistance needed by the field must be addressed. Additionally, questions related to the efficient and shared use of current electronic capabilities, how assistance and support for the field may be best communicated and delivered, and questions relative to the state-of-the-art on prevention, identification, intervention, and services in domestic violence must also be discussed.

Moreover, the discussion of the provision of assistance and consultation must be conducted in a manner that takes into account varying circumstances, e.g., conditions in the field, and the target populations to be addressed. The discussion of the anticipated level of responsiveness and sensitivity requires that questions of

flexibility, options for services delivery, cost, and the appropriateness of content also be addressed.

The SIRCs must have the ability to deliver highly individualized technical assistance which enables a user to solve a specific problem. In addition to facilitating on-site assistance, the SIRCs shall: identify, develop, and disseminate research and evaluation findings; prepare and distribute technical assistance packages to aid in the replication of effective services, prevention efforts and training programs; and identify new areas of demonstration and services improvement needed to address domestic violence issues in their respective topical areas.

The proposed three SIRCs will provide specific leadership, resource information and materials, training, technical assistance and professional consultation as the following resource centers:

Special Issue Resource Centers on Domestic Violence:

##### (a) Civil and Criminal Justice

(i) Criminal justice responses to domestic violence, including court-mandated abuser treatment and the development of batterers intervention services.

(ii) The use of the self-defense plea by domestic violence victims and other issues that arise when domestic violence victims are accused of committing crimes, including homicide.

(iii) Improving access to and the quality of legal representation for victims of domestic violence in civil litigation, including the issuance and enforcement of protection orders.

##### (b) Child Protection and Custody

(i) Improving the response of Child Protective Service agencies to battered mothers of abused children.

(ii) Child custody issues in domestic violence cases.

##### (c) Health Care and Access

(i) Improving interdisciplinary health care responses.

(ii) Improving access to health care resources for victims of domestic violence.

(2) Areas of Responsibility for the National Resource Center on Domestic Violence:

It is expected that on a nationwide basis the NRC shall have a knowledge building and dissemination capacity and exhibit a systematic approach to the development and the distribution of information on issues for the field in close coordination with the SIRCs. To that end, the NRC shall assume an

active role in the development of work groups and conferences on emerging policy and practice issues, and publish and disseminate proceedings on the state-of-the-art in selected areas of domestic violence intervention and prevention efforts, model programs, policy development and research; identify areas where additional information and research is needed to complement policy and practice; and suggest next steps for additional data compilation, innovative demonstrations, program administration, policy and service program evaluations.

Specific areas related to the efforts of the National Resource Center will include:

- (a) Identifying emerging domestic violence issues and preparing information and policy papers addressing such issues;
- (b) Identification of the need, documentation and development of innovative or exemplary practice and resource development, and assisting the field through the acquisition of a 1-800 information line and other means, in acquiring and adapting such resources to specific needs; and
- (c) Maintaining a central resource library to collect, prepare, analyze, and disseminate information and statistics.

#### E. Forms of Awards

The Office of Community Services intends to support the SIRC's via regular grant awards. However, OCS intends to support the NRC through a Cooperative Agreement. A Cooperative Agreement is an award instrument of financial assistance when substantial involvement is anticipated between the awarding office and the recipient during performance of the contemplated project. The Office of Community Services will outline a plan of interaction with the grantee for implementation under the cooperative agreement. The respective responsibilities of the Office of Community Services and the successful applicant will be identified and incorporated into the Cooperative Agreement during pre-award negotiations. It is anticipated that OCS responsibilities will not change the project requirements for the NRC found in this Announcement. The plan under the cooperative agreement will describe the general and specific responsibilities of the grantee and the grantor as well as foreseeable joint responsibilities. A schedule of tasks will be developed and agreed upon in addition to any special conditions relating to the implementation of the project.

#### F. Minimum Requirements for Project Design

Applicants may apply to provide NRC services or SIRC services, and may submit applications for more than one center. However, in the event that the applicant does apply for more than one center, a separate application for each center would be required. Applicants must clearly indicate whether funding is being sought to support the NRC or the SIRC. When applying for the SIRC grant the applicant must specify the topical area(s) being addressed.

In order to successfully compete under this Announcement, the applicant should:

- (1) For the National Resource Center:
  - (a) Outline a plan of interaction with OCS for implementation under a cooperative agreement including, as appropriate, activities involving Headquarters agency staff;
  - (b) Describe the immediacy of the need(s) to be addressed as an NRC and provide information on the specific services your organization has provided and currently provides and what need(s) and information would be provided as the NRC;
  - (c) Present the technical approach and the specific workplans for the provision of assistance to the field that is nationwide in scope and that includes the use of an advisory board and/or expert panel; a plan for continued contact with the field, including an 800 telephone number and direct mailings; a plan for the implementation and effective use of electronic communication capability with the field; and a plan for the development and use of a network of experts for the provision of direct training and consultation, including fees for service, if necessary;
  - (d) Describe the efforts that would be initiated to coordinate the NRC with national advocacy groups and domestic violence organizations, other related national resource centers and clearinghouses, and Federal, State and Indian Tribal agencies; identify the agencies/organizations and how the initiation of or continued coordination with them will enhance the NRC's activities and avoid a duplication of efforts;
  - (e) Provide a plan to determine the need for and the manner in which you would implement special projects relating to policy issues, training curricula, service delivery models or other aspects of services, related to the prevention of domestic violence;
  - (f) Provide a plan and schedule for evaluating and reporting on the effectiveness of the project(s) 6 months after the effective date of the grant;

(g) Describe the proposed NRC staff with appropriate expertise; and

(h) Describe the administrative and organizational structure, the management plan, and the cost structure within which the project will operate; describe the administrative, operational and organizational relationships to be established with the SIRC's that will constitute an effective national network in the domestic violence areas. Charts depicting these structures and the ensuing relationships must be included.

#### Project Period

Awards, on a competitive basis, will be for a one-year budget period, although project periods may be for 5 years. Applications for continuation grants funded under these awards beyond the one-year budget period but within the 5-year project period will be entertained in subsequent years on a non-competitive basis, subject to the availability of funds, satisfactory progress of the grantee and a determination that continued funding would be in the best interest of the government.

#### Budget Period and Federal Share

The FY 96 Federal share for the National Resource Center is \$452,174 for the first 12-month budget period, subject to the availability of funds.

#### Matching Requirement

Grantees must provide at least 25 percent of the total cost of the project. The total approved cost of the project is the sum of the ACF share and the non-Federal share. The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a project requesting \$602,898 in Federal funds for the first-year budget period must include a match of at least \$200,966 (25 percent of total project cost). If approved for funding, the grantee will be held accountable for commitments of non-Federal resources, and failure to provide the required amounts will result in a disallowance of unmatched Federal funds.

#### Anticipated Number of Projects to be Funded

It is anticipated that one National Resource Center on Domestic Violence will be funded.

(2) For the Special Issue Resource Centers:

(a) Describe the immediacy of the need(s) to be addressed and provide information on the specific services your organization has provided and currently provides and what information, specific training, and

technical assistance would be provided as an SIRC;

(b) Demonstrate an in-depth understanding of the program/service and access/response issues of the particular SIRC(s) and the problems associated with them;

(c) Present the technical approach and the specific workplans for the provision of training and technical assistance to the field that is nationwide in scope and utilizes the support and facilitating efforts of the NRC and a network of experts; describe a plan for continuous contact with the field, an 800 telephone number and direct mailings; and a plan for the development and use of a network of experts for the provision of direct training and consultation, including fees for service, if necessary;

(d) Describe the efforts that you currently make or would implement, and the relationships that you currently have or will form, to coordinate activities with other appropriate resource centers, domestic violence advocacy organizations, public agencies, the NRC, and affiliated SIRCS in a national domestic violence network to enhance the center's activities and to avoid duplication;

(e) Provide a plan to determine the need for and to implement special projects related to training curricula, service delivery models or other aspects of the proposed SIRC topic;

(f) Provide a plan to evaluate the effectiveness of the proposed project activities within 6 months of the effective date of the grant;

(g) Describe the proposed SIRC staff with appropriate expertise; and

(h) Describe the administrative and organizational structure, the management plan, the cost structure within which the project would operate; and describe the operational and programmatic relationships to be formed with the affiliated SIRCS and the NRC. Charts depicting the organizational structures and the ensuing relationships must be included.

#### Project Period

The length of the projects for the Special Issue Resource Centers must not exceed 60 months.

#### Budget Period and Federal Share

The FY 96 Federal share for each of the three Special Issue Resource Centers is \$226,087 for the first 12-month budget period subject to the availability of funds.

#### Matching Requirement

Successful grantees must provide at least 25 percent of the total cost of the project. The approved total cost of the

project is the sum of the ACF share and the non-Federal share. The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a project requesting \$301,449 in Federal funds for the first year budget period must include a match of at least \$100,449 (25 percent of total project cost). If approved for funding, the grantee will be held accountable for commitments of non-Federal resources, and failure to provide the required amounts will result in a disallowance of unmatched Federal funds.

#### Anticipated Number of Projects to be Funded

It is anticipated that three Special Issue Resource Center projects will be funded as grants, i.e., one each in the areas of Civil and Criminal Justice, Child Protection and Custody, and Health Care and Access.

CFDA: 93.671 Family Violence Prevention and Services: Family Violence Prevention and Services Act, as amended.

#### Part II—The Review Process

##### A. Eligible Applicants

Before applications are reviewed, each application will be screened to determine that the applicant organization is an eligible applicant as specified. Applications from organizations which do not meet the eligibility requirements area will not be considered or reviewed in the competition, and the applicant will be so informed.

Only agencies and organizations, not individuals, are eligible to apply. On all applications developed jointly by more than one agency or organization, the application must identify only one organization as the lead organization and official applicant. The other participating agencies and organizations can be included as co-participants, subgrantees or subcontractors.

For-profit organizations and public agencies are also eligible to participate as subgrantees or subcontractors with eligible private non-profit organizations.

Any non-profit organization which has not previously received an award from the U.S. Department of Health and Human Services must submit proof of non-profit status with its grant application. The non-profit organization can accomplish this by either making reference to its listing in the Internal Revenue Service's (IRS) most recent list of tax-exempt organizations or submitting a copy of its letter from the

IRS under IRS Code Section 501(c)(3). ACF cannot fund a non-profit applicant without acceptable proof of its non-profit status.

##### B. Review Process and Funding Decisions

Applications that are received by the deadline date and are from eligible applicants will be reviewed and scored competitively. Experts in the field, generally persons from outside of the Federal government, will use the appropriate evaluation criteria listed later in this Part to review and score the applications. The results of this review are a primary factor in making funding decisions.

OCS reserves the option of discussing applications with, or referring them to, other Federal or non-Federal funding sources when this is determined to be in the best interest of the Federal government or the applicant. It may also solicit comments from ACF Regional Office staff, other Federal agencies, interested foundations, national organizations, specialists, experts, States and the general public. These comments, along with those of the expert reviewers, will be considered by OCS in making funding decisions.

In making decisions on awards, OCS may give preference to applications which focus on or feature: past experience in operating a resource center of similar nature; a substantially innovative strategy with the potential to improve theory or practice in the field of human services; a model practice or set of procedures that holds the potential for replication by organizations involved in the administration or delivery of human services; substantial involvement of volunteers; substantial involvement (either financial or programmatic) of the private sector; a favorable balance between Federal and non-Federal funds available for the proposed project; the potential for high benefit for low Federal investment; a programmatic focus on those most in need; and/or substantial involvement in the proposed project by national or community foundations.

##### C. Evaluation Criteria

Using the appropriate evaluation criteria below, a panel of at least three reviewers (primarily experts from outside the Federal government) will review each application. Applicants should ensure that they address each minimum requirement under the appropriate section of the Program Narrative Statement.

Reviewers will determine the strengths and weaknesses of each

proposal in terms of the appropriate evaluation criteria listed below, provide comments and assign numerical scores. The point value following each criterion heading indicates the maximum numerical weight that each section may be given in the review process.

#### Review Criteria for All Priority Areas

Applications for the National Resource Center and the Special Issue Resource Centers will be evaluated against the following criteria.

##### 1. Need for the Project (10 Points)

The extent to which the need for the project and the problems it will address have national and local significance; the applicability of the project to coordination efforts by national, State and local governmental and non-profit agencies, and its ultimate impact on domestic violence prevention services and intervention efforts, policies and practice; the relevance of other documentation as it relates to the applicants knowledge of the need for the project; and the identification of the specific topic or program area to be served by the project. Maps and other graphic aids may be attached.

##### 2. Goals and Objectives (10 Points)

The extent to which the specific goals and objectives have national or local significance, the clarity of the goals and objectives as they relate to the identified need for and the overall purpose of the project, and their applicability to policy and practice. The provision of a detailed discussion of the objectives and the extent to which the objectives reflect or impact the state-of-the-art relative to the problem or needs for the project.

##### 3. Approach (30 Points)

The extent to which the application outlines a sound and workable plan of action pertaining to the scope of the project, and details how the proposed work will be accomplished; relates each task to the objectives and identifies the key staff member who will be the lead person; provides a chart indicating the timetable for completing each task, the lead person, and the time committed; cites factors which might accelerate or decelerate the work, giving acceptable reasons for taking this approach as opposed to others; describes and supports any unusual features of the project, such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvements; and provides for projections of the accomplishments to be achieved.

The extent to which the application describes the evaluation methodology

that will be used to determine if the needs identified and discussed are being met and if the results and benefits identified are being achieved.

##### 4. Results and Benefits (20 Points)

The extent to which the application identifies the results and benefits to be derived, the extent to which they are consistent with the objectives of the application, the extent to which the application indicates the anticipated contributions to policy, practice, and theory, and the extent to which the proposed project costs are reasonable in view of the expected results. Applicants should identify, in specific terms, the results and benefits, for target groups and human service providers, to be derived from implementing the proposed project. Applicants should also describe how the expected results and benefits will relate to previous demonstration efforts.

##### 5. Level of Effort: (30 Points)

###### *Expertise, Commitment, and Support*

(a) The extent to which the applicant has nationally recognized expertise in the area of domestic violence and a record of high quality service to victims of domestic violence, including a demonstration of support from advocacy groups, such as State Domestic violence Coalitions or recognized national domestic violence groups; the extent of the applicant's commitment to diversity, and to the provision of service to ethnic, racial, and non-English speaking minorities, older individuals, and individuals with disabilities.

###### *Staff Background, Organizational Experience, and Competence of Staff*

(b) The adequacy of the staffing pattern for the proposed project, how the individual responsibilities are linked to project tasks, and the contributions to be made by key staff. Each collaborating or cooperative organization, individual consultant, or other key individuals who will work on the project should be listed along with a description of the nature of their effort or contribution.

The background and experience of the project director and key project staff and the history and accomplishments of the organization; the qualifications of the project team including any experience with similar projects; the variety of skills, relevant educational background, and the ability to effectively manage the project and to coordinate with other agencies. One or two pertinent paragraphs on each key member are preferred to vitae/resumes. However, vitae resumes may be included.

#### *Adequacy of Resources and the Budget*

(c) The adequacy of the available resources and organizational experience with regard to the scope of the tasks of the proposed project. A list of the financial, physical, and other resources already committed by other private and public institutions and agencies, if any, and the explanation of how these organizations will participate in the day-to-day operations of the project. Letters from these agencies and organizations identifying and discussing the specifics of their commitment and participation must be included in the application. The extent to which the proposed budget is related to the level of effort required to obtain the project's objectives; demonstration that the project's costs are reasonable in view of the anticipated results.

#### *Collaborative Efforts*

(d) The extent of the additional private sector resources that may be available to support or enhance the overall program. A discussion in detail and the provision of documentation for any proposed collaborative or coordinated efforts with other public or private agencies or organizations. Letters from these agencies and organizations must be included discussing their interest and/or commitment in supporting the proposed project, stating at what juncture they would become involved and the expected level of resource commitment.

Applicants should note that non-responsiveness to the section "*Minimum Requirements for Project Design*" will result in a low evaluation score by the panel of expert reviewers. Applicants must clearly identify the specific resource center for which they wish to have their applications considered, and tailor their applications accordingly. Previous experience has shown that an application which is broader and more general in concept is less likely to score as well as one which is more clearly focused and directly responsive.

#### *D. Available Funds*

OCS intends to award three new grants and one cooperative agreement (subject to the availability of funds) resulting from this Announcement during the third quarter of FY 1996. The size of the actual awards may vary from the estimates herein.

The term "budget period" refers to the interval of time (usually 12 months) into which a multi-year period of assistance (project period) is divided for budgetary and funding purposes. The term

“project period” refers to the total time a project is approved for support, including any extensions.

For multi-year projects, continued Federal funding beyond the first budget period is dependent upon several factors which include proof of satisfactory performance and the availability of funds from future appropriations.

#### *E. Grantee Share of Project Costs*

Federal funds will be provided to cover up to 75% of the total allowable project costs. Therefore, the non-Federal share must amount to at least 25% of the total (Federal plus non-Federal) project cost. This means that, for every \$3 in Federal funds received, up to the maximum amount allowable for each center, applicants must contribute at least \$1.

For example, the cost breakout for a project with a total cost of \$100,000 to implement would be:

Max. Federal request	Non-Federal share	Total cost
\$75,000 .....	\$25,000	\$100,000
75% .....	25%	100%

### Part III—Instructions for the Development and Submission of Applications

This Part contains information and instructions for submitting applications in response to this Announcement. Application forms are provided as part of this publication along with a checklist for assembling an application package. Please copy and use these forms in submitting an application.

Potential applicants should read this section carefully in conjunction with the information contained within the specific priority area under which the application is to be submitted. The priority area descriptions are in Part II.

#### *A. Required Notification of the State Single Point of Contact*

This program is covered under Executive Order 12372, (E.O.) “Intergovernmental Review of Federal Programs,” and 45 CFR Part 100, “Intergovernmental Review of Department of Health and Human Services Program and Activities.” Under the E.O., States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

All States and territories, except Alaska, Colorado, Connecticut, Hawaii, Idaho, Kansas, Louisiana, Massachusetts, Minnesota, Montana, Nebraska, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee,

Virginia, Washington, American Samoa, and Palao have elected to participate in the E.O. process and have established a Single Point of Contact (SPOCs).

Applicants from these twenty jurisdictions need take no action regarding E.O. 12372. Applicants for projects to be administered by Federally-recognized Indian Tribes are also exempt from the requirements of E.O. 12372. Otherwise, applicants should contact their SPOCs as soon as possible to alert them of the prospective applications and receive any necessary instructions. Applicants must submit any required material to the SPOCs as soon as possible so that OCS can obtain and review SPOC comments as part of the award process. It is imperative that the applicant submit all required materials, if any, to the SPOC and indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424, item 16a.

Under 45 CFR 100.8(a)(2), a SPOC has 60 days from application deadline to comment on proposed new or competing continuation awards.

SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are requested to differentiate clearly between mere advisory comments and those official State process recommendations which may trigger the “accommodate or explain” rule.

When comments are submitted directly to ACF, they should be addressed to: Department of Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, (OCS-96-05) 370 L'Enfant Promenade, S.W., 6th Floor East, Washington, D.C. 20447.

A list of the Single Point of Contact for each State and Territory is included at the end of this Announcement.

#### *B. Paperwork Reduction Act of 1980*

Under the Paperwork Reduction Act of 1980, Public Law 96-511, the Department is required to submit to the Office of Management and Budget (OMB) for review and approval any reporting and recordkeeping requirements in regulations, including Program Announcements. This Program Announcement does not contain information collection requirements beyond those approved for ACF grant applications under OMB Control Number 0970-0062.

#### *C. Deadline for Submittal of Applications*

The closing date for submittal of applications under this Program

Announcement is found at the beginning of this Program Announcement under **DATES**.

Mailed applications shall be considered as meeting an announced deadline if they are either received on or before the deadline date or sent on or before the deadline date and received in ACF in time for the independent review to: U.S. Department of Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, 370 L'Enfant Promenade, S.W., Mail Stop 6C-462, Washington, D.C. 20447, Attention: Family Violence Prevention and Services Program.

Applicants are cautioned to request a legibly dated U.S. Postal Service postmark or to obtain a legibly dated receipt from a commercial carrier or U.S. Postal Service. Private metered postmarks shall not be acceptable proof of timely mailing.

Applications handcarried by applicants, applicant couriers, or overnight/express mail couriers shall be considered as meeting an announced deadline if they are received on or before the deadline date, between the hours of 8:00 a.m. and 4:30 p.m., at the U.S. Department of Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, ACF Mailroom, 2nd Floor Loading Dock, Aerospace Center, 901 D Street, S.W., Washington, D.C. 20024, between Monday and Friday (excluding Federal holidays). (Applicants are cautioned that express/overnight mail services do not always deliver as agreed.)

ACF cannot accommodate transmission of applications by fax or through other electronic media. Therefore, applications transmitted to ACF electronically will not be accepted regardless of the date or time of submission and time of receipt.

*Late applications:* Applications which do not meet the criteria above are considered late applications. The ACF shall notify each late applicant that its application will not be considered in the current competition.

*Extension of deadlines:* The ACF may extend the deadline for all applicants due to acts of God, such as floods, hurricanes or earthquakes; widespread disruption of the mails; or if ACF determines a deadline extension to be in the best interest of the Government. However, if ACF does not extend the deadline for all applicants, it may not waive or extend the deadline for any applicant.

*D. Instructions for Preparing the Application and Completing Application Forms*

The SF 424, Page 2; and certifications have been reprinted for your convenience in preparing the application. You should reproduce single-sided copies of these forms from the reprinted forms in the Announcement, typing your information onto the copies. Please do not use forms directly from the Federal Register Announcement, as they are printed on both sides of the page.

In order to assist applicants in correctly completing the SF 424 and SF 424A, instructions for these forms have been included at the end of Part III of this Announcement.

Where specific information is not required under this program, NA (not applicable) has been preprinted on the form.

*Please prepare your application in accordance with the following instructions:*

1. SF 424 Page 1, Application Cover Sheet

Please read the following instructions before completing the application cover sheet. An explanation of each item is included. Complete only the items specified.

*Top of Page.* Enter the single priority area number under which the application is being submitted. An application should be submitted under only one priority area.

*Item 1. "Type of Submission"*—Preprinted on the form.

*Item 2. "Date Submitted" and "Applicant Identifier"*—Date application is submitted to ACF and applicant's own internal control number, if applicable.

*Item 3. "Date Received By State"*—State use only (if applicable).

*Item 4. "Date Received by Federal Agency"*—Leave blank.

*Item 5. "Applicant Information"*  
"Legal Name"—Enter the legal name of applicant organization. For applications developed jointly, enter the name of the lead organization only. There must be a single applicant for each application.

"Organizational Unit"—Enter the name of the primary unit within the applicant organization which will actually carry out the project activity. Do not use the name of an individual as the applicant. If this is the same as the applicant organization, leave the organizational unit blank.

"Address"—Enter the complete address that the organization actually uses to receive mail, since this is the

address to which all correspondence will be sent. Do not include both street address and P.O. box number unless both must be used in mailing.

"Name and telephone number of the person to be contacted on matters involving this application (give area code)"—Enter the full name (including academic degree, if applicable) and telephone number of a person who can respond to questions about the application. This person should be accessible at the address given here and will receive all correspondence regarding the application.

*Item 6. "Employer Identification Number (EIN)"*—Enter the employer identification number of the applicant organization, as assigned by the Internal Revenue Service, including, if known, the Central Registry System suffix.

*Item 7. "Type of Applicant"*—Self-explanatory.

*Item 8. "Type of Application"*—Preprinted on the form.

*Item 9. "Name of Federal Agency"*—Preprinted on the form.

*Item 10. "Catalog of Federal Domestic Assistance Number and Title"*—Enter the Catalog of Federal Domestic Assistance (CFDA) number assigned to the program under which assistance is requested and its title, as indicated in the relevant priority area description.

*Item 11. "Descriptive Title of Applicant's Project"*—Enter the project title. The title is generally short and is descriptive of the project, not the priority area title.

*Item 12. "Areas Affected by Project"*—Enter the governmental unit where significant and meaningful impact could be observed. List only the largest unit or units affected, such as State, county, or city. If an entire unit is affected, list it rather than subunits.

*Item 13. "Proposed Project"*—Enter the desired start date for the project and projected completion date.

*Item 14. "Congressional District of Applicant/Project"*—Enter the number of the Congressional district where the applicant's principal office is located and the number of the Congressional district(s) where the project will be located. If statewide, a multi-State effort, or nationwide, enter "00."

*Items 15. "Estimated Funding Levels"*—In completing 15a through 15f, the dollar amounts entered should reflect, for a 17 month or less project period, the total amount requested.

*Item 15a.* Enter the amount of Federal funds requested in accordance with the preceding paragraph. This amount should be no greater than the maximum amount specified in the priority area description.

*Items 15b–e* Enter the amount(s) of funds from non-Federal sources that will be contributed to the proposed project. Items b–e are considered cost-sharing or "matching funds." The value of third party in-kind contributions should be included on appropriate lines as applicable. For more information regarding funding as well as exceptions to these rules, see Part III, Sections E and F, and the specific priority area description.

*Item 15f.* Enter the estimated amount of income, if any, expected to be generated from the proposed project. Do not add to or subtract this amount from the total project amount entered under item 15g. Describe the nature, source and anticipated use of this income in the Project Narrative Statement.

*Item 15g.* Enter the sum of items 15a–15e.

*Item 16a. "Is Application Subject to Review By State Executive Order 12372 Process? Yes."*—Enter the date the applicant contacted the SPOC regarding this application. Select the appropriate SPOC from the listing provided at the end of Part IV. The review of the application is at the discretion of the SPOC. The SPOC will verify the date noted on the application. If there is a discrepancy in dates, the SPOC may request that the Federal agency delay any proposed funding until September 30, 1996.

*Item 16b. "Is Application Subject to Review By State Executive Order 12372 Process? No."*—Check the appropriate box if the application is not covered by E.O. 12372 or if the program has not been selected by the State for review.

*Item 17. "Is the Applicant Delinquent on any Federal Debt?"*—Check the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include audit disallowances, loans and taxes.

*Item 18. "To the best of my knowledge and belief, all data in this application/preapplication are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded."*—To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for signature of this application by this individual as the official representative must be on file in the applicant's office, and may be requested from the applicant.

*Item 18a–c. "Typed Name of Authorized Representative, Title, Telephone Number"*—Enter the name, title and telephone number of the



authorized representative of the applicant organization.

*Item 18d.* "Signature of Authorized Representative"—Signature of the authorized representative named in Item 18a. At least one copy of the application must have an original signature. Use colored ink (not black) so that the original signature is easily identified.

*Item 18e.* "Date Signed"—Enter the date the application was signed by the authorized representative.

## 2. SF 424A—Budget Information—Non-Construction Programs

This is a form used by many Federal agencies. For this application, Sections A, B, C, E and F are to be completed. Section D does not need to be completed.

Sections A and B should include the Federal as well as the non-Federal funding for the proposed project covering (1) the total project period of 17 months or less or (2) the first year budget period, if the proposed project period exceeds 17 months.

*Section A—Budget Summary.* This section includes a summary of the budget. On line 5, enter total Federal costs in column (e) and total non-Federal costs, including third party in-kind contributions, but not program income, in column (f). Enter the total of (e) and (f) in column (g).

*Section B—Budget Categories.* This budget, which includes the Federal as well as non-Federal funding for the proposed project, covers the total project period of 17 months or less. It should relate to item 15g, total funding, on the SF 424. Under column (5), enter the total requirements for funds (Federal and non-Federal) by object class category.

A separate budget justification should be included to explain fully and justify major items, as indicated below. The types of information to be included in the justification are indicated under each category. For multiple year projects, it is desirable to provide this information for each year of the project. The budget justification should immediately follow the second page of the SF 424A.

*Personnel—Line 6a.* Enter the total costs of salaries and wages of applicant/grantee staff. Do not include the costs of consultants, which should be included on line 6h, "Other."

*Justification:* Identify the project director, if known. Specify by title or name the percentage of time allocated to the project, the individual annual salaries, and the cost to the project (both Federal and non-Federal) of the organization's staff who will be working on the project.

*Fringe Benefits—Line 6b.* Enter the total costs of fringe benefits, unless treated as part of an approved indirect cost rate.

*Justification:* Provide a break-down of amounts and percentages that comprise fringe benefit costs, such as health insurance, FICA, retirement insurance, etc.

*Travel—6c.* Enter total costs of out-of-town travel (travel requiring per diem) for staff of the project. Do not enter costs for consultant's travel or local transportation, which should be included on Line 6h, "Other."

*Justification:* Include the name(s) of traveler(s), total number of trips, destinations, length of stay, transportation costs and subsistence allowances.

*Equipment—Line 6d.* Enter the total costs of all equipment to be acquired by the project. For State and local governments, including Federally recognized Indian Tribes, "equipment" is tangible, non-expendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. For all other applicants, the threshold for equipment is \$500 or more per unit. The higher threshold for State and local governments became effective October 1, 1988, through the implementation of 45 CFR Part 92, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."

*Justification:* Equipment to be purchased with Federal funds must be justified. The equipment must be required to conduct the project, and the applicant organization or its subgrantees must not have the equipment or a reasonable facsimile available to the project. The justification also must contain plans for future use or disposal of the equipment after the project ends.

*Supplies—Line 6e.* Enter the total costs of all tangible expendable personal property (supplies) other than those included on Line 6d.

*Justification:* Specify general categories of supplies and their costs.

*Contractual—Line 6f.* Enter the total costs of all contracts, including procurement contracts (except those which belong on other lines such as equipment, supplies, etc.) and contracts with secondary recipient organizations. Also include any contracts with organizations for the provision of technical assistance. Do not include payments to individuals on this line.

*Justification:* Attach a list of contractors, indicating the names of the organizations, the purposes of the contracts, and the estimated dollar amounts of the awards as part of the

budget justification. Whenever the applicant/grantee intends to delegate part or all of the program to another agency, the applicant/grantee must complete this section (Section B, Budget Categories) for each delegate agency by agency title, along with the supporting information. The total cost of all such agencies will be part of the amount shown on Line 6f. Provide backup documentation identifying the name of contractor, purpose of contract, and major cost elements.

*Construction—Line 6g.* Not applicable. New construction is not allowable.

*Other—Line 6h.* Enter the total of all other costs. Where applicable, such costs may include, but are not limited to: insurance; medical and dental costs; noncontractual fees and travel paid directly to individual consultants; local transportation (all travel which does not require per diem is considered local travel); space and equipment rentals; printing and publication; computer use; training costs, including tuition and stipends; training service costs, including wage payments to individuals and supportive service payments; and staff development costs. Note that costs identified as "miscellaneous" and "honoraria" are not allowable.

*Justification:* Specify the costs included.

*Total Direct Charges—Line 6i.* Enter the total of Lines 6a through 6h.

*Indirect Charges—6j.* Enter the total amount of indirect charges (costs). If no indirect costs are requested, enter "none." Generally, this line should be used when the applicant (except local governments) has a current indirect cost rate agreement approved by the Department of Health and Human Services or another Federal agency.

When an indirect cost rate is requested, these costs are included in the indirect cost pool and should not be charged again as direct costs to the grant. In the case of training grants to other than State or local governments (as defined in title 45, Code of Federal Regulations, part 74), the Federal reimbursement of indirect costs will be limited to the lesser of the negotiated (or actual) indirect cost rate or 8 percent of the amount allowed for direct costs, exclusive of any equipment charges, rental of space, tuition and fees, post-doctoral training allowances, contractual items, and alterations and renovations.

For training grant applications, the entry under line 6j should be the total indirect costs being charged to the project. The Federal share of indirect costs is calculated as shown above. The



applicant's share is calculated as follows:

(a) Calculate total project indirect costs (a\*) by applying the applicant's approved indirect cost rate to the total project (Federal and non-Federal) direct costs.

(b) Calculate the Federal share of indirect costs (b\*) at 8 percent of the amount allowed for total project (Federal and non-Federal) direct costs exclusive of any equipment charges, rental of space, tuition and fees, post-doctoral training allowances, contractual items, and alterations and renovations.

(c) Subtract (b\*) from (a\*). The remainder is what the applicant can claim as part of its matching cost contribution.

*Justification:* Enclose a copy of the indirect cost rate agreement if it was negotiated with a Federal agency other than DHHS. Applicants subject to the limitation on the Federal reimbursement of indirect costs for training grants should specify this.

*Total—Line 6k.* Enter the total amounts of lines 6i and 6j.

*Program Income—Line 7.* Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount.

*Justification:* Describe the nature, source, and anticipated use of program income in the Program Narrative Statement.

*Section C—Non-Federal Resources.* This section summarizes the amounts of non-Federal resources that will be applied to the grant. Enter this information on line 12 entitled "Totals." In-kind contributions are defined in title 45 of the Code of Federal Regulations, Part 74.2, as the value of non-cash contributions provided by non-Federal third parties. Third party in-kind contributions may be in the form of real property, equipment, supplies, and other expendable property, and the value of goods and services directly benefiting and specifically identifiable to the project or program.

*Justification:* Describe third party in-kind contributions, if included.

*Section D—Forecasted Cash Needs.* Not applicable.

*Section E—Budget Estimate of Federal Funds Needed For Balance of the Project.* Not applicable.

*Totals—Line 20.* For projects that will have more than one budget period, enter the estimated required Federal funds for the second budget period (months 13 through 24) under column "(b) First." If a third budget period will be necessary, enter the Federal funds needed for months 25 through 36 under "(c)

Second." Columns (d) and (e) are not applicable in most instances, since ACF funding is almost always limited to a three-year maximum project period. They should remain blank.

*Section F—Other Budget Information.*  
*Direct Charges—Line 21.* Not applicable.

*Indirect Charges—Line 22.* Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

*Remarks—Line 23.* If the total project period exceeds 17 months, you must enter your proposed non-Federal share of the project budget for each of the remaining years of the project.

### 3. Project Summary Description

Clearly mark this separate page with the applicant name as shown in item 5 of the SF 424, and the title of the project as shown in item 11 of the SF 424. The summary description should not exceed 300 words. These 300 words become part of the computer database on each project.

Care should be taken to produce a summary description which accurately and concisely reflects the application. It should describe the objectives of the project, the approaches to be used and the outcomes expected. The description should also include a list of major products that will result from the proposed project, such as software packages, materials, management procedures, data collection instruments, training packages, or videos (please note that audiovisuals should be closed captioned). The project summary description, together with the information on the SF 424, will constitute the project "abstract." It is the major source of information about the proposed project and is usually the first part of the application that the reviewers read in evaluating the application.

### 4. Program Narrative Statement

The Program Narrative Statement is a very important part of an application. It should be clear, concise, and address the specific requirements mentioned under the priority area description in Part II. The narrative should also provide information concerning how the application meets the evaluation criteria using the following headings:

- (a) *Need for the Project;*
- (b) *Goals and Objectives;*
- (c) *Approach;*
- (d) *Results and Benefits;* and
- (e) *Level of Effort.*

The specific information to be included under each of these headings

is described in Section C of Part III, Evaluation Criteria.

The narrative should be typed double-spaced on a single-side of an 8½"×11" plain white paper, with 1" margins on all sides. All pages of the narrative (including charts, references/footnotes, tables, maps, exhibits, etc.) must be sequentially numbered, beginning with "Objectives and Need for the Project" as page number one. Applicants should not submit reproductions of larger size paper, reduced to meet the size requirement.

The length of the application, including the application forms and all attachments, should not exceed 60 pages. A page is a single side of an 8½"×11" sheet of paper. Applicants are requested not to send pamphlets, brochures or other printed material along with their application as these pose photocopy difficulties. These materials, if submitted, will not be included in the review process if they exceed the 60-page limit. Each page of the application will be counted to determine the total length.

### 5. Organizational Capability Statement

The Organizational Capability Statement should consist of a brief (two to three pages) background description of how the applicant organization (or the unit within the organization that will have responsibility for the project) is organized, the types and quantity of services it provides, and/or the research and management capabilities it possesses. This description should cover capabilities not included in the Program Narrative Statement. It may include descriptions of any current or previous relevant experience, or describe the competence of the project team and its demonstrated ability to produce a final product that is readily comprehensible and usable. An organization chart showing the relationship of the project to the current organization should be included.

### 6. Assurances/Certifications

Applicants are required to file an SF 424B, Assurances— Non-Construction Programs, and the Certification Regarding Lobbying. Both must be signed and returned with the application. In addition, applicants must certify their compliance with: (1) Drug-Free Workplace Requirements; and (2) Debarment and Other Responsibilities; and (3) Certification Regarding Environmental Tobacco Smoke. These certifications are self-explanatory. Copies of these assurances/certifications are reprinted at the end of this Announcement and should be reproduced, as necessary. A duly

authorized representative of the applicant organization must certify that the applicant is in compliance with these assurances/certifications. A signature on the SF 424 indicates compliance with the Drug Free Workplace Requirements, and Debarment and Other Responsibilities, and Environmental Tobacco Smoke certifications.

#### E. Checklist for a Complete Application

The checklist below is for your use to ensure that your application package has been properly prepared.

- \_\_\_ One original, signed and dated application, plus two copies. Applications for different priority areas are packaged separately;
- \_\_\_ Application is from an organization which is eligible under the eligibility requirements defined in the priority area description (screening requirement);
- \_\_\_ Application length does not exceed 60 pages, unless otherwise specified in the priority area description.
- \_\_\_ A complete application consists of the following items in this order:
  - \_\_\_ Application for Federal Assistance (SF 424, REV 4-88);
  - \_\_\_ A completed SPOC certification with the date of SPOC contact entered in line 16, page 1 of the SF 424 if applicable.
  - \_\_\_ Budget Information—Non-Construction Programs (SF 424A, REV 4-88);
  - \_\_\_ Budget justification for Section B—Budget Categories;
  - \_\_\_ Table of Contents;
  - \_\_\_ Letter from the Internal Revenue Service to prove non-profit status, if necessary;
  - \_\_\_ Copy of the applicant's approved indirect cost rate agreement, if appropriate;
  - \_\_\_ Project summary description and listing of key words;
  - \_\_\_ Program Narrative Statement (See Part III, Section C);
  - \_\_\_ Organizational capability statement, including an organization chart;
  - \_\_\_ Any appendices/attachments;

\_\_\_ Assurances—Non-Construction Programs (Standard Form 424B, REV 4-88);

\_\_\_ Certification Regarding Lobbying; and

#### F. The Application Package

Each application package must include an original and two copies of the complete application. Each copy should be stapled securely (front and back if necessary) in the upper left-hand corner. All pages of the narrative (including charts, tables, maps, exhibits, etc.) must be sequentially numbered, beginning with page one. In order to facilitate handling, please do not use covers, binders or tabs. Do not include extraneous materials as attachments, such as agency promotion brochures, slides, tapes, film clips, minutes of meetings, survey instruments or articles of incorporation.

Applicants should include a self-addressed, stamped acknowledgment card. All applicants will be notified automatically about the receipt of their application. If acknowledgment of receipt of your application is not received within eight weeks after the deadline date, please notify ACF by telephone at (202) 401-5529.

#### G. Post-Award Information and Reporting Requirements

Following approval of the applications selected for funding, notice of project approval and authority to draw down project funds will be made in writing. The official award document is the Financial Assistance Award which provides the amount of Federal funds approved for use in the project, the project and budget periods for which support is provided, the terms and conditions of the award, the total project period for which support is contemplated, and the total required financial grantee participation.

General Conditions and Special Conditions (where the latter are warranted) which will be applicable to grants, grantees will be subject to the provisions of 45 CFR Part 74.

Grantees will be required to submit quarterly progress and financial reports (SF 269) throughout the project period, as well as a final progress and financial report within 90 days of the termination of the project.

Grantees are subject to the audit requirements in 45 CFR Parts 74 and OMB Circular A-133. If an applicant does not request indirect costs, it should anticipate in its budget request the cost of having an audit performed at the end of the grant period.

Section 319 of Public Law 101-121, signed into law on October 23, 1989, imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements, and loans. It provides exemptions for Indian tribes and tribal organizations. Current and prospective recipients (and their subtier contractors and/or grantees) are prohibited from using Federal funds, other than profits from a Federal contract, for lobbying Congress or any Federal agency in connection with the award of a contract, grant, cooperative agreement or loan. In addition, for each award action in excess of \$100,000 (or \$150,000 for loans) the law requires recipients and their subtier contractors and/or subgrantees (1) to certify that they have neither used nor will use any appropriated funds for payment to lobbyists; (2) to disclose the name, address, payment details, and purpose of any agreements with lobbyists whom recipients or their subtier contractors or subgrantees will pay with profits or *nonappropriated* funds on or after December 22, 1989 and (3) to file quarterly up-dates about the use of lobbyists if material changes occur in their use. The law establishes civil penalties for noncompliance.

(Catalog of Federal Domestic Assistance program number, 93.671, Family Violence Prevention and Services)

Dated: March 7, 1996.

Donald Sykes,

Director, Office of Community Services.

BILLING CODE 4184-01-P

OMB Approval No. 0348-0043

**APPLICATION FOR FEDERAL ASSISTANCE**

<b>1. TYPE OF SUBMISSION:</b> <i>Application</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction  <i>Preapplication</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED	Applicant Identifier
		3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
<b>5. APPLICANT INFORMATION</b>			
Legal Name:		Organizational Unit:	
Address (give city, county, state, and zip code):		Name and telephone number of the person to be contacted on matters involving this application (give area code)	
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> [ ][ ] - [ ][ ][ ][ ][ ][ ][ ][ ][ ]		<b>7. TYPE OF APPLICANT: (enter appropriate letter in box)</b> <input type="checkbox"/> <ul style="list-style-type: none"> <li>A. State</li> <li>B. County</li> <li>C. Municipal</li> <li>D. Township</li> <li>E. Interstate</li> <li>F. Intermunicipal</li> <li>G. Special District</li> <li>H. Independent School Dist.</li> <li>I. State Controlled Institution of Higher Learning</li> <li>J. Private University</li> <li>K. Indian Tribe</li> <li>L. Individual</li> <li>M. Profit Organization</li> <li>N. Other (Specify): _____</li> </ul>	
<b>8. TYPE OF APPLICATION:</b> <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award    B. Decrease Award    C. Increase Duration D. Decrease Duration    Other (specify): _____		<b>9. NAME OF FEDERAL AGENCY:</b>	
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> [ ][ ][ ][ ] - [ ][ ][ ][ ][ ][ ][ ][ ][ ] TITLE: _____		<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b>	
<b>12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):</b>			
<b>13. PROPOSED PROJECT:</b>		<b>14. CONGRESSIONAL DISTRICTS OF:</b>	
Start Date	Ending Date	a. Applicant	b. Project
<b>15. ESTIMATED FUNDING:</b>		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>	
a. Federal	\$ .00	a. YES: THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE _____	
b. Applicant	\$ .00	b. NO <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
c. State	\$ .00		
d. Local	\$ .00		
e. Other	\$ .00		
f. Program Income	\$ .00	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>	
g. TOTAL	\$ .00	<input type="checkbox"/> Yes    If "Yes," attach an explanation. <input type="checkbox"/> No	
<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED</b>			
a. Typed Name of Authorized Representative		b. Title	c. Telephone number
d. Signature of Authorized Representative		e. Date Signed	

Previous Editions Not Usable

Standard Form 424 (REV 4-88)  
 Prescribed by OMB Circular A-102

Authorized for Local Reproduction

## Instructions for the SF-424

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

*Item and Entry*

1. Self-explanatory.
2. Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable).
3. State use only (if applicable).
4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.
5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.
6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.
7. Enter the appropriate letter in the space provided.

8. Check appropriate box and enter appropriate letter(s) in the space(s) provided:

- “New” means a new assistance award.
  - “Continuation” means an extension for an additional funding/budget period for a project with a projected completion date.
  - “Revision” means any change in the Federal Government's financial obligation or contingent liability for an existing obligation.
9. Name of Federal agency from which assistance is being requested with this application.
  10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.
  11. Enter a brief descriptive title of the project if more than one program is involved, you should append an explanation of a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.
  12. List only the largest political entities affected (e.g., State, counties, cities).
  13. Self-explanatory.
  14. List the applicant's Congressional District and any District(s) affected by the program or project.
  15. Amount requested or to be contributed during the first funding/budget period by

each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.

16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.

17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.

18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

**BILLING CODE 4184-01-M**

OMB Approval No. 0348-0044

**BUDGET INFORMATION — Non-Construction Programs**

SECTION A — BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. TOTALS		\$	\$	\$	\$	\$
SECTION B — BUDGET CATEGORIES						
6 Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY					
	(1)	(2)	(3)	(4)	(5)	Total (5)
a. Personnel	\$	\$	\$	\$	\$	\$
b. Fringe Benefits						
c. Travel						
d. Equipment						
e. Supplies						
f. Contractual						
g. Construction						
h. Other						
i. Total Direct Charges (sum of 6a - 6h)						
j. Indirect Charges						
k. TOTALS (sum of 6i and 6j)	\$	\$	\$	\$	\$	\$
7. Program Income	\$	\$	\$	\$	\$	\$

Standard Form 424A (4-88)  
Prescribed by OMB Circular A-102

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SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8.	\$	\$	\$	\$	\$
9.					
10.					
11.					
12. TOTALS (sum of lines 8 and 11)	\$	\$	\$	\$	\$
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	\$	\$	\$	\$	\$
13. Federal					
14. NonFederal					
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16.	\$	\$	\$	\$	
17.					
18.					
19.					
20. TOTALS (sum of lines 16 -19)	\$	\$	\$	\$	
SECTION F - OTHER BUDGET INFORMATION (Attach additional Sheets if Necessary)					
21. Direct Charges:					
22. Indirect Charges:					
23. Remarks					

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## Instructions for the SF-424A

*General Instructions*

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by functions or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

*Section A. Budget Summary*

Lines 1-4, Columns (a) and (b)

For applications pertaining to a single Federal grant program (Federal Domestic Assistance Catalog number) and not requiring a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a single program requiring budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by functions or activity, enter the catalog program title on each line in Column (a) and the respective catalog number on each line in Column (b).

For applications pertaining to multiple programs where one or more programs require a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) Through (g.)

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds

needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorization budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5—Show the totals for all columns used.

*Section B. Budget Categories*

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a-i—Show the totals of Lines 6a to 6h in each column.

Line 6j—Show the amount of indirect cost.

Line 6k—Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the total amount shown in Section A, Column (g), Line 5. For supplemental grants and charges to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7—Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

*Section C. Non-Federal-Resources*

Line 8-11—Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a)—Enter the program titles identical to column (a), Section A. A breakdown by function or activity is not necessary.

Column (b)—Enter the contribution to be made by the applicant.

Column (c)—Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d)—Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e)—Enter totals of columns (b), (c), and (d).

Line 12—Enter the total for each of Columns (b)-(e). The amount in column (e) should be equal to the amount on Line 5, Column (f), Section A.

*Section D. Forecasted Cash Needs*

Line 13—Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14—Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15—Enter the totals of amounts on Lines 13 and 14.

*Section E. Budget Estimates of Federal funds Needed for Balance of the Project*

Line 16-19—Enter in column (a) the same grant program titles shown in column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20—Enter the total for each of the Column (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

*Section F. Other Budget Information*

Line 21—Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the federal grantor agency.

Line 22—Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23—Provide any other explanations or comments deemed necessary.

*Assurances—Non-Construction Programs*

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.



2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific

statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42

U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of authorized certifying official \_\_\_\_\_

Title \_\_\_\_\_

Applicant organization \_\_\_\_\_

Date submitted \_\_\_\_\_

BILLING CODE 4184-01-M

**U.S. Department of Health and Human Services**  
**Certification Regarding Drug-Free Workplace Requirements**  
**Grantees Other Than Individuals**

**By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.**

This certification is required by regulations implementing the Drug-Free Workplace Act of 1988, 45 CFR Part 76, Subpart F. The regulations, published in the May 25, 1990 Federal Register, require certification by grantees that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the Department of Health and Human Services (HHS) determines to award the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HHS, in addition to any other remedies available to the Federal Government, may taken action authorized under the Drug-Free Workplace Act. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or governmentwide suspension or debarment.

Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios.)

If the workplace identified to HHS changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see above).

Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 USC 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15).

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

**The grantee certifies that it will or will continue to provide a drug-free workplace by:**

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

(b) Establishing an ongoing drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace; (2) The grantee's policy of maintaining a drug-free workplace; (3) Any available drug counseling, rehabilitation, and employee assistance programs; and, (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

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

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and, (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

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

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

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or, (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

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

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant (use attachments, if needed):

Place of Performance (Street address, City, County, State, ZIP Code) \_\_\_\_\_

Check  if there are workplaces on file that are not identified here.

Sections 76.630(c) and (d)(2) and 76.635(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central receipt point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, S.W., Washington, D.C. 20201.

DGMO Form#2 Revised May 1990

**Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions**

By signing and submitting this proposal, the applicant, defined as the primary participant in accordance with 45 CFR Part 76, certifies to the best of its knowledge and belief that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;

(b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

(c) are not presently indicated or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

The inability of a person to provide the certification required above will not necessarily result in denial of participation in this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Department of Health and Human Services' (HHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

The prospective primary participant agrees that by submitting this proposal, it will include the clause entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions" provided below without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions (To Be Supplied to Lower Tier Participants)**

By signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 45 CFR Part 76, certifies to the best of its knowledge and belief that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

(b) where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

The prospective lower tier participant further agrees by submitting this proposal that it will include this clause entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

**Certification Regarding Lobbying**

*Certification for Contracts, Grants, Loans, and Cooperative Agreements*

The undersigned certifies, to the best of his or her knowledge and belief, that:

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

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant,

loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

**State for Loan Guarantee and Loan Insurance**

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the require statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization

\_\_\_\_\_  
Date

**BILLING CODE 4184-01-M**

**DISCLOSURE OF LOBBYING ACTIVITIES**

Approved by OMB  
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____			
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Congressional District, if known: _____	<b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b>   Congressional District, if known: _____				
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: _____				
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$ _____				
<b>10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):</b>   (attach Continuation Sheet(s) SF-LLL-A, if necessary)			<b>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):</b>   (attach Continuation Sheet(s) SF-LLL-A, if necessary)		
<b>11. Amount of Payment (check all that apply):</b> \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	<b>13. Type of Payment (check all that apply):</b> <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____				
<b>12. Form of Payment (check all that apply):</b> <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____					
<b>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11:</b>   (attach Continuation Sheet(s) SF-LLL-A, if necessary)					
<b>15. Continuation Sheet(s) SF-LLL-A attached:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No					
<b>16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b>		<b>Signature:</b> _____ <b>Print Name:</b> _____ <b>Title:</b> _____ <b>Telephone No.:</b> _____ <b>Date:</b> _____			
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form - LLL			

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#### Certification Regarding Environmental Tobacco Smoke

Public Law 103-227, Part C—  
Environmental Tobacco Smoke, also known  
as the Pro-Children Act of 1994 (Act),  
requires that smoking not be permitted in any  
portion of any indoor facility owned or  
leased or contracted for by an entity and used  
routinely or regularly for the provision of  
health, day care, education, or library

services to children under the age of 18, if  
the services are funded by Federal programs  
either directly or through State or local  
governments, by Federal grant, contract, loan,  
or loan guarantee. The law does not apply to  
children's services provided in private  
residences, facilities funded solely by  
Medicare or Medicaid funds, and portions of  
facilities used for inpatient drug or alcohol  
treatment. Failure to comply with the  
provisions of the law may result in the  
imposition of a civil monetary penalty of up  
to \$1,000 per day and/or the imposition of an  
administrative compliance order on the  
responsible entity.

By signing and submitting this application  
the applicant/grantee certifies that it will  
comply with the requirements of the Act. The  
applicant/grantee further agrees that it will  
require the language of this certification be  
included in any subawards which contain  
provisions for children's services and that all  
subgrantees shall certify accordingly.

[FR Doc. 96-6260 Filed 3-15-96; 8:45 am]

BILLING CODE 4184-01-P

## Food and Drug Administration

[Docket No. 95E-0364]

### Determination of Regulatory Review Period for Purposes of Patent Extension; IMMITICIDE®

AGENCY: Food and Drug Administration,  
HHS.

ACTION: Notice.

**SUMMARY:** The Food and Drug  
Administration (FDA) has determined  
the regulatory review period for  
IMMITICIDE® and is publishing this  
notice of that determination as required  
by law. FDA has made the  
determination because of the  
submission of an application to the  
Commissioner of Patents and  
Trademarks, Department of Commerce,  
for the extension of a patent which  
claims that animal drug product.

**ADDRESSES:** Written comments and  
petitions should be directed to the  
Dockets Management Branch (HFA-  
305), Food and Drug Administration,  
12420 Parklawn Dr., rm. 1-23,  
Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:**  
Brian J. Malkin, Office of Health Affairs  
(HFY-20), Food and Drug  
Administration, 5600 Fishers Lane,  
Rockville, MD 20857, 301-443-1382.

**SUPPLEMENTARY INFORMATION:** The Drug  
Price Competition and Patent Term  
Restoration Act of 1984 (Pub. L. 98-417)  
and the Generic Animal Drug and Patent  
Term Restoration Act (Pub. L. 100-670)  
generally provide that a patent may be  
extended for a period of up to 5 years  
so long as the patented item (human  
drug product, animal drug product,

medical device, food additive, or color  
additive) was subject to regulatory  
review by FDA before the item was  
marketed. Under these acts, a product's  
regulatory review period forms the basis  
for determining the amount of extension  
an applicant may receive.

A regulatory review period consists of  
two periods of time: A testing phase and  
an approval phase. For animal drug  
products, the testing phase begins on  
the earlier date when either a major  
environmental effects test was initiated  
for the drug or when an exemption  
under section 512(j) of the Federal Food,  
Drug, and Cosmetic Act (21 U.S.C.  
360b(j)) became effective and runs until  
the approval phase begins. The approval  
phase starts with the initial submission  
of an application to market the animal  
drug product and continues until FDA  
grants permission to market the drug  
product. Although only a portion of a  
regulatory review period may count  
toward the actual amount of extension  
that the Commissioner of Patents and  
Trademarks may award (for example,  
half the testing phase must be  
subtracted as well as any time that may  
have occurred before the patent was  
issued), FDA's determination of the  
length of a regulatory review period for  
an animal drug product will include all  
of the testing phase and approval phase  
as specified in 35 U.S.C. 156(g)(4)(B).

FDA recently approved for marketing  
the animal drug product IMMATICIDE®  
(melarsomine dihydrochloride).  
IMMITICIDE® is indicated for the  
treatment of stabilized Class 1, 2, and 3  
heartworm disease caused by immature  
(4-month old, stage L<sub>5</sub>) to mature adult  
infections of *Dirofilaria immitis* in dogs.  
Subsequent to this approval, the Patent  
and Trademark Office received a patent  
term restoration application for  
IMMITICIDE® (U.S. Patent No.  
4,514,390) from Rockefeller University  
and the Patent and Trademark Office  
requested FDA's assistance in  
determining the patent's eligibility for  
patent term restoration. In a letter dated  
November 24, 1995, FDA advised the  
Patent and Trademark Office that this  
animal drug product had undergone a  
regulatory review period and that the  
approval of IMMATICIDE® represented  
the first commercial marketing of the  
product. Shortly thereafter, the Patent  
and Trademark Office requested that  
FDA determine the product's regulatory  
review period.

FDA has determined that the  
applicable regulatory review period for  
IMMITICIDE® is 2,650 days. Of this  
time, 2,037 days occurred during the  
testing phase of the regulatory review  
period, while 613 days occurred during  
the approval phase. These periods of