

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Super Notice of Funding Availability (SuperNOFA) for HUD's
Discretionary Grant Programs for Fiscal Year 2002

AGENCY: Office of the Secretary, HUD.

ACTION: Super Notice of Funding Availability (SuperNOFA) for HUD
Discretionary Grant Programs.

SUMMARY: This Fiscal Year (FY) 2002 SuperNOFA announces the availability of approximately \$2.2 billion in HUD program funds covering 41 grant categories within programs operated and administered by HUD offices. The General Section of this SuperNOFA provides the application procedures and requirements that are applicable to all the programs in this SuperNOFA. The Program Section of this SuperNOFA provides a description of the specific programs for which funding is made available and describes any additional procedures and requirements that are applicable to a specific program. Please be sure you read both the General Section and the Program Section of this SuperNOFA to ensure you respond to all the requirements for funding.

APPLICATION DUE DATES: The information in this "APPLICATION DUE DATES" section applies to all programs that are part of this SuperNOFA. You, the applicant, must submit a completed application to HUD on or before the respective program's application due date. Application due dates can be found in the HUD FY 2002 SuperNOFA Funding Chart located in this General Section. Information for each program is reiterated in the appropriate Program Section of this SuperNOFA. HUD will not accept any applications sent by facsimile (fax).

ADDRESSES AND APPLICATION SUBMISSION PROCEDURES:

New Security Procedures. HUD has implemented new security procedures that apply to application submission. Please read the following instructions carefully and completely. HUD's new policy is:

No hand deliveries will be accepted;

Applications sent to the Robert C. Weaver HUD Headquarters Building or the Public and Indian Housing Grants Management Center may only be shipped using DHL, Falcon Carrier, Federal Express (FedEx), United Parcel Service (UPS), or United States Postal Service (USPS);

Applications submitted to HUD Field Offices must be sent via the USPS;

All mailed applications must be postmarked on or before midnight of their due date and received within 15 days of the due date; and,

All applicants who mail applications must have a Certificate of Mailing (USPS Form 3817) as their documentary evidence that the application was filed on time.

Addresses. You, the applicant, must submit a complete application and the required number of copies to the locations identified in the Program Section of this SuperNOFA. When submitting your application, you must refer to the name of the program for which you are seeking funding.

If your application is due to the Robert C. Weaver Building, HUD Headquarters, you must send the application to the following address: Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410. Applications submitted to the Public and Indian Housing Grants Management Center (GMC) should be addressed to Grants Management Center, 501 School Street, SW, Suite 800, Washington, DC 20024. (See the HUD FY 2002 SuperNOFA Funding Chart or Program Section for room location and additional information regarding the addresses for application submission.) Please make sure that you note the correct room number to ensure that your application is not misdirected. Addresses for HUD Field Offices are listed in Appendix A-1 of the General Section of this SuperNOFA.

Applications Sent by Overnight/Express Mail Delivery to HUD Headquarters or the Public and Indian Housing Grants Management Center. If your application is sent by overnight delivery or express mail to HUD Headquarters or the Public and Indian Housing Grants Management Center, your application will be filed on time if it is received before or on the application due date, or when you submit documentary evidence that your application was placed in transit with the overnight delivery/express mail service no later than the application due date. Delivery must be made during HUD's Headquarters business hours, between 8:30 AM and 5:30 PM, Eastern Time, Monday through Friday.

Copies of Applications. The Program Section of this SuperNOFA may specify that to facilitate the processing and review of your application, one or more copies of the application also must be sent to an additional HUD location (for example, a copy to the HUD Field Office and the original application to HUD Headquarters). Please follow the directions of the Program Section to ensure that you submit your application to the proper location(s). If you are required to submit applications to HUD Headquarters and Field Offices, timeliness of submission will be based on the time your application is received at HUD Headquarters.

FOR APPLICATION KITS, FURTHER INFORMATION AND TECHNICAL ASSISTANCE: The information in this section is applicable to all programs that are part of this SuperNOFA. This section describes how you may obtain application kits, additional information about the SuperNOFA, and technical assistance. A guidebook to HUD programs titled "Connecting with Communities: A User's Guide to HUD Programs and the 2002 SuperNOFA process" is available from the SuperNOFA Information Center and the HUD website at www.hud.gov. This guidebook provides a brief description of all HUD programs, a description of the SuperNOFA programs, eligible applicants for these programs, and examples of how programs can work in combination to serve local community needs. To obtain a guidebook, application kit, or print copy of the General Section or program NOFA, call the SuperNOFA Information Center at 1-800-HUD-8929 or 1-800-HUD-2209 (TTY). Copies of all documents related to the SuperNOFA may be downloaded from HUD's website, www.hud.gov.

For Application Kits and SuperNOFA User Guide. HUD is pleased to provide you with instructions for applying for all HUD programs that are part of this SuperNOFA. The instructions are designed to guide you

through the application process and ensure that your application addresses all requirements for the program funding you are seeking. For some announcements of funding availability in this SuperNOFA, HUD provides an application kit; for others, no application kit is required. Each Program Section will specify whether there is an application kit, or only the instructions in the SuperNOFA.

Please note that if there is a discrepancy between information provided in the application kit and the information provided in the published SuperNOFA, the information in the published SuperNOFA prevails. Therefore, please be sure to review your application submission against the requirements in the SuperNOFA.

You may request general information and application kits from the SuperNOFA Information Center (1-800-HUD-8929 or 1-800-HUD-2209 (TTY)). When requesting an application kit, please refer to the name of the program

[[Page 13827]]

you are interested in. Be sure to provide your name, address (including zip code), and telephone number (including area code). To ensure sufficient time to prepare your application, requests for application kits can be made immediately following publication of the SuperNOFA. The SuperNOFA Information Center opens for business simultaneously with the publication of the SuperNOFA. You can also obtain information on this SuperNOFA and application kits for this SuperNOFA through the HUD website, www.hud.gov.

Consolidated Application Submissions. If you, the applicant, would like to apply for funding under more than one program in this SuperNOFA, you need only submit one original SF-424 and set of assurances and certifications, accompanied by the HUD-424M provided in this SuperNOFA. Once you have submitted one original set of forms, certifications, and assurances, you need send only copies of these standard items with any additional application you submit. Make sure to specify the correct program, however, on each copy of the SF-424 application form and indicate the program to which you have submitted the original signature forms for the standard assurances and certifications. Additionally, the Program Section may specify additional forms, certifications, assurances, or other information that may be required for a particular program in this SuperNOFA.

For Further Information. For answers to questions you may have about this SuperNOFA, you have several options. You may call the SuperNOFA Information Center at 1-800-HUD-8929 or 1-800-HUD-2209 (TTY) between the hours of 9:00 AM and 8:00 PM Eastern Time or you may contact the HUD Office or Processing Center serving your area at the telephone number listed in the SuperNOFA for the program in which you are interested. You may also obtain information on this SuperNOFA and application kits for this SuperNOFA through the HUD website, www.hud.gov.

For Technical Assistance. Before the application due date, HUD staff will be available to provide you with general guidance and technical assistance about this SuperNOFA. However, HUD staff are not permitted to assist in preparing your application. Following selection of applicants, but before awards are made, HUD staff are available to assist in clarifying or confirming information that is a prerequisite to the offer of an award or Annual Contributions Contract (ACC) by HUD.

Satellite Broadcasts. HUD will hold information broadcasts via

satellite for potential applicants to learn more about the programs in this SuperNOFA and preparation of the applications. For more information about the date and time of each broadcast, consult the HUD website, www.hud.gov.

Streamlining Grants. The Federal Financial Assistance Management Improvement Act of 1999 (Public Law 106-107) directs each Federal agency to develop and implement a plan that, among other things, streamlines and simplifies the application, administrative, and reporting procedures for Federal financial assistance programs administered by the agency. This law also requires the Director of the Office of Management and Budget (OMB) to direct, coordinate, and assist Federal agencies in establishing (1) a common application and reporting system and, (2) an interagency process for addressing ways to streamline and simplify Federal financial assistance application and administrative procedures and reporting requirements for program applicants.

This law also requires OMB to consult with the grantee community as it works with the Federal agencies to develop and implement the course of action that would be undertaken by the Federal agencies to establish an electronic site for accessing grant information and applications. Over the last year, HUD has held outreach sessions informing you of the goals of this new law and seeking your input as the Federal agencies work together to achieve implementation. To find out about the work being done by the Federal agencies to streamline and consolidate the grant application and reporting requirements please go to www.iaegc.gov.

HUD is an active member in the Federal agency working group working to streamline grant application requirements and has established a website where you can obtain information about all grant programs within HUD. You can access this site from our homepage at www.hud.gov by clicking on "HUD Program inventory." In the future, HUD plans to link this site to grant information of other Federal agencies. If you are interested in finding out more about the "Federal Commons" and the work being done by other agencies, please visit the Inter-Agency Electronic Grants Committee (IAEGC) website at www.fedcommons.gov.

Introduction to the FY 2002 SuperNOFA

HUD'S FY 2002 SUPERNOFA PROCESS

Background

This is the fifth year HUD is issuing a SuperNOFA for the majority of its competitive grant programs and other financial assistance programs. The SuperNOFA announces the availability of the majority of HUD's discretionary funds. The document is designed to simplify the application process, bring consistency and uniformity to the application and selection process, and make it easier to find funding opportunities available from the Department because they are released early in the year and at the same time. Equally important, the SuperNOFA approach is designed to increase the ability of applicants to consider and apply for funding under a wide variety of HUD programs. The SuperNOFA provides a "menu" of HUD programs. From this menu, communities will be made aware of funding available for their jurisdictions. Non-profit organizations, public housing agencies, local and State governments, tribal governments and tribally-designated

housing entities, veterans service organizations, faith-based and other community-based non-profit organizations, and others will be able to identify the programs for which they are eligible for funding.

By providing access to information about available funding at one time, HUD believes applicants are better able to coordinate service within communities to avoid duplication and more efficiently serve those most in need of assistance.

HUD's Strategic Goals

As part of its internal strategic planning processes, the Department has re-assessed its policy goals and priorities for the next five years and, as a result, is in the process of updating the HUD Strategic Plan framework. Activities funded through this SuperNOFA are meant, to the extent practicable, to support the new Strategic Goals described below. Note that these goals reflect an interim change to HUD's Strategic Plan. In FY 2002, the Department will fully revise its Strategic Plan after consultation with stakeholders and Congress.

Strategic Goal 1: Make the home-buying process less complicated, the paperwork less demanding and the mortgage process less expensive. This is a new Strategic Goal that will help to focus the Department's work in

[[Page 13828]]

enforcing the Real Estate Settlement Procedures Act and countering predatory lending. HUD's activities under this Strategic Goal will help to make homeownership more accessible and less expensive for millions of families and help protect them from predatory lending.

Strategic Goal 2: Help families move from rental housing to homeownership. HUD's second Strategic Goal focuses on HUD's activities to expand homeownership opportunities for minorities, persons with disabilities, and other Americans, and to help families that rent be able to afford the costs of rental housing.

Strategic Goal 3: Improve the quality of public housing and provide more choices for its residents. HUD's goals for its public and assisted housing programs go beyond simply providing affordable housing. HUD also strives to improve the quality of the housing opportunities provided to families in public and assisted housing. This Goal focuses on improving the management accountability and physical conditions of public and assisted housing and on maximizing the potential of these programs to help families make progress towards self-sufficiency and become homeowners.

Strategic Goal 4: Strengthen and expand faith-based and other community partnerships that enhance communities. HUD has a long and rich history of cooperating with faith-based and other community-based organizations to address the needs of underserved communities, including the needs of those Americans for whom homelessness, the lack of affordable housing, and limited alternatives for special needs housing lead to despair and hopelessness. Building on this history, HUD plans to strengthen and expand its partnerships with faith-based and other community-based groups to take further advantage of their capacity to provide quality services to communities and families.

Strategic Goal 5: Effectively address the challenge of homelessness. HUD is the primary agency responsible for providing housing and related resources to prevent homelessness and help homeless

families and individuals move to permanent housing. HUD has a number of objectives with respect to its homelessness work, including that of ending chronic homelessness in 10 years.

Strategic Goal 6: Embrace high standards of ethics, management and accountability. In order to be effective in meeting HUD's other Strategic Goals, it is essential that HUD and HUD's partners embrace high standards of ethics, management, and accountability. The Secretary has established improved ethics and accountability of HUD staff and HUD's partners as "perhaps the most important" of HUD's priorities. This Goal cuts across all of HUD's programs and applies to each HUD employee and to every organization that partners with HUD to help HUD accomplish its mission.

Strategic Goal 7: Ensure equal opportunity and access to housing. HUD's core mission has always been to help families find affordable and decent housing. This mission will be fulfilled when all Americans are given an equal opportunity to buy or rent housing that matches their individual needs. Unfortunately, instances of discrimination against minorities, architectural barriers to persons with disabilities, and a lack of housing options for the elderly have all combined to exclude some Americans from enjoying the fruits of America's prosperity. HUD is committed to ending the practice of discrimination through enforcement of fair housing laws as well as through educating lenders, landlords, and tenants in complying with the laws.

Strategic Goal 8: Support community and economic development efforts. HUD funds a variety of programs that help to support the community and economic development efforts of state and local communities. The largest of these programs is the Community Development Block Grant program. Other programs include Section 108 loan guarantees, the Brownfields Economic Development Initiative, the Lead Hazard Reduction and the Healthy Homes Program, the University Partnership Programs, the Indian Community Development Block Grant and Renewal Communities, Empowerment Zones and Enterprise Communities. Additionally, HUD's Native eDGE initiative supports a telephone call center, a publications clearinghouse, website, and a technical assistance information center so that tribes, Native Americans, lending institutions, and private businesses wishing to do business with Tribal governments and entities can collaborate to promote economic growth.

Changes in the SuperNOFA Process for FY 2002

Rating Factors. Applications for most programs in this SuperNOFA will be rated according to five standard Rating Factors (see Section III (C) below). For FY 2002, Rating Factor 5, "Coordination, Self-Sufficiency and Sustainability," has been expanded to reflect this Administration's priority for fostering self-sufficiency.

Coordination means you, the applicant, are working with other organizations that are not directly participating in your proposed work activities and have agreed to share information and outcomes that result from the successful completion of your activities, so that the other organizations and members of the community can benefit from the results and improve the overall success of related activities within the community. The goal of coordination is to ensure that programs do not operate in isolation. Coordination looks beyond the support given to the applicant's program claimed by the applicant under Rating Factor 4, Leveraging, and asks "How does the applicant's program fit into other activities and programs that are being carried out by others in

the community?"

Self-sufficiency refers to the extent to which proposed activities can result in increased independence and empowerment. Increased independence can result from expanded job opportunities, homeownership, or housing in a wider range of neighborhoods, additional educational opportunities, and improved living environments.

Sustainability refers to two distinct issues: (1) The potential for an applicant organization to become financially self-sustaining; and, (2) the potential of a specific project or activity to be sustained into the future absent any HUD funding. Just as a business plan presents to a commercial lender an outline of a course of action for an organization to become profitable, the information in the application for this factor will outline a realistic path for the applicant to become financially independent without a need for continued HUD funding.

Applicant Debriefing. Beginning not less than 30 days after the awards for assistance are announced in the Federal Register, and for at least 120 days after awards for assistance are announced, HUD will provide any requesting applicant with a debriefing on their application. All requests for debriefing must be made in writing or by email by the authorized official whose signature appears on the SF-424 or his or her successor in office. Submit your request to the person or organization identified as the Contact under the section entitled "Further Information and Technical Assistance" or as specified in the Program Section of the SuperNOFA under which you applied for assistance. Information provided to you during your debriefing will include, at a

[[Page 13829]]

minimum, the final score you received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which assistance was provided or denied.

Points Deducted for Poor Performance. As part of HUD's efforts to place greater emphasis on accountability, applicants who received prior awards and failed to meet their program goals may have points deducted from their rating score. Specific details on how points will be deducted are included, as applicable, in the Program Section of the SuperNOFA.

New Programs and Changes to Programs. The FY 2002 SuperNOFA includes the following new funding opportunities:

Housing Counseling Services Targeting the Colonias;

Public Housing Resident Opportunity and Self-Sufficiency (ROSS) for Neighborhood Networks Program; and

Public Housing Resident Opportunity and Self-Sufficiency (ROSS) for Homeownership Supportive Services Program.

Funding opportunities that have changed significantly or been renamed include:

Housing Choice Voucher (HCV) Family Self-Sufficiency (FSS) Program Coordinators Program, replacing Family Self Sufficiency (FSS) Program Coordinators;

Healthy Homes Demonstration Program, replacing the Healthy Homes Demonstration and Education Program of Fiscal Year 2001; and

Healthy Homes and Lead Technical Studies, replacing the program for Healthy Homes Research.

Not Available for FY 2002. Funding opportunities that were part of the FY 2001 SuperNOFA but are not available in FY 2002 are:

Public Housing Drug Elimination--Technical Assistance Program (DETAP);

Indian Housing Drug Elimination Program;

Drug Elimination New Approach Anti-Drug Program;

Drug Elimination Grants for Multifamily Low Income Housing; and,

Community Housing Development Organization (CHDO) TA.
Funding will be announced later in the year for:

Revitalization of Severely Distressed Public Housing (HOPE VI);

Homeownership Research Studies;

Lead Elimination Action Program (LEAP); and

Urban Scholars Fellowship Program.

Funding Notices Issued Prior to the SuperNOFA. Due to statutory deadlines for the obligation of funds or for other reasons, there are several programs that have been issued prior to the SuperNOFA. These include:

Fair Share Allocation of Incremental Voucher Funding;

Community Development Work Study Program; and

Capacity Building for Community Development and Affordable Housing. Information on these programs is available on the HUD website at www.hud.gov.

Changes to the HOPE VI Program. As indicated earlier, HOPE VI is not included in the FY 2002 SuperNOFA. The HOPE VI NOFA will be published separately in the Federal Register at a later date and will be posted on the HUD website, www.hud.gov. Each eligible PHA will receive a HOPE VI Application Kit that will also include the published NOFA. HUD anticipates that the FY 2002 HOPE VI NOFA will reflect some significant changes. Thresholds and rating criteria are being re-examined with a particular emphasis on issues of project readiness, extent of severe distress, leverage, grant amounts and distribution, homeownership, and relocation-related services.

Changes to Policy Priorities. Section VI of this SuperNOFA has been updated to reflect the changes in policy priorities. Please be sure to read the section carefully. Among the new priorities are the inclusion of faith-based and other community-based organizations in program development and implementation, and an emphasis on services to the

Colonias. This SuperNOFA also reflects administrative initiatives announced by the Secretary, including a commitment to core values and ethical business practices and an intention to foster intergovernmental partnership and strengthen state and local participation in Federal programs.

Organization of the SuperNOFA

The SuperNOFA is divided into two major sections, the General Section and the Program Section. The General Section of the SuperNOFA describes the procedures and requirements applicable to all applications. The Program Section of the SuperNOFA describes each program and program component that is part of this SuperNOFA. For each funding opportunity, the Program Section describes the eligible applicants, eligible activities, factors for award, and any additional requirements or limitations. Please read both sections carefully to be sure your application is complete. Your attention to the sections will ensure that you apply for funding for which your organization is eligible and that you fulfill all the requirements for application submission.

As part of the simplification of this funding process and to avoid duplication of effort, the SuperNOFA provides for consolidated applications for several of the programs that are part of this SuperNOFA. HUD programs that provide assistance for, or complement, similar activities (for example, the Continuum of Care programs and CPD Technical Assistance programs) have a consolidated application that reduces the administrative and paperwork burden applicants would otherwise encounter. The Program Chart in this introductory section of the SuperNOFA identifies the programs that have been consolidated and for which a consolidated application is made available to eligible applicants.

HUD provides copies of all required forms in this publication. The standard forms, certifications, and assurances applicable to all programs, or the great majority of programs, in the SuperNOFA follow the General Section as Appendix B. The forms and any additional certifications and assurances that are unique to the individual program will follow that program section of the SuperNOFA.

The specific statutory and regulatory requirements of the programs that are part of this SuperNOFA continue to apply to each program. The SuperNOFA will identify, where necessary, the statutory requirements and differences applicable to the specific programs. Please pay careful attention to the specific submission requirements that are identified for each funding opportunity. Not all applicants are eligible to receive assistance under all funding opportunities identified in this SuperNOFA.

The Programs of This SuperNOFA and the Amount of Funds Allocated

The funding opportunities that are part of this SuperNOFA are identified in the following chart. The amount of funds available is based on funds appropriated in FY 2002 and funds recaptured from prior years' appropriations. In the event that HUD recaptures program funds or other funds become available for a program, HUD reserves the right to increase the available funding by these additional amounts.

The chart also includes the application due date, the OMB approval number for the information collection requirements, and the Catalog of

Federal Domestic Assistance (CFDA) number for each funding opportunity.
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[[Page 13830]]

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[[Page 13831]]

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[[Page 13832]]

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[[Page 13833]]

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[[Page 13834]]

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[[Page 13835]]

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[[Page 13836]]

Paperwork Reduction Act Statement. The information collection requirements in this SuperNOFA have been approved by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The preceding chart provides the OMB approval number for each program that is part of this SuperNOFA. Where the chart notes that an OMB number is pending, this means that HUD has submitted the information to OMB to obtain an approval number and HUD's request for the number is pending. As soon as HUD receives the approval number, the number will be published in the Federal Register and provided to the SuperNOFA Information Center. Under the Paperwork Reduction Act, 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.

General Section of the SuperNOFA

I. Authority, Purposes of the FY 2002 SuperNOFA, Funding Amounts, Restrictions Concerning Tobacco Products and Eligible Applicants and Activities

(A) Authority. HUD's authority for making funding available under this SuperNOFA is the FY 2002 Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, Public Law 107-73, approved November 26, 2001 (FY 2002 HUD Appropriations Act). Generally, this statement of authority is not repeated in the individual program sections of this SuperNOFA. The authority provision in the program sections identifies additional statutes and regulations that authorize the requirements listed for the funding competitions that make up this SuperNOFA.

(B) Purposes. The purposes of this SuperNOFA are to:

(1) Make funding available to empower communities and residents. The funding made available by this SuperNOFA will assist community leaders and residents, including low- and moderate-income residents and faith-based and other community-based grassroots organizations, in using HUD funds to develop viable communities and provide decent housing for all citizens, without discrimination.

(2) Simplify the application process for funding under HUD programs. For the majority of funding in this year's SuperNOFA, the SuperNOFA continues to provide a single, uniform set of rating factors and submission requirements. This year's SuperNOFA also allows you, the applicant, to apply for more than one program with a single application.

(3) Promote comprehensive approaches to housing and community development. Through the SuperNOFA process, HUD encourages you, the applicant, to focus on the interrelationships that exist in your community and in the use of HUD's funding programs to build community-wide efforts that coordinate the resources of multiple applicants and programs. To successfully address community needs, solve community problems, and take advantage of existing resources, HUD encourages members of a community to join together and pool all available resources in a common, coordinated effort. By making all of HUD's competitive funding available in one document, HUD encourages you, the applicant, to be able to relate the activities proposed for funding under this SuperNOFA to the community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI). Applicants who demonstrate a coordinated effort will obtain higher scores than applicants who do not.

(4) Promote self-sufficiency and economic opportunity for the persons and communities being served by your program of activities. HUD's goal is to promote the self-sufficiency of those most in need of assistance, ensuring that the funds provided can result in measurable progress in increasing homeownership opportunities for low income and minority households, providing training and job opportunities so individuals and families can be economically self-sufficient, and better coordinating the delivery of services to homeless persons, persons with disabilities and minorities or residents where English may be a second language.

(C) Funding Available. As noted in the Introductory Section of this SuperNOFA, the HUD programs in this SuperNOFA are allocated amounts based on appropriated funds. If HUD recaptures funds in any program, HUD reserves the right to increase the available funding by those amounts.

(D) Restrictions on the Use of HUD Funds in Support of the Sale of Tobacco Products. Section 211 of the FY 2001 HUD Appropriations Act prohibits the use of HUD funds to construct, operate, or otherwise benefit a facility or facilities with a designated portion that sells or intends to sell predominantly cigarettes or other tobacco products. The Act defines the predominant sale of cigarettes or other tobacco products to mean sales representing more than 35 percent of annual in-store, non-fuel sales. Therefore, any programs funded with remaining or recaptured FY 2001 funds must adhere to this prohibition.

(E) Eligible Applicants and Eligible Activities. The Program Section of the SuperNOFA describes the eligible applicants and eligible activities for each program.

II. Requirements and Procedures Applicable to All Programs

Except as may be modified in the Program Section of this SuperNOFA, the requirements, procedures and principles listed below apply to all programs that are part of this SuperNOFA. Please read the Program Section of the SuperNOFA for additional requirements or information.

(A) Statutory Requirements. To be eligible for funding under this SuperNOFA, you, the applicant, must meet all statutory and regulatory requirements applicable to the program or programs for which funding is sought. If you need copies of the program regulations, they are available from the SuperNOFA Information Center or through the HUD website, www.hud.gov. HUD will not consider an application from an ineligible applicant. See the Program Section for instructions on how HUD will respond to proposed activities that are ineligible. With the exception of the Section 202 and Section 811 programs, HUD may also eliminate the ineligible activities from funding consideration and reduce grant amounts accordingly.

(B) Threshold Requirements.

(1) Compliance with Fair Housing and Civil Rights Laws.

(a) With the exception of federally recognized Indian tribes and their instrumentalities, all applicants and their subrecipients must comply with all Fair Housing and Civil Rights laws, statutes, regulations, and Executive Orders as enumerated in 24 CFR 5.105(a). If you are a federally recognized Indian tribe, you must comply with the non-discrimination provisions enumerated at 24 CFR 1003.601, as applicable. In addition to these requirements, there may be program-specific threshold requirements identified in the Program Sections of the SuperNOFA.

(b) If you, the applicant:

(i) Have been charged with a systemic violation of the Fair Housing Act alleging ongoing discrimination;

(ii) Are a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging an on-going pattern or practice of discrimination; or,

(iii) Have received a letter of non-compliance findings under Title VI, Section 504, or Section 109, and if the charge, lawsuit, or letter of findings has

[[Page 13837]]

not been resolved to HUD's satisfaction before the application deadline stated in the individual program NOFA, you may not apply for assistance under this SuperNOFA. HUD will not rate and rank your application.

HUD's decision regarding whether a charge, lawsuit, or a letter of findings has been satisfactorily resolved will be based upon whether appropriate actions have been taken to address allegations of on-going discrimination in the policies or practices involved in the charge, lawsuit, or letter of findings.

(2) Conducting Business In Accordance With Core Values and Ethical Standards. Entities subject to 24 CFR Parts 84 and 85 (most non-profit organizations and State, local and tribal governments or government agencies or instrumentalities who receive Federal awards of financial assistance) are required to develop and maintain a written code of conduct (see Sections 84.42 and 85.36(b)(3)). Consistent with regulations governing specific programs, your code of conduct must: prohibit real and apparent conflicts of interest that may arise among officers, employees, or agents; prohibit the solicitation and acceptance of gifts or gratuities by your officers, employees and agents for their personal benefit in excess of minimal value; and, outline administrative and disciplinary actions available to remedy violations of such standards. If awarded assistance under this SuperNOFA, you will be required, prior to entering into a grant agreement with HUD, to submit a copy of your code of conduct and describe the methods you will use to ensure that all officers, employees, and agents of your organization are aware of your code of conduct.

(3) Other Threshold Requirements. The Program Section for the funding for which you are applying may specify other threshold requirements. Additional threshold requirements may be identified in the discussion of "eligibility" requirements in the Program Section.

(C) Additional Non-discrimination Requirements. You, the applicant, and your subrecipients must comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 1201 et seq.) and Title IX of the Education Amendments Act of 1972 (20 U.S.C. 1681 et seq.).

(D) Affirmatively Furthering Fair Housing. Under Section 808(e)(5) of the Fair Housing Act, HUD is obliged to affirmatively further fair housing. HUD requires the same of its grant recipients. Unless otherwise specified in the Program Section of this SuperNOFA, if you are a successful applicant, you will have a duty to affirmatively further fair housing opportunities for classes protected under the Fair Housing Act. Protected classes are color, national origin, religion, sex, disability or perceived ability, and family status. Unless otherwise instructed in the Program Section of this SuperNOFA, your application must include specific steps to:

(1) Overcome the effects of impediments to fair housing that were identified in the jurisdiction's Analysis of Impediments (AI) to Fair Housing Choice;

(2) Remedy discrimination in housing; and/or

(3) Promote fair housing rights and fair housing choice.

Further, you, the applicant, have a duty to carry out the specific activities provided in your responses to the SuperNOFA rating factors that address affirmatively furthering fair housing. Please see the Program Section of this SuperNOFA for further information.

The requirements to affirmatively further fair housing apply to:

Alaskan Native/Native Hawaiian Institutions Assisting Communities (AN/NHIAC);

Assisted Living Conversion Program (ALCP) for Eligible

Multifamily Housing Projects;

Brownfields Economic Development Initiative (BEDI);

Community Outreach Partnership Centers (COPC);

Continuum of Care Homeless Assistance Programs (SHP, Shelter Plus Care, Section 8 Moderate Rehab);

Fair Housing Initiatives Program (FHIP);

Funding Availability for Rental Certificate/Housing Choice Voucher Family Self-Sufficiency (FSS) Program;

Healthy Homes Demonstration Program;

Healthy Homes Initiative and Lead Technical Studies;

Hispanic-Serving Institutions Assisting Communities (HSIAC);

Historically Black Colleges and Universities (HBCU) Program;

Housing Counseling;

Housing Opportunities for Persons With AIDS (HOPWA);

Lead Hazard Control Program;

Mainstream Housing Opportunities for Persons with Disabilities;

Public Housing Resident Opportunities and Self-Sufficiency (ROSS) Program;

Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans;

Rental Assistance for Non-Elderly Persons with Disabilities Related to Certain Developments;

Resident Opportunities for Self-Sufficiency (ROSS) for Homeownership Supportive Services;

Rural Housing and Economic Development (RHED);

Section 202 Supportive Housing for Elderly Persons;

Section 811 Supportive Housing for Persons with Disabilities;

Self-Help Homeownership Opportunity Program (SHOP);

Service Coordinators in Multifamily Housing; and

YouthBuild Program.

(E) Economic Opportunities for Low- and Very Low-Income Persons (Section 3). Certain programs in this SuperNOFA require recipients of assistance to comply with Section 3 of the Housing and Urban Development Act of 1968 (Section 3), 12 U.S.C. 1701u (Economic Opportunities for Low- and Very Low-Income Persons in Connection with Assisted Projects) and the HUD regulations at 24 CFR part 135, including the reporting requirements at subpart E. Section 3 requires recipients to ensure that, to the greatest extent feasible, training, employment and other economic opportunities will be directed to low- and very-low income persons, particularly those who are recipients of government assistance for housing, and business concerns which provide economic opportunities to low- and very low-income persons. As noted in the Program Section of this SuperNOFA, Section 3 is applicable to the following programs:

Alaska Native/Native Hawaiian Institutions Assisting Communities (AN/NHIAC);

Assisted Living Conversion Program (ALCP);

Brownfields Economic Development Initiative (BEDI);

Community Development Block Grant Program for Indian Tribes and Alaska Native Villages;

Continuum of Care Homeless Assistance Programs;

Healthy Homes and Lead Technical Studies;

Healthy Homes Demonstration Program;

Hispanic-Serving Institutions Assisting Communities (HSIAC);

Historically Black Colleges and Universities (HBCU) Program;

Housing Opportunities for Persons With AIDS (HOPWA);

Lead Hazard Control;

Resident Opportunities and Self-Sufficiency Program (ROSS);

Section 202 Supportive Housing for the Elderly Program;

Section 811 Supportive Housing for Persons with Disabilities Program.

Self-Help Homeownership Opportunity Program (SHOP); and

YouthBuild Program.

(F) Ensuring the Participation of Small Businesses, Small Disadvantaged

Businesses, and Women-Owned Businesses. HUD is committed to ensuring that small businesses, small disadvantaged businesses, and women-owned businesses participate fully in HUD's direct contracting and in contracting opportunities generated by HUD grant funds. Too often, these businesses still experience difficulty accessing information and successfully bidding on Federal contracts. State, local, and tribal governments are required by 24 CFR 85.36(e) and non-profit recipients of assistance (grantees and sub-grantees) by 24 CFR 84.44(b), to take all necessary affirmative steps in contracting for purchase of goods or services to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible, or as specified in the Program Section.

(G) Relocation. The relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing government-wide regulation at 49 CFR part 24 cover any person who moves permanently from real property or moves personal property from real property directly because of acquisition, rehabilitation, or demolition for an activity undertaken with HUD assistance. Some HUD program regulations also cover persons who are temporarily relocated.

Applicants should review the regulations for the programs for which they are applying when planning their project.

(H) Forms, Certifications, and Assurances. You, the applicant, are required to submit signed copies of the standard forms, certifications, and assurances listed in this section, unless the requirements in the Program Section specify otherwise. Also, the Program Section may specify additional forms, certifications, assurances or other information that may be required for a particular program in this SuperNOFA.

As part of HUD's continuing efforts to improve the SuperNOFA process, several of the required standard forms have been simplified this year. The standard forms, certifications, and assurances are:

Standard Form for Application for Federal Assistance (SF-424) (which includes civil rights/fair housing certification);

Federal Assistance Funding Matrix and Certifications, (HUD-424M);

Standard Form for Budget Information--Non-Construction Programs (SF-424A) or Standard Form for Budget Information-Construction Programs (SF-424C), as applicable;

Standard Form for Assurances--Non-Construction Programs (SF-424B) or Standard Form for Assurances--Construction Programs (SF-424D), as applicable;

Drug-Free Workplace Certification (HUD-50070);

Certification of Payments to Influence Federal Transaction (HUD-50071) and, if engaged in lobbying, the Disclosure Form Regarding Lobbying (SF-LLL) (federally recognized tribes and tribally designated housing entities (TDHEs) established by federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but State recognized

Indian tribes and TDHEs established under State law are required to submit this certification);

Applicant/Recipient Disclosure/Update Report (HUD-2880);

Certification Regarding Debarment and Suspension (HUD-2992) as required by 24 CFR 24.510 (The provisions of 24 CFR part 24 apply to the employment, engagement of services, awarding of contracts, sub-grants, or funding of any recipients, or contractors or subcontractors, during any period of debarment, suspension, or placement in ineligibility status, and a certification is required);

Certification of Consistency with RC/EZ/EC Strategic Plan (HUD-2990), if applicable;

Certification of Consistency with the Consolidated Plan (HUD-2991) if applicable;

Acknowledgment of Application Receipt (HUD-2993); and,

Client Comments and Suggestions (HUD 2994).

Copies of these standard forms follow this General Section of the SuperNOFA. Copies of forms that are particular to an individual program follow the funding information for that program. Also included in Appendix B to the General Section is the Funding Application for the Housing Choice Voucher Program (HUD 52515).

Note:

Forms SF-424A and SF-424C ask for information which is similar to the information required by form HUD 4123--Cost Summary which is listed as a required form under the ICDBG Program Section of this SuperNOFA and which is a required form for that program. Also note that there are assurances separate from SF-424B and 424D for the ICDBG program, which are specific to that program.

(I) OMB Circulars and Government-wide Regulations Applicable to Grant Programs. Certain OMB circulars also apply to programs in this SuperNOFA. The policies, guidance, and requirements of OMB Circular A-87 (Cost Principles Applicable to Grants, Contracts and Other Agreements with State and Local Governments), OMB Circular A-21 (Cost Principles for Education Institutions), OMB A-122 (Cost Principles for Nonprofit Organizations), OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), and the regulations in 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations), and 24 CFR part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally recognized Indian tribal governments), may apply to the award, acceptance, and use of assistance under the programs of this SuperNOFA, and to the remedies for non-compliance, except when inconsistent with the provisions of the FY 2002 HUD Appropriations Act, other Federal statutes or regulations, or the provisions of this SuperNOFA. Compliance with additional OMB Circulars or government-wide regulations may be specified for a particular program in the Program Section of the SuperNOFA. Copies of the OMB Circulars may be obtained from EOP Publications; Room 2200; New

Executive Office Building; Washington, DC 20503; telephone (202) 395-7332 (this is not a toll free number); or, from the website, www.whitehouse.gov/omb/circulars/index.html.

(J) Environmental Requirements. If you become a grantee under one of the programs in this SuperNOFA that assist physical development activities or property acquisition, you are generally prohibited from acquiring, rehabilitating, converting, leasing, repairing or constructing property, or committing or expending HUD or non-HUD funds for these types of program activities, until one of the following has occurred:

(1) HUD has completed an environmental review in accordance with 24 CFR part 50; or

(2) For programs subject to 24 CFR part 58, HUD has approved a grantee's Request for Release of Funds (HUD Form 7015.15) following a Responsible Entity's completion of an environmental review.

You, the applicant, should consult the Program Section of the SuperNOFA for the applicable program to determine the procedures for, timing of, and any exclusions from environmental review under a particular program. For applicants applying for funding under the Sections 202 or 811 Programs, please note the environmental review requirements for these programs.

[[Page 13839]]

(K) Conflicts of Interest. If you are a consultant or expert who is assisting HUD in rating and ranking applicants for funding under this SuperNOFA, you are subject to 18 U.S.C. 208, the Federal criminal conflict of interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR part 2635. As a result, if you have assisted or plan to assist applicants with preparing applications for this SuperNOFA, you may not serve on a selection panel and you may not serve as a technical advisor to HUD for this SuperNOFA. All individuals involved in rating and ranking this SuperNOFA, including experts and consultants, must avoid conflicts of interest or the appearance of conflicts. Individuals involved in the rating and ranking of applications must disclose to HUD's General Counsel or HUD's Ethics Law Division the following information, if applicable: how the selection or non-selection of any applicant under this SuperNOFA will affect the individual's financial interests, as provided in 18 U.S.C. 208; or, how the application process involves a party with whom the individual has a covered relationship under 5 CFR 2635.502. The individual must disclose this information prior to participating in any matter regarding this SuperNOFA. If you have questions regarding these provisions or if you have questions concerning a conflict of interest, you may call the Office of General Counsel, Ethics Law Division, at 202-708-3815.

(L) Accessible Technology. The Rehabilitation Act Amendments of 1998 apply to all electronic information technology (EIT) used by a grantee for transmitting, receiving, using, or storing information to carry out the responsibilities of any federal grant awarded. The Act's coverage includes, but is not limited to, computers (hardware, software, word-processing, email, and web pages), facsimile machines, copiers and telephones. When developing, procuring, maintaining, or using EIT, funding recipients must ensure that the EIT allows employees with disabilities and members of the public with disabilities to have access to and use of information and data that is comparable to the

access and use of information and data by employees and members of the public who do not have disabilities. If these standards impose a hardship on a funding recipient, they may provide an alternative means to allow the individual to use the information and data. However, no grantee will be required to provide information services to a person with disabilities at any location other than the location at which the information services is generally provided.

III. Application Selection Process

(A) Rating Panels. To review and rate applications, HUD may establish panels. These panels may include persons not currently employed by HUD. HUD may include these non-HUD employees to obtain certain expertise and outside points of view, including views from other Federal agencies.

(1) Rating. HUD will evaluate and rate all applications for funding that meet the threshold requirements and rating factors for award described in this SuperNOFA. This will include rating the applicant and/or the applicant's organization and staff for technical merit or threshold compliance as well as any sub-contractors, consultants, sub-recipients, and members of consortia that are firmly committed to the project. In evaluating applications for funding HUD will take into account applicants' past performance in managing funds, including the ability to account for funds appropriately; timely use of funds received either from HUD or other Federal, State, or local programs; meeting performance targets for completion of activities; and, number of persons to be served or targeted for assistance. HUD may include information at hand or available from public sources such as, but not limited to, newspapers, Inspector General or Government Accounting Office Reports or Findings, and/or hotline complaints that have been proven to have merit. In evaluating past performance, HUD may elect to deduct points from the rating score or establish threshold levels as specified under the Factors for Award in the Program Section of this SuperNOFA.

(2) Ranking. HUD will rank applicants within each program or, for Continuum of Care applicants, across the three programs identified in the Continuum of Care section of this SuperNOFA. HUD will rank applicants only against those applying for the same program funding. Where there are set-asides within a program competition, you, the applicant, will compete against only those applicants in the same set-aside competition.

(B) Threshold Requirements. HUD will review your application to determine whether it meets all of the threshold requirements described in Section II(B), above. Only applications that meet all of the threshold requirements will be eligible to be rated and ranked.

(C) Factors for Award Used to Evaluate and Rate Applications. For each program that is part of this SuperNOFA, the points awarded for the rating factors total 100. Depending upon the program for which you the applicant seek funding, the funding opportunity may provide for up to six bonus points as provided in paragraphs (1)-(3) of this Section III(C).

(1) RC/EZ/EC. The SuperNOFA provides for the award of two bonus points for eligible activities/projects that the applicant proposes to be located in federally designated Empowerment Zones (EZs), Enterprise Communities (ECs), Urban Enhanced Enterprise Communities (EECs), Strategic Planning Communities, or Renewal Communities (RCs), serve the

residents of these areas, and are certified to be consistent with the area's strategic plan. (For ease of reference in the SuperNOFA, all these federally designated areas are collectively referred to as "RC/EZ/ECs" and residents of any of these federally designated areas as "RC/EZ/EC residents.") The individual funding announcement will indicate if the bonus points are available for that funding. The SuperNOFA contains a certification that must be completed for the applicant to be considered for RC/EZ/EC bonus points. A list of RCs, EZs, ECs, EECs, and Strategic Planning Communities is attached to this General Section of the SuperNOFA as Appendix A-2 and is also available from the SuperNOFA Information Center, and the HUD website, www.hud.gov.

(2) Brownfield Showcase Communities: In the BEDI competition, two bonus points are available for federally designated Brownfields Show Case Communities. (Please see BEDI section of this SuperNOFA for additional information.) A list of the federally designated RCs, EZs, ECs, Enhanced ECs, and Brownfield Showcase Communities is available from the SuperNOFA Information Center or through the HUD website, www.hud.gov.

(3) Court-Ordered Consideration. For any application submitted by the City of Dallas, Texas, for funds under this SuperNOFA for which the City of Dallas is eligible to apply, HUD will consider the extent to which the strategies or plans in the application or applications will be used to eradicate the vestiges of racial 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 programs covered by this SuperNOFA, and identify proposed actions for remedying those vestiges. HUD may add up to 2 bonus points to

[[Page 13840]]

the score based upon this consideration. This special consideration results from an order of the U.S. District Court for the Northern District of Texas, Dallas Division. (This Section III(C)(2) is limited to applications submitted by the City of Dallas.)

(4) The Five Standard Rating Factors. The majority of programs in this SuperNOFA use the five rating factors described below. Additional details about the five rating factors and the maximum points for each factor are provided in the Program Section of the SuperNOFA. You, the applicant, should carefully read the factors for award as described in the Program Section of the SuperNOFA. HUD has established these five factors as the basic factors for award in every program that is part of this SuperNOFA. For a specific funding opportunity, however, HUD may have modified these factors to take into account specific program needs or statutory or regulatory limitations imposed on a program. The standard factors for award, except as modified in the program area section, are:

Factor 1: Capacity of the Applicant and Relevant Organizational Staff

Factor 2: Need/Extent of the Problem

Factor 3: Soundness of Approach

Factor 4: Leveraging Resources

Factor 5: Coordination, Self-Sufficiency and Sustainability

The Continuum of Care Homeless Assistance Programs have only two factors that receive points: Need and Continuum of Care.

(D) Negotiation. After HUD has rated and ranked all applications and made selections, HUD may require, depending upon the program, that all winners participate in negotiations to determine the specific terms of the grant agreement and budget. In cases where HUD cannot successfully conclude negotiations with a selected applicant or a selected applicant fails to provide HUD with requested information, an award will not be made to that applicant. In this instance, HUD may offer an award, and proceed with negotiations with the next highest-ranking applicant.

(E) Adjustments to Funding.

(1) HUD reserves the right to fund less than the full amount requested in your application to ensure the fair distribution of the funds and that the purposes of a specific program are met.

(2) HUD will not fund any portion of your application that: is not eligible for funding under specific program statutory or regulatory requirements; does not meet the requirements of this SuperNOFA; or may be duplicative of other funded programs or activities from previous years' awards or other selected applicants. Only the eligible portions of your application (including non-duplicative portions) may be funded.

(3) If funds remain after funding the highest-ranking applications, HUD may fund all or part of the next highest-ranking application in a given program. If you, the applicant, turn down an award offer, HUD will make an offer of funding to the next highest-ranking application. If funds remain after all selections have been made, remaining funds may be available for other competitions for each program where there is a balance of funds.

(4) In the event HUD commits an error that, when corrected, would result in selection of an otherwise eligible applicant during the funding round of this SuperNOFA, HUD may select that applicant when sufficient funds become available.

(F) Performance and Compliance Actions of Grantees. HUD will measure and address the performance and compliance actions of grantees in accordance with the applicable standards and sanctions of their respective programs.

IV. Application Submission Requirements

As discussed in the Introductory Section of this SuperNOFA, part of the simplification of this funding process is to reduce the duplication of effort that has been required of applicants in the past. Before the SuperNOFA process, many of HUD's applicants were required to complete and submit similar applications for HUD funded programs. As the Program Chart shows, the FY 2002 SuperNOFA provides, as did the previous SuperNOFAs, for consolidated applications for several of the programs for which funding is available under this SuperNOFA.

V. Corrections to Deficient Applications

After the application due date, HUD may not, consistent with its

regulations in 24 CFR part 4, subpart B, consider any unsolicited information you, the applicant, may want to provide. HUD may contact you to clarify an item in your application or to correct technical deficiencies. HUD may not seek clarification of items or responses that improve the substantive quality of your response to any rating factors. In order not to unreasonably exclude applications from being rated and ranked, HUD may contact applicants to ensure proper completion of the application and will do so on a uniform basis for all applicants. Examples of curable (correctable) technical deficiencies include failure to submit the proper certifications or failure to submit an application that contains an original signature by an authorized official. In each case, HUD will notify you in writing by describing the clarification or technical deficiency. HUD will notify applicants by facsimile or by USPS, return receipt requested. Clarifications or corrections of technical deficiencies in accordance with the information provided by HUD must be submitted within 14 calendar days of the date of receipt of the HUD notification. (If the due date falls on a Saturday, Sunday, or Federal holiday, your correction must be received by HUD on the next day that is not a Saturday, Sunday, or Federal holiday.) If the deficiency is not corrected within this time period, HUD will reject the application as incomplete and it will not be considered for funding. (Sections 202 and 811 Programs provide for appeal of rejection of an application on technical deficiency. Please see the Program Section for these programs for additional information and instructions.)

VI. HUD's FY 2002 SuperNOFA Policy Priorities

This Section describes important initiatives that HUD is encouraging applicants to undertake in implementing programs funded under this SuperNOFA. Seven SuperNOFA policy priorities are listed below. Each of the seven policy priorities support the interim Strategic Goals listed in Part II of this NOFA, as noted below.

(A) Increasing Homeownership Opportunities for Low- and Moderate-Income Persons, Persons with Disabilities, the Elderly, Minorities, and Families where English may be a Second Language. Too often these individuals and families are shut out of the housing market through no fault of their own. HUD encourages applicants to work aggressively to open up the realm of homeownership to many who want the joy, security, and sense of community that comes from owning a home of their own. Proposed activities can support Strategic Goals 1, 2, and 7.

(B) Improving the Quality of Public Housing and Providing More Choices for Its Residents. HUD wants to improve the quality of life for those living in public housing, not only by improving the physical surroundings of public housing developments, but by providing residents greater opportunities to move from public housing into homeownership opportunities or into a community with greater housing choices and better educational and employment opportunities. Proposed

[[Page 13841]]

activities directly support Strategic Goal 3, but can also support Strategic Goals 4, and 7.

(C) Encouraging Accessible Design Features. As described in Section II (B) and (H), applicants must be in compliance with applicable civil rights laws including the Fair Housing Act, Section 504 of the

Rehabilitation Act of 1973, and the Americans with Disabilities Act. These laws, and regulations implementing them, provide for nondiscrimination based on disability and require housing and facilities to incorporate certain features intended to provide for their use and enjoyment by persons with disabilities.

HUD is encouraging applicants to add accessible design features beyond those required under civil rights laws and regulations. These features would eliminate many other barriers limiting the access of persons with disabilities to housing and other facilities. These accessible design features are intended to promote visitability and incorporate features of universal design as described below:

(i) Visitability in New Construction and Substantial Rehabilitation. Applicants are encouraged to incorporate visitability standards where feasible in new construction and substantial rehabilitation projects. Visitability standards allow a person with mobility impairments access into the home, but do not require that all features be made accessible. Visitability means at least one entrance at grade (no steps), approached by an accessible route such as a sidewalk; the entrance door and all interior passage doors are at least 2 feet 10 inches wide, allowing 32 inches of clear passage space. A visitable home also serves persons without disabilities, such as a mother pushing a stroller or a person delivering a large appliance. Copies of the Uniform Federal Accessibility Standards (UFAS) are available from the SuperNOFA Information Center (1-800-HUD-8929 or 1-800-HUD-2209 (TTY)) and also from the Office of Fair Housing and Equal Opportunity; U.S. Department of Housing and Urban Development; Room 5230, 451 Seventh Street, SW.; Washington, DC 20410; 202-755-5404 or 1-800-877 8399 (TTY Federal Information Relay Service). Proposed activities support Strategic Goal 7.

(ii) Universal Design. Applicants are encouraged to incorporate universal design in the construction or rehabilitation of housing, retail establishments, and community facilities funded with HUD assistance. Universal design is the design of products and environments to be usable by all people to the greatest extent possible, without the need for adaptation or specialized design. The intent of universal design is to simplify life for everyone by making products, communications, and the built environment more usable by as many people as possible at little or no extra cost. Universal design benefits people of all ages and abilities. In addition to any applicable required accessibility features under Section 504 of the Rehabilitation Act of 1973 or the design and construction requirements of the Fair Housing Act, the Department encourages applicants to incorporate the principles of universal design when developing housing, community facilities, electronic communication mechanisms, or when communicating with community residents at public meetings or events. HUD believes that by creating housing that is accessible to all, it can increase the supply of affordable housing for all, regardless of ability or age. Likewise, creating places where people work, train, and interact which are useable and open to all residents increases opportunities for economic and personal self-sufficiency. Proposed activities under this priority will support Strategic Goals 2, 7, and 8.

(D) Improving Computer Access, Literacy, and Employment Opportunities. The Department seeks to promote activities that provide access to computers to low- and moderate-income adults and children who do not have access and, therefore, may be disadvantaged with respect to education, work, and training opportunities. HUD encourages applicants

to incorporate education and job training opportunities through initiatives such as HUD's Neighborhood Networks. Neighborhood Networks enhance the self-sufficiency, employability, and economic self-reliance of low-income families and the elderly living in HUD-insured or HUD-assisted properties, and public housing by providing on-site computer access and training resources.

Applicants are encouraged to teach adults and children how to use computers to achieve economic self-sufficiency, provide job training and placement, and establish public-private partnerships to support community-learning centers and provide apprenticeship opportunities. Proposed activities can support Strategic Goals 2, 3, 4, 5, 7, and 8.

(E) Providing Full and Equal Access to Faith-Based and Other Community-Based Organizations in HUD Program Implementation. (1) HUD encourages non-profit organizations, including grassroots faith-based and other community-based organizations, to participate in the vast array of programs for which funding is available through this SuperNOFA. HUD believes that grassroots organizations, e.g., civic organizations, congregations, and faith-based and other community-based organizations, have not been effectively utilized. These grassroots organizations have a strong history of providing vital community services such as assisting the homeless and preventing homelessness, counseling individuals and families on fair housing rights, providing elderly housing opportunities, developing first time homeownership programs, increasing homeownership and rental housing opportunities in neighborhoods of their choice, developing affordable and accessible housing in neighborhoods across the country, creating economic development programs, and supporting the residents of public housing facilities. The goal of this policy priority is to make HUD's programs more effective, efficient, and accessible by expanding opportunities for grassroots organizations to participate in developing solutions for their own neighborhoods. Additionally, HUD encourages applicants to include these faith-based and other community-based grassroots organizations in their workplans. Applicants, their partners, and participants must review the Program Section of this SuperNOFA to determine eligibility. Faith-based and other community-based grassroots organizations, and applicants who currently or propose to partner, fund, or subcontract with grassroots organizations, including faith-based or other community-based non-profits eligible under applicable program regulations, in conducting their work programs will receive higher rating points as specified in the program section of this SuperNOFA.

(2) Definition of Grassroots Organizations.

(a) HUD will consider an organization a "grassroots organization" if the organization is headquartered in the local community to which it provides services; and,

- (i) Has a social services budget of \$300,000 or less, or
- (ii) Has six or fewer full-time equivalent employees.

(b) Local affiliates of national organizations are not considered "grassroots." Local affiliates of national organizations are encouraged, however, to partner with grassroots organizations but must demonstrate that they are currently working with a grassroots organization, e.g., having a congregation or civic organization, or other charitable organization provide volunteers.

(c) The cap provided in paragraph (2)(a)(i) above includes only that portion of an organization's budget allocated to providing social services. It does not include other portions of the budget such as salaries and expenses. Activities under this priority directly support Strategic Goal 4.

(F) Ensuring that Programs are Accountable for the Promises Made and the Actions Taken. HUD encourages applicants to include program measures to ensure that promises made in your application for funding for persons to be assisted, units to be constructed or rehabilitated, timelines and budgets to be followed, and results to be achieved can be accounted for and independently assessed to ensure performance goals have been met. Applicants who have included means of assessing progress and tracking performance goals and achievements against promises made in the application will receive higher rating points. Actions taken to support this priority directly support Strategic Goal 6.

(G) Colonias. HUD seeks to improve housing conditions for families living in Colonias. Colonia means any identifiable community that:

(i) is located in Arizona, California, New Mexico, or Texas:

(ii) is within 150 miles of the border between the United States and Mexico: and

(iii) meets objective need criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, sanitary, and accessible housing.

Activities performed under this priority primarily support Strategic Goal 8, but can also support Strategic Goals 3, 4, and 7.

VII. Findings and Certifications

(A) Environmental Impact. A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50 that implement Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the General Counsel, Regulations Division, Room 10276, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-0500.

(B) Executive Order 13132, Federalism. Executive Order 13132 prohibits, to the extent practicable and permitted by law, an agency from promulgating policies that have federalism implications and either impose substantial direct compliance costs on State and local governments and are not required by statute, or preempt State law, unless the relevant requirements of Section 6 of the Executive Order are met. This SuperNOFA does not have federalism implications and does not impose substantial direct compliance costs on State and local governments or preempt State law within the meaning of the Executive Order.

(C) Executive Order 12372, Intergovernmental Review of Federal Programs. Executive Order 12372 was issued to foster intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of Federal financial assistance and direct Federal development. The Order allows each State to designate an entity to perform a State review function. The official listing of State Points of Contact (SPOC) for this review process can be found at www.whitehouse.gov/omb/grants/spoc.html. States not listed on the website have chosen not to participate in the intergovernmental review process and, therefore, do not have a SPOC. If your State has a

SPOC, you should contact them to see if they are interested in reviewing your application prior to submission to HUD. Please make sure that you allow ample time for this review process when developing and submitting your applications. If your State does not have a SPOC, you may send applications directly to HUD.

(D) Prohibition Against Lobbying Activities. You, the applicant, are subject to the provisions of Section 319 of the Department of Interior and Related Agencies Appropriation Act for Fiscal Year 1991, 31 U.S.C. 1352 (the Byrd Amendment), which prohibits recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal government in connection with a specific contract, grant, or loan. You are required to certify, using the certification found at Appendix A to 24 CFR part 87, that you will not and have not used appropriated funds for any prohibited lobbying activities. In addition, you must disclose, using Standard Form LLL "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence Federal employees, members of Congress, and congressional staff regarding specific grants or contracts. Federally recognized Indian tribes and tribally designated housing entities (TDHEs) established by federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but State-recognized Indian tribes and TDHEs established under State law must comply with this requirement.

(E) Section 102 of the HUD Reform Act, Documentation and Public Access Requirements. Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545) (HUD Reform Act) and the regulations codified in 24 CFR part 4, subpart A, 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 a notice that also provides information on the implementation of Section 102 (57 FR 1942). The documentation, public access, and disclosure requirements of Section 102 apply to assistance awarded under this SuperNOFA as follows:

(1) Documentation and public access requirements. HUD will ensure that documentation and other information regarding each application submitted pursuant to this SuperNOFA 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 (24 CFR part 15).

(2) Debriefing. Beginning not less than 30 days after the awards for assistance are announced in the above-mentioned Federal Register notice and for at least 120 days after awards for assistance are announced, HUD will provide a debriefing to any applicant requesting one on their application. All debriefing requests must be made in writing or by email by the authorized official whose signature appears on the SF-424 or his or her successor in office, and submitted to the person or organization identified as the Contact under the section entitled "Further Information and Technical Assistance" in the Program Section of the SuperNOFA under which you applied for assistance. Information provided during a debriefing will include, at a minimum, the final score you received for each rating factor, final evaluator comments for each rating factor, and the final assessment

indicating the basis upon which assistance was provided or denied.

(3) Disclosures. HUD will make available to the public for five years all applicant disclosure reports (HUD Form

[[Page 13843]]

2880) submitted in connection with this SuperNOFA. Update reports (also reported on HUD Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period of 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 (24 CFR part 5).

(4) Publication of Recipients of HUD Funding. HUD's regulations at 24 CFR part 4 provide that HUD will publish a notice in the Federal Register to notify the public of all decisions made by the Department to provide:

(i) Assistance subject to Section 102(a) of the HUD Reform Act; and/or

(ii) Assistance provided through grants or cooperative agreements on a discretionary (non-formula, non-demand) basis, but that is not provided on the basis of a competition.

(F) Section 103 of the HUD Reform Act. HUD's regulations implementing Section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a), codified in 24 CFR part 4, subpart B, apply to this funding competition. The regulations continue to apply until the announcement of the selection of successful applicants. HUD employees involved in the review of applications and in the making of funding decisions are limited by the regulations from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics related questions should contact the HUD Ethics Law Division at 202-708-3815. (This is not a toll-free number.) HUD employees who have specific program questions should contact the appropriate field office counsel or Headquarters counsel for the program to which the question pertains.

VIII. The FY 2002 SuperNOFA Process and Future HUD Funding Processes

Each year, HUD strives to improve its SuperNOFA. The FY 2002 SuperNOFA was revised based upon comments received during the FY 2001 funding process. HUD continues to welcome comments and feedback from applicants and other members of the public on how HUD may further improve its competitive funding process.

The description of programs for which funding is available under this SuperNOFA follows this General Section and its appendices.

Dated: March 14, 2002.
Mel Martinez,
Secretary