

**DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT**

[Docket No. FR-4197-N-01]

**Notice of Funding Availability for the  
Youthbuild Program for Fiscal Year  
1997**

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

**ACTION:** Notice of Funding Availability for the Fiscal Year 1997.

**SUMMARY:** *Purpose.* This Notice of Funding Availability (NOFA) announces the availability of Fiscal Year (FY) 1997 program funds for grant assistance under the Youthbuild Program established by the Housing and Community Development Act of 1992. These funds will be awarded competitively. Only implementation grants will be funded. The body of this NOFA contains information on the following: the purpose of the NOFA, information regarding eligibility, available funding, the application process and selection criteria. Persons not employed by the Department may be used in reviewing and rating applications.

*Available Funds.* Up to \$30 million.

*Eligible Applicants.* Eligible applicants are public or private non-profit agencies, state or local housing agencies or authorities, state or local units of general local government, Indian tribes or any entity eligible to provide education and employment training under other Federal employment training programs, as further defined in 24 CFR 585.4.

**DATES:** *Application Submission.* An original and two copies of the completed application for grant funds must be received in HUD Headquarters prior to 5:00 pm EST on June 23, 1997. Applications will be accepted at the following address: Processing and Control Unit, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh St., SW., Room 7255, Washington, DC 20410. Attn: Youthbuild. In addition, one copy of the completed application should be forwarded to the local HUD CPD field office. Please refer to the attached list for the address of the field office serving your jurisdiction.

Applications which are mailed prior to the deadline date but not received until after the deadline will be deemed to have been received by the date if postmarked no later than (three days prior) by the U.S. Postal Service. Express delivery items received after the

deadline date will be deemed to have been received on time upon submission of documentary evidence that they were placed in transit with the express delivery service no later than the previous date. Applications may not be submitted by facsimile (FAX).

For a copy of the application package, contact: Community Connections at 1-800-998-9999, or through the Internet at [gopher://comcon.org:75/11](mailto:gopher://comcon.org:75/11). Requests for application packages must refer to the Youthbuild program. The application package contains the required forms and instructions for completing a grant request. Requests for application packages for the current competition should be made immediately. Community Connections will distribute application packages as soon as they become available. Grant requests not made on 1997 application package forms will not be accepted.

**FOR FURTHER INFORMATION CONTACT:** Community Connections at 1-800-998-9999. Hearing- and speech-impaired persons should call the Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

**Information Collection Requirements**

The information collection requirements contained in this NOFA have been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), and assigned OMB control number 2506-0142. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

**Promoting Comprehensive Approaches to Housing and Community Development**

HUD is interested in promoting comprehensive, coordinated approaches to housing and community development. Economic development, community development, public housing revitalization, homeownership, assisted housing for special needs populations, supportive services, and welfare-to-work initiatives can work better if linked at the local level. Toward this end, HUD in recent years has developed the Consolidated Planning process designed to help communities undertake such approaches.

In this spirit, it may be helpful for applicants under this NOFA to be aware of other related HUD NOFAs that have recently been published or are expected to be published in the near future. By

reviewing these NOFAs with respect to their program purposes and the eligibility of applicants and activities, applicants may be able to relate the activities proposed for funding under this NOFA to the recent and upcoming NOFAs and to the community's Consolidated Plan.

With respect to community and economic development, the following related NOFAs have been published: (1) The NOFA for the HUD-Administered Small Cities Community Development Block Grant Program—Development Grants for Fiscal Year 1997 and the Section 108 Loan Guarantee Program for Small Communities in New York State (December 3, 1996, at 61 FR 64196); and (2) the NOFA for the Community Outreach Partnership Centers (March 20, 1997, at 62 FR 13506). The following related NOFAs are expected to be published in the next few weeks: (1) The NOFA for the Tenant Opportunity Program—Economic Development and Supportive Services, and (2) the NOFA for Historically Black Colleges. To foster comprehensive, coordinated approaches by communities, HUD intends for the remainder of FY 1997 to continue to alert applicants to upcoming and recent NOFAs as each NOFA is published. In addition, a complete schedule of NOFAs to be published during the fiscal year and those already published appears under the HUD Homepage on the Internet, which can be accessed at <http://www.hud.gov/nofas.html>. Additional steps on NOFA coordination may be considered for FY 1998.

For help in obtaining a copy of your community's Consolidated Plan, please contact the community development office of your municipal government.

**I. Program Purpose**

The purposes of the Youthbuild program are (1) To provide economically-disadvantaged young adults with opportunities to obtain education, employment skills and meaningful on-site construction work experience as a service to their communities and a means to achieve self-sufficiency; (2) to foster the development of leadership skills and commitment to community; and (3) to expand the supply of permanent affordable housing for homeless and low- and very low-income persons by providing implementation grants for carrying out a Youthbuild program.

**A. Authority**

The Youthbuild program is authorized under subtitle D of title IV of the National Affordable Housing Act (the Act), as added by section 164 of the Housing and Community Development

Act of 1992 (Pub. L. 102-550, 106 STAT. 3723, 42 U.S.C. 12899).

Implementing regulations are found in the Final Rule published in the **Federal Register** dated February 21, 1995, and codified in title 24 of the Code of Federal Regulations as part 585.

#### *B. Funding Availability*

This Notice announces the availability of up to \$30 million in program funds. \$1.5 million (five percent of the appropriation) of which is planned for technical assistance consistent with section 458(d) of the Act.

#### *C. Objectives*

The Youthbuild program is designed to help disadvantaged young adults who have dropped out of high school to (1) Obtain the education and employment skills necessary to achieve economic self-sufficiency and (2) develop leadership skills and a commitment to community development in low-income communities. Grant funds can be used to fund eligible services and activities as defined by the Act.

Another important objective of the Youthbuild program is to expand the supply of permanent affordable housing for homeless persons and members of low- and very low-income families. Providing disadvantaged young adults with meaningful on-site training experiences in housing construction and rehabilitation enables them to provide a service to their communities by helping to meet the housing needs of homeless and low-income families.

An additional purpose of the program is to give, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulation, job training, employment, contracting and other economic opportunities to low-income persons and business concerns. To that purpose, section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) is applicable to Youthbuild implementation grant recipients.

## **II. Overview of Youthbuild Implementation Grants**

#### *A. Type of Grants*

HUD will award Youthbuild implementation grants only to eligible applicants for the purpose of carrying out Youthbuild programs in accordance with subtitle D of title IV of the Act. Applications will be selected in a competition in accordance with the grant selection process described in section V below.

#### *B. Maximum Awards*

Under the competition established by this NOFA, the maximum award for a Youthbuild grant is \$700,000. HUD reserves the right to determine the maximum or minimum of any Youthbuild award per application, project, program or budget line item. No amendments will be made to awards under this competition that will increase previously approved grant amounts. In order to ensure reasonable geographic diversity, a jurisdiction may not receive more than \$2.1 million.

#### *C. Locational Considerations*

Each application for a grant may only propose activities to carry out one Youthbuild program, i.e., to start a new Youthbuild program or to fund new classes of Youthbuild participants for an existing program. The same applicant organization may submit more than one application in the current competition if the proposed program's participant recruitment and housing areas are in different jurisdictions. HUD will not approve multiple applications for grants in the same jurisdiction unless HUD determines that the jurisdiction is sufficiently large to justify approval of more than one application.

#### *D. Eligible Applicants*

Eligible applicants are public or private non-profit agencies, State or local housing agencies or authorities, state or local units of general local government, Indian tribes or any entity eligible to provide education and employment training under other Federal employment training programs, as further defined in 24 CFR 585.4.

#### *E. Youthbuild Program Components*

Youthbuild programs receiving assistance under this NOFA must contain the three components described in items (1), (2) and (4) below. Other activities described in item (3) are optional.

- (1) Educational and job training services.
- (2) Leadership training, counseling and other support activities.
- (3) Special activities such as entrepreneurial training, drivers' education, internships, programs for those with learning disabilities, and in-house staff training. (Optional)
- (4) On-site training through actual housing rehabilitation and/or construction work. Each program must be structured so that 50 percent of each participant's time is spent in on-site training.

Refer to 24 CFR 585.3 for a detailed description of program components.

#### *F. Eligible Participants*

Participants in a Youthbuild program must be very low-income high school dropouts between the ages of 16 and 24, inclusive, at the time of enrollment. Up to 25 percent of participants may be above very low-income or high school graduates (or equivalent), but must have educational needs that justify their participation in the program.

#### *G. Activities Used To Conduct a Youthbuild Program May Include*

(1) Work and activities associated with the acquisition, rehabilitation or construction of the housing and related facilities to be used in the program;

(2) Relocation payments and other assistance required to comply with 24 CFR 585.308.

(3) Costs of ongoing training and technical assistance needs related to carrying out a Youthbuild program;

(4) Education, job training, counseling, employment and leadership development services and activities;

(5) Wages, benefits and need-based stipends for participants; and

(6) Administrative costs. Youthbuild funds for these costs should not exceed 20 percent of the total amount of Youthbuild assistance.

Refer to 24 CFR 585.305 for further details on eligible activities.

#### *H. Resources From Other Federal, State, Local or Private Entities*

Applicants are strongly encouraged to use existing housing and homeless assistance programs administered by HUD or other Federal, State, local or private housing programs as part of their Youthbuild program. Use of other non-Youthbuild funds available for vocational, adult and bilingual education programs or for job training under the JTPA Act and the Family Support Act of 1988 is also encouraged. The selection process described in this NOFA provides for applicants to receive points where grant applications contain firm commitments from Federal, State, local or private sources to provide resources to carry out Youthbuild activities.

#### *I. Environmental Procedures and Standards*

Applicants are strongly encouraged to select hazard-free and problem-free properties for their Youthbuild projects. Environmental procedures apply to HUD approval of grants when the applicant proposes to use Youthbuild funds to cover any costs for the lease, acquisition, rehabilitation or new construction of real property proposed for housing project development. Environmental procedures do not apply to HUD approval of applications when applicants propose to use their

Youthbuild funds solely to cover any costs for classroom and/or on-the-job construction training and support services.

For those applicants that propose to use their Youthbuild funds to cover any costs of the lease, acquisition, rehabilitation, or new construction of real property, the applicant shall submit all relevant environmental information in its application to support HUD decision-making in accordance with the environmental procedures and standards set forth in 24 CFR 585.307.

#### J. Grant Period

Funds awarded should be used within 30 months of the effective date of the grant agreement.

### III. Selection Criteria for Youthbuild Applications

Due to an order of the U.S. District Court for the Northern District, Dallas Division, in *Walker v. HUD*, with respect to any application by the City of Dallas, Texas, HUD's evaluation of the quality of the application will consider the extent to which the applicant's proposed program for the use of Youthbuild funds will be used to eradicate the vestiges of racial segregation in the Dallas Housing Authority's programs, consistent with the Court's order (see paragraph 8 below).

HUD will review each application and assign points in accordance with the selection criteria described in this section. Each application may receive up to 100 points. In addition, applications may receive up to 5 points for Americorps participation (see paragraph 7 below), and 10 Empowerment Zone/Enterprise Community points (see paragraph 6 below).

(1) *Capability*: the qualification and experience of the applicant and participating parties. (Max. points: 25) The capability of the applicant and participating parties to implement a successful young adult education and training program within a reasonable time period and in a cost-effective manner as demonstrated through past performance. HUD will review and evaluate the information provided documenting Capability. In assigning points for this criterion, evidence in the application that demonstrates the following will be considered:

(a) Experience in implementing a comprehensive, integrated, multi-disciplinary program with the following components:

(i) Young adult education and training programs, including programs for low-

income persons from economically-distressed neighborhoods.

(ii) Young adult leadership development training and related activities for young adults.

(iii) Young adult on-site training in housing construction or rehabilitation for the production of sound and affordable housing for the homeless and low-income families.

(b) The extent to which the applicant or participating parties have been successful in past education, training and employment programs and activities, including Federally-funded Youthbuild programs. Previous Youthbuild grant recipients must submit a performance narrative as outlined in the application package.

(c) The extent to which the applicant, including program director or principal person, or participating parties have demonstrated past ability to leverage other resources to cover administrative, educational and training costs and have demonstrated ability to implement creative and innovative cost-saving measures.

(d) The extent of prior program quality and cost-effectiveness.

(2) *Need*: the need for the proposed program, as determined by the degree of distress of the community. (Max. points: 20). In assigning points for this criterion, HUD will consider the relative degree of distress of the jurisdiction(s) from which participants will be recruited and in which the housing will be constructed or rehabilitated. HUD will also assign points by calculating the degree of need of the jurisdiction(s) in which the program will be located using the CDBG formula.

(3) *Program Quality and Feasibility*: comprehensiveness and effectiveness of the proposed Youthbuild program. (Max. points: 35). HUD will consider the overall quality and feasibility of the proposed program as measured by the principles and goals of the proposed program; whether proposed program activities meet the overall objectives of the Youthbuild program; whether the proposed program activities will be accomplished within a reasonable amount of time and in a cost effective manner; whether the proposed program activities are comprehensive and integrated; and the potential for success of the proposed program. Areas to be considered in the evaluation of the overall quality of proposed program area:

(a) Outreach, recruitment and selection activities: a description of the proposed: (i) outreach, recruitment (including specific steps to be taken to attract potential eligible participants who are unlikely to be aware of this program because of race, ethnicity, sex or disability) and selection strategies; (ii) special outreach efforts to recruit eligible young women and young women with dependent children, and

persons receiving public assistance; and (iii) recruitment arrangements made with public agencies, courts, homeless shelters, local school systems, community-based organizations, etc.;

(b) Educational and job training services and activities: a description of the educational component of the program, including: (i) the types of instructional services to be provided; (ii) the number and qualification of program instructors and ratio of instructors to participants; (iii) realistic scheduling plan for classroom and on-the-job training; and (iv) reasonable payments of participants' wages, stipends, and incentives.

(c) Leadership development: a description of the leadership development training to be offered to participants including the strategies, activities and plans to build group cohesion and peer support.

(d) Support services: a description and documentation of counseling and referral services to be offered to participants, including the type of counseling, social services and/or need-based stipends to be provided (supported by letters of commitments from providers).

(e) Coordination and cost-efficiency: a description and documentation of how the Youthbuild program will benefit the maximum number of young adults by making use of other public and private resources, programs and services (in addition to those referenced above) which sufficiently reduce the cost burden to the Youthbuild program in the following areas: (i) education, job training, and child care; (ii) on-site housing construction/rehabilitation training; (iii) homeless and housing programs; (iv) apprenticeship programs of local building trade unions; and (v) administrative, overhead and salary costs.

(f) On-site training: a description of (i) the housing construction or rehabilitation activities to be undertaken by participants at the site(s) to be used for the on-site training component of the program, (ii) the qualification and number of on-site supervisors, (iii) the ratio of trainers to students, (iv) the ratio of students per site and (v) the amounts, reasonable wages and/or stipends to be paid to participants during on-site work.

(g) Job placement assistance: a description of the applicant's commitments, strategies and procedures for (i) participant placement in meaningful employment, enrollment in post-secondary education programs, job development, starting business enterprises, or other opportunities leading to economic independence; and

(ii) follow-up assistance and support activities to program graduates.

(h) Program evaluation: a description of a comprehensive evaluation plan that is designed to measure the success of the program.

(4) *Program Resources*: firm commitment of resources obtained from other Federal, State, local and private sources. (Max. points 10). In assigning points for this criterion, HUD will consider the level of non-housing resources obtained for cash or in-kind contribution to cover the following kinds of areas:

(a) Social services (i.e., counseling and training);

(b) Use of existing vocational, adult, bilingual educational courses;

(c) Donation of labor, resource personnel, supplies, materials, classroom and/or meeting space;

(d) other commitments.

(5) *Housing Program Priority Points*: 10 priority points will be assigned to all applications that contain evidence that housing resources from other Federal, state, local or private sources that are available to cover the cost, in full, for the following housing activities for the proposed Youthbuild program: acquisition, architectural and engineering fees, construction and rehabilitation. Applications that do not include proper documentation of commitment of non-Youthbuild resources or propose to use Youthbuild grant funds, in whole or in part, for any one of the housing activities listed above will not be entitled to the ten priority points.

Housing resources will not be used in evaluation of the program resources criterion.

#### Bonus Points

(6) *Empowerment Zone/Enterprise Community*: Up to 10 points will be assigned based on documentation that the proposed program will support the Strategic Plan for a federally designated urban or rural Empowerment Zone, Enterprise Community or Supplemental Empowerment Zone. Up to five points will be assigned based on documentation that the proposed program will support the Strategic plan for a Champion Community (applied for, but did not receive a designation). Application must receive a combined score of at least 50 points for selection criteria (1), (2), and (3) under Section III in order to be eligible for Empowerment Zone/Enterprise Community or Champion Community points.

(7) *Americorps Participation Bonus*: Up to 5 points may be assigned to Youthbuild applicants who provide evidence of application and/or selection

as an Americorps program sponsor.

Application must receive a combined score of at least 50 points for selection criteria (1), (2), and (3) under Section III in order to be eligible for Americorps points.

(8) *Court-ordered Consideration*: due to an order of the U.S. District Court for the Northern District of Texas, Dallas Division, with respect to any application by the City of Dallas, Texas, for HUD funds, HUD shall consider the extent to which the Youthbuild strategy for the Dallas area will be used to eradicate the vestiges of segregation in the Dallas Housing Authority's low-income housing programs. The City of Dallas should address the effect, if any, that vestiges of racial segregation in Dallas Housing Authority's low-income housing programs have on potential participants in the Youthbuild program and identify proposed actions for remedying those vestiges. HUD may add up to 2 points to the application score based on this consideration.

#### IV. Application Requirements

Applicants must complete and submit applications for Youthbuild grants in accordance with instructions contained in the FY 1997 Youthbuild application package. The application package will request information in sufficient detail for HUD to determine whether the proposed activities are feasible and meet all the requirements of applicable statutes and regulations. The application package requires a description of the applicant's and participating parties' experiences in young adult and housing programs, a description of the proposed Youthbuild program, a description and documentation of other public and private resources to be used for the program, including other housing resources, a schedule for the program, budgets, identification of housing sites(s) and demonstration of site access. The application package also contains necessary certifications to Federal requirements. Applicants must also certify that the proposed activities are consistent with the HUD-approved Consolidated Plan in accordance with 24 CFR part 91. Applicants should refer to the Youthbuild application package for further instructions.

#### V. Selection Process

In order to afford applicants every opportunity to submit a ratable application, while at the same time ensuring the fairness, integrity and timeliness of the selection process, HUD is adopting the following application submission and selection procedures:

*a. Initial screening*: During the period immediately following the application deadline, HUD will screen each application to determine eligibility. Applications will be rejected if they (1) Are submitted by ineligible applicants, (2) do not use the FY 1997 application package, (3) propose a program for which significant activities are ineligible, (4) there are any outstanding findings of noncompliance with civil rights statutes, Executive orders or regulation, as a result of formal administrative proceedings or the Secretary has issued a charge against the applicant under the Fair Housing Act, unless the applicant is operating under a conciliation or compliance agreement designed to correct the areas of noncompliance, (5) are submitted by applicants that have major unresolved audit or monitoring findings, or (6) has not submitted information necessary to qualify them for an award, i.e., environmental procedure information.

*b. Rating and Ranking*: Each eligible application will be rated based upon the criteria described in section III of this NOFA, with a maximum of 115 points assigned. Using the scores assigned, the application will be placed in rank order. Applications will be preliminarily selected for funding in accordance with their rank order.

If two or more applications have the same score and there are insufficient funds to fund all of them, the application(s) with the highest score for the Program Quality and Feasibility criterion shall be elected. In the event of a procedural error that, when corrected, would result in selection of an otherwise eligible applicant during the funding round under this NOFA, HUD may select that application when sufficient funds become available.

*c. Clarification of Application Information*: In accordance with the provisions of 24 CFR part 4, subpart B, HUD may contact an applicant to seek clarification of an item in the application, or to request additional or missing information, but the clarification or the request for additional or missing information shall not relate to items that would improve the substantive quality of the application pertinent to the funding decision. For the Youthbuild program, these clarification items include, but are not limited to: (1) Missing or unsigned program certifications or SF424; (2) failure to target the outreach and recruitment efforts to be used by the program to disadvantaged young adults between the ages of 16 and 24 years; (3) failure to structure the proposed program so that 50 percent of participant's time is devoted to

educational activities and 50 percent to on-site training; (4) incomplete documentation showing that the applicant has obtained access to the housing site(s); (5) failure to designate the housing to be produced for use by appropriate population; and (6) failure to identify the housing to be used for on-site training.

*d. Potential Environmental Disqualification:* HUD reserves the right to disqualify an application where one or more environmental thresholds are exceeded if it is determined that the environmental review cannot be conducted and satisfactorily completed by HUD within the HUD review period. (See 24 CFR 585.307.)

*e. Reduction in Requested Grant Amount:* HUD may approve an application for an amount lower than the amount requested by the applicant. In addition, HUD will adjust line items in the proposed grant budget within the amount requested if it determines that:

(1) The amount requested for one or more eligible activities is not supported in the application or is unreasonably related to the service or activity to be carried out;

(2) An activity proposed for funding does not qualify as an eligible activity and can be separated in the budget;

(3) The amount requested exceeds the total cost limitation established for a grant; or

(4) Insufficient funds remain for the entire request.

*f. Notification of Approval or Disapproval:* HUD will notify the selected applicants and the applicants that have not been selected. HUD's notification to a selected applicant of the amount of the grant award based on the approved application will constitute a preliminary approval by HUD, subject to HUD and recipient execution of the grant agreement to initiate program activities.

## VI. Other Matters

*a. Environmental Impact.* This NOFA provides funding under, and does not alter the environmental provisions of, regulations in 24 CFR part 585, which has been published previously in the **Federal Register**. Accordingly, under 24 CFR 50.19(c)(5), this NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). Grantees must comply with the regulations in 24 CFR part 585, including the environmental review procedures in 24 CFR 585.307.

*b. Family Executive Order.* The General Counsel as the Designated Official under Executive Order 12606, *The Family*, has determined that some

of the policies contained in this NOFA will have a potential significant impact on the formation, maintenance and general well-being of the family. The expected expansion of the housing supply for homeless and low- and very low-income persons and the provision of opportunities to economically disadvantaged young adults to enhance their education and employment skills will provide a positive impact on the family maintenance and general well-being. However, since the impact on the family is beneficial and the program involves very little HUD discretion, no further review is necessary.

*c. Federalism Executive Order.* The General Counsel, as the Designated Official under section 7(a) of the Executive Order 12612, *Federalism*, has determined that the policies contained in this NOFA do not have "Federalism" implications because they do not have substantial direct effects on the States (including their political subdivisions), or on the distribution of power and responsibilities among the various levels of government.

*d. Section 102 of the HUD Reform Act—Accountability in the Provision of HUD Assistance.* Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act) and the final rule codified at 24 CFR part 4, subpart A, published on April 1, 1996 (61 FR 1448), contain a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992, HUD published, at 57 FR 1942, a notice that also provides information on the implementation of section 102. The documentation, public access, and disclosure requirements of section 102 are applicable to assistance awarded under this NOFA as follows:

*Documentation and public access requirements.* HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a five-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in its **Federal Register** notice of all recipients of HUD assistance awarded on a competitive basis.

*Disclosures.* HUD will make available to the public for five years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than three years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15.

*e. Section 103 of the HUD Reform Act—Prohibition of Advance Disclosures of Funding Decisions.* HUD's regulation implementing section 103 of the HUD Reform Act, codified as 24 CFR part 4, applies to the funding competition announced today. The requirements of the rule continue to apply until the announcement of the selection of successful applicants.

HUD employees involved in the review of applications and in the making of funding decisions are restrained by part 4 from providing advance information to any person (other than persons authorized to receive such information) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics-related questions should contact the HUD Ethics Law Division (202) 708-3815 (voice), (202) 708-1112 (TTY). (These are not toll-free numbers.) For HUD employees who have specific program questions, the employee should contact the appropriate Field Office Counsel or Headquarters Counsel for the program to which the question pertains.

*f. Fair Housing and Equal Opportunity.* Applications must contain a certification that the applicant will comply with the requirements of the Fair Housing Act, title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, and will affirmatively further fair housing.

*g. Prohibition Against Lobbying Activities.* The use of funds awarded under this NOFA is subject to the disclosure requirements and prohibition of section 319 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) and the implementing regulation at 24 CFR part 87. These authorities prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the

Executive or Legislative Branches of the Federal Government in connection with a specific contract, grant or loan. The prohibition also covers the awarding of contracts, grants, cooperative agreements, or loans unless the recipient has made an acceptable certification regarding lobbying. Under 24 CFR part 87 and 7 CFR part 1944, subpart G, applicants, recipients and subrecipients of assistance exceeding \$100,000 must certify that no Federal funds have been or will be spent on lobbying activities in connection with the assistance.

Indian Housing Authorities (IHAs) established by an Indian tribe as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but IHAs established under State law are not excluded from the statute's coverage.

**Required Reporting.** A certification is required at the time application for funds is made that federally-appropriated funds are not being or have not been used in violation of section 319 and the *disclosure* will be made of payments for lobbying with other than federally-appropriated funds. Also, there is a standard disclosure form, SF-LLL, "Disclosure Form to Report Lobbying", which must be used to disclose lobbying with other than federally-appropriated funds at the time of application.

**h. Drug-Free Workplace.** The Drug-Free Workplace Act of 1988 (41 U.S.C. 701) requires grantees of Federal agencies to certify that they will provide drug-free workplaces. Each potential recipient under this NOFA must certify that it will comply with the drug-free workplace requirements of the Drug-Free Workplace Act of 1988 and HUD's implementing regulation at 24 CFR part 24, subpart F.

**i. Catalog of Federal Domestic Assistance.** The Catalog of Federal Domestic Assistance number is 14.243.

Dated: April 16, 1997.

**Jacquie M. Lawing,**

*Acting Assistant Secretary for Community Planning and Development.*

#### **CPD Field Offices**

CPD Division Director, Alabama State Office, Suite 300, 600 Beacon Parkway West, Birmingham, AL 35209-3144

CPD Division Director, Alaska State Office, Suite 401, 949 East 36th Avenue, Anchorage, AK 99508-4399

CPD Division Director, Arizona State Office, Two Arizona Center, Suite 1600, 400 North Fifth Street, Phoenix, AZ 85004-2361

CPD Division Director, Buffalo Area Office, Lafayette Court, 465 Main

Street, Fifth Floor, Buffalo, NY 14203-1780

CPD Division Director, California State Office, 450 Golden Gate Avenue, San Francisco, CA 94102-3448

CPD Division Director, Caribbean Office, 159 Carlos Chardon Ave., San Juan, PR 00918-1804

CPD Division Director, Colorado State Office, First Interstate Tower North, 633 17th Street, Denver, CO 80202-3607

CPD Division Director, Connecticut State Office, First Floor, 330 Main Street, Hartford, CT 06106-1860

CPD Division Director, District of Columbia Office, Room 300, 820 First Street, NE., Washington, DC 20002-4205

CPD Division Director, Florida State Office, Suite 500, 1320 South Dixie Hwy., Coral Gables, FL 33164-2911

CPD Division Director, Georgia State Office, Russell Federal Building, 75 Spring Street, SW., Atlanta, GA 30303-3388

CPD Division Director, Hawaii State Office, 7 Waterfront Plaza, 500 Ala Moana Blvd., Honolulu, HI 96813-4918

CPD Division Director, Illinois State Office, 77 West Jackson Blvd., Chicago, IL 60604-3507

CPD Division Director, Indiana State Office, 151 North Delaware Street, Indianapolis, IN 46204-2526

CPD Division Director, Jacksonville Area Office, Southern Bell Tower, 301 West Bay Street, Jacksonville, FL 32202-5121

CPD Division Director, Kansas/Missouri State Office, Gateway Tower II, 400 State Avenue, Room 200, Kansas City, KS 66101-2406

CPD Division Director, Kentucky State Office, P.O. Box 1044, 601 W. Broadway, Louisville, KY 40201-1044

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