

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

**Office of the Assistant Secretary for
Community Planning and
Development**

[Docket No. FR-4014-N-01]

**Notice of Funding Availability for FY
1996, Historically Black Colleges and
Universities Program; Expanding HUD
Partnerships for Neighborhood
Revitalization**

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

ACTION: Notice of funding availability
(NOFA) for fiscal year (FY) 1996.

SUMMARY: This NOFA announces the
expected availability of up to \$6.5
million (depending on final
appropriations for FY 1996) of FY 1996
funding for the Historically Black
Colleges and Universities (HBCU)
Program, including any recaptured
funds from prior appropriations. This
document contains the following
information:

a. The purpose of the NOFA and
information regarding available
amounts, objectives, eligibility, and
selection criteria; and

b. Application processing, including
how, where, and when to apply and
how selections will be made.

The Congress has not yet enacted an
FY 1996 appropriation for HUD.
However, HUD is publishing this notice
in order to give potential applicants
adequate time to prepare applications.
The amount of funds announced in this
NOFA is an estimate of the amount that
may be enacted in 1996. HUD is not
bound by the estimate set forth in this
notice.

DATES: Application kits may be
requested immediately. HUD will
distribute application kits as soon as
they become available. Completed
applications are due before midnight
Eastern Time, on May 23, 1996. This
application deadline is firm as to date
and hour. In the interest of fairness to
all competing applicants, HUD will treat
as *ineligible for consideration* any
application that is received after the
deadline. Applicants should take this
practice into account and make early
submission of their materials to avoid
any risk of loss of eligibility brought
about by unanticipated delays or other
delivery-related problems. Applications
may not be submitted by facsimile
(FAX).

ADDRESSES: For a copy of the
application package and supplemental

information, including an instructional
video, please call Community
Connections at 1-800-998-9999.

Hearing- and speech-impaired persons
may call the toll-free TDD number 1-
800-877-8339. These materials, except
the video, are also available on the
Internet at [gopher://
amcom.aspensys.com:75/11/funding](http://gopher://amcom.aspensys.com:75/11/funding).

When requesting an application kit,
please refer to document FR-4014, and
provide your name, address (including
zip code), and telephone number
(including area code). Requests for
HBCU application packages should be
made immediately. HUD will distribute
application packages as soon as they
become available.

Application Submission: An original
and three copies of the completed
application should be submitted to the
following address: Processing and
Control Branch, Office of Community
Planning and Development, Department
of Housing and Urban Development,
451 7th Street, SW., Room 7251,
Washington, DC 20410-3500; ATTN:
HBCU Program. HUD will accept only
one application per HBCU. Applications
may be submitted on 3.25" diskette,
clearly indicating the software program
used and the computer environment in
which it was created (Macintosh or IBM
compatible).

FOR FURTHER INFORMATION CONTACT:
Ms. Yvette Aidara (x140) or Ms. Delores
Pruden (x139), Historically Black
Colleges and Universities Program,
Office of Community Planning and
Development, Department of Housing
and Urban Development, 451 7th St.,
SW., Washington, DC 20410; telephone
(202) 401-8821 (this is not a toll-free
number). Hearing- and speech-impaired
persons may access this number via
TDD by calling the Federal Information
Relay Service toll-free at 1-800-877-
8339.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act Statement

The information collection
requirements contained in this NOFA
have been approved by the Office of
Management and Budget (OMB) in
accordance with the Paperwork
Reduction Act of 1995 (44 U.S.C. 3501-
3520), and assigned control number
2506-0122. An agency may not conduct
or sponsor, and a person is not required
to respond to, a collection of
information unless the collection
displays a valid control number.

I. Purpose and Substantive Description

Purpose. The Historically Black
Colleges and Universities (HBCU)
Program is designed to assist HBCUs to

expand their role and effectiveness in
addressing community development in
their localities. For the purposes of this
program, the term "locality" includes
any city, county, town, township,
parish, village, or other general political
subdivision of a State or the U.S. Virgin
Islands within which an HBCU is
located. An HBCU located in a
metropolitan statistical area (MSA), as
established by the Office of Management
and Budget, may consider its locality to
be one or more of these entities within
the entire MSA. The nature of the
locality for each HBCU may, therefore,
differ depending on its location.

This program is further designed to
help HBCUs address the needs of their
locality(ies) while furthering the
following HUD values:

- A Commitment to Community;
- A Commitment to Support
Families;
- A Commitment to Economic Lift;
- A Commitment to Reciprocity and
to Balancing Individual Rights and
Responsibilities; and
- A Commitment to Reducing the
Separations by Race and Income in
American Life.

Objectives: The objectives of this
program are:

1. To help HBCUs expand their role
and effectiveness in addressing
community development needs in their
localities, including neighborhood
revitalization, housing, and economic
development, consistent with the
purposes of title I of the Housing and
Community Development Act of 1974;
and
2. To encourage greater citizen
participation in the local/neighborhood
planning process and, ultimately, in
development of their localities' and
States' Consolidated Plan for
submission to HUD.

Applicants must address the
objectives by successfully
demonstrating how the proposed
activities will expand the role of the
HBCU in meeting local community
economic development and/or housing
needs while furthering HUD's values
identified in the purpose, above.

A. Authority

This program is authorized under
section 107(b)(3) of the Housing and
Community Development Act of 1974
(the 1974 Act), which was added by
section 105 of the HUD Reform Act of
1989. The program is governed by
regulations contained in 24 CFR
570.400, 570.404 and 24 CFR part 570,
subparts A, C, J, K and O.

B. Allocation Amounts and Form

This NOFA announces the availability of approximately \$6.5 million of FY 1996 funding for the Historically Black Colleges and Universities (HBCU) Program, including any recaptured funds from prior appropriations. The actual amount that will be available is dependent upon final appropriations because Congress has not yet enacted a FY 1996 appropriation for HUD. However, HUD is publishing this notice in order to give potential applicants adequate time to prepare applications. The amount of funds announced in this NOFA is an estimate of the amount that may be enacted in 1996. HUD is not bound by the estimate set forth in this notice. The estimated amount may be adjusted further based on the enacted 1996 appropriation.

The maximum amount awarded to any applicant will be \$500,000. HUD reserves the right to award funds for less than the maximum amount. The awards will be made in the form of grants.

C. Eligibility

1. *Eligible Applicants.* Only HBCUs as determined by the Department of Education in 34 CFR 608.2 in accordance with that Department's responsibilities under Executive Order 12677, dated April 28, 1989, are eligible to submit applications.

2. *Eligible Activities.* Activities that may be funded under this NOFA are those activities eligible for Community Development Block Grant (CDBG) funding. They are listed in 24 CFR 570, subpart C. Generally, activities that can be carried out with these funds include, but are not limited to:

- a. Acquisition of real property, relocation and demolition, rehabilitation of residential and nonresidential structures, water and sewer facilities, streets;
- b. Promoting opportunities for training and employment of low-income residents in connection with HUD projects such as the "Campus of Learners" initiative and other Federally-assisted projects and activities;
- c. Forming partnerships with units of general local government to address the physical, social, and economic needs of the community in a comprehensive manner and in accordance with a HUD-approved Consolidated Plan;
- d. Developing programs that provide a continuum of care for the homeless;
- e. Neighborhood or community services facilities that provide activities such as adult basic education classes; GED preparation and testing; job and career counseling and assessment; citizen participation academics; public

access telecommunications centers, neighborhood cultural and recreational activities that include dancing lessons, art classes and other support activities for youth, senior citizens and other low- and moderate-income residents; and social and medical services;

f. Promoting opportunities for the creation and expansion of small businesses and minority enterprises; and

g. Identifying specific needs for affordable housing and increasing housing opportunities for low- and moderate-income persons in the locality to be served.

In announcing the availability of Fiscal Year 1995 funding for this program, HUD published two separate NOFAs on September 29, 1995. One (60 FR 50694), announced the availability of funds to assist HBCUs in forming partnerships with units of general local government to conduct joint projects to establish multiple use community services facilities on HBCU campuses that would benefit low-income and subsidized housing residents, senior citizens, and the HBCUs. The second NOFA (60 FR 50700) announced the availability of additional funds to assist HBCUs to form community development corporations (CDCs) to undertake eligible activities. While there will not be separate competitions for these two types of projects this fiscal year, both types of activities remain eligible for (and applicants are encouraged to seek) assistance under this competition.

Applicants are encouraged to propose the use of grant funds, at reasonable levels, for the acquisition of computer hardware and software compatible with Internet access and HUD's Consolidated Planning and Community Connections software, if they do not currently have such capability.

Those applicants planning to use funds for the provision of public services are generally bound by the statutory requirement that no more than 15 percent of the total grant amount be used for public service activities.

3. *Environmental Review.* If the applicant proposes activities involving rehabilitation of structures or construction of buildings, an environmental review by HUD is required in accordance with 24 CFR part 50, including the authorities in § 50.4. If the requirements of part 50 are not met, HUD reserves the right to terminate all or portions of the award. The grantee is not authorized to proceed with any activity requiring such approval until written approval is received from the HUD State environmental office in its area certifying that the project has been approved.

D. Selection Criteria/Rating Factors

An applicant must demonstrate that it meets the objectives of this HBCU program by scoring at least 12 of the possible 20 points on rating factor 1 (addressing the objectives) in order to qualify for funding. Applicants must also receive a minimum score of 70 out of the total of 105 points to be considered eligible for funding. Activities that are not eligible for funding under this program (see 24 CFR 570.204 and 570.207) will not be funded. If more than 50 percent of the amount requested in the application is for ineligible activities, the application will not be funded.

Applications for funding under this NOFA will be evaluated competitively, and awarded points based on the factors identified below. HUD will rank the applications in descending order according to score. Applications meeting the minimum threshold requirements will be funded in rank order, until all available funds have been obligated, or until there are no acceptable applications. HUD reserves the right to select lower rated projects if necessary to achieve geographic diversity.

Negotiations. After all applications have been rated and ranked and a determination of successful applicants has been made, HUD requires that all successful applicants participate in negotiations to determine the specific terms of the Statement of Work and grant budget. In cases in which HUD cannot successfully conclude negotiations, awards will not be made. In such instances, HUD may elect to offer an award (in an amount not to exceed the amount of remaining funds available for the competition) to the next highest ranking applicant and proceed with negotiations as described above.

Optional Match. Although matching funds are not required to qualify for funding, HUD wishes to stress that applicants that evidence a commitment of matching funds are eligible for more rating points than those not having a match. The maximum number of rating points an applicant can receive for matching funds is 7 points of the 25 points possible for Factor 4. To be eligible for match points, the applicant must provide evidence of a commitment of additional funds and/or resources from other Federal, State, local and/or private sources (including the applicant's own resources). The match may be in the form of cash and/or in-kind goods or services. Applicants having a cash match will receive a higher number of points than those only

providing in-kind services. Applicants without a match will receive zero points out of the possible 7 points available for match.

Rating Factors. The factors set forth below will be used by HUD to evaluate applications. Each application must contain sufficient information to be reviewed for its merits. The score of each factor will be based on the qualitative and quantitative aspects demonstrated for each factor in an application. The factors, and the maximum number of points for each factor (out of a total of 105 points), are as follows:

1. *Addressing the Objectives* (maximum points: 20).

The extent to which the applicant addresses the objectives of this program is examined by this factor. Applicants must address objective 1, above, by successfully demonstrating how the proposed activities will expand the role of the HBCU in meeting local community economic development and/or housing needs while furthering HUD's values as identified in the Purpose section of this NOFA, above.

2. *Substantial Impact in Achieving Objectives* (maximum points: 25).

The extent to which the applicant demonstrates an innovative, creative, and holistic approach to addressing these objectives is examined by this factor.

3. *Special Needs (Distress) Applicant or Locality* (maximum points: 10).

The extent to which the applicant demonstrates the level of distress in the immediate community to be served by the project is examined by this factor. While the poverty rate is a strong indicator of distress levels, the applicant may demonstrate the level of distress with other factors indicative of distress such as income, unemployment, drug use, homelessness, and other generally accepted indicators of socio-economic distress and/or disinvestment.

4. *Technical and Financial Feasibility and Match* (maximum points: 25).

The extent to which the applicant demonstrates the technical and financial feasibility of achieving the objectives, including local support for the activities proposed to be carried out in the locality and any matching funds proposed to be provided from sources other than the applicant, is examined by this factor.

5. *Capacity* (maximum points: 20).

The extent to which the applicant demonstrates the capacity to carry out satisfactorily the proposed activities in a timely fashion, including satisfactory performance in carrying out any prior HUD-assisted projects or activities, is examined by this factor.

6. *Bonus Points.* Applicants that propose implementing activities in a Federally-designated Urban or Rural Empowerment Zone, Urban Supplemental Empowerment Zone, Urban or Rural Enterprise Community, or Urban Enhanced Enterprise Community (EZ or EC) will receive a maximum of 5 bonus points. To receive these points, applicants must submit with the application package a certification from the authorized representative of the unit of local government that proposed activities will be carried out within the EZ or EC. An applicant may only receive bonus points under this factor if it receives a minimum score of 70 out of the total of 105 points available under actors 1 through 5, above.

II. Application Submission Requirements

Applicants must complete and submit applications for HBCU grants in accordance with instructions contained in the FY 1996 Historically Black Colleges and Universities Program application kit. The application kit will request information in sufficient detail for HUD to determine whether the proposed activities are feasible and meet all the requirements of applicable statutes and regulations. The application package requires a Statement of Work that clearly identifies the proposed activities; a narrative response to the Rating Factors identified above; a schedule for the program; budgets; and a description of any other public or private resources proposed to be used in the program. The application package also contains certifications that the applicant will comply with fair housing and civil rights requirements, program regulations, regulations in 24 CFR part 135 with regard to economic opportunities for low-income persons and business concerns, and other Federal requirements. Applicants should refer to the HBCU application kit for further instructions.

III. Corrections to Deficient Applications

Immediately after the deadline for submission of applications, applications will be screened to determine whether all items were submitted. If the applicant fails to submit certain technical items, or the application contains a technical mistake, such as an incorrect signatory, HUD shall notify the applicant in writing that the applicant has 14 calendar days from the date of the written notification to submit the missing item, or correct the technical mistake. If the applicant does not submit the missing item within the

required time period, the application will be ineligible for further processing.

The 14-day cure period pertains only to nonsubstantive technical deficiencies or errors. Technical deficiencies relate to items that:

1. Are not necessary for HUD review under selection criteria/rating factors; and
2. Would not improve the substantive quality of the proposal.

IV. Other Matters

(a) *Environmental Impact.* A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD's regulations at 24 CFR Part 50 which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding of No Significant Impact is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays at the Office of the Rules Docket Clerk, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410.

(b) *Federalism, Executive Order 12612.* The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that the policies contained in this NOFA will not have substantial direct effects on States or their political subdivisions, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Specifically, the NOFA solicits HBCU applicants to expand their role in addressing community development needs in their localities, and does not impinge upon the relationships between the Federal government, and State and local governments.

(c) *Family, Executive Order 12606.* The General Counsel, as the Designated Official under Executive Order 12606, *The Family*, has determined that this document does not have potential for significant impact on family formation, maintenance, and general well-being. The NOFA solicits HBCUs to apply for funding to address community development needs in their locality. Any impact on the family will be indirect and beneficial in that better planning of community development needs should result.

(d) *Prohibition Against Lobbying Activities.* The use of funds awarded under this NOFA is subject to the disclosure requirements and prohibitions of section 319 of the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (The "Byrd

Amendment'') and the implementing regulations at 24 CFR part 87. These authorities prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan. The prohibition also covers the awarding of contracts, grants, cooperative agreements, or loans unless the recipient has made an acceptable certification regarding lobbying. Under 24 CFR part 87, applicants, recipients, and subrecipients of assistance exceeding \$100,000 must certify that no Federal funds have been or will be spent on lobbying activities in connection with the assistance.

(e) *Section 102 of the HUD Reform Act; Documentation and Public Access Requirements.* HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the

award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in its Federal Register notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.16(b), and the notice published in the Federal Register on January 16, 1992 (57 FR 1942), for further information on these requirements.)

(f) *Section 103 HUD Reform Act.* HUD's regulation implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989, codified as 24 CFR part 4, applies to the funding competition announced today. The requirements of the rule continue to apply until the announcement of the selection of successful applicants. HUD employees involved in the review of applications and in the making of funding decisions are limited by part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any

applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics related questions should contact the HUD Office of Ethics (202) 708-3815. (This is not a toll-free number.) For HUD employees who have specific program questions, such as whether particular subject matter can be discussed with persons outside HUD, the employee should contact the appropriate Regional or Field Office Counsel, or Headquarters counsel for the program to which the question pertains.

Authority: Title I, Housing and Community Development Act of 1974 (42 U.S.C. 5301-5320); sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)); 24 CFR 570.404.

Dated: February 28, 1996.

Andrew Cuomo,

Assistant Secretary for Community Planning and Development.

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