

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5415-N-01]

### Notice of HUD's Fiscal Year (FY) 2010 Notice of Funding Availability (NOFA) Policy Requirements and General Section to HUD's FY2010 NOFAs for Discretionary Programs

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Notice of HUD's FY2010 NOFA Policy Requirements and General Section to HUD's FY2010 NOFAs for Discretionary Programs (notice).

**SUMMARY:** This notice provides prospective applicants for HUD's competitive funding with the opportunity to become familiar with the General Section of HUD's FY2010 NOFAs, in advance of publication of any FY2010 NOFAs. It also describes changes to HUD's policy priorities based on its new Strategic Plan for FY2010-2015, as well as submission requirements for FY2010. This information is provided to assist prospective applicants in planning successful applications.

#### **HUD's Policy Priorities**

In FY2010, HUD is publishing its new Strategic Plan for FY2010-2015, which defines a new set of policy and organizational priorities for the Department. The plan provides the direction and focus HUD needs to achieve its mission: create strong, sustainable, inclusive communities and quality, affordable homes for all. It proposes to accomplish this through five core goals, to:

1. Strengthen the Nation's Housing Market to Bolster the Economy and Protect Consumers
2. Meet the Need for Quality Affordable Rental Homes
3. Utilize Housing as a Platform for Improving Quality of Life
4. Build Inclusive and Sustainable Communities Free from Discrimination
5. Transform the Way HUD Does Business

More information on HUD's Strategic Plan for FY2010-2015 is provided in Section I.B. and C.

HUD is seeking grant applications for FY2010 competitive grants that align with HUD's Strategic Plan. To assist prospective applicants in this alignment, HUD has created a list of cross-cutting policy priorities for FY2010. Individual NOFAs will include several of these priorities, and additional points will be awarded to applications that meet the priorities of those included. These priorities are:

#### **1. Job creation**

Activities sustain economic development in low-income communities and job creation opportunities for low-income residents of HUD-assisted housing beyond the length of the program.

## **2. Sustainability**

Activities actively promote sustainability through energy-efficient, environmentally friendly, healthy design, including elements of visitability and universal design. For applicable projects, regional- or metropolitan-level strategies are employed to increase location efficiency and disaster resiliency.

## **3. Affirmatively furthering fair housing**

Activities affirmatively further fair housing, actively preventing discrimination because of race, color, national origin, sex, religion, disability, or familial status. Activities will reduce racial segregation and concentration of poverty, employing regional- or metropolitan-level strategies, when applicable.

## **4. Capacity building and knowledge sharing**

Activities strengthen the capacity of state and local government and nonprofit partners to implement HUD programs, coordinate on cross-programmatic, place-based approaches, and encourage ongoing communication.

## **5. Using housing as a platform for improving other outcomes**

Programs thoroughly connect HUD assistance to other federal agency programs and benefits in efforts to improve outcomes such as the health, education, safety, and/or economic outcomes of target populations.

## **6. Expand cross-cutting policy knowledge**

Data tracking efforts integrate housing and community development data with data about outcomes such as health, education, safety, self sufficiency, transportation, and sustainability. Beyond measuring program impacts, analysis of the activities will add to the existing body of policy knowledge through collaboration with other public agencies and/or universities.

More detailed descriptions of the requirements that applicants must meet to be awarded points for these policy priorities is provided in Section I.B. of this notice.

### **Schedule**

In FY2010, HUD plans to publish its NOFAs as they are approved for publication. To assist applicants in planning for FY2010 funding opportunities and the use of those funds in a coordinated manner, HUD is publishing the anticipated schedule for release of HUD's FY2010 NOFAs in Appendix A to this notice. HUD may elect to modify the anticipated dates, estimated funds available, and/or program requirements, as necessary, during a competition. Any amendment to this General Section or program NOFAs will be made available to the public through a Federal Register notice and published on [www.Grants.gov](http://www.Grants.gov) as a Technical Correction. Applicants are urged to sign up for the funding opportunity notification subscription service at [http://www.grants.gov/applicants/email\\_subscription.jsp](http://www.grants.gov/applicants/email_subscription.jsp) to receive any changes to this General Section to HUD's FY2010 NOFAs.

### **Submission Information**

Applicants are advised to become familiar with the requirements of this General Section and the following submission requirements:

- The General Section and Program Sections comprise the NOFA instructions. Applicants

are also advised to provide copies of the General Section to all persons that will be working on the application.

- HUD requires that applicants apply electronically via Grants.gov, which requires advance registration and annual updates. See Section IV. of this notice for more information. However, please note that the Continuum of Care application is submitted through the HUD eSNAPS system, not Grants.gov.

**FOR FURTHER INFORMATION CONTACT:** For further information on HUD's FY2010 Policy Requirements and General Section, contact the Office of Departmental Grants Management and Oversight, Office of Administration, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington, DC 20410-5000; telephone number 202-708-0667. This is not a toll-free number. Persons with hearing or speech impairments may access this number via TTY by calling the Federal Information Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** To help applicants with electronic application registration and submission, HUD advises applicants to use the help features on the Dun and Bradstreet (D&B), Central Contractor Registration (CCR) and Grants.gov sites. These sites all have User Guides and Frequently Asked Questions which are updated on an ongoing basis. HUD believes that early publication of the General Section is beneficial to prospective applicants by providing advance notice of the Department's policy orientation for FY2010 toward a more holistic approach to the use of federal funds, threshold requirements, strategic goals, policy priorities, and other requirements applicable to almost every individual NOFA published by the Department. The General Section is structured to refer the reader to the individual program NOFAs. Although program NOFAs are not being published at this time, the references are retained. Likewise, when program NOFAs are published, they will contain references to the General Section. The General Section and Program Sections comprise the NOFA instructions. Forms and narratives are used by the applicants to address the requirements contained in the instructions. When the Program Sections of the FY2010 NOFAs are published, they will be consistent with the General Section.

HUD hopes that the information contained in this General Section, and in other publications designed to assist applicants requesting funds via electronic application, is helpful to you, our applicants.

Dated:         JUN 4 2010        



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Ron Sims  
Deputy Secretary

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## OVERVIEW INFORMATION

### A. Federal Agency Name:

Department of Housing and Urban Development (HUD), Office of the Secretary.

### B. Funding Opportunity Title:

Policy requirements applicable to all HUD Notices of Funding Availability (NOFAs) published during FY2010.

### C. Announcement Type:

Initial announcement of the general policy requirements that apply to all HUD federal financial assistance NOFAs for FY2010.

### D. Funding Opportunity Number:

FR-5415-N-01.

### E. Catalog of Federal Domestic Assistance (CFDA) Number:

A CFDA number is provided for each HUD federal financial assistance program. When using “Apply Step 1” on the Grants.gov website to download an application, you will be asked for the CFDA number. Please refer to the CFDA number in the Grants.gov synopsis of the programs for which you wish to apply. The CFDA number is a key data element used for the application search feature of Grants.gov. Use only the CFDA number, the Funding Competition Identification Number, or the Funding Opportunity Number, when searching Grants.gov. Using more than one of these items will result in an error message indicating that the opportunity cannot be found.

### F. Dates:

The deadline dates that apply to the federal financial assistance made available through HUD's FY2010 NOFAs will be found in the published NOFAs. Appendix A to this General Section lists the programs expected to be included in HUD's FY2010 NOFAs, and their anticipated publication time frame.

## FULL TEXT OF ANNOUNCEMENT

### I. Funding Opportunity Description

#### A. Policy Priorities and Requirements.

This notice describes HUD's FY2010 policy priorities and requirements applicable to all of HUD's NOFAs published in FY2010. The General Section provides overall guidance and direction to applicants regarding HUD's Policy Priorities and their relationship to HUD's Strategic Goals as stated in the Department's Strategic Plan for FY2010-2015. For detailed information on HUD's Strategic Plan for FY2010-2015 go to [http://portal.hud.gov/portal/page/portal/HUD/program\\_offices/cfo/stratplan](http://portal.hud.gov/portal/page/portal/HUD/program_offices/cfo/stratplan). Taken together, HUD's Strategic Plan for FY2010-2015 and HUD's Policy Priorities set forth a roadmap of actions to help transform communities through the implementation of HUD's programs. Each program NOFA will contain specific activities, requirements, policy priorities, and outcomes or measures of success that will be used to evaluate submitted applications. In each case, the outcomes described in the program NOFA will support the measures of success described in

HUD's Strategic Plan. Each program NOFA will also describe additional procedures and requirements that apply to the individual program NOFAs, including a description of the eligible applicants, eligible activities, threshold requirements, factors for award, variations from the General Section requirements, and any additional program requirements or limitations. To adequately address all of the application requirements for any program for which you intend to apply, please carefully read and respond to both this General Section and the individual program NOFAs.

## **B. Policy Priorities.**

In FY2010, HUD is encouraging applicants to undertake programs and projects that align with HUD's Strategic Plan (See Section I.C) and the following cross-cutting departmental Policy Priorities. Applicants that propose to undertake activities that result in the achievement of the specific Policy Priorities are eligible to receive policy priority points in the rating of their application. Each NOFA shall have a minimum of two Policy Priorities applicable to the program in the NOFA for which points can be obtained. The total number of points available for policy priorities is a maximum of five points per NOFA, devoted to policy priority points. Each program NOFA shall specify the applicable Policy Priorities and the number of points allocated to each policy priority and specific criteria that must be addressed to earn the points.

### **1. Job Creation/Employment**

Significant HUD funds are invested in programs that create jobs and promote economic development. HUD provides its grantees with opportunities to focus on job creation and entry-level career opportunities for those that receive federal housing assistance. With the unemployment rate at 9.7 percent in March 2010, it is imperative that HUD encourage grant funds to be used as a catalyst for workforce development, particularly among low-income populations and communities that leverage HUD assistance and other federal assistance. HUD's FY2010-2015 Strategic Plan focuses on this job creation priority prominently in Goals 3 and 4 (See Section I.C.). Specifically, Subgoal 3C promotes "utilizing HUD assistance to increase economic security and self-sufficiency," while Subgoal 4A emphasizes HUD's goal to "catalyze economic development and job creation, while enhancing and preserving community assets."

HUD seeks to fund grantees that undertake activities to create jobs and further local economic development, particularly for low-income populations and communities. These activities should be more comprehensive than those required to meet HUD's Section 3 "local hire" requirements. Some of the strategies grantees might focus on, as described in HUD's Strategic Plan, include:

- a. Improving access to job opportunities through information sharing, coordination with federal, state, and local entities, and other means (Subgoal 3C);
- b. Increasing access to job training, career services, and work, supports through coordination with federal, state, and local entities (Subgoal 3C); and
- c. Expanding economic and job creation opportunities for low-income residents and creating better transportation access to those jobs and other economic opportunities by partnering with federal and nonprofit agencies, private industry, and planning and economic development organizations and by leveraging federal and private resources (Subgoal 4A).

Of particular interest is a focus on access to skills training and partnerships with community-based organizations to develop pathways to career-ladders for low-income

populations. Beyond creating construction, housing production, and green industry jobs for low-income residents, applicants should focus efforts on providing mechanisms to ensure that low-income populations have long-term access to the new opportunities created. HUD is interested in creating sustainable community benefits for low-income residents of HUD-assisted housing.

HUD seeks to measure successful outcomes beyond just the number of jobs created. HUD emphasizes the importance of skills-training access and long-term (12 to 24 months) job retention strategies, along with the numbers of persons who are in long-term employment career ladders resulting from grant activities. To receive policy priority points, grantees will be expected to identify anticipated outcomes such as:

(1) Organizational partnership capacity-building and sustainability planning: Identify the linkages grantees intend to undertake with local workforce investment boards; one-stop career centers; business associations; community-based organizations, including faith-based organizations; labor unions; private developers; philanthropy; and/or nonprofit intermediaries to ensure that any ongoing jobs created by the HUD-funded project continue to be available to low-income populations. Identify existing government funding streams and new funding streams developed through public-private collaboration.

(2) Quality and career potential of jobs created: Identify the types of jobs that trainees and career ladder jobs residents were being trained to obtain, the courses or training offered, and the duration of the training for each course and of the training period as a whole. Identify the number of low-income persons expected to be trained and to attain the skills needed to obtain a job, and of those jobs the number that were career-ladder jobs during the period of performance of the award, and including the number of residents expected to retain the jobs during the period of performance and for a 12 to 24 month period after the period of performance under the award. Full Time Equivalent Employment is based upon a 40 hour work week. The report should also include the average income per job attained. Identify job quality standards and career paths developed to improve wages and benefits for low-wage and low-skilled workers.

(3) Support services and retention: Identify the number and types of supportive services provided to the residents to enable them to obtain the training, obtain and retain the jobs created, or employment opportunity provided through linkages created under the HUD award.

(4) Minority- and women-owned business creation: Identify any “employee-owned” business models developed to foster minority and women owned business development.

Each NOFA will specify the specific outputs and outcomes related to job creation/employment that applicants should include in their application to receive the policy priority points, as well as the outcome measures they will be expected to report on as a part of their required reports to HUD, if they are selected for award. To ensure the privacy of the individuals employed, grantees will be reporting aggregate numbers for jobs created and persons employed, not client-level data.

**2. Sustainability.** Recognizing the fundamental role that HUD’s investments play in defining the physical form of communities and quality of life for residents, HUD encourages its grantees to help communities embrace a more sustainable future. To HUD, sustainability means ensuring that the land that we build on is clean or will be clean; the investments we make in neighborhoods help residents lead healthy, safe, affordable, and productive lives; the buildings

we invest in are energy efficient and healthy; and the regions we support improve their economic strength and provide opportunities for all residents.

HUD's FY2010-2015 Strategic Plan highlights sustainability in Goal 3 and all of Goal 4 (See Section I.C). In particular, HUD seeks in Subgoal 4B to "promote energy-efficient buildings and location-efficient communities that are healthy, affordable, and diverse" and in Subgoal 3B to "utilize HUD assistance to improve health outcomes." In Subgoal 4A HUD strives to "catalyze economic development and job creation, while enhancing and preserving community assets," increasing viability of communities; while in Subgoal 4C HUD seeks to "ensure open, diverse, and equitable communities" that are viable for all. In Subgoal 4D, HUD seeks to "facilitate disaster preparedness, recovery, and resiliency" as a key to long-term sustainability, and in Subgoal 4E to "build the capacity of local, state, and regional public and private organizations" that can plan for a successful future.

HUD seeks grantees that envision and work toward sustainable communities, and provides a number of strategies to do so in the Strategic Plan:

- a. Promote and preserve community assets including small businesses, fresh food markets, parks, hospitals, and quality schools by incentivizing comprehensive and inclusive local economic development planning (Subgoal 4A);
- b. Give consumers more information about the true cost of living by incorporating both housing and transportation costs into measures of affordability (Subgoal 4B);
- c. Improve residents' health and safety, particularly that of children and other vulnerable populations, by promoting green and healthy design, construction, rehabilitation, and maintenance of housing and communities (Subgoal 4B);
- d. Support and promote an energy-efficient, green, and healthy housing market by retrofitting existing housing, supporting energy-efficient new construction, improving home energy labeling, and promoting financing products that reduce the carbon footprint of non-HUD-supported residential buildings (Subgoal 4B);
- e. Reduce energy consumption and incorporate green building practices in the design and operation of HUD-supported affordable housing (Subgoal 4B);
- f. Promote coordinated planning, integrating federal resources, and targeting technical assistance at the local, state, and regional levels for sustainable housing and communities (Subgoal 4B);
- g. Promote the design and construction of buildings and communities that are accessible and visitable by people with disabilities (Subgoal 4C);
- h. Promote the use of climate-resilient and disaster-resistant building design, construction, and siting (Subgoal 4D); and
- i. Encourage metropolitan and regional focus in planning and community development (Subgoal 4E).

To receive points for this policy priority, applicants must go beyond the basic minimum requirements of the NOFA to which they are applying, and must commit to incorporate into their proposed activities the appropriate Livability Principles described by the Partnership for Sustainable Communities, which includes HUD, the Department of Transportation, and the Environmental Protection Agency. These activities include: metropolitan regional plans,

neighborhood plans, infrastructure investments, site plans, or architectural plans, so that resulting development or reuse of property takes into account the impacts of the development on the community and the metropolitan region, consistent with sustainable development as expressed in the Livability Principles, as follows:

(1) **Provide More Transportation Choices.** Develop safe, reliable, and economical transportation choices to decrease household transportation costs, reduce our Nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.

(2) **Promote equitable, affordable housing.** Expand location - and energy-efficient housing choices for people of all ages, incomes, races, and ethnicities to increase mobility, improve access to jobs, expand educational opportunities, and lower the combined cost of housing and transportation.

(3) **Enhance Economic Competitiveness.** Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services, and other basic needs of workers, as well as expanded business access to markets.

(4) **Support Existing Communities.** Target federal funding toward existing communities—through strategies like transit-oriented, mixed-use development, and land recycling—to increase community revitalization and the efficiency of public works investments and to safeguard rural landscapes.

(5) **Coordinate Policies and Leverage Investment.** Align federal policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices, such as locally generated renewable energy.

(6) **Value Communities and Neighborhoods.** Enhance the unique characteristics of all communities by investing in healthy, safe, and walk able neighborhoods—rural, urban, or suburban.

All applicants must demonstrate the direct impact of their program as described in the specific NOFA to which they are applying. Specific outcomes will be identified in individual program NOFAs. To receive points for this policy priority, applicants must produce activities that exceed requirements of the NOFA to which they are applying, detailing how they will achieve outcomes in areas such as:

(a) Neighborhood Sustainability Standards. Identify projects or activities consistent with adoption of LEED 2009 for Neighborhood Development (LEED-ND) Rating System or a similar neighborhood sustainability standard.

(b) Combined Housing and Transportation Cost Burden. Prioritize the reduction of the proportion of residents in the affected project area or development who will face a combined housing and transportation cost burden of 45 percent their of average household income. Estimate the proportion of residents of the affected project area or development currently facing this cost burden (based on a calculator such as the Center for Neighborhood Technology's calculator located at <http://htaindex.cnt.org/>) and estimate the proportion of residents who will have their cost burden reduced below 45 percent as a result of actions undertaken by the grantee.

(c) Energy Efficiency and Green Development. Identify the number of buildings that will be built or rehabilitated to a recognized green building rating standard by utilizing one of several recognized green rating programs for new construction or substantial rehabilitation, including such programs as the Energy Star Plus Indoor Air Package or Energy Star Advanced New Home Construction; Enterprise Green Communities Initiative; the NAHB Green Building Standards; LEED for Homes (for single family); LEED New Construction (for multifamily or commercial development); as well as regionally or locally recognized green standards such as Earthcraft or Built Green.

(d) Healthy Design. Identify the number of buildings that will be built or rehabilitated incorporating healthy design features that meet or exceed the mandatory requirements identified in a green building standard such as the Enterprise Green Communities “Healthy Living Environment” criteria (Category 7) or similar requirements in other national or locally recognized green rating programs.

(e) Accessibility/Visitability. Identify the number of disability-accessible proposed housing projects retail establishment, and/or community facilities to be created or rehabilitated incorporating universal design (<http://www.universaldesign.org/>) or consistent with a visitability standard. Visitability means that there is at least one entrance at grade (no steps), approached by an accessible route such as a sidewalk, and that the entrance door and all interior passage doors are at least 2 feet, 10 inches wide, allowing 32 inches of clear passage space. A visitable home also serves persons without disabilities, such as a mother pushing a stroller or a person delivering a large appliance. More information about visitability is available at (<http://www.visitability.org/>).

(f) Measuring energy efficiency. Identify how you will collect and utilize data about energy load, usage, and costs in a systematic fashion to set energy reduction goals and manage energy use in your property/properties.

### **3. Affirmatively Furthering Fair Housing (AFFH)**

HUD is interested in funding housing and community development activities that afford residents an opportunity to live in a variety of neighborhoods and not be confined to affordable housing choices in areas of high poverty or areas that are not racially or ethnically diverse. Recognizing that housing and community development efforts must address a complex network of social and economic factors in order to promote more diverse, inclusive communities, HUD seeks to encourage its grantees to undertake comprehensive and innovative strategies to affirmatively further fair housing.

As HUD’s strategic plan notes, an inclusive community is one in which all people have access to quality housing, education, employment opportunities, health care, and transportation. Many of the neighborhoods hit hardest by the economic and housing crisis—those with the highest rates of foreclosure and job loss—are racially isolated, with the poorest quality schools, limited access to economic opportunity, the longest commuting time to jobs, and the most homes that pose health risks. Strategies to affirmatively further fair housing are included throughout HUD’s Strategic Plan. In particular, HUD seeks, in Subgoal 4C, to “ensure open, diverse, and equitable communities” and in Subgoal 2D to “expand families’ choice of affordable rental homes located in a broad range of communities” (See Section I.C).

To earn full points for this policy priority, applicants must go beyond the minimum affirmatively furthering fair housing requirements of the NOFA to which they are applying.

Each NOFA will specify the activities applicants should undertake in order to receive full points. A few possible strategies to meet the objective of this policy priority, as described in the Strategic Plan, include, but are not limited to:

- a. Regional coordination of affirmatively furthering fair housing plans, including such activities as developing regional analyses of impediments (Subgoal 2D);
- b. Regional strategies to reduce racially segregated living patterns and other effects of formerly de jure segregated public or assisted housing in metropolitan areas with a year 2000 dissimilarity index of 70 or higher and where the minority population is at least 20,000 or 3 percent of the total population in the Core Based Statistical Area (CBSA), whichever is greater. See, [http://www.censusscope.org/us/rank\\_dissimilarity\\_white\\_black.html](http://www.censusscope.org/us/rank_dissimilarity_white_black.html). (Subgoal 4C or 2D);
- c. Decreasing the concentration of poverty and racial segregation in neighborhoods and communities through strategic targeting of resources (Subgoal 4C); and
- d. Promoting visitability for persons with disabilities in single-family housing (Subgoal 4C).

To receive points for this policy priority, an applicant must demonstrate a history of success at affirmatively furthering fair housing, including a description of measurable outcomes the applicant has achieved. The applicant must also go beyond the requirement to affirmatively further fair housing by outlining a set of specific activities and measurable outcomes to improve upon their history of affirmatively furthering fair housing and achieve improved results. To receive points for this policy priority, an applicant must not only identify the specific activities to be undertaken to solve identified problems, but also identify the quantifiable outcomes that the grantee will measure in order to track the progress of these efforts. Applicants must explain how they will collect baseline and outcome data, and they must provide evidence of capacity to collect and interpret this data.

To receive full points for this policy priority, grantees will be asked to detail how they will achieve outcomes in areas such as:

- (1) Racial Segregation: Identify decreases in the concentration of racial segregation in housing developments, neighborhoods, or communities.
- (2) Vestiges of De Jure Segregation: Identify regional plans that result in more integrated living patterns and reduce or eliminate other effects of formerly de jure segregated public or assisted housing, in regions with a high segregation index.
- (3) Mixed-Income Communities of Opportunity: Identify increases in the number of HUD-assisted households in mixed-income low-poverty communities with access to employment and educational opportunities, transportation, and essential goods and services.
- (4) Concentration of Poverty: Identify increases in the number of HUD-assisted households living outside neighborhoods of concentrated poverty.

#### **4. Capacity Building and Knowledge Sharing**

HUD recognizes that successful program implementation can occur only in partnership with effective grantees. Working with our partners to expand the affordable housing and community development field and align programs is fundamental to building resiliency in difficult economic times. It is therefore critical to strengthen the capacity of HUD's partners-- local and state governments and nonprofit entities. Capacity building is the development of core

skills within partner organizations to organize, manage, implement, and raise capital for community development and affordable housing projects and to provide one-on-one, place-based assistance to implement projects. Increased technical capabilities and knowledge sharing will allow HUD's partners to participate in decision making and planning processes, coordinate on cross-programmatic, place-based approaches, and ensure that expertise is institutionalized. Capacity building is featured in HUD's Strategic Plan for FY2010-2015, Goal 4 (See Section I.C). Specifically, Subgoal 4E reads, "Build the capacity of local, state, and regional public and private organizations."

HUD seeks to fund grantees that undertake activities that build enduring capacity of partners and mechanisms for knowledge sharing. Some of the strategies grantees might focus on, as described in HUD's Strategic Plan, include:

- a. Develop, target and deliver technical assistance for increasing affordability in areas experiencing increased rental costs due to development (Subgoal 2D);
- b. Strengthen the capacity of state and local partners, including governments and nonprofit organizations, to implement HUD programs, participate in decisionmaking and planning processes, and coordinate on cross-programmatic, place-based approaches through grantmaking and technical assistance (Subgoal 4E); and
- c. Support knowledge sharing and innovation by disseminating best practices, encouraging peer learning, publishing data analysis and research, and helping to incubate and test new ideas (Subgoal 4E).

All grantees must demonstrate the direct impact of their programs as described in the specific NOFA to which they are applying. To receive additional points for this policy priority, grantees must go beyond these requirements. The grantee must detail how the the lead applicant(s) or the applicant(s) responsible for program implementation will provide knowledge-sharing experiences to their applicant partners in program design and implementation processes that will provide long-term benefits and increase capacity. To receive policy priority points, grantees will be expected to identify outcomes such as:

(1) Increased skills and expertise: Identify activities that will result in partner organizations gaining skills and technical expertise in the grant subject matter and managing federal awards; including financial management, project management, and program performance assessment and evaluation. Applicants awarded points under this policy priority will be expected to demonstrate the skills gained by these partners during the life of award and means of measuring increased capacity (i.e., needs assessments, evaluations, etc.)

(2) Knowledge sharing and coordination: Demonstrate that key personnel for the grant/partner responsible for implementation of work with identified partner personnel to ensure knowledge sharing in the key areas related to the success of the grant. Demonstrate that personnel engage in coordinating cross-programmatic, place-based approaches.

Individual program NOFAs will specify the outputs and outcomes related to capacity building and knowledge sharing that applicants should include in their application to receive the policy priority points, as well as the outcome measures they will be expected to report on as a part of their required reports to HUD, if they are selected for award.

## **5. Using Housing as a Platform for Improving Other Outcomes**

Researchers can now accurately predict life outcomes from health to education to life expectancy based on the Zip Code in which a child grows up . HUD believes that no child’s life chances should be determined by the neighborhood where their family resides. Through interagency partnerships at the federal, state, and local levels, HUD will utilize housing as a platform for coordinating a variety of services to improve other critical and interconnected resident and community outcomes. In turn, HUD seeks to encourage grantees to undertake collaborations with public, private, nonprofit, and community- and faith-based organizations to improve education, health, economic, and public safety outcomes. These activities are particularly critical to supporting special populations, such as low- and very-low income households, elderly individuals, persons with disabilities, persons and families who are homeless or at risk of homelessness, persons with HIV/AIDS, returning veterans, and others facing significant barriers to obtaining and maintaining housing. In HUD’s Strategic Plan, this policy priority is addressed in all of Goal 3, “Utilize Housing as a Platform for Improving Quality of Life,” which seeks to connect HUD assistance to improve outcomes in education, early learning and development, health, economic security and self-sufficiency, housing stability through supportive services for vulnerable populations, and public safety.

To earn points for this policy priority, grantees must go beyond the minimum requirements of the NOFA to which they are applying. Each NOFA will specify the activities applicants should include in their application in order to receive the policy priority points. Possible strategies to meet the objective of this policy priority, as described in the Strategic Plan, include, but are not limited to:

- a. Increasing access to high quality early learning programs and services through coordination with local programs (Subgoal 3A);
- b. Providing physical space to co-locate healthcare and wellness services with housing (e.g., on-site health clinics) (Subgoal 3B);
- c. Increasing access to public benefits (such as Temporary Assistance for Needy Families and Supplemental Security Income) through outreach and other means (Subgoal 3C);
- d. Maintaining or improving the physical environment and design of HUD-assisted residences, giving attention to physical safety and crime prevention (Subgoal 3E); and
- e. Providing mobility counseling to increase access to neighborhoods of opportunity (Subgoal 2D).

Applicants will be asked to identify measures of success for selected strategies, such as, but not limited to, the following outputs:

- (1) Early childhood enrollments: Identify increases in the number of assisted households with school-aged children enrolled in high performing early childhood programs.
- (2) Public benefits enrollments: Identify increased take-up rates of a range of public benefits, including TANF, SSI, Special Needs Assistance Programs, and other programs.
- (3) Health services enrollments: Identify increases in the number of enrollments in mental health and substance abuse programs, as well as in other health programs.

Moreover, grantees will be asked to provide evidence of improved coordination and information sharing with relevant partner organizations. Each NOFA will specify the related outputs applicants will be expected to track. To receive the points for this policy priority, applicants will

be expected to identify the target population(s) to be served, the baseline from which improvements are to be measured, the anticipated impact outcome, the related activity, and measurements to be used to gauge the positive change. During the course of the award, the grantee will be expected to report progress in meeting the expected goals.

## **6. Expand Cross-Cutting Policy Knowledge**

HUD recognizes that healthy, vibrant communities succeed through a combination of housing, jobs, schools, safety, transportation, and other amenities. Successful programs often have impacts that extend beyond the immediate goals, and vary according to specific local conditions. Taking successful models to other communities requires quantitative evidence of which policies work and how they work, and public dissemination of this information. HUD's experience is that many local organizations and governments collect administrative data as part of their regular operations. Policymakers at all levels could benefit from this rich data that HUD's grantees collect, and HUD encourages applicants to collaborate with policy researchers to increase the overall body of policy knowledge.

Expanding cross-cutting policy knowledge is featured in HUD's 2015 Strategic Plan for FY2010 -2015, Goal 4 (See Section I.C). Specifically, Subgoal 4E reads, "Build the capacity of local, state, and regional public and private organizations." HUD seeks to fund grantees who go beyond the specific outcomes of each program to provide information that informs future policymaking. The Strategic Plan identifies one strategy in particular for this priority:

a. Support knowledge sharing and innovation by disseminating best practices, encouraging peer learning, publishing data analysis and research, and helping to incubate and test new ideas (Subgoal 4E).

All grantees must demonstrate the direct impact of their programs as described in the specific NOFA to which they are applying. To receive points for this policy priority, grantees must go beyond these requirements, detailing other outcomes to be improved. Examples might include: jobs created in the target area or change in employment for the target population; change in property values in a target area; asset building for the target population; health outcomes, such as infant mortality rates in a target area; education outcomes, such as change in test scores for children in the target population or in the neighborhood school; public safety, such as neighborhood crime rates; and other similar outcomes.

To achieve full points, the applicant must indicate what administrative data they and/or partner organizations collect on primary and secondary outcomes for the target area or population, as described above. The grantee must describe the extent of data on primary and secondary outcomes made available to policy researchers through documentation, such as a letter of cooperation, demonstrating a data-sharing agreement.

- (1) For housing or service providers with household-level data, this may be an agreement with a university or other policy research group that regularly produces peer-reviewed research publications.
- (2) For housing or service providers with parcel-related data, this agreement may be with a regional planning, non profit, or government agency that provides consolidated local data on a regular basis to the public for free.

- (3) If the applicant is a research organization, this may be an agreement with a housing or service provider organization to access and analyze administrative data.

Individual program NOFAs will specify the secondary outcomes to be tracked. The collection method and specific data elements will not be prescribed by HUD, but may be determined by the applicant.

**C. HUD's FY2010 -2015 Strategic Plan and Goals to Create Strong, Sustainable, Inclusive Communities and Quality Affordable Homes for All.**

The cross-cutting Policy Priorities for FY2010, described above (See Section I.B.), align with the five core goals of HUD's FY2010-2015 Strategic Plan. The Strategic Plan provides the direction and focus HUD needs to achieve its mission: create strong, sustainable, inclusive communities and quality, affordable homes for all. To tackle the economic, financial, and community development issues facing the Nation, HUD has established the following strategic goals to guide the direction of the Department and its programs:

**Goal 1: Strengthen the Nation's Housing Market to Bolster the Economy and Protect Consumers.**

- 1A. Stem the foreclosure crisis.
- 1B. Protect and educate consumers when they buy, refinance, or rent a home.
- 1C. Create financially sustainable homeownership opportunities.
- 1D. Establish an accountable and sustainable housing finance system.

**Goal 2: Meet the Needs for Quality Affordable Rental Homes.**

- 2A. End homelessness and substantially reduce the number of families and individuals with severe housing needs.
- 2B. Expand the supply of affordable rental homes where most needed.
- 2C. Preserve the affordability and improve the quality of federally assisted and private unassisted affordable rental homes.
- 2D. Expand families' choices of affordable rental homes located in a broad range of communities.

**Goal 3: Utilize Housing as a Platform for Improving Quality of Life.**

- 3A. Utilize HUD assistance to improve educational outcomes and early learning and development.
- 3B. Utilize HUD assistance to improve health outcomes.
- 3C. Utilize HUD assistance to increase economic security and self-sufficiency.
- 3D. Utilize HUD assistance to improve housing stability through supportive services for vulnerable populations including the elderly, people with disabilities, homeless people, and those individuals and families at risk of becoming homeless.
- 3E. Utilize HUD assistance to improve public safety.

**Goal 4: Build Inclusive and Sustainable Communities Free from Discrimination.**

4A. Catalyze economic development and job creation, while enhancing and preserving community assets.

4B. Promote energy efficient buildings and location efficient communities that are healthy, affordable and diverse.

4C. Ensure open, diverse, and equitable communities.

4D. Facilitate disaster preparedness, recovery, and resiliency.

4E. Build the capacity of local, state and regional public and private organizations.

### **Goal 5: Transform the Way HUD Does Business.**

5A. Build Capacity: Create a flexible and high performing learning organization with a motivated, skilled workforce.

5B. Focus on Results: Create an empowered organization that is customer-centered, place based, collaborative, and responsive to employee feedback and focused on results.

5C. Bureaucracy Busting: Create flexible, modern rules and systems that promote responsiveness, openness, and transparency.

5D. Culture Change: Create a healthy, open, flexible work environment that reflects the values of HUD's mission.

Additional information about HUD's Strategic Plan for FY2010-2015 can be found at [http://portal.hud.gov/portal/page/portal/HUD/program\\_offices/cfo](http://portal.hud.gov/portal/page/portal/HUD/program_offices/cfo).

Authority. HUD's authority for making funding available under its FY2010 programs is identified in each program NOFA.

Funding Available. Each program NOFA will identify the estimated amount of funds available in FY2010 based on available appropriations, plus any funds from previous years available for award in FY2010. Appendix A to this General Section lists the programs HUD expects to issue NOFAs for in FY2010.

## **II. Award Information**

Additional program NOFAs may be published during FY2010. Any additional funding opportunities will be made available on [www.Grants.gov](http://www.Grants.gov), with a corresponding Federal Register notice indicating where the notice can be found on Grants.gov.

## **III. Eligibility Information**

### **A. Eligible Applicants.**

The individual program NOFAs describe the eligible applicants, eligible activities, specific program requirements, and selection information for each program. Applicants should be aware that HUD does not directly fund individuals through its formula-based programs or its competitive NOFA process.

### **B. Cost Sharing or Matching.**

The program NOFAs describe the applicable cost sharing or matching requirements, or leveraging requirements related to each program, if any. Although matching or cost sharing may

not be required, HUD programs often encourage applicants to leverage grant funds with other funding to receive higher rating points.

It is important to note that the following Office of Management and Budget (OMB) circulars are applicable, and particular attention should be given to the provisions concerning the use of federal funds for matching requirements.

OMB Circular A-102 (Grants and Cooperative Agreements with State and Local Governments) establishes consistency and uniformity among federal agencies in the management of grants and cooperative agreements with state, local, and federally recognized Indian tribal governments. The circular provides that state and local administration of federal funds must include fiscal and administrative requirements that are sufficiently specific to ensure that funds are used in compliance with all applicable federal statutory and regulatory provisions, costs are reasonable and necessary for operating these programs, and funds are not to be used for general expenses required to carry out other responsibilities of a state or its subrecipients. HUD's implementation of OMB Circular A-102 is found at 24 CFR part 85.

OMB Circular A-110 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations), now relocated to 2 CFR part 215, sets forth standards for obtaining consistency and uniformity among federal agencies in the administration of grants and agreements with institutions of higher education, hospitals, and other nonprofit organizations. This circular specifies the conditions for which funds may be used for cost sharing or matching and provides that federal funds shall not be accepted as cost sharing or matching, except where authorized by federal statute to be used for cost sharing or matching. HUD's implementation of OMB Circular A-110 is found at 24 CFR part 84.

OMB Circular A-87 (2 CFR part 225) (Cost Principles for State, Local, and Indian Tribal Governments) establishes principles and standards for determining costs for federal awards carried out through grants, cost reimbursement contracts, and other agreements with state and local governments and federally recognized Indian tribal governments (governmental units). This circular provides that an allowable cost under a federal award does not include a cost sharing or matching requirement of any other federal award in the applicable funding period, except as specifically provided by federal law or regulation.

OMB Circular A-122 (2 CFR part 230) (Cost Principles for Non-Profit Organizations) establishes principles for determining costs of grants, contracts, and other agreements with nonprofit organizations. This circular provides, similar to OMB Circular A-87, that an allowable cost under a federal award in the applicable funding period does not include a cost sharing or matching requirement of any other federally financed program.

Copies of the OMB Circulars are available online at [http://www.whitehouse.gov/omb/financial\\_offm\\_circulars/](http://www.whitehouse.gov/omb/financial_offm_circulars/). NOTE: Applicants for funding under HUD's FY2010 NOFA are reminded of the importance of confirming that any federal grant funds that they intend to use as a cost sharing or matching share are available to be used as matching funds under applicable statutes and regulations.

### **C. Other Requirements and Procedures Applicable to All Programs.**

Except as may be modified in the individual program NOFAs, the requirements, procedures, and principles listed below apply to all HUD programs in FY2010 for which funding

is announced by NOFA and posted to Grants.gov with announcement in the Federal Register. Please read the individual program NOFAs for additional requirements and information.

**1. Statutory and Regulatory Requirements.** To be eligible for funding under HUD NOFAs issued during FY2010, applicants must meet all statutory and regulatory requirements applicable to the program or programs for which they seek funding. Applicants requiring program regulations may obtain them from the NOFA Information Center or through HUD's grants website at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>. See the individual program NOFAs for instructions on how HUD will respond to proposed activities that are ineligible.

## **2. Threshold Requirements**

**a. Ineligible Applicants.** HUD will not consider an application from an ineligible applicant.

**b. D&B Data Universal Numbering System (DUNS) Number Requirement.** All applicants seeking funding directly from HUD must have a DUNS number and include the number in their Application for Federal Assistance. The DUNS number must reflect the applicant organization that is to receive funding from HUD and correspond to the legal name that is entered into Box 8a of Standard Form 424 (SF424). The legal name entered into Box 8a of the SF424 must correspond to the information provided to D&B and CCR. Failure to follow these instructions and provide a DUNS number and Taxpayer Identification Number (TIN) that is validated by CCR will prevent an applicant from obtaining an award, regardless of whether it is a new award or renewal of an existing one. This policy is pursuant to the OMB policy issued in the Federal Register on June 27, 2003 (68 FR 38402). HUD published its regulation implementing the DUNS number requirement on November 9, 2004 (69 FR 65024). A copy of the OMB Federal Register notice and HUD's regulation implementing the DUNS number can be found on HUD's website at <http://www.hud.gov/offices/adm/grants/duns.cfm>.

Applicants are reminded that when registering with D&B, please be sure to use the organization's legal name that is used when filing a return with or making payments to the Internal Revenue Service. Organizations should also provide the Zip Code, using the Zip Code plus the four additional digits. The DUNS number used in the application must be for the applicant organization, not the entity submitting the application on behalf of the applicant.

**c. Active Registration in the CCR.** HUD will not make an award of funds to an applicant organization listed in Box 8a of the SF424 that does not have an active registration in the CCR; and where the DUNS number, TIN, and name and address of the applicant organization does not match CCR data files. Registrations in CCR are active for one year. The CCR registrant is notified by email one month prior to the registration expiration date that the CCR registration will be expiring. The email provides instructions for how to update/renew the CCR registration. Applicants are advised to update any email addresses as persons leave the organization and also to name a primary and alternate contact person in the CCR registration. That will ensure that, if a person leaves the organization, you have an alternate person available to update/renew the registration.

**d. Resolution of Outstanding Civil Rights Matters.** If you, the applicant:

(1) have received a charge from HUD concerning a systemic violation of the Fair Housing Act or has received a cause determination from a substantially-equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local

fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;

(2) are a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising and issue of general public interest pursuant to 42 U.S.C. 3614(a);

(3) have received a letter of findings identifying systemic noncompliance under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, or Section 109 of the Housing and Community Development Act of 1974;

(4) have received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law proscribing discrimination in housing based on sexual orientation or gender identity; or

(5) have received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a state or local law proscribing discrimination in housing based on lawful source of income; and

(a) The charge, cause determination, lawsuit, or letter of findings referenced in subparagraphs 1, 2, 3, 4, or 5 above has not been resolved to HUD's satisfaction before the application deadline, then you, the applicant, are ineligible for funding. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the deadline are sufficient to resolve the matter.

(b) Examples of actions that would normally be considered sufficient to resolve the matter include, but are not limited to:

- (i) Current compliance with a voluntary compliance agreement signed by all the parties;
- (ii) Current compliance with a HUD-approved conciliation agreement signed by all the parties;
- (iii) Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
- (iv) Current compliance with a consent order or consent decree; or
- (v) Current compliance with a final judicial ruling or administrative ruling or decision.

**e. Debarment and Suspension.** In accordance with 2 CFR part 2424, no award of federal funds may be made to applicants that are debarred or suspended, or proposed to be debarred or suspended from doing business with the Federal Government.

**f. Consistency with the Consolidated Plan and Analysis of Impediments to Fair Housing Choice.** Certain competitive programs require that the application for HUD funds contain a certification of consistency with a HUD-approved Consolidated Plan. The certification of consistency means the jurisdiction's plan shows need, the proposed activities are consistent with the jurisdiction's strategic plan, and the location of the proposed activities is consistent with the geographic areas specified in the consolidated plan. The consolidated plan also includes the jurisdiction's certification to affirmatively further fair housing, which means the jurisdiction will conduct an Analysis of Impediments to Fair Housing Choice(AI). In making consistency determinations, the jurisdiction should consider information contained in the AI relevant to the

consolidated plan. If a program NOFA requires a certification of consistency with the Consolidated Plan and the applicant fails to provide a certification, and such failure is not cured as a technical deficiency, HUD will not fund the application. If HUD is provided a signed certification indicating consistency with the area's approved Consolidated Plan and HUD finds that the activities are not consistent with the Consolidated Plan, HUD will not fund the inconsistent activities or will deny funding the application if a majority of the activities are not consistent with the approved Consolidated Plan. The determination not to fund an activity or to deny funding may be determined by a number of factors, including the number of activities being proposed, the impact of the elimination of the activities on the proposal, or the percent of the budget allocated to the proposed activities.

**g. Delinquent Federal Debts.** It is HUD policy, consistent with the purposes and intent of 31 U.S.C. 3720B and 28 U.S.C. 3201(e), that applicants with an outstanding federal debt will not be eligible to receive an award of funds from the Department unless: (1) a negotiated repayment schedule is established and the repayment schedule is not delinquent, or (2) other arrangements satisfactory to HUD are made prior to the award of funds by HUD. If arrangements satisfactory to HUD cannot be completed within 90 days of notification of selection, HUD will not make an award of funds to the applicant, but offer the award to the next eligible applicant. Applicants selected for funding, or awarded funds, must report to HUD changes in status of current agreements covering federal debt. HUD may withhold funding, terminate an award, or seek other remedies from a grantee if a previously agreed-upon payment schedule has not been adhered to or a new agreement with the federal agency to which the debt is owed has not been signed.

**3. Other Threshold Requirements.** The individual program NOFAs may contain additional items identified as Threshold Requirements.

#### **4. Other Requirements that may Prohibit Receipt of an Award of Funds**

**a. Pre-Award Accounting System Surveys.** HUD may arrange for a pre-award survey of the applicant's financial management system if the recommended applicant has no prior federal support, if HUD's program officials have reason to question whether the applicant's financial management system meets federal financial management standards, or if the applicant is considered a high risk based upon past performance or financial management findings. HUD will not disburse funds to any applicant that does not have a financial management system that meets federal standards. (Please see 24 CFR 84.21 if you are an institution of higher education, hospital, or other nonprofit organization. See 24 CFR 85.20 if you are a state, local government, or federally recognized Indian tribe.)

**b. Name Check Review.** Applicants are subject to a name check review process. Name checks are intended to reveal matters that significantly reflect on the applicant's management and financial integrity, including if any key individual has been convicted or is presently facing criminal charges. If the name check reveals significant adverse findings that reflect on the business integrity or responsibility of the applicant or any key individual, HUD reserves the right to: (1) deny funding, or in the case of a renewal or continuing award, consider suspension or termination of an award immediately for cause, (2) require the removal of any key individual from association with management or implementation of the award, and (3) make appropriate provisions or revisions with respect to the method of payment or financial reporting requirements.

**c. False Statements.** A false statement in an application is grounds for denial or termination of an award and possible punishment, as provided in 18 U.S.C. 1001.

## **5. Additional Nondiscrimination and Other Requirements**

### **a. Compliance with Fair Housing and Civil Rights Laws.**

(1) With the exception of federally recognized Indian tribes and their instrumentalities, (a) applicants and their sub recipients must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act; VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title II of the American Disabilities Act; Section 109 of the Housing and Community Development Act of 1974; (b) if the applicant's state or local government has passed a law or laws proscribing discrimination in housing based on sexual orientation or gender identity, or a law or laws proscribing discrimination based on lawful source of income, the applicant and any proposed subrecipients must comply with those laws,

(2) If the applicant is conducting programs or activities with funds received under a HUD program NOFA in a state or local jurisdiction that has passed a law or laws proscribing discrimination in housing based upon sexual orientation or gender identity, or a law or laws proscribing discrimination in housing based on lawful source of income, the applicant and its subrecipients must comply with those laws of the states or localities in which the programs or activities are conducted;

(3) If you are a federally recognized Indian tribe, you must comply with the nondiscrimination provisions enumerated at 24 CFR 1000.12, as applicable.

### **b. Affirmatively Furthering Fair Housing (AFFH).**

*Affirmatively Furthering Fair Housing (AFFH).*

Section 808(e)(5) of the Fair Housing Act imposes a duty on HUD to affirmatively further the purposes of the Fair Housing Act in its housing and urban development programs. Accordingly, HUD requires recipients of HUD funds, including those awarded and announced under HUD's FY2010 funding notices not specifically exempted, to take affirmative steps to further fair housing. Unless otherwise specified in the particular program NOFA, your application must discuss how you are going to carry out your proposed activities in a manner that affirmatively furthers fair housing.

To affirmatively further fair housing, your proposed activities must help overcome impediments to fair housing choice that are identified in the "Analysis of Impediments to Fair Housing Choice" (AI) produced by the state and/or local government(s) in which your program activities occur, the effects of those impediments, and any other impediments in housing or urban development activities you may identify. State and local governments produce an AI as a condition of receipt of certain HUD funds, and a copy must be made available for inspection by the public. (See, for example, HUD's rule at 24 CFR. §§ 91.225(a)(1); 91.5.) In addition, the proposed activities must address at least one of the following objectives: (1) help overcome any impediments to fair housing choice related to the assisted program or activity itself; (2) promote racially, ethnically, and socioeconomically diverse communities; or (3) promote housing-related opportunities that overcome the effects of past discrimination because of race, color, national origin, religion, sex, disability, and familial status.

Eligible activities and means for fulfilling this requirement will be more specifically identified in the individual program NOFAs. The following examples indicate how the requirement to affirmatively further fair housing could be satisfied under different types of programs. These examples are not intended as exclusive alternatives; grantees are encouraged to select activities and outcomes that best meet their specific context.

- For programs that focus on planning, activities that affirmatively further fair housing include those that promote racially, ethnically, and economically diverse communities and integrated living patterns and avoid patterns where persons are forced to live in high poverty areas, or in areas suffering from a lack of services, or a lack of diversity in terms of income, race, or ethnicity.
- For programs that focus on redevelopment of existing neighborhoods, activities that affirmatively further fair housing include those that: (1) integrate housing development with access to effective schools, job training, child care, financial services, health care services, social services, or public transportation; (2) increase economic and racial and ethnic diversity within the neighborhood; and (3) to the extent permitted by program and relocation assistance requirements, provide existing residents with the choice to remain in their current neighborhood or pursue housing choices in areas of greater racial, ethnic and income or diversity and in areas that provide improved housing opportunities, effective schools, access to jobs or job training, financial services, medical and social services, health care facilities, and transportation.
- For programs that focus on rehabilitation or new construction of housing, activities that affirmatively further fair housing include those that: (1) ensure that housing is sited in a manner to enhance racial or ethnic diversity; (2) ensure that housing units are affordable to persons of low, very low- and moderate income; (3) to the extent permitted by program requirements, ensure that buildings and housing units are accessible and visitable by peoples with disabilities; (4) to the extent permitted by program and relocation assistance requirements, ensure that any existing residents relocated to facilitate construction are afforded preference or first right of refusal for the new units; and (5) ensure that the units are placed in an area of opportunity, which includes factors such as access to employment centers, effective schools, health care facilities, social services, and public transportation. New construction activities must refrain from geographically concentrating housing for persons with disabilities. Such housing must be placed in the most integrated setting appropriate to the needs of qualified individuals with disabilities.
- For programs that include or require marketing, affirmative marketing activities include: (1) making the availability of the affordable housing units or other new development widely known throughout the market area, including to persons who are not likely to be aware of the housing opportunity, and including advertising in languages other than English; and (2) affirmative marketing of the redevelopment to landlords, real estate professionals, and developers. (See 54 FR 3232 and 3235, January 23, 1989.)
- For programs that provide counseling, social services, technical assistance, or fair housing services, activities that affirmatively further fair housing include: (1) providing clients with training and information on rights and remedies available under the federal, state and local fair housing and civil rights laws; (2) where there are instances suggesting that violations of such laws have occurred or are occurring, provide information to HUD

or local Fair Housing Assistance Program (FHAP) agencies to investigate such potential violations; and are affirmatively marketed, as described above.

Further requirements for Affirmatively Furthering Fair Housing will be identified in the individual program NOFAs.

**c. Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP).”** Executive Order 13166 seeks to improve access to federally assisted programs and activities for individuals who, as a result of national origin, are limited in their English proficiency. Applicants obtaining federal financial assistance from HUD shall take reasonable steps to ensure meaningful access to their programs and activities to LEP individuals. As an aid to recipients, HUD published *Final Guidance to Federal Financial Assistance Recipients: Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* (LEP Guidance) in the Federal Register on January 22, 2007 (72 FR 2732). For assistance and information regarding LEP obligations, go to [http://www.justice.gov/crt/lep/guidance/HUD\\_guidance\\_Jan07.pdf](http://www.justice.gov/crt/lep/guidance/HUD_guidance_Jan07.pdf). For more information on LEP, please visit <http://www.hud.gov/offices/fheo/promotingfh/lep.cfm>.

**d. Economic Opportunities for Low-and Very Low-income Persons (Section 3).** Certain programs to be funded during FY2010 require recipients of assistance to comply with Section 3 of the Housing and Urban Development Act of 1968 (Section 3), 12 U.S.C. 1701u (Economic Opportunities for Low- and Very Low-Income Persons in Connection with Assisted Projects), and the HUD regulations at 24 CFR part 135. Applicants are advised to carefully review the individual program NOFAs to determine if Section 3 applies to the program for which you are seeking funding.

Section 3 requires recipients to ensure, to the greatest extent feasible, that training, employment, and contracting will be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low-and very low-income persons in the area in which the project is located.

To implement 24 CFR 135.9(a) of the Department’s Section 3 rules, applicants for funding under programs covered by Section 3 shall, by signing the application, certify compliance. Also, the program NOFAs will include information regarding how Section 3 activities will be considered in rating the application. Applicants subject to this requirement will describe in their applications their plans to train and employ Section 3 residents and contract with Section 3 business concerns in furtherance of the proposed activities.

Recipients of covered funding are required to comply with the requirements of 24 CFR Part 135, particularly subpart B-Economic Opportunities for Section 3 residents and Section 3 Business Concerns, and Subpart E-Reporting and Recordkeeping. Additional information on the requirements can be found at <http://www.hud.gov/offices/fheo/section3/section3.cfm>.

**e. Ensuring the Participation of Small Disadvantaged Businesses, and Women-Owned Businesses.** HUD is committed to ensuring that small businesses, small disadvantaged businesses, and women-owned businesses participate fully in HUD’s direct contracting and in contracting opportunities generated by HUD financial assistance. Too often, these businesses still experience difficulty accessing information and successfully bidding on federal contracts. State, local, and Indian tribal governments are required by 24 CFR 85.36(e) and nonprofit

recipients of assistance (grantees and subgrantees) by 24 CFR 84.44(b) to take all necessary affirmative steps in contracting for the purchase of goods or services to assure that minority firms, women-owned business enterprises, and labor surplus area firms are used whenever possible or as specified in the individual program NOFAs.

**f. Accessible Technology.** Section 508 of the Rehabilitation Act (Section 508) requires HUD and other federal departments and agencies to ensure, when developing, procuring, maintaining, or using electronic and information technology (EIT), that the EIT allow, regardless of the type of medium, persons with disabilities to access and use information and data on a comparable basis as is made available to and used by persons without disabilities. Section 508's coverage includes, but is not limited to, computers (hardware, software, word processing, email, and Internet sites), facsimile machines, copiers, and telephones. Among other things, Section 508 requires that, unless an undue burden would result to the federal department or agency, EIT must allow individuals with disabilities who are federal employees or members of the public seeking information or services to have access to and use of information and data on a comparable basis as that made available to employees and members of the public who are not disabled. Where an undue burden exists to the federal department or agency, alternative means may be used to allow a disabled individual use of the information and data. Section 508 does not require that information services be provided at any location other than a location at which the information services are generally provided. HUD encourages its funding recipients to adopt the goals and objectives of Section 508 by ensuring, whenever EIT is used, procured, or developed, that persons with disabilities have access to and use of the information and data made available through the EIT on a basis comparable as is made available to and used by persons without disabilities. This does not affect recipients' required compliance with Section 504 of the Rehabilitation Act and, where applicable, the Americans with Disabilities Act. Applicants and recipients seeking further information on accessible technology should go to <http://www.section508.gov/>.

**g. Executive Order 13279, "Equal Protection of the Laws for Faith-Based and Community Organizations."** HUD is committed to full implementation of Executive Order 13279. The Executive Order established fundamental principles and policymaking criteria to guide federal agencies in formulating and developing policies that have implications for faith-based and community organizations, to ensure the equal protection for these organizations in social service programs receiving federal financial assistance. Consistent with this order, HUD has reviewed all departmental policies and regulations that have implications for faith-based and community organizations and has established a policy to provide full and equal access to grassroots faith-based and other community organizations in HUD program implementation. HUD revised its program regulations in 2003 and 2004 to remove the barriers to participation by faith-based organizations in HUD funding programs (68 FR 56396, September 30, 2003; 69 FR 41712, July 9, 2004; and 69 FR 62164, October 22, 2004). Copies of the regulatory changes can be found at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

**h. Real Property Acquisition and Relocation.** Except as otherwise provided by federal statute, HUD-assisted programs or projects are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act or URA) (42 U.S.C. 4601), and the governmentwide implementing regulations issued by the U.S. Department of Transportation at 49 CFR part 24. The Uniform Act's protections and assistance apply to acquisitions of real property and displacements resulting from the acquisition, rehabilitation, or

demolition of real property for federal or federally assisted programs or projects. With certain limited exceptions, real property acquisitions for a HUD-assisted program or project must comply with 49 CFR part 24, subpart B. To be exempt from the URA's acquisition policies, real property acquisitions conducted without the threat or use of eminent domain, commonly referred to as "voluntary acquisitions," must satisfy the applicable requirements of 49 CFR 24.101(b)(1) through (5). Evidence of compliance with these requirements must be maintained by the recipient. The URA's relocation requirements remain applicable to any tenant who is displaced by an acquisition that meets the requirements of 49 CFR 24.101(b)(1) through (5).

The relocation requirements of the Uniform Act, and its implementing regulations at 49 CFR part 24, cover any person who moves permanently from real property or moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a program or project receiving HUD assistance. While there are no statutory provisions for "temporary relocation" under the URA, the URA regulations recognize that there are circumstances where a person will not be permanently displaced but may need to be moved from a project for a short period of time. Appendix A of the URA regulation (49 CFR 24.2(a)(9)(ii)(D)) explains that any tenant who has been temporarily relocated for a period beyond one year must be contacted by the displacing agency and offered URA relocation assistance. Some HUD program regulations provide additional protections for temporarily relocated tenants. For example, 24 CFR 583.310(f)(1) provides guidance on temporary relocation for the Supportive Housing Program for the homeless. Before planning their project, applicants should review the regulations for the programs for which they are applying. Generally, the URA does not apply to displacements resulting from the demolition or disposition of public housing covered by Section 18 of the United States Housing Act of 1937.

Additional information and resources pertaining to real property acquisition and relocation for HUD-funded programs and projects are available on HUD's Real Estate Acquisition and Relocation website at <http://www.hud.gov/relocation>. The website contains applicable laws and regulations, policy and guidance, publications, training resources, and a listing of HUD contacts to answer questions or otherwise provide assistance.

**i. Conducting Business in Accordance with Core Values and Ethical Standards/Code of Conduct.** Applicants subject to 24 CFR parts 84 or 85 (most nonprofit organizations and state, local, and Indian tribal governments or government agencies or instrumentalities that receive federal awards of financial assistance) are required to develop and maintain a written code of conduct (see 24 CFR 84.42 and 85.36(b)(3)). Consistent with regulations governing specific programs, your code of conduct must prohibit real and apparent conflicts of interest that may arise among officers, employees, or agents; prohibit the solicitation and acceptance of gifts or gratuities by your officers, employees, or agents for their personal benefit in excess of minimal value; and outline administrative and disciplinary actions available to remedy violations of such standards. Before entering into an agreement with HUD, an applicant awarded assistance under a HUD program NOFA issued in FY2010 will be required to submit a copy of its code of conduct and describe the methods it will use to ensure that all officers, employees, and agents of its organization are aware of its code of conduct. The code of conduct must be dated and signed by the Executive Director, or Chair of the governing body of the organization. The date of the document cannot be earlier than the date the program NOFA for FY2010 was published on Grants.gov.

An applicant is prohibited from receiving an award of funds from HUD if it fails to meet this requirement for a code of conduct. An applicant that previously submitted an application and included a copy of its code of conduct will not be required to submit another copy if the applicant is listed on HUD's website at <http://www.hud.gov/offices/adm/grants/codeofconduct/cconduct.cfm>, and if the information has not been revised. An applicant not listed on the website must submit a copy of its code of conduct with its FY2010 application for assistance. An applicant must also include a copy of its code of conduct if the information listed on the above website has changed (e.g., the person who submitted the previous application is no longer the authorized organization representative, the organization has changed its legal name or merged with another organization, or the address of the organization has changed, etc.). Any applicant that needs to submit its code of conduct to HUD via facsimile using the form HUD96011, "Facsimile Transmittal" ("Third Party Documentation Facsimile Transmittal" on Grants.gov) may do so **at the time of application submission**. This form is available as part of your application package downloaded from Grants.gov. When using the facsimile transmittal form, please type the requested information. Use the form HUD96011 as the cover page for the submission and include the following header in the top line of the form under *Name of Document Being Requested*: "Code of Conduct for (insert your organization's name, city, and state)." Fax the information to HUD's toll-free number at **800-HUD-1010**. If you cannot access the 800 number or have problems, you may use **215-825-8798** (this is not a toll-free number). **If you use the wrong fax number, your fax will not be entered as part of HUD's FY2010 competition database. HUD cannot match FY2010 faxes to FY2010 applications if the wrong fax number is used. If the wrong fax number is used, your application will be reviewed without faxed information.** Continuum of Care applicants should follow the directions in the Continuum of Care program NOFA for submission of Codes of Conduct.

**j. Prohibition Against Lobbying Activities.** Applicants are subject to the provisions of Section 319 of Public Law 101-121 (approved October 23, 1989) (31 U.S.C. 1352) (the Byrd Amendment), which prohibits recipients of federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan. In addition, applicants must disclose, using Standard Form- LLL (SFLLL), "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, or congressional staff regarding specific grants or contracts. Federally recognized Indian tribes and tribally designated housing entities (TDHEs) established by federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law must comply with this requirement. Applicants must submit the SFLLL if they have used or intend to use federal funds for lobbying activities.

**k. Procurement of Recovered Materials.** State agencies and agencies of a political subdivision of a state that are using assistance under a HUD program NOFA for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act.

In accordance with Section 6002, these agencies and persons must procure items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that

contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired in the preceding fiscal year exceeded \$10,000; must procure solid waste management services in a manner that maximizes energy and resource recovery; and must have established an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

**l. Participation in HUD-Sponsored Program Evaluation.** As a condition of the receipt of financial assistance under a HUD program NOFA, all successful applicants will be required to cooperate with all HUD staff or contractors who perform HUD-funded research or evaluation studies.

**m. Salary Limitation for Consultants.** Unless otherwise provided in the program NOFA, FY2010 funds may not be used to pay or to provide reimbursement for payment of the salary of a consultant at a rate more than the equivalent of General Schedule 15, Step 10, base rate plus locality pay in accordance with Office of Personnel Management pay scales posted at <http://www.opm.gov/oca/10tables/indexGS.asp>.

**n. OMB Circulars and Governmentwide Regulations Applicable to Financial Assistance Programs.** Certain OMB Circulars (2 CFR part 225) also apply to HUD program NOFAs. The policies, guidance, and requirements of OMB Circulars A-87 (Cost Principles Applicable to Grants, Contracts and Other Agreements with State and Local Governments), A-21 (Cost Principles for Education Institutions), A-122 (Cost Principles for Non-Profit Organizations), A-133 (Audits of States, Local Governments, and Non-Profit Organizations), and the regulations at 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations), and 24 CFR part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally Recognized Indian Tribal Governments) may apply to the award, acceptance, and use of assistance under the individual program NOFAs, and to the remedies for noncompliance, except when inconsistent with the provisions of HUD's Appropriations Act for FY2010, other federal statutes or regulations, or the provisions of this notice. Compliance with additional OMB circulars or governmentwide regulations may be specified for a particular program in the applicable Program Section NOFA. Copies of the OMB circulars may be obtained from <http://www.whitehouse.gov/omb/circulars/index.html>, or from the Executive Office of the President Publications, New Executive Office Building, Room 2200, Washington, DC 20503; telephone number 202-395-3080 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number by dialing 800-877-8339 (toll-free TTY Federal Information Relay Service).

**o. Environmental Requirements.** If you become a recipient under a HUD program that assists in physical development activities or property acquisition, you are generally prohibited from acquiring, rehabilitating, converting, demolishing, leasing, repairing, or constructing property, or committing or expending HUD or non-HUD funds for these types of program activities, until one of the following has occurred:

- (1) HUD has completed an environmental review in accordance with 24 CFR part 50; or
- (2) For programs subject to 24 CFR part 58, HUD has approved a recipient's Request for Release of Funds (form HUD7015.15) following a responsible entity's completion of an environmental review.

You, the applicant, should consult the individual program NOFA for any program for which you are interested in applying to determine the procedures for, timing of, and any modifications or exclusions from environmental review under a particular program.

**p. Drug-Free Workplace.** Applicants awarded funds from HUD are required to provide a drug-free workplace. Compliance with this requirement means that the applicant will:

(1) Publish a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the applicant's workplace and that such activities are prohibited. The statement must specify the actions that will be taken against employees for violation of this prohibition. The statement must also notify employees that, as a condition of employment under the federal award, they are required to abide by the terms of the statement and that each employee must agree to notify the employer in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace, no later than 5 calendar days after such conviction;

(2) Establish an ongoing drug-free awareness program to inform employees about:

- (a) The dangers of drug abuse in the workplace;
- (b) The applicant's policy of maintaining a drug-free workplace;
- (c) Any available drug counseling, rehabilitation, or employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(3) Notify HUD, and every federal agency on whose award the convicted employee was working, in writing within 10 calendar days after receiving notice from an employee of a drug abuse conviction or otherwise receiving actual notice of a drug abuse conviction. The notification must be provided in writing to HUD's Office of Departmental Grants Management and Oversight, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington DC 20410-3000, along with the following information:

- (a) The program title and award number for each HUD award covered;
- (b) The HUD staff contact name, telephone and fax numbers;
- (c) A grantee contact name, telephone and fax numbers;
- (d) The convicted employee's position and title; and

(4) Require that each employee engaged in the performance of the federally funded award be given a copy of the drug-free workplace statement required in item (1) above and notify the employee that one of the following actions will be taken against the employee within 30 calendar days of receiving notice of any drug abuse conviction:

- (a) Institution of a personnel action against the employee, up to and including termination consistent with requirements of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended; or
- (b) Imposition of a requirement that the employee participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency; and

(5) Identify to the agency making the award all known workplaces under the award. Your workplace identification must include the actual address of buildings or other sites where

work under the award will take place. You must also inform the agency of any workplace changes during the performance of the award. Your identification of the workplaces must occur either:

(a) At the time of application or upon award; or

(b) In documents that you keep on file in your offices during performance of the award, in which case you must make the information available for inspection upon request by the agency.

**q. Conflicts of Interest.** If you are a consultant or expert who is assisting HUD in rating and ranking applicants for funding under HUD NOFAs published in FY2010, you are subject to 18 U.S.C. 208, the federal criminal conflict-of-interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR part 2635. As a result, if you have assisted or plan to assist applicants with preparing applications for NOFAs published in FY2010, you may not serve on a selection panel and you may not serve as a technical advisor to HUD. Persons involved in rating and ranking HUD FY2010 NOFAs, including experts and consultants, must avoid conflicts of interest or the appearance of such conflicts. Persons involved in rating and ranking applications must disclose to HUD's General Counsel or HUD's Ethics Law Division the following information, if applicable; how the selection or non selection of any applicant under FY2010 NOFAs will affect the individual's financial interests, as provided in 18 U.S.C. 208, or how the application process involves a party with whom the individual has a covered relationship under 5 CFR 2635.502. The person must disclose this information before participating in any matter regarding an FY2010 NOFA. If you have questions regarding these provisions or concerning a conflict of interest, you may call the Office of General Counsel, Ethics Law Division, at 202-708-3815 (this is not a toll-free number).

**r. Safeguarding Resident/Client Files.** In maintaining resident and client files, HUD funding recipients shall observe state and local laws concerning the disclosure of records that pertain to individuals. Further, recipients are required to adopt and take reasonable measures to ensure that resident and client files are safeguarded. This includes when reviewing, printing, or copying client files.

**s. Executive Order, "Intergovernmental Review of Federal Programs."** Executive Order 12372 was issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on state and local processes for the coordination and review of proposed federal financial assistance and direct federal development. The Order allows each state government to designate an entity to perform this function and for each state to determine what programs, if any, it wants to review prior to submission to the grantor agency. To determine if your state has designated a Point of Contact, please go to [http://www.whitehouse.gov/omb/grants\\_spoc/](http://www.whitehouse.gov/omb/grants_spoc/). To determine what programs are required to be submitted for review, you must directly contact the person listed. Applicants are advised to allow time for the state's review process to occur prior to submitting their funding application.

**t. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) (Transparency Act).** Applicants receiving an award from HUD should be aware of the requirements of the Transparency Act. The Transparency Act requires the establishment of a central website that makes information available to the public regarding entities receiving federal financial assistance, by not later than January 1, 2008. In fulfillment of the requirements of the Act, OMB launched <http://www.USAspending.gov> in December 2007.

The website makes information available to the public on the direct awards made by the federal government. The Transparency Act also requires, beginning not later than January 2009, that data on subawards be made available on the same website. In anticipation of the implementation of this requirement, HUD is placing awardees of its FY2010 competitive funding on notice of these requirements and that, once implemented, grantees will be required to report their subaward data to HUD or a central federal database. The only exceptions to this requirement under the Transparency Act are: (1) federal transactions below \$25,000, (2) credit card transactions prior to October 1, 2008, (3) awards to entities that demonstrate to the Director of OMB that the gross income of such entity from all sources did not exceed \$300,000 in the previous tax year of such entity, and (4) awards to individuals. Guidance for receiving an exception under item (3) above has not been finalized by OMB.

HUD is responsible for placing award information for direct grantees on the government website. The reporting of subaward data is the responsibility of the grantee. Grantees should be aware that the law requires the information provided on the federal website to include the following elements related to all subaward transactions, except as noted above:

- (1) The name of the entity receiving the award;
- (2) The amount of the award;
- (3) Information on the award, including the transaction type, funding agency, the North American Industry Classification System (NAICS) code or Catalog of Federal Domestic Assistance (CFDA) number (where applicable), program source, and an award title descriptive of the purpose of each funding action;
- (4) The location of the entity receiving the award and primary location of performance under the award, including the city, state, congressional district, and country;
- (5) A unique identifier of the entity receiving the award and of the parent entity of the recipient (the DUNS number), should the entity be owned by another entity; and
- (6) Any other relevant information specified by OMB.

HUD expects OMB to issue further guidance on subaward reporting. Based on preliminary input from the various federal agencies, applicants should be aware that consideration is being given to requiring the disclosure of additional data elements to help track the flow of funding from the original federal award. Such data elements under consideration include the tier at which the subaward was made, the federal award number issued to the direct awardee, the dollar amount of the federal award emanating from the direct award going to the subawardee, as well as the total subaward amount, which could include funds from other sources, and registration in the CCR. Additional information regarding these requirements when determined will be provided when available. Subawardees and direct awardees should always use an Employer Identification Number (EIN) when registering with CCR, not a Social Security Number, to ensure personal information and data is protected. To obtain an EIN, go to <http://search.irs.gov/web/query.html?col=allirs&charset=utf-8&qp=&q=-Wct%3A%22Internal+Revenue+Manual%22&qc=&qm=0&rf=0&oq=&qt=form+SS4>.

To obtain the form SS-4, Application for Employer Identification Number, If you need assistance in completing the SS-4, you can contact the IRS helpline at 800-829-4933. The helpline is open from 7a.m. to 10 p.m. your local time(Alaska and Hawaii follow Pacific Time), Monday to Friday, except federal holidays.

**u. Compliance with Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417), hereafter referred to as “Section 872.”** Section 872 requires the establishment of a governmentwide data system to contain information related to the integrity and performance of entities awarded federal financial assistance and making use of the information by federal officials in making awards. It is anticipated that the federal data system will be known as the Federal Awardee Performance and Integrity Information System (FAPIIS). Only federal officials and the entity will be able to view the information in the FAPIIS system.

Further, each recipient of federal funds with a cumulative value greater than \$10 million and their direct (i.e., first-tier) subrecipients would be required to report to the FAPIIS system. The data collection requirements include information about certain civil judgments, criminal convictions, and outcomes of administrative proceedings that reached final disposition within the most recent 5-year period and were connected with the award or performance of a federal or state award. Recipients and first-tier subrecipients must report information at least semi annually to maintain the currency of the information. Section 872 also requires that an entity be allowed to submit comments to the data system about any information that system contains about the entity. Use of the FAPIIS system requires a DUNS number and current valid registration in the CCR for HUD awardees and first-tier subrecipients.

Prior to making a funding decision, the federal official authorized to make the award is required to determine whether the entity is qualified to receive an award, taking into consideration any information about the entity that is in the data system. OMB is in the process of issuing regulations regarding federal agency implementation of Section 872 requirements. A proposed rule was published in the Federal Register on February 18, 2010, by OMB seeking public comments no later than April 19, 2010. HUD’s terms and conditions to its FY2010 awards will contain requirements related to meeting Section 872 requirements.

#### **IV. Application and Submission Information**

##### **A. Addresses to Request Application Package.**

This section describes how applicants may obtain application forms and request technical assistance.

##### **1. Technical Assistance and Resources for Grants.gov Electronic Grant Applications**

**a. Grants.gov Customer Support.** Grants.gov provides customer support information on its website at <http://www.grants.gov/contactus/contactus.jsp>. Applicants having difficulty accessing the application and instructions or having technical problems can receive customer support from Grants.gov by calling 800-518-GRANTS (this is a toll-free number) or by sending an email to [support@grants.gov](mailto:support@grants.gov). **The customer support center is open 24 hours a day, seven days per week, except federal holidays.** The customer service representatives will assist applicants in accessing the information and addressing technology issues, including accessibility problems, in accordance with Section 508 of the Rehabilitation Act (see paragraph 4(h), Accessible Technology). Applicants should ask for, and retain, a Grants.gov call center ticket number if not provided one by the call center customer service representative. In case of issues, HUD relies on the call center ticket logs as part of the review of records.

**b. HUD Website.** The following documents and information can be found on HUD’s website:

(1) **Connecting with Communities: A User’s Guide to HUD Programs and the FY2010 NOFA Process Guidebook.** This guidebook to HUD programs will be available from the HUD

NOFA Information Center and at HUD's Funds Available website at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm> after the publication of the General Section and when the details of the Program Sections to the 2010 NOFAs are known. The guidebook provides a brief description of all HUD programs that have funding available in FY2010, identifies eligible applicants for the programs and the program office responsible for the administration of the program, as well as contains information on HUD's formula and subsidy programs.

(2) **NOFA Webcasts.** HUD provides technical assistance and training on its programs announced through its NOFAs. The NOFA broadcasts are interactive and allow potential applicants to obtain a better understanding of the threshold, program and application-submission requirements for funding. Participation in this training opportunity is free of charge and can be accessed via HUD's website. The NOFA webcast schedule can be found via HUD's website at <http://www.hud.gov/webcasts/index.cfm>.

**c. HUD's NOFA Information Center.** Applicants that do not have Internet access and need to obtain a copy of a NOFA can contact HUD's NOFA Information Center toll free, at 800-HUD-8929. Persons with hearing or speech impairments may access this number, toll free, via TTY by calling the Federal Information Relay Service at 800-877-8339. The NOFA Information Center is open between the hours of 10 a.m. and 6:30 p.m. eastern time, Monday through Friday, except federal holidays.

**d. HUD Staff.** HUD staff will be available to provide you with general guidance and technical assistance about this notice or about individual program NOFAs. However, HUD staff is not permitted to help prepare your application. Following selection of applicants, but before announcement of awards, HUD staff is available to assist in clarifying or confirming information that is a prerequisite to the offer of an award or annual contributions contract (ACC) by HUD. If you have program-related questions, follow the instructions in Section VII of the Program Section entitled "Agency Contact(s)" in the program NOFA under which you are applying. If you have difficulty in submitting your application, please first contact the Grants.gov Help Desk.

## **B. Content and Form of Application Submission**

**1. Use of Adobe Forms Application Packages.** In FY2010, HUD is again using Adobe Forms in the application packages available from Grants.gov. The Adobe Forms packages are compatible with the Microsoft Windows Vista operating system, Apple Macintosh computers, and Microsoft Office 2007. For more information, see the Grants.gov website at [http://www.grants.gov/help/download\\_software.jsp#adobe811](http://www.grants.gov/help/download_software.jsp#adobe811) Applicants need to pay strict attention to the submission instructions provided in this notice in order to have a successful submission using the Adobe Forms packages.

**2. Instructions on How to Register for Electronic Application Submission.** Applicants must submit their applications electronically through Grants.gov. Before you can do so, you must complete several important steps to register as a submitter. The registration process can take approximately 2 to 4 weeks to complete. Therefore, registration should be done in sufficient time before you submit your application. To register, applicants must complete **five** sequential steps:

**a. Step One:** The applicant organization checks with Dun and Bradstreet to see if they have an existing Dun and Bradstreet Data Universal Numbering System (DUNS) number. If no number

is on file at Dun and Bradstreet for the organization, at its Street location, then the applicant organization must obtain a DUNS number and follow all of the registration steps.

- b. Step Two:** Register the applicant organization at the CCR;
- c. Step Three:** Register a user name and password (Authorized Organization Representative [AOR] ID) at Grants.gov;
- d. Step Four:** The applicant organization's E-Business Point of Contact (E-Biz POC) logs in to Grants.gov to grant authority to the Authorized Organization Representative (AOR); and
- e. Step Five:** The AOR confirms status as "authorized applicant" to submit an application on behalf of the organization.

All five steps must be completed to have a valid registration and to be able to successfully submit an application via Grants.gov. Definitions and a detailed explanation of each step in the process are contained below. Information is also available at the Grants.gov website at [http://www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp).

### **3. Key Terms Used as Part of the Registration Process.**

- a. Applicant Organization.** The applicant organization is an entity that is identified as the legal applicant for funding in box 8a on the SF424, Application for Federal Assistance, and should the applicant be selected for funding, the organization that HUD awards funds to and will hold accountable to fulfill the requirements of the award,.
- b. Authorized Organization Representative (AOR).** The applicant organization (applicant legal name on box 8a of the SF424) E-Biz POC, must grant permission for a person (the AOR) to submit an application on behalf of the applicant organization through the Grants.gov system. Authorizing an AOR safeguards the applicant organization from unauthorized individuals who may attempt to submit a grant application without permission.
- c. eBusiness Point of Contact (E-Biz POC).** The E-Biz POC is identified in the CCR (Step 2 of the Registration Process). The E-Biz POC must grant authority for a person, the AOR, to submit applications on behalf of the organization. An E-Biz POC may serve as an AOR, as well as an E-Biz POC. The E-Biz POC is the sole authority recognized by Grants.gov with the authority to grant or revoke an AOR's permission to submit a grant application on behalf of the organization, using the Grants.gov system.
- d. Marketing Partner ID Number (MPIN).** As part of the CCR Registration Process, the E-Biz POC will be asked to create an MPIN. The MPIN is a nine character (alpha numeric) password that is used to access other systems and should be well guarded. The E-Biz POC uses the DUNS number plus MPIN to log into the Grants.gov system and grant authority to submit an application on behalf of the applicant organization to a person requesting such permission.

### **4. Instructions on Completing the Registration Process for New Applicants or Applicants Updating or Renewing Registration.**

- a. The Need to Register.** HUD provides funding to organizations only. This information, therefore, is directed to HUD applicants that are organizational entities. Registration protects both HUD and the applicant. Specifically, registration confirms that the applicant organization has designated and authorized an individual or entity to submit an application on its behalf and

assures HUD that it is interacting with a designated representative of the applicant who has been authorized to submit the application.

**b. Registration Requirements.** HUD's NOFA process requires applicants to submit applications electronically through Grants.gov. Before being able to do so, applicants must register with Grants.gov to provide and obtain certain identifying information. **Please note that registration is a multistep process.** The registration process also requires the applicant organization to provide information at websites other than Grants.gov. The registration process can take approximately **2 to 4 weeks** to complete.

(1) Step One: Obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number. Step One of the registration process requires an applicant organization to have a DUNS number for the organizational entity for which funds are requested and an application for federal assistance is being submitted. All organizations seeking funding directly from HUD must have a DUNS number and include the number on the form SF424, Application for Federal Assistance, which is part of the application package. The DUNS number is also required as part of the registration process. If the applicant organizational entity identified in box 8a on the SF-424 already has a DUNS number, it must use that number. The number must be registered for the legal name of the organizational entity. To check if the organization has an existing DUNS number, contact the Dun and Bradstreet(D&B) federal help desk, toll free at 866-705-5711 and select option 4. **Failure to provide a DUNS number or the correct DUNS number associated to the applicant organization's legal name, as entered on the form SF424, box 8a, and in the CCR may prevent you from submitting a grant application or obtaining an award, regardless of whether it is a new award or renewal of an existing one.** This policy is pursuant to OMB policy issued in the Federal Register on June 27, 2003 (68 FR 38402). HUD codified the DUNS number requirement on November 9, 2004 (69 FR 65024). A copy of the OMB Federal Register notice and HUD's regulation codifying the DUNS number requirement can be found at [www.hud.gov/offices/adm/grants/duns.cfm](http://www.hud.gov/offices/adm/grants/duns.cfm). Applicants cannot submit an electronic application without a DUNS number. An incorrect DUNS number in an application package will result in Grants.gov rejecting the application, because the DUNS number entered in the application will not be consistent with the DUNS number associated to the applicant legal name as entered in box 8a of the form SF-424, CCR, and Internal Revenue Service (IRS) records. The applicant's legal name and DUNS number used on the application must match the DUNS number and organization name used in the CCR. Applicants must note that information entered and used to obtain the DUNS number will be used to pre-populate the CCR, which is **Step Two** of the registration process. Applicants should, therefore, carefully review information entered when obtaining a DUNS number. When registering with D&B, please be sure to use the organizational entity's legal name used when filing a return or making a payment to the IRS. Organizations should also provide the Zip Code using the Zip Code plus four code (Zip+4).

Applicants can obtain a DUNS number by calling the D&B federal helpdesk at toll free, 866-705-5711 option 4 for federal grant applicants. Applicants in Alaska and Puerto Rico can call toll free, 800-234-3867. The approximate time it takes to get a DUNS number is 10 to 15 minutes, and there is **no charge**. Applicants may also obtain a DUNS number by accessing the D&B website at <http://fedgov.dnb.com/webform>. The approximate time to create the number online is one business day. When obtaining a DUNS number, be sure you provide D&B with information on the applicant organization that is consistent with that on the applicant organization's IRS records. After obtaining a DUNS number, applicants should wait 24 to 48

hours to register with the CCR so that its DUNS number has time to become activated in the D&B records database.

If you are not sure if you have a DUNS number for your organization, call the D&B federal help desk toll free, at 866-705-5711, option 4. They will assist you in determining if a number already exists for your organization at the address identified on the SF-424.

(2) Step Two: Register with the CCR. The second step of the registration process is registering with the CCR. The CCR is the primary registrant database for the Federal Government. An organization planning to submit a grant application for the first time must register, using its legal business name used by the IRS. If you need assistance with the CCR registration process, you can contact the CCR Assistance Center, Monday through Friday, from 8 a.m. to 8p.m. Eastern Time, toll free, at 866-606-8220 or 334-206-7828. Applicants can also obtain assistance online at [www.ccr.gov](http://www.ccr.gov). A CCR User's Guide that guides applicants through the registration process is available on the CCR website by clicking on "Help."

**Registration, including update/renewal, can take several weeks as CCR compares its records to those maintained by D&B and the IRS.** The records of D&B, CCR, and the IRS must match. If discrepancies arise, Step Two cannot be completed until the discrepancies are resolved. For this reason, HUD urges applicants to complete the CCR registration, or update/renew its existing registration immediately. Otherwise, the CCR check with D&B and IRS records may delay completing the registration process and adversely affect the ability to submit a grant application.

The CCR registration process consists of completing a CCR Trading Partner Profile (TPP), which contains general, corporate, and financial information about your organization. When completing the TPP, you will be required to identify several points of contact (POC 5). Mandatory POCs include the primary CCR POC, who will be responsible for maintaining the information in the TPP, and the E-Biz POC who will authorize individuals wishing to submit applications through Grants.gov on behalf of the applicant organization.

(a) CCR Use of D&B Information. In July 2006, CCR implemented a policy change. Under this policy change, instead of obtaining name and address information directly from the registrant, CCR obtains the following data fields from D&B: Legal Business Name, Doing Business As Name (DBA), Physical Address, and Postal Code (Zip+4). Registrants will not be able to enter or modify these fields in CCR because they will be pre populated using data from D&B. During a new registration, or when updating a record, the registrant has a choice to accept or reject the information provided from the D&B records. If the registrant agrees with the D&B supplied information, the D&B data will be accepted into the CCR registrant record. If the registrant disagrees with the D&B supplied data, the registrant must go to the D&B website at <http://fedgov.dnb.com/webform> to modify the information contained in D&B's records before proceeding with its CCR registration. Once D&B confirms the updated information, the registrant must revisit the CCR website and "accept" D&B's changes. Only at this point will the D&B data be accepted into the CCR record. It can take up to 2 business days for D&B to send modified data to CCR, and that time frame may be longer if data is sent from abroad.

(b) CCR EIN/TIN Validation. To complete the CCR registration, the Employer/Taxpayer Identification Number (EIN/TIN) and Employer/Taxpayer Name combination you provide in the IRS Consent Form must match exactly the EIN/TIN and Employer/Taxpayer Name used in federal tax matters. It will take **1 to 2 business days to**

**validate** new and updated records prior to becoming active in CCR. Please be sure that the data items provided to D&B match information provided to the IRS. If the registration in D&B and the CCR do not match the IRS information, an error message will result. Until the discrepancies have been resolved, the registration will not be completed. HUD recommends that applicant organizations carefully review their D&B and CCR registration information for accuracy immediately upon publication of this notice. If you have questions about your EIN/TIN, call, toll free, 1-866-255-0654, Option 4.

(c) Detailed Steps for NEW applicant organizations to register with CCR. CCR provides a detailed step-by-step User's Guide on its help page at <https://bpn.gov/ccr/help.aspx> to assist an applicant organization in completing their CCR registration. New Registrants should print out this guide and follow its clear and precise, step-by-step instructions. Additional assistance is available online at [www.ccr.gov](http://www.ccr.gov). Before beginning the CCR registration process, organizations should designate an individual who will be responsible for completing the CCR registration and managing the information entered into CCR. The listing below identifies the steps in the CCR registration process.

(i) Create a User Account. Start at the CCR homepage, <https://www.bpn.gov/ccr/>. Under the "New CCR Users" heading, select "Start New Registration." Enter your DUNS number and company information (Legal Business Name and Address), and click "Continue Registration." If one of the fields fails verification, an error message will prompt you to correct or change invalid information. If the D&B data is correct, click "Accept/Continue Registration." Select the "Create User Account" link. The Create User Account page is displayed. You will be prompted to enter your user information, create a User ID and password, and choose security questions. When satisfied with your entries, click "Continue." Note: The person identified in the user account fields becomes the default primary CCR POC.

If the User ID and password you create meet the criteria, a confirmation page is displayed confirming the creation of your user account. Click on "Continue." Next, the CCR registration instructions page is displayed. Read the information, and then click "Continue." The first page of your registration, General Information, is displayed.

Complete and submit the online registration. If you already have the necessary information on hand, the online registration takes approximately one hour to complete, depending upon the size and complexity of your business or organization.

(ii) The "General Information" page is the next screen. On this page the registrant must complete all the required information.

(iii) Continue to fill in the required fields in each section, Corporate Information, Goods and Services, Financial Information, and Points of Contact. Note: Under Goods and Services a North American Industry Classification (NAICS) number and a Standard Industrial Classification (SIC) number are required. Links to the NAIC and SIC code directories are contained in the CCR User's Guide.

(iv) Creating a Marketing Partner ID Number (MPIN). The final step in creating the organization's TPP requires the registrant to create an MPIN. The MPIN is a self-defined, nine character password that the E-Biz POC will use to access Grants.gov to authorize an AOR to submit a grant application. **Note:** The CCR POC will validate and save data contained within CCR for Corporate Information, Goods/Services, Financial Information, Points of Contact, and

IRS content. Once the information has been validated and saved in each required section, the last screen will indicate “Registration Complete.”

(v) **Registration Notification.** When the registration is successful, the registrant will receive two letter messages via email. The first welcomes the registrant to CCR and confirms the registration was accepted. The second confirms the CCR POC successfully created a User ID and password for CCR. The email message is only a confirmation of the User ID.

(d) **Annual Update or Renewal.** Applicant organizations must annually log in to CCR and update or renew their registration at [www.ccr.gov](http://www.ccr.gov). If an applicant organization fails to update/renew its CCR registration, the Grants.gov registration will lapse prohibiting the application from being accepted by Grants.gov due to failure to have a complete registration.

(e) **Detailed Steps for Updating/Renewing Current Registrations.**

(i) Start at the CCR homepage, <https://www.bpn.gov/ccr/>. Under “Current Users,” login enter your User ID and password.

**Note:** CCR registration is NOT required for individuals. HUD does not directly fund individuals through its NOFA process.

(ii) The next screen shows the DUNS numbers(s) and status of all profiles (TPPs) associated with your user account. Find the DUNS number for the organization you wish to update or renew and click on “update/renew.”

(iii) The next screen shows the registration status. The status of each category of information is shown to its right. A check mark in a green background indicates information has been accepted by CCR. An exclamation point in a yellow field indicates information that needs to be corrected. **Note:** If your organization has changed, you may need to correct information that has been previously accepted at CCR. Enter the updated information in all affected fields and carefully review your registration. Once all information has been reviewed and, if necessary updated, click on “Validate/Save Data.” If there are no changes at your organization, simply click on “Validate/Save Data.”

(3) **Step Three: AOR ID (Username and Password) at Grants.gov.** In order to safeguard the security of your electronic information, Grants.gov requires all users to create an account in the Grants.gov system. In order to access the account, the user must verify that they are able to obtain a username and password. This process determines that someone really is who he/she claims to be. **Note:** Your organization’s CCR registration must be complete and active before you can obtain a username and password.

(a) Select **Get Registered** in the Quick Links on the left navigation of any Grants.gov page. This will take you to the Get Registered screen.

(b) Under the Get Registered heading, select **Organization Registration** in the left navigation.

(c) Under Organization Registration, select **STEP 3: Username & Password**.

(d) Once you are on **STEP 3: Username & Password** screen, select the link **Create Username and Password** in the gray bar on the screen.

(e) The organization’s CCR registration must be complete and active before you can create a Grants.gov account. Enter the applicant organization’s DUNS number and select the

Register button. You will be taken to an online form. Complete the form. When entering an email address, please keep in mind that all correspondence with Grants.gov will be sent to that email address. For the Secret Question/Answer fields, enter a question only you would be able to answer and will be able to remember in the future. When you have completed the form, select the **Continue** button.

(f) A confirmation screen will appear. If you have changes you would like to make, choose the **Edit** button and the form will return to a screen where you can make changes. If you have no changes, select the **Submit** button.

(g) You will see a message at the top of the screen that will read “You are successfully registered.” To continue to the Applicant login page, select the **Continue** button on the bottom right. If you don’t receive the “successful” message, another message will appear stating what issue needs to be addressed with the form. Simply correct the error and select **Submit** until you receive the successful message.

(4) Step Four: Granting Approval of an AOR to Submit an Application on Behalf of the Organization. To complete this step, the E-Biz POC for the organization identified in Box 8a of the SF424 form must log into the Grants.gov website and give the registered AOR approval to submit an application to Grants.gov. By authorizing the AOR to submit on behalf of the applicant organization, the E-Biz POC is stating that the person has the legal authority to submit the electronic application on behalf of the applicant organization and can make a legally binding commitment for the applicant organization.

(a) The E-Biz POC must approve the designated AOR(s). *If the E-Biz POC does not grant authorization, Grants.gov will not accept the application.* The E-Biz POC can designate the AOR to submit applications on behalf of the organization at <https://apply07.grants.gov/apply/AorMgrGetID>. The registration is complete when an AOR has been approved to submit an application on behalf of the applicant organization by the E-Biz POC.

HUD urges AORs to check with the E-Biz POC to make sure they have been authorized to make a legally binding commitment for the applicant organization when submitting the application to Grants.gov. This is particularly important if the E-Biz POC for the applicant organization has been changed. The new E-Biz POC will have to grant authorization to all AORs not previously authorized. You can search the CCR registration for the E-Biz POC by going to <https://www.bpn.gov/CCRSearch/Search.aspx>.

(5) Step Five: Check your AOR Status at Grants.gov. AORs can track their AOR status at any time on Grants.gov by going to the Applicant home page at Grants.gov. In “Quick Links,” on the right navigation select **applicant log in** and enter your user name and password. If you have not been granted AOR status by the E-Biz POC, you should contact the E-Biz POC directly.

## **5. Instructions on How to Download an Application Package and Application Instructions.**

**Please note:**

**The following instructions are not applicable to Continuum of Care applicants because Continuum of Care program applications are not submitted to Grants.gov.**

A complete explanation on how to find and apply for Continuum of Care grants in 2010 will be provided in the Continuum of Care Program NOFA. However, HUD does provide notification of the availability of the registration instructions, applications, or other information through the Grants.gov website. Also, Grants.gov does provide a subscription service. Applicants can sign up for notification of issuance of the Continuum of Care funding opportunity or other grant opportunities by going to [http://www.grants.gov/applicants/email\\_subscription.jsp](http://www.grants.gov/applicants/email_subscription.jsp).

To download the application and instructions, follow the directions below, but first you must be sure you have Adobe Reader 9.2 installed. HUD's FY2010 applications use Adobe Reader.

**a. The Application Package and Application Instructions.** The general process for downloading, completing, submitting, and tracking grant application packages is described at [http://www07.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www07.grants.gov/applicants/apply_for_grants.jsp). To download the application and instructions, go to [https://apply07.grants.gov/apply/forms\\_apps\\_idx.html](https://apply07.grants.gov/apply/forms_apps_idx.html) and enter the CFDA Number, Funding Opportunity Number, or Funding Opportunity Competition ID for the application that you are interested in. You will then come to a page where you will find the funding opportunity *Download Application & Instructions* link. (If you enter more than one criterion, you will not find the instructions). Before you can view and complete an application package, you **MUST** have a compatible Adobe Reader installed. Applicants are advised that they must download the most current reader available from the Grants.gov website. HUD has been advised by Grants.gov that newer versions of Adobe Reader address the broken-pipe error messages that were prevalent in earlier versions of Adobe Reader. Newer versions of Adobe Reader operate better than older versions of the reader, and the newer software results in faster uploads. To obtain the latest version of Adobe Reader and ensure compatibility with your system, go to [http://www.adobe.com/products/acrobat/readstep2\\_allversions.html](http://www.adobe.com/products/acrobat/readstep2_allversions.html). At that site, you can identify the software you have installed on your computer and follow the instructions for downloading the software compatible with your computer and associated to the instructions in this General Section for using the latest version of Adobe Reader.

(1) To check which version of Adobe Acrobat you are using, go to the Help menu in Adobe Acrobat and then select "About Acrobat." A text box will appear containing an Adobe logo with a number. Under that information, you will see another number; this is the version number of your software (e.g., 8.1.1, 8.1.2, or 8.1.3, 9.0, etc.). If you do not have the correct version of Adobe Reader, go to [http://www.adobe.com/products/acrobat/readstep2\\_allversions.html](http://www.adobe.com/products/acrobat/readstep2_allversions.html). System requirements for Adobe Reader can be found on the Grants.gov site at <http://www.adobe.com/products/reader/systemreqs/index.html#90win>.

(2) You can use Adobe Reader 9.2 with Adobe Professional 6.0 or newer, provided you have updated the default setting on the copy of Adobe Professional on your computer so that the Adobe Reader default setting matches Adobe Reader 9.2, which you have just downloaded from the Grants.gov website and installed on your computer.

(3) Grants.gov has posted instructions in Frequently Asked Questions at [http://grants.gov/applicants/applicant\\_faqs.jsp](http://grants.gov/applicants/applicant_faqs.jsp). Applicants should review these FAQs, as they will assist them in making sure they are properly set up to successfully submit an application. Applicants need to make sure that the default setting on their Adobe Reader is set to the new version of Adobe Reader software downloaded from Grants.gov. Applicants that need assistance

can contact the Grants.gov Contact Center by phone, toll free, at 1-800-518-GRANTS or via email at [support@grants.gov](mailto:support@grants.gov).

**CRITICAL NOTICE:** Applicants must be aware that all persons working on Adobe Forms in the application package must work using the same Adobe Reader version available from Grants.gov. Please alert your staff and those working on your application that failure of all users to download and use the correct and same version of Adobe Reader or to update the Reader on Adobe Professional to the newer version and meet the Grants.gov compatibility requirements contained in this General Section will result in your not being able to create or submit the application package to Grants.gov or your application being rejected by Grants.gov. Using incompatible versions of Adobe Reader will result in files being corrupted.

(4) Next, download the application instructions by clicking on the *Download Instructions* link. The Instructions contain the General and Program Sections for the funding opportunity, as well as forms that are not part of the Application download but are included as elements of a complete package, as specified in the published NOFA. After you have installed the latest version of Adobe Reader, you can now download the application by clicking on the *Download Application* link. Both the instructions and application should be saved on your computer. You do not need to be registered to download the instructions or complete the application; however, once you have downloaded the application and intend to submit an application, you must save it on your computer or local network drive.

(5) Each program NOFA also includes a checklist. Please review the checklist in the Program Section to ensure that your application contains all the required materials.

## **b. Electronic Grant Application Forms**

(1) Forms contained in the Instructions download are available in Microsoft Office Word 2003 (.doc), Microsoft Office Excel 2003 (.xls), or Adobe (.pdf) formats. The .pdf files are only fillable forms and cannot be saved locally, unless you have Adobe Professional software version 6.0 or higher. To submit these forms, applicants must print the completed form and either scan the document and attach it to the application as an Adobe .pdf file or fax the document to the fax number identified in this General Section A using the facsimile transmittal cover sheet HUD-96011.

(2) To open the Application download, you must **first install the latest version of Adobe Reader**. During the download process, the application automatically opens. If you have a version of Adobe Acrobat or Adobe Acrobat Reader version 8.0 or older, the application will not open, and you will get an error message telling you to first install the correct version of the software. If you get an error message, follow the instructions in paragraph IV.B.5 a. "*The Application Package and Application Instructions*," which provides information on using the correct version of Adobe Reader. The application download will contain a cover page entitled "Grant Application Package." The cover page provides information regarding the application package you have chosen to download, i.e., Opportunity Title, Agency Name, CFDA Number, etc. Review this information to ensure that you have selected the correct application. The Grant Application cover page separates the required forms into two categories: "Mandatory Documents" and "Optional Documents." **To complete a form from either the "Mandatory Documents" or "Optional Documents," you must first highlight and move the form over to the "Submission" box and then open the form.**

(3) Please note that regardless of the box in which the forms are listed, the published General Section and Program Sections (and any technical corrections) in the posting on Grants.gov are the official documents HUD uses to solicit applications. Therefore, applicants should follow the instructions provided in the General Section and Program Sections of the Instructions download. The individual program sections will identify the forms that may be applicable and that need to be submitted with the application.

(4) Because you will be adding additional attachment files to the downloaded application, applicants should save the application to their local computer or network drive. DO NOT download the application or attempt to upload the application using a USB flash drive (also called a “key drive,” “thumb,” or “jump drive”) because Grants.gov has found that applicants have problems uploading applications and attachments from a USB flash drive. Be sure to read and follow the application submission requirements published in each individual NOFA for which you are submitting an application. Each program NOFA will identify all of the required forms and other required information for submission.

(5) HUD’s standard forms are identified below:

- (a) Application for Federal Assistance (SF424);
- (b) Faith-Based EEO Survey (SF424 Supplement, Survey on Ensuring Equal Opportunities for Applicants), if applicable;
- (c) HUD\_Detailed\_Budget\_HUD424\_CB, Grant\_Application\_Detailed\_Budget);
- (d) Grant\_Application\_Detailed\_Budget\_Worksheet\_HUD-424\_CBW;
- (e) Disclosure\_of\_Lobbying\_Activities\_(SFLLL),, if applicable;
- (f) HUD\_Applicant\_Recipient\_Disclosure\_Report\_(HUD)\_2880\_Applicant/Recipient Disclosure/Update Report);
- (g) Certification\_of\_Consistency\_with\_RC/EZ/EC\_II\_Strategic\_Plan\_(HUD\_2990), if applicable;
- (h) Certification\_of\_Consistency\_with\_the\_Consolidated-Plan\_(HUD2991), if applicable;
- (i) Acknowledgment\_of\_Application\_Receipt\_(HUD2993);
- (j) Program\_Outcome\_Logic\_Model\_(HUD96010);
- (k) HUD\_Race\_Ethnic\_Form\_(HUD27061), if applicable; and
- (l) HUD\_Facsimile\_Transmittal (HUD96011)\_Third\_Party\_Documentation\_Facsimile\_Transmittal.

All HUD “program-specific” forms not available at the application download will be available in the Instructions download in Microsoft Word Office 2003 (.doc), Microsoft Excel Office 2003 (.xls), or Adobe (.pdf) format, compatible with Adobe Reader 9.2 or the latest version available from Grants.gov. The PDF forms are fillable but not savable, unless you have Adobe Professional 6.0 or higher. Applicants may use the HUD96011, “Third Party Documentation Facsimile Transmittal” (“HUD Facsimile Transmittal” on Grants.gov) form and fax to HUD any forms they have completed but cannot save.

## 6. Instructions on How to Complete the Selected Grant Application Package

**a. Ensure You Have the Correct Application Downloaded.** Applicants must check the application to ensure that the application they have downloaded matches the CFDA Number, Funding Opportunity Number, and Competition ID for the funding opportunity under which the applicant is requesting funds. In FY2010, if HUD receives an application submitted under the wrong application package, HUD will rate the application under the funding competition ID on the SF424 for the submitted application. Please pay careful attention to which application you submit. The CFDA number, Funding Opportunity Number, and Competition ID are located on the front page of the downloaded application. If you download the wrong application, and it is prior to the deadline date, simply go back to Grants.gov and obtain the correct application and resubmit.

**b. Mandatory Fields on Application Download Forms.** Forms in the Application download contain fields with a yellow background. These data fields are mandatory and must be completed. Failure to complete the fields will result in an error message when checking the package for errors.

**c. Completion of SF424 Fields First.** The forms in the application package are designed to automatically populate common data such as the applicant name and address, DUNS number, etc. In order to trigger this function, the SF424 **must be completed first**. Once applicants complete the SF424, the entered information will transfer to the other forms.

**d. Submission of Narrative Statements, Third-Party Letters, Certifications, and Program-Specific Forms.** In addition to program-specific forms, many of the NOFAs require the submission of other documentation, such as third-party letters, certifications, or program narrative statements. This section discusses how you should submit this additional information, electronically, as part of your application:

(1) Narrative Statements to the Factors for Award. If you are required to submit narrative statements, you must submit them as an electronic file in Microsoft Word Office 2007 (or earlier) (.doc), Microsoft Excel 2007 (or earlier) (.xls), or in Adobe (.pdf) format that is compatible with Adobe Reader 9.2 or the latest version available from Grants.gov. **If HUD receives a file in a format or software other than those specified or that is not compatible with HUD software, HUD will not be able to read the file, and it will not be reviewed.** Each response to a Factor for Award should be clearly identified and can be incorporated into a single attachment or all attachments can be zipped together into a single attached ZIP file. However, HUD advises applicants that files zipped within zipped files cause problems and can result in the application attachments being unopenable or unreadable. Applicants should develop files, then zip the files together, and then place them as an attachment to the application. If you have any questions, you can contact the NOFA Information Center or the HUD program contact listed in the program NOFA. Documents that applicants possess in electronic format, e.g., narratives they have written, must be submitted as Microsoft documents; graphic images (such as computer aided design (CAD) files from an architect) must be saved in PDF format. The documents must be compatible with Adobe Reader 9.2 or above and be attached using the “Attachments” form included in the application package downloaded from Grants.gov. In addition, some NOFAs may request photographs. If this is the case, then the photographs should be saved in .jpg or .jpeg format and be attached using the “Attachments” form. When creating attachments to your application, please follow these rules:

(a) **DO NOT** attach a copy of the electronic application with your attachments as an attachment file. HUD cannot open such files when the application is attached as an attachment file.

(b) Check the attachment file and make sure it has a file extension of .doc, .pdf, .xls, .jpg, or .jpeg or, if you save files in Microsoft Office 2007, the file extensions should be as follows:

Word 2007 File Type Extension

(i) docx - Word 2007 XML Document

Excel 2007 File Type Extension

(ii) xlsx - Excel 2007 XML Workbook

PowerPoint 2007 File Extension Type

(iii) pptx – PowerPoint 2007

(c) File Extensions. Make sure that file extensions are not in upper case. File extensions must be lower case for the file to be opened. The software will automatically insert the correct file extension when saved.

(d) **DO NOT** adjust file extensions to try to make them conform to HUD standards. If you have problems, please contact the HUD contact listed in the NOFA.

(e) **DO NOT** use special characters (i.e., #, %, /, etc.) in a file name.

(f) **DO NOT** include spaces in the file name.

(g) **Limit file names** to not more than 50 characters. HUD recommends that file names be no more than 32 characters.

(h) **DO NOT** convert Word files or Excel files into PDF format. Converting to PDF format increases file size and will make it more difficult to upload the application and does not allow HUD to enter data from the Excel files into a database.

(i) **DO NOT** submit applications larger than 150 megabytes. These file sizes are difficult to upload and HUD cannot guarantee that they can be processed, as its system has not been tested with files larger than 150 megabytes.

***Failure to follow the directions for items (e), (f), and (g) will result in your application being rejected with a “VirusDetect” error message.***

(2) ZIP Files. In order to reduce the size of attachments, applicants can compress several files using a ZIP utility. Applicants can then attach the zipped file as described above. HUD’s standard zip utility is WinZip 14. Files compressed with the WinZip utility must use WinZip 14 or earlier versions and must be zipped using either the “Normal” option or “Maximum (portable)” option available to ensure that HUD is able to open the file. Files received using compression methods other than “Normal” or “Maximum (portable),” or which have been zipped with a version of WinZip later than WinZip 14, cannot be opened by HUD and will not be reviewed. Applicants should be aware that if **HUD receives files compressed using another**

**utility, or not in accord with these directions, it cannot open the files and, therefore, such files will not be reviewed.**

(3) Third-Party Letters, Certifications Requiring Signatures, and Other Documentation. Applicants required to submit third-party documentation (e.g., establishing matching or leveraged funds, documentation of 501(c)(3) status or incorporation papers, documents that support the need for the program, Memorandums of Understanding (MOUs), or program-required documentation that supports your organization's claims regarding work that has been done to remove regulatory barriers to affordable housing) can choose from the following two options as a way to provide HUD with the documentation:

(a) Scanning Documents to Create Electronic Files. Scanning documents increases the size of files. If your computer has the memory and capacity to upload scanned documents, submit your documents with the application by using the Attachments form in the Mandatory or Optional Forms section of the application. If your computer does not have the memory to upload scanned documents, you should submit them via fax, as described below. Electronic files must be labeled so that the recipient at HUD will know what the files contain. Program NOFAs will indicate any naming conventions that applicants must use when submitting files using the Attachments form. **Please note that if you do not comply with the file name limit of NOT more than 50 characters (HUD recommends 32), and the prohibition on using spaces and special characters in the file name, the Grants.gov system will treat these files as though they had a virus, and the application will be rejected with a "VirusDetect" error message.** If an applicant received a "VirusDetect" error message and the package has been checked for viruses, applicants should check their attachment file names for length, delete any spaces, and delete any special characters. Although 50 characters can be taken into the Grants.gov system and HUD's systems, HUD highly recommends that file names be no more than 32 characters. Once the deficiencies have been addressed, applicants should save the application file, and the newly renamed attachments, and close the application down. Remove any cookies, reboot your computer, and then submit the application. Grants.gov advises submitting the application from Internet Explorer.

(b) Faxing Required Documentation. Applicants may fax the required documentation as program-specific forms to HUD. Applicants should use this method only when documents cannot be attached to the electronic application package as a .pdf, .doc, .xls, .jpeg, or .jpg, or when the size of the submission is too large to upload from the applicant's computer. If an applicant is trying to submit the application including scanned documents, and the application does not upload quickly to Grants.gov, HUD advises the applicant to either reconvert the scanned documents back to Microsoft Word or Excel files or send the attachments in using the fax method, because the size of the scanned attachment files may be exceeding the capacity of your computer, or of your Internet server, to process the files and obtain a successful upload to Grants.gov.

HUD will not accept entire applications by fax and will disqualify applications submitted entirely in that manner.

(i) Fax form HUD96011, "Third\_Party\_Documentation\_Facsimile\_Transmittal" (HUD Facsimile Transmittal on Grants.gov). Facsimiles submitted in response to a NOFA must use the form HUD96011. The Facsimile Transmittal form, found in the downloaded application, contains a unique identifier that allows HUD to match an applicant's submitted application via

Grants.gov with faxes coming from a variety of sources. Each time the application package is downloaded, the Facsimile Transmittal form in the package is given a unique ID number. To ensure that all the documents faxed in support of your application contain the same unique ID number, when you have downloaded your application package from Grants.gov, be sure to first complete the SF424 and save the application package on your hard drive or shared network drive, and then provide copies of the form HUD96011 from the saved application package to third parties that will submit information in support of your application. **Do not download the same application package from Grants.gov more than once for each application that you are going to submit, because if the unique identifier on the Facsimile Transmittal form covering documents faxed in support of your application does not match the unique identifier in your application, HUD will not be able to match the faxes received to your application submission.** Applicants submitting more than one application under a funding opportunity must download a separate application package from Grants.gov so that each application submitted will have its own *unique* embedded ID number. Applicants must use a unique application for each funding request. Each application downloaded from Grants.gov contains a unique ID number that is used to associate any materials transmitted by facsimile to a single funding request submitted for an organization. To associate faxed materials, the unique ID on an application has to match the unique ID on the Facsimile Transmittal form used as the cover page. Reusing a previously submitted application for another project or another organization's submission will result in HUD not being able to match the faxes received to the appropriate application. HUD will not match documents submitted via fax using the same ID number in two or more funding requests or without using the HUD96011 Facsimile Transmittal as the first sheet on the transmitted materials, or faxed to the wrong fax number.

Faxes that cannot be matched to an application will not be considered in the review process.

If you have to provide a copy of the form HUD96011 to another party that will be responsible for faxing an item as part of your application, print a copy of the Facsimile Transmittal from your downloaded application and provide that copy to the third party for use with the fax transmission. Please instruct third parties to use the form HUD96011 that you have provided as a **cover page** when they submit information supporting your application using the facsimile method, because it **contains the embedded ID number that is unique to your application submission.**

(ii) Use form HUD96011 as the fax cover page. For HUD to correctly match a fax to a particular application, the applicant must use, and require third parties that fax documentation on its behalf to use, the form HUD96011 Facsimile Transmittal as the cover page of the facsimile. Using the form HUD96011 will ensure that HUD can electronically read faxes submitted by and on behalf of an applicant and can match them to the applicant's application package received via Grants.gov.

Failure to use form HUD96011 as the cover page to a fax and that is associated with a unique application downloaded from Grants.gov per funding request will create a problem in electronically matching your faxes to the application. If HUD is unable to match the faxes electronically due to an applicant's reusing an application for more than one funding request or for failure to follow these directions, it will result in the faxed material not being considered in rating the application. HUD **will not** hand-match faxes to applications for which materials have been faxed that fail to follow the directions.

**If your facsimile machine automatically creates a cover page, turn this feature off before faxing information to HUD. After the feature has been disabled, send a test fax to ensure the feature has been completely disabled.**

(iii) HUD Fax Number. Applicants and third parties submitting information on their behalf must use the form HUD96011 Facsimile Transmittal as the fax cover page and must send the information to the following toll-free fax number: **800-HUD-1010**. If you cannot access the toll-free 800 number or experience problems, you may use **215-825-8798** (this is not a toll-free number). **Your application will be reviewed without faxed information if you fail to use the FY2010 fax numbers.**

(iv) Fax Individual Documents as Separate Transmissions. It is highly recommended that applicants fax individual documents as separate submissions to avoid fax transmission problems. When faxing two or more documents to HUD, applicants must use the form HUD96011 as the cover page for each document (e.g., Letter of Matching or Leveraging Funds, Memorandum of Understanding, Certification of Consistency with the Consolidated Plan, etc.). Please be aware that faxing large documents at one time may result in transmission failures.

(v) Check Accuracy of Fax Transmission. Be sure to check the record of your transmission issued by the fax machine to ensure that your fax submission was completed "OK." For large or long documents, HUD suggests that you divide them into smaller sections for faxing purposes. Each time you fax a document that you have divided into smaller sections, you should indicate on the cover sheet what part of the overall section you are submitting (e.g., "part 1 of 4 parts" or "pages 1 to 10 of 20 pages").

Your facsimile machine should provide you with a record of whether HUD received your transmission. If you get a negative response or a transmission error, you should resubmit the document until you confirm that HUD has received your transmission. HUD does not acknowledge that it received a fax successfully. When receiving a fax electronically, HUD will electronically read it with an optical character reader and attach it to the application submitted through Grants.gov. Applicants and third parties submitting information on their behalf may submit information by facsimile at any time before the application deadline date. Applicants must ensure that the form HUD96011 used to fax information is part of the application package downloaded from Grants.gov. As stated previously, if your facsimile machine automatically generates a cover page, you must ensure that you turn that feature off and use the form HUD96011 as the cover page. Also ensure that the fax is transmitted to fit 8½ x 11" letter-size paper.

(vi) Preview your Fax Transmission. HUD recommends that you "preview" how your fax will be transmitted by using the copy feature on your facsimile machine to make a copy of the first two or three pages. This way, you will see what HUD will receive as a fax. If the fax is not clear or cuts off at the bottom of the page, applicants should use a different facsimile machine or have the machine adjusted. All faxed materials must be received no later than 11:59:59 p.m. eastern time on the application deadline date. HUD will store the information and match it to the electronic application when HUD receives it from Grants.gov. **If you are not faxing any documents, you must still complete the Facsimile Transmittal form. In the section of the form titled "Name of Document Transmitting," enter the words "Nothing Faxed with this Application." Complete the remaining highlighted fields and enter the**

**number “0” in the section of the form titled “How many pages (including cover) are being faxed”.**

(vii) If You Resubmit an Application. Please be aware that a resubmitted application must meet the timely receipt requirements of this notice. All documents faxed in support of the application should be faxed again using the form HUD96011, Facsimile Transmittal, that you saved for that application. Fax the materials after your resubmitted application has been received by HUD. Please be sure to allow time for your application to be received and faxed materials to be sent after receipt.

**7. Steps to Take Before You Submit Your Application.** Approximately one week before submitting an application, each applicant should configure its proxy and cache servers to ensure transmission of its application to Grants.gov. Grants.gov uses HTTP post protocols on port 80 (your technical support will be able to assist). Prior to submitting, applicants should review the application package and all the attachments to make sure the application contains all the documents the applicant wants to submit. If it does, save it to your computer and remove previously saved versions. Check your AOR status on Grants.gov to make sure your eBusiness POC has authorized you to submit an application on behalf of the applicant organization. Run the Check Package for Errors feature on the application package and correct any problems identified. Contact any persons or entities that were to submit third-party faxes to make sure that the faxes have been submitted using the form HUD96011, Facsimile Transmittal, as the cover page that you provided in accordance with instructions in this General Section. Check your email system to ensure that it allows receipt of messages from [Support@grants.gov](mailto:Support@grants.gov). Microsoft Outlook users can set their email to receive messages from [Support@grants.gov](mailto:Support@grants.gov) by going to their email Inbox, clicking on “Actions” and selecting “Junk Email,” and then selecting “Junk Email Options.” A dialog box will come up. Click “OK.” Another dialog box will appear and select the “Safe Senders” folder. Then add @grants.gov to the list of acceptable email domains. Click “OK.” Applicants not using Microsoft Outlook should check with their software provider or IT staff to get directions on how to allow email from Grants.gov to come into your Inbox. This is critical as notices of receipt, validation, or rejection are sent by email. Grants.gov sends the email notification to the email address registered during the registration process. The email from Grants.gov does not go to the contact name listed on the SF424 Application for Federal Assistance, but to the person designated in the registration at Grants.gov. Also check your Trust Manager to ensure that it will allow files to go to all sites. To enable Trust Manager, follow the steps below:

- a. Click on **Edit**;
- b. Then click on **Preferences**;
- c. Then click **Trust Manager** in the left-hand pane;
- d. Click on **Change Settings** on the ensuing window;
- e. Select **allow all sites listed** toward the top of the page;
- f. Click on **OK**;
- g. Click on **JavaScript** on the left-hand side of the screen;
- h. Make sure everything is checked here except for things under the **Debugger** heading (do not change);

- i. Click on OK until you get out of the **preferences** windows;
- j. When this has been done, you can try submitting your application. Click "Allow" on the pop-up window.

### **C. Receipt Dates and Times**

**Please note:** Applicants under the Continuum of Care program should follow the directions for application submission and timely receipt that are contained in the Continuum of Care program NOFA. The instructions below apply only to applicants submitting applications via the federal portal [www.Grants.gov](http://www.Grants.gov).

**1. Application Deadline.** The application deadline for receipt of HUD applications via Grants.gov is 11:59:59 p.m. eastern time on the date identified in the published program NOFA. As a result, applications must be received by Grants.gov by the deadline in order to meet the program NOFA deadline. Received means that the application has been successfully uploaded to the Grants.gov server and the applicant has received confirmation of successful submission to Grants.gov. Applicants should be aware that hitting the “sign and submit” button to transmit the application does not mean the application has been successfully uploaded to Grants.gov. Only when the upload is complete is the application date and time stamped by the Grants.gov system. An application that has been rejected by Grants.gov is not deemed to have been received by Grants.gov. (Please see Section 4.a. below for a detailed explanation of Timely Receipt Requirements and Proof of Timely Receipt.) As in the past, HUD encourages applicants to submit their applications early and with sufficient time to address any issues that might affect the applicant’s ability to have an application successfully uploaded and received by Grants.gov.

In FY2010, HUD is establishing a one-day grace period from the date of notification of a rejection from Grants.gov, to allow applicants that successfully upload an application to Grants.gov prior to the deadline date and time, but receive a rejection notice after the deadline date and time, to cure the reason for rejection and re-upload the application to Grants.gov. The paragraphs below describe HUD’s Grace Period Policy for FY2010.

a. Applicants that have successfully uploaded their application to Grants.gov prior to the deadline, and subsequently receive a rejection notice from Grants.gov after the deadline date and time, will have a one-day grace period from the date stamp on the first Grants.gov rejection notice after the deadline, to cure the basis for the rejection and upload an application that corrects the problems cited in the rejection notice. Applicants can upload the application as many times as needed to cure noted deficiencies within the one-day grace period. The Grants.gov rejection notice identifies the reasons why the application was rejected. Applicants that do not understand the error messages received in the rejection notice should immediately contact the Grants.gov Help Desk so they can get assistance in clearing the problem. Generally, Grants.gov will reject an application because it contains an incorrect DUNS number or a DUNS number that does not match the AOR’s registration, the application was submitted by an individual without proper authorization as the AOR, and/or the application contains file names that trigger a “VirusDetect” message. The grace period ends at 11:59:59 p.m. eastern time, one day after the date stamp on the first rejection notice received after the deadline date.

**WARNING:** Applications that contain file names that are longer than 32 characters or contain spaces or special characters will result in the file being detected as a virus by the Grants.gov system and the application will be rejected with a “VirusDetect” message. In FY2009, most

instances of an applicant receiving a “VirusDetect” rejection was due to files having spaces and special characters. Applicants should also scan files for viruses because the Grants.gov system will also reject files with viruses.

Applications received by Grants.gov, including those received during the grace period, must be validated by Grants.gov to be rated or ranked or receive funding consideration by HUD. HUD will use the date and time stamp on the Grants.gov system to determine dates when the grace period begins and ends.

b. Applications uploaded to Grants.gov after the deadline date under the following circumstances do not qualify for the grace period and will not be considered for funding:

(1) Applications uploaded and received by Grants.gov after the deadline date and time for which there is no prior rejection notice in the Grants.gov system logs will be considered late and will not be rated and ranked or receive funding consideration. Failure to successfully upload the application to Grants.gov by the deadline date and time does not qualify for the grace period, as described above.

(2) Applications receiving a rejection notice due to the funding opportunity being closed will not be provided the one-day grace period to correct the “opportunity closed” deficiency or any other basis for rejection because the applicant missed the deadline date and time and therefore does not qualify for the grace period as described above.

(3) If an application is uploaded during the grace period and is subsequently rejected after the grace period ends, the applicant will not be afforded additional time to correct the deficiency(ies) noted in the rejection notice.

c. The grace period ends at 11:59:59 p.m. eastern time, one day from the date stamp on the first rejection notice issued by the Grants.gov system to the email address provided in the Grants.gov registration. Applicants must ensure that their email notification address contained in the Grants.gov registration is up-to-date. Neither HUD nor Grants.gov will be responsible if email messages are not received at the address listed in the registration process. Applicants must also ensure that their email systems will accept messages from Grants.gov. Applicants are responsible for monitoring their email messages. Messages from Grants.gov come from [Support@grants.gov](mailto:Support@grants.gov).

d. Exceptions to the Grace Period Policy. The only exceptions to HUD’s grace period policy are:

(1) The Grants.gov system is down and not available to applicants for at least 24 hours prior to the deadline date, or the system is down for 24 hours or longer, impacting the ability of applicants to cure a submission deficiency within the grace period; and/or

(2) There is a presidentially declared disaster in the applicant’s area. In the event of either or both of these events, HUD will publish a notice extending the deadline or cure period, for applicants affected, as appropriate.

e. Busy servers or slow processing are not the basis for HUD to extend the deadline dates or the grace period.

Applicants are advised to monitor the Grants.gov system using the Grants.gov blog at <http://grants-gov.blogspot.com/>. The Grants.gov blog provides information on server capacity, traffic on the Grants.gov site, and other federal grant closings each day. Applicants should monitor the site and take into account the amount of traffic on the site when applying.

**2. Limited Time for Correction of Rejection Errors.** An applicant will not be provided additional opportunities to correct rejection errors if an application is rejected after the one-day grace period has expired.

As with any electronic system, applicants may experience issues when attempting to submit their application, which do not permit the uploading of the application to Grants.gov. Such issues can be due to firewall and virus protection software that the applicant has placed on their system or network; proxy and cache settings; Internet traffic; limitation on the size of the files attempting to be transmitted, established at the applicant's site or by the applicant's Internet provider; Grants.gov servers experiencing busy traffic; or any number of issues. Therefore, HUD strongly advises applicants to submit their applications at least 48 hours prior to the deadline and when the Grants.gov Help Desk is open so that assistance can be provided. Assistance may require diagnosing an applicant's particular issues. An applicant that does not follow HUD's advice increases the applicant's risk of not being able to meet the timely receipt requirements. A submission attempt less than the recommended 48 hours before the deadline does not allow the time needed to research the reason for the problem or to work with the applicant in overcoming the uploading difficulty. Similarly, attempting to submit within 24 hours of the deadline or on federal holidays when the Grants.gov Help Desk is closed does not allow the time needed for Grants.gov to provide the needed assistance. In addition, HUD staff cannot provide assistance or contact Grants.gov on your behalf after the HUD business hours or when the Grants.gov Help Desk is closed.

### **3. Grants.gov Application Processing Steps and Notifications**

After successful upload of an application to Grants.gov, the following processes will occur:

**a. Confirmation of Submission to Grants.gov.** When an application is successfully uploaded to Grants.gov, the AOR submitting the application will receive a confirmation screen on his or her computer that informs the submitter that the application has been successfully uploaded to Grants.gov and is being processed. This confirmation will include a tracking number. Print this confirmation out and save it for your records. If you submitted multiple applications, check your confirmation for each application submitted. The tracking number, CFDA Number, and Funding Opportunity Number, as well as the date and time of submission will appear on the confirmation. If you do not receive this confirmation, it usually means that your application has not been successfully uploaded. If your screen goes blank or you have problems uploading or your computer is not saving files, it usually means that your computer does not have sufficient memory or processing capability to store and upload the application. If you experience these difficulties, you should go to [www.grants.gov](http://www.grants.gov) and log in using your user name and password, and then click on "Check Application Status." If your application does not appear, you should immediately call Grants.gov support at 800-518-GRANTS for assistance (this is a toll-free number). If the Help Desk is closed, you should try reducing the size of your application or temporarily taking files off your computer to reduce the demand on your system. The files that were removed can be placed back on your system after uploading the application. (See information on Adobe Version system requirements contained in Section IV.B.5 of this General Section.) HUD also recommends checking to ensure that the applicant's firewalls and anti-virus software allows access to the Grants.gov system. HUD also recommends that the applicant check the file size that they intend to upload to Grants.gov and make sure that their computer has sufficient memory to process the application; the Internet service they have with their Internet

Service Provider allows them to transmit a file of that size and, if not, either reduce the file size by using the facsimile resource or increasing the service capacity contracted with the service provider; and that their internal network will allow a file of that size to be uploaded. If your internal network has file size limits, the applicant can reduce the file size by using the facsimile resource or work with their IT staff to allow a larger size application to be accepted by their network.

**b. Application Submission Validation Check.** The application will then go through a validation process. The validation check ensures that:

(1) The application is virus free (this includes that the file names comply with the required size limits and spacing and special characters limitations);

(2) The application meets the deadline requirements established for the funding opportunity (this includes the grace period and conditions cited earlier in this notice);

(3) The DUNS number submitted on the application matches the DUNS number in the registration, and that the AOR has been authorized to submit the application for funding by the organization identified by its DUNS number;

(4) The AOR has been authorized by the applicant's E-Biz POC to submit the application;

(5) All the mandatory (highlighted) fields and forms were completed on the application; and

(6) The correct version of Adobe Reader was used in completing the application package forms.

**c. Application Validation and Rejection Notification.** If the application fails any of the above items during the validation check, the grant application will be rejected and Grants.gov will send an email to the person denoted by the applicant in the registration process to receive email notifications from Grants.gov. The email will indicate that the grant application has been rejected. The email will also include the reasons why the application was rejected. The email will come from [Support@Grants.gov](mailto:Support@Grants.gov). The validation check can occur 24 to 48 hours after the application submission.

(1) Applicants receiving a rejection notice have the opportunity to cure the rejection under the terms and provisions listed under HUD's grace period policy.

#### **4. Timely Receipt**

##### **a. Timely Receipt Requirements and Proof that Requirements Are Met.**

(1) Proof of Application Receipt. Receipt times and rejection notifications are automatically recorded by Grants.gov. An electronic time stamp is generated within the system when the application has been successfully received, the application has been validated, or when an application has been rejected. HUD will use these date stamps to determine whether an application meets the timely receipt requirements.

(2) Confirmation Receipt. Upon submitting an application at Grants.gov, the person submitting the application will see a confirmation screen appear on their computer. The confirmation advises the submitter that the application has been successfully uploaded to Grants.gov. This confirmation will also include the Grants.gov tracking number. Print the

confirmation and save it with your records. If you do not receive the confirmation screen, go to [www.Grants.gov](http://www.Grants.gov), and using the AOR user name and password, click on “Check Application Status.” If there is no data to display for the submitted application, the application was not successfully uploaded and not received by Grants.gov.

(3) Grants.gov Receipt Email. Shortly after displaying the successful submission confirmation screen, Grants.gov will send a Receipt Notice to the email address listed in the registration. The Receipt Notice will identify the application submitted and the date and time it was received by Grants.gov. HUD will use this date and time stamp to determine if the application was received by Grants.gov in accordance with the timely receipt requirements in this notice. The Receipt Notice merely acknowledges that an application was received. The next step in the process is the validation of the registration information against the DUNS number information and the applicant electronic signature in the application submitted to Grants.gov; and a check to see that there are no viruses in the application or that the attachment files met the file, naming conventions contained in this notice so as to be compatible with the Grants.gov system.

(4) Validation Receipt via Email. Within 24 to 48 hours after receiving the Receipt Notice email, the applicant will receive a validation receipt or rejection notice via email. The validation receipt indicates that the application has passed the validation review at Grants.gov and that the application is ready to be retrieved by the grantor agency for agency processing. Please be aware that the Grants.gov validation does not indicate that the grantor agency has reviewed the content of your application; rather, the validation merely indicates that the application has been successfully received and is ready for pickup by the grantor agency.

(5) Rejection Notice. If an application fails the validation process, the applicant is sent a rejection notice within 24 to 48 hours after the notification of receipt by Grants.gov. The email notification will be sent to the email address registered in the Grants.gov system to receive email notifications. The applicant should review the rejection notice because it will include the reason(s) for rejection. If the rejection notice is received prior to the deadline date, the AOR should try to cure the deficiencies identified and resubmit the application as soon as possible prior to the deadline. If the rejection notice is received after the deadline date, the AOR should try to cure the deficiencies identified and resubmit the application prior to the end of the grace period. The most common rejection notices are:

(a) *Invalid DUNS*.

“The DUNS number entered in your package is invalid or does not match the DUNS number that is registered with the Central Contractor Registry (CCR). Please verify that the DUNS number is entered correctly, and is the same as in your Central Contractor Registry (CCR) registration.”

(b) *Password ID*.

If the submitter submits using a password not associated with the User ID or if the submitter forgets or confuses the password, the submitter will not be able to log onto Grants.gov. Attempts to log on using the wrong password/ID combination will result in a pop-up JAVA Script Window with a Warning Notice. The notice states, “Grants.gov cannot log you in with the provided credentials. You have made 1 of 3 allowed failed log ins. Please verify your user name and password and attempt to login again.” Applicants can get their password reset by going to their credential provider, obtaining a new password, registering that password at Grants.gov and

having the E-Biz Point of Contact authorize the submitter as an AOR to submit the application under the applicant DUNS number using the registered credentials.

*Not Authorized.*

(i) A User that uses a User ID/Password combination that is registered but has not been authorized by the applicant's E-Biz POC will receive a rejection message that states, "You are not designated by your organization to be an Authorized Organizational Representative and your application cannot be validated. You either have not successfully completed the registration process or your E-Biz POC has not authorized you to submit on behalf of your organization." To verify whether you have been successfully registered with Grants.gov, click <https://apply07.grants.gov/apply/ApplicantLoginGetID>. To check to see if you have been designated by the E-Biz POC as an AOR, go to [http://www.grants.gov/applicants/org\\_step6.jsp](http://www.grants.gov/applicants/org_step6.jsp).

(ii) Applicants that may have an authorized user name/password but who enter the DUNS number incorrectly, or who use a DUNS number that they have not been authorized to use, will receive the "NOT AUTHORIZED" rejection in combination with the invalid DUNS message.

(iii) Individuals who attempt to apply for a grant for which individuals are not an eligible applicant will receive the Not Authorized and Invalid DUNS rejection notices, plus a third rejection notice that states: "The grant opportunity for which you have applied is designated for Authorized Organization Representatives (AOR) only. However, your application or a grant/grants was not submitted on behalf of a company, organization, institution, or government. An AOR submits a grant on behalf of a company, organization, institution, or government. AORs have the authority to sign grant applications and the required certifications and/or assurances that are necessary to fulfill the requirements of the application process."

*(c) Virus Detect.*

A "VirusDetect" rejection message can be received if the application contains a virus or if the application submission contains files which do not meet the file-naming conventions stated in this notice.

(6) Most Common Reasons for Rejection. HUD has found that the most common reason for rejection of an application by Grants.gov was the failure of the applicant to be authorized by their E-Biz POC to submit the application on behalf of the applicant organization. The second-most common error was an applicant including spaces, special characters, and/or using more than 50 characters in an attachment file name, which resulted in a "VirusDetect" error. The third-most common error was an applicant **not** submitting the application using the correct DUNS number associated to the applicant organization for which the applicant was the authorized AOR. If you submit an application with a DUNS number that does not match the registration information you will receive three error messages.

(7) Save and File Receipts. Applicants should save all receipts from Grants.gov, as well as facsimile receipts, for proof of timely submission. Applicants will be considered meeting the timely submission requirements based upon the requirements in Section IV.C.1, Receipt Dates and Times, and when all fax transmissions have been received by 11:59:59 p.m. eastern time on the deadline date stated in the program NOFA.

(8) Checking the Status of Your Application Online. Grants.gov allows applicants to check the status of their application online two ways. To quickly check your application status, simply select **Track My Application** on the Grants.gov home page. For a more thorough check,

click on Applicant Login, and then enter your user name and password. All applications submitted by the applicant with the user name and password entered in the login screen will be identified and the status will be displayed. By Logging into Grants.gov, applicants can also view the list of forms and files received with their application package. This link is available for each application under **Submission Files/Names in Check Application Status**. Be sure to review the list to see that all your files are included in your submission. This will ensure that you submitted and Grants.gov received what you intended to submit. Applicants are obligated to check the on-line status of their application if they do not receive an immediate confirmation notice or an email notice of receipt as well as validation. HUD advises applicants to use this service to make sure the application was received by Grants.gov in accordance with Section IV.C.4., entitled “Timely Receipt,” and to track the application to see if it is validated or rejected by Grants.gov. Applications submitted after the one-day grace period stipulated in Section IV.C.4., Timely Receipt, will be considered late and will not receive funding consideration.

(9) Understanding the Status Messages. If the application has not been uploaded or received by Grants.gov, the status message will state, “No data to display.” Applicants seeing this message should attempt to submit their application if the deadline date has not passed. HUD will not accept an application that is received after the deadline date and time, if there is no prior record of a rejection notice.

If an application has been received, Grants.gov will note on the “Application Status” display that the application has been received. If the application has been received and validated, the status will display as validated.

If an application has been rejected, the status will display that the application has been rejected with errors, and the applicant should click on the rejection to see what the error message was or should consult his or her email for the reasons for the rejection.

If an application has been received by HUD, the status will note that the application has been received by the granting agency.

When HUD assigns a tracking number, the status will indicate that the agency has assigned a tracking number.

Applications are not received by HUD until HUD pulls the application from Grants.gov. As long as the application shows as having been validated by Grants.gov in accordance with the timely receipt requirement stated in this notice, applicants should not be concerned that the application was not received by HUD or not assigned a tracking number. That step of the process will occur when HUD pulls the applications from the Grants.gov site into its backend system.

(10) Grants.gov Support Ticket Numbers. If you call the Grants.gov Support Help Desk, the operator will provide you with a call reference ticket number. Applicants should retain a record of the call ticket number(s) along with the application receipts or rejection notices received from Grants.gov. If the Help Desk does not offer a ticket number, ask for one.

## **b. Late applications.**

(1) Applications received by Grants.gov after the program NOFA deadline date or that do not meet the requirements of HUD’s grace period policy will be considered a late application and will not be considered for funding. Applicants should pay close attention to the grace period

policy and the timely receipt instructions, as they can make a difference in whether HUD will accept the application for funding consideration.

(2) HUD will not consider application information submitted by facsimile as part of the application, if received by HUD after the published deadline date, unless directed by HUD under the terms of Section V.B.2., Corrections to Deficient Applications. There is no grace period for submission of facsimile transmissions, as the facsimile system is not part of Grants.gov. Please take into account the transmission time required for facsimile documents related to your application. Every time you submit an application, you must also refax all the documentation, making sure that you use the form HUD96011, Facsimile Transmittal, as the first page of each document you fax.

HUD recommends that applicants submit their applications during the operating hours of the Grants.gov Help Desk so that, if there are questions concerning transmission, operators will be available to assist you through the process. Submitting your application early and during the Help Desk hours will also ensure that you have sufficient time for the application to complete its transmission before the application deadline. If you try to submit your application on a federal holiday, please refer to HUD's **Desktop Users Guide for Submitting Electronic Grant Applications** found at <http://www.hud.gov/offices/adm/grants> and submission information contained in this notice.

### c. Submission Tips.

(1) Multiple Applications. Applicants submitting multiple applications for different organizations or multiple funding requests for the same organization but for different projects **MUST NOT** use the same downloaded application package for all submissions. Each funding request must have its own unique downloaded application and Form HUD96011 Facsimile Transmittal. Every time an application package is downloaded the form HUD96011, Facsimile Transmittal is given a unique identifier. The unique identifier is embedded as an ID on the form HUD96011, Facsimile Transmittal. This unique ID allows any and all faxes containing the same embedded ID to be appropriately matched to an application with the same embedded ID number. When an application is reused for multiple funding requests, the faxes cannot be matched. HUD will not match documents submitted via fax using the same ID number in two or more funding requests or without using the Form HUD-96011 Facsimile Transmittal as the first sheet on the transmitted materials, or faxed to the wrong fax number.

(2) Delayed Transmission Time. Applicants using dial-up connections should be aware that transmitting your application takes extra time before Grants.gov receives it. Grants.gov will provide either an error or a successfully received transmission message. The Grants.gov Help Desk reports that some applicants abort the transmission because they think that nothing is occurring during the transmission process. Please be patient and give the system time to process the application. Uploading and transmitting a large file, particularly electronic forms with associated eXtensible mark-up language (XML) schema, will take considerable time to process and be received by Grants.gov. However, the upload even for large files **should not take longer than 30 minutes. If you are still waiting after 30 minutes for the submission to be uploaded to Grants.gov, stop the transmission and check the available disk space and memory on your computer or check to see if you followed the submission requirements, including naming of files, and that you are using compatible versions of Adobe Reader with Adobe Professional on your computer operating system.** HUD has found that difficulty in uploading

an application from the applicant's desktop is most frequently due to: (a) use of the wrong DUNS number or user name/password combination; (b) the application package being too large to be handled by the applicant's computer; (c) the applicant not downloading and setting the default settings to be compatible with the version of Adobe Reader downloaded; (d) the local entity's network limiting the size of files going in or out; (e) the Internet service provider having a file size limit (it often depends on the level of service contracted for); (f) the applicant's firewall is set to limit files going in or out, or limit access to certain websites; and (g) the applicant's anti-virus software or system set-up has placed other limits on accessing websites or file contents. HUD has found that if applicants, when uploading their applications, were first asked to permit access, it was usually because their firewall settings were preventing access to other websites, which resulted in submission failures. Applicants should check their firewall setting prior to beginning transmission to allow access to the Grants.gov portal. If you, the applicant, are experiencing long upload delays, or you receive a time-out error message, you should check your package for errors, and your anti-virus software, firewall, or Internet provider to be sure that there are no file size limits, and work with your IT support to address Internet, firewall, and anti-virus issues. In many instances, firewall and anti-virus protection can cause transmission problems and need to be disabled to permit a successful transmission. Applicants should also check their proxy and cache server configuration settings to ensure the application can be transmitted to Grants.gov. Grants.gov uses HTTP post protocols on Port 80.

Please also ensure that file attachments are named in accordance with the directions in this General Section. Be aware that multiple applications on a computer or very large files can overwhelm the processing power of a computer. If this is the case, you are advised to reduce the number and size of the attachment files by removing attachment files and submitting the attachments via the facsimile method, using the form HUD96011 as the cover page, while the application without attachments should be uploaded to Grants.gov. HUD will match applications submitted to Grants.gov with facsimiles that have been transmitted following the directions in this notice. **DO NOT** split attachment files into two separate applications. HUD can view only the contents of a single application. For HUD to review the complete application, files must be transmitted with the application or associated with an application through use of the facsimile using the Facsimile Transmittal Form (form HUD96011) as the cover sheet. HUD will not match attachment files submitted either in two applications, or without using the cover sheet.

(3) Using Task Manager to Monitor Processing. Applicants experiencing long upload times or seeing a screen that states "Processing do not close" can check to see if the application is frozen or just taking awhile to upload by turning on the Task Manager to see if there is any processing occurring. To view the Task Manager, press **Ctrl+Alt+Delete** (by holding down Ctrl and Alt and then pressing Delete). A dialog box will appear; select **Task Manager**. There are four tabs across the top of the Task Manager. Select the **Performance** tab; then you will see two pairs of windows: CPU and Page file usage and usage history. The little windows on the right side (usage history) look like little graphs moving from right to left about one tick every second. As long as those graphs continue to move toward the left, you know your machine is not frozen. If the graph lines stop moving for more than a few seconds, your machine is totally frozen and you should immediately shut down the application, remove cookies, close down and reboot your computer, and then try to upload again.

(4) Uploading Directly from Your Internet Browser. If you have difficulty submitting the application, close down all applications, then reboot your computer and follow these steps:

- (a) Open the Internet Explorer browser on your computer.
- (b) Go to the File Menu and select “Open.” This will cause the “Open” dialog box to appear.
- (c) Click on the browse button, and another dialog box will appear with access to your files.
- (d) In the dialog box, go to the drop-down menu for “File Types” and select “All Files.”
- (e) Through the dialog box, find the location of your saved application package (including the attachments).
- (f) Once you have located your application package, select it with your mouse and click the “Open” button. The dialog box will disappear and the “Open” dialog box will still be present.
- (g) In the “Open” dialog box, click on the “OK” button. Your application package will now appear.
- (h) Within your application package, to submit, click on the “Submit and Save” button.
- (5) Ensure You Have Installed the Free Grants.gov Software.

Check to ensure that the latest version of the Adobe Reader software available from Grants.gov, which is free for system users, has been properly installed on your computer. Applicants will find a link to the free software for download at the *Download Application* page for the funding opportunity available on Grants.gov. HUD has found that an improper installation or not using the recommended version of the Adobe Reader 9.2 software will result in an application not being able to upload properly. If you are not sure how to determine if the software is properly installed, call the Grants.gov Support Desk. If you are operating your computer through a network, contact your system administrator to download the latest software. **Please allow sufficient time for your network system administrator to respond to your request.**

## 5. Adobe Reader Error Messages

A complete list of error messages can be found on Grants.gov at <http://www07.grants.gov/assets/AdobeReaderErrorMessage.pdf>.

Grants.gov has also established a troubleshooting page for applicants at [http://www.grants.gov/help/trouble\\_tips.jsp](http://www.grants.gov/help/trouble_tips.jsp). Applicants are advised to be familiar with this page and pass on this information and the General Section instructions to any persons working on your application or charged with submitting the application on behalf of your organization.

## D. Intergovernmental Review/State Points of Contact (SPOC).

Executive Order 12372, “Intergovernmental Review of Federal Programs,” was issued to foster intergovernmental partnership and strengthen federalism by relying on state and local processes for the coordination and review of federal financial assistance and direct development. HUD implementing regulations are published at 24 CFR part 52. The Executive Order allows each state to designate an entity to perform a state review function. Applicants can find the official listing of SPOCs for this review process at <http://www.whitehouse.gov/omb/grants/spoc.html>. States not listed on the website have chosen

not to participate in the intergovernmental review process and, therefore, do not have a SPOC. If your state has a SPOC, you should contact the SPOC to see if it is interested in reviewing your application before you submit it to HUD.

Please make sure that you allow ample time for this review when developing and submitting your application. If your state does not have a SPOC, you can submit your application directly to HUD using Grants.gov.

### **E. Funding Restrictions.**

The individual program NOFAs will describe any funding restrictions that apply to each program.

### **F. Other Submission Requirements**

#### **1. Discrepancies Between the NOFA posted on HUD Website and Other Documents.**

The NOFA posted at [www.grants.gov](http://www.grants.gov) website is the official document that HUD uses to solicit applications. Therefore, if there is a discrepancy between the NOFA posted on grants.gov and other information provided in paper copy, electronic copy, at or on other websites, the posted NOFA at [www.grants.gov](http://www.grants.gov) prevails. HUD will also post any corrections to a NOFA on the [www.grants.gov](http://www.grants.gov) website and alert the public of this fact by Federal Register publication. Please be sure to review your application submission against the requirements in the posted program NOFA or NOFAs to which you are applying. If you note discrepancies, please notify HUD immediately by calling the program contact listed in the NOFA, or the Office of Departmental Grants Management at 202-708-0667 (this is not a toll-free number).

**2. Application Certifications and Assurances.** Applicants are placed on notice that by signing (either through electronic submission or in paper copy submission, for those applicants granted a waiver to submit in paper) the SF424 cover page:

#### **a. Certification and Assurances Applicable to All Applicants (including Indian Tribes).**

(1) The governing body of the applicant's organization has duly authorized the application for federal assistance. In addition, by signing or electronically submitting the application, the AOR certifies that the applicant:

(2) Has the legal authority to apply for federal assistance and has the institutional, managerial, and financial capacity (including funds to pay for any non-federal share of program costs) to plan, manage, and complete the program as described in the application;

(3) Will provide HUD with any additional information it may require; and

(4) Will administer the award in compliance with requirements identified and contained in the NOFA (General and Program Sections), as applicable to the program for which funds are awarded and in accordance with requirements applicable to the program.

#### **b. Certifications and Assurances Applicable to Applicants Other than Federally Recognized Indian Tribes**

No appropriated federal funds have been paid or will be paid, by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, or an employee of a member of Congress, in connection with this application for federal assistance or any award of funds resulting from the submission of this

application for federal assistance or its extension, renewal, amendment, or modification. If funds other than federally appropriated funds have been or will be paid for influencing or attempting to influence the persons listed above, the applicant agrees to complete and submit the SFLLL, Disclosure of Lobbying Activities, as part of its application submission package. The applicant further agrees to and certifies that it will require similar certification and disclosure of all subawards at all tiers, including subgrants and contracts.

**c. Certifications and Assurances Applicable to Indian Tribes.**

(1) Federally recognized Indian tribes and tribally designated housing entities (TDHEs) established by a federally recognized Indian tribe, as a result of the exercise of the tribe's sovereign power, are excluded from coverage by item b. above (also known as the Byrd Amendment).

(2) State-recognized Indian tribes and TDHEs established under state law are not excluded from the Byrd Amendment's coverage and, therefore, must comply with item b. above.

By submitting an application, the applicant affirms its awareness of these certifications and assurances. The AOR submitting the application is affirming that these certifications and assurances are material representations of the facts upon which HUD will rely when making an award to the applicant. If it is later determined that the signatory to the application submission knowingly made a false certification or assurance or did not have the authority to make a legally binding commitment for the applicant, the applicant may be subject to criminal prosecution, and HUD may terminate the award to the applicant organization or pursue other available remedies.

**3. Waiver of Electronic Submission Requirements.** The regulatory framework for HUD's electronic submission requirement is the final rule established in 24 CFR 5.1005. Applicants seeking a waiver of the electronic submission requirement must request a waiver in accordance with 24 CFR 5.1005. HUD's regulations allow for a waiver of the electronic submission requirement for good cause. If the waiver is granted, the applicable program office's response will include instructions on how many copies of the paper application must be submitted, as well as how and where to submit them. Applicants that are granted a waiver of the electronic submission requirement will not be afforded additional time to submit their applications. The deadlines for applications will remain as provided in the program section of the NOFA. As a result, applicants seeking a waiver of the electronic application submission requirement should submit their waiver request with sufficient time to allow HUD to process and respond to the request. Applicants should also allow themselves sufficient time to submit their application so that HUD receives the application by the established deadline date. For this reason, HUD strongly recommends that if an applicant finds it cannot submit its application electronically and must seek a waiver of the electronic grant submission requirement, it should submit the waiver request to the HUD program office designated in the applicable program NOFA no later than 15 days before the application deadline. To expedite the receipt and review of such requests, some NOFAs allow applicants to email their requests to the program contact listed in the program NOFA. If HUD does not have sufficient time to process the waiver request, a waiver will not be granted. Paper applications received without a prior approved waiver and/or after the established deadline date will not be considered. Applicants that submit a paper application with the wrong DUNS number will be provided the same one-day grace period to provide a corrected SF424 to the location indicated in the waiver approval. Failure to meet the requirements will deem the application late and, as a result, the application will not be considered, rated, or ranked.

## V. Application Review Information

### A. Criteria

#### 1. Factors Used to Evaluate and Rate Applications.

For each program NOFA, the points awarded for the rating factors total 100, with a possibility of up to 2 bonus points, as specified below:

a. **RC/EZ/EC-II.** HUD will award two bonus points to each application that includes a completed form HUD2990 certified by person authorized to certify on behalf of the RC/EZ/EC or Chair of the governing body of the RC/EZ/EC, that the proposed activities/projects in the application furthers or supports the strategic plan for an empowerment zone (EZ) that was designated by HUD or the U.S. Department of Agriculture (USDA); the tax incentive utilization plan for an urban or rural renewal community that was designated by HUD (RC); or the strategic plan for an enterprise community that was designated in round II by USDA (EC-II); and that the proposed activities/projects will be conducted within the RC/EZ/EC-II identified above and are intended to serve the residents. For the purposes of receiving bonus points, the applicant organization is not required to set up an office within the RC/EZ/EC, but must conduct specific activities within the RC/EZ/EC and those activities must benefit the residents of the RC/EZ/EC. To receive the points, the form must be signed and dated anytime from the date of the publication of the funding opportunity on Grants.gov to the deadline date of the funding opportunity. Any certifications signed before or after those dates will not be acceptable. For ease of reference in this notice, all of the federally designated areas are collectively referred to as “RC/EZ/EC-IIs” and residents of any of these federally designated areas as “RC/EZ/EC-II residents.” The individual funding announcements will indicate if the bonus points are available under the program.

b. **The Five Standard Rating Factors for FY2010.** HUD has established the following five standard factors for awarding funds under the majority of its FY2010 program NOFAs. When providing information to HUD in response to Rating Factor 1, Capacity, applicants should not include Social Security numbers on any resumes submitted to HUD.

Factor 1: Capacity of the Applicant and Relevant Organizational Staff.

Factor 2: Need/Extent of the Problem.

Factor 3: Soundness of Approach.

Factor 4: Leveraging Resources.

Factor 5: Achieving Results and Program Evaluation.

c. **Use of the HUD Logic Model.** In FY2010, HUD uses standardized points for evaluating Logic Models submitted under Rating Factor 5, Achieving Results and Program Evaluation. The decision to standardize this rating factor resulted from review of submitted Logic Models and rating factor narrative statements, and training sessions held with HUD staff and the applicant community.

By standardizing the rating for the Logic Model submission, HUD believes that a greater understanding will be gained on the use and relationship of the Logic Model to information submitted as part of the Rating Factors for award. The standardization of the Logic Model

submission in Rating Factor 5 highlights the relationship between the narratives produced in response to the factors for award, stated outputs and outcomes, and discrepancies or gaps that have been found to exist in submitted Logic Models. HUD also believes that the standardization will strengthen the use of the Logic Model as a management and evaluation tool.

The Logic Model is a tool that integrates program operations and program accountability. It links program operations (mission, need, intervention, projected results, and actual results), and program accountability (measurement tool, data source, and frequency of data collection and reporting, including personnel assigned to function). Applicants/grantees should use it to support program planning, monitoring, evaluation, and other management functions.

HUD uses the Logic Model and its electronic version, the eLogic Model®, to capture an executive summary of the application submission in data format, which HUD uses to evaluate the attainment of stated applicant goals and anticipated results. HUD also uses the data for policy formulation.

HUD encourages applicants and those selected for award to use the Logic Model data to monitor and evaluate their own progress and effectiveness in meeting stated goals and achieving results consistent with the program purpose. To further this objective, and in response to grantee requests, the HUD eLogic Model® contains a column that allows the grantee to input results achieved for the reporting period, as well as Year-To-Date (YTD) in the reporting year tab for each year of the award. This added field allows the grantee to review performance each reporting period and for each year of the award “at a glance,” and without having to construct a report. The HUD eLogic Model® also has fields to capture the location (city, state, and nine, digit Zip Code) where the majority of the activities take place, as well as a drop-down menu to identify the reporting period start and end date. In FY2010, HUD is adding a drop down field for the reporting period, as follows: Yr1Qtr 1; Yr1Qtr 2; Yr1Qtr3; Yr1Qtr4; Yr2Qtr5; Yr2Qtr6; Yr2Qtr7; Yr2Qtr8; Yr3Qtr9; Yr3Qtr10; Yr3Qtr11; Yr3Qtr12; and Final Report. The sequential numbering of the quarters was determined necessary because each start and end date within a program may vary by grantee, so that it was difficult to determine the actual report that was sent in the order that they were received by HUD. If a grantee only reports semi annually, it would select Yr1 Quarter 2 as its first reporting period and Yr1 Quarter 4 as its second semi-annual reporting period. If a grantee is only required to report annually, it would select Yr1Qtr4 to denote its reporting period. Final reports would be denoted as a final report. Each Program NOFA will specify the reporting requirement with instructions, and whether a separate final report is required in addition to any annual report.

Applicants and grantees must follow the following requirements in completing and naming their Logic Model files:

- The applicant name in the Logic Model must match the applicant name in box 8a of the SF424, Application for Federal Financial Assistance Form
- If an applicant is submitting more than one application for funding, the project name must be completed and must be different for each funding request made.
- **DO NOT** use special characters (i.e., #, %, /, etc.) in a file name.
- **DO NOT** include spaces in the file name.
- Limit file names to not more than 50 characters (HUD strongly recommends not more than 32 characters).

- **DO NOT** convert Word files or Excel files into PDF format. Converting to PDF format increases file size and will make it more difficult to upload the application and does not allow HUD to enter data from the Excel files into a database.

File names with spaces and special characters in the file name or which contain more than 50 characters present problems for HUD entering the data electronically into our database. Applications that do not follow the naming conventions have their applications rejected by the Grants.gov website, as the file names that violate these requirements are viewed as containing viruses by the system. Grantees who submit reports that do not meet the file-naming requirements or do not complete mandatory data fields will have their Logic Model reports returned to them for correction of these issues.

For the file name of the eLogic Model<sup>®</sup>, please use the embedded ID number that is on the Facsimile Transmittal Form that is part of the submitted application. After award, the file name for Logic Model must be the award number and reporting period. For detailed instructions, please see the instructions under Tab 1 of the program eLogic Model<sup>®</sup>, form HUD96010. The reporting periods will be specified in each of the program NOFAs.

HUD's goal is to improve the labeling of the files to improve matching submitted application logic models and report Logic Models, thereby improving HUD's ability to place the information in a database and measure the effectiveness of HUD programs.

Factor 5, Achieving Results and Program Evaluation, will consist of a minimum of 10 points for the Logic Model submission. The matrix provided in Appendix B of this General Section identifies how the Logic Model will be rated in a standardized way across program areas. Training on the rating factor will be provided via satellite broadcast and archived on HUD's website for repeat viewing.

Additional details about the five rating factors and the maximum points for each factor are provided in the program NOFAs. For a specific funding opportunity, HUD may modify these factors to take into account explicit program needs or statutory or regulatory limitations. Applicants should carefully read the factors for award as described in the program NOFA to which they are responding.

The Continuum of Care Homeless Assistance programs have only two factors that receive points: (1) Need and (2) Continuum of Care. Additional information will be available in the Continuum of Care program NOFA to be published in the Federal Register.

**d. Additional Criteria: Past Performance.** In evaluating applications for funding, HUD will take into account an applicant's past performance in managing funds, including, but not limited to, the ability to account for funds appropriately; timely use of funds received either from HUD or other federal, state, or local programs; timely submission and quality of reports to HUD; meeting program requirements; meeting performance targets as established in Logic Models approved as part of the grant agreement; timelines for completion of activities and receipt of promised matching or leveraged funds; and the number of persons to be served or targeted for assistance. HUD may consider information available from HUD's records; the name check review; public sources such as newspapers; Inspector General or Government Accountability Office reports or findings; or hotline or other complaints that have been proven to have merit.

In evaluating past performance, HUD may elect to deduct points from the rating score or establish threshold levels as specified under the Factors for Award in the individual program NOFAs. Each program NOFA will specify how past performance will be rated.

## **B. Reviews and Selection Process**

**1. Threshold Compliance.** Only applications that meet all of the threshold requirements will be eligible to receive an award of funds from HUD.

**2. Corrections to Deficient Applications.** After the application deadline, and in accordance with the electronic submission grace period described in this notice, HUD may not, consistent with its regulations in 24 CFR part 4, subpart B, consider any unsolicited information that an applicant may want to provide. HUD may contact an applicant to clarify an item in its application or to correct curable (correctable) technical deficiencies. HUD may not seek clarification of items or responses that improve the substantive quality of an applicant's response to any rating factors or which correct deficiencies which are in whole or part of a rating factor, including items that impact EZ/EC bonus points. In order not to unreasonably exclude applications from being rated and ranked, HUD may contact applicants to ensure proper completion of the application, and will do so on a uniform basis for all applicants.

Examples of curable (correctable) technical deficiencies include inconsistencies in the funding request, failure to submit the proper certifications that do not impact the score of an applicant, and failure to submit an application that contains a signature by an official able to make a legally binding commitment on behalf of the applicant. In the case of an applicant that received a waiver of the regulatory requirement to submit an electronic application, the technical deficiency may include failure to submit an application that contains an original signature. If HUD finds a curable deficiency in the application, HUD will notify the applicant in writing by describing the clarification or technical deficiency. HUD will notify applicants by email, facsimile, or via the U.S. Postal Service, return receipt requested. Clarifications or corrections of technical deficiencies in accordance with the information provided by HUD must be submitted within 14 calendar days of the date of receipt of the HUD notification. (If the deadline date falls on a Saturday, Sunday, or federal holiday, then the applicant's correction must be received by HUD on the next day that is not a Saturday, Sunday, or federal holiday.) In the case of electronic submissions to Grants.gov, any clarifications or cure items must be submitted electronically using the facsimile telephone number and form HUD96011, Facsimile Transmittal, contained in the last application package submitted to HUD. The additional information will be matched to the electronic application in HUD's files. Applicants must follow the facsimile requirements found elsewhere in this notice. If the deficiency is not corrected within the above time frame, HUD will reject the application as incomplete, and it will not be considered for funding. In order to meet statutory deadlines for the obligation of funds or for timely completion of the review process, program NOFAs may reduce the number of days for submitting a response to a HUD request for clarification or correction to a technical deficiency. Please be sure to carefully read this notice and each program NOFA for any additional information and instructions. An applicant's response to a HUD notification of a curable deficiency should be submitted directly to HUD in accordance with the instructions provided in the notification.

**3. Rating Panels.** To review and rate applications, HUD may establish panels that may include persons not currently employed by HUD. HUD may include these non-HUD employees to obtain particular expertise and outside points of view, including views from other federal

agencies. Persons brought into HUD to review applications are subject to conflict-of-interest provisions. In addition, reviewers using HUD IT systems may be subject to an IT security check.

**4. Rating.** HUD will evaluate and rate all applications for funding that meet the threshold requirements.

**5. Ranking.** HUD will rank applicants within each program or, for Continuum of Care applicants, across the three programs identified in the Continuum of Care NOFA. HUD will rank applicants against only those applying for the same program funding.

Where there are set-asides within a program competition, the applicant will compete against only those applicants in the same set-aside competition.

### **C. Anticipated Announcement and Award Dates.**

The individual program NOFAs will provide the applicable information regarding this subject.

## **VI. Award Administration Information**

### **A. Award Notices**

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

### **2. Adjustments to Funding**

a. To ensure the fair distribution of funds and enable the purposes or requirements of a specific program to be met, HUD reserves the right to fund less than the full amount requested in an application.

b. HUD will not fund any portion of an application that: (1) is not eligible for funding under specific HUD program statutory or regulatory requirements; (2) does not meet the requirements of this notice; or (3) is duplicative of other funded programs or activities from prior year awards or other selected applicants. Only the eligible portions of an application (excluding duplicative portions) may be funded.

c. If funds remain after funding the highest-ranking applications, HUD may fund all or part of the next highest-ranking application in a given program. If an applicant turns down an award offer, HUD will make an offer of funding to the next highest-ranking application.

d. If funds remain after all selections have been made, remaining funds may be made available within the current fiscal year for other competitions within the program area or be held over for future competitions.

e. If, subsequent to announcement of awards made under the FY2010 NOFAs, additional funds become available either through a supplemental appropriation or recapture of funds during FY2010, HUD reserves the right to use the additional funding to provide full funding to an FY2010 applicant that was denied the requested amount of funds due to insufficient funds to

make the full award, and/or to fund additional applicants that were eligible to receive an award but for which there were no funds available.

f. Individual program NOFAs may have other requirements, so please review the program NOFAs carefully.

**3. Funding Errors.** In the event HUD commits an error that, if corrected, would result in selection of an applicant during the funding round of a program NOFA, HUD may select that applicant for funding, subject to the availability of funds.

**4. Performance and Compliance Actions of Funding Recipients.** HUD will measure and address the performance and compliance actions of funding recipients in accordance with the applicable standards and sanctions of their respective programs.

**5. Debriefing.** For a period of at least 120 days, beginning 30 days after the awards for assistance are publicly announced, HUD will provide to a requesting applicant a debriefing related to its application. A request for debriefing must be made in writing or by email by the authorized official whose signature appears on the SF424 or by his or her successor in office, and be submitted to the person or organization identified as the contact under the section entitled “Agency Contact(s)” in the individual program NOFA under which the applicant applied for assistance. Information provided during a debriefing will include, at a minimum, the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which assistance was provided or denied.

## **B. Administrative and National Policy Requirements.**

See Section III.C. of this notice regarding related requirements.

## **C. Reporting**

**1. Use of the eLogic Model<sup>®</sup> to Report Performance.** In FY2004, HUD began using as a planning tool the Logic Model submitted as part of NOFA applications. In FY2005, HUD required grant agreements to incorporate performance reporting against the approved Logic Model. In FY2006, HUD moved to standardized “master” Logic Models from which applicants can select needs, activities/outputs, and outcomes appropriate to their programs. In addition, program offices have identified Program Management Evaluation Questions that grantees will be required to report on, as specified in the approved program eLogic Model<sup>®</sup>. The time frame established for the Logic Model reporting will be in accordance with the program’s established reporting periods and as stated in the program NOFA.

**2. Placement of Approved Logic Models and Reports on HUD’s Website.** In keeping with HUD’s Open Government Plan to increase transparency and proactively share information about our programs with the public, it is HUD’s intent to publish approved Logic Models and grantee progress reports submitted to HUD on its Grants website. HUD intends to post all approved Logic Models that show each awardee’s projected outputs and outcomes during the period of performance. As required performance reports are received by HUD, they will be added to the website. HUD is creating this website page to highlight and make available to the public performance and results from HUD-funded programs about which HUD believes that informing the public on their progress is in keeping with presidential and congressional intent for transparency in federally funded programs, as demonstrated by the passage of the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282), and creation of the federal websites USASpending.gov and Data.gov, which keep the public informed about where,

and how, federal funds are being spent. HUD also believes that by making the Logic Models available on the Internet, communities can collaborate and share best practices to improve the overall delivery of services.

**3. Response to Management Questions.** HUD believes the applicant/grantee community can greatly assist HUD in its attempt to place a value on the work done under the Department's grant programs. Responding to the Management Questions contained in the program Logic Model will enable HUD to have a better understanding of the value of activities in terms of dollars spent on implementing programs and the impact of the program on residents served. In some instances, a program Logic Model will ask grantees to report on a specific Return on Investment Statement (ROI).

**4. Logic Model Instructions.** The Logic Model form (HUD96010), a Microsoft Excel workbook, contains instructions in Tab 1 on how to use the form and required file-naming conventions. The form or eLogic Model<sup>®</sup> incorporates a program-specific master list of statements of need, service, or activity/output(s) and their associated unit(s) of measure; and outcome(s) and their associated unit(s) of measure. Applicants will be required to click on a cell within a column. When you click on the cell, the drop-down button appears to the right of the cell. Applicants can then select the appropriate statement(s) to reflect their proposed program. Applicants can select multiple need(s) and services, or activities/outputs and outcomes, but each selection is entered in separate cells using the drop-down menu. The unit measure, whether for outputs or outcomes, may be a number or date. Applicants insert the expected number of units to be completed or achieved or date of achievement during the period of performance. In this manner, the applicant will build a custom Logic Model reflecting their program of activities. The custom Logic Model will link the need(s) to the activity/output(s), which in turn are linked to the result or expected outcome(s) tailored to each of HUD's programs.

**5. Logic Model Format.** The following briefly describes the format for the HUD Logic Model. Full instructions are contained in the Logic Model found in the Instructions Download for the program, on Grants.gov. For the Logic Model to work properly, you must not modify the tabs or format of the Logic Model and you must enable the macros upon opening the file. To check to see if the Macros are operating on the eLogic Model<sup>®</sup> form, open the Year1 tab and click on any of the cells labeled "Services or Activities/Outputs" or "Outcome" and the cell should expand to enable the easier reading of the drop-down listings. If the cells do not expand, then check your security settings, as they may be too high for the macros to be enabled. (See the Logic Model instructions under Tab 1 of the eLogic Model<sup>®</sup> for a more detailed explanation of how to check and modify your security settings.)

a. Each Logic Model has drop-down menus for HUD Strategic Goals and Policy Priorities, to eliminate applicant confusion over what letters and numbers to use for the goals and priorities and to improve data quality.

b. Tabs for Year 1, Year 2, and Year 3 activities, as well as a tab for Total, are provided in each Logic Model. HUD has found that applicants within a program had varying opinions or interpretations on time frames for short, intermediate, and long term and that the use of clearly defined time frames eliminates the varying interpretations and provides for better quality data. In response to grantee requests, in FY2008, HUD added a column labeled YTD (Year-To-Date), which represents cumulative totals per year to each reporting period for results achieved. The column allows grantees to see immediately what they have achieved during the reporting period,

what they have achieved as they progress throughout the year, what they have achieved on a cumulative basis each reporting year, and what they have achieved during the period of award. The total tab allows for cumulative projected and final results to be shown covering all years of the period of performance. Applicants with a one-year period of performance only have to complete the Year 1 tab, since the total results will all occur in the one-year award period. When reporting, be sure to show noncumulative data in the post column and cumulative data in the YTD column. In 2008, HUD also increased the number of rows in each Logic Model Worksheet to allow applicants to skip a row between groups of activities so they could better demonstrate the relationship between the activity(ies) and the expected outcomes.

c. For the grantees' convenience and to call attention to the requirements, the eLogic Model<sup>®</sup> form contains reporting instructions. The instructions ask applicants to identify in their reports to HUD where actual results deviated from projected results -- either positively or negatively. The Reporting Instruction tab includes a text field in which grantees can report any deviations, as well as their responses to the management questions. While the reporting tab does not add additional burden hours to the information collection, HUD believes that having the reporting tab in the form assists the applicant in completing their Logic Model and provides for better quality Logic Models and reporting to HUD. HUD will continue to review data received via eLogic Model<sup>®</sup> in 2009 and would like to thank the applicant/grantee community for their recommendations and insights.

In FY2009, HUD added fields for the applicant's DUNS number and project location. These data elements make it easier to place Logic Models on HUD's website and find application Logic Models by location. In FY2010, to provide for greater consistency in reporting, applicants must include all activities and outcomes expected each year of the period of performance. Applicants should carefully review the program NOFA for required outputs and outcome selections, because some of the program NOFAs define what must, at a minimum, be included in the Logic Model.

**6. In FY2010, grantees must adhere to the following reporting principles:**

- a. An evaluation process will be part of the ongoing management of the HUD-funded award;
- b. Comparisons will be made between projected and actual numbers for outputs and outcomes;
- c. Deviations from projected outputs and outcomes will be documented and explained as part of required reporting; and
- d. Data will be analyzed to determine the relationship of outputs to outcomes, to determine which outputs produce which outcomes and which are most effective.

As stated above, in FY2007, HUD required each program to establish a set of Program Management Evaluation Questions for grantee reporting. Grantees must use these questions to self-evaluate the management and performance of their program. HUD is continuing this practice in FY2010. In developing the Program Management Evaluation Questions for the Master Logic Model, HUD trained its program managers on the Carter-Richmond Methodology, a critical thinking process that identifies key management and evaluation questions for HUD's programs. The following table identifies the Carter-Richmond generic questions and where the source data is found in the Logic Model.

<b><u>Carter-Richmond Methodology:<sup>1</sup> Building Blocks for Effective Management</u></b>	
<b><u>Management Questions</u></b>	<b><u>Logic Model Columns for Source Data</u></b>
1. How many clients are you serving?	Service/Activity/Output
2. How many units were provided?	Service/Activity/Output
3. Who are you serving?	Service/Activity/Output
4. What services do you provide?	Service/Activity/Output
5. What does it cost?	Service/Activity/Output
6. What does it cost per service delivered?	Service/Activity/Output/Evaluation
7. What happens to the “subjects” as a result of the service? <sup>2</sup>	Outcome
8. What does it cost per outcome?	Outcome and Evaluation
9. What is the value of the outcome?	Outcome and Evaluation
10. What is the return on investment?	Evaluation

As a result of this training, each program has developed specific Program Management Evaluation Questions tailored to the statutory purpose of each of their programs. Each program NOFA will require applicants to address these questions based upon the Carter-Richmond Methodology in their reports to HUD. The program NOFA Logic Models will identify the particular questions to be addressed that relate to the statutory purpose and intent of each program. In FY2008, the Management Questions were developed as a Microsoft Excel table which formats the question as a data element and the response to the question as a data element. By creating this table, grantees when reporting can enter the response to the management questions in the data field provided, thus allowing the management question responses to be placed in the Logic Model database for further analysis.

Training on HUD’s Logic Model and on the reporting requirements for addressing the Program Management Evaluation Questions will be provided via satellite broadcast. The training will also provide examples of how to construct the Logic Model using the drop-down lists in the eLogic Model®. Training materials and the dates for the training will be on HUD’s website at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>. In addition, each program NOFA broadcast will address the specific questions and reporting requirements for the specific program.

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<sup>1</sup> “The Accountable Agency – How to Evaluate the Effectiveness of Public and Private Programs,” Reginald Carter, ISBN Number 9780978724924.

<sup>2</sup> The subject can be a client or a unit, such as a building, and is defined in its associated unit of service.

Applicants should submit the completed Logic Model as an attachment to their application, in accordance with the directions in the program NOFA for addressing the factors for award. Each program NOFA will identify if it requires the factors for award, including the Logic Model that is required as part of the application submission, to be submitted as a single attached file or as separate files. Please follow the program NOFA directions. When opening the eLogic Model®, enable the Macros. DO NOT convert the file to PDF format. Save the file in the format you opened it. Grants.gov can now accept Microsoft Office 2007 files and HUD can read both Microsoft Office 2003 and Microsoft Office 2007 files.

After being selected for funding and awarded funds, grantees will be required to submit a completed form HUD96010, Logic Model, indicating results achieved against the proposed output(s) and proposed outcome(s) stated in the grantee's approved application and agreed to by HUD. The Logic Model and required management questions must be submitted to HUD in accordance with the reporting periods identified in each program NOFA for providing reports to HUD.

**7. Use of Form HUD27061, Race and Ethnic Data Reporting Form, to Report Race and Ethnicity Data for Beneficiaries of HUD Programs.** HUD requires grantees that provide HUD program benefits to individuals or families to report data on the race and ethnicity of those receiving such benefits. Grantees that provide benefits to individuals during the period of performance, whether directly, through subrecipients, or through contractual arrangements, must report the data using form HUD27061, Race and Ethnic Data Reporting Form, on Grants.gov. The form is a data collection based on the standards published by OMB on August 13, 2002. The individual program NOFAs will identify applicable reporting requirements related to each program. Applicants reporting to HUD using an online system can use that system to meet this requirement, provided that the data elements and reports derived from the system are equivalent to the data collection in the form HUD27061. For programs where race and ethnicity reporting is required, copies of form HUD27061 will be included in the Instructions Download portion of the application posted to Grants.gov.

## **8. Frequency of Reports and Data Consistency**

**a. Logic Model Reporting.** When submitting eLogic Model® reports on a quarterly, semiannual, or annual basis, each report should show the results that occurred during that reporting period. All final reports should provide a final eLogic Model® performance for the entire period of the award. Grantees must follow the instructions in the eLogic Model® on how to label files when reporting. When reporting, be sure to show noncumulative data in the past column and cumulative data in the YTD column.

**b. Race and Ethnic Data Report.** When submitting the Race and Ethnic Data Reporting Form (HUD27061) on a quarterly or semiannual basis, each reporting period should show the results that occurred during the performance period for all active clients. If a multiyear program is funded, then each annual report should show results that occurred during that performance year for all active clients. A final form HUD27061 should show results for all active clients for the entire period of performance.

## **VII. Agency Contact(s)**

The individual program NOFAs will identify the applicable agency contacts related to each program. Questions regarding this notice should be directed to the NOFA Information

Center between the hours of 10 a.m. and 6:30 p.m. eastern time at 800-HUD-8929. Persons with hearing or speech impairments may access this number via TTY by calling the Federal Information Relay Service at 800-877-8339. (These are toll-free numbers.) Questions regarding specific program requirements should be directed to the agency contacts identified in each program NOFA.

## **VIII. Other Information**

### **A. Public Law 106-107, Streamlining Activities and Grants.gov.**

The Federal Financial Assistance Management Improvement Act of 1999 (Pub. L. 106-107) directed each federal agency to develop and implement a plan that, among other things, streamlines and simplifies the application, administrative, and reporting procedures for federal financial assistance programs administered by the agency. This law also required the Director of OMB to direct, coordinate, and assist federal agencies in establishing: (1) a common application and reporting system and (2) an interagency process for addressing ways to streamline and simplify federal financial assistance application and administrative procedures, as well as reporting requirements for program applicants. Over the last several years, the intergovernmental work groups tasked with the implementation of Public Law 106-107 have been engaged in various streamlining activities that are now being shared with the grantee community for their input prior to being implemented across the federal government. Public Law 106-107 sunset in 2008. Despite the sunset of the law, federal agencies are still working to simplify and streamline their application and submission requirements. Applicants and grantees are urged to participate in the broadcasts sponsored by the Grants Policy Committee and the Federal Government work groups to become familiar with the proposed changes to simplify requirements, at <http://www.gpc.gov>.

### **B. Grants.gov.**

The Grants.gov initiative focuses on allowing the public to easily FIND competitive funding opportunities and then APPLY for grant funding electronically via Grants.gov. In FY2004, HUD posted all of its funding opportunities, with the exception of Continuum of Care, at [http://www.grants.gov/applicants/find\\_grant\\_opportunities.jsp](http://www.grants.gov/applicants/find_grant_opportunities.jsp) and has continued to do so for FY2010. In addition, Grants.gov is working with federal agencies to begin the process of accepting mandatory and formula grant program plans and application submissions online via Grants.gov. Applicants for HUD's formula and competitive programs are urged to become familiar with the Grants.gov website, registration procedures, and electronic submissions so that, as the website is expanded, applicants will be registered and familiar with the find-and-apply functionality. The Grants.gov Internet address for Finding Grant Opportunities is [http://www.grants.gov/applicants/find\\_grant\\_opportunities.jsp](http://www.grants.gov/applicants/find_grant_opportunities.jsp). The Grants.gov Internet address for Applying for Grant Opportunities is [http://www07.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www07.grants.gov/applicants/apply_for_grants.jsp).

### **C. HUD-IRS Memorandum of Agreement.**

HUD and the IRS have entered into a Memorandum of Agreement to provide information to HUD grantees serving low-income, disabled, and elderly persons, as well as persons with limited English proficiency, on the availability of low-income housing tax credits, the earned income tax credit, individual development accounts, child tax credits, and the IRS Voluntary Income Tax Assistance program. HUD is making available on its website information on these

IRS asset-building resources. HUD encourages you to visit the website and disseminate this information to low-income residents in your community and other organizations that serve low-income residents, so that eligible individuals can take advantage of these resources.

#### **D. Paperwork Reduction Act Statement.**

The information collection requirements in this notice have been approved by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a valid OMB control number. Each program NOFA will identify its applicable OMB control number.

#### **E. Environmental Impact.**

A Finding of No Significant Impact with respect to the environment has been made for this notice, 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(2)(C)). As program NOFAs are issued, each will provide a statement regarding Environmental Impact. The Finding of No Significant Impact for this notice is available for public inspection between 8 a.m. and 5 p.m. eastern time, Monday through Friday, except federal holidays, in the Office of General Counsel, Regulations Division, Department of Housing and Urban Development, 451 7th Street, SW, Room 10276, Washington, DC 20410-0500.

#### **F. Executive Orders and Congressional Intent**

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

**2. American-made Products.** Sections 708 and 709 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, and Independent Agencies Appropriations Act, 2006 (Pub. L. 109-115; approved Nov. 30, 2005), states that, to the greatest extent practicable, all equipment and products purchased with funds made available should be made in the United States.

**3. Eminent Domain.** Section 409 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010 (Pub L. 111-117), prohibits the use of funds to support any federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use. Section 409 provides that public use shall not be construed to include economic development that primarily benefits private entities. Use of funds for mass transit, railroad, airport, seaport, or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields, as defined in the

Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118), shall be considered a public use for purposes of Section 409.

### **G. Public Access, Documentation, and Disclosure.**

Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act) (42 U.S.C. 3545) and the regulations codified at 24 CFR part 4, subpart A, contain a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992, HUD published a notice that also provides information on the implementation of Section 102 (57 FR 1942). The documentation, public access, and disclosure requirements of Section 102 apply to assistance awarded under individual NOFAs published as described below.

**1. Documentation, Public Access, and Disclosure Requirements.** HUD will ensure that documentation and other information regarding each application submitted pursuant to its FY2010 NOFAs 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 (24 CFR part 15).

**2. Form HUD2880, "Applicant/Recipient Disclosure/Update Report" ("HUD Applicant Recipient Disclosure Report" on Grants.gov).** HUD will also make available to the public, for 5 years, all applicant disclosure reports (form HUD2880) submitted in connection with an FY2010 NOFA. Update reports (also reported on form HUD2880) will be made available along with the applicant disclosure reports, but in no case for a period of 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 (24 CFR part 5).

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

- a. Assistance subject to Section 102(a) of the HUD Reform Act; and
- b. Assistance provided through grants or cooperative agreements on a discretionary (non-formula, non-demand) noncompetitive basis.

### **H. Section 103 of the HUD Reform Act.**

HUD's regulations implementing Section 103 of the HUD Reform Act, codified at 24 CFR part 4, subpart B, apply to this funding competition. The regulations continue to apply until the announcement of the selection of successful applicants. HUD employees involved in the review of applications and in the making of funding decisions are prohibited 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 should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics-related questions should contact the HUD Ethics Law Division at 202-708-3815 (this is not a toll-free number). The toll-free TTY number for persons with speech or hearing impairments is 800-877-8339. HUD employees who have

specific program questions should contact the appropriate field office counsel or Headquarters counsel for the program to which the question pertains.

**APPENDIX A**

**Funding Opportunity Programs Anticipated to Be Available in FY2010**

<b>Program Office</b>	<b>Program</b>	<b>Estimated Time for NOFA Publication</b>
Office of Sustainable Housing and Communities (OSHC)	Sustainable Communities Regional Planning Grants	June 2010
Office of Policy Development and Research (PD&R)	Historically Black Colleges and Universities (HBCUs)	June 2010 – July 2010
Office of Policy Development and Research (PD&R)	Hispanic Serving Institutions Assisting Communities (HSIAC)	June 2010 – July 2010
Office of Policy Development and Research (PD&R)	Alaskan Native/Native Hawaiian Institutions Assisting Communities (AN/NHIAC)	June 2010 – July 2010
Office of Policy Development and Research (PD&R)	Tribal Colleges and Universities (TCUP)	June 2010 – July 2010
Public and Indian Housing (PIH)	HOPE VI Revitalization	June 2010 – July 2010
Office of Housing	Housing Counseling Program	June 2010 – July 2010
Office of Housing	Housing Counseling Training	June 2010 – July 2010
Office of Policy Development and Research (PD&R)	Doctoral Dissertation Research	June 2010 – July 2010
Office of Native American Programs (ONAP)	Community Development Block Grant Program for Indian Tribes and Alaskan Native Villages (ICDBG)	June 2010 – July 2010
Office of Healthy Homes and Lead Hazard Control (OHHLHC)	Lead Hazard Reduction NOFA: Lead-Based Paint Hazard Control Program; Lead Hazard Reduction Demonstration	June 2010 – July 2010
Office of Housing	Emergency Capital Repair in Multifamily Housing (ECRP)	June 2010 – July 2010

<b>Program Office</b>	<b>Program</b>	<b>Estimated Time for NOFA Publication</b>
Office of Sustainable Housing and Communities (OSHC)	Sustainable Communities Challenge Grants	June 2010 – July 2010
Office of Housing (Housing)	Service Coordinators in Multifamily Housing	July 2010 – August 2010
Office of Fair Housing and Equal Opportunity (FHEO)	Fair Housing Initiatives Program (FHIP)	July 2010 – August 2010
Public and Indian Housing (PIH)	Public and Indian Housing Family Self Sufficiency (PHFSS)	July 2010 – August 2010
Office of Community Planning and Development (CPD)	Section 4 Capacity Building Grants (limited competition)	July 2010 – August 2010
Office of Healthy Homes and Lead Hazard Control (OHHLHC)	Healthy Homes Technical Studies	July 2010 – August 2010
Public and Indian Housing (PIH)	ROSS Service Coordinators	July 2010 – August 2010
Office of Housing	Assisted Living Conversion Program for Eligible Multifamily Housing Projects (ALCP)	July 2010 – August 2010
Office of Community Planning and Development (CPD)	Continuum of Care	July 2010 – August 2010
Office of Community Planning and Development (CPD)	Self-Help Homeownership Opportunity Program (SHOP)	July 2010 – August 2010
Office of Community Planning and Development (CPD)	Rural Innovation Fund	July 2010 – August 2010
Public and Indian Housing (PIH)	Housing Choice Voucher Family Self-Sufficiency Program (HCV/FSS)	July 2010 – August 2010

<b>Program Office</b>	<b>Program</b>	<b>Estimated Time for NOFA Publication</b>
Office of Healthy Homes and Lead Hazard Control (OHHLHC)	Healthy Homes Production	July 2010 – August 2010
Office of Healthy Homes and Lead Hazard Control	Asthma Interventions in Multifamily Housing	July 2010 – August 2010
Public and Indian Housing (PIH)	Choice Neighborhoods	July 2010 – August 2010
Public and Indian Housing (PIH)	Family Unification Program (FUP)	July 2010 – August 2010
Public and Indian Housing (PIH)	Capital Fund Education and Training Community Facilities (CFCF) Program	July 2010 – August 2010
Office of Community Planning and Development (CPD)	Transformation Initiative: Technical Assistance and Capacity Building	August 2010 – September 2010
Office of Policy Development and Research (PD&R)	Centers for Urban Research Grant Program	August 2010 – September 2010
Office of Sustainable Housing and Communities (OSHC)	Sustainable Communities Capacity Building	August 2010 – September 2010
Office of Policy Development and Research (PD&R)	Transformation Initiative Research Grants: Natural Experiment Research Grants	August 2010 – September 2010
Office of Policy Development and Research (PD&R)	Transformation Initiative Research Grants: HUD Demonstration and Related Small Grants	August 2010 – September 2010
Office of Policy Development and Research (PD&R)	Transformation Initiative Research Grants: Sustainable Communities Research Grants	August 2010 – September 2010

<b>Program Office</b>	<b>Program</b>	<b>Estimated Time for NOFA Publication</b>
Office of Community Planning and Development	McKinney-Vento Homeless Assistance Programs Technical Assistance	August 2010 – September 2010
Fair Housing and Equal Opportunity	Transformation Initiative: Fair Housing Initiatives Program Enforcement Testing Technical Assistance	August 2010 – September 2010
Office of Housing	Multifamily Energy Innovation NOFA	August 2010 – September 2010
Office of Housing	Section 202 Supportive Housing for the Elderly	September 2010 - October 2010
Office of Housing	Section 811 Supportive Housing for Persons with Disabilities	September 2010 - October 2010
Office of Fair Housing and Equal Opportunity (FHEO)	Section 3 Coordination and Implementation Funding	September 2010 - October 2010
Office of Community Planning and Development (CPD)	Brownfields Economic Development Initiative FY 2010	September 2010 - October 2010

## APPENDIX B

### Logic Model Assessment Matrix

Logic Model Assessment Matrix – Selection of Services/Activities and Outcomes and Projections				
	Excellent	Good	Marginally Satisfactory	Unacceptable
Services	Applicant <u>selected</u> services/activities from the drop down list that are consistent with both the NOFA and the Narrative.	Applicant's Narrative identified services/activities consistent with the NOFA, but the drop down list <u>does not</u> contain that service/activity.	Applicant <u>selected</u> services/activities from the drop down list that are inconsistent with the Narrative, <i>or</i> did not select available services/activities from the drop down list that are consistent with the Narrative, <i>or</i> provided Narrative that is inconsistent with the NOFA.	Applicant <u>did not</u> select available services/activities from the drop down list that are consistent with the Narrative, <i>and</i> either the Logic Model is inconsistent with the Narrative or the Narrative is inconsistent with the NOFA.
	3 points	2 points	1 point	0 points
Outcomes	Applicant <u>selected</u> an outcome from the drop down list that is consistent with both the NOFA and the Narrative.	Applicant's Narrative identified an outcome consistent with the NOFA, but the drop down list does not contain that outcome.	Applicant <u>selected</u> an outcome from the drop down list that is inconsistent with the Narrative, <i>or</i> did not select an available outcome from the drop down list that is consistent with the Narrative.	Applicant <u>did not</u> select an available outcome from the drop down list <i>and</i> either the Logic Model is inconsistent with the Narrative or the Narrative is inconsistent with the NOFA.
	3 points	2 points	1 point	0 points
Projections	Applicant <u>provided realistic</u> projected numbers that are consistent with the Narrative for <u>all</u> services, activities, and outcomes.	Applicant <u>provided</u> projected numbers for <u>most</u> services, activities, and outcomes, <i>and</i> 50% or more of the projections are both realistic and consistent with the Narrative.	Applicant <u>provided</u> projected numbers for <u>some</u> services, activities, and outcomes, <i>and</i> More than 50% of the projections are not consistent with the Narrative or are not realistic.	Applicant <u>did not</u> provide any projected numbers, <i>or</i> All of the projections are not consistent with the Narrative and they are not realistic.
	3 points	2 points	1 point	0 points

## APPENDIX B

### Logic Model Assessment Matrix

<b>Logic Model Assessment Matrix – Evaluation Tools</b>			
	Satisfactory	Marginally Satisfactory	Unacceptable
Evaluation Tools	Applicant <u>selected</u> Evaluation Tools that are mostly <u>consistent</u> with the project described in the Logic Model and Narrative.	Applicant <u>selected</u> Evaluation Tools that are mostly <u>inconsistent</u> with <u>either</u> the Logic Model or the Narrative.	Applicant selected Evaluation Tools that are mostly <u>inconsistent</u> with <u>both</u> the Logic Model and Narrative, or <u>both</u> the Logic Model and Narrative are <u>inconsistent</u> with the NOFA.
	1 point	0 point	Deduct 1 point
<b>Logic Model Assessment Matrix – Rating Factor Five Narrative</b>			
Align the criteria in Rating Factor Five to the distribution of points in your evaluation plan that you give to reviewers.			

#### **Instructions**

A maximum of 10 points are assigned for evaluating and scoring the logic model.

The Logic Model Assessment Matrix identifies the four components that are to be evaluated when scoring the logic model:

- Row – 1 – Services
- Row – 2 – Outcomes
- Row – 3 – Projections
- Row – 4 – Evaluation Tools

There are four possible conditions that describe each component represented by the labels (three conditions for the Evaluation component):

- Excellent
- Good
- Marginally Satisfactory
- Unacceptable

When reviewing and scoring the logic model, HUD reviewers will choose the one statement in each of the four rows (services, outcomes, projections, evaluation tools) that best describes your evaluation of the logic model and add the assigned points to obtain a total score.