DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5700-N-01]

Notice of HUD's Fiscal Year (FY) 2013 Notice of Funding Availability (NOFA) Policy Requirements and General Section to HUD's FY2013 NOFAs for Discretionary Programs

AGENCY: Office of the Secretary, HUD.

ACTION: Notice of HUD's FY2013 General Section to HUD's FY2013 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 to HUD's FY2013 Notices of Funding Availability (NOFAs) for Discretionary Funding (program NOFA), in advance of publication of any individual FY2013 program NOFAs. This General Section and the individual FY2013 program NOFA Sections comprise the entirety of the FY2013 NOFA instructions.

A. HUD's Strategic Goals and Policy Priorities

In FY2013, HUD is seeking competitive applications for individual FY2013 program NOFAs that will further the achievement of HUD's Strategic Plan Goals and Policy Priorities.

HUD's Strategic Plan for FY2010-2015, provides the direction and focus of HUD in achieving its mission: to create strong, sustainable, inclusive communities and quality, affordable homes for all. The Strategic Plan sets forth five core goals, to achieve HUD's mission:

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

HUD's grantees are important partners for achieving these Strategic Plan Goals and the Department will provide points or prioritize selection of applications for applicants that further the strategic goals of the Department. The full list of FY2013 Policy Priorities and their relationship to HUD's Strategic Goals is provided in Appendix A to this General Section,

Each individual program NOFA will identify the Policy Priorities that are applicable to that program and the rating points or how they are used in the selection process. Each program must specify at least two policy priorities and provide for at least two points in the rating of applications devoted to the policy priorities. Exceptions to this policy will be noted in the program NOFA. Appendix B provides a fuller description and examples on how to implement each of the policy priorities. The policy 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.

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 overcome impediments to fair housing choice, employing regional- or metropolitan-level strategies, when applicable.

4. Capacity Building and Knowledge Sharing
Activities strengthen the capacity of state, local, tribal 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, environmental, 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.

B. Evidenced-Based Decision-Making

In FY2013, HUD furthers efforts to utilize rigorous evidence in making funding decisions related to its competitive programs. In evaluating applications and designing its NOFAs, HUD will take into account the body of rigorous evidence available for each program found through program assessments, independent studies or evaluations related to the comparative effectiveness of different approaches or strategies, or other studies sponsored by HUD's Office of Policy Development and Research. HUD will give funding priority to those who demonstrate effective use of evidence in identifying or selecting the practices, strategies or programs proposed in the application, where practicable. In addition, to aid in building the body of evidence on HUD's programs, as a threshold requirement, all grantees must cooperate on HUD-funded research and evaluations.

C. **NOFA Schedule**

In FY2013, HUD plans to publish individual program NOFAs as they are approved for publication. Some NOFAs may be published in advance of program appropriations so that prospective applicants can start preparing their applications.

Any amendment to this General Section or an individual program NOFA will be posted on 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 to receive notice of publication of program NOFAs as well as any changes to this General Section or to individual FY2013 program NOFAs.

D. **NOFA Application Submission Requirements**

The General Section and individual program NOFAs comprise the full set of NOFA submission instructions; applicants are advised to become familiar with the full set of application submission requirements, and to provide copies of the General Section to all persons that will be working on the application. Key requirements of the General Section include: HUD requires that applicants submit applications electronically via Grants.gov, with the exception of the Continuum of Care competition, which is submitted through e-snaps.

All applicants must have a Dun and Bradstreet Universal Numbering System (DUNS) number.

All applicants must have an active registration in the Central Contractor Registration (CCR) system. In July 2012, the CCR will be converted to the System for Award Management (SAM) found at www.SAM.gov. The new SAM website incorporates requirements for Central Contractor Registration (CCR). See Section IV of the General Section for more information.
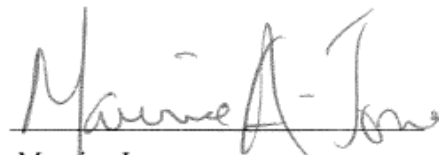
Appendix C contains detailed instructions on obtaining a DUNS number and registering with Central Contractor Registration (CCR)/SAM.

FOR FURTHER INFORMATION CONTACT: For further information on HUD's FY2013 Policy Requirements and General Section, contact the Office of Strategic Planning and Management, Grants Management Division, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington, DC 20410-3000, telephone number 202-402-4802. This is not a toll-free number. Persons with hearing or speech impairments may access this number via TTY by calling the Federal 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)/ SAM.gov, and Grants.gov websites. These sites all have User Guides and Frequently Asked Questions (FAQ) which are updated on an ongoing basis.

HUD believes that early publication of this General Section is beneficial to prospective applicants by providing advance notice of the Department's Strategic Plan Goals, Policy Priorities, NOFA threshold requirements and other requirements that are applicable to individual FY2013 program NOFAs

Dated: ___7/16/12___

Maurice Jones
Deputy Secretary

[FR-5700-N-01]

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OVERVIEW INFORMATION

A. Federal Agency Name: United States 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 FY2013.

C. Announcement Type: Initial announcement of the general requirements that apply to all HUD federal financial assistance NOFAs for FY2013

D. Funding Opportunity Number: FR-5700-N-01. OMB Approval Number is provided for each information collection.

E. Catalog of Federal Domestic Assistance (CFDA) Number: A CFDA number is provided for each HUD federal financial assistance program.

F. Dates: The deadline dates that apply to the federal financial assistance made available through HUD's FY2013 program NOFAs will be found in the published individual program NOFA.

FULL TEXT OF ANNOUNCEMENT

I. FUNDING OPPORTUNITY DESCRIPTION

A. Requirements.
The General Section describes the requirements that are applicable to all of HUD's FY2013 individual program NOFAs. The General Section also provides overall guidance regarding HUD's Policy Priorities and their relationship to HUD's Strategic Plan Goals as stated in the Department's Strategic Plan for FY2010-2015. Each individual program NOFA will describe additional procedures and requirements that apply to the individual program NOFA, including a description of the eligible applicants, eligible activities, threshold requirements, cross-program requirements such as nondiscrimination and environmental protection, 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. HUD's Strategic Plan Goals and Policy Priorities.
HUD's Strategic Plan for FY2010-2015 and Policy Priorities set forth a roadmap of actions to help transform communities through the implementation of HUD's programs. Each individual program NOFA will identify specific policy priorities and outcome measures that will be used to evaluate submitted applications. The outcomes described in the individual program NOFA will support the measures of success described in HUD's Strategic Plan. 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.

HUD is encouraging applicants to undertake programs and projects that align with HUD's Strategic Plan and the cross-cutting departmental Policy Priorities. Applicants that propose to undertake activities that result in the achievement of specific Policy Priorities are eligible to

receive additional points in the rating of their application.   Each program NOFA shall specify at least two Policy Priorities, the number of points allocated to each policy priority, and specific criteria that must be addressed to earn the points. The maximum number of points available for Policy Priorities is four points. A chart of HUD's Strategic Goals and Policy Priorities is available in Appendix A to this General Section.   Appendix B provides a fuller description and examples on how to implement each of the policy priorities.

C. Authority.   HUD's authority for making funding available under its FY2013 programs is identified in each program NOFA.

D. Funding Available.   Each program NOFA will identify the estimated amount of funds available in FY2013 based on available appropriations, plus any funds that may be available as a result of funds carried over from previous fiscal years or recaptured funds. Program NOFAs may be issued in advance of appropriations and will be subject to the availability of appropriations. If issued in advance of appropriations, the program NOFA will not provide a total dollar amount for HUD funds available. However, the program NOFA will indicate the approximate size of grant awards to be made, so that potential applicants can prepare their applications in accordance with the proposed award amounts.

II. AWARD INFORMATION
Awardee information will be announced through a Federal Register Notice. Funding announcements of all awardees by program is also available on HUD's website by fiscal year at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundingannoun cement.

As part of HUD's Open Government efforts, and to assist potential future applicants, HUD also posts the highest rated application per program on HUD's Freedom of Information Act (FOIA) website at:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/foia/highscore

III. ELIGIBILITY INFORMATION

A. Eligible Applicants.
The individual program NOFA will describe the applicant eligibility requirements. Applicants should be aware that HUD does not directly fund individuals through its formula-based programs or its competitive program NOFA process.

B. Cost Sharing or Matching.
The individual program NOFAs will describe the applicable cost sharing, matching or leveraging requirements (if any).

C. Other Requirements and Procedures Applicable to All Programs.
Except as may be modified by the individual program NOFAs, the requirements listed below apply to all FY2013 HUD programs for which funding is announced by NOFA and posted to www.Grants.gov.

1. Statutory and Regulatory Requirements. To be eligible for funding under HUD's FY2013 program NOFAs, 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 Program Contact identified in the individual program NOFA. Each individual program NOFA will provide instructions on how HUD will address proposed activities that are ineligible.

2. Threshold Requirements. Threshold requirements are requirements that must be met in order for an application to be considered for funding. Each individual program NOFA may have additional threshold requirements that must be met for an application to be rated and ranked. The threshold requirements contained in the General Section must be adhered to by all applicants unless otherwise stated in the individual program NOFAs.

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/SAM. Failure to provide a DUNS number and Taxpayer Identification Number (TIN) that is registered at CCR/SAM.gov 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).

c. Active Registration at CCR/www.SAM.gov. All applicants must have an active registration is the Central Contractor Registration. As of July 2012, the General Services Administration (GSA), which operates CCR.gov, is consolidating a number of its systems to a single platform called the "System for Award Management" (SAM) found at www.SAM.gov. For registrants with active registrations in the Central Contractor Registration, this transition will be seamless as registrations will automatically migrate to the new SAM platform. However, anyone that did not have an active registration in SAM as of July 2012 will have to update/renew their registration in SAM. Please check with www.SAM.gov and www.Grants.gov for updates on this transition. 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 CCR/SAM.gov. HUD will not make an award of funds to an applicant where the DUNS number, Tax Identification Number (TIN), name or address of the applicant organization does not match CCR/SAM data files. Registrations in CCR/SAM are active for one year. HUD will not make a payment to an awardees' who's CCR/SAM Registration has expired. See Interim Rule published July 15, 2010 (75 FR 41087) and Final Rule published December 8, 2010 (75 FR 76260).

d. Outstanding Civil Rights Matters Must Be Resolved Prior to the Application Deadline.
(1) If you, the applicant, have one of the following charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (a), (b), (c), (d), or (e) that has not been resolved

to HUD's satisfaction before the application deadline, then you, the applicant, are ineligible for funding.

(a) You have received a charge from HUD concerning a systemic violation of the Fair Housing Act or 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;

(b) You 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 an issue of general public interest pursuant to 42 U.S.C. 3614(a);

(c) You 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;

(d) You 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

(e) You 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.

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

(a) Current compliance with a voluntary compliance agreement signed by all the parties;

(b) Current compliance with a HUD-approved conciliation agreement signed by all the parties;

(c) 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;

(d) Current compliance with a consent order or consent decree; or

(e) Current compliance with a final judicial ruling or administrative ruling or decision.

e. No Debarments and/or Suspensions. In accordance with 2 CFR part 2424, no award of federal funds may be made to an applicant that is 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. This 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 a program NOFA requires a certification of consistency with the Consolidated Plan and HUD finds that one or more 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. Outstanding 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 was 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.

h. Pre-Award Accounting System Survey. HUD will not award or disburse funds to any applicant that does not have a financial management system that meets federal standards. 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. 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.

i. 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.

j. 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.

4. Compliance with Nondiscrimination and Other Requirements.
The following requirements apply to all individual program NOFAs. Because there are some variations in requirements between the programs, please read the corresponding requirements in the individual program notices carefully.

a. Compliance with Fair Housing and Civil Rights Laws.

(1) With the exception of federally recognized Indian tribes and their instrumentalities, applicants and their subrecipients 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; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title II and Title III of the American With Disabilities Act of 1990; and Section 109 of the Housing and Community Development Act of 1974.

(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 or Tribally Designated Housing Entity (TDHE), you must comply with the nondiscrimination provisions enumerated in the regulations applicable to the HUD assistance programs that you administer. Each program NOFA shall specify the applicable civil rights requirements for Indian Tribes or tribally designated entities when they are listed as eligible applicants under the program NOFA.

b. 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 FY2013 program NOFAs that are not specifically exempted, to take affirmative steps to further fair housing.

NOTE: Federally recognized Indian tribes are not subject to the requirement to affirmatively further fair housing. Other tribal entities may also be exempt. Refer to the individual program NOFAs for more information on exemptions.

Unless otherwise specified in the individual program NOFAs, 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 any 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 to will be more specifically identified in the individual program NOFAs.

Alternative or additional requirements to Affirmatively Furthering Fair Housing will be identified in the individual program NOFAs.   The following are examples of how to meet the AFFH requirements.   These examples are not intended as exclusive alternatives; grantees are encouraged to select activities and outcomes that best meet their specific context.

(1) 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 accessible services, or a lack of integration in terms of income, race, or ethnicity, or disability status.

(2) For programs that focus on redevelopment of existing neighborhoods, activities that affirmatively further fair housing include those that:

    (a) Integrate housing development with access to effective schools, job training, child care, financial services, health care services, social services, or public transportation;

    (b) Increase economic and racial and ethnic diversity within the neighborhood; and

    (c) 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.

(3) For programs that focus on rehabilitation or new construction of housing, activities that affirmatively further fair housing include those that:

(a) Ensure that housing is sited in a manner to enhance racial or ethnic diversity;

(b) Ensure that housing units are affordable to persons of low, very low, and moderate income;

(c) To the extent permitted by program requirements, ensure that buildings and housing units are accessible beyond federal accessibility requirements and visitable by persons with disabilities;

(d) 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, and first right of return for the new units; and

(e) Ensure that the units are placed in an area of opportunity, which includes factors such as access to employment, retail and cultural centers, effective schools, health care facilities, social services, and public transportation. New construction activities must refrain from geographically concentrating housing for persons with physical, mental or developmental disabilities. Such housing are encouraged to be placed in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

(4) For programs that include or require marketing, affirmative marketing activities include:

(a) 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, such as persons with impaired vision or hearing and persons with Limited English proficiency and

(b) Affirmative marketing of the redevelopment to landlords, real estate professionals, and developers. (See 54 FR 3232 and 3235, January 23, 1989.)

(5) For programs that provide counseling, social services, technical assistance, or fair housing services, activities that affirmatively further fair housing include:

(a) Providing clients with training and information on rights and remedies available under the federal, state and local fair housing and civil rights laws;

(b) Where there are instances suggesting that violations of such laws have occurred or are occurring, provide information to HUD to investigate such potential violations; and are affirmatively marketed, as described above.

(6) For programs that involve community-based education, and/or outreach, examples of activities that affirmatively further fair housing include:

(a) Where appropriate, designing and implementing education, and outreach and marketing initiatives that maximize communication with, and dissemination of information to, persons

unlikely to have access to information or benefits, including persons of different ethnic and racial backgrounds, and persons with disabilities;

   (b) Conducting activities in a manner that provides meaningful access to persons with Limited English Proficiency (LEP); and underserved or hard-to-house populations, including large families, persons with disabilities, single parents with children, persons residing in institutions, and racial or ethnic minorities.

(7) For programs involving community-based or academic research, examples of activities that affirmatively further fair housing include:

   (a) Where appropriate engaging with minorities, persons with disabilities, and vulnerable populations in the research program either as participants, interviewees within the research, or as beneficiaries of the HUD programs that are being examined for effectiveness or improvements under the research program;

   (b) Making persons with LEP, vulnerable populations, minorities, and persons of different ethnic and racial backgrounds aware of opportunities to participate in research being conducted through information dissemination and solicitation of input into the research study; (3) disseminating the results of the research to persons with LEP in languages they understand, to vulnerable populations, to diversity of racial and ethnic groups, and to minority-serving academic and other institutions; and (4) ensuring that community-based research reflects diverse racial and ethnic populations, including persons with LEP and vulnerable populations.

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 . 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 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, contracting and other economic opportunities 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 for which Section 3 is applicable 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, 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 unless an undue burden would result to the federal department or agency. 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. Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity. As the Nation's housing agency, HUD policy is to ensure that its programs do not involve arbitrary discrimination against any individual or family otherwise eligible for HUD-assisted or -insured housing, and that its policies and programs serve as models for equal housing opportunity**.** Toward this goal, HUD revised its program regulations on February 3, 2012 (77 FR 5662) to ensure that its core programs are open to all eligible individuals and families without regard to sexual orientation, gender identity, or marital status in housing assisted with HUD funds or subject to FHA insurance. Applicants are encouraged to become familiar with HUD's February 3, 2012 final rule, which requires equal access to HUD-assisted and insured housing without regard to sexual orientation, gender identity, or marital status and prohibits inquiries on sexual orientation or gender identity

h. Executive Order 13279, "Equal Protection of the Laws for Faith-Based and Community Organizations" and Executive Order 13559.   In accordance with Executive Order 13279, faith-based organizations are eligible, on the same basis as any other organization, to participate in HUD's programs and activities. HUD-funded programs are subject to 24 CFR 5.109, which implements Executive Order 13279 and prescribes Departmental policies and requirements governing the equal participation of faith-based organizations. HUD's rule at section 5.109 provides, among other things, that religious organizations may not engage in inherently religious activities as part of a HUD-funded program or activity; a religious organization that participates in a HUD-funded program or activity may retain its independence and continue to carry out its mission; and an organization that receives direct HUD funds is not permitted to discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief in providing program assistance. Executive Order 13559 amends Executive Order 13279 to require agencies to:

- Require agencies that administer or award Federal financial assistance for social service programs to implement protections for the beneficiaries or prospective beneficiaries of such programs by providing referrals to alternative providers if the beneficiary objects to the religious character of the organization providing services, as well as written notice of these protections to beneficiaries before enrolling in or receiving services;

- State that decisions about awards of Federal financial assistance must be free from political interference or even the appearance of such interference, and must be made on the basis of merit, not on the basis of the religious affiliation, or lack of affiliation, of the recipient organization;

- State that the Federal government has an obligation to monitor and enforce all standards regarding the relationship between religion and government in ways that avoid excessive entanglement between religious bodies and governmental entities;

- Clarify the principle that organizations engaging in explicitly religious activity must separate these activities in time or location from programs supported with direct Federal

financial assistance, and that participation in any explicit religious activity cannot be subsidized with direct government funds and that participation in such activities must be voluntary for the beneficiaries of the social service program supported with Federal financial assistance;

- Emphasize that religious providers are welcome to compete for government social service funding and maintain a religious identity as described in the order;

- Require agencies that provide Federal financial assistance for social service programs to post online regulations, guidance documents, and policies that have implications for faith-based and neighborhood organizations and to post online a list of entities receiving such assistance; and

- Clarify that church-state standards and other standards apply to subawards as well as prime awards.

HUD's NOFAs providing social services shall include provisions consistent with the amendments to the Executive Order.

i. 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. 4601-4655), and the government-wide implementing regulations issued by the Federal Highway Administration at 49 CFR part 24. The Uniform Act applies 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 requirements, 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). Records demonstrating compliance with these requirements must be maintained by the recipient.

PLEASE NOTE: 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 URA statutory provisions for "temporary relocation", 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.   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.   Individual Program NOFAs may have additional relocation guidance and requirements.

j. 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 FY2013 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.

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://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/conduct and if the information is still accurate. An applicant not listed on the website must submit a copy of its code of conduct with its application or 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.).

k. 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 tribal entities 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. (See 24 CFR part 87 subpart A, including Appendix A)

l. **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.

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.

m. 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, contractors, or designated grantees who perform HUD-funded research or evaluation studies.

 n. Salary Limitation for Consultants. Fiscal Year 2013 funds may not be used to pay or provide reimbursement for payment of the salary of a consultant at a rate more than the equivalent of Executive Schedule level IV (currently $155,500) which is in accord with the Office of Personnel Management. The FY2012 tables are found at: http://www.opm.gov/oca/12tables/html/ex.asp.

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.

q. OMB Administrative Requirements and Cost Principles. The following OMB Circulars apply to the awards under the individual program NOFAs, based on the type of grantee. The requirements of the applicable Circular may be modified by the individual program NOFAs., Particular attention should be given to the provisions concerning the use of federal funds for matching requirements.

Certain OMB Circulars found in title 2 of the Code of Federal Regulations, and HUD's implementing 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, except when inconsistent with the provisions of applicable federal statutes or regulations, the provisions of this notice or as may be modified by the individual program NOFAs.

(1) *OMB Circular A-102* (24 CFR part 85) (Administrative Requirements For Grants and Cooperative Agreements To State, Local And Federally Recognized Indian Tribal Governments).

(2) *OMB Circular A-110* "(24 CFR part 84) (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations)

(3) *OMB Circular A-87* (2 CFR part 225) (Cost Principles for State, Local, and Indian Tribal Governments)

(4) OMB Circular A-21 (2 CFR part 220) (Cost Principles for Education Institutions)

(5) *OMB Circular A-122* *(2 CFR part 230) (Cost Principles for Non-Profit* Organizations)

(6) *OMB Circular A-133* (Audits of States, Local Governments, and Non-Profit Organizations)

Copies of the OMB circulars may be obtained from the following site: http://www.whitehouse.gov/omb/circulars_default, 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 Relay Service).

 r. 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 Strategic Planning and Management, 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.

s. Conflicts of Interest. If you are a consultant or expert who is assisting HUD in rating and ranking applicants for funding under HUD FY2013 program NOFAs published , 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 FY2013 program NOFAs, 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 FY2013 program NOFAs, including HUD staff, 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 FY2013 program 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 FY2013 program 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).

t. Safeguarding Resident/Client Files. In maintaining resident and client files, HUD funding recipients shall comply with the Privacy Act of 1974 (the Act), the agency rules and regulations issued under the Act, and observe state and local laws concerning the disclosure of records that pertain to individuals. Further, recipients are required to comply with the Act in the design, development, or operation of any system of records on individuals and take reasonable measures to ensure that resident and client files are safeguarded. This includes when reviewing, printing, or copying client files.

u. Executive Order 12372, "Intergovernmental Review of Federal Programs". 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. To determine if your state has designated a State Point of Contact (SPOC), please go to http://www.whitehouse.gov/omb/grants_spoc/. 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. Not all programs require this review.

v. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L.109-282) (Transparency Act), as amended.

(1) Prime Grant Awardee Reporting. Prime recipients of HUD financial assistance are required to report certain subawards in the Federal Government-wide website www.fsrs.gov or its successor system.

Starting with awards made October 1, 2010, prime financial assistance awardees receiving funds directly from HUD were 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, if (1) the initial prime grant award is $25,000 or greater, or the cumulative prime grant award will be $25,000 or greater if funded incrementally as directed by HUD in accordance with OMB guidance; and (2) the subaward is $25,000 or greater, or the cumulative subaward will be $25,000 or greater. For reportable subawards, if executive compensation reporting is required and subaward recipients' executive compensation is reported through the SAM 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:

> (a) Name of entity receiving award;
> (b) Amount of award;
> (c) Funding agency;
> (d) North American Industry Classification System (NAICS) code for contracts/CFDA program for financial assistance awards;
> (e) Program source;
> (f) Award title descriptive of the purpose of the funding action;
> (g) Location of the entity (including Congressional district);
> (h) Place of Performance (including Congressional district);
> (i) Unique identifier of the entity and its parent; and
> (j) Total compensation and names of top five executives.

For the purposes of reporting into the FFATA Subaward Reporting System (FSRS) reporting site, the unique identifier is the DUNS number the entity has obtained from Dun and Bradstreet and, for prime awardees, the DUNS number registered in SAM as required by HUD regulation 24 CFR 5.1004. This information will be displayed on a public government website pursuant to the Transparency Act.

   (a) Prime Grant Awardee Executive Compensation Reporting. Prime awardees must also report in the government-wide website the total compensation and names of the top five executives in the prime awardee organization if:
   (i) More than 80 percent 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).

(b) **Subaward Executive Compensation Reporting**. Prime grant awardees must also report in the government-wide website the total compensation and names of the top five executives in the subawardees if:

(i) More than 80 percent 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. For applicable subawards, if executive compensation reporting is required and subaward recipients' executive compensation is reported through the SAM system, the prime recipient is not required to report this information.

(c) **Transparency Act Reporting Exemptions.** The Transparency Act exempts any subawards less than $25,000 made to individuals and any subawards 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.

w. 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 government-wide 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.

x. Eminent Domain. Section 409 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (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. Applicants for FY2013 assistance under the programs governed by this General Section may be subject to this restriction if it is incorporated

in HUD's FY2013 appropriation. Subsequent to the passage of HUD's FY2013 appropriation HUD will publish a notice indicating if this provision applies.,

IV. APPLICATION AND SUBMISSION INFORMATION

This section describes how applicants may obtain electronic application forms, identifies HUD Standard forms, and provides guidance on the submission of narratives, third party letters and certifications utilizing HUD's Facsimile Transmittal form and technical assistance resource information.

A. Address To Request Application.

1. Grants.gov. HUD's NOFA process requires applicants to submit applications electronically through Grants.gov. The general process for downloading, completing, submitting, and tracking grant application packages is described at:
http://www07.grants.gov/applicants/apply_for_grants.jsp.

PLEASE NOTE: These instructions are not applicable to Continuum of Care applicants because the Continuum of Care application is submitted through the HUD e-snaps system, not Grants.gov. Continuum of Care applicants will find submission instructions for the e-snaps system via the Continuum of Care NOFA.

B. Content and Form of Application Submission.

1. Electronic Grant Application Forms and Instructions

a. Application Download. The Application download contains the Adobe forms created by Grants.gov.   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.

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.

Do not download the same application package from Grants.gov more than once for each application that you are going to submit. Each application contains a unique identifier, and multiple identifiers may result in lost forms should any portion of the application need to be faxed (see the section on Facsimile Transmittal below for more information).

b. Application Cover Page. The Application download opens to a cover page which identifies the funding opportunity, including the competition program name, Catalog of Federal Domestic Assistance (CFDA) number and the competition ID. Make sure that you have downloaded the correct application. Grant Application cover page also contains forms which are separated 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.

PLEASE NOTE: Regardless of the box in which the forms are listed (mandatory or optional), the individual Program Section/NOFAs (and any technical corrections) will identify the forms that may be applicable, and/or required to be submitted with the application.

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. Each program NOFA will identify all of the required forms and other required information for submission. Be sure to read and follow the application submission requirements published in each individual NOFA for which you are submitting an application.

c. Mandatory Fields in Forms on Application Cover Page. Forms in the Application Package 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.

d. 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 contained in the application package requesting the same information.

e. Forms in the Instructions Download. HUD "program-specific" forms not available in the Application download will be available in the Instructions download. These forms are accessible via Microsoft Word Office 2003 (.doc), Microsoft Excel Office 2003 (.xls), or Adobe (.pdf) format, compatible with Adobe Reader 9.4, The PDF forms are fillable but <u>not</u> savable, unless you have Adobe Professional 8.0 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.

WARNING: When saving files for attachment to your submission, please be aware that file names must be less than 50 characters in length and contain no special characters or spaces. Failure to follow this direction will result in your application being rejected from Grants.gov with a "virus detect" error message.

f. Standard Forms. Standard forms for HUD programs are identified below:

- Application for Federal Assistance (SF424);

- Faith-Based EEO Survey (SF424 Supplement, Survey on Ensuring Equal Opportunities for Applicants), if applicable;

- HUD_Detailed_Budget_HUD424_CB, Grant_ Application_Detailed_Budget;

- Grant_Application_Detailed_Budget_Worksheet_HUD424_CBW;

- Disclosure_of_Lobbying_Activities_(SFLLL), if applicable;

- HUD_Applicant_Recipient_Disclosure_Report_(HUD)_2880_ Applicant/Recipient Disclosure/Update Report);

- Certification of Consistency with Sustainable Communities Planning and Implementation (HUD2995), if applicable;

- Certification_of_Consistency_with_the_Consolidated-Plan_(HUD2991), if applicable;

- Acknowledgment_of_Application_Receipt_(HUD2993);

- Program_Outcome_Logic_Model_(HUD96010);

- HUD_Race_Ethnic_Form_(HUD27061), if applicable;

- HUD_Facsimile_Transmittal_HUD96011)_Third_Party_Documentation_ Facsimile_Transmittal.

g. Submission of Narrative Statements, Third-Party Letters, Certifications, and Program-Specific Forms. In addition to HUD's standard and 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 9.4, 10.0.1, 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.**

(2) Third-Party Letters, Certifications Requiring Signatures, and Other Documentation. If applicants are 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, applicants may utilize the fax method described below.

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

(3) 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**.

   (a) 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 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.

    (b) 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 FY2013 fax numbers.**

(4) 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.

2. Technical Assistance Resources.

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. The customer support center is open 24 hours a day, seven days per week, except federal holidays.

b. HUD Website. The following information can be found on HUD's website:

(1) NOFA Webcasts. HUD frequently 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.

(2) HUD's FOIA Page. HUD's Freedom of Information Act (FOIA) website page at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/foia/highscore provides the most recent highest scoring applications from HUD's competitive grant programs.

3. Waiver of Electronic Submission Requirements.

The regulatory framework for HUD's electronic submission requirements is the final rule established in 24 CFR 5.1005. Applicants seeking a waiver of the electronic submission requirements must request a waiver in accordance with 24 CFR 5.1005. HUD's regulations allow for a waiver of the electronic submission requirements for good cause. If the waiver is granted, the applicable HUD 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 requirements will not be afforded additional time to submit their applications. The deadline for application submission will remain as provided in the NOFA. As a result, applicants seeking a waiver of the electronic application submission requirements should submit their waiver request with sufficient time to allow HUD to process and respond to their request before the deadline. 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 requirements, it must submit the waiver request to the HUD program office designated in the individual Program NOFA no later than 15 days before the application deadline. To expedite the receipt and review of such requests, some Program 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.

4. Registering with Grants.gov

a. Registration Requirements. In order to submit applications electronically through Grants.gov, applicants must register with Grants.gov to provide and obtain certain identifying information. Registration protects both HUD and the applicant. Registration confirms that the applicant organization has designated and authorized an individual or entity to submit an application on its behalf. Registration also assures HUD that it is interacting with the designated representative of the applicant who has been authorized to submit the application. The registration process also requires the applicant to provide information at websites other than Grants.gov.

b. Registration Instructions. Registration for Grants.gov is a multi-step process. The registration process can take approximately **2 to 4 weeks or longer** to complete, if there are data issues that need to be resolved.

Applicants must complete all of the following five sequential steps to register for electronic application submission through Grants.gov. Applicants that do not have a valid registration will not be able to submit an application through Grants.gov.

1. Step One: The applicant organization checks with Dun and Bradstreet to see if they have an existing 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;

2. Step Two: Register the applicant organization with SAM.gov;

3. Step Three: Register a user name and password (Authorized Organization Representative (AOR) ID at Grants.gov;

4. 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

5. Step Five: The AOR confirms his or her 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.

Further information regarding Registration can be obtained from the Grants.gov "Get Registered website at: http://www.grants.gov/applicants/get_registered.jsp , and Appendix C.

5. 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 registered at Grants.gov) 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 SAM registration (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 SAM 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.

C. Receipt Dates and Times.

1. Application Deadlines and Grace Period Information

a. 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.

HUD may extend the application deadline for any program in the following circumstances:

(1) If 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; 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 affected applicants.

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

b. Grace Period. HUD is retaining its one-day grace period policy. The paragraphs below describe HUD's Grace Period Policy for FY2013.

PLEASE NOTE: The Grace Period Policy does not apply to applications submitted in paper after receiving a waiver to the electronic application submission requirement.

(1) Applicants that have successfully uploaded their application to Grants.gov prior to the deadline, and subsequently receive a rejection notice from Grants.gov have a grace period of one-day beyond the deadline date and time published in the program NOFA to submit a corrected application that is received and validated by Grants.gov. 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 Customer Support Center so they can get assistance in clearing the problem.

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 deadline date and time published in the program NOFA.

WARNING: Applications that contain file names that are longer than 50 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. Prior to submitting an application applicants should scan their files for 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. If the applicant has submitted an application multiple times, HUD will only consider the last application received and validated by Grants.gov in accordance with the timely receipt requirements. This provision includes applications received during the grace period. HUD will use the Grants.gov date and time stamps to determine the last application received and validated.

(2) 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.

   a. Applications received by Grants.gov after the deadline date and time for which there is no prior evidence of a rejection for the same opportunity in the Grants.gov system logs will be considered late and will not be rated and ranked or receive funding consideration. Failure to have an application received by Grants.gov by the deadline date and time as documented by a time and date stamp in the Grants.gov system, does not qualify for the grace period, as described above.

   b. 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.

   c. If an application is received 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.

(3) The grace period ends at 11:59:59 p.m. eastern time, one day after the deadline date and time posted in the program NOFA, and any technical corrections to that NOFA affecting the deadline date and time. 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 support@grants.gov, and set their Internet service provider SPAM filter to accept emails from support@grants.gov. Applicants are responsible for monitoring their email messages. Applicants are responsible for also tracking their application status on line by going to www.Grants.gov and clicking on "Track My Application" and then entering the Grant tracking number received on the upload confirmation screen.

The Grace Period Policy is not applicable to applications received in paper format. Applications received after the stipulated date and time for receipt of the paper application will be considered late.

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.

A submission attempt less than 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.

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 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;

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

(4) Information was entered in all the mandatory (highlighted) fields and forms were completed on the application. NOTE: Grants.gov only checks to verify that all mandatory fields in the forms contained in the downloaded Adobe application have been completed. The Grants.gov check does not include forms found in the instructions download. This system check does not verify that all attachments required by the NOFA are in the submission, or that the applicant has submitted all the required elements of the application.

c. Application Validation and Rejection Notification. If the application fails 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. The validation check can occur 24 to 48 hours after the application submission.

4. Timely Receipt Requirements and Other Important Information.

a. Timely Receipt Requirements and Proof that the Requirements Are Met. Timely receipt is verified through Grants.gov which receives and validates applications prior to HUD reviews. A confirmation receipt is electronically displayed after an application is uploaded, followed by an emailed receipt. A second email indicates either validation or rejection. Grants.gov offers the ability to track the status of applications on line. Submitting an application early ensures that an applicant has sufficient time for its application to complete the transmission process before the application deadline. HUD recommends that applicants submit their applications at least 48 hours before the deadline date and during the operating hours of the Grants.gov Customer Support Center, so that if there are questions concerning transmission, operators will be available to assist an applicant through the process. The customer support center is open 24 hours a day, seven days per week, except federal holidays.

The receipt process and means of applicant tracking are explained below, with the fastest tracking identified in item (8) below.

(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 his or her 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, 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.

(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 your application has met HUD's requirements; rather, the validation merely indicates that the application has been successfully received by the Grants.gov system and is ready for the grantor agency to pull the application from Grants.gov to the grantor agency system for review and evaluation. Applicants should also be aware that if they do not follow the directions in this General Section concerning file names, completing mandatory fields, or software compatible with HUD systems, they run the risk of the application not meeting HUD system standards.

(5) Tracking Application Status and Rejection. Because the notice might potentially be delayed or blocked by a spam filter, or an applicant's fire wall, or otherwise not received due to an applicant's email address not being correctly entered or updated by the applicant at Grants.gov, applicants <u>must not</u> depend on receipt of an email notification that their application has been accepted by Grants.gov. After successful upload applicants will receive the application tracking number on the confirmation screen following successful transmission, applicants <u>must</u> immediately go to www.grants.gov and track the status of their application by selecting "Track My Application" on the Grants.gov home page by entering the Grant Tracking Number received on the confirmation screen. 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.   If an application fails the Grants.gov validation process, the applicant is sent by email 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 can also see the reasons for rejection by logging on to Grants.gov and checking the status of its application. The "Track My Application" link will tell the applicant the status. If rejected, the applicant must log on to Grants.gov to obtain the full details of the reason for rejection using the "Check the Status of My Application" link. The applicant has responsibility for reviewing the reasons(s) for rejection. Both the email notification and application tracking links at Grants.gov will provide the reasons for rejection.   If the rejection notice is received prior to the deadline date, the AOR may resubmit a corrected application prior to the deadline. If the rejection notice is received after the deadline date, the AOR should resubmit a corrected application prior to the end of the grace period.

(6) 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. "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.

(7) 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.

(8) 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.
An application received by Grants.gov after the program NOFA deadline date or that does 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.

The Grace Period Policy is not applicable to applications received in paper format. Applications received after the stipulated date and time for receipt of the paper application will be considered late.

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.

(1) 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.**

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.

D. Funding Restrictions.

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

E. Other Submission Requirements.

1. Discrepancies between the NOFA posted on HUD Website and Other Documents. The NOFA posted at 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 prevails. HUD will also post any corrections to a NOFA on the 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:

    (a) 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;

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

    (c) 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.

(d) 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.

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

(1) 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, an officer or an employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) 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.

(3) The applicant is required to include this language of this certification in award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(4) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into an award under this NOFA and imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

c. Certifications and Assurances Applicable to Indian Tribes.

(1) Federally recognized Indian tribes and tribal entities 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.

V. APPLICATION REVIEW INFORMATION

A. Criteria.

1. Factors Used to Evaluate and Rate Applications. For each FY2013 program NOFA, the points awarded for the rating factors total 100, with a possibility of up to 2 bonus points for activities supporting Preferred Sustainable Communities.

a. **Five Standard Rating Factors for FY2013 Program NOFAs**. HUD has established the following five standard factors for awarding funds under the majority of its FY2013 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.

Detailed instructions for responding to each of the five rating factors and the maximum points HUD will award for each rating factor are provided in the individual program NOFAs. Each program NOFA will also specify the applicable Policy Priorities. 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.

b. Preferred Sustainable Communities Status Bonus Points. In FY2013 HUD will award 2 bonus points to applicants that are working with communities that have received Preferred Sustainability Status under the HUD Sustainable Communities Regional Planning Grant Program and/or the HUD funded Challenge Grant Program for FY2010, FY2011, and those certified under HUD's Notice of Preferred Sustainability Status Certification. (Hereafter referred to as the Preferred Sustainability Status Communities).

To receive points, the applicant must be 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

(1) The applicant's proposed activities either directly reflect the Livability Principles. cited and contained in Appendix B to this General Section, will result in the delivery of services that are consistent with the goals of the Livability Principles; and

(2) The applicant has committed to maintain an on-going relationship with a 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 ensure there is a clear nexus between the activities to be performed and items (1) and (2) above, as well as 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 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.

Applicants are advised to carefully review the program NOFA for which they intend to apply to determine the availability of Preferred Sustainable Status Communities bonus points. Applicants should note that the form HUD2995, Certification of Consistency with Sustainable Communities Planning and Implementation form can be found in the Instructions Download portion of the application at Grants.gov.

To view the listing of Preferred Sustainable Status Communities Points of Contact and to determine if your program will be operating within a Preferred Sustainable Status Community area, go to http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/nofa11/psscontacts, this website provides a link to a map and listing of preferred status areas and contacts.

d. Additional Criteria.

(1) 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 or other performance evaluation tools 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.

(2) Evidenced-Based Decision-Making. In FY2013, HUD furthers efforts to utilize rigorous evidence in making funding decisions related to its competitive programs. In evaluating applications and designing its NOFAs, HUD will take into account the body of rigorous evidence available for each program found through program assessments, independent studies or evaluations related to the comparative effectiveness of different approaches or strategies, or other studies sponsored by HUD's Office of Policy Development and Research. HUD will give funding priority to those who demonstrate effective use of evidence in identifying or selecting the practices, strategies or programs proposed in the application, where practicable.

(3) Integrity. In evaluating applicants HUD will also take into account information concerning the integrity of the applicant as reflected in government-wide websites, public information, information in HUD's files, and information received during HUD's Name Check Review process.

(4) Environmental Justice. In evaluating applications HUD may take into account considerations for environmental justice. Under Executive Order 12898, each Federal agency is directed to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. (See http://www.epa.gov/fedrgstr/eo/eo12898.pdf .)

B. Reviews and Selection Process.

1. Threshold Compliance. Only applications that meet all threshold requirements established in individual program NOFAs 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. Specifically, 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 bonus points. After HUD receives an application, however, HUD may contact the applicant to clarify items in its application. In addition, in order not to unreasonably exclude applications from being rated and ranked, in cases where there are curable deficiencies, HUD will notify the applicant of the technical deficiency(ies) and will do so on a uniform basis for all applicants.

HUD will treat paper applications with the wrong DUNS number as a technical deficiency and the applicant will be able provide a corrected SF424 to the location indicated in the waiver approval within the specified cure period and in accordance with the notification of the need to cure the application. Failure to correct the deficiency and meet the requirement to have a DUNS number and active registration in the SAM will render the application ineligible for funding.

If HUD finds a curable deficiency in an application, HUD will notify the applicant in writing describing the clarification or technical deficiency. HUD will notify applicants by two methods. Initially, HUD will send an email to the person designated in item 8 of the Standard Form (SF) 424, Application for Federal Financial Assistance, submitted with the application and to the person listed in item 21 of the SF424 as authorized representative. Both email notifications will be sent from HUD with the delivery receipt option selected. The email notifications will be the official notification of the need to cure a technical deficiency. As a courtesy, HUD will also send a fax copy of the email notification to the fax numbers identified for these individuals on the SF424. The fax notification is a courtesy copy only. It is the responsibility of the applicant to provide HUD with accurate email addresses and fax numbers for receipt of these notifications. HUD is not responsible for correcting an email address that was not entered into the SF424 correctly, resulting in the applicant not receiving the email notification. Applicants are responsible for monitoring their email accounts and fax depositories to determine whether a cure letter has been received and for notifying appropriate staff of the receipt of the fax promptly.

Clarifications or corrections of technical deficiencies in accordance with the information provided by HUD in the email notification of a technical deficiency must be received by HUD within 14 calendar days of the date of the HUD email notification. HUD will use, as the start of the cure period, the date stamp on the email that HUD sends the email to the applicant. (If the deficiency cure 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 where an applicant submitted an electronic application to Grants.gov, any clarifications or cure items must be submitted electronically by the applicant using the facsimile telephone number and form HUD96011, Facsimile Transmittal, contained in the last application package submitted to HUD. The additional information provided by facsimile will be matched to the electronic application in HUD's files. When submitting technical deficiency cure items, please place in the box labeled "Name of Document Submitting" in form HUD96011 the following information: "Technical Cure" plus the name of the document. If the name of the document is long and you need space to fit the document name, just label the Technical Cure as TC followed by the document name. When submitting a facsimile, applicants must follow the facsimile requirements found elsewhere in this notice. If the facsimile transmittal form from the last application submitted is not used as the cover page to the applicant's response transmitted to HUD in accordance with these directions, HUD will not be able to match the response to the application under review.

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 provided for receipt of 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. The time frame for responding to the technical deficiency notification sent by a program office shall be consistent with the time frame for corrections of technical deficiencies noted in the program NOFA. An applicant should carefully review the request for cure of a technical deficiency and the applicant's response to a HUD notification of a curable deficiency should be provided in accordance with the instructions in the HUD deficiency 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 of the General Section and the applicable Program NOFA.

5. Ranking. HUD will rank applicants within each program. 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 HUD 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 FY2013 NOFAs, additional funds become available either through the FY2013 HUD Appropriations, a supplemental appropriation or recapture of funds during FY2013, HUD reserves the right to use the additional funding to provide full funding to an FY2013 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. Please review the individual 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. An evaluation process will be part of HUD's ongoing management of each HUD-funded award. Applicants should be aware that HUD will expect grantees to fulfill performance promises made as part of their application. HUD will measure and address the performance and compliance actions of grantees in accordance with the applicable standards and sanctions of the 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 of this notice regarding related requirements.

C. Reporting

1. Reporting Requirements and Frequency of Reporting The individual program NOFAs shall specify the reporting requirements, including content and method of collection, as well as the frequency for reporting. Some programs will continue to use the eLogic Model. Other

programs will specify alternate means for capturing performance data to document program results over the period of performance, including the achievement of HUD's Policy Priorities. HUD will require grantees to submit performance reports in accordance with federal OMB guidance and the instructions for the individual program. In FY2013, grantees must adhere to the following reporting principles:

a. Comparisons will be made between projected and actual numbers for outputs and outcomes;

b. Deviations from projected outputs and outcomes will be documented and explained as part of required reporting; and

c. Data will be analyzed to determine the relationship of outputs to outcomes, to determine which outputs produce which outcomes and which are most effective.

d. Data will be analyzed to determine costs and costs per outcome. Grantees will be expected to report such estimates as part of the reporting requirements.

2. Placement of 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, when used, and other grantee performance reports submitted to HUD on its Grants website. As required performance reports are received by HUD, they will be added to the website. HUD is creating a web page to highlight and make available to the public performance and results from HUD-funded programs. 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.

3. 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 the Race and Ethnic Data Reporting Form found 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. For programs in which race and ethnicity reporting is required, copies of the form will be included in the Application Package under the Optional Download portion of the application posted to Grants.gov. When submitting the Race and Ethnic Data Reporting Form 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 should show results for all active clients for the entire period of performance.

VII. AGENCY CONTACT(S)

Questions regarding this notice should be directed to the Office of Strategic Planning and Management, Grants Management Division, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington, DC 20410-3000, 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 Relay Service at 800-877-8339.

VIII. OTHER INFORMATION

A. 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.

B. Environmental Impact. A Finding of No Significant Impact (FONSI) with respect to the environment for this notice is available for public inspection on HUD's funds Available page for the Notice of HUD's Fiscal Year (FY) 2013 Notice of Funding Availability (NOFA) Policy Requirements and General Section to HUD's FY2013 NOFAs for Discretionary Programs under this Notice posted to Grants.gov.

The posting of the FONSI to HUD's website is part of HUD's Open Government efforts to make it easier for the public to access information.

C. 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.

D. Section 102 of the HUD Reform Act. 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 FY2013 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 FY2013 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). HUD has also developed an instructional webcast on this form for applicants/grantees. The webcast is found at http://media.gss.hud.gov:8080/WC/2011/02/11/HUDForm2880.wmv

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.

E. Section 103 of the HUD Reform Act.

Section 103 of the HUD Reform Act, codified at 24 CFR part 4, subpart B, applies 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 who have ethics-related questions should contact the HUD Ethics Law Division at 202-708-3815 (this is not a toll-free number). Persons with speech or hearing impairments may access this number via TTY by calling the Federal Relay Service at 800-877-8339.

[FR-5700-N-01]

Appendix A

HUD's Fiscal Year 2010–2015 Strategic Plan

HUD's FY2013 policy priorities and requirements applicable to all of HUD's NOFAs published in FY2013. 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. HUD is encouraging applicants to undertake programs and projects that align with HUD's Strategic Plan and the following cross-cutting departmental Policy Priorities. The total number of points available for policy priorities is a maximum of four points per NOFA.

Mission: Create strong, sustainable, inclusive communities and quality, affordable homes for all

<u>HUD's Strategic Goals</u>

Goal 1. Strengthen the Nation's Housing Market To Bolster the Economy and Protect Consumers	Goal 2. Meet the Need for Quality Affordable Rental Homes	Goal 3. Utilize Housing as a Platform for Improving Quality of Life	Goal 4. Build Inclusive and Sustainable Communities Free From Discrimination
Sub-goals			
1A. Stem the foreclosure crisis	2A. End homelessness and substantially reduce the number of families and individuals with severe housing needs	3A. Utilize HUD assistance to improve educational outcomes and early learning and development	4A. Catalyze economic development and job creation, while en-hancing and preserving community assets
1B.. Protect and educate consumers when they buy, refinance, or rent a home	2B. Expand the supply of affordable rental homes where they are most needed	3B. Utilize HUD assistance to improve health outcomes	4B. Promote energy-efficient buildings and location-efficient communities that are healthy, affordable, and diverse
1C. Create financially sustainable homeownership opportunities	2C. Preserve the affordability and improve the quality of federally assisted and private unassisted affordable rental homes	3C. Utilize HUD assistance to increase economic security and self-sufficiency	4C. Ensure open, diverse, and equitable communities

Goal 1. Strengthen the Nation's Housing Market To Bolster the Economy and Protect Consumers	Goal 2. Meet the Need for Quality Affordable Rental Homes	Goal 3. Utilize Housing as a Platform for Improving Quality of Life	Goal 4. Build Inclusive and Sustainable Communities Free From Discrimination
1D. Establish an accountable and sustainable housing finance system	2D. Expand families' choices of affordable rental homes located in a broad range of communities	3D. Utilize HUD assistance to improve housing stability through supportive services for vulnerable populations including: the elderly, people with disabilities, homeless people, and individuals and families at risk of becoming homeless	4D. Facilitate disaster and national security preparedness, response, and recovery
		3E. Utilize HUD assistance to improve public safety	4E. Build the capacity of local, state, and regional public and private organizations

Goal 5. Transform the Way HUD Does Business
Sub-goals
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 and stakeholder feedback
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

HUD's Policy Priorities that Further HUD's Strategic Goals.
HUD is seeking competitive program grant applications that will further the achievement of HUD's Strategic Plan goals through policy priorities.

Goal 1. Strengthen the Nation's Housing Market To Bolster the Economy and Protect Consumers	Goal 2. Meet the Need for Quality Affordable Rental Homes	Goal 3. Utilize Housing as a Platform for Improving Quality of Life	Goal 4. Build Inclusive and Sustainable Communities Free From Discrimination
PP1. Job Creation	**PP2. Sustainability**	**PP3. Affirmatively Furthering Fair Housing**	**PP4. Capacity Building**
Activities sustain economic development in low income and job creation opportunities for low income residents of HUD assisted housing beyond the length of the program	Ensuring that the land that we build on is 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 are economically strong and provide opportunities for all residents to join in that strong future	Activities affirmatively further fair housing actively preventing discrimination because of the race, color, national origin, sex, religion, disability, or family status. Activities will reduce racial segregation and overcome impediments to fair housing choice, employing regional or metropolitan level strategies, when applicable	Activities which 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
Below are examples of the strategies grantees might focus on as the related to HUD's Strategic Plan in:			
Sub-goal 3C **Sub-goal 4A**	**Sub-goal 3B** **Sub-goal 4A thru E**	**Sub-goal 2D** **Sub-goal 4C**	**Sub-goal 2D** **Goal 4** **Sub-goal 4E**
Below are examples of the strategies grantees might focus on as the related to HUD's Strategic Plan in:			

Goal 1. Strengthen the Nation's Housing Market To Bolster the Economy and Protect Consumers	Goal 2. Meet the Need for Quality Affordable Rental Homes	Goal 3. Utilize Housing as a Platform for Improving Quality of Life	Goal 4. Build Inclusive and Sustainable Communities Free From Discrimination
PP5. Using housing as a platform for improving other outcomes		**PP6. Expand cross-cutting policy knowledge**	
Working in conjunction with other federal, state and local programs to create a synergy which results in improved outcomes for community residents, particularly special populations (elderly individuals, persons with disabilities and homeless persons and families, and very low income, low-income, and moderate- income households		Partnering with colleges and universities and others to devise a means to capture and track not only outcome data for the program activities directly funded through the 2010 NOFA award, but to track the spin-off or secondary impacts that result from improvements made through implementation of housing, economic development or community development programs in other areas such as health, education, safety, self-sufficiency, transportation, sustainability and increased economic and racial diversity in the community or region being served through the HUD program	
Goal 3 **Sub-goal 3A thru C** **Sub-goal 3E** **Sub-goal 2D**		**Goal 4** **Sub-goal 4E**	

Appendix B

Detailed Explanation of HUD's Policy Priorities and Implementation Examples

In FY2013, 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. Each policy priority is worth 2 points. The total number of points available for policy priorities is a maximum of four points per NOFA. Each program NOFA will 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 continued high unemployment, 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 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 support 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 (FTE) 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 development patterns, building siting, design, and construction (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 walkable 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 of their 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 or units 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) **Universal Design/Visitability.** Identify the number of disability-accessible proposed housing projects, retail establishments, and/or community facilities to be created or rehabilitated incorporating universal design or visitability standards and which exceed accessibility requirements.

(i) **Universal Design**. Universal Design is the design of the living environment to be usable by all people regardless of ability. More information about universal design can be found at (http://www.universaldesign.org/).

(ii) **Visitability.** 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. See 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, placed-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 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, placed-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.
HUD believes that no child's life chances should be determined by the neighborhood where his or her 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 Temporary Assistance for Needy Families (TANF), Supplemental Security Income (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 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.

Appendix C

Updating or Renewing Registration

Instructions on Completing the Registration Process for New Applicants or Applicants

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: 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 or longer** to complete, if there are data issues that need to be resolved.   Further information regarding Registration can be obtained from the Grants.gov "Get Registered website at: http://www.grants.gov/applicants/get_registered.jsp .

 (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 SF424 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/System For Award Management (SAM) 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. 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 with the applicant legal name as entered in box 8a of the form SF424,

CCR/SAM, 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/SAM. Applicants must note that information entered and used to obtain the DUNS number will be used to pre-populate the CCR/SAM registration, 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 *without charge* 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. 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 CCR/SAM 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 SF424.

(2) Step Two: Register with CCR/SAM. The second step of the registration process is registering with CCR/SAM. CCR/SAM 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/SAM registration process, you can contact the Federal Service Desk, Monday through Friday, from 8 a.m. to 8 p.m. eastern time; toll free, at 866-606-8220 or 334-206-7828. Applicants can also obtain assistance online at www.ccr.gov or at www.SAM.gov once the transition to SAM has taken place. A CCR/SAM User's Guide that guides applicants through the registration process is available on the CCR/SAM website by clicking on "Help."

Registration, including update/renewal, can take several weeks as CCR/SAM compares its records to those maintained by D&B and the IRS. The records of D&B, CCR/SAM, 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/SAM registration, or update/renew its existing registration immediately. Otherwise, the CCR/SAM 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/SAM registration process consists of completing a CCR/SAM 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 (POCs). Mandatory POCs include the primary CCR/SAM 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. It is important that you

enter and maintain current, accurate email addresses for these two POCs because Grants.gov sends its notifications to the email addresses listed in the registration. If the email bounces back the POCs will not be notified of pending actions.

(a) CCR/SAM Use of D&B Information. SAM obtains the following data fields directly 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/SAM because they will be prepopulated 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/SAM 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/SAM registration. Once D&B confirms the updated information, the registrant must revisit the CCR/SAM website and "accept" D&B's changes. Only at this point will the D&B data be accepted into the CCR/SAM record. It can take up to 2 business days for D&B to send modified data to CCR/SAM, and that time frame may be longer if data are sent from abroad.

(b) CCR/SAM EIN/TIN Validation. To complete the CCR/SAM 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/SAM. 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/SAM 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/SAM registration information for accuracy immediately upon publication of this notice. If you have questions about your EIN/TIN, call, toll free, 866-255-0654, Option 4.

(c) Detailed Steps for NEW applicant organizations to register with CCR/SAM. CCR/SAM provides a detailed step-by-step User's Guide on its help page. assist an applicant organization in completing its 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. After the transition to SAM, assistance can be found at www.SAM.gov. Before beginning the CCR/SAM registration process, organizations should designate an individual who will be responsible for completing the CCR/SAM registration and managing the information entered into CCR/SAM.

(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. **Note:** Your organization's CCR/SAM registration must be complete and active before the AOR 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) 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 do not 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.

(h) When you register an AOR ID including a username and password at Grants.gov, the Grants.gov system sends an email to the E-Biz POC identified at CCR/SAM. The email from Grants.gov contains a password that the E-Biz POC must use with the DUNS number to login at Grants.gov and authorize the AOR to submit on behalf of the organization. After logging in for the first time or after any change to the registration at CCR/SAM, the E-Biz POC will be asked to provide the MPIN.

(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 by selecting the **E-Biz POC Login** link on the Grants.gov home page, logging in, and selecting **Manage Applicants.** 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/ SAM registration for the E-Biz POC by using the CCR/SAM search feature.

(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 your status is not "**Authorized Applicant,"** you have not been granted AOR status by the E-Biz POC, you should contact the E-Biz POC directly.

Appendix D

Downloading an Application Package and Instructions

To download the application and instructions, follow the directions below, but first you must be sure you have Adobe Reader 9.4 or 10.0.1 installed, or the newest version of Adobe Reader available from Grants.gov. Adobe Reader 9.4 or 10.0.1 is compatible with the Microsoft Windows Vista operating system, Apple Macintosh computers, and Microsoft Office 2007. HUD's FY2013 applications use Adobe Reader. You must download the Adobe Reader from Grants.gov. You cannot complete the Grants.gov application with HUD's Nuance Reader.

A. The Application Package and Application Instructions Download. The general process for downloading, completing, submitting, and tracking grant application packages is described at 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 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 upload. 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. 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 with the instructions in this General Section for using the latest version of Adobe Reader.

(1) To check the version of Adobe Acrobat you are using, is compatible, from the "Apply for Grants" webpage there is a link which allows you to verify if your Adobe software version is compatible with Grants.gov. 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., 9.0, 9.1, 9.1.2, 9.3.2, 9.4, 10,0,1, etc.). If you do not have the correct version of Adobe Reader, go to 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 9.4 or 10.0.1with Adobe Professional 8.0 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 9.4, or 10.0.1 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. 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 www.Grants.gov.   Applicants that need assistance can contact the Grants.gov Contact Center by phone; toll free, at 800-518-GRANTS or via email at 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.

A complete explanation on how to find and apply for Continuum of Care grants in FY2013 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.

B. Electronic Grant Application Forms

(1) Instructions Download. 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 8.0 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 HUD96011.

(2) Opening the Instructions Download. 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 contains 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. 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: Regardless of the box in which the forms are listed, the published General Section and Program Sections (NOFAs) (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.

C. Correct Application Downloaded.

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 www.Grants.gov and obtain the correct application and resubmit.

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 9.4, 10.0.1, 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 9.4, 10.0.1, 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.

(j) **DO NOT** submit attachments using the Adobe paper icon in Adobe Reader forms on the left side of the page that can be seen with every application download. All forms must be attached within the Attachment form or forms provided in the application mandatory or optional documents section of the application and moved to mandatory or optional documents for submission area of the application. The methods for attaching files in the application are first to use the attachment form or forms made available in the application as described above, then if more space is needed, use the add attachment feature under item 15 in the SF424 form found in the mandatory documents area of the application.

When attaching files, click on the add attachment field in the forms themselves. You **Must NOT** attach documents with the paper clip function as the files do not get included in the form's "soap wrapper" function and therefore do not get processed as part of your application. Failure to follow these instructions will result in an incomplete application. *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. Check the size of the zip file to make sure the number of bytes captured in the zip file represents the amount of data you are submitting. Applicants should open the zip file on their saved zip file to ensure it is complete.**

(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)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: 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, or your Internet service provider, to process the files and obtain a successful upload to Grants.gov.

(c) 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 FY2013 fax numbers.**

(d) 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 (MOU), Certification of Consistency with the Consolidated Plan). Please be aware that faxing large documents at one time may result in transmission failures.

(e) 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 <u>does not</u> 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.

(f) 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 "1" in the section of the form titled "How many pages (including cover) are being faxed."*

D. Before You Submit Your Application.

1. 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. Microsoft Outlook users can set their email to receive messages from 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:

- Click on **Edit**;
- Then click on **Preferences;**
- Then click **Trust Manager** in the left-hand pane;
- Click on **Change Settings** on the ensuing window;
- Select **allow all sites listed** toward the top of the page;
- Click on **OK;**
- Click on **JavaScript** on the left-hand side of the screen;
- Make sure everything is checked here except for things under the **Debugger** heading (do not change);
- Click on OK until you get out of the **preferences** windows;
- When this has been done, you can try submitting your application. Click "Allow" on the pop-up window;

2. Check the memory on your computer to make sure there is sufficient memory to upload the number of applications that you plan to submit to Grants.gov. If you are submitting multiple applications and your applications are difficult to upload, it is likely that your system is short of the memory needed to complete the application. If that is the case and you have successfully uploaded and received validation of an earlier submission, before trying to upload the next submission, place the previously submitted application on a jump drive to free your computer's memory so you can upload your next application submission. Likewise you can add or ask your IT Department for additional memory so you can successfully upload the application. You may also transmit some of the attachment files using the facsimile transmittal form in your application

as the cover page to the fax transmittal to the 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). For further information please refer to the instructions on faxing materials earlier in this General Section.

3. Check with your internet service provider to ensure that your service level agreement allows you to submit a file of the size that you will be submitting as your application.

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.