

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4238-N-01]

## Notice of Funding Availability (NOFA) and Program Guidelines for Homeownership Zones; Fiscal Year 1997

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

**ACTION:** Notice of Funding Availability (NOFA) and Program Guidelines.

**SUMMARY:** This NOFA announces the availability of \$10 million in funding for Homeownership Zones authorized under section 205 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997. The Homeownership Zones program is dedicated to large scale development projects designed to reclaim distressed neighborhoods by creating homeownership opportunities for low- and moderate-income families, and to serve as a catalyst for private investment, business creation, and neighborhood revitalization. This NOFA also contains information concerning basic program requirements, eligible applicants, funding availability, and application requirements and procedures.

**DATES:** One original and two copies of each application must be received by HUD Headquarters at the address provided below by the deadline date. One additional copy must be received by the HUD Field Office by the deadline date. All four copies may be used in reviewing the application.

**Applications Delivered.** Applications are due before midnight on August 29, 1997. Before the deadline date, and on normal workdays between the hours of 8:30 a.m. and 4:30 p.m., completed applications will be accepted at the Processing and Control Unit, Room 7255, Community Planning and Development at the address provided below.

After 4:30 p.m. on the deadline date, hand-delivered applications will be received at the South Lobby of the Department of Housing and Urban Development at the address provided below. HUD will treat as ineligible for consideration hand-delivered applications that are received after midnight on August 29, 1997.

**Applications Mailed.** HUD will consider applications as received by the deadline if they are postmarked before midnight on August 29, 1997, and received by HUD Headquarters within ten (10) calendar days after that date.

**Applications Sent by Overnight Delivery.** HUD will consider applications sent by overnight delivery as having been received by the deadline upon submission of documentary evidence that they were placed in transit with the overnight delivery service by no later than August 29, 1997.

**Applications Sent by Facsimile (FAX).** HUD will NOT accept any application sent by FAX.

**Applications Sent to HUD Field Offices.** One copy of the application must be received by the HUD field office serving the area in which the applicant's Homeownership Zone is located. The field office must receive this copy by the deadline date, but a determination that an application was received on time will be made solely according to the receipt of the application at HUD Headquarters in Washington.

**ADDRESSES:** Please note that one (1) original and two (2) copies of the completed application must be submitted to HUD Headquarters at the following address: Processing and Control Unit, Room 7255, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, DC 20410. One (1) additional copy of the application must be sent to the Director of Community Planning and Development, at the HUD field office serving the State in which the Homeownership Zone is located. Addresses of HUD's field offices are attached to this NOFA as Appendix A.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gordon McKay, Director, Office of Affordable Housing Programs, Room 7164, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, DC 20410; telephone (202) 708-2685 (this is not a toll free number). Hearing- or speech-impaired individuals may access this number via TTY by calling the Federal Information Relay Service at (800) 877-TDDY, which is a toll free number. You may also contact the HUD field office serving your area at the number and address provided in Appendix A.

### SUPPLEMENTARY INFORMATION:

#### Paperwork Reduction Act Statement

The information collection requirements contained in this NOFA have been approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), and assigned OMB control number 2506-0164. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information

unless the collection displays a valid control number.

## Promoting Comprehensive Approaches to Housing and Community Development

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

It may therefore be helpful for applicants under this NOFA to be aware of other related NOFAs that HUD has recently published. By reviewing these NOFAs with respect to their program purposes and the eligibility of applicants and activities, applicants may be able to relate the activities proposed for funding under this NOFA to those proposed under recent NOFAs and to the community's Consolidated Plan. With respect to homeownership, HUD published the fiscal year (FY) 1997 NOFA for Housing Counseling in the **Federal Register** on May 1, 1997 (62 FR 23916).

To foster comprehensive, coordinated approaches by communities, HUD intends for the remainder of FY 1997 to continue to alert applicants to upcoming and recent NOFAs as each NOFA is published. In addition, a complete schedule of NOFAs to be published during this fiscal year appears under the HUD homepage on the Internet, which can be accessed at <http://www.hud.gov/nofas.html>. HUD may consider additional steps on NOFA coordination for FY 1998.

### I. Purpose and Substantive Description

#### A. Authority

The funding made available under this NOFA is authorized by section 205 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Pub. L. 104-204; approved September 26, 1996).

#### B. Allocation of Funding

HUD intends to award \$10 million. All grants made under this NOFA shall be made in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545) on a competitive basis

according to the criteria set forth in this NOFA. Although HUD has not established a maximum or minimum grant amount, HUD estimates that it will fund two (2) to four (4) Homeownership Zones.

#### *C. Eligible Applicants*

Any unit of general local government as defined in section 102(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(1)) may apply under this NOFA. This includes any city, county, town, township, parish, village, or other general purpose political subdivision of a State. Smaller communities that are not entitled to receive Community Development Block Grant funds may apply directly without assistance of the State. Due to the limited amount of funds available, however, grantees that received FY 1996 Homeownership Zone grants are not eligible to apply under this FY 1997 NOFA.

#### *D. Definition of a Homeownership Zone*

Homeownership Zone means a contiguous, geographically defined area, primarily residential in character, in which new homeownership opportunities and the expanded housing choice provided drive comprehensive revitalization and, together with other physical, social, and economic development activities, make a substantial, visible improvement within that community. Homeownership Zone activities revitalize distressed areas by converting vacant, abandoned, or blighted land and buildings into dynamic neighborhoods by developing single family homes (one to four units) and providing these homes for a mix of incomes, including low- and moderate-income families. Homeownership serves as a foundation for additional investment in residential, commercial, and economic development of the Homeownership Zone. Homeownership Zones do not stand alone, but as a vibrant part of the jurisdiction as a whole.

Homeownership Zones may be located within Empowerment Zones, Enterprise Communities (EZ/ECs), or CDBG Neighborhood Revitalization Strategy Areas. Homeownership Zones, however, are typically significantly smaller than EZ/ECs.

#### *E. Characteristics of a Successful Homeownership Zone*

##### *(1) Visible Improvement*

A Homeownership Zone proposal must provide for a significant number of new homeownership opportunities that will make a visible improvement in a

concentrated area and stimulate additional investments in that area. For major urban areas, HUD will presume that applications including at least 300 new single family homes meet this criterion. HUD realizes it is not always feasible, nor necessary, for smaller communities to absorb 300 new homeownership opportunities in a short time frame. All applications must demonstrate how the Homeownership Zone activities will make a visible improvement and stimulate additional investments in the designated zone. Include evidence regarding the impact Homeownership Zone activities will have on the community in the section of the application responding to the rating criterion "Quality of the Homeownership Zone."

##### *(2) New Urbanism*

Homeownership Zones incorporate basic principles of New Urbanism. Neighborhoods designed according to these principles typically have a finite size, defined by a comfortable walking distance from their center, and include: a mix of incomes, ages and lifestyles; a mix of compatible uses such as housing, shops, workplaces, parks, and civic and cultural institutions; a mix of housing types; buildings with architectural variety yet compatible with surrounding structures, historic buildings, and cultural nature of the area; a public gathering space at the center such as a square or green; public buildings such as a library, community center, or day care center; a transit connection providing easy access to centers of employment and to the surrounding communities; edges defined by boulevards, greenbelts, or other features; and a network of pedestrian-friendly streets, alleys, and blocks that encourage connection with adjacent neighborhoods. Homeownership Zones are distinctive neighborhoods that are interconnected to surrounding neighborhoods and the larger community. In awarding points to each application under "Quality of Homeownership Zone," HUD will consider all aspects of New Urbanism that are relevant to the proposal. HUD will be particularly concerned that the plan include a mix of incomes and uses appropriate to the proposal and the targeted area. Include this information in the section of the application responding to the rating criterion "Quality of the Homeownership Zone."

##### *(3) Additional Investment*

HUD intends for Homeownership Zone grants to serve as a challenge and incentive to other public, private, and nonprofit partners to participate in

development of the Homeownership Zone. Thus, it is expected that applicants will consider donating land, committing to construct site improvements and public facilities, waiving fees and taxes, expediting approval of permits and plans, among other things, and otherwise remove impediments to the revitalization of the Homeownership Zone. List resources and present evidence of the strength of resource commitments in the section of the application responding to the rating criterion "Leveraging of Non-Federal Resources."

##### *(4) Partnerships and Initiatives*

The Homeownership Zone program complements the Administration's National Homeownership Strategy launched by the President in 1994. This Strategy is a partnership with private industry, the nonprofit community, and all levels of government toward the goal of raising the homeownership rate in America to an all-time high by the year 2000. It recognizes homeownership as a means to strengthen families, rebuild communities, and improve the national economy. Consistent with the National Homeownership Strategy, HUD expects that Homeownership Zones will establish extensive partnerships with the private and nonprofit sectors, such as businesses, lending institutions, real estate professionals, builders, educational institutions, nonprofit organizations, faith-based organizations, and other city wide and community-based organizations. Affiliates of Habitat for Humanity are one example of potential partners. HUD encourages all applicants to develop local partnerships recognized by the National Partners in Homeownership. In addition, and if applicable, indicate how local processes and building, planning, and zoning regulations would be reformed or streamlined to result in prompt, cost-effective construction. It is also anticipated that developers and local governments will use, to the greatest extent possible, innovations in construction techniques and land use planning that can reduce the cost of housing construction. Include descriptions of such initiatives in the section of the application responding to the rating criterion "Quality of the Homeownership Zone," and describe local partnerships in the section of the application responding to the rating criterion "Capacity to Successfully Carry Out the Plan." HUD will give special consideration to qualified Local Partners in the National Homeownership Strategy when awarding points under Capacity to Successfully Carry Out the Plan as

discussed below. (Information regarding the National Partners in Homeownership may be obtained by contacting (800) 297-4183).

(5) Comprehensive Neighborhood Revitalization

HUD expects Homeownership Zones to provide substantial homeownership opportunities as part of a comprehensive approach and overall revitalization of the neighborhood. The result of a Homeownership Zone should be expanded housing choice and the improvement of the economic, social, and physical aspects of the neighborhood and the lives of its residents. Consequently, economic development, business development, and job creation are vital components of a successful strategy. Include evidence that Homeownership Zone activities will be part of comprehensive neighborhood revitalization, including a description of economic development efforts, in the section of the application responding to the rating criterion "Quality of Homeownership Zone."

(6) Rapid Turnaround

HUD intends for Homeownership Zones to be large scale construction projects developed in a relatively short time period. Applications must demonstrate an ability to begin significant construction activities promptly upon final approval of the Homeownership Zone plan by HUD. Therefore, it is in the applicant's interest to design, plan, and coordinate as many aspects of the project as possible prior to submission of an application for funding under this NOFA. Applicants must include a detailed time-line, specifying when all construction activities will commence and conclude, in the section of the application responding to the rating criterion "Quality of the Homeownership Zone."

(7) Affirmatively Furthering Fair Housing

The Homeownership Zone proposal must address how the applicant will affirmatively further fair housing (AFFH). The applicant can best demonstrate its commitment to AFFH by describing how proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice, identified in the jurisdiction's AI (Analysis of Impediments), which is a required component of the Consolidated Plan, or any other planning document that addresses fair housing issues. Examples of actions that can be taken may include, but are not limited to: neighborhood revitalization

efforts that encourage fair housing choice (such as schools, grocery stores, transportation, and the quality of services); increasing the supply of accessible housing available to low-income persons with disabilities; insuring accessibility for persons with disabilities to all aspects of the program; and working with local lenders to develop alternative lending criteria. Additional examples may be obtained from Chapter 5 of the "Fair Housing Planning Guide, Vol 1" which may be ordered from HUD's Fair Housing Clearinghouse, by calling (800) 343-3442. Include this information in the section of the application responding to the rating criterion "Quality of the Homeownership Zone."

*F. Eligible Activities*

Homeownership Zone grant funds may be used to:

- (1) Finance and acquire improved or unimproved real property, including the writedown of costs to developers for acquisition of properties within the Homeownership Zone.
- (2) Finance housing construction.
- (3) Finance housing rehabilitation.
- (4) Finance site preparation, including demolition, construction, reconstruction, or installation of public and other site improvements, utilities, or facilities essential to the Homeownership Zone.
- (5) Provide direct financial assistance to homebuyers in the form of mortgages or settlement costs.
- (6) Provide homeownership counseling and homebuyer education to targeted recipients of Homeownership Zone assistance.
- (7) Provide relocation assistance to persons and businesses displaced by Homeownership Zone activities.
- (8) Provide information to community residents about homeownership opportunities and to market the units, including activities to affirmatively further fair housing.
- (9) Provide project-related soft costs eligible under 24 CFR 92.206(d) (of the HOME program regulations).
- (10) Provide (up to five (5) percent of Homeownership Zone grant funds) for those reasonable administrative costs pertaining to Homeownership Zone activities eligible under 24 CFR 92.207(a)(1)(2)(3)(4) and 92.207(d) (of the HOME program regulations).
- (11) Finance other housing-related activities found by the applicant to be essential to the success of the Homeownership Zone as approved by the Secretary.

*G. Income Targeting*

At least 51 percent of the homebuyers assisted with Homeownership Zone

funds must not have household incomes exceeding 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

*H. Section 108 Loan Guarantees and Other Funding Sources*

Homeownership Zone grants must leverage additional public and private resources, and may be used in conjunction with funding from other HUD programs, provided the project meets all applicable laws and regulations of each program.

Applicants are not required to submit an application for a Section 108 loan guarantee in conjunction with the Homeownership Zone application, but may do so if they choose. Section 108 funds may, however, help an applicant diversify or expand Homeownership Zone activities. A Section 108 loan guarantee may improve the feasibility of the project by providing for commercial or economic development activities, or by providing public improvements necessary to a thriving community.

If an applicant plans to use Section 108 funds to fund essential Homeownership Zone activities, the applicant must include either a description of a Section 108 application to be submitted to HUD no more than 60 days after announcement of Homeownership Zone funding, or a complete Section 108 guaranteed loan application with a separate Standard Form 424 in an Appendix to the Homeownership Zone application. At a minimum, a description of a Section 108 loan guarantee to be used in conjunction with a Homeownership Zone project must specify how Section 108 funds would be used, how the loan would be repaid, and how activities funded with Section 108 funds are related to the Homeownership Zone. Application requirements for the Section 108 program are found at 24 CFR 570.704 or may be obtained from an appropriate HUD field office.

*I. Application Format*

An application for Homeownership Zone funding must adhere to this NOFA in its entirety, and be submitted in accordance with the following outline. If an applicant wishes to seek funding for more than one Homeownership Zone, it must submit a separate, complete application for each. The following are to be included in the application:

- (1) Standard Form [SF] 424, Application for Federal Assistance.
- (2) A Table of Contents.
- (3) An Executive Summary of not more than 3 typed pages, which

includes the total cost of the project; the amount and uses of Homeownership Zone funds requested; the number of new or rehabilitated homes and total homeownership opportunities; a summary of the major components of the proposal; a description of the zone including its size and geographical boundaries; and a vision statement regarding the goals the applicant has for the Homeownership Zone, and the impact the Homeownership Zone will have on the goals for the larger jurisdiction.

(4) A concise narrative section of preferably not more than 30 typewritten pages, divided into subsections, each of which responds to one of the rating criteria listed below (Section J(1) through J(5)), and includes all information requested under each criterion.

(5) A map of the zone showing its location within the larger jurisdiction.

(6) The certification regarding lobbying required under 24 CFR part 87 (attached to this NOFA as Appendix B).

(7) Appendices containing all relevant supporting materials, including a description of, or a completed application for, a Section 108 loan guarantee (if applicable).

#### *J. Criteria for Rating Applications*

All applications will be considered for selection based on the following criteria. Pay close attention to the specific requirements contained in this section since to the extent your application is responsive to them, its competitiveness and likelihood of funding will increase.

##### **(1) Quality of the Homeownership Zone**

HUD will award up to 55 points based on the degree to which the proposed activities will result in the improvement of the economic, social, and physical aspects of the neighborhood and the lives of its residents through the creation of new homeownership opportunities, consistent with the characteristics of a Homeownership Zone described above. (HUD will award up to 12 points of the 55 points available based on the extent to which Homeownership Zone activities address affirmatively furthering fair housing.) In addressing this criterion:

(a) Demonstrate how the proposed activities will cause a visible improvement and economic transformation of the Homeownership Zone.

(b) Demonstrate how the principles of the New Urbanism described above have been incorporated into the Homeownership Zone design to create a sense of neighborhood and community,

and to meet the needs of residents. The following are required: Conceptual site plans, and illustrative building elevations and unit layouts. The applicant may also include maps, street scene renderings, and other visual aids. (The Office of Community Planning and Development's Consolidated Plan computer software is available for applicants to use in defining their zone area, planning and coordinating revitalization activities, and illustrating how zone activities will produce visible change.)

(c) Provide a detailed project time-line with interim benchmarks by which project progress can be measured, including specific starting and completion dates for construction activities and all other major activities associated with the Homeownership Zone.

(d) Provide a marketing plan for the project stating how potential homebuyers will be informed of the availability of new or rehabilitated housing units, together with the criteria for selection of homebuyers. This plan must be designed to attract buyers of all majority and minority groups regardless of sex, disability, and familial status (families with children) to dwellings that are being marketed by the applicant. All applicants must include in their plan activities and specific steps to identify and inform potential buyers and solicit applications from eligible families who are least likely to apply for the housing without special outreach because of such factors as neighborhood customs, price, institutionalized discrimination in the housing market and other factors that have the effect of denying fair housing choice. (This marketing plan should not be confused with the Affirmative Fair Housing Marketing Plan required by 24 CFR part 200, subpart M for subsidized and unsubsidized housing programs.) See 24 CFR 92.351 of the HOME program regulations for a more detailed description of "affirmative marketing."

(e) Provide a homeowner counseling plan or summary of the plan that describes the nature and extent of the housing education and counseling as well as postpurchase assistance provided to homebuyers.

(f) Attach evidence demonstrating community involvement in the planning of Homeownership Zone activities and public support for the plan.

(g) Where appropriate, describe how local processes and building, planning, and zoning regulations have been or will be reformed or streamlined, and describe innovations in construction techniques and land use planning that

can reduce the cost of housing construction.

(h) To the extent that any of the environmental thresholds identified in Section L of this NOFA are triggered by Homeownership Zone activities, describe the mitigating measures to be undertaken.

**Note:** No portion of a Homeownership Zone may be located within a designated coastal barrier resource, and, for the construction or rehabilitation of a building or for acquisition of any real property, compliance with Federal flood insurance rules is required.

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

For additional background information that may be helpful in addressing this criterion, please see Section E of this NOFA (Characteristics of a Successful Homeownership Zone). For information on the environmental review process and requirements affecting this criterion, please see Section L.

##### **(2) Distress**

HUD will award up to 10 points based on the level of distress in the immediate community/neighborhood to be served by the project. An applicant may choose to use a table in its response to this criterion. HUD will add 2 points to the application score when the Homeownership Zone is located entirely within a Federally-designated Enterprise Zone or Empowerment Community.

(a) Up to 5 points out of the 10 available for this criterion will be awarded on the basis of the rate of poverty in the designated Homeownership Zone. Applicants must give the rate of poverty in the Homeownership Zone and provide the source of this information (Example: 1990 U.S. Census). HUD will rank the poverty rates of all proposed Homeownership Zones, and those with

the highest rate of poverty will receive the highest relative scores under this criterion. If the applicant does not provide the poverty rate for the Homeownership Zone, HUD will use the 1990 Census poverty rate for the entire jurisdiction in scoring this element. (Since the poverty rate for the jurisdiction is generally lower than that for the Homeownership Zone, this should result in a lower score.)

(b) Up to 5 points out of the 10 available for this criterion will be awarded based on other indicators of distress provided by the applicant. Examples of such indicators include, but are not limited to: family income, unemployment rate, homeownership rate, crime and drug use statistics, homelessness, high school drop-out rate, number of abandoned buildings and vacant lots, and presence of brownfields. Applicants are encouraged to include those particular indicators that accurately present a picture of the level of distress in the neighborhood, rather than include all possible indicators that may simply reinforce a point already made.

### (3) Financial Soundness

HUD will award up to 25 points based on the thoroughness and feasibility of the plan for financing Homeownership Zone activities. The plan must be based upon and be consistent with an analysis of the local market. In responding to this criterion, an applicant should:

(a) Include a chart clearly stating the sources and uses of all funds required for development of the project.

(b) Demonstrate how any gap between project development cost and sales price will be satisfied.

(c) Demonstrate how any affordability gap between the per-unit sales price and the financial capacity of the targeted homebuyers to purchase the units will be satisfied.

(d) Attach a copy of a market analysis or summary of the analysis that supports the proposed absorption rate for new homebuyers in the Homeownership Zone.

(e) Attach evidence of commitments for financing, both public and private as specified in the sources and uses table, and lender commitments for construction and permanent mortgage financing.

**Note:** A sufficient response to (b) and (c) in this part requires applicants to indicate the development cost and sales price of units to be produced, the incomes and debt capacity of targeted homebuyers, the specific underwriting guidelines to be used when providing mortgages to homebuyers, and the structure and amounts of all subsidy to be provided to homebuyers or developers.

### (4) Leveraging of Other Resources

HUD will award up to 15 points based on the ratio of other resources the applicant will leverage with Homeownership Zone grant funds to the amount of Homeownership Zone grant funds requested. (Since higher ranked applications in the first Homeownership Zone funding round generally had a high ratio of other resources to Homeownership Zone grant funds, applicants in this competition that demonstrate leveraging of at least \$1.00 of other resources for every \$1.00 of Homeownership Zone grant funds will improve their chances for funding.) HUD will count the following as leveraged funds: Federal, State, and local public funding, private resources, donations of land or other real property, commitments of volunteer labor and professional services, and waivers of local fees or taxes. Commitments for either construction or permanent financing of housing will not count towards leveraging on the grounds that such financing will be assumed to be available for a well designed, financially sound development. All leveraged resources must be given a monetary value based on the supportable market value of that resource. All unskilled labor, however, will be valued at \$10.00 an hour for the purpose of this application. The applicant must state the basis for these market value estimates.

Applicants must provide evidence as to the firmness of specific commitments for leveraged funds. The greater the likelihood that these funds will become available for Homeownership Zone activities, the greater the ratio will be weighted. All applications will be given a score relative to their weighted leveraging ratios and those of all other applications. Therefore an application projecting to leverage \$5 million, but providing no evidence of commitment, will likely receive fewer points for this criterion than an application projecting to leverage \$2.5 million that presents letters demonstrating specific, firm commitments. In responding to this criterion, applicants should:

(a) State the total amount of other resources that Homeownership Zone grant funds will leverage for the Homeownership Zone, breaking out by source the amounts and intended uses.

(b) Provide evidence of recent specific and firm commitments from the entities providing the resources to the Homeownership Zone.

(c) Include other evidence demonstrating the likelihood that resources projected to be leveraged will be received or otherwise contributed to

the Homeownership Zone Program. This may include, but is not limited to, evidence of past public/private partnerships, and past cooperation among the applicant and organizations from which resources will be obtained.

For additional background information that may be of assistance in addressing this criterion, please see Section E(3) of this NOFA (Characteristics of a Successful Homeownership Zone—Additional Investment).

### (5) Capacity to Successfully Carry Out the Plan

HUD will award up to 15 points based on the capacity of the applicant, its development team, and other partners to implement Homeownership Zone activities successfully. HUD is primarily concerned that the experience of the entities and key staff carrying out each activity reflect the specific areas of competency required for success in carrying out that activity. For example, if a nonprofit developer will be responsible for building and marketing 100 homes, HUD will expect that the developer has successfully undertaken similar projects in the past. HUD may consider information from performance reports, financial status information, monitoring reports, audit reports, and other information available to HUD in making its determination under this criterion. HUD will not award more than 19 points under this criterion to any proposal that does not include a local partnership recognized by the National Partners in Homeownership. In responding to this criterion, applicants should:

(a) List all entities involved in implementation of Homeownership Zone activities and clearly define the responsibilities of each.

(b) Provide evidence of the experience of all organizations and their key staff involved in implementation of Homeownership Zone activities specific to their areas and level of involvement; for example, provide evidence of experience with homeowner counseling for the entity responsible for providing homeowner counseling, provide evidence of experience with new construction for any entities responsible for new construction activities, etc. Describe achievements under the HOME, CDBG, and other Federal programs, as well as progress in achieving goals set out in the consolidated plan.

(c) Describe specific projects and numbers of units the applicant and subrecipients have either constructed or rehabilitated within the past 5 years.

(d) Explain how weaknesses leading to past HUD performance findings, if any, have been corrected.

(e) State if the applicant has been recognized by the National Partners in Homeownership as having formed a Local Partnership consistent with the National Homeownership Strategy.

For additional background information that may be of assistance in addressing this criterion, please see Section E(4) of this NOFA (Characteristics of a Successful Homeownership Zone—Partnerships and Initiatives).

#### K. Selection Process

HUD will score all eligible proposals under the selection criteria above and rank them in order of points assigned, with the applications receiving more points ranking above those receiving fewer points. HUD will fund applications in rank order.

HUD reserves the right to establish a maximum amount of any Homeownership Zone grant and to modify requests accordingly. In addition, if HUD determines that an application rated, ranked, and fundable could be funded at a lesser Homeownership Zone grant amount than requested consistent with the feasibility of the funded project or activities and the purposes of the Housing and Community Development Act of 1974, HUD reserves the right to reduce the amount of the Homeownership Zone award in accordance with such determination. HUD may decide not to award the full amount of Homeownership Zone grant funds available under this NOFA and may make any remaining amounts available under a future NOFA. HUD may establish panels including persons not currently employed by HUD to obtain certain expertise and outside points of view in the review and rating of applications.

#### L. Environmental Review Requirements

HUD will not notify applicants as to whether they have been preliminarily selected for funding until the announcement of the selection of all recipients under this NOFA. HUD's notification of award to a selected applicant will constitute a preliminary approval by HUD subject to HUD's completion of an environmental review of the proposed sites in accordance with 24 CFR part 50. Selection for award (preliminary approval) does not constitute approval of the proposed site(s). The proposals receiving preliminary approval will be subject to a HUD environmental review, in accordance with 24 CFR part 50. HUD

will request the applicants selected for award to provide additional detailed information at that time, and otherwise expects these applicants to assist HUD in complying with the environmental review requirements prior to HUD's final approval of the Homeownership Zone plan. HUD may modify proposals or reject proposed sites as a result of that review. Upon successful completion of the environmental review and a commitment to implement environmental mitigation measures, HUD will release the funds from environmental conditions.

Applicants and their development partners are advised not to engage in activities related to the Homeownership Zone proposal that will have an adverse impact on the environment or that will diminish or limit choices of reasonable alternatives to prospective project sites or activities prior to preliminary approval or subsequent completion of the environmental review by HUD under part 50. Applicants are especially cautioned not to demolish or alter potentially historic properties without prior consultation with the State Historic Preservation Officer.

Federal environmental laws and authorities require special analysis of potential environmental impacts when Homeownership Zone properties: (i) Are located within designated coastal barrier resources; (ii) are contaminated by toxic chemicals or radioactive materials; (iii) are located within a floodplain; (iv) are located within a runway clear zone at a civil airport or within a clear zone or accident potential zone at a military airfield; (v) are listed on, or eligible for listing on, the National Register of Historic Places; located within, or adjacent to, an historic district, or that have the potential for affecting a historic district or property; (vi) are located within a designated coastal zone; (vii) are located near hazardous industrial operations handling fuels or chemicals of an explosive or flammable nature; (viii) affect a sole source aquifer; (ix) affect endangered species; (x) are located within a designated wetland; or (xi) are located in a high noise area.

#### M. Program Threshold Criteria

HUD will use the following standards to assess compliance with civil rights laws at the threshold review. In making this assessment, HUD shall review appropriate records maintained by the Office of Fair Housing and Equal Opportunity, such as records of monitoring, audit, or compliance review finding, complaint determinations, compliance agreements. If the review reveals the existence of any of the

following, the application will be rejected:

(1) There is a pending civil rights suit against the sponsor instituted by the Department of Justice.

(2) There is an outstanding finding of noncompliance with civil rights statutes, Executive Orders, or regulations as a result of formal administrative proceedings, unless the applicant is operating under a HUD-approved compliance agreement designed to correct the area of noncompliance, or is currently negotiating such an agreement with HUD.

(3) There is an unresolved Secretarial charge of discrimination issued under section 819(g) of the Fair Housing Act (42 U.S.C. 3619(g)), as implemented by 24 CFR 103.400.

(4) There has been an adjudication of a civil rights violation in a civil action brought against it by a private individual, unless the applicant is operating in compliance with a court order designed to correct the area of noncompliance, or the applicant has discharged any responsibility arising from such litigation.

(5) There has been a deferral of the processing of applications from the sponsor imposed by HUD under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) and HUD regulations (24 CFR 1.8), the Attorney General's Guidelines (28 CFR 50.3), or under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and HUD regulations (24 CFR 8.57).

#### N. Technical Deficiencies and Technical Assistance

To the extent permitted by law, HUD may advise applicants of technical deficiencies in Homeownership Zone applications after submission and permit them to be corrected. Technical deficiencies relate only to items that would not improve the substantive quality of the application relative to the selection criteria, such as a failure to submit or sign a required certification. Applicants will have 14 calendar days from the date HUD notifies the applicant of any such technical deficiency to submit the appropriate information in writing to HUD.

At any time during the selection process, which began with preparation of this NOFA, HUD staff are limited by the requirements of the HUD Reform Act in the assistance they are permitted to provide regarding applications for Homeownership Zone grants. The assistance and advice they may provide includes such activities as explaining and responding to questions about program regulations or generally

discussing strengths and weaknesses observed in applications submitted for previous competitions, the dates by which decisions will be made, and the procedures that are required to be performed to process an application. The term "technical assistance," however, does not include advising the applicant how to make substantive improvements in its application that will affect ratings. In addition, HUD staff may discuss any information published in the **Federal Register** and in this NOFA, and any information that has been made public through a means other than the **Federal Register** or this NOFA. An informational satellite broadcast on the NOFA for potential applicants is being planned for July. Your HUD field office will inform you of the date and time.

#### *O. Other Federal Requirements*

Grantees awarded funds under this NOFA are subject to the following requirements: the administrative requirements of 24 CFR part 85, OMB Circular A-87, and the audit requirements of 24 CFR part 44 (implementing OMB Circular A-128, as amended); the equal opportunity requirements referred to in 24 CFR 5.105(a); the Uniform Relocation Act, as implemented by 49 CFR part 24; the lead-based paint requirements in 24 CFR part 35; the environmental review requirements in 24 CFR part 50; restrictions on participation by ineligible, debarred, or suspended persons or entities referred to in 24 CFR 5.105(c); and the Drug-Free Workplace authorities referred to in 24 CFR part 24.

## **II. Other Matters**

### *Section 3*

Assistance provided under this NOFA is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, and the implementing regulations in 24 CFR part 135. Section 3, as amended, requires that economic opportunities generated by certain HUD financial assistance for housing (including public and Indian housing) and community development programs shall, to the greatest extent feasible, be given to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities for these persons. The eligible activities for which funding is required under this NOFA are consistent with the objectives of section 3.

### *Environmental Impact*

A Finding of No Significant Impact with respect to the environment has been made for the program 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 the General Counsel, Room 10276, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, DC 20410.

### *Federalism*

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that the policies contained in this NOFA would not have substantial direct effects on States or their political subdivisions, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. As a result, the rule is not subject to review under the Order.

### *Section 102 of the HUD Reform Act*

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 in 24 CFR part 4, subpart A, contain a number of provisions 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, and disclosure requirements of section 102 are applicable to assistance awarded under this NOFA as follows:

#### **Documentation and Public Access Requirements**

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

pursuant to this NOFA in its **Federal Register** notice of all recipients of HUD assistance awarded on a competitive basis.

### *Disclosures*

HUD will make available to the public for 5 years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than 3 years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15.

### *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, 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 Office of Ethics (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 question pertains.

### *Prohibition Against Lobbying Activities*

Applicants for funding under this NOFA 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) and to the provisions of the Lobbying Disclosure Act of 1995 (Pub. L. 104-65; approved December 19, 1995).

The Byrd Amendment, which is implemented in regulations at 24 CFR part 87, prohibits applicants of Federal



contracts and grants from using appropriated funds to attempt to influence Federal executive or legislative officers or employees in connection with obtaining such assistance, or with its extension, continuation, renewal, amendment, or modification. The Byrd Amendment applies to the funds that are the subject of this NOFA. Therefore, applicants must file a certification stating that they have not made and will not make any prohibited payments, and if applicants have made any payments or agreement to make payments of nonappropriated funds for these purposes, they must submit a completed Form SF-LLL disclosing such payments. A blank Form SF-LLL is attached to this NOFA as Appendix B.

The Lobbying Disclosure Act of 1995, requires all persons and entities who lobby covered executive or legislative branch officials to register with the Secretary of the Senate and the Clerk of the House of Representatives and file reports concerning their lobbying activities.

Dated: June 16, 1997.

**Jacquie Lawing,**

*General Deputy Assistant, Secretary for Community Planning and Development.*

**Appendix A—List of Hud Field Offices**

Telephone numbers for Telecommunications Devices for the Deaf (TTY machines) are listed for CPD Directors in HUD Field Offices; all HUD numbers, including those noted \*, may be reached via TTY by dialing the Federal Information Relay Service on 1-800-877-TDDY or (1-800-877-8339).

**Alabama**

William H. Dirl, Beacon Ridge Tower, 600 Beacon Pkwy. West, Suite 300, Birmingham, AL 35209-3144; (205) 290-7645; TTY (205) 290-7624.

**Alaska**

Colleen Bickford, 949 E. 36th Avenue, Suite 401, Anchorage, AK 99508-4399; (907) 271-4684; TTY (907) 271-4328.

**Arizona**

Martin H. Mitchell, Two Arizona Center, Suite 1600, 400 N. 5th St., Phoenix, AZ 85004; (602) 379-4754; TTY (602) 379-4461.

**Arkansas**

Billy M. Parsley, TCBY Tower, 425 West Capitol Ave., Suite 900, Little Rock, AR 72201-3488; (501) 324-6375; TTY (501) 324-5931.

**California**

(Southern) Herbert L. Roberts, 611 West Sixth St., Suite 800, Los Angeles, CA 90017-3127; (213) 894-8026; TTY (213) 894-8133.

(Northern) Steve Sachs, 450 Golden Gate Ave., P.O. Box 36003, San Francisco, CA

94102-3448; (415) 436-6597; TTY (415) 436-6594.

**Colorado**

Guadalupe M. Herrera, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TTY (303) 672-5248.

**Connecticut**

Mary Ellen Morgan, 330 Main St., Hartford, CT 06106-1866; (860) 240-4508; TTY (860) 240-4665.

**Delaware**

Joyce Gaskins, Wanamaker Bldg., 100 Penn Square East, Philadelphia, PA 19107; (215) 656-0624; TTY (215) 656-3452.

District of Columbia (and MD and VA Suburbs)

James H. McDaniel, 820 First St., NE, Washington, DC 20002; (202) 275-0994; TTY (202) 275-0772.

**Florida**

(Northern) James N. Nichol, 301 West Bay St., Suite 2200, Jacksonville, FL 32202-5121; (904) 232-3587; TTY (904) 232-1241.

(Miami-So. Dade) Angelo Castillo, Gables Tower 1, 1320 South Dixie Hwy., Coral Gables, FL 33146-2911; (305) 662-4570; TTY (305) 662-4511.

**Georgia**

John L. Perry, Russell Fed. Bldg., Room 270, 75 Spring St., SW, Atlanta, GA 30303-3388; (404) 331-5139; TTY (404) 730-2654.

**Hawaii (and Pacific)**

Patty A. Nicholas, 7 Waterfront Plaza, Suite 500, 500 Ala Moana Blvd., Honolulu, HI 96813-4918; (808) 522-8180 x264; TTY (808) 522-8193.

**Idaho**

John G. Bonham, 400 S.W. Sixth Ave., Suite 700, Portland, OR 97204-1632 (503) 326-7012; TTY \* via 1-800-877-8339.

**Illinois**

James Barnes, 77 W. Jackson Blvd., Chicago, IL 60604-3507; (312) 353-1696; TTY (312) 353-5944.

**Indiana**

Robert F. Poffenberger, 151 N. Delaware St., Indianapolis, IN 46204-2526; (317) 226-5169; TTY \* via 1-800-877-8339.

**Iowa**

Gregory A. Bevirt, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154-3955; (402) 492-3144; TTY (402) 492-3183.

**Kansas**

William Rotert, Gateway Towers 2, 400 State Ave., Kansas City, KS 66101-2406; (913) 551-5485; TTY (913) 551-6972.

**Kentucky**

Ben Cook, P.O. Box 1044, 601 W. Broadway, Louisville, KY 40201-1044; (502) 582-6141; TTY 1-800-648-6056.

**Louisiana**

Gregory J. Hamilton, 501 Magazine St., New Orleans, LA 70130; (504) 589-7212; TTY (504) 589-7237.

**Maine**

David Lafond, Norris Cotton Fed. Bldg., 275 Chestnut St., Manchester, NH 03101-2487; (603) 666-7640; TTY (603) 666-7518.

**Maryland**

Joseph J. O'Connor, Acting Director, 10 South Howard Street, 5th Floor, Baltimore, MD 21202-0000; (410) 962-2520 x3071; TTY (410) 962-0106.

**Massachusetts**

Robert L. Paquin, Thomas P. O'Neill, Jr., Fed. Bldg., 10 Causeway St., Boston, MA 02222-1092; (617) 565-5342; TTY (617) 565-5453.

**Michigan**

Richard Paul, Patrick McNamara Bldg., 477 Michigan Ave., Detroit, MI 48226-2592; (313) 226-4343; TTY \* via 1-800-877-8339.

**Minnesota**

Shawn Huckleby, 220 2nd St. South, Minneapolis, MN 55401-2195; (612) 370-3019; TTY (612) 370-3185.

**Mississippi**

Jeanie E. Smith, Dr. A. H. McCoy Fed. Bldg., 100 W. Capitol St., Room 910, Jackson, MS 39269-1096; (601) 965-4765; TTY (601) 965-4171.

**Missouri**

(Eastern) James A. Cunningham, 1222 Spruce St., St. Louis, MO 63103-2836; (314) 539-6524; TTY (314) 539-6331.

(Western) William Rotert, Gateway Towers 2, 400 State Ave., Kansas City, KS 66101-2406; (913) 551-5485; TTY (913) 551-6972.

**Montana**

Guadalupe Herrera, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TTY (303) 672-5248.

**Nebraska**

Gregory A. Bevirt, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154-3955; (402) 492-3144; TTY (402) 492-3183.

**Nevada**

(Las Vegas, Clark Cnty) Martin H. Mitchell, Two Arizona Center, Suite 1600, 400 N. 5th St., Phoenix, AZ 85004; (602) 379-4754; TTY (602) 379-4461.

(Remainder of State) Steve Sachs, 450 Golden Gate Ave., P.O. Box 36003, San Francisco, CA 94102-3448; (415) 436-6597; TTY (415) 436-6594.

**New Hampshire**

David J. Lafond, Norris Cotton Fed. Bldg., 275 Chestnut St., Manchester, NH 03101-2487; (603) 666-7640; TTY (603) 666-7518.

**New Jersey**

Kathleen Naymola, Acting Director, 1 Newark Center, Newark, NJ 07102; (201) 622-7900x3300; TTY (201) 645-3298.



## New Mexico

Frank Padilla, 625 Truman St. N.E., Albuquerque, NM 87110-6472; (505) 262-6463; TTY (505) 262-6463.

## New York

(Upstate) Michael F. Merrill, Lafayette Ct., 465 Main St., Buffalo, NY 14203-1780; (716) 551-5768; TTY \* via 1-800-877-8339.

(Downstate) Joseph D'Agosta, 26 Federal Plaza, New York, NY 10278-0068; (212) 264-0771; TTY (212) 264-0927.

## North Carolina

Charles T. Ferebee, Koger Building, 2306 West Meadowview Road, Greensboro, NC 27407; (910) 547-4006; TTY (910) 547-4055.

## North Dakota

Guadalupe Herrera, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TTY (303) 672-5248.

## Ohio

John E. Riordan, 200 North High St., Columbus, OH 43215-2499; (614) 469-6743; TTY (614) 469-6694.

## Oklahoma

David H. Long, 500 West Main Place, Suite 400, Oklahoma City, OK 73102; (405) 553-7569; TTY \* via 1-800-877-8339.

## Oregon\*

John G. Bonham, 400 S.W. Sixth Ave., Suite 700, Portland, OR 97204-1632 (503) 326-7012; TTY \* via 1-800-877-8339.

## Pennsylvania

(Western) Bruce Crawford, 339 Sixth Ave., Pittsburgh, PA 15222-2515; (412) 644-5493; TTY (412) 644-5747.

(Eastern) Joyce Gaskins, Wanamaker Bldg., 100 Penn Square East, Philadelphia, PA 19107; (215) 656-0624; TTY (215) 656-3452.

## Puerto Rico (and Caribbean)

Carmen R. Cabrera, 159 Carlos Chardon Ave., San Juan, PR 00918-1804; (787) 766-5576; TTY (787) 766-5909.

## Rhode Island

Robert L. Paquin, Thomas P. O'Neill, Jr., Fed. Bldg., 10 Causeway St., Boston, MA 02222-1092; (617) 565-5342; TTY (617) 565-5453.

## South Carolina

Louis E. Bradley, Fed. Bldg., 1835 Assembly St., Columbia, SC 29201; (803) 765-5564; TTY (803) 253-3071.

## South Dakota

Guadalupe Herrera, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TTY (303) 672-5248.

## Tennessee

Virginia E. Peck, John J. Duncan Federal Bldg., Third Floor, 710 Locust St. S.W., Knoxville, TN 37902-2526; (423) 545-4391; TTY (423) 545-4559.

## Texas

(Northern) Katie Worsham, 1600 Throckmorton, P.O. Box 2905, Fort Worth, TX 76113-2905; (817) 978-9016; TTY (817) 978-9274.

(Southern) John T. Maldonado, Washington Sq., 800 Dolorosa, San Antonio, TX 78207-4563; (210) 472-6820; TTY (210) 472-6885.

## Utah

Guadalupe Herrera, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TTY (303) 672-5248.

## Vermont

David J. Lafond, Norris Cotton Fed. Bldg., 275 Chestnut St., Manchester, NH 03101-2487; (603) 666-7640; TTY (603) 666-7518.

## Virginia

Joseph K. Aversano, 3600 W. Broad St., Richmond, VA 23230-4920; (804) 278-4503; TTY (804) 278-4501.

## Washington\*

John W. Peters, Federal Office Bldg., 909 First Ave., Suite 200, Seattle, WA 98104-1000; (206) 220-5150; TTY (206) 220-5185.

## West Virginia

Bruce Crawford, 339 Sixth Ave., Pittsburgh, PA 15222-2515; (412) 644-5493; TTY (412) 644-5747.

## Wisconsin

Lana J. Vacha, Henry Reuss Fed. Plaza, 310 W. Wisconsin Ave., Ste. 1380, Milwaukee, WI 53203-2289; (414) 297-3113; TTY \* via 1-800-877-8339.

## Wyoming

Guadalupe Herrera, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TTY (303) 672-5248.

\*The following areas in Washington State are served by the Oregon CPD office: Clark, Klickitat and Shamaia Counties.

BILLING CODE 4210-29-P

## APPENDIX B

## Disclosure of Lobbying Activities

Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(See reverse side for instructions.)

**Public Reporting Burden** for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____	
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Congressional District, if known: _____			<b>5. If Reporting Entity in No. 4 is Subawardee, enter Name and Address of Prime:</b>  Congressional District, if known: _____		
<b>6. Federal Department/Agency:</b>			<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: _____		
<b>8. Federal Action Number, if known:</b>			<b>9. Award Amount, if known:</b> \$ _____		
<b>10a. Name and Address of Lobbying Registrant</b> (if individual, last name, first name, MI):			<b>b. Individuals Performing Services</b> (including address if different from No. 10a.) (last name, first name, MI):		

11. Information requested through this form is authorized by Sec. 319, Pub. L. 101-121, 103 Stat. 750, as amended by sec. 10; Pub. L. 104-65, Stat. 700 (31 U.S.C. 1352). This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: \_\_\_\_\_  
 Print Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Date: \_\_\_\_\_

Federal Use Only:

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Standard Form-LLL (1/96)

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**Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

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