

DEPARTMENT OF SOCIAL SERVICES

40 NORTH PEARL STREET, ALBANY, NEW YORK 12243-0001

MARY JO BANE  
Commissioner



(518) 474-9475

LOCAL COMMISSIONERS MEMORANDUM

Transmittal No: 92 LCM-126

Date: August 19, 1992

Division: Family & Children  
Services

TO: Local District Commissioners

SUBJECT: Federal Family Unification Demonstration program

- ATTACHMENTS:
1. Model Letter of Intent (available on-line)
  2. Fund Availability for FY 1992 and Program Guidelines for the Family Unification Demonstration Program (Federal Register publication for Thursday, July 23, 1992, Part III, Department of Housing and Urban Development) (not available on-line)

The purpose of this LCM is to solicit your interest in participating in the federally funded Family Unification Demonstration Program which provides Section 8 rental certificates to families who meet the federal Section 8 eligibility criteria and for whom lack of adequate housing is a primary factor in the imminent placement of the family's child(ren) in out-of-home care or in the delay of discharge of child(ren) to the family from out-of-home care. The guidelines for the Family Unification Demonstration program issued by the Department of Housing and Urban Development (HUD) in the Federal Register are attached.

New York State is one of the eleven states eligible to apply to HUD for the Family Unification Demonstration program and is eligible for approximately 262 certificates for a total amount of \$10,779,425. The Department is working in cooperation with the Division of Housing and Community Renewal (DHCR) to submit an application for the Family Unification Demonstration program by the September 8th deadline. DHCR has issued a notice soliciting the interest of local public housing administrators in participating in the program.

The Family Unification Demonstration program will require coordination between the public child welfare agency (i.e., the social services district) and the local public housing authority or local Section 8 Administrator. Social Services district responsibilities include the following:

- (1) providing written certification to the local public housing authority or local Section 8 Administrator that a family meets the criteria for imminent placement of children or delay in the discharge of children due to the lack of adequate housing as a primary factor.
- (2) Establishing and implementing a system to identify eligible families within the agency's caseload and reviewing referrals from the local public housing authority or local Section 8 Administrator.
- (3) Committing sufficient staff resources to ensure that eligible families are identified and the certification process completed in a timely manner.

Local public housing authority or local Section 8 Administrator responsibilities include the following:

- (1) Reviewing the Section 8 waiting list to identify families that may be eligible for the program and referring them to the public child welfare agency for a determination of eligibility.
- (2) Determining whether families referred by the public child welfare agency are eligible for Section 8 assistance.
- (3) Administering the Family Unification Section 8 rental certificate program.

Both the local public housing authority or local Section 8 Administrator and the social service district must agree to cooperate with and provide requested data to the HUD office having responsibility for the program evaluation.

The Department will be applying the eligibility standards utilized for the provision of housing services to discharge a child from foster care pursuant to Section 430.9(i)(2) of Department regulations and those utilized for the preventive housing grant demonstration program to prevent foster care placement pursuant to 91 LCM 139. Lack of adequate housing is defined in the program guidelines as a situation in which a family is living in substandard housing or is or will be involuntarily displaced from a housing unit pursuant to federal regulations.

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We encourage you to participate in this program as it offers an opportunity to meet the housing needs of some of your foster care and preventive services families without expending local funds. These certificates cannot be used to replace current expenditures under the state's existing preventive services housing programs, but it is an excellent opportunity to meet additional unmet housing needs.

If you are interested in participating, we are requesting that you notify your local public housing authority or local Section 8 Administrator of your interest and submit a letter of intent to us by Wednesday, August 26th. A model letter of intent is attached. If you elect to participate in the Family Unification Demonstration program, we may be seeking additional information from you concerning local need, your experience with the Section 8 housing program and how you assist families in locating housing that will assist us in completing the application to HUD.

Please direct any questions on this to Jayne Stillwell, Bureau of Policy Planning, at 1-800-342-3715, extension 486-3448. Letters of intent may be mailed to me or directed via e-mail to Jayne Stillwell (User ID 0fb090).



Joseph Semidei  
Deputy Commissioner  
Division of Family  
and Children Services

Model  
Letter of Intent

Dear Deputy Commissioner Semidei:

The (county) Department of Social Services wishes to participate in the Family Unification Program Demonstration Program pursuant to the federal guidelines for this program. Written notification has been provided to the local public housing authority or local Section 8 Administrator of this interest.

The (county) Department of Social Services agrees to provide information on local need, experience with existing housing programs, and assistance provided to families on locating housing which may be needed to assist the Department and the Division of Housing and Community Renewal in the application process and implementation of this program.

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Commissioner  
(County) Department of  
Social Services

# **federal register**

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**Thursday  
July 23, 1992**

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**Part III**

**Department of  
Housing and Urban  
Development**

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**Office of the Assistant Secretary**

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**Fund Availability for FY 1992 and  
Program Guidelines for the Family  
Unification Demonstration Program;  
Notice**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### Office of the Assistant Secretary for Public and Indian Housing

[Docket No. N-92-3445; FR-3207-N-01]

### Fund Availability (NOFA) for Fiscal Year 1992, and Notice of Program Guidelines for the Family Unification Demonstration Program

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Notice of funding availability (NOFA) for Fiscal Year (FY) 1992; and Notice of Program Guidelines for the Family Unification Demonstration Program.

**SUMMARY:** This notice announces the availability of FY 1992 budget authority for competitive awards of section 8 rental certificates under the Family Unification Demonstration Program, and also sets forth program guidelines for this demonstration program.

The purpose of the Family Unification Demonstration Program is to test the effectiveness of promoting family unification by providing housing assistance to families for whom the lack of adequate housing is a primary factor in the separation, or imminent separation of children from their families. The demonstration program is to be conducted in 11 States, and is to be administered by public housing agencies (PHAs) and Indian housing authorities (IHAs) (hereafter, collectively referred to as housing agencies (HAs)) under HUD's regulations governing the section 8 rental certificate program (24 CFR part 882). Applications are solicited from eligible HAs in the following 11 States: Missouri, New York, New Jersey, California, Maryland, Michigan, Ohio, Texas, Pennsylvania, Florida, and Massachusetts.

The 11 States eligible to participate in the Family Unification Demonstration Program were designated in the Conference Report accompanying the HUD-Independent Agencies Appropriations Act of 1992 (Pub. L. 102-139, approved October 28, 1991; hereafter referred to as "HUD Appropriations Act for FY 1992"). (See Conference Report 102-226, September 27, 1992, at pg. 24.)

This NOFA contains information for HAs in the 11 States listed above regarding the allocation of rental certificate budget authority; the application process, including the application requirements and the deadline for filing applications; the

selection criteria and the selection process.

**DATES:** The due date for submission of applications in response to this NOFA is September 8, 1992. Application forms may be obtained from the local HUD Field Office/Indian Programs Office. Applications must be received in the local HUD Field Office/Indian Programs Office on the due date by 3 p.m. local time.

The above-stated 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 not received on or before the application 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.

**FOR FURTHER INFORMATION CONTACT:** Gerald J. Benoit, Director, Operations Branch, Rental Assistance Division, Office of Assisted Housing, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410-8000, telephone number (202) 708-0477. Hearing or speech-impaired individuals may call HUD's TDD number (202) 708-4594. (These telephone numbers are not toll-free.)

**ADDRESSES:** Interested persons are invited to submit comments regarding the current rental certificate program regulations as these regulations relate to the Family Unification Demonstration Program to Gerald J. Benoit, Director, Operations Branch, Rental Assistance Division, Office of Assisted Housing, Department of Housing and Urban Development, room 4220, 451 Seventh Street, SW., Washington, DC 20410-8000. Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection during regular business hours at the above address.

#### SUPPLEMENTARY INFORMATION:

##### Paperwork Reduction Act Statement

The information collection requirements contained in this notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980. OMB has approved the section 8 information collection requirements under the assigned control number 2577-0123.

#### I. Purpose and Substantive Description

##### (A) Authority

The Family Unification Demonstration Program is authorized by section 8(x) of

the U.S. Housing Act of 1937, as added by section 553 of the National Affordable Housing Act (Pub. L. 101-625, approved November 28, 1990); and the HUD-Independent Agencies Appropriations Act of 1992 (Pub. L. 102-139, approved October 28, 1991). The regulations governing the section 8 rental certificate program are codified at 24 CFR part 882.

##### (B) Background

The Family Unification Program is a demonstration program under which section 8 rental certificate assistance is provided to families for whom the lack of adequate housing is a primary factor which would result in: (1) The imminent placement of the family's child or children in out-of-home care, or (2) the delay in the discharge of the child or children to the family from out-of-home care. The purpose of the Family Unification Demonstration Program is to test the effectiveness of promoting family unification by providing housing assistance to families for whom the lack of adequate housing is a primary factor in the separation, or the threat of imminent separation, of children from their families. (Lack of adequate housing is defined in section II(A) of this NOFA.)

The Family Unification Demonstration Program is to be administered by HAs under HUD's current regulations for the section 8 rental certificate program (24 CFR part 882). The demonstration program funding available in FY 1992 is limited by the HUD Appropriations Act for FY 1992 to 11 States. These 11 States are identified in section I(D) of this NOFA.

##### (C) Allocation Amounts

###### (1) FY 1992 Budget Authority

Of the amounts made available by the HUD Appropriations Act for FY 1992, up to \$47.7 million of budget authority for the section 8 rental certificate program is earmarked for the Family Unification Demonstration Program. This amount will support approximately 1,240 section 8 rental certificates. Table 1 of this NOFA identifies the amount of section 8 budget authority and the approximate number of rental certificates available for each eligible State.

The budget authority amounts were derived using the fair share allocation formula, which is based upon the general need for housing within each State. HUD has modified the allocations to assure that sufficient budget authority is available for each Field Office jurisdiction to support at least 20 rental certificates. HAs may not request more budget authority than the amount

allocated to the applicable Field Office. State-wide HAs may not request more budget authority for use in a Field Office jurisdiction than the amount allocated to the Field Office.

The Family Unification Demonstration Program is exempt from section 213(d) of the Housing and Community Development Act of 1974, and from 24 CFR part 791, subpart D, the HUD regulation implementing section 213(d) and various other constraints.

#### (2) Reallocations of Funds

The Field Office must make every reasonable effort to use the funds made available for the Family Unification Demonstration Program within its jurisdiction. However, if there are no acceptable applications submitted, it may be necessary to reallocate funds from one Field Office to another Field Office. In such cases, the following procedures shall be used:

(a) *Reallocations within the same state.* If the allocation of funds to a Field Office cannot be used within the Field Office's jurisdiction, the Regional Office must reallocate funds from that Field Office to another Field Office for use within the same state.

(b) *Reallocations between states.* If a Regional Office cannot use funds within the same State, the Regional Office should contact Headquarters for further instructions.

#### (D) Eligibility

The HUD Appropriations Act for FY 1992 limits participation in the FY 1992 Family Unification Demonstration Program to the following 11 States: Missouri, New York, New Jersey, California, Maryland, Michigan, Ohio, Texas, Pennsylvania, Florida, and Massachusetts. HAs in these States are invited by this notice to submit applications for rental certificates under this demonstration program.

## II. Guidelines

### (A) Definitions

For purposes of the Family Unification Demonstration Program:

(1) Family Unification eligible family means a family:

(a) Whom the public child welfare agency has certified is a family for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child or children in out-of-home care, or in the delay of discharge of a child or children to the family from out-of-home care; and

(b) Whom the HA has determined is eligible for section 8 rental certificate assistance.

(2) Lack of adequate housing means a situation in which a family:

(a) Is living in substandard housing, as defined in 24 CFR 882.219(f); or

(b) Is, or will be, involuntarily displaced from a housing unit under the circumstances described in 24 CFR 882.219(d)(2).

(3) Public child welfare agency means the public agency that is responsible under applicable State law for determining that a child is at imminent risk of placement in out-of-home care or that a child in out-of-home care under the supervision of the public agency may be returned to his or her family.

### (B) HA Responsibilities

HAs are responsible for:

(1) Reviewing the section 8 waiting list to identify families that may be eligible for the Family Unification Demonstration Program, and referring the families on the section 8 waiting list to the public child welfare agency for a determination of whether the families meet the eligibility requirements described in section II(A)(1)(a) of this NOFA;

(2) Determining whether families referred by the public child welfare agency are eligible for section 8 assistance;

(3) Amending the administrative plan and equal opportunity housing plan, prior to Annual Contributions Contract (ACC) execution for Family Unification funding, to provide for issuance of rental certificates to Family Unification eligible families in a number equal to the rental certificates provided by HUD for this purpose, and providing for the opening of closed waiting lists to add applicants when necessary;

(4) Administering the rental certificate program in accordance with applicable program regulations and requirements; and

(5) To help assure the quality of the evaluation that HUD intends to conduct on the Family Unification Demonstration Program, submitting with the application a certification that the HA will agree to cooperate with and provide requested data to the HUD office having responsibility for program evaluation.

The HA may not bypass its regular section 8 waiting list in administering this program. Every HA must first review its waiting list to determine if there are any families already on its waiting list who may be eligible for this program. The HA can locate families by methods which include but are not limited to: a mailing to families on the waiting list; publication of a public notice in newspapers of general circulation which identifies the

eligibility criteria and which states that families already on the waiting list must indicate their interest in this special program; or through coordination with the public child welfare agency.

Any HA with a closed waiting list is required to advertise the opening of its waiting list before accepting new applicants for this demonstration program. Opening the waiting list may be limited to applications from Family Unification eligible families. However, opening the waiting list may not be limited to families who are referred by or who are current clients of the public child welfare agencies which will be participating in the demonstration program. For administrative convenience, a HA may limit the number of applications taken in response to an advertisement.

### (C) Public Child Welfare Agency Responsibilities

Public child welfare agencies are responsible for:

(1) Providing written certification to the HA that a family qualifies as a Family Unification eligible family, under the eligibility requirements described in section II(A)(1)(a) of this NOFA;

(2) Establishing and implementing a system to identify Family Unification eligible families within the agency's caseload and reviewing referrals from the HA;

(3) Committing sufficient staff resources to ensure that Family Unification eligible families are identified and the certification process is completed in a timely manner; and

(4) To help assure the quality of the evaluation that HUD intends to conduct on the Family Unification Demonstration Program, submitting with the application a certification that the PCWA will agree to cooperate with and provide requested data to the HUD office having responsibility for program evaluation.

### (D) Federal Preference

To participate in the Family Unification Demonstration Program, a family must be a Family Unification eligible family as defined in section II(A)(1) of this NOFA. Generally, most families eligible for the Family Unification Demonstration Program will qualify for a Federal preference. However, whenever a HA selects a family without a Federal preference for its Family Unification Demonstration Program, that family will count against the HA's 10 percent authority to select non-Federal preference holders.

*(E) Section 8 Rental Certificate Assistance*

The Family Unification Demonstration Program provides assistance under the section 8 rental certificate program. HAs shall administer this demonstration program in accordance with HUD's regulations governing the section 8 rental certificate program, codified at 24 CFR part 882. If section 8 assistance for a family under this demonstration is terminated, the rental certificate must be reissued to another eligible family under this demonstration.

**III. Application Process**

*(A) Application Requirements*

All the items in this section III must be included in the application submitted to the HUD Field Office/Indian Programs Office. The application must include an explanation of how the application meets, or will meet, Selection Criteria 2 and 3. The public child welfare agency serving the jurisdiction of the HA is responsible for providing the information for Selection Criterion 3. "Need for Family Unification Demonstration Program," to the HA for submission with the HA application.

*(B) Selection Criteria/Ranking Factors*

To provide each applicant HA with a fair and equitable opportunity to receive an award of rental certificates for the Family Unification Demonstration Program during FY 1992, Field Offices/Indian Program Offices will use the three objective selection criteria listed below to rate all applications found acceptable for further processing.

**(a) Selection Criterion 1: HA Administrative Capability (30 points)**

**(1) Description:** Overall HA administrative ability in the Rental Voucher, Rental Certificate, and Moderate Rehabilitation Programs, as evidenced by factors such as leasing rates and correct administration of housing quality standards (HQS), compliance with Fair Housing and Equal Opportunity program requirements, assistance payment computation, and rent reasonableness requirements. If a HA is not administering either a Rental Certificate, Rental Voucher, or Moderate Rehabilitation Program, the Field Office/Indian Programs Office will rate HA administration of the Public or Indian Housing Program. For purposes of this NOFA, a HA administering a Rental Voucher, Rental Certificate, or Moderate Rehabilitation Program will not be rated on the administration of its Public or Indian Housing Program. If a HA is not administering a Rental Certificate, Rental Voucher, Moderate

Rehabilitation, Public Housing or Indian Housing Program, the Field Office/Indian Programs Office will assess the administrative capability of the HA based on such factors as experience of staff, support of the HA by the local government, and the HA's administrative experience with non-HUD housing programs.

**(2) Rating:** 16-30 points. The Field Office/Indian Programs Office rates overall HA administration of the Rental Voucher, Rental Certificate, and Moderate Rehabilitation Programs (or public/Indian housing or other housing programs) as excellent; there are no serious outstanding management review, fair housing and equal opportunity monitoring review, or Inspector General audit findings; not more than 15 percent of the units inspected by the Field Office/Indian Programs Office during the last management review failed to meet HQS at the time of the Field Office/Indian Programs Office inspection and failed to meet HQS at the time of the previous HA inspection; and the leasing rate for rental vouchers and rental certificates (or occupancy rate for public/Indian housing units) under Annual Contributions Contract (ACC) for one year was at least 95% as of September 30, 1991.

1-15 points. The Field Office/Indian Programs Office rates overall HA administration of the Rental Voucher, Rental Certificate, and Moderate Rehabilitation Programs (or public/Indian housing or other housing programs) as good; any management review, fair housing and equal opportunity monitoring review, or Inspector General audit findings are being satisfactorily addressed; not more than 25 percent of the units inspected by the Field Office/Indian Programs Office during the last management review failed to meet HQS at the time of the Field Office/Indian Programs Office inspection and failed to meet HQS at the time of the previous HA inspection; and the leasing rate for rental vouchers and rental certificates (or occupancy rate for public/Indian housing units) under ACC for one year was at least 85 percent as of September 30, 1991.

0 points. If none of the above statements apply, assign 0 points.

**(b) Selection Criterion 2: Coordination Between HA and Public Child Welfare Agency to Identify and Assist Eligible Families (30 points)**

**(1) Description:** The method the HA and the public child welfare agency will use to identify and assist Family Unification eligible families.

**(2) Rating:** 16-30 points. A letter of intent from the public child welfare agency (PCWA) indicating its commitment to provide resources and support for the program is included with the HA application. The PCWA letter of intent and other information provided is comprehensive and includes an explanation of: the method used to identify eligible families; the PCWA's certification process for eligible families; responsibilities of each agency; PCWA assistance provided to families in locating housing units; PCWA staff resources committed to the program; any past PCWA experience administering a similar program; and any past PCWA/HA cooperation in administering a similar program.

1-15 points. The information provided is general and includes a discussion of the method and process used to identify and assist eligible families.

0 points. The information provided is either not coherent or fails to include an explanation of the method and process used to identify and assist eligible families. Proposed administration of program is not consistent with program regulations.

**(c) Selection Criterion 3: Public Child Welfare Agency Statement of Need for Family Unification Demonstration Program (20 points)—**

**(1) Description:** The need for a program providing assistance to families for whom lack of adequate housing is a primary factor in the placement of the family's children in out-of-home care, or in the delay of discharge of the children to the family from out-of-home care in the area to be served, as evidenced by the caseload of the public child welfare agency.

**(2) Rating:** 11-20 points. The public child welfare agency had adequately demonstrated that there is a need in the HA's jurisdiction for the Family Unification Demonstration which is not being met through existing programs. The narrative includes specific information, relevant to the area to be served, about homelessness, family violence resulting in involuntary displacement, families who are experiencing the placement of children in out-of-home care or the delayed discharge of children from out-of-home care as the result of inadequate housing, and the PCWA's past experience in obtaining housing through HUD and other sources for families lacking adequate housing.

1-10 points. The public child welfare agency has provided a general narrative describing a need for the Family Unification demonstration in the HA's jurisdiction.

0 points. There is no need, or the public child welfare agency has not adequately demonstrated the need for the number of certificates requested in the application.

*(C) Application Rating and Ranking*

The HUD Field Office/Indian Programs Office is responsible for rating the applications, and the Field Office is responsible for ranking and selection of applications (including applications rated by the Indian Programs Office) which will receive assistance under the Family Unification Demonstration Program.

The Field Office/Indian Programs Office will initially screen all applications, using the "Checklist for Technical Requirements" listed in Section IV(B) of this NOFA as a guide to determine if an application is complete.

The Field Office must develop a procedure for approval of applications (including applications rated by the Office of Indian Programs) in rank order until all the housing assistance budget authority is used. The Field Office may elect to approve 100 percent of the units requested, up to the maximum number of units allowed, in each top-ranked application, or approve some lower percentage of the units requested in each application (including applications from IHAs) which scores above a Field Office-determined funding cut-off.

If applications (including applications from IHAs) which score above a Field Office-determined funding cut-off are to be funded at less than 100 percent, the Field Office must apply the same percentage reduction to the number of units requested in each application.

Where a Field Office, as it funds applications in rank order, finds that it has some number of units left but not enough to fund the next fundable application in its entirety or for the minimum of 20 units, that application can be funded to the extent of the number of units available.

In the event of tie scores, the Field Office will make the selection between tied applications on the basis of the application receiving the highest score for Selection Criterion 2, Coordination between the HA and Public Child Welfare Agency to Identify and Assist Eligible Families.

If the tied applications have the same score on Criterion 2, the Field Office shall reduce the requested amount of rental certificates to partially fund each tied application. However, if the Field Office determines that partial funding will not result in a feasible sized program for a demonstration, the tie score can be broken in another objective

manner approved by the Regional Public Housing Director.

HAs that do not wish to have the size of their allocation reduced may indicate in their application that they do not wish to be considered for a reduced number of rental certificates.

*(D) Unacceptable Applications*

Applications that fall into any of the following categories will not be processed:

(1) (a) The Department of Justice has brought a civil rights suit against the applicant HA, and the suit is pending;

(b) There are outstanding findings of noncompliance with civil rights statutes, Executive Orders, or regulations as a result of formal administrative proceedings, or the Secretary has issued a charge against the applicant under the Fair Housing Act, unless the applicant is operating under a conciliation or compliance agreement designed to correct the areas of noncompliance;

(c) HUD has deferred application processing by HUD under title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3) and the HUD Title VI regulations (24 CFR 8040.1) or under section 504 of the Rehabilitation Act of 1973 and HUD regulations (24 CFR 8.57).

(2) The HA has serious, unaddressed, outstanding Inspector General audit findings or fair housing and equal opportunity monitoring review findings or Field Office management review findings for one or more of its rental certificate, rental voucher, or moderate rehabilitation programs.

(3) The leasing rate for rental certificates and rental vouchers under ACC for at least one year is less than 75 percent.

(4) The HA is involved in litigation and HUD determines that the litigation may seriously impede the ability of the HA to administer an additional increment of rental certificates.

*(E) Application Submission Deadline*

HA applications must be received by 3 p.m. local time on September 8, 1992 at the local HUD Field Office/ Indian Programs Office. Applications that are not received in the local HUD Field Office/Indian Programs Office by 3:00 p.m. local time on that date will not be considered. HAs should contact the local HUD Field Office/Indian Programs Office for the exact address and room number where the application must be received by HUD.

Form HUD-52515 may be obtained from the local HUD Field Office/Indian Programs Office. (Only an original application should be submitted. It is

not necessary to submit copies of the application.) To assist HAs, the following are attached to this notice: Form HUD 52515 [Attachment 1]; Certification for a Drug-Free Workplace [Attachment 2]; Text for the Certification Regarding Lobbying [Attachment 3]; and Standard Form LLL, Disclosure of Lobbying Activities [Attachment 4].

*(F) Corrections to Incomplete Applications*

To be eligible for processing, an application must be received by the Field Office/Indian Programs Office no later than the application submission deadline date and time specified in this notice. The Field Office/Indian Programs Office will screen all applications and notify HAs of technical deficiencies by letter. Allowable corrections relate only to technical items, as determined by HUD, which do not improve the substantive quality of the application relative to the ranking factors.

All HAs must submit corrections within 14 calendar days from the date of HUD's letter notifying the applicant of any technical deficiency. Information received after 3:00 p.m. local time on the fourteenth calendar day of the correction period will not be accepted and the application will be rejected as being incomplete.

All HAs are encouraged to review the "Checklist for Technical Requirements" provided in Section IV of this NOFA. The checklist identifies all technical requirements needed for application processing. A HA application that does not comply with the requirements of 24 CFR 882.204(a) and this notice, including the drug-free workplace certification and the anti-lobbying certification disclosure requirements, after the 14-day technical deficiency correction period, will be rejected.

*(G) Local Government Comments*

The Field Office will obtain section 213 comments, in accordance with 24 CFR part 791, subpart C, from the unit of general local government. Comments submitted by the unit of general local government must be considered before an application can be approved.

Section 213 comments submitted by units of general local government that have approved Comprehensive Housing Affordability Strategies (CHASs) should address how the HA application for rental certificates relates to the local government's CHAS, and should include comments on the household types which the HA proposes to serve (i.e., family, large-family).

**IV. Checklist of Application Submission Requirements**

**(A) Forms and Certification Statements**

The following describes basic forms and certifications required to be submitted with the application.

**(1) Form HUD-52515**

An Application for Existing Housing, Form HUD-52515, must be completed in accordance with the rental certificate program regulations. A copy of Form HUD 52515 is attached to this notice (Attachment 1), and can also be obtained from the local HUD Field Office/Indian Program Office.

**(2) Certification Regarding Drug-Free Workplace**

The Drug-Free Workplace Act of 1988 requires grantees of Federal agencies to certify that they will provide a drug-free workplace. Thus, each HA must certify (even though it has done so previously) that it will comply with the drug-free workplace requirements in accordance with CFR part 24, subpart F (see

attached Certificate for Drug Free Workplace, Attachment 2).

**(3) Certification Regarding Lobbying**

Section 319 of the Department of the Interior Appropriations Act, Public Law 101-121, approved October 23, 1989 (31 U.S.C. 1352) (the "Byrd Amendment") generally prohibits recipients of Federal contracts, grants, and 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 Department's regulations on these restrictions on lobbying are codified at 24 CFR part 87. To comply with 24 CFR 87.110, any PHA submitting an application under this announcement for more than \$100,000 of budget authority must submit a certification and, if warranted, a Disclosure of Lobbying Activities. To assist HAs, the text for the Certification Regarding Lobbying (Attachment 3) and Standard Form LLL, "Disclosure Form to Report Lobbying" (Attachment 4) are attached to this

announcement. IHAs established by an Indian tribe as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but IHAs established under State law are not excluded from the statute's coverage.

**(4) Evaluation Certification**

A separate certification from the HA and the Public Child Welfare Agency. The certification must state that the HA and Public Child Welfare Agency agree to cooperate with HUD and provide requested data to the HUD office designated responsibility for the program evaluation.

**(B) Checklist for Technical Requirements**

The checklist for technical requirements provided in this Section IV(B) specifies the information that must be included in the application. HAs are encouraged to review the checklist to ensure that the application submitted is complete.

HA		Field office		
Yes	No	Yes	No	
_____	_____	_____	_____	The application contains a completed Form HUD-52515.
_____	_____	_____	_____	The application specifies the total number of rental certificates, by number of bedrooms, requested by the HA.
_____	_____	_____	_____	The application contains estimates of the average adjusted income for prospective participants for each bedroom size.
_____	_____	_____	_____	The application demonstrates that the applicant qualifies as a public housing agency and is legally qualified and authorized to participate in the rental assistance programs for the area in which the program is to be carried out. Such demonstration includes (i) the relevant enabling legislation, (ii) any rules and regulations adopted or to be adopted by the agency to govern its operations, and (iii) a supporting opinion from the agency counsel. If such documents are currently on file in the field office they do not have to be resubmitted.
_____	_____	_____	_____	The application includes a statement that the housing quality standards to be used in the operation of the program will be as set forth in 24 CFR 882.109 or that variations in the Acceptability Criteria are proposed. In the latter case, each proposed variation shall be specified and justified.
_____	_____	_____	_____	The application contains the HA schedule of leasing which must provide for the expeditious leasing of units. In developing the schedule, a HA must specify the number of units that are expected to be leased at the end of each three-month interval. The schedule must project lease-up by eligible families within twelve months or sooner after execution of the ACC by HUD.
_____	_____	_____	_____	The application contains a narrative explaining how the application meets Selection Criterion 2, Coordination Between HA and Public Child Welfare Agency to Identify and Assist Eligible Families.
_____	_____	_____	_____	The application contains the Public Child Welfare Agency Statement of Need for Family Unification Demonstration Program, Selection Criterion 3.
_____	_____	_____	_____	The application meets HUD's drug-free workplace requirements set out at 24 CFR part 24, subpart F (the application contains an executed Certification for a Drug-Free Workplace (Attachment 2)).
_____	_____	_____	_____	The application meets HUD's regulation regarding anti-lobbying set out at 24 CFR part 87. The anti-lobbying requirements apply to applications that, if approved, would result in the HA obtaining more than \$100,000 in budget authority. To comply, HAs must submit an Anti-lobbying Certification (Attachment 3) and, if warranted, a Disclosure of Lobbying Activities (Attachment 4).
_____	_____	_____	_____	The application contains an evaluation certification from the HA.
_____	_____	_____	_____	The application contains an evaluation certification from the PCWA.

**V. Funding Award Process**

In accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 and HUD's regulation at 24 CFR 12.18, HUD will notify the public by notice published in the Federal Register of all award decisions made by HUD under this competition. HUD and recipients of awards under this NOFA also shall

comply with the provisions of Section VI(D) of this NOFA.

Assistance provided under the section 8 existing housing program is generally categorically excluded from environmental assessment under the National Environmental Policy Act (42 U.S.C. 4332) (see 24 CFR 50.21(d)). However, where assistance provided under this NOFA is used by the recipient for project-based certificate assistance under 24 CFR part 882,

subpart G, HUD will perform an environmental review to the extent required by 24 CFR 882.713 before the recipient enters into an agreement with the owner for such assistance.

**VI. Other Matters**

**(A) Environmental Impact**

A Finding of No Significant Impact with respect to the environment has been made in accordance with the

Department's regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the Office of the Rules Docket Clerk, Office of the General Counsel, Department of Housing and Urban Development, room 10276, 451 Seventh Street, SW., Washington, DC 20410.

*(B) Federalism Impact*

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12812, Federalism, has determined that this NOFA does not have substantial, direct effects on the States, on their political subdivisions, or on the relationship between the Federal government and the States, or on the distribution of power or responsibilities among the various levels of government, because this NOFA will not alter the established roles of HUD, the States and local governments, including PHAs/IHAs.

*(C) Impact on the Family*

The General Counsel, as the Designated Official under Executive Order 12806, *The Family*, has determined that the policies contained in these guidelines may have a significant impact on the maintenance and general well-being of some families. The Family Unification Demonstration is expected to provide additional decent and sanitary housing for families, for whom, currently, a lack of adequate housing causes or threatens to cause a separation of children from their families. Since the impact on the family is considered beneficial, no further review is necessary.

*(D) Accountability in the Provision of HUD Assistance*

(1) Documentation and Public Access

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 five-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 quarterly *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 in the *Federal Register* on January 16, 1992 (57 FR 1942), for further information on these requirements.)

(2) Disclosures

HUD will make available to the public for five years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period generally less than three years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. (See 24 CFR subpart C, and the notice published in the *Federal Register* on January 16, 1992 (57 FR 1942), for further information on these disclosure requirements.)

*(E) Prohibition Against Lobbying Activities*

The use of funds awarded 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. IHAs established by an Indian tribe as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but IHAs established under State law are not excluded from the statute's coverage.

*(F) Prohibition Against Lobbying of HUD Personnel*

Section 13 of the Department of Housing and Urban Development Act (42 U.S.C. 3537b) contains two provisions dealing with efforts to influence HUD's decisions with respect to finance assistance. The first imposes disclosure requirements on those who

are typically involved in these efforts—those who pay others to influence the award of assistance or the taking of a management action by the Department and those who are paid to provide the influence. The second restricts the payment of fees to those who are paid to influence the award of HUD assistance, if the fees are tied to the number of housing units received or are based on the amount of assistance received, or if they are contingent upon the receipt of assistance. Section 13 was implemented by final rule published in the *Federal Register* on May 17, 1991 (56 FR 22912). If readers are involved in any efforts to influence the Department in these ways, they are urged to read the final rule, particularly the examples contained in Appendix A of the rule.

Any questions concerning the rule should be directed to Arnold J. Haiman, Director, Office of Ethics, room 2158, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-3000. Telephone: (202) 708-3815 (voice/TDD). (This is not a toll-free number.) Forms necessary for compliance with the rule may be obtained from the local HUD office.

*(G) Prohibition Against Advance Information on Funding Decisions*

Section 103 of the Reform Act proscribes the communication of certain information by HUD employees to persons not authorized to receive that information during the selection process for the award of assistance that entails a competition for its distribution. HUD's regulations implementing section 103 are codified at 24 CFR part 4 (see 56 FR 22088, May 13, 1991). In accordance with the requirements of section 103, HUD employees involved in the review of applications and in the making of funding decisions under a competitive funding process are restrained by 24 CFR part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving an applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted by 24 CFR part 4. Applicants who have questions should contact the HUD Office of Ethics (202) 708-3815 (voice/TDD). (This is not a toll-free number.)

**Authority:** The Family Unification Demonstration Program is authorized by section 8(x) of the U.S. Housing Act of 1937, as added by section 553 of the National Affordable Housing Act (Pub. L. 101-825, approved November 28, 1990); and the HUD-Independent Appropriations Act of 1992 (Pub.

L. 102-139, approved October 28, 1991). The regulations governing the section 8 rental certificate program are codified at 24 CFR part 882.

Dated: July 17, 1992.

BILLING CODE 4210-33-M

SECTION 8 RENTAL CERTIFICATE PROGRAM  
FY 1992 FAMILY UNIFICATION DEMONSTRATION

<u>STATE</u>	<u>HUD FIELD OFFICE</u>	<u>ESTIMATED UNITS</u>	<u>TOTAL BUDGET AUTHORITY</u>
MASSACHUSETTS	BOSTON, MASSACHUSETTS OFFICE	63	3,168,395
NEW YORK	BUFFALO, NEW YORK OFFICE	69	2,204,380
	NEW YORK, NEW YORK OFFICE	<u>193</u>	<u>8,575,045</u>
	NY TOTALS	262	10,779,425
NEW JERSEY	NEWARK, NEW JERSEY OFFICE	59	2,844,455
PENNSYLVANIA	PHILADELPHIA, PENNSYLVANIA OFFICE	62	2,182,645
	PITTSBURGH, PENNSYLVANIA OFFICE	<u>40</u>	<u>1,197,550</u>
	PA TOTALS	102	3,380,195
MARYLAND	BALTIMORE, MARYLAND OFFICE	28	1,029,885
	WASHINGTON D.C. OFFICE	<u>20</u>	<u>1,084,320</u>
	TOTALS	48	2,114,205
FLORIDA	JACKSONVILLE, FLORIDA OFFICE	76	2,559,430
OHIO	CINCINNATI, OHIO OFFICE	21	597,020
	CLEVELAND, OHIO OFFICE	46	1,339,445
	COLUMBUS, OHIO OFFICE	<u>33</u>	<u>894,770</u>
	OH TOTALS	100	2,831,235

TABLE 1 continued

<b>MICHIGAN</b>	DETROIT, MICHIGAN OFFICE	39	1,274,830
	GRAND RAPIDS, MICHIGAN OFFICE	<u>34</u>	<u>980,015</u>
	MI TOTALS	73	2,254,845
<b>TEXAS</b>	FORTH WORTH, TEXAS OFFICE	69	1,879,685
	HOUSTON, TEXAS OFFICE	34	989,990
	SAN ANTONIO, TEXAS OFFICE	<u>37</u>	<u>1,060,920</u>
	TX TOTALS	140	3,930,595
<b>MISSOURI</b>	KANSAS CITY, MISSOURI OFFICE	21	519,515
	ST. LOUIS, MISSOURI OFFICE	<u>32</u>	<u>846,230</u>
	MO TOTALS	53	1,365,745
<b>CALIFORNIA</b>	LOS ANGELES, CALIFORNIA OFFICE	154	7,784,120
	SACRAMENTO, CALIFORNIA OFFICE	21	755,580
	SAN FRANCISCO, CALIFORNIA OFFICE	<u>80</u>	<u>3,936,640</u>
	CA TOTALS	255	12,476,340
<b>11 STATES</b>	<b>GRAND TOTALS</b>	<b>1,231</b>	<b>47,704,865</b>

**Application for Existing Housing**

U.S. Department of Housing and Urban Development  
Office of Housing  
Federal Housing Commissioner

Attachment 1



Section 8 Housing Assistance Payments Program  
Send original and two copies of this application form and attachments to the local HUD Field Office

OMB Approval No. 2502-0123 (exp. 3/31/92)

Public reporting burden for this collection of information is estimated to average 0.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2502-0123), Washington, D.C. 20503.

Name of the Public Housing Agency (PHA) requesting housing assistance payments:		Application/Project No. (HUD use only)	
Mailing Address of the PHA		Requested housing assistance payments are for: How many Certificates?    How many Vouchers?	
Signature of PHA Officer authorized to sign this application		Have you submitted prior applications: ... for Section 8 Certificates? <input type="checkbox"/> No <input type="checkbox"/> Yes ... for Section 8 Housing Vouchers? <input type="checkbox"/> No <input type="checkbox"/> Yes	
X Title of PHA Officer authorized to sign this application	Phone Number	Date of Application	
Legal Area of Operation (area in which the PHA determines that it may legally enter into Contracts)			

**A. Primary Area(s) from which families to be assisted will be drawn.**

Locality (City, Town, etc.)	County	Congressional District	Units

**B. Proposed Assisted Dwelling Units**

Housing Program	Number of Dwelling Units by Bedroom Count								Total Dwelling Units	
	Elderly, Handicapped, Disabled			Non-Elderly						
	Efficiency	1-BR	2-BR	1-BR	2-BR	3-BR	4-BR	5-BR		6+BR
Certificates										
Housing Vouchers										

**C. Need for Housing Assistance.** Demonstrate that the project requested in this application is consistent with the applicable Housing Assistance Plan including the goals for meeting the housing needs of Lower-income Families or, in the absence of such a Plan, that the proposed project is responsive to the condition of the housing stock in the community and the housing assistance needs of Lower-income Families (including the elderly, handicapped and disabled, large families and those displaced or to be displaced) residing in or expected to reside in the community. (If additional space is needed, add separate pages.)

**D. Qualification as a Public Housing Agency.** Demonstrate that the applicant qualifies as a Public Housing Agency and is legally qualified and authorized to carry out the project applied for in this application. (check  the appropriate boxes).

	Submitted with this application	Previously submitted
1. The relevant enabling legislation		
2. Any rules and regulations adopted or to be adopted by the agency to govern its operations		
3. A supporting opinion from the Public Housing Agency Counsel		

**E. Financial and Administrative Capability.** Describe the experience of the PHA in administering housing or other programs and provide other information which evidences present or potential management capability for the proposed program.

**F. Housing Quality Standards.** Provide a statement that the Housing Quality Standards to be used in the operation of the program will be as set forth in the program regulation or that variations in the Acceptability Criteria are proposed. In the latter case, each proposed variation shall be specified and justified.

**G. Leasing Schedule.** Provide a proposed schedule specifying the number of units to be leased by the end of each three-month period.

H. Average Monthly Adjusted Income (Housing Vouchers Only)						
Efficiency	1-BR	2-BR	3-BR	4-BR	5-BR	6+BR

I. Attachments. The following additional items must be submitted either with the application or after application approval, but no later than with the PHA executed ACC.			
	Submitted with this application	To be submitted	Previously submitted
1. Equal Opportunity Housing Plan			
2. Equal Opportunity Certifications, Form HUD-916			
3. Estimates of Required Annual Contributions, Forms HUD-52672 and HUD-52673			
4. Administrative Plan			
5. Proposed Schedule of Allowances for Utilities and Other Services, Form HUD-52667, with a justification of the amounts proposed			

HUD Field Office Recommendations		
Recommendation of Appropriate Reviewing Office	Signature and Title	Date

**Attachment 2—Certification Regarding Drug-Free Workplace Requirements (From 24 CFR, Appendix C)***Instructions for Certification*

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance was placed when the agency determined to award the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.

**Alternate I**

A. The grantee certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about—
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

- (1) Abide by the terms of the statement; and
- (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

(e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

- (1) Taking appropriate personnel action against such an employee, up to and including termination; or
- (2) Requiring such employee to 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;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, State, zip code)

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**Alternate II**

The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity with the grant.

**Attachment 3—Certification Regarding Lobbying***Certification for Contracts, Grants, Loans, and Cooperative Agreements*

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or 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 of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the 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.

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 this transaction 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.

Signed by: (Name, Title & Signature of Authorized PHA/IHA Official)

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(Name & Title)

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(Signature & Date)

BILLING CODE 4210-33-M

## DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB  
0348-0044Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(See reverse for public burden disclosure.)

Attachment 4

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Congressional District, if known: _____	<b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b>  Congressional District, if known: _____	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$ _____	
<i>(attach Continuation Sheet(s) SF-LLL-A, if necessary)</i>		
<b>11. Amount of Payment (check all that apply):</b> \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	<b>13. Type of Payment (check all that apply):</b> <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other, specify: _____	
<b>12. Form of Payment (check all that apply):</b> <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____	<b>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11:</b>   <i>(attach Continuation Sheet(s) SF-LLL-A, if necessary)</i>	
<b>15. Continuation Sheet(s) SF-LLL-A attached:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or awarded into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b>	<b>Signature:</b> _____ <b>Print Name:</b> _____ <b>Title:</b> _____ <b>Telephone No.:</b> _____ <b>Date:</b> _____	
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form - LLL

**DISCLOSURE OF LOBBYING ACTIVITIES  
CONTINUATION SHEET**

Approved by OMB  
0348-0046

Reporting Entity: \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

[FR Doc. 92-17380 Filed 7-22-92; 8:45 am]

BILLING CODE 4210-33-C