

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4191-N-01]

Federally Assisted Low-Income Housing Drug Elimination Grants; Notice of Funding Availability—FY 1997

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice of Funding Availability (NOFA) for Fiscal Year (FY) 1997.

SUMMARY: This NOFA announces the availability of \$17,000,000 in FY 1997 funds for Federally Assisted Low-Income Housing Drug Elimination Grants. The purposes of the Assisted Housing Drug Elimination Program are to eliminate drug-related crime and related problems in and around the premises of Federally assisted low-income housing, and to make available grants to help owners of such housing carry out plans to address these issues. This document describes the purpose of the NOFA, applicant eligibility, available amounts, selection criteria, financial requirements, management, and application processing, including how to apply, how selections will be made, and how applicants will be notified of results.

DATES: Applications must be received at the local HUD field office on or before July 22, 1997 at 4 p.m., local time. **THIS APPLICATION DEADLINE IS FIRM AS TO DATE AND HOUR.** In the interest of fairness to all competing applicants, HUD will treat as ineligible for consideration any application that is received after the 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. A facsimile transmission (FAX) will not constitute delivery.

ADDRESSES: (a) *Application Form:* An application form may be obtained from the HUD field office having jurisdiction over the location of the applicant project. A list of HUD field offices is attached to this NOFA as Appendix A. The HUD field office will be available to provide technical assistance in the preparation of applications during the application period. In addition, applications may be obtained from the Multifamily Housing Clearinghouse by calling 1-800-685-8470.

(b) *Application Submission:* Applications (original and two identical copies) must be received by the

deadline at the appropriate HUD field office with jurisdiction over the applicant project, Attention: Director of Multifamily Housing. It is not sufficient for the application to bear a postage date within the submission time period. Applications submitted by facsimile are not acceptable. HUD will not consider applications received after the deadline.

FOR FURTHER INFORMATION CONTACT: For application materials and project-specific guidance, please contact the Office of the Director of Multifamily Housing in the HUD field office having jurisdiction over the project(s) in question. A list of HUD field offices is attached to this NOFA as Appendix A.

Policy questions of a general nature may be referred to Michael Diggs, Office of Multifamily Housing Asset Management, Department of Housing and Urban Development, Room 6182, 451 Seventh Street, SW, Washington, DC 20410; telephone (202) 708-0558. (This number is not toll-free.) Hearing- or speech-impaired persons may access this number via TTY by calling the Federal Information Relay Service at 1-800-877-8339.

HUD publishes a separate NOFA for the Public Housing Drug Elimination Program (PHDEP). For a copy of the PHDEP NOFA contact the Public Housing Clearinghouse at (800) 578-3472 (this is a toll-free number). Policy questions involving the PHDEP should be directed to Malcolm (Mike) E. Main, Office of Crime Prevention and Security, Department of Housing and Urban Development, Room 4112, 451 Seventh Street, SW, Washington, DC 20410; telephone (202) 708-1197, ext. 4232 (this number is not toll-free).

SUPPLEMENTARY INFORMATION:

I. Purpose and Substantive Description

A. Authority

These grants are authorized under chapter 2, subtitle C, title V of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11901 et. seq.), as amended by section 581 of the National Affordable Housing Act of 1990 (NAHA) (Pub. L. 101-625; approved November 28, 1990), and section 161 of the Housing and Community Development Act of 1992 (HCDA 1992) (Pub. L. 102-550, approved October 28, 1992).

Note: This NOFA does NOT apply to the funding available under the statute for Public and Indian Housing.

B. Allocation Amounts

(1) *Federal Fiscal Year (FY) 1997 Funding.* This NOFA announces the availability of \$17,000,000 in FY 1997 funds.

HUD is allocating grant funds under this NOFA to four "Award Offices" on the basis of a formula allocation. This formula allocation reflects the number of eligible Federally assisted low-income housing units in specific geographic areas and the level of drug-related crime within each area, based on statistics compiled by the U.S.

Department of Justice, Federal Bureau of Investigation ("Uniform Crime Reports for Drug Abuse Violations—1990").

(2) *Maximum Grant Award Amounts.*

The maximum grant award amount is limited to \$125,000 per project.

(3) *Term of Grant.* The term of the grant is 12 months; however HUD may approve one 6-month extension to this term.

(4) *Reallocation.* Any grant funds under this NOFA that are allocated but that are not reserved for grantees must be released to HUD Headquarters for reallocation. HUD reserves the right to fund portions of full applications. If the HUD Award Office determines that an application cannot be partially funded and there are insufficient funds to fund the application fully, any remaining funds after all other applications have been selected will be released to HUD Headquarters for reallocation. Amounts that may become available due to deobligation will also be reallocated to Headquarters for use in the next funding round.

(5) *Reduction of Requested Grant Amounts.* HUD may award an amount less than requested if:

(a) HUD determines the amount requested for an eligible activity is not supported in the application or is not reasonably related to the activity;

(b) Insufficient amounts remain under the allocation to fund the full amount requested by the applicant, and HUD determines that partial funding is a viable option;

(c) HUD determines that some elements of the proposed plan are suitable for funding and others are not; or

(d) HUD determines that a reduced grant would prevent duplicative Federal funding.

(6) *Distribution of Funds.* HUD is allocating funds to four Award Offices that will receive the scores from each HUD field office that has received, rated, ranked, and scored its applications. Those Award Offices will, in turn, request funding for the highest scoring application from each HUD field office that is eligible for funding (see section I.E. of this NOFA). If sufficient funds remain, the next highest scored applications, regardless of HUD field office, will be awarded funds. HUD intends to allocate grant funds under

this NOFA to the four Award Offices, in accordance with the following schedule:

Award office	States covered	Allocation
Buffalo	Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, West Virginia, Virginia.	4,200,000
Knoxville	Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Puerto Rico, Mississippi, Florida, Iowa, Kansas, Missouri, Nebraska.	4,300,000
Minneapolis	Illinois, Indiana, Minnesota, Wisconsin, Michigan, Ohio	4,100,000
Little Rock	Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming, Arizona, California, Hawaii, Nevada, Alaska, Idaho, Oregon, Washington.	4,400,000

C. Promoting Comprehensive Approaches to Housing and Community Development

It is the goal and intent of the Federally Assisted Low-Income Housing Drug Elimination Grant Program to foster a sense of community in dealing with the issues of drug-related criminal activity. HUD greatly desires and encourages programs that foster interrelationships among the residents, the housing owner and management, the local law enforcement agencies, and other community groups affecting the housing. Resident participation in the determination of programs and activities to be undertaken is critical to the success of all aspects of the program. Working jointly with community groups, the neighborhood law enforcement precinct, residents of adjacent properties, and the community as a whole can enhance and magnify the effect of specific program activities and should be the goal of all applicants.

(1) Coordination with other Federal Law Enforcement Programs.

In addition to working closely with residents and local governing bodies, it is critically important that owners establish ongoing working relationships with Federal, State, and local law enforcement agencies in their efforts to address crime and violence in and around their housing developments. HUD firmly believes that the war on crime and violence in assisted housing can only be won through the concerted and cooperative efforts of owners and law enforcement agencies working together in cooperation with residents and local governing bodies. As such, HUD encourages owners to participate in Departmental and other Federal law enforcement agencies' programs, as described below:

Safe Neighborhood Action Program (SNAP)

The Safe Neighborhood Action Plan (SNAP) initiative, announced June 12, 1994 by HUD, the National Assisted Housing Management Association

(NAHMA), and the U.S. Conference of Mayors (USCM), is an anticrime and empowerment strategies initiative in HUD-assisted housing neighborhoods in 14 SNAP cities. The major thrust of SNAP is the formation of local partnerships in 14 targeted cities where ideas and resources from government, owners and managers of assisted housing, residents, service providers, law enforcement officials, and other community groups meet to work on innovative, neighborhood anticrime strategies. There is no funding associated with SNAP, which relies on existing ideas and resources of the participants. Some common initiatives from these SNAP teams have included the following: Community policing, crime watch programs, tenant selection policies, leadership training, individual-development or job skills training, expansion of youth activities, police tip line or form, community centers, antigang initiatives, police training for security officers, environmental improvements, and a needs assessment survey to determine community needs. In addition, a HUD-sponsored initiative to increase the presence of AmeriCorps' VISTAs in assisted housing units has led to the placement of 25 VISTAs on 12 SNAP teams. The AmeriCorps VISTA program, which incorporates a theme of working within the community to find solutions to community needs, has provided additional technical assistance to the SNAP teams. The cities participating in the SNAP initiative include: Atlanta, Ga; Boston, Mass; Denver, Co; Houston, TX; Newark, NJ; Philadelphia, PA; Baltimore, MD; Columbus, OH; Detroit, MI; Los Angeles, CA; New Orleans, LA; Little Rock, AR; Richmond, VA; and Washington, DC.

For more information on SNAP, contact Henry Colonna, National SNAP Coordinator, Virginia State Office, 3600 West Broad Street, Richmond, VA 23230-4920; telephone (804) 278-4505, extension 3027; or (804) 278-4501 TTY. For more information on AmeriCorps'

VISTAs in Assisted Housing, contact Deanna E. Beaudoin, National VISTAs in Assisted Housing Coordinator, Colorado State Office, First Interstate Tower North, 633 17th Street, Denver, CO 80202; telephone (303) 672-5291, extension 1068.

Operation Safe Home

Operation Safe Home was announced jointly by Vice President Albert Gore, former HUD Secretary Henry G. Cisneros, former Treasury Secretary Lloyd Bentsen, Attorney General Janet Reno, and representatives of the Office of National Drug Control Policy (ONDCP) at a White House briefing on February 4, 1994. Operation Safe Home is a major HUD initiative focusing on violent and drug-related crime within public housing authorities. As such, it is a holistic enforcement approach which combines aggressive law enforcement interdiction efforts with a housing authority's crime prevention and intervention initiatives. Operation Safe Home is structured to combat the level of violent crime activities occurring within public and assisted housing, and enhance the quality of life within such complexes through three simultaneous approaches:

- Strong, collaborative law enforcement efforts focused on reducing the level of violent crime activities occurring within public and assisted housing;
- Collaboration between law enforcement agencies and public housing managers and residents in devising methods to prevent violent crime; and
- The introduction of HUD, DOJ, and other agency initiatives specifically geared to preventing crime.

For more information on Operation Safe Home, contact Lee Isdell, Office of the Inspector General, Department of Housing and Urban Development, Room 8256, 451 Seventh Street, SW., Washington, DC 20410; telephone (202) 708-0430, fax number (202) 401-2505; Internet E:mail www.hud.gov/oig/oigindex.html. A telecommunications

device for hearing or speech impaired persons (TTY) is available at (202) 708-0850. (These are not toll-free telephone numbers.)

Operation Weed and Seed

Operation Weed and Seed, conducted through the Department of Justice, is a comprehensive, multiagency approach to combatting violent crime, drug use, and gang activity in high-crime neighborhoods. The goal is to "weed out" crime from targeted neighborhoods, and then to "seed" the targeted sites with a wide range of crime and drug prevention programs, and human services agency resources to prevent crime from reoccurring. Operation Weed and Seed further emphasizes the importance of community involvement in combatting drugs and violent crime. Community residents need to be empowered to assist in solving crime-related problems in their neighborhoods. In addition, the private sector needs to get involved in reducing crime. All of these entities, Federal, State, and local government, the community, and the private sector should work together in partnership to create a safer, drug-free environment.

The Weed and Seed strategy involves four basic elements:

- Law enforcement must "weed out" the most violent offenders by coordinating and integrating the efforts of Federal, State, and local law enforcement agencies in targeted high-crime neighborhoods. No social program or community activity can flourish in an atmosphere poisoned by violent crime and drug abuse.
- Local municipal police departments should implement community policing in each of the targeted sites. Under community policing, law enforcement should work closely with the housing authority and residents of the community to develop solutions to the problems of violent and drug-related crime. Community policing serves as a "bridge" between the "weeding" (law enforcement) and "seeding" (neighborhood revitalization) components.
- After the "weeding" takes place, law enforcement and social services agencies, the private sector, and the community must work to prevent crime and violence from reoccurring by concentrating a broad array of human services—drug and crime prevention programs, drug treatment, educational opportunities, family services, and recreational activities—in the targeted sites to create an environment where crime cannot thrive.

—Federal, State, local, and private sector resources must focus on revitalizing distressed neighborhoods through economic development and must provide economic opportunities for residents.

For further information on Operation Weed and Seed, contact the Department of Justice, Office of Justice Programs, 366 Indiana Avenue, Room 304S, NW., Washington, DC, 20531; telephone (202) 616-1152, FAX number (202) 616-1159; or Internet E-mail: mcwhorte@ojp.usdoj.gov.

Specific activities undertaken pursuant to SNAP, Operation Safe Home, and Operation Weed and Seed may be eligible for funding if they meet the criteria outlined in this NOFA.

(2) Other Related HUD NOFAs.

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

In this spirit, it may be helpful for applicants under this NOFA to be aware of other related HUD NOFAs that have recently been published or are expected to be published in the near future. By reviewing these NOFAs with respect to their program purposes and the eligibility of applicants and activities, applicants may be able to relate the activities proposed for funding under this NOFA to the recent and upcoming NOFAs and to the community's Consolidated Plan.

The related NOFAs that HUD is publishing elsewhere in this issue of the **Federal Register** are the NOFA for Public Housing Drug Elimination, the NOFA for Public Housing Drug Elimination Technical Assistance, and the NOFA for Safe Neighborhood Grants.

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

additional steps on NOFA coordination for FY 1998.

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

D. Eligibility

(1) *Eligible activities.* The following is a listing of eligible activities, ineligible activities, eligible applicants, and general grant requirements under this NOFA:

(a) *Physical Improvements to Enhance Security.*

Physical improvements that are specifically designed to enhance security are eligible for funding under this program. The improvements may include (but are not limited to) systems designed to limit building access to project residents, the installation of barriers, lighting systems, fences, bolts, locks; the landscaping or reconfiguration of common areas to discourage drug-related crime; and other physical improvements designed to enhance security and discourage drug-related activities. In particular, HUD is seeking plans that provide successful, proven, and cost-effective deterrents to drug-related crime that are designed to address the realities of low-income assisted housing environments. All physical improvements must also be accessible to persons with disabilities. For example, some types of locks or buzzer systems are not accessible to persons with limited strength, mobility, or to persons who are hearing-impaired. All physical improvements must meet the accessibility requirements of 24 CFR part 8.

(b) *Programs to Reduce the Use of Drugs.*

Programs designed to reduce the use of drugs in and around Federally assisted low-income housing projects, including drug-abuse prevention, intervention, referral, and treatment programs are eligible for funding under this program. The program should facilitate drug prevention, intervention, and treatment efforts, including outreach to community resources and youth activities, and facilitate bringing these resources onto the premises, or provide resident referrals to treatment programs or transportation to out-patient treatment programs away from the premises. Funding is permitted for reasonable, necessary, and justified leasing of vehicles for resident youth and adult education and training activities directly related to programs to reduce the use of drugs under this section of the NOFA. Alcohol-related activities/programs are not eligible for funding under this NOFA.

(i) *Drug Prevention.* Drug prevention programs that will be considered for funding under this NOFA must provide a comprehensive drug prevention approach for residents that will address the individual resident and his or her relationship to family, peers, and the community. Prevention programs must include activities designed to identify and change the factors present in Federally assisted low-income housing that lead to drug-related problems, and thereby lower the risk of drug usage. Many components of a comprehensive approach, such as refusal and restraint skills training programs or drug-related family counseling, may already be available in the community of the applicant's housing projects, and the applicant must act to bring those available program components onto the premises. Activities that should be included in these programs are:

(A) *Drug Education Opportunities for Residents.* The causes and effects of illegal drug usage must be discussed in a formal setting to provide both young people and adults the working knowledge and skills they need to make informed decisions to confront the potential and immediate dangers of illegal drugs. Grantees may contract (in accordance with 24 CFR 85.36) with drug education professionals to provide appropriate training or workshops. The drug education professionals contracted to provide these services shall be required to base their services upon the program plan of the grantee. These educational opportunities may be a part of resident meetings, youth activities, or other gatherings of residents.

(B) *Family and Other Support Services.* Drug prevention programs must demonstrate that they will provide directly or otherwise make available services designed to distribute drug education information, to foster effective parenting skills, and to provide referrals for treatment and other available support services in the project or the community for families living in Federally assisted low-income housing.

(C) *Youth Services.* Drug prevention programs must demonstrate that they have included groups composed of teenagers as a part of their prevention programs. These groups must be coordinated by adults with the active participation of youth to organize youth leadership, sports, recreational, cultural, and other activities involving housing youth. The dissemination of drug education information, the development of peer leadership skills, and other drug prevention activities must be a component of youth services. Activities or services funded under this program

may not also be funded under the Youth Sports Program.

(D) *Economic/Educational Opportunities for Residents and Youth.* Drug prevention programs should demonstrate the ability to provide residents the opportunity for referral to established higher education or vocational institutions with the goal of developing or building on the residents' skills to pursue educational, vocational, and economic goals. The program must also demonstrate the ability to provide residents the opportunity to interact with private sector businesses in their immediate community for the same desired goals.

(ii) *Intervention.* The aim of intervention is to identify Federally assisted low-income housing resident drug users and assist them in modifying their behavior and in obtaining early treatment, if necessary. The applicant must establish a program with the goal of preventing drug problems from continuing once detected.

(iii) *Drug Treatment.*

(A) Treatment funded under this program shall be in and around the premises of the Federally assisted low-income housing projects proposed for funding.

(B) Funds awarded under this program shall be targeted towards the development and implementation of new drug referral treatment services and/or aftercare, or the improvement or expansion of such program services for residents.

(C) Each proposed drug treatment program should address the following goals:

- (1) Increase resident accessibility to drug treatment services;
- (2) Decrease criminal activity in and around Federally assisted low-income housing projects by reducing illicit drug use among residents; and
- (3) Provide services designed for youth and/or maternal drug abusers, e.g., prenatal/postpartum care, specialized counseling in women's issues, parenting classes, or other drug elimination supportive services.

(D) Approaches that have proven effective with similar populations will be considered for funding. Programs should meet the following criteria:

- (1) Applicants may provide the service of formal referral arrangements to other treatment programs not in and around the project when the resident is able to obtain treatment costs from sources other than this program. Applicants may also provide transportation for residents to out-patient treatment and/or support programs.

(2) Provide family/collateral counseling.

(3) Provide linkages to educational/vocational counseling.

(4) Provide coordination of services to appropriate local drug agencies, HIV-related service agencies, and mental health and public health programs.

(5) Applicants must demonstrate a working partnership with the Single State Agency or State license provider or authority with drug program coordination responsibilities to coordinate, develop, and implement the drug treatment proposal. In particular, applicants must review and determine with the Single State Agency or State license provider or authority with drug program coordination responsibilities whether:

(i) The drug treatment provider(s) has provided drug treatment services to similar populations, identified in the application, for two prior years; and

(ii) The drug treatment proposal is consistent with the State treatment plan and the treatment service meets all State licensing requirements.

(c) *Resident Councils (RCs).*

Providing funding to resident councils to strengthen their role in developing programs of eligible activities involving site residents is eligible for funding under this program.

(2) *Ineligible activities.* Funding is not permitted for any activities listed below:

(a) Any activity or improvement that is normally funded from project operating revenues for routine maintenance or repairs, or those activities or improvements that may be funded through reasonable and affordable rent increases.

(b) The acquisition of real property, vehicles, or physical improvements that involve the demolition of any units in the project or displacement of tenants.

(c) Costs incurred prior to the effective date of the grant agreement, including, but not limited to, consultant fees for surveys related to the application or its preparation.

(d) Reimbursement of local law enforcement agencies for additional security and protective services or the hiring of security guards, since continued funding for these services would not be provided by the grant.

(e) The employment of one or more individuals:

(i) To investigate drug-related crime on or about the real property comprising any Federally assisted low-income project; or

(ii) To provide evidence relating to such crime in any administrative or judicial proceeding.

(f) The provision of training, communications equipment, and other

related equipment for use by voluntary tenant patrols acting in cooperation with local law enforcement officials.

(g) Funding is not permitted for treatment of residents at any in-patient medical treatment programs/facilities.

(h) Funding is not permitted for detoxification procedures, short term or long term, designed to reduce or eliminate the presence of toxic substances in the body tissues of a patient.

(i) Funding is not permitted for maintenance drug programs. Maintenance drugs are medications that are prescribed regularly for a long period of supportive therapy (e.g., methadone maintenance), rather than for immediate control of a disorder.

(3) *Eligible Applicants.* The applicant must be the owner of a Federally assisted low-income housing project under:

(a) Section 221(d)(3), section 221(d)(4), or section 236 of the National Housing Act. (Note however, only section 221(d)(4) and section 221(d)(3) market rate projects with project-based assistance contracts are considered Federally assisted low-income housing. Therefore, section 221(d)(4) and section 221(d)(3) market rate projects with tenant-based assistance contracts are not considered Federally assisted low-income housing and are not eligible for funding.);

(b) Section 101 of the Housing and Urban Development Act of 1965; or

(c) Section 8 of the United States Housing Act of 1937. This includes State Housing Agency projects, Rural Development (Rural Housing and Community Development Service) projects, and Moderate Rehabilitation projects with project-based Section 8 assistance. This does not include Section 8 tenant-based assistance.

(4) *General Grant Requirements.* The following requirements apply to all activities, programs, or functions used to plan, budget and evaluate the work funded under this program.

(a) After applications have been ranked and selected, HUD and the applicant shall enter into a grant agreement setting forth the amount of the grant, the physical improvements or other eligible activities to be undertaken, financial controls, and special conditions, including sanctions for violation of the agreement.

(b) The policies, guidelines, and requirements of this NOFA, 48 CFR part 31, other applicable OMB cost principles, HUD program regulations, HUD Handbooks, and the terms of grant/special conditions and subgrant agreements apply to the acceptance and use of assistance by grantees and will be

followed in determining the reasonableness and allocability of costs. All costs must be reasonable and necessary.

(c) The term of funded activities may not exceed 12 months; however, HUD may approve one 6-month extension to this term.

(d) Owners must ensure that any funds received under this program are not commingled with other HUD or project operating funds.

(e) To avoid duplicate funding, owners must establish controls to assure that any funds from other sources, such as Reserve for Replacement or Rent Increases, are not used to fund the physical improvements to be undertaken under this program.

(f) *Employment preference.* A grantee under this program shall give preference to the employment of residents, and comply with section 3 of the Housing and Urban Development Act of 1968 and 24 CFR part 135, to carry out any of the eligible activities under this program, so long as such residents have comparable qualifications and training as nonresident applicants.

(g) *Termination of funding.* HUD may terminate funding if the grantee fails to undertake the approved program activities on a timely basis in accordance with the grant agreement, adhere to grant agreement requirements or special conditions, or submit timely and accurate reports.

(h) *Subgrants (subcontracting):*

(i) A grantee may directly undertake any of the eligible activities under this NOFA, or it may contract with a qualified third party, including incorporated Resident Councils (RCs). Resident groups that are not incorporated RCs may share with the grantee in the implementation of the program, but may not receive funds as subgrantees.

(ii) Subgrants or cash contributions to incorporated RCs may be made only under a written agreement executed between the grantee and the RC. The agreement must include a program budget that is acceptable to the grantee, and that is otherwise consistent with the grant application budget. The agreement must obligate the incorporated RC to permit the grantee to inspect and audit the RC financial records related to the agreement, and to account to the grantee on the use of grant funds and the implementation of program activities. In addition, the agreement must describe the nature of the activities to be undertaken by the subgrantee, the scope of the subgrantee's authority, and the amount of insurance to be obtained by the grantee and the subgrantee to protect their respective interests.

(iii) The grantee shall be responsible for monitoring, and for providing technical assistance to, any subgrantee to ensure compliance with HUD program requirements, including OMB Circular No. A-122 and the regulations in 24 CFR part 84, which apply to the acceptance and use of assistance by private nonprofit organizations. The procurement requirements of part 84 apply to RCs. The grantee must also ensure that subgrantees have appropriate insurance liability coverage.

E. Selection Criteria and Ranking Factors

HUD will review each application to determine that it meets the requirements of this NOFA and to assign points in accordance with the selection criteria. A total of 200 points is the maximum score available under the selection criteria. An application must receive a score of at least 151 points out of the maximum of 200 points that may be awarded under this competition to be eligible for funding. After assigning points to each application, HUD field offices will rank the applications in order and submit them to the appropriate Award Office. The Award Office will select the highest ranking application from each HUD field office that is eligible for funding and whose eligible activities can be fully funded. The Award Office will then select the highest ranking unfunded application submitted to it, regardless of field office, and continue the process until all funds allocated to it have been awarded, or to the point that there are insufficient acceptable applications for which to award funds.

Prior to the award of grant funds under the program, HUD will perform an environmental review to the extent required under the provisions of 24 CFR part 50. See section VI.C. of this NOFA, below.

Each application submitted will be evaluated on the basis of the following selection criteria:

(1) The Quality of the Drug Elimination Grant Plan to Address the Problem. (Maximum points: 60)

In assessing this criterion, HUD will consider the following factors:

(a) A comprehensive strategy as outlined in the applicant's Drug Elimination Grant Plan (as described in section III.B. of this NOFA) to address the drug-related crime problem, and the problems associated with drug-related crime, in the projects proposed for funding, and how well the activities proposed for funding fit in with the plan. (Maximum points: 10)

(b) The proposed effectiveness of the plan and activities in bringing about a

lasting reduction or elimination of drug-related crime problems. (Maximum points: 10)

(c) How the activities identified in the plan will affect and address the problem of drug-related crime in adjacent properties. (Maximum points: 5)

(d) Evidence that the proposed activities have been found successful in similar circumstances in terms of controlling drug-related crime. (Maximum points: 5)

(e) Whether the property is participating in the Safe Neighborhood Action Program (SNAP), HUD's Office of Inspector General Operation Safe Home, the Department of Justice's Weed and Seed Program, or any other law enforcement or similar program designated for combatting drug-related criminal activity. See section III.J. of this NOFA. (Maximum points: 20)

(f) Whether the property is participating in Neighborhood Networks (NN) (formerly called Computerized Community Connections (CCC)) and has an operational computer learning center or has submitted an NN Plan or other evidence of commitment to NN (see section III.K. of this NOFA). (Maximum points: 10)

(2) The Support of Local Government/Law Enforcement Agencies. (Maximum points: 20)

In assessing this criterion, HUD will consider the following factors:

(a) Evidence that the project owner has sought assistance (e.g., letters requesting additional services, participation in town hall meetings, etc.) in deterring drug-related crime problems, and the extent to which the owner has participated in programs that are available from local governments or law enforcement agencies; (Maximum points: 10); and

(b) The level of support by the local government or law enforcement agency for the applicant's proposed activities. This may include letters of support to the owner, documentation that the owner participates in town hall type meetings to develop strategies to combat crime, or any other form of partnership with local government or law enforcement agencies. The extent to which an applicant has sought assistance and the level of assistance from local government will be reviewed and rated by the Secretary's Representatives. (Maximum points: 10)

(3) The Extent of the Drug-Related Crime Problem in the Housing Project Proposed for Assistance. (Maximum points: 50)

In assessing this criterion, HUD will consider the degree of severity of the drug-related crime problem in the project proposed for funding, as

demonstrated by the information required to be submitted under section III.H. of this NOFA.

(4) The Support of Residents in Planning and Implementing the Proposed Activities. (Maximum Points: 30)

In assessing this criterion, HUD will consider the following factors:

(a) Evidence that comments on and suggestions for the proposed plan for this program have been sought from residents, and the degree to which residents will be involved in implementation. (maximum points: 20)

(b) Evidence of resident support for the proposed plan. (maximum points: 10)

(5) Capacity of Owner and Management to Undertake the Proposed Activities. (Maximum Points: 40)

In assessing this criterion, HUD will consider the following:

(a) The most recent HUD or Rural Development Management Review, Housing Quality Standards review (HQS), State-agency review, or other relevant information available to HUD on the capacity of the owner or manager to undertake the grant. (maximum points: 20)

(b) Evidence that project owners have initiated other efforts to reduce drug-related crime by working with Operation Safe Home, SNAP, Weed and Seed, or other tenant/law enforcement groups (e.g., establishment of Tenant Watches or similar efforts). (maximum points: 15)

(c) Evidence that project management carefully screens applicants for units and takes appropriate steps to deal with known or suspected tenants exhibiting drug-related criminal behavior. (maximum points: 5)

(d) Subject to evaluation and review of the applicant's financial and program performance in previous Drug Elimination grants from the last 5 years. If a pattern of performance with no corrective measures attempted is disclosed, it will result in a deduction of points from the current application. This pattern may include some of the following: failure to respond or correct findings of HUD staff, failure to submit timely progress reports to HUD, lack of documentation in submitting vouchers for payment (under the LOCCS). (points deducted: 10)

II. Application Process

A. Application Package

An application package may be obtained from the HUD field office having jurisdiction over the location of the applicant project or from the Multifamily Clearinghouse at 1-800-

685-8470. The HUD field office will be available to provide technical assistance on the preparation of applications during the application period.

B. Application Submission

A separate application must be submitted for each project. If the grant is to serve connecting or adjacent properties, an applicant may submit one application that will serve all properties. In such a case, the applicant must describe in detail in its application how the grant will serve the properties. Only one project would receive the funding even though the grant would be serving several properties. If an applicant has scattered properties, it must submit a separate application for each project. An application (original and two identical copies) must be received by the deadline at the appropriate HUD field office with jurisdiction over the applicant project, Attention: Director of Multifamily Housing. It is not sufficient for the application to bear a postage date within the submission time period. Applications submitted by facsimile (FAX) are not acceptable and will not be considered. Applications received after the deadline will not be considered. No applications will be accepted after 4:00 p.m. (local time) in the appropriate HUD field office on July 22, 1997. This application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, HUD will treat as *ineligible for consideration* any application that is received after the 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.

C. Application Notification

HUD will notify all applicants whether or not they were selected for funding.

III. Checklist of Application Submission Requirements

To qualify for a grant under this program, an applicant must submit an application to HUD that contains the following:

A. Application for Federal Assistance form (Standard Form SF-424 and SF-424A). The form must be signed by the applicant.

B. A Drug Elimination Grant Plan addressing the problem of drug-related crime in the projects for which funding is sought, which should include the activities to be funded under this program along with all other initiatives being undertaken by the applicant. The

Drug Elimination Grant Plan should also include a discussion of:

(1) The proposed effectiveness of the plan and activities in bringing about a lasting reduction or elimination in drug-related crime problems;

(2) How the activities identified in the plan will affect and address the problem of drug-related crime in adjacent properties;

(3) Other efforts that project owners have initiated to reduce drug-related crime by working with tenant/law enforcement groups (e.g., establishment of Tenant Watches or similar efforts);

(4) Procedures that project management uses to screen applicants for units, and steps taken to deal with known or suspected tenants exhibiting drug-related criminal behavior.

C. Each applicant for funding for physical improvements must submit a written plan fully describing the physical improvements to be undertaken with per unit dollar costs for each item. This plan must be signed by the owner.

D. Each applicant must submit a letter from the local government or police (law enforcement) agency that describes the type of drug-related crime in the project proposed for grant funding and its immediate environs, and expresses a commitment to assist the owner in taking steps to reduce or eliminate the drug-related crime problems of the project.

E. A description of the procedure used to involve residents in the development of the plan, and written summaries of any comments and suggestions received from residents on the proposed plan, along with evidence that the owner carefully considered the comments of residents and incorporated their suggestions in the plan, when practical.

F. A description of the support of residents for the proposed activities, and the ways in which residents will be involved in implementing the plan. Letters of support from residents or a resolution from the resident organization may be used.

G. A copy of the most recent management review performed by HUD, State Agency review, Housing Quality Standards Inspection (HQS), or other relevant information submitted to HUD as evidence supporting the capacity of the owner and management to undertake the proposed activities.

H. Detailed information, such as local government and police reports, showing the degree of drug-related crime in the project and adjacent properties, to demonstrate the degree of severity of the drug-related crime problem. This information may consist of:

(1) Objective data. The best available objective data on the nature, source, and extent of the drug-related crime problem, and the problems associated with drug-related crime. These data may include (but are not necessarily limited to) crime statistics from Federal, State, tribal, or local law enforcement agencies, or information from the applicant's records on the types and sources of drug-related crime in the project proposed for assistance; descriptive data as to the types of offenders committing drug-related crime in the applicant's project (e.g., age, residence, etc.); the number of lease terminations or evictions for drug-related criminal activity; the number of emergency room admissions for drug use or drug-related crime; the number of police calls for drug-related criminal activity; the number of residents placed in treatment for substance abuse; and the school drop-out rate and level of absenteeism for youth. If crime statistics are not available at the project or precinct level, the applicant may use other reliable objective data, including those derived from the owner's records or those of private groups that collect such data. The crime statistics should be reported both in real numbers and as a percentage of the residents in each project (e.g., 20 arrests for distribution of heroin in a project with 100 residents reflects a 20 percent occurrence rate). The data should cover the past 3-year period and, to the extent feasible, should indicate whether these data reflect a percentage increase or decrease in drug-related crime over the past several years. Applicants must address in their assessment how these crimes have affected the project and how the applicant's overall plan and strategy is specifically tailored to address these drug-related crime problems.

(2) Other data on the extent of drug-related crime. To the extent that objective data as described under paragraph (1) of this section may not be available, or to complement that data, the applicant may use relevant information from other sources that has a direct bearing on drug-related crime problems in the project proposed for assistance. If other relevant information is to be used in place of, rather than to complement, objective data, however, the application must indicate the reason(s) why objective data could not be obtained and what efforts were made to obtain it. Examples of other data include: resident/staff surveys on drug-related issues or on-site reviews to determine drug activity; the use of local government or scholarly studies, or other research conducted in the past

year that analyze drug activity in the targeted project; vandalism costs and related vacancies attributable to drug-related crime; information from schools, health service providers, residents, and police; and the opinions and observations of individuals having direct knowledge of drug-related crime problems concerning the nature and extent of those problems in the project proposed for assistance. (These individuals may include law enforcement officials, resident or community leaders, school officials, community medical officials, drug treatment or counseling professionals, or other social service providers.)

I. If applying for drug treatment program funding, a certification that the applicant has notified and consulted with the relevant Single State Agency or other local authority with drug program coordination responsibilities concerning its application; that the proposed drug treatment program has been reviewed by the relevant Single State Agency or other local authority and that it is consistent with the State treatment plan; and that the relevant Single State Agency or other local authority has determined that the drug treatment provider(s) has provided drug treatment services to similar populations identified in the application for two prior years.

J. If applying for Safe Neighborhood Action Program (SNAP) points under section I.E.(1)(e) of this NOFA, an applicant must have a SNAP in operation, have submitted a SNAP plan to the field office for review, or provide other evidence that a commitment to SNAP is forthcoming. Similar initiatives, such as Operation Safe Home or Weed and Seed, will also be awarded points based on information submitted that indicates that the initiative in the target area reduces the use of drugs and deters drug-related criminal activity.

K. If applying for Neighborhood Network (NN) points under section I.E.(1)(f) of this NOFA, an applicant must have an NN in operation, have an approved NN Plan (if the NN is not in operation), submitted a Plan to the field office for review, or provide other evidence that a commitment to NN is forthcoming. This evidence may include either a resolution of the resident council supporting NN for the project to be established during the period of the Drug Elimination Grant or a similar statement from the owner and managing agent.

L. Drug-free workplace. The certification with regard to the drug-free workplace required by 24 CFR part 24, subpart F.

M. Disclosure of Lobbying Activities. If the amount applied for is greater than \$100,000, the certification with regard to lobbying required by 24 CFR part 87 must be included. See section VI.G., below, of this NOFA. If the amount applied for is greater than \$100,000, and the applicant has made or has agreed to make any payment using nonappropriated funds for lobbying activity, as described in 24 CFR part 87, the submission must also include the Disclosure of Lobbying Activities Form (SF-LLL).

N. Form HUD-2880, Applicant/Recipient Disclosure/Update Report.

IV. Corrections to Deficient Applications

HUD will notify the applicant within ten (10) working days of the receipt of the application if there are any curable technical deficiencies in the application. Curable technical deficiencies relate to minimum eligibility requirements (such as certifications, signatures, etc.) that are necessary for funding approval but that do not relate to the quality of the applicant's program proposal under the selection criteria. The owner must submit corrections in accordance with the information provided by HUD within 14 calendar days of the date of the HUD notification.

VI. Other Matters

A. Paperwork Reduction Act Statement

The information collection requirements contained in this NOFA have been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), and assigned OMB control number 2502-0476, which expires October 31, 1999. 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.

B. Nondiscrimination and Equal Opportunity

The following nondiscrimination and equal opportunity requirements apply:

(1) The requirements of Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) (42 U.S.C. 3600-20) and implementing regulations issued at 24 CFR chapter I, subchapter A; Executive Order 11063 (Equal Opportunity in Housing) and implementing regulations at 24 CFR part 107; and Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR part 1;

(2) The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8;

(3) The requirements of Executive Order 11246 (Equal Employment Opportunity) and the regulations issued under the Order at 41 CFR part 60-1;

(4) The requirements of Executive Orders 11625, 12432, and 12138. Consistent with HUD's responsibilities under these Orders, recipients must make efforts to encourage the use of minority and women's business enterprises in connection with funded activities.

(5) The requirements of section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701a), and with implementing regulations in 24 CFR part 135.

C. Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding of No Significant Impact is available for public inspection and copying from 7:30 to 5:30 weekdays in the Office of the Rules Docket Clerk, Room 10276, 451 Seventh Street, SW., Washington, DC. It is anticipated that activities under this NOFA will be categorically excluded under 24 CFR 50.19 (b)(4), (b)(12), or (b)(13), as public or supportive services or operating expenses that do not affect physical conditions in a manner or to the extent that would require review under NEPA and other related authorities (see final rule published in the **Federal Register** on September 27, 1996 (61 FR 50914)). If grant funds will be used to cover the cost of any nonexempt activities, HUD will perform an environmental review to the extent required by 24 CFR part 50 prior to grant award.

D. Federalism Impact

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 will not have substantial direct effects on States or their political subdivisions, or on the distribution of power and responsibilities among the various levels of government. As a

result, this NOFA is not subject to review under the Order.

E. Section 102 HUD Reform Act Applicant/Recipient Disclosures

Accountability in the provision of HUD assistance. Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act), and the final rule codified at 24 CFR part 4, subpart A, published on April 1, 1996 (61 FR 14448), contain a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992, HUD published, at 57 FR 1942, a notice that also provides information on the implementation of section 102. The documentation, public access, and disclosure requirements of section 102 are applicable to assistance awarded under this NOFA as follows:

Documentation and public access requirements. HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 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.

F. Section 103 HUD Reform Act

Section 103 of the Department of Housing and Urban Development Reform Act of 1989, and HUD's implementing regulation codified at subpart B of 24 CFR part 4, applies to the funding competition announced today. These requirements continue to apply until the announcement of the

selection of successful applicants. HUD employees, including those conducting technical assistance sessions or workshops and those involved in the review of applications and in the making of funding decisions, are limited by section 103 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 section 103 and subpart B of 24 CFR part 4.

Applicants or employees who have ethics related questions should contact the HUD Ethics Law Division at (202) 708-3815. (This is not a toll-free number.) 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.

G. Prohibition Against Lobbying Activities

The use of funds awarded under this NOFA is subject to the disclosure requirements and 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. The prohibition also covers the awarding of contracts, grants, cooperative agreements, or loans unless the recipient has made an acceptable certification regarding lobbying. Under 24 CFR part 87, applicants, recipients, and subrecipients of assistance exceeding \$100,000 must certify, using the certification found at Appendix A to 24 CFR part 87, that they will not, and have not, used appropriated funds for any prohibited lobbying activities. In addition, applicants must disclose, using Standard Form LLL, "Disclosure of Lobbying Activities," any funds, other than Federally appropriated funds, that will be or have been used to influence Federal employees, members of Congress, and congressional staff regarding specific grants or contracts.

Authority: 42 U.S.C. 11901 et. seq.

Dated: May 7, 1997.

Nicolas P. Retsinas,

Assistant Secretary for Housing-Federal Housing Commissioner.

Appendix A—Multifamily Division Directors

New England

Boston

Jeanne McHallam, Multifamily Housing Director, HUD—Boston Office, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 375, Boston, Massachusetts 02222-1092 (617) 565-5101. TTY Number: (617) 565-5453

Hartford

Robert S. Donovan, Multifamily Housing Director, HUD—Hartford Office, 330 Main Street, Hartford, Connecticut 06106-1860 (860) 240-4524. TTY Number: (860) 240-4665

Manchester

Loren W. Cole, Acting Multifamily Housing Director, HUD—Manchester Office, Norris Cotton Federal Building, 275 Chestnut Street, Manchester, New Hampshire 03101-2487 (603) 666-7755. TTY Number: (603) 666-7518

Providence

Louisa Osbourne, Multifamily Housing Director, HUD—Providence Office, Sixth Floor, 10 Weybosset Street, Providence, Rhode Island 02903-3234 (401) 528-5354. TTY Number: (401) 528-5403

New York/New Jersey

New York

Beryl Niewood, Multifamily Housing Director, HUD—New York Office, 26 Federal Plaza, New York, New York 10278-0068 (212) 264-0777 x3717. TTY Number: (212) 264-0927

Buffalo

Rosalinda Lamberty, Chief, Multifamily Asset Management Branch, HUD—Buffalo Office, Lafayette Court, 465 Main Street, Fifth Floor, Buffalo, New York 14203-1780 (716) 551-5755 x5500. TTY Number: (716) 551-5787

Newark

Encarnacion Loukatos, Multifamily Housing Director, HUD—Newark Office, One Newark Center, 13th Floor, Newark, New Jersey 07102-5260 (201) 622-7900 x3400. TTY Number: (201) 645-3298

Mid-Atlantic

Philadelphia

Thomas Langston, Multifamily Housing Director, HUD—Philadelphia Office, The Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3380 (215) 656-0503 x3354. TTY Number: (215) 656-3452

Baltimore

Ina Singer, Multifamily Housing Director, HUD—Baltimore Office, City Crescent Building, 10 South Howard Street, Fifth Floor, Baltimore, Maryland, 21201-2505 (410) 962-2520 x3125. TTY Number: (410) 962-0106

Charleston

Peter Minter, HUD—Charleston Office, 405 Capitol Street, Suite 708, Charleston, West Virginia 25301-1795 (304) 347-7064. TTY Number: (304) 347-5332

Pittsburgh

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Richmond

Charles Famuliner, Multifamily Housing Director, HUD—Richmond Office, The 3600 Center, 3600 West Broad Street, Richmond, Virginia 23230-4920 (804) 278-4505. TTY Number: (804) 278-4501

District of Columbia

Felicia Williams, Multifamily Housing Director, HUD—District of Columbia Office, 820 First Street, NE., Suite 450, Washington, D.C. 20002-4205 (202) 275-4726 x3096. TTY Number: (202) 275-0772

Southeast/Caribbean

Atlanta

Robert W. Reavis, Multifamily Housing Director, HUD—Atlanta Office, Richard B. Russell Federal Building, 75 Spring Street, SW., Atlanta, Georgia 30303-3388 404-331-4426. TTY Number: (404) 730-2654

Birmingham

Herman S. Ransom, Multifamily Housing Director, Beacon Ridge Tower, 600 Beacon Parkway West, Suite 300, Birmingham, Alabama 35209-3144 (205) 290-7667 x1062. TTY Number: (205) 290-7630

Caribbean

Minerva Bravo-Perez, Multifamily Housing Director, HUD—Caribbean Office, New San Juan Office Building, 159 Carlos E. Chardon Avenue, San Juan, Puerto Rico 00918-1804 (787) 766-5106/5401. TTY Number: (787) 766-5909

Columbia

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Greensboro

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Jackson

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Jacksonville

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- Nashville**
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- Mid-West**
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Robert Brown, Multifamily Housing Director, HUD—Detroit Office, Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, Michigan 48226-2592 (313) 226-7107. TTY Number: (313) 226-6899
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- Milwaukee**
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- Minneapolis-St. Paul**
Howard Goldman, Multifamily Housing Director, HUD—Minneapolis Office, 220 Second Street, South, Minneapolis, Minnesota 55401-2195 (612) 370-3051. TTY Number: (612) 370-3186
- Southwest**
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- New Orleans**
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- Oklahoma City**
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- San Antonio**
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- Great Plains**
Kansas City
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- Rocky Mountains**
Denver
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