

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4061-N-01]

Office of the Assistant Secretary for Public and Indian Housing; Notice of Funding Availability (NOFA) for Family Self-Sufficiency (FSS) Program Coordinators for the Section 8 Rental Certificate and Rental Voucher Programs

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of funding availability for fiscal year (FY) 1996 for Section 8 Family Self-Sufficiency Program Coordinators.

SUMMARY: This NOFA announces the availability of up to \$9.2 million for administrative fees for Section 8 Family Self-Sufficiency (FSS) program coordinators. Eligible applicants are only those public housing agencies (PHAs) and Indian housing authorities (IHAs), herein referred to as housing agencies (HAs), with obligations to enroll at least 25 families in the FSS program. Due to limited funding, HUD has decided to limit the competition to the HAs with Section 8 programs of fewer than 1,000 rental vouchers and certificates and limit the funds available to each HA to \$42,500.

In recent years, HUD has provided funding for FSS program coordinators to HAs with Section 8 programs of fewer than 600 units. The funds for FY 94 and FY 95 were allocated to these HAs based on a request for funding and all complete applications were funded. HUD is allocating FY 1996 funds for FSS program coordinators through a competitive NOFA as required by Congress.

DATES: The application deadline for the FSS Program Coordinators is September 9, 1996, 3:00 p.m., local HUD Office time.

The above-stated application deadline is firm as to date and hour. In the interest of fairness to all competing HAs, HUD will treat as ineligible for consideration any application that is not received before the application deadline. Applicants should take this practice into account and make early submission of their materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery-related problems. HUD will not accept, at any time during the NOFA competition, application materials sent via facsimile (FAX) transmission.

ADDRESSES: The local HUD State or Area Office, Attention: Director, Office of

Public Housing, is the official place of receipt for all applications, except applications from Indian Housing Authorities (IHAs). The local HUD Office of Native American Programs Office, Attention: Administrator, Office of Native American Programs, is the place of official receipt for IHA applications. For ease of reference, the term "HUD Office" will be used throughout this NOFA to mean the HUD State Office, HUD Area Office, and the HUD Office of Native American Programs Office. If a particular type of HUD Office needs to be identified, e.g., the HUD Office of Native American Programs Office, the appropriate office will be used.

FOR FURTHER INFORMATION CONTACT:

Gerald J. Benoit, Director, Operations Division, Office of Rental Assistance, Office of Public and Indian Housing, Department of Housing and Urban Development, room 4220, 451 Seventh Street, SW, Washington, DC 20410-8000, telephone number (202) 708-0477. Hearing or speech impaired individuals may call HUD's TTY number (202) 708-4594. (These numbers are not toll-free.)

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act Statement

The information collection requirements contained in this notice have been submitted to the Office of Management and Budget for review under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). No person may be subjected to a penalty for failure to comply with these information collection requirements until they have been approved and assigned an OMB control number. The OMB control number, when assigned, will be announced in the Federal Register.

I. Purpose and Substantive Description

The Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L. 104-134, 110 Stat. 1321, approved April 26, 1996) allows HUD to set-aside Community Development Block Grant funds for program coordinators under the Section 8 FSS program. As a result, HUD determined to make a sufficient amount available under this NOFA, to enable the smaller HAs (i.e., those with programs of fewer than 1,000 total rental vouchers and certificates) with required FSS programs of at least 25 slots, to hire up to one FSS program coordinator for one year at a reasonable cost, as determined by the HA and HUD, based on salaries for similar positions in the locality.

Each HA is limited to an award of \$42,500 under this NOFA.

(1) Eligible Activity

Funds are available under this NOFA to employ or otherwise retain the services of up to one FSS program coordinator for one year. A part-time FSS program coordinator may be retained where appropriate. Under the FSS program, HAs are required to use Section 8 rental assistance together with public and private resources to provide supportive services to enable participating families to achieve economic independence and self-sufficiency. Effective delivery of supportive services is a critical element in a successful program.

(a) Program Coordinator Role

HAs administering the FSS program use program coordinating committees (PCCs) to assist them to secure resources for and implement the FSS program. The program coordinating committee is made up of representatives of local government, job training and employment agencies, local welfare agencies, educational institutions, child care providers, nonprofit service providers, and businesses.

An FSS program coordinator works with the PCC, and with local service providers to assure that program participants are linked to the supportive services they need to achieve self-sufficiency. The FSS program coordinator may ensure, through case management, that the services included in participants' contracts of participation are provided on a regular, ongoing and satisfactory basis, and that participants are fulfilling their responsibilities under the contracts.

(b) Staffing Guidelines

Under normal circumstances, a full-time FSS program coordinator should be able to serve approximately 50 FSS participants, depending on the coordinator's case management functions.

(c) Eligibility of HAs

All HAs that currently administer a rental voucher and certificate program of fewer than 1,000 total rental vouchers and certificates and that received FY 1992 FSS incentive award funding, or FY 1993 and later rental voucher or certificate funding (other than renewal funding), and as a result are required to administer an FSS program of at least 25 FSS slots are eligible to apply. HAs with fewer than 1,000 total rental vouchers and certificates and with FSS programs of fewer than 25 slots may also apply, if they apply jointly with one or more

other eligible HAs so that between or among the HAs they administer at least 25 FSS slots. If eligible applicants apply jointly, their combined total program size may exceed 1,000 total rental vouchers and certificates, but the \$42,500 maximum amount that may be requested still applies. Joint applicants must specify a lead coapplicant which will receive and administer the FSS program coordinator funding. A State or regional (i.e., multi-county jurisdiction) HA that administers a program of more than 1,000 rental vouchers and certificates may apply if it is required to administer an FSS program of fewer than 1,000 FSS slots.

Since the \$9.2 million available for FSS program coordinators is insufficient to fund all HAs administering FSS programs, HUD is limiting eligibility under this NOFA to HAs with fewer than 1,000 total Section 8 rental vouchers and certificates and to state and multi-county regional HAs that are required to administer FSS programs of at least 25 but fewer than 1,000 FSS slots. HUD determined that HAs administering large Section 8 programs are more likely than smaller HAs to have access to other resources for FSS program administration. State HAs indicated an interest in FY 1994 in submitting applications for funding under the FSS Program Coordinators NOFA regardless of the 600 total program size limitation in FY 1994. In response, HUD has decided in this FY 1996 NOFA to allow a state or multi-county regional HA that administers an FSS program in more than one location to submit an application if the state or multi-county regional HA is required to administer an FSS program of at least 25 but fewer than 1,000 Section 8 units.

HUD is requiring that applicants under this NOFA administer FSS programs of at least 25 FSS slots (based on FY 1992 FSS incentive award funding or FY 1993 and later rental voucher and certificate funding (other than renewal funding)) to ensure that the limited program coordinator funds are used in a cost-effective manner. The Department expects that FSS programs of fewer than 25 FSS slots can be managed within HA resources.

(2) Eligible Applicants With HUD Approved Exceptions to Mandatory Minimum Size

If HUD has approved either a full or partial exception to implementing an FSS program of the mandatory minimum size for an eligible applicant with fewer than 1,000 rental vouchers and certificates, solely because of a lack of funds for reasonable administrative costs, the approval of the exception is

hereby automatically rescinded, since funding for an FSS program coordinator is now available under this NOFA.

II. FSS Program Coordinators Allocation Amounts

For FY 1996, \$9.2 million is available for HA administrative fees for Section 8 FSS Program Coordinators. This is the third fiscal year of funding for FSS Program Coordinators. All HAs that received funding for FSS Program Coordinators under the FY 1994 and FY 1995 NOFA must re-apply under this NOFA and compete for funding under the terms of this NOFA. There will be no automatic funding for previously funded HAs.

An eligible HA may apply for a maximum of \$42,500 to support up to one FSS program coordinator for one year. An eligible state HA or multi-county regional HA may apply for a maximum of \$42,500. The HUD Office may fund applications at fewer than the requested amount, based on the HUD Office application review, if the HA requests more funds than permitted under the NOFA for a full or part-time program coordinator.

III. FSS Program Coordinators Application Submission Requirements

Each application for funding under this NOFA must contain the following items to be considered for an award:

(1) Application for FSS Program Coordinator Funds

All applications must contain the following information stated in a letter from the Executive Director of the HA to the Director of the Office of Public Housing in the local HUD Office or to the Administrator of the Office of Native American Programs (see sample letter format, Attachment 1):

(a) The total number of units in the latest HUD approved HA budget for the Section 8 rental voucher and certificate programs.

(b) The total number of required FSS slots (based on FY 1992 incentive award funding and FY 1993 and later rental voucher and certificate funding).

(c) The total number of currently enrolled FSS families.

(d) The number of FSS families that are currently working at full or part-time jobs.

(e) The annual salary proposed for the FSS program coordinator, plus any fringe benefits. Do not include costs of training, transportation, clerical support, equipment, supplies, or other administrative costs or overhead. The Program coordinator salary should be set as follows:

(i) Determine the salary level, taking into consideration salaries for comparable jobs, modified by the hours worked.

(ii) Set the annual salary, including any fringe benefits that pertain to the job.

(f) Evidence that demonstrates salary comparability with similar positions in the local jurisdiction.

(g) Joint applicants must indicate which HA will be the lead applicant and will receive and administer the FSS program coordinator funding.

(2) Type and Quality of Proposed Services

Each HA must provide a brief description of the services provided in its FSS program, including any innovative approaches to services that increase the likelihood of success for FSS families and internal goals established by the HA to determine the success of its FSS program. A successful FSS program must offer a wide variety of services to address the needs of FSS participants that can be integrated into meaningful assistance for families. A key consideration is that the services must be coordinated in their delivery and appropriate to the needs of the families. For example, quality child-care, capable of attending to a variety of age groups and operating a sufficient number of hours per week to accommodate work, training, and/or counseling schedules may be important. Another important service may be transportation, which links the other services together. The HA shall describe current FSS services or past services provided by others to its Section 8 families.

(3) List of Firm Commitments for Services From Other Sources

Each HA must provide a summary cover letter of commitments for services along with copies of commitment letter from service providers with reasonable assurances that services will be provided. The HA may include services currently being provided to FSS participants as long as the services will continue to be provided.

(4) Funding Application

All HAs must complete Form HUD-52515, Section 8 Tenant-Based Assistance, Rental Certificate Program and Rental Voucher Program (dated January 1996). This form was recently revised to include all necessary certifications for Fair Housing, Drug Free Workplace and Lobbying activities; therefore, HAs can complete and sign the new form HUD-52515 to meet the requirements of these certifications. All

parts of the application form must be completed, except parts B and C which relate to funding of units. HAs should note that, unlike other applications for funding, the provisions of Section 213 of the Housing and Community Development Act of 1974 do *not* apply for the FSS program coordinator funding and *no* solicitation of comments from the chief executive officer of the unit of general local government need be made.

IV. Application Rating Process

(1) *General.* The HUD Office is responsible for rating the applications for the criteria established in this NOFA, and HUD Headquarters is responsible for selection of applications (including applications rated by the Office of Native American Programs) that will receive funding for FSS program coordinators. Each application, to be eligible for funding, must receive a total score of 35 points after all criteria are rated. The HUD Office will initially screen all applications and determine any technical deficiencies based on the application submission requirements.

(2) *Rating Criteria.*

(a) *Rating Criterion 1: Percentage of FSS Families Currently Enrolled Compared to the HA'S Obligation to Enroll Families.*

(i) *Description:* This criterion assesses the success to date that the HA has achieved in enrolling families in FSS in comparison with its obligation to enroll families based on the new funding the HA has been awarded in FY 1992 and subsequently.

(ii) *Rating and Assessment:* The HUD Office will assign point values based on the number of families currently enrolled for FSS divided by the total number of families that the HA is obligated to enroll. The HUD Office must use the HAs' statement as to the number of enrolled families and the number of families obligated to be enrolled unless the HUD Office is aware of other more up-to-date data. The HUD Office will assign point values based on the following:

- *20 Points*—Assign 20 points if the HA has enrolled more than 75 percent of the number of families it is obligated to enroll.
- *10 Points*—Assign 10 points if the HA has enrolled between 50 and 75 percent of the number of families it is obligated to enroll.
- *Zero Points*—Assign zero points if the HA has enrolled fewer than 50 percent of the number of families it is obligated to enroll.

(b) *Rating Criterion 2: Number of Enrolled FSS Families That Are Working.*

(i) *Description:* This criterion assesses the success of the FSS families in the HA's program to achieve results in job training and job search activities.

(ii) *Rating and Assessment:* The HUD Office will assign point values based on the following percentages for the number of FSS families who are currently attending school or working in full or part-time jobs:

- *10 Points*—Assign 10 points if the HA has more than 50 percent of its FSS families attending school full-time and/or working either in full-time or part-time jobs.
- *5 Points*—Assign 5 points if the HA has between 25 and 50 percent of its FSS families attending school full-time and/or working either in full-time or part-time jobs.
- *Zero Points*—Assign zero points if neither threshold applies.

(c) *Rating Criterion 3: Supportive Services for FSS Families.*

(i) *Description:* This criterion assesses the variety of the services provided to FSS families. The services proposed should match the needs of the FSS families as described in the HA's application. Services can include the following: child care, transportation, job training and placement, counseling, education, money management, parenting and rehabilitation services.

(ii) *Rating and Assessment:* The HUD Office will assign point values for the following assessments based on the number of services provided by the HA:

- *10 Points*—Assign 10 points if FSS families have access to at least five of the listed services;
- *5 Points*—Assign 5 points if FSS families have access to at least three of the listed services.
- *Zero Points*—Assign zero points if FSS families have access to fewer than three of the listed services.

(d) *Rating Criterion 4: Type and Quality Funding of Supportive Services for FSS Families.*

(i) *Description:* This criterion assesses the quality of the services provided to FSS families by determining whether child care and transportation are provided in addition to other services such as training, education and counseling.

(ii) *Rating and Assessment:* The HUD Office will assign point values for the following assessments based on the availability of certain services provided by the HA:

- *20 Points*—Assign 20 points if FSS families have access to child care and transportation in addition to other services such as training, education, counseling, money management, parenting and rehabilitation services;

- *10 Points*—Assign 10 points if FSS families have access to child care or transportation in addition to other services such as training, education, counseling, money management, parenting and rehabilitation services;

- *Zero Points*—Assign zero points if FSS families are without access to child care or transportation.

(e) *Rating Criterion 5: Firm Commitments for Supportive Services for FSS Families.*

(i) *Description:* This criterion assesses the number of services provided to FSS families with firm commitments for the next fiscal year from third party providers.

(ii) *Rating and Assessment:* The HUD Office will assign point values for the following assessments based on the number of services with firm commitments for the next HA fiscal year:

- *10 Points*—Assign 10 points if an HA has firm commitments for four or more services;
- *5 Points*—Assign 5 points if an HA has firm commitments for two or three services;
- *Zero Points*—Assign zero points if an HA has only one firm commitment for services.

V. Corrections to Deficient Applications

(1) *Acceptable Applications*

To be eligible for processing, an application must be received by the appropriate HUD Office no later than the date and time specified in this NOFA. The HUD Office will initially screen all applications and notify HAs of technical deficiencies by letter.

If an application has technical deficiencies, the HA will have 14 calendar days from the date of the issuance of the HUD notification letter to submit the missing or corrected information to the HUD Office. Curable technical deficiencies relate only to items that do not improve the substantive quality of the application relative to the rating factors.

All HAs must submit corrections within 14 calendar days from the date of the HUD letter notifying the applicant of any such deficiency. Information received after 3:00 p.m. local time (i.e., the time in the appropriate HUD Office), of the 14th calendar day of the correction period will not be accepted and the application will be rejected as incomplete.

(2) *Unacceptable Applications*

(a) After the 14-calendar day technical deficiency correction period, the HUD Office will disapprove HA applications that it determines are not acceptable for

processing. The HUD Office disapproval letter must state the basis for the decision.

(b) Applications that fall into any of the following categories will not be processed:

(i) There is a pending civil rights suit against the HA instituted by the Department of Justice or there is a pending administrative action for civil rights violations instituted by HUD (including a charge of discrimination under the Fair Housing Act).

(ii) There has been an adjudication of a civil rights violation in a civil action brought against the HA by a private individual, unless the HA is operating in compliance with a court order or implementing a HUD-approved resident selection and assignment plan or compliance agreement designed to correct the areas of noncompliance.

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

(iv) HUD has denied application processing under Title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3), and the HUD Title VI regulations (24 CFR 1.8) and procedures (HUD Handbook 8040.1), or under section 504 of the Rehabilitation Act of 1973 and HUD regulations (24 CFR 8.57).

(v) The HA has serious unaddressed, outstanding Inspector General audit findings, Fair Housing and Equal Opportunity monitoring review findings, or HUD management review findings for its rental voucher or rental certificate program.

(vi) A HA application that does not comply with the requirements of 24 CFR 982.102 and this NOFA, after the expiration of the 14-calendar day technical deficiency correction period will be rejected from processing.

(vii) A HA application submitted after the deadline date.

VI. FSS Program Coordinators Selection Process

After the HUD Office has screened HA applications and disapproved any applications unacceptable for further processing (See Section IV(2) of this NOFA), the HUD Office will review and rate all approvable applications, utilizing the threshold criteria listed in this NOFA. Each HUD Office will send to HUD Headquarters the information

on each application that receives a rating of at least 35 points, including the name of the HA, the type of program to be funded, i.e., rental voucher or certificate, the application score as determined by the HUD Office under the rating process, the amount requested, and the size of the HA's total Section 8 program.

HUD Headquarters will rank and select the HA applications based on the scores provided by the HUD Offices with the highest scores being funded first. In the case of tie scores, HUD will fund the smallest HAs first. This process will continue until all available funds have been awarded. HUD may not be able to fund all applications depending on the amount of funds recommended by the HUD Office and the size of an applicant's total Section 8 program.

VII. Other Matters

(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, which implements section 102(2)(C) of the National Environmental Policy Act of 1969. The Finding of No Significant Impact is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the Office of the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban Development, room 10276, 451 Seventh Street, SW, Washington, DC 20410.

(b) Executive Order 12612, Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that the provisions of this NOFA do not have "federalism implications" within the meaning of the Order. The NOFA makes funds available for HAs to employ or otherwise retain the services of up to one FSS program coordinator for one year. As such, there are no direct implications on the relationship between the national government and the states or on the distribution of power and responsibilities among various levels of government.

(c) Executive Order 12606, The Family

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

(d) 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 published on April 1, 1996 (61 FR 1448) (to be codified at 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 (57 FR 1942), HUD published a notice that also provides information on the implementation of section 102. The documentation, public access, 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.

(d) Documentation and Public Access Requirements: HUD Reform Act

HUD will include recipients that receive assistance pursuant to this NOFA in its Federal Register notice of recipients of all HUD assistance awarded on a competitive basis. (See 24 CFR 12.16(b), and the notice published on January 16, 1992 (57 FR 1942), for further information on these requirements.)

(e) 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, codified as 24 CFR part 4, applies to this funding competition. The requirements in part 4 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 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 Office of Ethic (202) 708-3815. (This is not a toll-free number.) For HUD employees who have specific program questions, such as whether particular subject matter can be discussed with persons outside HUD, the employee should contact the appropriate Field Office Counsel or Headquarters counsel for the program to which the questions pertains.

(e) Prohibition Against Lobbying Activities

The use of funds awarded under this NOFA is subject to the prohibitions of section 319 of the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (the "Byrd Amendment") and the implementing regulations at 24 CFR part 87. These authorities prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative

branches of the Federal Government in connection with a specific contract, grant, or loan. 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.

Dated: July 22, 1996.

Kevin E. Marchman,
Acting Assistant Secretary, for Public and Indian Housing.

Attachment 1.—Request for FSS Program Coordinator Funds Sample Letter Format

Dear Director, Office of Public Housing (or Administrator, Native American Programs Office):

This is to request approval to hire a Family Self-Sufficiency (FSS) program coordinator for one year, for the X housing agency (HA) FSS program.

1. Total Number of Units in the HA's Section 8 rental voucher and certificate programs as listed in the latest HUD approved budget.

2. Total Number of Currently Enrolled FSS Families: _____.

3. Total Number of Required FSS Program Slots (based on units approved under FY 1992 incentive award funding and under FY 1993 and later rental voucher and certificate program funding): _____.

4. Total Number of families participating in the HA's Section 8 FSS program that are attending school or working: _____.

5. Program Coordinator Salary:

a. *Salary level*, based on salaries for comparable jobs (modified by number of hours worked) _____.

b. *Annual Salary* plus Fringe Benefits:

_____ Hours/Week;

_____ \$/Hour;

_____ Fringe Rate (%);

Annual Salary _____.

6. The HA will contract out for a Program coordinator:

_____ Yes

_____ No

_____ Unknown

7. Attachment: Evidence demonstrating salary comparability with similar positions in the local jurisdiction.

8. Is this application submitted jointly with another HA?

Yes _____

No _____

Name of Lead Agency _____

If there are any questions, please contact _____ at _____.

Sincerely,

Executive Director

Attachment(s)

[FR Doc. 96-19134 Filed 7-24-96; 9:23 am]

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