

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**[Docket No. FR- 5600-N-36]**

**Notice of Funding Availability (NOFA) for HUD's Fiscal Year 2012**

**Rural Capacity Building for Community**

**Development and Affordable Housing Grants**

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

**ACTION:** Notice of Funding Availability (NOFA).

**SUMMARY:** This NOFA announces the availability of approximately \$5 million in Fiscal Year (FY) 2012 funding to carry out the eligible activities related to affordable housing and community development for the Rural Capacity Building for Community Development and Affordable Housing program (Rural Capacity Building program). This Notice is comprised of the Notice of HUD's FY 2012 Notice of Funding Availability (NOFA), Policy Requirements and General Section (General Section) to HUD's FY 2012 NOFAs for Discretionary Programs, posted on [www.Grants.gov](http://www.Grants.gov) on September 19, 2011, and this program section to the NOFA.

**FOR FURTHER INFORMATION:** Questions regarding program requirements should be directed to Tasleem Albaari (202) 402-7346 (this is not a toll-free number). Questions regarding the FY 2012 General Section should be directed to the Grants Management Office at (202) 708-0667. Persons with hearing or speech impairments may access this number via TTY by calling the Federal Relay Service at 800-877-8339.

**OVERVIEW INFORMATION**

**A. Federal Agency Name:** Department of Housing and Urban Development, Office of Community Planning and Development.

**B. Funding Opportunity Title:** Rural Capacity Building for Community Development and Affordable Housing Grants.

**C. Announcement Type:** Initial Announcement.

**D. Funding Opportunity Number:** FR-5600-N-36.

**E. Catalog of Federal Domestic Assistance (CFDA) Number:** 14.265, OMB Approval Number 2506-0195.

**F. Dates:** The application deadline date is **January 22, 2013**. Applications must be received by [www.Grants.gov](http://www.Grants.gov) no later than 11:59:59 p.m. eastern time on the application deadline date.

All information required to complete the application is in the General Section and this NOFA. Applicants may download the application and instructions from the Grants.gov website at [http://www07.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www07.grants.gov/applicants/apply_for_grants.jsp). Applicants need to be aware that following receipt, applications go through a validation process in which the application may be accepted or rejected. Please allow time for this process to ensure that you meet the timely receipt requirements. See Section IV of the General Section regarding application submission procedures and timely filing requirements.

**G. Additional Overview Information:** Applicants must review applicable requirements contained in the General Section, as amended, along with the information listed in this NOFA. Application submission information is provided in Section IV of this NOFA.

## **FULL TEXT OF ANNOUNCEMENT**

### **I. FUNDING OPPORTUNITY DESCRIPTION**

During this economic crisis, the need for affordable housing has only increased. Congress has provided funding through programs such as the Neighborhood Stabilization Program to create additional affordable housing and support economic development in communities across the Nation, especially those hardest hit by the foreclosure crisis and recession. However, the success of these efforts relies in large part on the capacity of local governments, Indian tribes, housing development organizations, rural community development corporations (CDCs), and rural community housing development organizations (CHDOs), to develop and implement effective housing and community development plans. Rural communities have unique challenges in meeting these needs. The funding appropriated for this program is intended to help these communities, including housing development organizations, local governments, and Indian tribes, develop the skills and technical capabilities necessary to undertake effective community development activities.

Through the Rural Capacity Building for Community Development and Affordable Housing program \$5 million will be made available for capacity building activities for national organizations with expertise in rural housing, including experience working with rural housing organizations, local governments, and Indian tribes. It is the Department's intent to fund a mix of applicants with demonstrated skills to carry out the eligible activities related to affordable housing and community development. To ensure that there are a sufficient number of grantees funded, HUD reserves the right to fund less than the amount requested by any applicant relative to the total amount of available funds; and/or to fund less than the full amount requested by any applicant to ensure a fair distribution of the funds for the provision of capacity building assistance on a national, geographically diverse basis as required by the statute,

**A. Program Description:** Through funding of national organizations with expertise in rural housing and community development, the Rural Capacity Building program enhances the capacity and ability of local governments, Indian tribes, housing development organizations, rural CDCs, and CHDOs, to carry out community development and affordable housing activities

that benefit low- and moderate-income families and persons in rural areas.

**B. Authority.** The Rural Capacity Building program is authorized by the Consolidated and Further Continuing Appropriations Act, 2012, Pub. L. 112-55. The Act makes \$5 million available to national organizations with expertise in rural housing, including experience working with rural housing organizations, local governments, and Indian tribes.

**C. Definitions.** For purposes of this grant opportunity, the following definitions will apply:

1. **Family:** Family refers to the definition of “family” in 24 CFR 5.403. *Family* includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:
  - (a) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or
  - (b) A group of persons residing together, and such group include, but is not limited to:
    - (i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
    - (ii) An elderly family;
    - (iii) A near-elderly family;
    - (iv) A disabled family;
    - (v) A displaced family; and
    - (vi) The remaining member of a tenant family
2. **Household:** Household means all the persons occupying a housing unit. The occupants may be a family as defined in 24 CFR 5.403; two or more families living together, or any other group of related or unrelated persons who share living arrangements, regardless of actual or perceived sexual orientation, gender identify, or marital status.
3. **Low- and moderate-income household:** Low- and moderate-income household means a household having an income equal to or less than the Section 8 low-income limit established by HUD, which means a household whose income does not exceed 80 percent of the AMI.
4. **Low- and moderate-income person:** Low- and moderate-income person means a member of a family having an income equal to or less than the Section 8 low-income limit established by HUD, which means an individual whose income does not exceed 80 percent of the AMI. Unrelated individuals will be considered as one-person families for this purpose.
5. **Low-income household:** Low-income household means a household having an income equal to or less than the Section 8 very low-income limit established by HUD, which means a household whose income does not exceed 50 percent of the AMI.
6. **Low-income person:** Low-income person means a member of a family that has an income equal to or less than the Section 8 very low-income limit established by HUD, which means an individual whose income does not exceed 50 percent of the AMI. Unrelated individuals shall be considered as one-person families for this purpose.
7. **Rural Area:** A rural area is a statistical geographic entity delineated by the Census Bureau that does not meet the definition of an urbanized area contained in the Office of Management and Budget’s 2010 Standards for Delineating Metropolitan and

Metropolitan Statistical Areas, 75 FR 37252 (June 28, 2010)

<http://www.gpo.gov/fdsys/pkg/FR-2010-06-28/pdf/2010-15605.pdf>.

8. Urbanized Area: An urbanized area is a statistical geographic entity delineated by the Census Bureau, consisting of densely settled census tracts and blocks and adjacent densely settled territory that together contain at least 50,000 people.
9. Indian Tribe: Indian tribe means any Indian tribe, band, nation, or other organized group or community of Indian, including any Alaska Native Village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special program and services provided by the United States to Indians because of their status as Indians pursuant to the Indian Self-Determination and Education Assistance Act of 1975. The list of federally recognized tribes can be found in the notice published by the Department of the Interior, Bureau of Indian Affairs (BIA) on October 27, 2010 at 75 FR 66124 and may be found on the BIA's website at <http://www.bia.gov/idc/groups/xraca/documents/text/idc011463.pdf>.
10. Housing Development Organization: Housing Development Organization means a Community Development Corporation or Community Housing Development Organization or other community-based organization similar in purpose, scope and function to the entities qualifying under Paragraph I.C. 11 and 12 of this NOFA.
11. Community Development Corporation (CDC).
  - (a) A CDC is a nonprofit organization that undertakes eligible activities in a rural area as defined in this NOFA. The CDC must be:
    - (1) Organized under Federal, State or local law to engage in community development activities (which may include housing and economic development activities) primarily within an identified geographic area of operation;
    - (2) Governed by a board of directors composed of community residents, business, and civic leaders;
    - (3) Have as its primary purpose the improvement of the physical, economic or social environment of its geographic area of operation by addressing one or more critical problems of the area, with particular attention to the needs of persons of low income;
    - (4) Be neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization;
    - (5) Have a tax exemption ruling from the Internal Revenue Service under section 501(c) (3) or (4) of the Internal Revenue Code of 1986 (26 CFR 1.501(c)(3)-1);
    - (6) Have standards of financial accountability that conform to 24 CFR 84.21, "Standards for Financial Management Systems"; and
    - (7) Not be an agency or instrumentality of a State or local government;
    - (8) For urban areas, "community" may be a neighborhood or neighborhoods, city, county or metropolitan area; for rural areas, it may be a neighborhood or neighborhoods, town, village, county or multi-county area (but not the entire State or territory).
  - (b) A CDC that does not qualify under paragraphs (1) through (8) may also be determined to qualify as an eligible entity if:
    1. It is an entity organized pursuant to section 301(d) of the Small Business Investment Act of 1958 (15 U.S.C. 681(d)), including those which are profit making; or

2. It is a Small Business Administration (SBA) approved Section 501 State Development Company or Section 502 Local Development Company, or a SBA Certified Section 503 Company under the Small Business Investment Act of 1958, as amended: or

3. The recipient demonstrates to the satisfaction of HUD, through the provision of information regarding the organization's charter and by-laws, that the organization is sufficiently similar in purpose, function, and scope to those entities qualifying under paragraphs (1) through (8) of this section.4. Is a State or locally chartered organization; however, the State or local government may not have the right to appoint more than one-third of the membership of the organization's governing body and no more than one-third of the board member may be public officials or employees of the State or local government entity chartering the organization. Board members appointed by the State or local government may not appoint the remaining two-thirds of the board members.

12. **Community Housing Development Organization (CHDO).** A CHDO is as defined in the HOME Investment Partnerships Program regulation (HOME Program) at 24 CFR 92.2. The HOME Program is authorized by the HOME Investment Partnerships Act at title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, 42 U.S.C. 12701 et seq. For purposes of the Rural Capacity Building for Community Development and Affordable Housing Grants Program, the CHDO must undertake eligible activities specified in the NOFA in rural areas as defined in the NOFA.

## II. AWARD INFORMATION

**A. Available Funds.** The Consolidated and Further Continuing Appropriations Act, 2012, Pub. L. 112-55 makes \$5 million in FY 2012 funding available to carry out the eligible activities related to affordable housing and community development for the Rural Capacity Building program.

**B. Performance Period.** Awards will be for a period of 48 months from the date of execution of the grant agreement.

**C. Terms of Award.** There will be a minimum grant award of \$500,000. HUD will enter into grant agreements with successful applicants for the performance period prior to the advance of any funds.

**D. Cost Sharing or Matching.** There is no match requirement under the Rural Capacity Building program. Applicants who submit evidence of leveraging dollars under Rating Factor 4 will receive points according to the scale under that factor.

## III. ELIGIBILITY INFORMATION

**A. Eligible Applicants.** A national organization is defined as a non-profit entity that has on-going experience in rural housing, including experience working with rural housing organizations, local governments, and Indian tribes, as evidenced by past and continuing work in one or more states in five or more of the federal regions described on the HUD website <http://portal.hud.gov/hudportal/HUD?src=/localoffices/regions>.

1. To be eligible for HUD to rate and rank your application, all applicants must also meet the threshold requirements at Section III.C.2. of the FY 2012 General Section, including the Civil Rights threshold at Section III.C.2.d.
2. Eligible applicants may propose assistance using in-house staff, consultants, and local organizations in the capacity of subcontractors or subrecipients provided they have the requisite experience and capabilities.

## **B. Threshold Requirements**

1. **DUNS Requirement.** A Data Universal Numbering System (DUNS) number is required to receive an award from HUD and submit an application through [www.Grants.gov](http://www.Grants.gov). The DUNS number on the application must be the same DUNS number for the organizational entity receiving the award. For more information on the DUNS requirement, applicants may refer Section III.C.2. of the General Section.
2. **Central Contractor Registration Requirement.** To apply electronically, and to receive an award of funds or to receive award payments from HUD, the applicant/grantee must have an active registration in the Central Contractor Registration (CCR) (24 CFR 5.1004). See HUD Federal Register Notice 5350-F-02, published December 8, 2010 at 75 FR 76260.
3. **False Statements.** An applicant's 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.
4. **Other Eligibility Requirements.** All applicants requesting funding under this NOFA must be an eligible applicant under this NOFA and be in compliance with the threshold requirements found in the FY 2012 General Section, including the Civil Rights threshold requirement set forth at Section III.C.2.d. Applicants must also meet the additional nondiscrimination and other requirements, including affirmatively furthering fair housing requirements found in Section III.C.5.b. of the FY 2012 General Section.

## **C. Program Requirements**

1. **Eligible Activities and Priorities.** Funds may be used to provide the following activities:
  - a. Technical assistance, training, support, and advice to develop the business and administrative capabilities of rural community-based housing development organizations, CDCs, CHDOs, local governments, and Indian tribes;
  - b. Loans, grants, or other financial assistance to rural community-based housing development organizations, CDCs, CHDOs, and local governments, in addition to Indian tribes to carry out community development and affordable housing activities for low- and moderate-income families and persons including the acquisition, construction, or rehabilitation of housing for low-income families and persons, and community and economic development activities that create jobs for low-income persons; and

c. Such other activities as may be determined by the grantees in consultation with the Secretary or his or her designee.

Activities undertaken as part of, or as a result of, capacity building efforts described in this section shall support the implementation of other HUD programs, including but not limited to the Community Development Block Grant Program (CDBG), Indian Community Development Block Grant program (ICDBG), Neighborhood Stabilization Programs, HOME Investment Partnerships Program, Housing Opportunities for Persons With AIDS Program, Native American Housing Block Grant program, Indian Housing Loan Guarantee program, Rural Housing and Economic Development Program, Rural Innovation Fund Grant Program, and HUD's homeless programs, in addition to issues related to sustainability, and comprehensive neighborhood revitalization activities. Successful applicants may also support the activities of non-rural CDCs and CHDOs undertaking projects in rural areas as defined in this NOFA. Through these activities, grantees are encouraged to align with and support projects that create opportunities for transformative revitalization and investments focused on job growth, economic recovery, and neighborhood revitalization; this may include leveraging existing place-based investments.

In addition, activities should support HUD's Strategic Plan and priorities as described in Section I. of the General Section.

**2. Environmental Review.** Individual project sites to be funded by awards under this NOFA may not be known at the time the individual grant agreements are awarded and also may not be known when some of the individual subgrants are made. Selection for funding does not constitute approval of individual project sites. After selection for funding, HUD will perform an environmental review of individual sites in accordance with 24 CFR part 50, as applicable, when the sites are identified. Therefore, in accordance with 24 CFR 50.3(h), the application shall contain assurances to HUD that the applicant will: (a) supply HUD with all available, relevant information necessary for HUD to perform for each property any environmental review required by 24 CFR part 50; (b) carry out mitigating measures required by HUD or select alternate eligible property; and (c) not acquire, rehabilitate, convert, lease, repair, demolish or construct property, nor commit or expend HUD or local funds for these program activities with respect to any eligible property, until HUD approval of the property is received.

**3. Fair Housing and Equal Opportunity.** Applicants must comply with the nondiscrimination and other requirements outlined in Section III.C.5. of the General Section. Applicants must certify that the applicant and all subgrantees shall comply with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, and Titles II and III of the Americans with Disabilities Act, as applicable. The applicant must affirmatively further fair housing, as described in Section III.C.5.b. of the General Section. 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. In determining the site or location of housing to be acquired or

constructed pursuant to funding under this program, recipients may not make selections with the purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination, on the grounds of race, color, national origin, or disability. *See* 24 CFR 1.4(b)(3) and 24 CFR 8.4(b)(5). Selection that would perpetuate or exacerbate racial or national origin segregation could also be found to violate the Fair Housing Act. Recipients must administer its program in a manner that provides housing that is suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601 et seq.), E.O. 11063 (3 CFR, 1959-1963 Comp., p. 652), Section 504 of the Rehabilitation Act of 1973 and HUD regulations issued pursuant thereto; and promotes greater choice of housing opportunities. In carrying out the site and neighborhood requirements with respect to new construction of rental housing, the recipient is responsible for making the determination that proposed sites for new construction meet the requirements in 24 CFR 983.6(b).

**4. Affirmatively Furthering Fair Housing.** Consistent with the instructions in the General Section, applicants must submit with their application a description of how their proposed activities will affirmatively further fair housing. In developing their plans, applicants shall review the Analyses of Impediments to fair housing choice in the jurisdictions in which the activities will take place. Examples of activities that may address impediments to fair housing choice include: (a) affirmative fair housing marketing that targets persons least likely to apply for housing, including outreach to underserved population groups or advocacy organizations representing such persons; (b) increasing accessible housing for persons with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act, and the Americans with Disabilities Act; (c) planning new or rehabilitated housing in locations that provide greater housing choice and mobility opportunities for persons protected by the Fair Housing Act; (d) providing language assistance services to persons with limited English proficiency; and (e) addressing other impediments to fair housing choice identified in a jurisdiction's Consolidated Plan and Analysis of Impediments in coordination with local and regional non-profit community groups and governmental organizations.

The proposed activities must address at least one of the following objectives: (a) help overcome any impediments to fair housing choice related to the assisted program or activity itself; (b) promote racially, ethnically, and socioeconomically diverse communities; or (c) promote housing-related opportunities that overcome the effects of past discrimination because of race, color, national origin, religion, sex, disability, and familial status. Also, the application will include a description of how records will be maintained on such programs or activities and their results. For more information, see Section III.C.5.b. of the General Section.

**5. 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>.

**6. Section 3 of the Housing and Urban Development Act of 1968.** Applicants must certify that the applicant and all subgrantees shall comply with Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) and HUD's implementing regulations at 24 CFR part 135, which require recipients to ensure, to the greatest extent feasible, that training, employment and contracting opportunities will be directed to Section 3 residents and to Section 3 business concerns. Additional information on these requirements can be found at <http://www.hud.gov/section3>.

Applicants must also ensure that their subgrantees have a feasible Section 3 plan to direct new employment and contracting opportunities created during the expenditure of covered financial assistance to Section 3 residents and Section 3 business concerns, and that their subgrantees demonstrate compliance with the requirements of Section 3 by reporting their activities in the Section 3 Annual Summary Report (Form HUD60002).

**7. Accessible Housing and Other Facilities.** Housing and other facilities constructed, acquired, or rehabilitated using funds under this NOFA must comply with Federal accessibility requirements under Section 504 of the Rehabilitation Act, Titles II and III of the Americans with Disabilities Act, the Fair Housing Act, and the Architectural Barriers Act, as applicable. All products and tools for capacity building must be accessible in accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 24 CFR part 8 (see, for example, 24 CFR 8.6, on effective communications). All grant recipients and subrecipients must use training facilities and services that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, recipients and subrecipients must give priority to alternative methods of product delivery that offer programs and activities to qualified individuals with handicaps in the most integrated setting appropriate in accordance with Section 504 of the Rehabilitation Act of 1973 and Titles II and III of the Americans with Disabilities Act, as applicable. HUD encourages selected providers to make electronically-accessed products and tools accessible in accordance with Section 508 of the Rehabilitation Act.

#### **IV. APPLICATION AND SUBMISSION INFORMATION**

**A. Addresses to Request Application Package.** Copies of the published NOFAs and application forms for HUD programs announced through NOFAs may be downloaded from the Grants.gov website. Applicants can find this funding opportunity and link to the application and Instructions Download which contains additional forms at [http://www.grants.gov/applicants/find\\_grant\\_opportunities.jsp](http://www.grants.gov/applicants/find_grant_opportunities.jsp). If you have difficulty accessing the information you may receive customer support from Grants.gov by calling their Support Desk at 800-518-GRANTS, (TTY:-800-877-8339) or sending an email to [support@grants.gov](mailto:support@grants.gov). The customer support center is open twenty-four 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 a Grants.gov call center ticket number if not provided one by the call

center customer service representative.

Applications from eligible applicants must be received by Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date.

**B. Content and Form of Application Submission.** A complete application under this NOFA must contain the information below. All forms required for application submission can be found in the application and instruction downloads on Grants.gov at [http://www.grants.gov/applicants/find\\_grant\\_opportunities.jsp](http://www.grants.gov/applicants/find_grant_opportunities.jsp).

**1. Page Limitation.** Narratives addressing Factors 1 through 5 are limited to no more than 32 typed pages. That is, reviewers will not review more than 32 pages for all five factors and bonus points combined, except that the page limit does not include letters of commitment for leverage and form HUD2995 in support of the Preferred Sustainable Communities Status Bonus points.

**2. Prohibition on Materials Not Required.** Materials other than what is requested in this NOFA are prohibited. Reviewers will not consider resumes, charts, letters, or any other documents attached to the application, which are not specified in this NOFA.

**3. Checklist for Application Submission.** The following checklist is provided as a guide to help ensure that applicants submit all the required elements. The paper submission must be in the order provided below. All applicants should enter the applicant name, DUNS number, and page numbers on the narrative pages of the application. See General Section IV.B.7.

\_\_\_ Application for Federal Assistance (form SF424) (Note: Applicants must enter the legal name of their organization in box 8.a. and DUNS number in box 8.c. of the SF424 as it appears in the Central Contractor Registration (CCR). See Section IV.B.2. of the General Section regarding CCR. In block 8.d of the form, you must include a 9 digit number for your organization's zip code (zip plus 4).)

\_\_\_ Faith-Based EEO Survey (SF424 Supplement, Survey for Ensuring Equal Opportunity for Applicants);

\_\_\_ Narrative addressing Factors 1 through 5;

\_\_\_ Form for Assurances and Certifications (form HUD-424-B)

\_\_\_ Grant Application Detailed Budget (HUD424CB);

\_\_\_ Disclosure of Lobbying Activities (SFLLL) (if applicable);

\_\_\_ Applicant/Recipient Disclosure/Update Report (HUD 2880);

\_\_\_ Preferred Sustainable Communities Bonus Points (HUD 2995);

\_\_\_ Acknowledgment of Application Receipt (HUD 2993) (applicable to paper applications only); and

\_\_\_ HUD96011 Facsimile Transmittal Third Party Documentation Facsimile Transmittal (for electronic applications only).

**C. Receipt Date and Times.** The application deadline is **January 22, 2013**. Applications must be received by Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date.

Your completed application must be submitted through [http://www.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www.grants.gov/applicants/apply_for_grants.jsp) and must be received by Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date. Please refer to Section IV of the General Section for further information on the delivery and receipt of applications.

**D. Intergovernmental Review.** Intergovernmental review is not applicable to Rural Capacity Building applications.

**E. Funding Restrictions.** No fee or profit may be paid to any recipient or subrecipient of an award under this capacity building NOFA.

**F. Other Submission Requirements.**

**1. Grants.gov.** The Grants.gov website offers a simple, unified application process. There are several registration steps applicants need to complete. Further information is contained in the General Section posted at [www.Grants.gov](http://www.Grants.gov) on September 19, 2011. Application via Grants.gov requires a DUNS number, an active registration in the CCR, Registration of the Authorized Organization Representative (AOR), with password and ID in the Grants.gov system and approval of the AOR by the eBusiness Point of Contact that was listed in the CCR to authorize the AOR to submit the application. See Section IV.B.4. of the General Section for further details of the registration process and requirements.

**2. Electronic Signature.** Applications submitted through Grants.gov constitute submission as an electronically signed application. Instructions on how to submit electronically are outlined in HUD's FY 2012 General Section and the Grants.gov website.

**3. Waiver of Electronic Submission Requirement.** Applicants interested in applying for funding under this NOFA must submit their applications electronically or request a waiver from the electronic submission process. Waiver requests must be submitted in writing by email. Waiver requests must be submitted no later than 15 days prior to the application deadline date and should be sent to [tasleem.albaari@hud.gov](mailto:tasleem.albaari@hud.gov). If you are granted a waiver from the electronic submission process, your application must be received by HUD no later than 4:00 p.m. Eastern time on the application deadline date. The approval of the waiver request will provide further instructions on where to submit the application.

**4. Proof of Timely Receipt.** Applications must be received via Grants.gov [http://www.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www.grants.gov/applicants/apply_for_grants.jsp) by 11:59:59 p.m. eastern time on the application deadline date of **January 22, 2013**. Applications go through a validation at Grants.gov and may be rejected. Please see HUD's General Section for timely receipt requirements and what to do if your application is rejected. Applicants are also advised to submit their application and monitor the application status to ensure that they can meet HUD timely receipt requirements. To check the status of your application, click on the "Track My Application" link at [www.grants.gov](http://www.grants.gov). You can enter up to five grant application tracking numbers and Grants.gov system will provide you with a status report for each tracking number. If you do not receive an automated tracking number from the Grants.gov system upon submission, or the **Track My Application** link does not provide a tracking report, you will need

to resubmit the application. Applicants should allow time to be able to track and monitor the receipt of the application or to be able to call the help desk to determine why your application is not uploading to the Grants.gov system. The Grants.gov help desk is open 24 hours a day, 7 days a week, except Federal holidays. (Refer to the General Section for specific procedures regarding timely receipt and proof of submission.)

## **V. APPLICATION REVIEW INFORMATION**

**1. Rating Criteria.** The maximum number of points to be awarded for a Rural Capacity Building application is 102, which includes two bonus points. The minimum score for an application to be considered for funding is 75. Two bonus points will be awarded for working with communities that have acquired Preferred Sustainable Communities Status, as described in Section V.A.1. of the General Section.

Points are assigned based on applicant responses to five factors. When addressing Factors 2 through 5, applicants should discuss the activities that will be carried out with Rural Capacity Building funds during the term of the grant agreement. Submissions should provide relevant examples to support the proposal, where appropriate. Submissions should also be specific when describing the communities, populations, and organizations that they propose to serve and the specific outcomes expected as a result of the activities.

### **1. Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (40 points)**

Factor 1 relates to the capacity of the applicant and its relevant organizational experience. Rating of the “applicant” or the “applicant's organization and staff” includes in-house staff and any subcontractors and subrecipients who are firmly committed to the project. In responding to Factor 1, applicants should specify the experience, knowledge, skills, and abilities of the applicant’s organization and staff and of any persons and organizations firmly committed to the project. Please do not include the Social Security Numbers of any staff.

**a. (20 points)** The applicant shall describe the national nature of the organization, including geographical areas and populations served and describe the extent of the expertise in rural housing and community development. The applicant shall also describe recent and successful experience of the applicant’s organization in building the capacity and ability of rural housing development organizations, CDCs, CHDOs, local governments, and Indian tribes to develop affordable housing and undertake community development activities.

In rating this factor, HUD will consider (1) the scope of applicant’s work; (2) the applicant’s level of expertise in rural housing and community development and (3) the extent to which the application demonstrates successful experience of the applicant, its staff, consultants and subcontractors, within the last 4 years, in providing technical and administrative expertise to build the capacity of rural housing development organizations, CDCs, CHDOs, local governments and Indian tribes, including simultaneously managing multiple capacity building tasks, to multiple entities, in multiple geographic areas.

**b. (20 points)** The applicant shall demonstrate that there are knowledgeable key personnel skilled in providing one or more of the eligible activities for the Rural Capacity Building program; a sufficient number of staff, or ability to procure qualified experts or professionals, with the knowledge, skills, and abilities to deliver the proposed level of services in the proposed

service area in a timely and effective fashion; and an ability to provide capacity building in rural settings.

In rating this factor, HUD will consider the extent to which the application demonstrates that the organization has adequate key staff or the ability to procure individuals with the knowledge of effective capacity building approaches, knowledge of developing affordable housing and community development activities, and expertise in rural housing and community development issues.

## **2. Rating Factor 2: Need/Extent of the Problem (10 points)**

Applicants must demonstrate sound and extensive understanding of high-priority needs in rural settings and of the need for capacity building in relation to the eligible activities and priorities identified in Section III.C. of this NOFA, as demonstrated by objective information and/or data, such as information from current census data, the American Housing Survey, or other relevant data sources. Applicants must demonstrate the need for capacity building in the rural areas where applicants plan to focus their efforts, including the need to develop the capacity and ability of rural housing development organizations, CDCs, CHDOs, local governments and Indian tribes to undertake community development and affordable housing projects and programs. In addition, applicants must demonstrate an understanding of the needs of specific disadvantaged communities, populations, and/or organizations that previously have been underserved and have the potential to participate in the Rural Capacity Building program (such areas identified as high risk foreclosure areas, Colonias, Appalachia's distressed counties, the lower Mississippi Delta region, or locally designated community development target areas).

In rating this factor, HUD will evaluate the extent to which the applicant has identified and documented, using reliable data, such as information from current census data, the American Housing Survey, or other relevant data sources, the capacity building needs of rural housing development organizations, CDCs, CHDOs, local governments and Indian tribes in target areas where they intend to focus and on meeting the needs of specific communities, populations, or organizations that lack access to economic, educational, social or housing opportunity. HUD is particularly interested in addressing the capacity building needs of rural housing development organizations, CDCs, CHDOs, local governments and Indian tribes currently or prospectively administering other HUD programs such as the Community Development Block Grant (CDBG) Program, Neighborhood Stabilization Programs, HOME Investment Partnerships Program (HOME), Housing Opportunities for Persons With AIDS Program (HOPWA), Rural Housing and Economic Development Program, Rural Innovation Grant Program, and HUD's homeless programs. HUD is also interested in building the capacity of organizations to be designated as rural housing development organizations, CDCs or CHDOs in rural areas that currently do not have organizations with such designations.

## **3. Rating Factor 3: Soundness of Approach (35 points)**

**a. (20 points)** The applicant shall provide a sound approach for addressing the need for eligible capacity building activities for rural housing development organizations, CDCs, CHDOs, local governments, and Indian tribes, as well as the priorities identified in Section III.C. of this NOFA that will result in positive outcomes. The approach shall include a feasible work plan for

identifying rural housing development organizations, CDCs, CHDOs, local governments and Indian tribes. The work plan shall include a description of how the applicant will design, organize, manage, and carry out the proposed capacity building activities, including a timeline for implementing each aspect of the work plan.

In rating this factor, HUD will evaluate the extent to which the application presents and supports a detailed, feasible, and practical approach for addressing capacity building needs for rural housing development organizations, CDCs, CHDOs, local governments, and Indian tribes, including techniques, time frames, goals, and intended beneficiaries, and the likelihood that these activities will be cost-effective and will result in the ability of the organizations receiving capacity building assistance to commence work on specific housing and community development activities by the end of the performance period. HUD will also evaluate the extent to which the applicant demonstrates the efficiency of the design, organization, and management of the proposed activities as well as the extent to which the applicant demonstrates that recipients receiving capacity building support through the Rural Capacity Building program will participate in the Consolidated Plan process and develop activities consistent with local Consolidated Plans.

**b. (13 points)** Applicants shall demonstrate how the proposed approach to capacity building supports and magnifies the effects of other HUD programs in the communities assisted through rural capacity building.

In rating this factor, HUD will evaluate the extent to which applicants identify specific strategies to support and magnify the impact of HUD programs, including but not limited to the CDBG Program, ICDBG program, Neighborhood Stabilization Programs, HOME Program, HOPWA Program, Native American Housing Block Grant program, Indian Housing Loan Guarantee program, Rural Housing and Economic Development Program, and HUD's homeless programs, including, but not limited to dollar amounts of other programs to be leveraged as a result of these strategies, and number of rural housing development organizations, rural CDCs, CHDOs, local governments, and Indian tribes with expanded capacity to administer these programs.

**c. (2 points)** Applicants may receive up to a total of two points for pursuing eligible rural capacity building activities that meet HUD's Strategic Plan and policy priorities as described in Section I.A. of the General Section. In order to receive points, applicants must address Sustainability as outlined in Section I.B.2. of the FY 2012 General Section. The applicant must describe how their program will: (1) increase the capacity of rural CDCs, CHDOs, local governments and Indian Tribes to provide consumers with more information about the true cost of living by incorporating the combined cost of housing and transportation costs into measures of affordability; and/or (2) increase the capacity of rural CDCs, CHDOs, local governments and Indian tribes to improve residents' health and safety, particularly that of children and other vulnerable populations, by adopting green and healthy design, construction, rehabilitation, and maintenance of housing and communities; and/or (3) increase the capacity of rural CDCs, CHDOs, local governments and Indian tribes to 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. This may also include aligning

investments to regional plans for sustainable economic development if such efforts are accessible in the jurisdiction.

Performance outcomes for this priority are: (1) an increase in the number of rural CDCs, CHDOS, local governments and Indian Tribes that can develop methods to reduce the share of household income spent on combined costs of housing and transportation in projects receiving assistance through the Section 4 Capacity Building program; and (2) an increase in the number of rural CDCs and CHDOs that are able to develop green and cost effective energy projects.

#### **4. Rating Factor 4: Leveraging Resources (5 points)**

Additional resources committed to assist the Rural Capacity Building program will achieve points for this rating factor. Resources may include cash or in-kind contributions of services, equipment, or supplies allocated to the proposed program from governmental entities, public or private organizations, or other entities. The applicant must support each source of contributions with a letter of commitment from the contributing entity, whether a public or private source. Such supporting documentation must be provided in the form of letters of firm commitment, memorandums of understanding, or other signed agreements from those entities. Each letter of commitment, memorandum of understanding, or agreement to participate must include the organization's name, the proposed value of the commitment, and the responsibilities as they relate to your proposed program and must be dated after the date of publication of this NOFA. The commitment must be signed and dated by an official of the organization legally able to make commitments on behalf of the organization. If the applicant does not provide letters from contributors specifying details and the amount of the actual contributions, those contributions will not be counted.

In rating this factor, HUD will evaluate the amount of leverage committed as a percentage of the requested grant amount. To achieve full points for this factor, the applicant will provide firm commitments equal to 15% of the requested grant amount. Less than 15% commitment will receive fewer points. If there are no firm commitments, there will be no points for this factor.

#### **5. Rating Factor 5: Achieving Results and Program Evaluation (10 points)**

The applicant shall provide an effective, quantifiable evaluation plan for measuring performance with specific outcome measures and benchmarks, and performance improvements.

In rating this factor, HUD will evaluate the extent to which the application has an evaluation plan that includes outcomes that are specific, measurable, and appropriate in relation to the activities proposed. The measures should demonstrate quantifiably the improved organizational development of rural housing development organizations, CDCs, CHDOs, local governments, and Indian tribes. HUD is committed to ensuring that programs result in the achievement of HUD's strategic mission. To support this effort, grant applications submitted for the Rural Capacity Building program will be rated on how well they tie proposed outcomes to HUD's strategic plan, policy priorities and annual goals and objectives; and the quality of the applicant's proposed evaluation and monitoring plans. HUD's strategic framework establishes the goals and objectives for the Department. Please refer to the General Section I.A - C.

#### **6. Preferred Sustainable Communities Status Bonus Points (2 points)**

In FY 2012, HUD will award 2 bonus points to applicants that are working in the following ways with communities that have received Preferred Sustainability Status under the HUD FY2010 and FY 2011 Sustainable Communities Regional Planning Grant Program and/or the FY2010 and FY 2011 HUD-funded Challenge Grant Program (hereafter referred to as the Preferred Sustainability Status Communities).

- (1) The applicant is engaged in activities that in consultation with the designated Point of Contact of the HUD-designated Preferred Sustainability Status Community furthers the purposes of the Regional Planning Grant Program or the Challenge Grant Program; and
- (2) The applicant's proposed activities either directly reflect the Livability Principles cited and contained in HUD's General Section to the FY 2012 NOFAs or will result in the delivery of services that are consistent with the goals of the Livability Principles; and
- (3) The applicant has committed to maintain an on-going relationship with the HUD Preferred Sustainability Status Community for the purposes of being part of the planning and implementation processes in the designated area.

To be eligible to receive bonus points, an applicant is required to obtain a certification from the Designated Point of Contact for the designated Preferred Sustainability Status Community using form HUD2995 which verifies that the applicant has met the above criteria. The form will certify the nexus between the proposed activities of the applicant and the Livability Principles as they are being advanced in the Preferred Sustainability Status Community. It must be signed and dated anytime from the date of the publication of the funding opportunity on [www.Grants.gov](http://www.Grants.gov) to the deadline date of the funding opportunity. Any certifications signed before or after those dates will not be acceptable. If the applicant is from the agency that holds Point of Contact status in a particular Preferred Sustainability Status Community, the form HUD2995 must be certified by the appropriate HUD Regional Administrator in consultation with field staff. For ease of reference in this notice, all of these federally designated areas are collectively referred to as Preferred Sustainable Communities Status Communities (PSSC).

## **A. Review and Selection Process**

**1. Review Types.** Two types of reviews will be conducted. First, HUD will review each application to determine whether it meets program threshold eligibility requirements. Second, HUD will review and assign scores to eligible applications using the Factors for Award noted under Criteria, Section V.A.

**2. Rating.** HUD will rate all eligible applications that meet the Threshold Requirements against the criteria in Rating Factors 1 through 5 and assign a rating score. The maximum total rating score for the five Rating Factors is 100 points. HUD will award two bonus points to applicants that meet the Preferred Sustainable Communities Status criteria.

**3. Minimum Rating Score.** Applicants must receive a total rating score of 75 points or more for Rating Factors 1 through 5 (without the addition of the Preferred Sustainable Communities Status bonus points) to be eligible for funding. HUD will reject any application that does not meet the minimum rating score requirements.

**4. Ranking and Selection Procedures.** After adding any bonus points for Preferred Sustainable Communities Status, HUD will place eligible applications that meet the minimum rating score requirements in ranked order. HUD will consider ranked order, funds availability, past performance and demonstrated ability of the applicant to carry out the eligible activities related to affordable housing and community development for the Rural Capacity Building for Community Development and Affordable Housing program in the selection and funding of applications. HUD reserves the right to fund less than the amount requested by any applicant relative to the total amount of available funds; and/or to fund less than the full amount requested by any applicant to ensure a fair distribution of the funds for the provision of capacity building assistance on a national, geographically diverse basis to national organizations with expertise in rural housing, including experience working with rural housing organizations, local governments, and Indian tribes.

**5. Threshold Eligibility Requirements.** All applicants must be in compliance with the threshold requirements found in the General Section and the eligibility requirements listed in Section III of this NOFA in order to receive an award. Applications that do not meet these requirements and applications that did not meet HUD's timely receipt requirements will be considered ineligible for funding (see Section IV.C. of the General Section).

## **VI. AWARD ADMINISTRATION INFORMATION**

**A. Award Notices.** HUD will send written notifications to both successful and unsuccessful applicants. A notification sent to a successful applicant is not an authorization to begin performance or to incur costs.

After selection for funding, each grantee will submit to HUD a specific work and funding plan for each community it proposes to serve, showing when and how the federal funds and leveraged funds will be used. Applicants will be given the opportunity to amend their budget according to the grant award, prior to entering into the grant agreement. The work plan(s) must be sufficiently detailed, including budget information, for monitoring purposes and must identify the performance goals and objectives to be achieved. HUD will approve the work plan(s) or notify the grantee of matters that need to be addressed prior to approval. Work plans may be developed for less than the full dollar amount and term of the award, but no HUD-funded costs may be incurred for any activity until the work plan is approved by HUD. All activities are also subject to the environmental requirements in Section III.C.2. of this notice.

Consistent with Section III.C.5. of the General Section and 24 CFR 84.42, after selection, but prior to award, applicants selected for funding will be required to provide HUD with a written Code of Conduct. An applicant who 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 <http://www.hud.gov/offices/adm/grants/codeofconduct/cconduct.cfm> and the information has not been revised.

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

**1. OMB Circulars and Governmentwide Regulations Applicable to Financial Assistance Programs.** Awards under this NOFA will be governed by 24 CFR part 84 (Uniform Administrative Requirements), 2 CFR 230 (formerly OMB Circular A-122) (Cost Principles for Non-profit Organizations), and OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations). The regulations may be obtained from the CFR Website at <http://www.gpoaccess.gov/cfr/retrieve.html>. Copies of OMB Circulars may be obtained from the Executive Office of the President's (EOP) Publications Office, Room 2200, New Executive Office Building, Washington, DC 20503, telephone number (202) 395-3080 (this is not a toll-free number) or (800) 877-8339 (a toll-free number for the TTY Federal Relay Service, for hearing- or speech impaired persons). Information also may be obtained from the OMB website at <http://www.whitehouse.gov/omb/circulars/index.html>.

**2. Lead-Based Paint.** The Lead Safe Housing Rule (specifically 24 CFR 35, subparts B, J, K, and R) applies to acquisition and rehabilitation of pre-1978 housing, and the Environmental Protection Agency's Renovation, Repair and Painting Rule, set forth in 40 CFR 745 (see <http://www.epa.gov/lead/pubs/renovation.htm>), also applies to pre-1978 housing and child-occupied facilities when renovation, repair or painting work is conducted. The Lead Disclosure Rule (24 CFR 35, subpart A) applies to the sale or lease of pre-1978 housing.

**3. General.** See Section III.C. of the General Section regarding additional applicable requirements.

**B. Reporting.**

**1.** Grantees will be required to report to HUD, as specified in the grant agreement. Performance reports shall include reports on both performance and financial progress under work plans and shall include reports on the commitment and expenditure of leveraging resources utilized through the end of the reporting period. Reports shall conform to the reporting requirements of 24 CFR part 84.

**2.** Additional information or increased frequency of reporting may be required by HUD at any time during the grant agreement, if HUD finds such reporting to be necessary for monitoring purposes or to comply with government-wide reporting requirements. Additional reporting requirements may be required by the General Section in conjunction with selected HUD policy priorities selected under Rating Factor 3.

**3.** To further the consultation process and share the results of progress to date, the Secretary may require grantees to present and discuss their performance reports at annual meetings in Washington, DC, during the life of the award.

**4.** The performance reports must contain the information required under 24 CFR part 84, including a comparison of actual accomplishments with the objectives and performance goals of the work plans. In the work plans, each grantee will identify performance goals and objectives or policy priorities established for each community in which it proposes to work and appropriate measurements under the work plan, such as the number of housing units and facilities each rural CDC, CHDO, local government or Indian Tribe produces annually during the grant period and the average cost of such units. The performance reports will also include a discussion of the

reasonableness of the unit costs, the reasons for slippage if established objectives and goals are not met, and additional pertinent information.

5. A final performance report, in the form described in paragraph (1) immediately above, shall be provided to HUD by each grantee within 90 days after the completion date of the award.

6. Federal Financial Reports (SF425) shall be submitted semi-annually.

7. Transparency Act Reporting.

(1) Recipient Reporting to Meet the Requirements of the Federal Financial Assistance Accountability and Transparency Act of 2006, as amended.

**(a) Prime Awardee Reporting.** Prime recipients of HUD financial assistance are required to report subawards in the federal governmentwide website [www.fsr.gov](http://www.fsr.gov) or its successor system. Starting with awards made October 1, 2010, prime financial assistance awardees receiving funds directly from HUD are required to report subawards and executive compensation information both for the prime award and subaward recipients, including awards made as pass-through awards or awards to vendors, where both the initial award is \$25,000 or greater or the cumulative award will be \$25,000 or greater if funded incrementally as directed by HUD in accordance with OMB guidance. If subaward recipients' executive compensation is reported through the CCR system, the prime recipient is not required to report this information. The reporting of award and subaward information is in accordance with the requirements of Federal Financial Assistance Accountability and Transparency Act of 2006, as amended by section 6202 of Public Law 110-252, hereafter referred to as the "Transparency Act" and OMB Guidance issued to the Federal agencies on September 14, 2010 (75 FR 55669) and in OMB Policy guidance. The prime awardee will have until the end of the month plus one additional month after a subaward or pass-through award is obligated to fulfill the reporting requirement. Prime recipients are required to report the following information for applicable subawards. This information will be displayed on a public government website pursuant to the Transparency Act.

(i) Name of entity receiving award;

(ii) Amount of award

(iii) Funding agency;

(iv) North American Industry Classification System (NAICS) code for contracts/CFDA program for financial assistance awards;

(v) Program source;

(vi) Award title descriptive of the purpose of the funding action;

(vii) Location of the entity (including Congressional district);

(viii) Place of Performance (including Congressional district);

(ix) Unique identifier of the entity and its parent; and

(x) Total compensation and names of top five executives.

For the purposes of reporting into the FFATA Sub-award Reporting System (FSRS) reporting site, the unique identifier is the DUN and Bradstreet Universal Numbering System (DUNS) number the entity has obtained from Dun and Bradstreet, and for Prime awardees the DUNS number registered in the Central Contractor Registration as required by HUD regulation 24 CFR 5.1004.

**(b) Prime Grant Awardee Executive Compensation Reporting.** Prime awardees must also report in the governmentwide website the total compensation and names of the top five executives in the prime awardee organization if:

(i) More than 80% of the annual gross revenues are from the Federal government, and those revenues are greater than \$25 million annually; and

(ii) Compensation information is not readily available through reporting to the Securities Exchange Commission (SEC).

**(c) Subaward Executive Compensation Reporting.** Prime awardees must also report in the governmentwide website the total compensation and names of the top five executives in the subawardees if:

(i) More than 80% of the annual gross revenues are from the Federal government, and those revenues are greater than \$25 million annually; and

(ii) This required compensation information is not readily available through reporting to the SEC. If the subaward recipient's executive compensation is reported through the Central Contractor Registration (CCR), the prime recipient is not required to report the information again.

**(d) Transparency Act Reporting Exemptions.** The Transparency Act exempts any sub-awards less than \$25,000 made to individuals and any sub-awards less than \$25,000 made to an entity whose annual expenditures are less than \$300,000. Subawards with a cumulative total of \$25,000 or greater are subject to subaward reporting beginning the date the subaward total award amount reaches \$25,000. The Transparency Act also prohibits reporting of any classified information. Any other exemptions to the requirements must be approved by the Office of Management and Budget.

**NOTE:** For the purposes of FFATA reporting requirements, "prime grant awardee" includes awardees of capital advances for the Section 202 Housing for the Elderly and Section 811 Housing for Persons with Disabilities programs.

**8. 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 – the Federal Awardee Performance and Integrity Information System (FAPIIS) - 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. OMB is in the process of issuing regulations regarding federal agency implementation of Section 872 requirements. A technical correction to this General section may be issued when such regulations are promulgated. HUD anticipates that the terms and conditions to its FY 2012 awards will contain requirements related to meeting FFATA and Section 872 requirements.

**9. Race and Ethnic Data Reporting.** 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 Race and Ethnic Data Reporting Form. HUD will provide instructions to grantees on how the form is to be submitted.

## VII. AGENCY CONTACTS

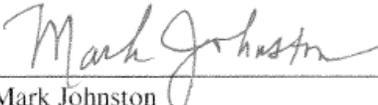
**1. For Assistance.** Applicants may call Tasleem Albaari at 202-402-7346 (this is not a toll-free number). Persons with hearing and speech impairments may access the above numbers via TTY (text telephone) by calling the Federal Relay Service at (800) 877-8339 (this is a toll-free number). Information may also be obtained through the HUD website at [www.hud.gov](http://www.hud.gov).

## VIII. OTHER INFORMATION

**A. Paperwork Reduction Act.** The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control numbers 2506-0195 and 2506-0004. 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 currently valid OMB control number. Public reporting burden for the collection of information is estimated to average 40 hours for the application and grant administration. This includes the time for collecting, reviewing, and reporting the data. The information will be used for grantee selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.

**B. Environmental Impact.** A Finding of No Significant Impact with respect to the environment has been made in accordance with the Department's regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The Finding of No Significant Impact is available for public inspection on HUD's website at [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/grants/fundsavail](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail) under the link for this program NOFA.

Date: December 13, 2012

  
\_\_\_\_\_  
Mark Johnston  
Acting Assistant Secretary for  
Community Planning and Development

[FR-5600-N-36]