

Sunshine Act Meetings

Federal Register

Vol. 56, No. 57

Monday, March 25, 1991

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Executive Committee Meeting

DATE AND TIME:

April 17 and 18, 1991

9:00 a.m. to 4:30 p.m.

9:00 a.m. to 3:00 p.m., respectively

PLACE: NCLIS Headquarters, 1111 18th Street NW., Suite 310, Washington, D.C. 20036.

MATTERS TO BE DISCUSSED:

NCLIS Unfinished Business

White House Conference on Library and Information Services (WHCLIS).

Unfinished Business

NCLIS New Business

WHCLIS New Business

Special provisions will be made for handicapped individuals by calling Barbara Whiteleather, (202) 254-3100, no later than one week in advance of the meeting.

For further information contact: Barbara Whiteleather, Special Assistant to the Executive Director, 1111 18th Street NW., Suite 310, Washington, D.C. 20036. (202) 254-3100.

Dated: March 19, 1991.

Jane Williams,

Research Associate.

[FR Doc. 91-7057 Filed 3-21-91; 10:48 am]

BILLING CODE 7527-01-M

POSTAL SERVICE BOARD OF GOVERNORS

Notice of a Meeting

The Board of Governors of the United States Postal Service, pursuant to its Bylaws (39 CFR Section 7.5) and the Government in the Sunshine Act (5 U.S.C. Section 552b), hereby gives notice that it intends to hold a meeting at 1:00 p.m. on Monday, April 1, 1991, and at 8:30 a.m. on Tuesday, April 2, 1991, in Chicago, Illinois. By telephone vote, March 8-12, 1991, a majority of the members contacted and voting, the Board of Governors voted to close to public observation its meeting scheduled for April 1, which will involve consideration of: (1) A proposed contract for a study into the ratemaking process and (2) funding for cargo vans, semi-trailers and mail hauling tractors. The Board determined that pursuant to

section 552b(c)(9)(B) of title 5, United States Code, and section 7.3(i) of the Code of Federal Regulations, discussion of these matters is exempt from the open meeting requirement of the Government in the Sunshine Act [5 U.S.C. 552b(b)] because it is likely to disclose information, the premature disclosure of which would significantly frustrate implementation of the proposed procurement actions.

The April 2 meeting is open to the public and will be held in the LaSalle Room of the Four Seasons Hotel, 120 East Delaware Place. The Board expects to discuss the matters stated in the agenda which is set forth below. Requests for information about the meeting should be addressed to the Secretary of the Board, David F. Harris, at (202) 268-4800.

Agenda

Monday Session

April 1—1:00 p.m. (Closed)

1. Consideration of Proposed Study into Rate Process.
2. Capital Investments. (Arthur Porwick, Assistant Postmaster General, Operations Systems and Performance Department)
 - a. Cargo Vans.
 - b. Semi-Trailers.
 - c. Mail Hauling Tractors.

Tuesday Session

April 2—8:30 a.m. (Open)

1. Minutes of the Previous Meeting, March 4-5, 1991.
2. Remarks of the Postmaster General. (Anthony M. Frank)
3. Report on the Central Region. (John G. Mulligan, Regional Postmaster General)
4. Report on the Chicago Division. (Norman L. Miller, Field Division General Manager/Postmaster)
5. Capital Investment. (William J. Dowling, Assistant Postmaster General, Engineering and Technical Support Department)
 - a. Postage Validation Imprinters.
6. Tentative Agenda for April 29-30, 1991, meeting in Washington, D.C.

David F. Harris,

Secretary.

[FR Doc. 91-7138 Filed 3-21-91; 2:52 pm]

BILLING CODE 7710-12-M

UNITED STATES POSTAL SERVICE BOARD OF GOVERNORS

Notice of Vote to Close Meeting

At its meeting on March 4, 1991, the Board of Governors of the United States

Postal Service voted unanimously to consider issuing a Request for Proposal (RFP) for a study analyzing the ratemaking procedures in place since passage of the Postal Reorganization Act in 1970 and recommending changes.

The Board determined that pursuant to section 552b(c)(9)(B) of title 5, United States Code, and section 7.3(i) of title 39, Code of Federal Regulations, the discussion of the matter was exempt from the open meeting requirement of the Government in the Sunshine Act [5 U.S.C. 552b(b)], on the grounds that the public interest did not require otherwise and discussion was likely to disclose information, the premature disclosure of which would significantly frustrate the proposed procurement action.

Prior to the March 4-5 meeting, the Board of Governors gave due notice of its intention to hold the meeting, the notice and the proposed agenda for the meeting having been published in the *Federal Register* on February 21, 1991 (56 FR 7063).

On March 4, the Board determined by a unanimous vote that no earlier announcement was possible. In accordance with 5 U.S.C. 552b(f)(1), the General Counsel of the United States Postal Service certified that in his opinion the portion of the meeting closed might properly be closed pursuant to 5 U.S.C. 552b(c)(9)(B).

The persons who attended this portion of the meeting were Board members Alvarado, Daniels, del Junco, Griesemer, Hall, Nevin, Pace, Setrakian; Postmaster General Frank; Deputy Postmaster General Coughlin; Secretary of the Board Harris; and General Counsel Hughes.

David F. Harris,

Secretary.

[FR Doc. 91-7139 Filed 3-21-91; 2:52 pm]

BILLING CODE 7710-12-M

TENNESSEE VALLEY AUTHORITY

[Meeting No. 1438]

TIME AND DATE: 10 a.m. (CST), March 27, 1991.

PLACE: Gallatin Power Plant Assembly Room, Gallatin, Tennessee.

STATUS: Open.

AGENDA: Approval of minutes of meeting held on February 13, 1991.

ACTION ITEMS:*Old Business*

1. Sale of 10-year Term Easement Affecting Approximately 10.38 Acres of Pickwick Reservoir Land in Tishomingo County, Mississippi.

*New Business***B—Purchase Awards**

- B1. Contract with AT&T for Automatic Data Processing Equipment Support Services for U.S. Army Information Systems Command-Missile Command at Redstone Arsenal, Alabama (Request for Proposal YE-95406C).
- B2. Negotiated Purchase Contract with HOLTEC International for Spent Fuel Racks for Sequoyah Nuclear Plant (Request for Proposal MA-44855C).

E—Real Property Transactions

- E1. Grant of Permanent Easement Affecting Approximately 1.2 Acres of Watts Bar Reservoir Land in Roane County, Tennessee.
- E2. Deed Modification Affecting Approximately 0.003 Acre of Cherokee Reservoir Land in Hamblen County, Tennessee.

F—Unclassified

- F1. Amendment to the Rules and Regulations of the TVA Retirement System.
- F2. Filing of Condemnation Cases.

F3. Supplement to Personal Services Contract No. TV-80880V with MICAH Systems, Incorporated, for Systems Analysis and Programming Support.

INFORMATION ITEMS:

1. Revised Pay Rates for the International Brotherhood of Electrical Workers Resulting from Decision of the Secretary of Labor.
2. Renewal Power Contract with Lenoir City, Tennessee.
3. Arrangements to Revise Service Schedules with Nantahala Power and Light Company.

CONTACT PERSON FOR MORE

INFORMATION: Alan Carmichael, Manager, Media Relations, or a member of his staff can respond to requests for information about this meeting. Call (615) 632-6000, Knoxville, Tennessee. Information is also available at TVA's Washington Office, (202) 479-4412.

Dated: March 20, 1991.

Edward S. Christenbury,
General Counsel and Secretary.

[FR Doc. 91-7052 Filed 3-21-91; 10:16 am]

BILLING CODE 8120-08-M

UNITED STATES INSTITUTE OF PEACE**Notice of Meeting**

DATE: March 28, 1991.

TIME: 9:00 a.m. to 5:30 p.m.

PLACE: 1550 M Street NW., Washington, D.C. (ground floor, Board Room).

STATUS: Open session. (Portions may be closed pursuant to subsection (c) of section 552(b) of title 5, United States Code, as provided in subsection 1706(h)(3) of the United States Institute of Peace Act, (Pub. L. 98-525).

AGENDA: (Tentative):

Meeting of the Board of Directors convened. Chairman's Report. President Report. Committee Reports. Consideration of the Minutes of the Forty-Fifth meeting of the Board of Directors. Consideration of grant application matters.

CONTACT: Mr. Gregory McCarthy, Director, Public Affairs, telephone (202) 457-1700.

Dated: March 15, 1991.

Bernice J. Carney,

Director of Administration, the United States Institute of Peace.

[FR Doc. 91-7099 Filed 3-21-91; 12:27 pm]

BILLING CODE 3155-01-M

Corrections

Federal Register

Vol. 56, No. 57

Monday, March 25, 1991

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket No. 910104-1004]

RIN 0693-AA87

Proposed Federal Information Processing Standard (FIPS) for Key Management Using ANSI X9.17

Correction

In notice document 91-3350 beginning on page 5800 in the issue of Wednesday, February 13, 1991, make the following correction:

On page 5801, in the second column, in paragraph 10, in the 7th line, "not" should be removed.

BILLING CODE 1505-01-D

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. TA91-1-16-005]

National Fuel Gas Supply Corp.; Proposed Changes in FERC Gas Tariff

Correction

In notice document 91-3894 appearing on page 6849 in the issue of Wednesday, February 20, 1991, make the following correction:

In the first column, in the heading, the docket number should read as set forth above.

BILLING CODE 1505-01-D

FEDERAL TRADE COMMISSION

[File No. 911 0036]

Alleghany Corp.; Proposed Consent Agreement With Analysis To Aid Public Comment

Correction

In notice document 91-5159 beginning on page 9219 in the issue of Tuesday, March 5, 1991, make the following correction:

On page 9219, in the second column, under the **DATES** caption, in the second line, "April 8, 1991" should read "May 6, 1991".

BILLING CODE 1505-01-D

FEDERAL TRADE COMMISSION

[Dkt. No. 9224]

TK-7 Corp., et al; Proposed Consent Agreement With Analysis To Aid Public Comment

Correction

In notice document 91-5161 beginning on page 9224 in the issue of Tuesday, March 5, 1991, make the following correction:

On page 9224, in the second column, under the **DATES** caption, in the second line, "April 8, 1991" should read "May 6, 1991".

BILLING CODE 1505-01-D

GENERAL SERVICES ADMINISTRATION

41 CFR Part 301-1 and Chapter 304

[FTR Interim Rule 3]

RIN 3090-AE19

Federal Travel Regulation; Acceptance of Payment From a Non-Federal Source for Travel Expenses

Correction

In the issue of Friday, March 15, 1991, on page 11304, in the second column, a correction to rule document 91-5295 appeared. A portion of the text that appeared is inaccurate and is corrected as follows:

§ 304-1.7 [Corrected]

1. Under amendatory instruction 6., in the next to last line, "eighth" should read

"seventh" and in the last line, "allowance" should read "JFTR".

2. Under amendatory instruction 8., in the next to last line, after "6 FAM" insert "100".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 514

[Docket No. 76N-0358]

New Animal Drug Applications; Approval of Supplemental Applications

Correction

In rule document 90-25830 beginning on page 46045 in the issue of Thursday, November 1, 1990, make the following corrections:

§ 514.106 [Corrected]

On page 46052, in § 514.106

a. In the first column, in paragraph (a), in the first line "With" should read "Within".

b. In the same column, in the same paragraph, in the eighth line "application" was misspelled.

c. In the second column, in paragraph (b)(1)(ii), in the first line "sales" should read "sale".

d. In the same column, in paragraph (b)(1)(iii) "of" should read "or".

e. In the same column, in paragraph (b)(1)(v), in the third line "or" should read "of".

f. In the same column, in paragraph (b)(1)(vii), in the third line "of change in the" should read "or change the".

g. In the same column, in paragraph (b)(1)(xiii), in the second line "of" was repeated.

h. In the same column, in paragraph (b)(1)(xiv), in the fourth line "application" should read "applications".

i. In the same column, in paragraph (b)(2)(iii), in the first line "does" should read "dose".

j. In the same column, in paragraph (b)(2)(iv), in the second line "schedule" was misspelled.

k. In the same column, in paragraph (b)(2)(ix), in the sixth line ":" at the end should read ".".

1. In the third column, in paragraph (b)(2)(xiii), in the first line "of" should read "or".

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO-930-01-4214-10; COC-52453]

Proposed Withdrawal; Opportunity for Public Meeting; Colorado

Correction

In notice document 91-3280 beginning on page 5702 in the issue of Tuesday, February 12, 1991, make the following corrections:

1. On page 5703, in the first column, under Estin/Hut Lodge, in the first line, "Latitude 30'" should read "Latitude 39'"

2. In the same column, under Schuss/Zesiger Hut/Lodge, in the first line, "Latitude 39' 26' 18.10"." should read "Latitude 39' 26' 18.10"N.".

3. On the same page, in the third column, in the file line, the Federal Register document number should read "91-3280".

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 250

RIN 1010-AB21

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Training

In rule document 91-1552, beginning on page 2678 in the issue of Thursday, January 24, 1991, make the following correction:

§ 250.214 [Corrected]

On page 2698, in the second column, in § 250.214(c)(3), in the second line "need to be" should read "need not be".

BILLING CODE 1505-01-D

INTERSTATE COMMERCE

COMMISSION

49 CFR Part 1177

[Ex Parte No. 382 (Sub-No. 7)]

Revision of Rules for the Recordation of Documents Under 49 U.S.C. 11303- Documents Executed With a Declaration, Made Under Penalty of Perjury

Correction

In rule document 91-5931 beginning on page 10519 in the issue of Wednesday, March 13, 1991, make the following correction:

§ 1177.3 [Corrected]

On page 10520, in § 1177.3(a)(3), in the seventh line "to be known" should read "to me known".

BILLING CODE 1505-01-D

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

29 CFR Part 541

Computer-Related Occupations; Exemptions From Minimum Wage and Overtime Compensation Requirements of the Fair Labor Standards Act

Correction

In the issue of Tuesday, March 5, 1991, on page 9252, beginning in the first column, in the correction of rule document 91-4704, the page cites were incorrect. "Page 5250" should read "page 8250" and "page 5251" should read "page 8251".

BILLING CODE 1505-01-D

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

29 CFR Part 778

RIN 1215-AA54

Records To Be Kept by Employers; Overtime Compensation

Correction

In proposed rule document 91-5061 beginning on page 9183 in the issue of Tuesday, March 5, 1991, make the following corrections:

§ 778.603 [Corrected]

On page 9185, in the first column, in § 778.603, in the fifth line from the bottom, "of" should read "and". In the second column, in the sixth line from the end of the section, insert "j" after "Compilation".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Office of Commercial Space Transportation

14 CFR Parts 413, and 415

[OST Docket No. 47425; Notice 91-4]

RIN 2105-AB77

Commercial Space Transportation; User Fees

Correction

In proposed rule document 91-4596 beginning on page 8301 in the issue of Thursday, February 28, 1991, make the following corrections:

1. On page 8301, in the 2d column, in the 11th line, "pre-launch" should read "per-launch".

2. On page 8303, in the first column, in the sixth line from the bottom, "risks" should read "risk".

3. On page 8305, in the second column, under "Department Regulatory Policies and Procedures", in the first line, "proposed" was misspelled.

§ 415.4 [Corrected]

4. On page 8306, in the first column, in § 415.4(b), in the third line, "life" should read "lift".

5. In the same column, in § 415.4(c), in the second line, "\$2.05" should read "\$2.50".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[FI-189-84]

RIN 1545-AH46

Debt Instruments With Original Issue Discount; Contingent Payments

Correction

In proposed rule document 91-4676 beginning on page 8308 in the issue of Thursday, February 28, 1991, make the following corrections:

§ 1.1275-4 [Corrected]

1. On page 8311, in the second column, in § 1.1275-4, in paragraph (g)(4)(ii)(B)(2) in the fifth line, delete "payment".

2. In the same column, in § 1.1275-4, in paragraph (g)(5), in example (i), in the second line, delete "payment".

BILLING CODE 1505-01-D

Registered Federal Letter

**Monday
March 25, 1991**

Part II

**Department of
Housing and Urban
Development**

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

**Public Housing Resident Management
Program Technical Assistance; Notice of
Funding Availability**

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Public and Indian Housing

[Docket No. N-91-3235; FR-2988-N-01]

NOFA for the Public Housing Resident Management Program Technical Assistance

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

ACTION: Notice of funding availability for FY 1991.

DATES: Applications are due no later than May 17, 1991.

SUMMARY: HUD is announcing the availability of \$5 million for Fiscal Year 1991 under the Public Housing Resident Management program. This program provides assistance to Resident Councils (RCs)/Resident Management Corporations (RMCs) to fund training and other activities for the resident management of public housing. Also, Resident Organizations (ROs)/Resident Councils (RCs)/Resident Management Corporations (RMCs) of Indian Housing may be eligible for funding under this program.

EFFECTIVE DATE: March 25, 1991.

FOR FURTHER INFORMATION AND A COPY OF THE REQUEST FOR GRANT APPLICATION (RFGA) (APPLICATION KIT):

This NOFA cannot be used as the application. (The Application Kit will be available 15 days from the date of publication.) Please contact the Resident Initiatives Clearinghouse, Post Office Box 6091, Rockville, MD 20850 or call the toll free number 1-800-955-2232 to obtain a copy of the Application Kit. For information on the program, contact Dorothy Walker, Office of Resident Initiatives, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410. Telephone Number (202) 708-3611. (This is not a toll-free number.) Hearing- or speech-impaired persons may use the Telecommunications Devices for the Deaf (TDD) by calling 1-800-877-TDDY or 1-800-877-8339 or 202-708-9300 (this is not a toll-free number) for information on the program.

SUPPLEMENTARY INFORMATION: The information collection requirements contained in this NOFA have been submitted to the Office of Management and Budget (OMB) for review under section 3504(h) of the Paperwork Reduction Act of 1980 and have been assigned OMB control number 2577-0127. Public reporting burden for each of these collections of information is

estimated to include the time for reviewing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Information on the estimated public reporting burden is provided under the Preamble heading, Other Matters. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Housing and Urban Development, Rules Docket Clerk, 451 Seventh Street, SW., room 10276, Washington, DC 20410; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Other Information

RCs/RMCs/ROs of public/Indian housing that are selected to receive funding will be invited to participate in a national training workshop scheduled for late July 1991. Many resident organizations may not have the funds available to attend the workshop. This NOFA authorizes Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) which are in a position to do so, to advance travel funds to the grantees who are selected to receive funding to attend the workshop. PHAs/IHAs will be reimbursed by the grantees selected for funding upon execution of the Technical Assistance Grant (TAG). Each grantee may send up to three persons to attend the workshop utilizing the TAG grant funds. (The advance and the reimbursement should occur within the same PHA/IHA fiscal year.) All parties are reminded that expenditures for travel are subject to OMB Circular A-122 (Cost Principles for Non-Profits). Grantees may contact their local Resident Initiative Coordinator (RIC) in the HUD Regional and Field Offices for further information on travel regulations.

Statutory Background

Section 122 of the Housing and Community Development Act of 1987 (Pub. L. 100-42, February 5, 1988) amended the U.S. Housing Act of 1937 (1937 Act) by adding a new section 20. In part, section 20 states as its purpose, the encouragement of "increased resident management of public housing projects [and the provision of funding] * * * to promote formation and development of resident management entities" (Section 20(a).) Under section (20)(f)(1):

The Secretary shall provide financial assistance to resident management corporations or resident councils that obtain,

by contract or otherwise, technical assistance for the development of resident management entities, including the information of such entities, the development of the management capability of newly formed or existing entities, the identification of the social support needs of residents of public housing projects, and the securing of such support.

Under section 20(f)(2), such financial assistance may not exceed \$100,000 with respect to any public housing project, and subsection (f)(3) limits the assistance, to the extent funds are available under section 14 of the 1937 Act (Comprehensive Improvement Assistance Program). In Fiscal Years 1988, 1989, and 1990 a total of \$7.4 million was set aside for the development of resident management entities. In FY 1988, \$2.5 million was awarded to 27 resident organizations; in FY 1989, \$2.5 was awarded to 35 resident organizations; and in FY 1990, \$2.4 million was awarded to 37 resident organizations. In FY 1991, the Secretary is making available \$5 million for technical assistance and training for resident management.

On September 7, 1988, HUD published a final rule (24 CFR part 964) implementing section 20 of the 1937 Act. That rule sets forth, among other things, the policies, procedures, and requirements of resident participation and management of public housing. See 53 FR 34876. In an "Overview" of the rule, HUD explained that

Section 20 establishes a new program of resident management of public housing. Under the program, resident councils that represent residents of a public housing project or projects may approve the information of a resident management corporation. A qualifying resident management corporation may enter into a management contract with the public housing agency (PHA) establishing the respective management rights and responsibilities of the PHA and the corporation with respect to the public housing project involved. The program provides PHAs and resident management corporations wide latitude in establishing their respective roles and relationships under the contract.

Resident management corporations may retain any income that they generate in excess of estimated revenues for the project. Retained amounts may be used for purposes of improving the maintenance and operation of public housing projects, establishing business enterprises that employ public housing residents, or acquiring additional dwelling units for lower income families.

The program contains special provisions governing HUD technical assistance to resident councils and resident management corporations; HUD waiver of certain nonstatutory requirements for resident management corporations and the PHA; and the employment of public housing management specialists to help determine the

feasibility of, and to help establish, resident management corporations, and to provide training and other duties in connection with the daily operations of the project.

I. Funding

As noted above, \$5 million is being made available in FY 1991 on a competitive basis to RMCs/RCs/ROs that submit timely applications and are selected in response to this NOFA. Funding will be provided to support technical assistance for the development of resident management entities, including the formation of such entities; the development of the management capability of newly formed or existing entities; the identification of the social support needs of residents of public housing projects; and the securing of such support. Section 20 provides that not more than \$100,000 may be approved with respect to any housing project.

In this year's NOFA, the Department will be providing minigrants for start-up activities for RCs/RMCs/ROs that have fewer than 3 years of experience in community organization and participation in public housing community affairs. HUD will provide up to \$40,000 to RCs/RMCs/ROs for start-up purposes. Based on HUD's experience with the RCs/RMCs funded in previous years, the Department believes that \$40,000 is a reasonable amount for newly emerging groups to begin to build and strengthen their capacity as an organization (e.g., maintain democratically elected officers of the organization, establish operating/planning committees and block/building captains to carry out specific organizational tasks, develop by-laws, etc.); to develop a cohesive relationship between the residents and the local community; to build a partnership with the PHA/IHA; and to begin participating in training activities associated with property management in public/Indian housing. (See Section IX on Training Requirements for Grantees, and Section X Eligible Activities for specific training activities associated with property management.)

RCs/RMCs/ROs that have over 3 years of experience in community organizing and participation in public housing and community affairs may apply and be eligible to receive up to \$100,000. The actual amount of funding approved by HUD will be determined after a detailed review by HUD of the Work Plan and Budget, as part of the application review process, to determine eligibility and cost reasonableness of activities/tasks being proposed by the RC/RMC/RO.

RCs/RMCs/ROs awarded a mini-grant for start-up activities in FY 1991

may apply for additional funding in a subsequent year up to the total maximum limitation of \$100,000 per project, only after the resident organizations have accomplished the following activities:

- (a) Developed an active community organization which consists of democratically elected officers;
- (b) Issued by-laws governing the operation of the organization;
- (c) Developed an organizational structure which consists of floor/block captains or residential community groups and program committees to carry out specific tasks;
- (d) Obtained a Memorandum of Understanding (MOU) between the RC/RMC/RO and PHA/IHA which states the elements of their relationship and delineates what support the PHA/IHA will provide to the resident organization, (e.g., on-the-job training, technical assistance, equipment, space, etc.) and the activities to be provided by the RCs/RMCs/ROs;
- (e) Identified community needs and interests for resident management, skills level, community participation, etc.;
- (f) Developed a basic financial management and accounting system that will provide effective control over and accountability for all grant funds, or acquired an accounting service to perform this function;
- (g) Completed Board and Leadership Training for the resident organization; and
- (h) Has formal recognition from the PHA/IHA to represent residents in meetings with the PHA/IHA or other entities.

II. Additional Funding

RCs/RMCs selected for funding in FYs 1988, 1989, and 1990 that received less than the statutory maximum of \$100,000 per project may apply for an additional grant not to exceed (including previous grants) the total statutory maximum. However, these RCs/RMCs may be considered for additional funding *only* if there is evidence of reasonable progress on their resident management program previously approved by HUD. (See Selection Factor in Section XIV(c)(2)).

III. Technical Assistance Grant (TAG)

Grant awards will be made through a Technical Assistance Grant (TAG) which defines the legal framework for the relationship between HUD and a RMC/RC/RO for the proposed activities approved for funding. The TAG will contain all applicable requirements, including administrative requirements such as progress reports, a final report, and a final audit. All necessary materials regarding the TAG will be

furnished at a later date to applicants who are selected to receive funding.

IV. Eligibility of RMCs/RCs/ROs of Indian housing

The Department will consider, on a case-by-case basis, requests by RMCs/RCs/ROs of Indian housing to participate under this NOFA, as specified below.

HUD regulations at 24 CFR part 964 exclude Indian Housing Authorities (IHAs) from the definition of Public Housing Agency (§ 964.7). This exclusion precludes participation of resident organizations of IHAs under part 964 and this NOFA, unless a waiver of this restriction is granted.

However, the Department will consider, on a case-by-case basis, requests for waivers of the exclusion of IHAs from the definition of PHA (24 CFR 964.7). Requests for waivers must (1) Be in writing, state good cause, and conform with the regulatory requirement for waivers contained in 24 CFR part 999; (2) be limited to instances involving resident organizations of IHAs; and (3) establish that the entity created by residents of the IHA meets the definition and requirements of a RC/RMC/RO under 24 CFR part 964 and 24 CFR 905.355, and this NOFA.

Where waivers are granted, RMCs/RCs/ROs of Indian housing shall be subject to the same requirements applicable to RMCs/RCs of public housing. Requests for waivers should be addressed to: Joseph G. Schiff, Assistant Secretary for Public and Indian Housing, 451 7th Street, SW., Washington, DC 20410. The waiver request should be signed by an authorized officer of the RC/RMC/RO and included in the application submission.

V. Changes This Year in Certain Features of the Resident Management Program

Below is a listing of the new requirements being instituted in this year's NOFA:

(a) An Application kit will be required as the formal submission to apply for funding. The kit also will include information on the preparation of a Work Plan and Budget for activities proposed by the applicant. This process will eliminate the two-stage application and Work Plan/Budget requirement imposed in previous years, and will facilitate the expeditious execution of a Technical Assistance Grant (TAG) for those applicants who are selected to receive funding.

(b) RCs/RMCs/ROs that have fewer than three (3) years' experience in community organizing and participation

in public housing and community affairs may receive up to \$40,000 for start-up activities.

(c) RCs/RMCs/ROs that received less than the statutory limitation of \$100,000 per project in FYs 1988, 1989, and 1990 must make substantive progress or have completed the resident management program previously approved by HUD prior to being approved for additional funding.

(d) RCs/RMCs/ROs of Indian housing are eligible to apply for technical assistance funding under this NOFA, if a waiver is granted.

(e) Applications submitted jointly by RCs/RMCs/ROs, or by city-wide/tribal-wide organizations (i.e., organizations consisting of members from RCs/RMCs/ROs who reside in Public/Indian Housing projects which are owned and operated by a PHA/IHA (the city-wide/tribal-wide organization may represent one or all of the RCs/RMCs/ROs within a PHA/IHA) may receive an additional five (5) points.

(f) The Evaluation Panel will be established at the Headquarters level in Washington, DC, to review the technical merits of the applications and will be comprised of members from various HUD Headquarters Office; Regional and Field Offices; and Field Offices and Headquarters Offices of Indian programs.

(g) Applicants will have an opportunity to correct technical deficiencies in their application submission.

VI. This NOFA

This NOFA contains definitions of a "Project", "Resident Council (RC)", "Resident Management", "Resident Management Corporation (RMC)", and "Resident Organization (RO)" that are drawn from 24 CFR 964.7 and 24 CFR 905.355. Also detailed in this NOFA (Sections 8 and 9, respectively) are those organizations that are eligible for funding, and the training requirements for all grantees. Section 10 sets forth the activities that are eligible for funding under this NOFA. This NOFA also gives examples in Section 11 of activities that are not eligible for funding. The application process and the factors that HUD will use in evaluating all applications for the three categories of funding, i.e., Mini-grants, Basic Grants, and Additional Funding, are spelled out in sections 13 and 14, respectively.

Section 15 describes OMB's procurement requirements. Section 16 states that a checklist of all application submission requirements will be contained in the RFGA. Section 17 describes the selection and approval procedures, along with the role that

HUD Headquarters and Regional and Field Offices, and the Field Offices and Headquarters Offices of Indian programs will play in the process, and section 18 states that an applicant will be provided an opportunity to correct technical deficiencies in the application submission. Section 19 states that an application must be based on a plan that will spend the funds received within two years of the execution of the TAG contract. Sections 20 and 21 indicate that HUD Headquarters will notify Congress and the PHAs/IHAs, respectively, of action taken on a RMC's/RC's/RO's application.

VII. Definition

In accordance with 24 CFR 964.7 and 24 CFR 905.355, the following definitions apply:

a. *Project (Development)*. Includes any of the following that meet the requirements of part 964:

- (1) One or more contiguous buildings.
- (2) An area of contiguous row houses.
- (3) Scattered site buildings.

b. *Resident Council (RC)/Resident Organization (RO)*. An incorporated or unincorporated nonprofit organization or association that meets each of the following requirements:

- (1) It must be representative of the tenants it purports to represent.
- (2) It may represent tenants in more than one project or in all of the projects of a PHA/IHA, but it must fairly represent tenants from each project that it represents.

(3) It must adopt written procedures providing for the election of specific officers on a regular basis (but at least once every three years).

(4) It must have a democratically elected governing board. The voting membership of the board must consist of tenants of the project or projects that the tenant organization or resident council represents.

c. *Resident Management*. The performance of one or more management activities for one or more projects by a resident management corporation under a management contract with the PHA/IHA.

d. *Resident Management Corporation (RMC)*. The entity that proposes to enter into, or enters into, a management contract with a PHA/IHA that meets the requirements of subpart C of 24 CFR part 964 (for Public Housing) and 24 CFR 905.355 (for Indian Housing). The corporation must have each of the following characteristics:

- (1) It must be a nonprofit organization that is incorporated under the laws of the State or Indian Tribe in which it is located.

(2) It may be established by more than one tenant/resident organization or resident council, so long as each such organization or council (i) approves the establishment of the corporation and (ii) has representation of the Board of Directors of the corporation.

(3) It must have an elected Board of Directors.

(4) Its by-laws must require the Board of Directors to include representatives of each tenant organization or resident council involved in establishing the corporation.

(5) Its voting members must be tenants of the project or projects it manages.

(6) It must be approved by the resident council. If there is no council, a majority of the households of the project must approve the establishment of an organization to determine the feasibility of establishing a corporation to manage the project.

(7) It may serve as both the resident management corporation and the resident council, so long as the corporation meets the requirements of a resident council, as defined in paragraph (b) of this section.

VIII. Eligibility

Only organizations that meet the definition of an RC/RMC/RO set forth in paragraphs (b) and (d) of section (VII) will be eligible for funding under this NOFA, as follows:

a. RCs/RMCs selected for funding in FYs 1988, 1989, and 1990 that received less than the statutory maximum of \$100,000 per project may apply for an additional grant not to exceed the statutory maximum; they may receive consideration for up to the additional amount based on the evaluation factors applied to other applicants. No special considerations will be given.

b. Projects which were awarded the maximum amount of \$100,000 in FYs 1988, 1989, and 1990 are not eligible to apply.

c. A RC/RO which represents more than one project may apply on behalf of some or all of the projects it represents. In such a case, an individual project represented by that council may not apply for technical assistance funding for the same activities that are included in the application submitted by the larger organization.

d. A city-wide/tribal-wide organization (i.e., an organization consisting of members from RCs/RMCs/ROs who reside in Public/Indian housing projects which are owned and operated by PHAs/IHAs) (the city-wide/tribal-wide organization may represent one or all of the RCs/RMCs/

ROs within a PHA/IHA). In such a case, an individual project represented by the city-wide/tribal-wide organization that has received technical assistance funding in a previous year may not receive additional funding in the application submitted by the organization.

Note: HUD encourages the submission of joint applications from neighboring (within the same PHA/IHA) RCs/RMCs/ROs or city-wide/tribal-wide resident organizations that have similar objectives for the program by jointly sharing basic training, and exploring such areas as feasibility of resident management, economic development, or homeownership. Applications of this nature can obtain an additional five (5) points

IX. Training Requirements for Grantees

Grantees are required to have training in the following areas:

- a. HUD regulations and policies governing the operating of low-income public housing, including 24 CFR part 900 and the Fair Housing regulations.
- b. HUD regulations and requirements with respect to the Public/Indian housing programs.
- c. Financial management, including budgetary and accounting principles and techniques, in accordance with Federal guidelines, including OMB Circulars A-110 and A-122 which contain Federal administrative requirements for grants, OMB Circular A-133 relating to audit requirements for non-profit organizations, and the RMC Financial Management Guide.
- d. Capacity building to develop the necessary skills to assume management responsibilities at the project.
- e. Property management. (Excludes grantees applying for a mini grant.)

Each grantee must ensure that this training is provided by a qualified housing management specialist, the PHA/IHA, or other sources.

X. Eligible Activities

Activities which may be funded and carried out by an eligible RC/RMC/RO include any combination of, but are not limited to, the following:

- a. Determining the feasibility of resident management for a specific project or projects.
- b. Training of residents in skills directly related to the operations and management of a project(s) for potential employees of a RMC.

Note: By law, a RC must hire a qualified public housing management specialist (Consultant/Trainer) who can provide needed training and other support to assist in developing a RC's capabilities for resident management and who can perform related technical assistance duties, as may be agreed to in connection with property management functions. This requirement is also applicable

to newly formed RCs/ROs/RMCs of Indian housing.

The Consultant/Trainer may be a private consultant, a non-profit community agency or university, the PHA/IHA, or other qualified entities. The RC/RMC/RO may select one Consultant/Trainer or one for different areas, as long as there is continuity and movement toward the resident management program.

- c. Training of Board members in community organization, Board development, and leadership training.
- d. Training of residents with respect to fair housing requirements.

e. Funds may be used to assist in the actual creation of a RMC, such as:

- (1) Consulting and legal assistance to incorporate the RMC;
 - (2) Preparing by-laws and drafting a corporate charter;
 - (3) Developing performance standards and assessment procedures to measure the success of the RMC;
 - (4) Assistance in acquiring fidelity bonding and insurance, but not the cost of the bonding and insurance; and
 - (5) Assessing potential management functions or tasks that the RMC might undertake.
- f. Implementation of activities by a RC/RMC capable of performing functions associated with the operation and maintenance of the public/Indian housing project(s). Examples of eligible activities, in addition to those cited in paragraphs (a) through (d) of this section, are—

- (1) Designing and implementing financial management systems that include provisions for budgeting, accounting, and auditing;
- (2) Assistance in developing and negotiating management contracts and related contract monitoring and management procedures;
- (3) Designing and implementing a long-range planning system;
- (4) Designing and implementing: Personnel policies; performance standards for measuring staff productivity; policies and procedures covering organization structure, recordkeeping, maintenance, insurance, occupancy, and management information systems; and any other recognized functional responsibilities relating to property management in general and public housing management in particular;
- (5) Identifying the social support needs of residents and securing of such support, e.g., health clinics, day care, security, etc., and
- (6) Assessing potential homeownership opportunities;
- g. Development of economic initiatives to further increase the self-sufficiency of a resident management

corporation and of residents. Such activities may include:

- (1) Preparation of market studies, management plans, or plans for a proposed economic development activity;
- (2) Legal assistance in establishing a business entity; and
- (3) Development of co-op food stores, janitorial and maintenance services firms, etc.

h. Administrative costs necessary for the implementation of activities outlined in paragraphs (a) through (g) of this section are eligible costs and must clearly support activities related to the goal of resident management. Eligible items or activities include, but are not limited to, the following:

- (1) Consulting fees related to the eligible activities above;
- (2) Telephone, telegraph, printing, and sundry and nondwelling equipment such as office supplies and furniture. In addition, a reasonable portion of funds may be applied to the acquisition of hardware equipment such as computers, copying machines, etc., unless purchase of such equipment can be made from an RMC's operating budget. A RMC must justify the need for such equipment in relationship to its management capability and the level of management responsibilities.

(3) Approved travel specifically related to activities for the development/training and implementation of resident management, including conference fees, related per diem for meals, and miscellaneous travel expenses for individual RC/RMC/RO staff or Board members.

(4) Child care expenses for individual RC/RMC/RO staff and Board members, in cases where residents or Board members who need child care are involved in training-related activities associated with the development of resident management entities. Not more than one half of one percent (.005 percent) of the total grant amount may be used for expenses to support babysitting needs.

(5) Officers and members of the newly created resident organizations should not receive stipends for participating or receiving resident management training. Such stipends can be approved when the officers and members of the resident organization are close to (within 3-6 months) a dual management with the PHA/IHA, and the RC/RMC/RO has obtained matching funds from a source other than HUD technical assistance grant funds. Generally, no more than 10% of the grant funds should be used for this purpose.

XI. Ineligible Activities

Ineligible items or activities include, but are not limited to, the following:

a. Entertainment, including associated costs such as food and beverages, except normal per diem for meals;

b. Purchase of land or buildings or any improvements to land or buildings;

c. Activities not directly related to resident management, e.g., lead-based paint testing and abatement, operating capital for economic development activities; and

d. Purchase of any vehicle (car, van, etc.) or any other property having a useful life of more than one year and an acquisition cost of \$300 or more per item, other than hardware equipment described in Section X.(i)(2), unless approved by HUD.

e. Architectural and engineering fees;

f. Payment of salaries for routine project operations such as security, maintenance, or for RC/RMC/RO staff, except that a reasonable amount of grant funds may be used to hire a person to coordinate the resident management grant activities; and

g. Payment of fees for lobbying services.

Any fraudulent or wasteful expenditures or expenditures otherwise incurred contrary to HUD's programs or directives will be considered ineligible expenditures upon appropriate determination by audit or HUD Field Office staff.

XII. Actions Preceding Application Submission

Consistent with this NOFA, HUD may direct a PHA/IHA to notify its existing RC(s)/RMC(s)/RO(s) of this funding opportunity. It is important that residents be advised that, even in the absence of an RC/RMC/RO, the opportunity exists to establish an RC/RO. If no RC/RMC/RO exists for any of the projects, HUD encourages a PHA/IHA to post this NOFA in a prominent location within the PHA's/IHA's main office as well as in each project office.

XIII. Application Development and Submission

An RC/RMC/RO shall prepare and submit the application(s) directly to HUD.

a. *Preparation.* The application must contain the following information:

(1) *Name and address of the RC/RMC/RO.* Name and title of the members of the RC/RMC/RO and date of the last election. A copy of the RC's/RMC's/RO's organizational documents, i.e., charter, articles of incorporation (if incorporated), and by-laws. Name and phone number of contact person (in the

event further information or clarification is needed during the application review process).

(2) Name, address and phone number of the Public Housing Agency (PHA)/Indian Housing Authority (IHA) responsible for the project(s) to which inquiries may be addressed concerning the application.

(3) A narrative statement of the proposed activities, addressing the following issues:

(i) A discussion of the need for the project(s) and overall group objectives for resident management, and how the proposed activities will meet the needs of the RC/RMC/RO.

(ii) Amount of funds requested, and an explanation of how the funds will be used, if approved, to determine feasibility of resident management and to promote the formation and development or implementation and operation of resident management entities. Timeframes for completion of proposed activities must be included.

(iii) A discussion of the experience of the RC/RMC/RO and/or individual board members in community activities and actions taken in meeting the needs of the project residents.

(iv) A description of the project financial accounting procedures that are available to ensure funds are properly spent, or plans to develop such procedures.

(v) An explanation of how the proposed activities will enhance the management effectiveness or the scope of functions managed by an RMC, if applicable, along with a description of staffing plans.

(vi) An explanation of the RC's/RMC's progress in carrying the Work Plan previously approved by HUD (applicable to RCs/RMCs funded in FYs 88, 89, and 90).

(vii) A description of other funding sources the RC/RMC/RO has received for activities related to resident management, and, if appropriate, how will funding being requested complement ongoing activities.

(viii) A discussion of the extent to which the State/local government, PHA/IHA, community organizations, and/or the private sector support the activities outlined in the proposal, including support with respect to financial resources, technical assistance, or other support.

(ix) A description of the extent to which the residents of a project support the proposed activities.

(x) A discussion of how the proposal specifically meets the factors listed in Section XIV of this NOFA.

(4) The name of the project(s) for which the funds are proposed to be

used, the number of units, a brief description of the project occupancy type (family or elderly), the number of buildings, housing type (high-rise, low-rise, walk-up, etc.), and the physical condition of the project (interior/exterior).

(5) A budget with supporting justification and documentation, Work Plan, and Implementation Schedule.

(6) The application must be signed by an individual who is authorized to act for the RC/RMC/RO and must include a resolution from the RC/RMC/RO stating that it agrees to comply with the terms and conditions established under this program and under 24 CFR part 964 (for Public Housing) and 24 CFR 905.355 (for Indian Housing).

(7) Assurances that the RMC/RC/RO will comply with all applicable Federal laws, Executive Orders, regulations, and policies governing this program, including all applicable civil rights laws, regulations, and program requirements.

In addition to the above information, a RC/RMC/RO is encouraged to obtain a letter of support from the PHA/IHA indicating to what extent it supports the proposed activities. Also, an applicant may receive the maximum point value under evaluation factor a.(5), b.(5), or c.(5), as appropriate, in Section XIV, where there is evidence of a strong partnership between the RC/RMC/RO and PHA/IHA, and a commitment by the PHA to provide technical assistance, on-the-job training, or in-kind services to the resident organization. Also, an RC/RMC/RO is encouraged to include an indication of support by project residents (e.g., RC/RMC/RO Board resolution, copies of minutes, letters, petition, etc.), the neighboring community, local public or private organizations, including State and local government entities responsible for activities relating to resident management or economic development initiatives, and evidence of the extent of support committed to the program. HUD will give the maximum point value under evaluation factor XIV.a.(4), b.(4), or c.(4), as appropriate, to applicants that obtain commitments of support from such organizations, e.g., financial assistance, technical assistance, or other tangible support. Copies of letters of support or other evidence of such support should be included with the application.

b. *Submission.* The Request for Grant Application (RFGA) (Application Kit) must be submitted in an original plus two copies to HUD Headquarters, Eloise Gantt, Grants Specialist, Office of Procurement and Contracts, room 5256, 451 7th Street, SW., Washington, DC

20410. The RFGA must be physically received by HUD at the above address by May 17, 1991, no later than 5 p.m. EST, in order to be considered timely. Hand-delivered RFGAs must be in Room 5256 of HUD Headquarters by the deadline specified in the RFGA or they will not be considered. RFGAs mailed via registered, certified or Post Office Express Mail must be physically received in HUD, room 5256 by the due date and time specified in the RFGA. RFGAs delivered by private courier services, such as Federal Express, DHL, Purolator, etc., will be considered hand-delivered and must be in HUD, room 5256 by the date and time specified above. HUD will date-stamp incoming RFGAs to evidence (timely or late) receipt, and, upon request, provide an acknowledgement of receipt. Facsimile and telegraphic applications are not authorized and shall not be considered. (RFGA is approved by the Office of Management and Budget under control number 2506-0104.)

XIV. Evaluation Factors.

There will be three categories of funding for applicants and each category will have separate selection criteria: (1) Mini-Grant; (2) Basic Grant; and (3) Additional Funding. Also, each category of applicants may receive an additional five (5) points if the following criterion is met:

Applications submitted jointly by RCs/RMCs/ROs, or by city-wide/tribal-wide organizations (i.e., an organization consisting of members from RCs/RMCs/ROs who reside in public/Indian housing projects which are owned and operated by a PHA/IHA). (The city-wide/tribal-wide organization may represent one or all of the RCs/RMCs/ROs within a PHA/IHA.)

The applications will be reviewed by HUD Headquarters based on the three Selection Criteria described below:

a. Criteria for RCs/RMCs/ROs Applying for a Mini-Grant:

(1) The probable effectiveness of the proposal in meeting the needs of the RC/RMC/RO and accomplishing its overall objectives for resident management. (0-30 points)

(2) The extent and quality of the past experience of the RC/RMC/RO in community organization and tenant participation in meeting the needs of the project residents. In the case of newly formed organizations, the experience and success of individual board members will be evaluated. (0-30 points)

(3) Evidence of support by residents of the project(s) for the activities being proposed (e.g., RC/RMC/RO Board resolution). (0-15 points)

(4) Evidence that the RC/RMC/RO has the support of the State/local/county/tribal government, community organizations, and/or other public/private sector groups. (0-10 points)

(5) Evidence that the RC/RMC/RO has a strong partnership with the PHA/IHA and obtained a commitment to provide technical assistance, on-the-job training, or in-kind services to the resident organization. (0-5 points)

(6) Capability of handling financial resources (demonstrated through previous experience, adequate financial control procedures, etc.) or an explanation of how such capability will be obtained. (0-10 points)

b. Criteria for RCs/RMCs/ROs Applying for a Basic Grant

(1) The probable effectiveness of the proposal in meeting the needs of the RC/RMC/RO and accomplishing its overall objectives for resident management. (0-30 points)

(2) The amount of experience in community organization and the success of the RC/RMC/RO in promoting tenant participation in meeting the social services and other needs of the project residents. (0-30 points)

(3) Evidence of support by residents of the project(s) for the activities being proposed (e.g., RC/RMC/RO Board resolution). (0-15 points)

(4) Evidence that the RC/RMC/RO has the support of the State/local/county/tribal government, community organizations, and/or public/private sector groups. (0-10 points)

(5) Evidence that the RC/RMC/RO has a strong partnership with the PHA/IHA and obtained a commitment to provide technical assistance, on-the-job training, or in-kind services to the resident organization. (0-5 points)

(6) Capability of handling financial resources (demonstrated through previous experience, adequate financial control procedures, etc.) or an explanation of how such capability will be obtained. (0-10 points)

c. Criteria for RCs/RMCs Applying for Additional Funding

(1) The probable effectiveness of the proposal in meeting the needs of the RC/RMC and accomplishing its overall objectives for resident management. (0-30 points)

(2) Record of demonstrated measurable achievements in specified activities of the General Work Plan Guidance. (General Work Plan Guidance is provided in Attachment D of the Application Kit.) (0-30 points)

(3) Evidence of support by residents of the project(s) for the activities being

proposed (e.g., RC/RMC Board resolution). (0-15 points)

(4) Evidence that the RC/RMC has the support of the State/local/county government, community organizations, and private sector groups. (0-10 points)

(5) Evidence that the RC/RMC has a strong partnership with the PHA and obtained a commitment to provide technical assistance, on-the-job training, or in-kind services to the resident organization. (0-5 points)

(6) Capability of handling financial resources (demonstrated through previous experience, adequate financial control procedures, etc.) or an explanation of how such capability will be obtained. (0-10 points)

XV. OMB Procurement Requirements

The RC/RMC/RO must follow Circular A-110, Uniform Administrative Requirements for Grants, and other agreements with recipients of Federal funds. Attachment O of OMB Circular A-110 prescribes standards and policies essential to the proper execution of procurement transactions, including standards of conduct for RC/RMC/RO employees, officers, or agents engaged in procurement actions to avoid any conflict of interest. OMB requirements prohibit sole source, non-competitive contracts with consultants. A RC/RMC/RO may use two methods in obtaining consultant services: (1) A "full service" approach may be used where the RC/RMC/RO solicits competitive proposals for assisting in the preparation of the application/Work Plan and Budget, with inclusion of the consultant work if the RC/RMC/RO is selected to receive a grant. The evaluation criteria in the solicitation must address the qualifications and experience of prospective consultants for all tasks. (The contract may stipulate that in the event that the application is not approved, the consultant is not entitled to any payment.); and (2) Separation of Application Preparation from Consultant Work After Grant Award. This approach allows a RC/RMC/RO to solicit competitive proposals and contract with a Consultant-Trainer/Housing Management Specialist for the development of an application for technical assistance funding. If the RC/RMC/RO is selected for funding, the Consultant-Trainer/Housing Management Specialist must compete along with other prospective Consultant-Trainer/Housing Management Specialists through an open and free procurement process for a training and technical assistance contract. This will eliminate any unfair competitive advantage attained by the Consultant-

Trainer/Housing Management Specialist who was awarded a contract for the development of the application/Work Plan and Budget.

XVI. Checklist of Application Submission Requirements

The RFGA will contain a checklist of all application submission requirements to complete the application process.

XVII. Selection and Approval Procedures

The procedures to be used will involve the review and evaluation of applications in all three categories by a HUD Headquarters-based Evaluation Panel in accordance with the evaluation factors contained in Section XIV of this NOFA, and providing a statement indicating the strengths or weaknesses for each evaluation factor. The Evaluation Panel will consist of members from the HUD Headquarters, Regional/Field Offices, and Field Offices/Headquarters Offices of Indian Programs. Additionally, the Regional Office and Field Office will jointly provide comments to Headquarters on their recommendations on all of the applications submitted for funding, addressing (a) known experience and qualifications of the resident organization, and community involvement; (b) statement on progress made to date by the RC/RMC that received grant funds in previous years with respect to the specified activities of the General Work Plan Guidance; (c) project number where the proposed activities of the RC/RMC/RO are being undertaken (for example (MS

26P095016)); and (d) other pertinent information on the resident organization and project(s) where activities are being proposed.

The combined HUD Headquarters Evaluation Panel will collectively rank applications from all three categories, and will fund in order of their ranking until the funds have been exhausted. An Evaluation Board will also be established at the Headquarters level to oversee the evaluation process and make recommendations to the Assistant Secretary. Upon determination of good cause, the Assistant Secretary will grant waivers to RCs/RMCs/ROs of Indian housing for participation in the technical assistance grant program. No special set-asides or funding preferences will be used by HUD in making final funding decisions. HUD will retain copies of the applications that are not selected for funding.

XVIII. Corrections to Deficient Applications

Applicants will not be disqualified from being considered for funding because of technical deficiencies in the Application submission, e.g., an omission of information such as regulatory/program certifications, inadequate budget data, or signatory requirements for application submission.

Applicants will not have an opportunity to submit information omitted from the Application Kit which directly relates to the evaluation factors contained in Section XIV of this NOFA so as to enhance the technical merits of the application.

HUD will notify an applicant in writing of any technical deficiencies. The applicant must submit information to correct technical deficiencies in the Application submission within 14 days from the date of HUD's letter notifying the applicant of any such deficiencies.

XIX. Deadline for Using Funds

A RC/RMC/RO selected to participate in the program must expend all funds within two years from the date a technical assistance grant is executed.

XX. Congressional Notification and Transmittal of Approval or Disapproval Letters

HUD Headquarters will be responsible for preparing the Congressional Notifications as well as the RC's/RMC's/RO's approval or disapproval letters.

XXI. PHA/IHA Notification

HUD Headquarters will send a notification to PHAs/IHAs listing the applications selected for funding.

Other Matters

The collection of information requirements contained in this NOFA have been submitted to OMB for review under section 3504(h) of the Paperwork Reduction Act of 1980 and have been assigned OMB control number 2577-0127. Sections XIII and XIV of this NOFA have been determined by the Department to contain collection of information requirements.

Information on these requirements is provided as follows:

TABULATION OF ANNUAL REPORTING BURDEN—APPLICATION FOR FISCAL YEAR 1991 FUNDS FOR PUBLIC HOUSING RESIDENT MANAGEMENT TECHNICAL ASSISTANCE

Description of information collection	Sections of NOFA affected	No. of respondents per response	No. of responses	Total annual responses	Hours per response	Total hours
Application development and submission.....	JXIII and XIV	150	1	150	16	2,400

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969. The Finding of No Significant Impact 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.

Executive Order 12606, the Family

The General Counsel, as the Designated Official under Executive Order 12606, the Family, has determined that this NOFA will not have potential significant impact on family formation, maintenance, and general well-being, and, therefore, is not subject to review under the order. The NOFA's impact on families will be a salutary one, insofar as it enables them to manage their own housing projects.

Executive Order 12612, Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that this NOFA will not have substantial, direct effects on States, on their political subdivisions, or on their relationship with the Federal government, or on the distribution of power and responsibilities between them and other levels of government. The NOFA will fund technical assistance to tenant groups. It will have

no meaningful impact on States or their political subdivisions.

Lobbying Activities—Prohibition and Disclosure

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 (Pub. L. 100-121) and the implementing regulations at 55 FR 6736 (February 26, 1990). These authorities generally 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. Additionally, a recipient must file a disclosure if it has made or agreed to make any payment with nonappropriated funds that would be prohibited if paid with appropriated funds. The certification and full text of the clause will be contained in the application kit.

Drug-Free Workplace Certification

The Drug-Free Workplace Act of 1988 requires grantees of Federal agencies to

certify that they will provide drug-free workplaces. Thus, each potential grantee must certify that it will comply with drug-free workplace requirements in accordance with 24 CFR part 24, subpart F. The Drug-Free Workplace certification and clause will be contained in the application kit.

Authority: Section 20, United States Housing Act of 1937 (42 U.S.C. 1437r); sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Dated: March 19, 1991.

Joseph G. Schiff,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 91-6994 Filed 3-22-91; 8:45 am]

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