

Attachment I—DHHS Regulations Applying to All Applications/Grantees Under the Homeless Families Support Services Demonstration Program

Title 45 of the *Code of Federal Regulations*:

Part 16—Department of Grant Appeals Process

Part 74—Administration of Grants (non-governmental)

Part 74—Administration of Grants (State and local governments and Indian Tribal affiliates):

Sections 74.62(a) Non-Federal Audits

74.173 Hospitals

74.174(b) Other Non-profit Organizations

74.304 Final Decisions in Disputes

74.710 Real Property, Equipment and Supplies

74.715 General Program Income

Part 75—Informal Grant Appeal Procedures

Part 76—Debarment and Suspension From Eligibility for Financial Assistance

Subpart F—Drug-Free Workplace Requirements

Part 80—Non-Discrimination Under Programs Receiving Federal Assistance Through the Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964

Part 81—Practice and Procedures for Hearings Under Part 80 of this Title

Part 83—Non-Discrimination on the Basis of Sex in the Admission of Individuals to Training Programs

Part 84—Non-Discrimination on the Basis of Handicap in Programs

Part 91—Non-Discrimination on the Basis of Age in Health and Human Services Programs or Activities Receiving Federal Financial Assistance

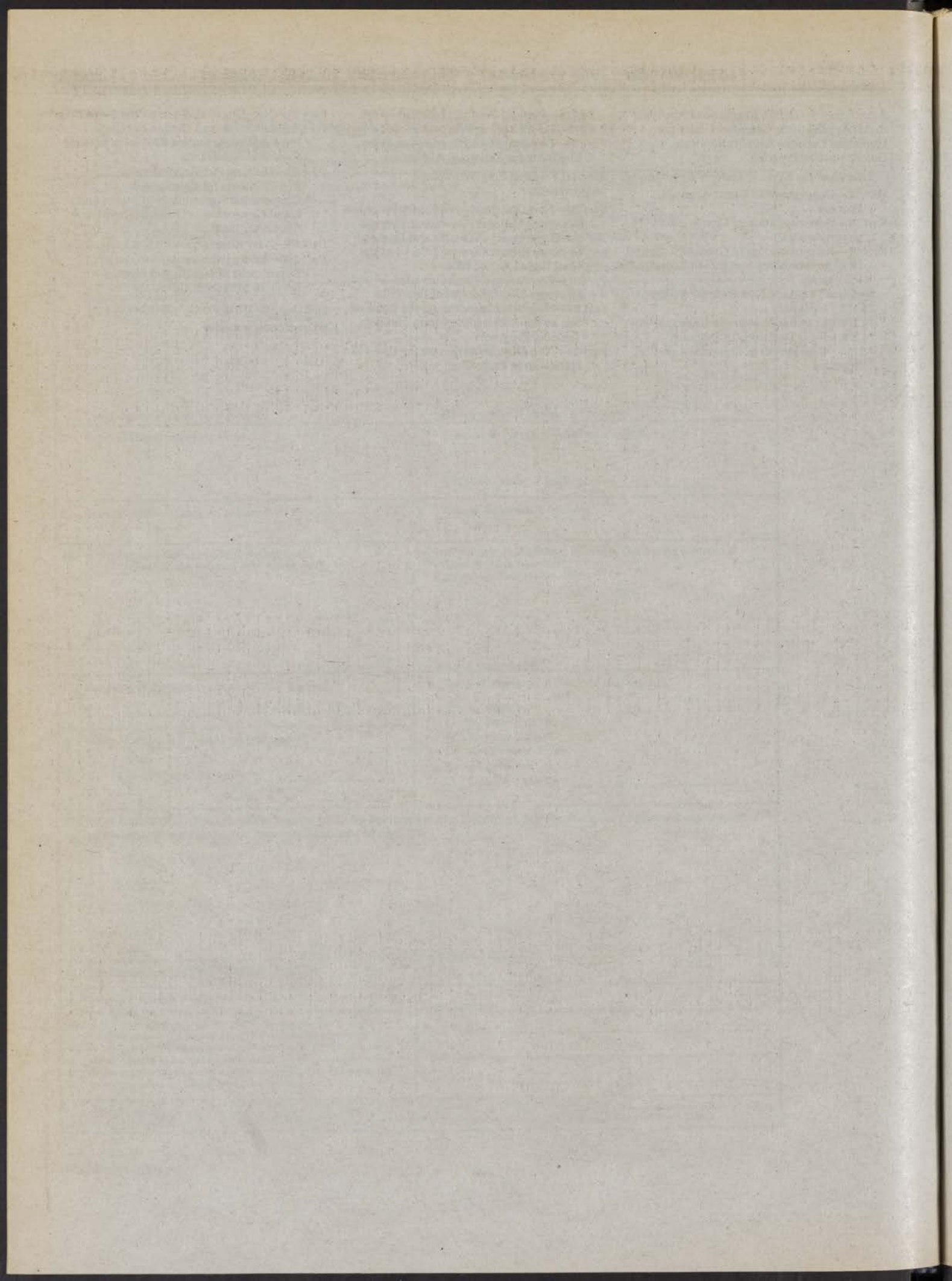
Part 92—Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments (**Federal Register**, March 11, 1988)

Part 93—New Restrictions on Lobbying

Part 100—Intergovernmental Review of Department of Health and Human Services Programs and Activities

[FR Doc. 92-17810 Filed 7-29-92; 8:45 am]

BILLING CODE 4130-01-M



Test Agent Federal Register

Thursday
July 30, 1992

Part IV

Department of Justice

Office of Juvenile Justice and
Delinquency Prevention

Missing Children's Assistance Act: Fiscal
Year 1992 Competitive Discretionary
Grant Programs Announcement and
Notice of Availability of Application Kit

DEPARTMENT OF JUSTICE**Office of Juvenile Justice and Delinquency Prevention****Missing Children's Assistance Act: Fiscal Year 1992 Competitive Discretionary Grant Programs Announcement and Notice of the Availability of Application Kit**

AGENCY: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, Justice.

ACTION: Notice of issuance of solicitations for discretionary grant programs under the Missing Children's Assistance Act and availability of the application kit.

SUMMARY: The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is publishing this Notice of Competitive Discretionary Grant Programs to be funded under section 405 of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. 5775 (Title IV of this Act is referred to as the Missing Children's Assistance Act). The total amount of funding available is \$3,285,000. Each program announcement that follows contains specific instructions on competitive program requirements, including eligibility requirements and selection criteria for each competitive program. Following the program announcements is a section that summarizes general application and administrative requirements applicable to all announced programs. The Missing Children's Program Application Kit contains the discretionary program announcements, general application and administrative requirements, an application form (Standard Form 424), the OJJDP Peer Review Guideline, OJJDP Competition and Peer Review Procedure, and other supplemental information relevant to the application process.

DATES: Each program announcement specifies a due date for the receipt of applications. Applications received after the due dates will not be considered.

ADDRESSES: Applications must be received by mail or hand delivered by 5 p.m., on the due date at the Office of Juvenile Justice and Delinquency Prevention, 833 Indiana Avenue NW., Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: Program inquiries are to be addressed to the attention of the OJJDP staff contact person identified in each specific program announcement. For general information, contact Marilyn Silver, Information Dissemination Unit, (202) 307-0751. (This is not a toll-free number.) To order a Missing Children's

Program Application Kit, or draft copies of OJJDP sponsored studies referred to in the solicitations, please call the Juvenile Justice Clearinghouse, toll-free, 24 hours a day, at 1-800-638-8736.

SUPPLEMENTARY INFORMATION:

Responsibility for establishing annual research, demonstration, and service program priorities and criteria for making grants and contracts pursuant to section 405 of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, (the Act), 42 U.S.C. 5775, rests with the Administrator of the Office of Juvenile Justice and Delinquency Prevention. For FY 1992, 11 new programs, new awards for two continuing programs, and a program jointly funded by OJJDP and the National Institute of Justice (NIJ), to be awarded and administered by NIJ, constitute all section 405 programs. The Administrator issued Final Program Priorities, describing the funding activities under section 405 of the Act which OJJDP intends to carry out during Fiscal Year 1992, by publication in the *Federal Register* on June 24, 1992. Other new programs may also be funded under section 404 of the Missing Children's Assistance Act, 42 U.S.C. 5773.

The OJJDP program planning process for Fiscal Year 1992 is closely coordinated with the Assistant Attorney General and the Bureau components of the Office of Justice Programs (OJP). The Missing Children's Program discretionary programs that follow in this announcement are listed below in accordance with overall OJP program priorities, where applicable.

CONTINUING PROGRAMS WITH NEW AWARDS**Missing and Exploited Children Comprehensive Action Program (M/CAP)***Purpose*

The purpose of this solicitation is to aid local communities in preventing abduction and exploitation of children, to provide information to assist in locating and recovering missing children, and to minimize the negative effects and consequences of abduction, serious runaway episodes, and exploitation on children and families through enabling individual communities to develop and maintain a multi-disciplinary, coordinated approach to these children and their families. This award will continue the national development, maintenance, and management of existing M/CAP program services.

Background

In recent years, the public has demanded that greater priority be given to crimes against children. M/CAP was designed to provide for a comprehensive community response to those missing children who run away or are abducted by non-family or family members and who are, as a consequence, in danger of exploitation, abuse, injury, and death. The M/CAP program is also designed to enable communities to improve education and prevention services with regard to missing and exploited children.

OJJDP considers the M/CAP program approach to the problem outlined in this solicitation to be an effective and cost-efficient way to provide a comprehensive approach to State and local agencies that will enable them to respond effectively to the problems and needs of missing children and their families. This is done through a process which facilitates the development of multi-agency teams and protocols and provides ongoing training and technical assistance support to these community-based teams. Each participating community develops its team and implementation plan according to the specific needs, resources and priorities of the community. M/CAP focuses on improving the knowledge and skill levels of the agencies involved and on improving the way existing agencies interact and coordinate information and services. M/CAP is designed so that staff time is the only cost to the participating agencies. What is required of the participating communities is commitment from agency heads and a community assessment process to determine service requirements and existing municipal agency capabilities. The information gathered from the assessment process is utilized to develop site-specific training curricula for an intensive 5 day multi-agency program development and implementation workshop, including training manuals for instructors and participants in the 5-day training program. The M/CAP program provides follow-up technical assistance and specialized training activities for each program site.

Sections 404 and 405 of the Act and the 1987 Report of the Attorney General's Advisory Board on Missing and Exploited Children identify a number of recommendations designed to improve the response to missing children and the abuse or sexual exploitation which may be a result. These recommendations constitute the principal elements of the M/CAP plan of

community action. These recommendations include:

- Multi-agency guidelines for reporting and investigating missing and exploited children cases;
- Training for juvenile services and law enforcement agencies in awareness and investigation of child abductions, runaway children and the abuse and exploitation that may result;
- Policies and procedures for juvenile services agencies to ensure that thorough background checks and investigations are conducted on persons working with children;
- Family and Juvenile Court policies to promote the exchange of case-appropriate information between agencies dealing with missing and exploited children;
- Programs to alleviate the trauma and intimidation that many missing children experience in court proceedings;
- Case management practices in cases involving abusers, abductors, and exploiters of missing children which produce more informed case disposition decisions by the court;
- School policies and procedures for flagging, recording, reporting, and documenting school transfer records in order to prevent the concealment of abducted children; and
- Public awareness and prevention programs for the community on missing children, child abuse, child exploitation, and child abduction.

Previous program activity has focused on several components: (1) The assessment of effective approaches to multi-agency team building, existing literature, and training materials; (2) the development of required procedures, assessment tools, and program and training materials; and (3) the development of four test sites. The four sites include Decatur, Illinois; Hillsborough County, Florida; Richland County, South Carolina; and Reno, Nevada. These sites were among those that requested to participate in M/CAP, successfully completed the community assessment process, and represent an array of populations and characteristics.

M/CAP is currently operating under a cooperative agreement (#88-MC-CX-K001) with Public Administration Service (PAS) in McLean, Virginia. Program information and materials are available upon request from the OJJDP staff person listed as the program contact at the end of this solicitation.

Goal

The primary goal of M/CAP is to provide expert specialized training and technical assistance for improved agency information sharing and

enhanced management of resources and services in cases of missing and exploited children.

Objectives

The objectives of the M/CAP Program are:

- (1) To identify and assess promising and effective community organization planning strategies and procedures for responding to the needs of missing and exploited children;
- (2) To help municipal agencies implement programs which respond to the needs of missing and exploited children; and
- (3) To disseminate promising and effective program development and implementation techniques for localities to respond to the needs of missing and exploited children.

Program Strategy

By the end of the three year project period, M/CAP will have developed 10 host sites, twenty satellite sites, and 60 affiliate sites. The first tier of 10 host sites will consist of sites that have the capability to be program training and technical assistance platforms and model sites for the M/CAP program process. The 20 satellite sites, which represent the second tier, will be selected from those sites which have successfully completed the community assessment process and demonstrated promising program implementation potential. These satellite sites will share in selected host site training and M/CAP implementation assistance delivered by OJJDP. It is anticipated that there will be at least one state-wide program based on this model. The third tier of up to 60 affiliate sites are jurisdictions which have requested information on the M/CAP program process and wish to be involved in a more unstructured, self-help M/CAP program development. This last tier may consist of small communities which would like the benefit of information and training, but do not need an active and on-going M/CAP team in their community.

The applicant will conduct training based on previously developed programs, with priority training provided to host and satellite sites. It will hold collective training workshops for affiliate sites when feasible. Program implementation assistance will require the utilization of existing training capabilities (facilities, talent and equipment) and the development of additional topic-specific curricula, training materials, and trainers which may be required for the expanded program. Technical assistance through information dissemination will require the continued development, production,

and distribution of a variety of written guides and materials.

The applicant will develop and provide to the M/CAP site teams specialized training programs related to issues of missing and exploited children. The applicant will work with host sites to develop up to eight specialized training and technical assistance components for national M/CAP program replication workshops. The applicant will also train practitioners in host sites to act as mentors in satellite and affiliate sites. The specialized training projects will be developed according to the training needs identified by the community agencies participating in M/CAP, such as training for mental health professionals in providing reunification services for missing children and their families. Most training will be cross-disciplinary in nature, but some components will be tailored for individual professions.

The successful applicant will assist M/CAP sites in developing data collection and applied research on missing and exploited children in their communities. As other OJJDP-sponsored research on missing and exploited children is made available, the grantee will be expected to incorporate appropriate and relevant information and findings into M/CAP training and technical assistance components.

Eligibility Requirements

Applications are invited from public agencies or private nonprofit organizations. Applicant organizations may choose to submit joint proposals with other eligible organizations, as long as one organization is designated as the applicant, and co-applicants are designated as such. The applicant and any co-applicant(s) must demonstrate, in addition to program knowledge and support experience, programmatic and fiscal management capabilities to implement a project of this size and scope effectively. Applicants who fail to demonstrate that they have the experience and capability to manage a program of this size and complexity will be ineligible for funding consideration.

Specific Eligibility Requirements

- (1) The applicant must demonstrate the requisite knowledge of and experience with missing and exploited children issues necessary to provide capable, responsible management of a national demonstration program.
- (2) The applicant must demonstrate the experience and capability to provide timely, relevant professional services in order to assure successful program continuity.

(3) The applicant must demonstrate the ability to develop and provide training related to missing and exploited children issues as well as service-oriented training materials to the recipient jurisdictional, professional, citizen, and community needs as they have been described in this solicitation.

(4) The successful applicant must demonstrate the technical and management capability that will be required to provide an M/CAP service delivery program to incorporate as many as 90 jurisdictions into a three tiered M/CAP program development effort.

(5) The applicant must demonstrate experience and expertise in providing technical assistance to a diverse audience requiring such services with regard to the missing and exploited children issues described in this solicitation. The applicant must demonstrate the capability to provide the required information technology and consultant expertise in order to produce a varied array of relevant training and program implementation guides and trainers for appropriate national program audience needs.

Selection Criteria

In general, all applications will be reviewed in terms of their demonstrated past, present, and potential ability to provide the requisite services and products as they are described in this solicitation.

The applicant will be evaluated and rated based on the extent to which they meet the following criteria:

(1) Conceptualization of the Problem. (10 points)

The applicant must demonstrate a clear understanding of, and competence to deal with issues relating to missing and exploited children and the needs of the agencies who serve them.

(2) Statement of Goals and Objectives. (15 points)

The goals and objectives to be achieved by the project must be clearly defined, and expressed in operational terms consistent with the issues and performance requirements set forth in the problem statement(s).

(3) Project Design. (20 points)

The applicant must propose a project design, including a work plan, specific procedures to be carried out, performance schedules, expected accomplishments and products. The design must be consistent with the project's goals and objectives, and with the conceptualization of the problem statement.

(4) Project Management. (20 points)

The project's management structure and staffing must be appropriate for the successful implementation of the

project. Key staff members should have significant experience in program management and in subject area(s) related to those addressed in this announcement.

(5) Organizational Capability. (25 points)

The applicant's ability to conduct the project successfully must be clearly documented in the proposal. The documentation should include organizational experience in conducting projects of the scope and complexity reflected in this program announcement. The applicant should demonstrate program management and information technology capabilities sufficient to perform the tasks described and defined in this solicitation.

(6) Budget. (10 points)

The proposed budget must be reasonable, allowable, and cost effective vis-a-vis the activities to be performed.

Award Period

The award will be for a project period of three years. One cooperative agreement will be awarded with an initial budget period of 12 months.

Award Amount

Up to \$1,100,000 has been allocated for the initial 12 month budget period. Applicants should include an estimated budget for the second and third 12 month budget periods.

Due Date

Applications must be received by mail or delivered to OJJDP by September 28, 1992.

Contact

For further information contact Robert O. Heck, Special Emphasis Division, at (202) 307-5914.

Investigation and Prosecution of Parental Abduction Cases

Purpose

The purpose of this project is to improve the response of the justice system to parentally abducted children and to reduce the incidence of abductions of children by family members by providing training and technical assistance to prosecutors and investigators.

Background

This is a continuing program which requires a new award. Conducted by the National Center for the Prosecution of Child Abuse, one of the research arms of the National District Attorney's Association (NDAA), the first stages of this project successfully produced legal research, including (1) a review of

relevant case law and statutes, (2) the collection and review of existing information on prosecutorial, handling of family abductions and related issues, and (3) a survey of prosecutors to identify effective approaches to addressing issues in the area, a trial manual, and a training curriculum for prosecutors responsible for handling family abduction cases. The project is currently providing training and technical assistance to prosecutors as well as multi-disciplinary teams and developing and disseminating materials to facilitate replication of effective approaches to investigating and prosecuting parental abduction cases.

The criminal justice system is increasingly recognizing the prevalence and seriousness of parental abductions and placing greater emphasis on investigative and prosecutorial responses. Many states have raised parental abduction to a felony offense, punishable by imprisonment and large fines. In some states restitution is available for expenses incurred in recovering the child. With the view of parental abduction as simply a "family matter" changing in the eyes of both the public and the judiciary, the criminal justice system is increasingly under pressure to respond effectively to these cases. In many communities it falls to the prosecutor to mobilize the system's response in order to guarantee thorough investigation and prosecution. Abductions of children by parents involve complex investigative and legal issues. They present unique challenges to prosecutors and law enforcement agencies and require different handling from other criminal cases. However, most prosecutors receive little or no training or outside help with parental abduction cases. The lack of experience on the part of most prosecutors is hampered by rapid turnover of personnel, the relative unpopularity of handling parental abduction cases compared with other types of felony prosecutions, the common policy of rotating assistant prosecutors from one position to another, and the practice of assigning lower priority to these cases. For these reasons, there is an ongoing need for regular, high quality and cost-effective training in handling parental abductions.

The findings of recent studies appear to indicate that if parental abduction cases are more vigorously prosecuted, the incidence goes down. Without prosecutorial support, law enforcement involvement in parental abduction cases is infrequent and inconsistent, despite the existence of criminal statutes proscribing such conduct.

Parents who have financial resources may be able to turn to attorneys and private investigators for help; parents who cannot afford private assistance are left without a means to locate and recover their children. Recent studies indicate that a majority of left-behind parents fall into the latter category.

Program information and materials are available upon request from the OJJDP staff contact listed at the end of this solicitation.

Goal

The goal of this program is to increase awareness and knowledge on the part of prosecutors and other professionals about the serious and complex nature of parental abduction cases and to assist local prosecutors in improving the quality of investigation and prosecution of parental abductions.

Objectives

The objectives of this program are:

- To disseminate information to prosecutors on the local level through providing technical assistance as requested, guidance regarding effective strategies, and the development of articles, packets, and educational presentations;
- To provide training for prosecutors through national conferences on investigation and prosecution of parental abduction cases and to provide instructors for State, local, and national training programs and conferences;
- To produce, update, and distribute publications and other written materials, including distribution of the "Investigation and Prosecution of Parental Abduction" manual, contribution of articles for publication in professional journals, and development of new publications on "cutting edge" issues related to the handling of parental abduction cases; and
- To monitor, draft and evaluate federal and state legislation from the perspective and experience of prosecutors.

Program Strategy

The design of this program builds upon the original program by the American Prosecutors Research Institute on the Investigation and Prosecution of Parental Abduction Cases. The award recipient will implement three primary program strategies: technical assistance, training, and publications. These three strategies will be implemented on the local or individual, State or regional, and national levels.

The grantee will develop and implement training for prosecutors and investigators through providing instructors for local, State and regional

conferences and through holding annual national conferences. Technical assistance will be made available to individual prosecutors for development of case strategy and for information on specialized topics such as the "underground railroad", cases involving allegations of domestic violence or child abuse, and model voir dire. The project strategy also calls for the development of collected resources and clearinghouse functions, and for the development of additional educational and informational materials which can be disseminated to the field. The grantee is also expected to identify and participate in ongoing exchanges of information with other key organizations and experts in the field, including other OJJDP grantees focusing on missing and exploited children. As new reports and findings on parental abduction issues become available, the grantee should update and incorporate the new information in training curriculum and resource materials. The project also calls for a project advisory board made up of experts in the field of parental abductions and approved by OJJDP.

Eligibility Requirements

Applications are invited from public agencies or private nonprofit organizations which can demonstrate knowledge of the civil and criminal justice issues relating to the investigation and prosecution of parental abduction cases, as well as experience and capability in curricula, technical assistance, and conference development.

Selection Criteria

Applications will be rated on the extent to which they meet the following criteria:

(1) Conceptualization of the Problem. (15 points)

The applicant must demonstrate a clear understanding of, and competence to deal with, civil and criminal justice issues relating to the investigation and prosecution of parental abduction cases.

(2) Statement of Objectives. (15 points)

The objectives to be achieved by the project must be clearly defined and consistent with the issues and requirements set forth in the conceptualization of the problem.

(3) Project Design. (30 points)

The procedures, workplan and proposed products of the project must be directly linked with the stated objectives and with the problem addressed by this announcement.

(4) Project Management. (15 points)

The project's management structure and staffing must be adequate for the

successful implementation and completion of the project. The management plan describes a system whereby logistical activities are handled in the most efficient and economical way.

(5) Organizational Capability. (15 points)

The applicant organization's ability to conduct the project successfully must be documented in the application. Organizational experience is required in criminal justice issues relating to the investigation and prosecution of parental abduction. Also organizational experience is required in the development and implementation of training curricula, publications, technical assistance, and conference planning. Key project staff should have significant experience in the subject area addressed in this announcement.

(6) Budget. (10 points)

The proposed budget must be reasonable, allowable and cost-effective vis-a-vis the activities to be undertaken.

Award Period

The project period for the grant is 36 months. One grant will be awarded with an initial 18 month budget period.

Award Amount

Up to \$250,000 has been allocated for the initial 18 month budget period. Applicants shall include an estimated budget for the second 18 month budget period.

Due Date

Applications must be received by mail or delivered to OJJDP by September 28, 1992.

Contact

For further information contact Peter Freivalds, Training and Technical Assistance Division, OJJDP, at (202) 307-0598.

New Programs

The following solicitations refer specifically to three recently completed studies sponsored by OJJDP available from the Juvenile Justice Clearinghouse. The studies are:

"Families of Missing Children: Psychological Consequences and Promising Interventions," Center for the Study of Trauma, University of California at San Francisco. (Draft final report, 665 pages).

"Obstacles to the Recovery and Return of Parentally Abducted Children," Center on Children and the Law, American Bar Association. (Draft final report, approximately 257 pages.)

"The Reunification of Missing Children Project," Center for the Study of Trauma, University of California at San Francisco. (Draft final report, 145 pages.)

Legal Issues and Barriers To Using School, Public Service Agency, and Hospital Records and Information in Locating Missing Children

Purpose

This project will identify barriers to using school, hospital, and other public and private service agency records and information to assist in locating missing children.

Background

Law enforcement officers at times must use stealth to locate missing children. In some cases, particularly family abductions, the child can be located through the use of official records such as social service records or school transcripts. However, confidentiality laws, agency policies, and professional ethics often prevent the disclosure and dissemination of this information to parties beyond its immediate use. Law enforcement officers may not be able to access it. Indeed, there may be instances in which the veil of confidentiality should not be pierced in efforts to locate the missing child. Law enforcement personnel will benefit from a study designed to obtain information to identify the nature and extent of these barriers and the mechanisms by which various States, agencies and professionals are impacted by operation of these statutes, policies, and ethical codes in providing information to law enforcement agencies who are investigating a missing child case.

Goal

The goal of this program is to assess the barriers to law enforcement's ability to obtain and use school records, public service agency information, hospital records, and the information resources of other public and private agencies in locating missing children.

Objectives.

- The objectives of this project are to:
 - Identify public and private agencies and personnel that may have information potentially useful in locating a missing child;
 - Examine confidentiality statutes at the Federal, State and local level that prevent or restrict access to this information;
 - Identify other statutes, case law, or agency policies which prevent or restrict the use of these information resources;

- Examine other barriers, such as codes of professional ethics, which impact the ability of law enforcement to access relevant information; and

- Suggest mechanisms through which these statutes, policies, or professional codes may be modified to provide access to information that would be valuable in locating the abductor and the child(ren).

Program Strategy

The grantee will first identify non-law enforcement agencies and personnel which may have information that could aid in locating missing children. The survey should include battered women's shelters, the Internal Revenue Service, the branches of the military, public assistance agencies, adoption agencies, foster care agencies, schools, and other private and public child-service agencies. The grantee should identify a full range of relevant agencies for potential inclusion.

Second, the grantee will examine Federal and State statutes, case law, codes of professional ethics and conduct, and agency policies which impact access to the information contained in records of these agencies that would assist law enforcement in locating missing children.

Third, using the information gathered, the grantee will produce a guide to accessing and using such information. This guide shall indicate the flexibility provided by the various statutes, policies, and codes of conduct, the potential barriers they establish, and whether and under what circumstances identified barriers can be overcome to make needed information available to law enforcement agencies in missing child cases while, at the same time, protecting the legitimate confidentiality rights of individuals.

Finally, to disseminate this information and provide a wide review of the findings, the grantee will organize a symposium of professionals to discuss and critique the final draft of the guide. The grantee, in consultation with OJJDP, will invite to the symposium as groups of professionals representative of the agencies examined, such as school officials, social service professionals, community mental health workers, law enforcement personnel, judges (or appropriate judicial personnel), and others. The symposium will assist the grantee to refine the findings of the assessment and to indicate future policy directions.

Products

At each stage of the project, the grantee will submit a report to OJJDP

that will demonstrate that these objectives have been met:

- (1) A listing of agencies that potentially have information on missing children;
- (2) An assessment protocol to determine the type of information available;
- (3) A publishable guide to using the particular agencies for locating missing children; and
- (4) Proceedings from the symposium.

Eligibility Requirements

Applications are invited from public and private non-profit agencies, organizations, educational institutions, or combinations thereof. Applicants must demonstrate that they have the necessary legal background and knowledge to examine the relevant statutes, case law, and professional codes or standards of conduct. Also, applicants must indicate they have the necessary research background to produce a credible information guide.

Selection Criteria

Applications will be rated on the extent to which they meet the following selection criteria:

- (1) Conceptualization of the Problem. (15 points)

The applicant should expand on the problem with a narrative that indicates a full understanding of the difficulties involved in locating missing children. The applicant should indicate particular circumstances in which such information would be useful to law enforcement personnel and parents. The applicant should also show initiative in efforts to grasp the full extent of the stated problem and indicate how their proposal will address this problem.

- (2) Statement of Goals and Objectives. (20 points)

The applicant must link the problem statement directly with concrete, measurable tasks or objectives. These tasks should show exactly what should be done to address the goals of the project as indicated in the problem statement.

- (3) Project Design. (25 points)

The application will be evaluated on the soundness of the project design. Applicants should map out how the project tasks will be completed and how they directly apply to the stated goal of the project. The design should be consistent with generally accepted principles of research and investigation. OJJDP will require the four following tasks to be completed:

- A listing of the agencies (public and private) which may have useful

information for locating missing children;

- The drafting of an assessment protocol to examine the opportunities and barriers to using this information;
- The actual assessment of the accessibility of the information; and
- A symposium of professionals to discuss the findings of this grant. While the successful applicant will be encouraged to present creative solutions to the problem, the above four tasks link directly to the products OJJDP deems necessary for the successful completion of the project, and must be built into the project design.

(4) Project Management. (15 points)

The applicant must demonstrate that their organization has the managerial and organizational capability to undertake a project of this type. Applicants should indicate specific personnel who will accomplish the tasks. If specific personnel are not yet named, the applicant must include position descriptions along with minimum qualifications necessary of any individuals that will fill those positions. The applicant must indicate how their particular management structure will contribute to the successful completion of the project.

(5) Organizational Capability. (15 points)

The applicant must demonstrate that the organization has the capacity and the experience to undertake and complete a project of this nature and scope.

(6) Budget. (10 points)

Applications will be reviewed to assure that all costs will cover the expenses of the proposed project. Similarly, the budget will be reviewed to assure that all costs are reasonable for the type of project and activities required to carry out this project. All costs indicated must be allowable under OJP Financial Guidelines and Federal Policy.

Award Period

The project period for this program will be 12 months.

Award Amount

Up to \$125,000 has been allocated for this project.

Due Date

Applications must be received by mail or delivered to OJJDP by September 14, 1992.

Contact

For further information contact Joe Moore, Research and Program Development Division, at (202) 307-5929.

Cases of Legal Definition Abduction, Child Molestation and Exploitation by Nonfamily Members

Purpose

The purpose of this project is to provide information about cases of nonfamily legal definition child abduction, molestation and exploitation cases and the manner in which these cases are defined and treated by the community through the media and within the criminal justice system.

Background

Much of the controversy in the last decade about nonfamily child abduction has been about definitions, not numbers. Definitions in social science research differ from legal definitions, and legal definitions may vary substantially from one jurisdiction to the next. The "National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children in America" (NISMART), released by the Office of Juvenile Justice and Delinquency Prevention in 1990, addressed this problem by using a two-level definition. Within the category of nonfamily abduction, NISMART used a "legal definition" of abduction (or the crime of abduction as defined by state laws) and stereotypical kidnappings. Stereotypical kidnappings referred to the more common conception of stranger abductions involving long-term, long-distance, or fatal episodes while the legal definition included short-term abduction, and the coerced, unauthorized movement or detention of the child as a part of some rapes and assaults by nonfamily members. Using the legal definition, many violent crimes, including child sexual assault, can involve abduction as an element. NISMART estimated that there were between 3,200 and 4,600 legal definition abductions of children in 1988. At least two thirds of these cases involved sexual assault.

The estimates for legal definition abductions are the most difficult to validate against any other source, since many of these abductions are not thought of as abductions, even by law enforcement personnel, and they are not necessarily reported as such in the media. The sexual assault aspects of child molestation generally overshadow the aspect of a legal definition abduction. Police reporting methods, particularly regarding sexual assault crimes and abductions, are problematic and inconsistent. The NISMART researchers pointed out that the biggest potential unknown for estimates of legal definition abductions concerns crimes not reported to police and abductions not known to caretakers. The FBI

estimates that only between 1% and 10% of these cases are ever reported to law enforcement. Currently there is no national data collection focused on children who are sexually abused or assaulted by nonfamily members each year. Also, national figures on homicide are not kept in a form that makes it possible to determine whether an abduction occurred together with the murder. The lack of uniformity and definition of charges contributes to the difficulty in understanding the scope and nature of not only legal definition abductions but also of the children who are sexually assaulted by nonfamily members.

Goals

The goals of this program are:

- (1) To understand how the media portrays nonfamily abductions of children and how this portrayal may impact on the outcome of the criminal justice process and community perceptions of the problem.
- (2) To identify prominent characteristics of nonfamily child abductions, as well as molestation and sexual exploitation in the context of legal definition abductions through media sources, police records and court data within selected sites.
- (3) To analyze and compare definitions and handling of legal definition abductions and molestations by the media, law enforcement, and the courts within selected sites.

Objectives

The objectives of the program are to:

- Construct a representative sample of newspaper reports of incidents such as sexual assault, molestation, kidnapping, homicides, and other related victimization of children that may include nonfamily abductions.
- Compare the information found in newspapers, police reports, and court information (bargained pleas, verdicts, dispositions etc.) to determine "accuracy" in newspaper reports, and consistency between sources of reporting. The grantee may also examine police records for cases which were charged but not reported in the media.
- Using the information gathered from media, police, and court records, analyze and compare the ways in which cases of legal definition abduction and molestation are defined and handled.
- Explore media reporting of the community response to a range of incidents and their perceptions about the problem of child abduction and sexual molestation and exploitation and its impact on their community.

Program Strategy

Within the limits of resources available, select several jurisdictions to study. The grantee will examine all media reports available on nonfamily kidnappings, molestations, and exploitation of children to search for legal definition abductions. The grantee will gather from these reports basic information about the case.

From the total sample of cases, the grantee will select sites within the jurisdictions from which to draw a subsample of cases for further investigation. This investigation will include examination of police and court records as well as further tracking through the media. Police records may be examined for information on cases which were charged but not reported in the media. Besides information on the charges filed and case outcome, the information collected from these sources will be examined for ages of offenders and victims, offender occupation, a victim-offender relationship, number of victims, previous arrest history, involvement of child pornography or prostitution, and the criminal justice system status of the offender (on bail, probation, or parole).

The analysis will include an examination of the types of newspapers that report such crimes (such as urban or rural, West, South, or North, population size, etc.) and how the crimes are reported (such as seriousness, judgmental language, column inches, number of articles). Within the subsample of cases, the grantee will note consistencies and inconsistencies between the newspaper reports and the police records of the case. When tracking the cases further through the court system, the grantee will note inconsistencies between all three sources of information.

Following this examination, the grantee will look at the particular independent variables collected (such as arrest charge, demographics of offenders and victims, characteristics of the charge, bargained pleas, verdicts, dispositions). This examination will indicate the level of knowledge available to the public from the newspaper accounts.

Products

(1) A final report summarizing the findings. This report should include the following: (1) The findings about characteristics of nonfamily legal definition abduction and molestation and sexual exploitation cases, (2) consistencies and inconsistencies found between the three data sources, (3) information on how legal definition abductions and molestations of children

are perceived by the community at large through media representation, and (4) how these cases are defined (i.e. differences in legal definition abduction in the selected sites) and handled by the criminal justice system.

(2) A public use data base. This data base should include all information collected. All individual identifying variables must be removed.

Eligibility Requirements

Applications are invited from public and private nonprofit agencies, organizations, educational institutions, or combinations thereof. Applicants must demonstrate that they have knowledge of child victims of sexual molestation, exploitation and abduction and provide evidence of their management and financial capability to implement effectively a project of this size and scope.

Selection Criteria

Applications will be rated on the extent to which they meet the following selection criteria.

(1) Conceptualization of the Problem. (20 points)

The applicant should expand on their understanding of data sources, data analysis, etc., with regard to this particular problem.

(2) Statement of Goals and Objectives. (20 points)

The applicant should expand on the above listed objectives providing clear definitions based upon the applicant's understanding of the problem, objectives, and available resources. Finally, the applicant should organize these objectives in such a way as to be consistent with the research design.

(3) Project Design. (25 points)
The applicant will be evaluated on the soundness of the project design. The solicitation does not dictate a specific direction for this project. OJJDP will be looking for inventive and creative methods to examine this problem. However, the proposed methodology must be fully explained. It must also be closely related to the goals of the project. The applicant must indicate how the proposed methodology will fulfill the project goals.

(4) Project management. (15 points)

The applicant must demonstrate that their organizations have the managerial and organizational capability to undertake a project of this type. The applicant must provide a list of all personnel to be involved in this project and specify which tasks will be performed by whom and under what timelines. The applicant must include résumés of all primary research personnel and indicate how their

management structures will allow for the successful completion of the project.

(5) Organizational Capability. (10 points)

The applicant should indicate how its organization will direct the necessary resources, facilities, etc., to accomplish this project. In particular the applicant should provide evidence of past projects which indicate the ability to complete this project.

(6) Budget. (10 points)

The application will be reviewed to assure that all costs will completely cover the expenses of the proposed project. Similarly, the budget will be reviewed to assure that all costs are reasonable for the type of project. All costs indicated must be allowable under OJP Financial Guidelines and Federal Policy.

Award Period

The project period for this project will be 18 months.

Award Amount

Up to \$200,000 has been allocated for this project.

Due Date

Applications must be received by mail or delivered to OJJDP by August 28, 1992.

Contact

For further information contact Jeff Slowikowski, Research and Program Development Division, at (202)307-5929.

"Families of Missing Children: Psychological Consequences and Promising Interventions": A Study to Resurvey the Respondents in the Original Study

Purpose

The purpose of this resurvey is to provide an improved knowledge base for future development of programs to ameliorate the psychological effects on victims and families of family and non-family abductions and serious runaway episodes. It builds on the earlier project, "Families of Missing Children: Psychological Consequences," by resurveying the families who participated in that survey and again measuring levels of psychological distress in order to gather data in which the missing child has been recovered since the last survey and to identify more clearly the missing child situations in which the psychological effects dissipate after two years and those in which they do not.

Background

The results of the initial "Psychological Consequences" project indicated that it is appropriate to identify two traumas rather than just the one associated with each missing child incident. The initial trauma arises when the child is taken, but there is a second trauma at the time of resolution, the return of the child or the discovery that the child has been killed. At the conclusion of the initial study 50 missing children from the 279 cases had not been recovered. It is important to get data from any of these 50 cases in which there has been a recovery since the conclusion of the initial project because it is expected that these will be more serious cases due to the length of time the children would have been missing.

In the initial "Psychological Consequences" project, data was collected and analyzed using the double ABCX Model of Family Adaptation to Crisis developed by Hamilton McCubbin of the University of Wisconsin. A sample of 279 families were followed prospectively with in-home interviews in a time series measurement design from approximately one month post-disappearance to eight months post-disappearance. Changes in the levels of distress for each type of disappearance were measured in the initial project over a period not exceeding eight months, with the time after recovery often being much shorter. Whether or not a significant drop in psychological distress levels can now be measured two years after disappearance is important to the development of programs to help families cope with this distress.

Goal

The goal of this project is to assess the changes in the post-trauma responses of the 279 families composing the original sample, now that approximately two years have passed after the original data collection, in order to validate the conclusions reached in the original study over a longer period of time, particularly with regard to the trauma associated with the recovery of a body or a child.

Objectives

The objectives of the project are:

(1) To obtain responses to the original data collection instruments from as high a percentage of the 279 sample families as possible.

(2) To collect the data using methods equivalent to those employed originally, including in-home interviews, in order to isolate the variation in responses as due only to the passage of time.

(3) To analyze data using the double ABCX Model of Family Adaptation to Crisis and present the results showing changes from the results of the initial project and drawing conclusions from these results.

Program Strategy

(1) Applicants will be expected to present a plan for obtaining the highest possible rate of response. This plan will include working in cooperation with the original researcher, the University of California, San Francisco, to reestablish contact with the original victim families in order to assure the continuity of contact.

(2) Data collection instruments will be the same as used in the initial data collection including the following instruments: Symptom Check List—90, Achenbach Child Behavior Check List, Family Inventory of Life Events, F-COPES, Frederick Trauma Reaction Index—Adult, Frederick Trauma Reaction Index—Child, and the Locke-Wallace Marital Satisfaction Scale.

(3) Data will be collected in the same manner used by the initial researcher, in the families' homes.

(4) Data will be analyzed using the double ABCX Model of Family Adaptation to Crisis and results will be presented showing changes from the results of the initial project and drawing conclusions from these results.

Products

A final report will be presented 90 days after the close of the grant period showing changes from the results of the initial project and drawing conclusions from these results.

Eligibility Requirements

Applications are invited from public and private nonprofit agencies, organizations, educational institutions, or combinations thereof. The applicant must demonstrate that they have knowledge and experience in the design and implementation of research projects of this size and complexity. They must demonstrate the ability to collect and analyze data using the double ABCX Model of Family Adaptation to Crisis employed in the initial project.

The applicant must provide further evidence of their management and financial capability to implement effectively a project of this size and scope. Those who fail to do so will be ineligible for funding consideration.

Selection Criteria

Applications will be rated on the extent to which they meet the following criteria:

(1) Conceptualization of the Problem. (15 points)

The problem to be addressed by the project should be clearly stated. The applicant should address the problems of achieving the maximum level of response on this resurvey, assuring the comparability of the data developed in this resurvey with that developed in the original survey, and analyzing the results to gain the most insight possible from the new information.

(2) Statement of Objectives. (20 points)

The objectives to be achieved by the project must be clearly defined. The applicant must link the problem statement directly with concrete, measurable tasks to achieve the program objectives. These tasks should show exactly what will be done to address the program objectives.

(3) Project Design. (20 points)

The application will be evaluated on the soundness of the project design. The applicant should provide a schedule for the implementation and completion of these tasks and demonstrate that they will achieve the objectives of the project. The design should comply with generally accepted principles of research and investigation.

(4) Project Management. (20 points)

The applicant must demonstrate that it has the managerial and organizational capability to undertake a project of this type, indicating specific personnel who will accomplish the tasks. If specific personnel are not yet named, the applicant must include position descriptions along with the qualifications necessary of any individuals who will fill those positions. The applicant must indicate how this particular structure will allow for the successful completion of the project.

(5) Organizational Capability. (15 points)

The applicant must have the capability to complete the tasks indicated in the application. In particular, the applicant must demonstrate experience in collecting, analyzing, and presenting data as required to complete this project.

(6) Budget. (10 points)

The proposed budget must be reasonable, allowable and cost-effective vis-a-vis the activities to be undertaken. The application will be reviewed to assure that all costs will completely cover the expenses of the proposed project. Similarly, the budget will be reviewed to assure that all costs are reasonable for the type of project envisioned in this solicitation. All costs indicated must be allowable under OJJDP grant regulations. The applicant

should show that all proposed costs will be used in the most effective manner possible to complete the project goals.

Award Period

The project and award period for this project is 12 months.

Award Amount

Up to \$150,000 has been allocated for this project.

Due Date

Applications must be received by mail or delivered to OJJDP by September 28, 1992.

Contact

For further information contact Eric Peterson, Social Science Specialist, Research and Program Development Division, at (202)616-3644.

Model Sentencing and Custody Guidelines in Parental Abduction Cases

Purpose

The purpose of this project is improve the justice system response to parentally abducted children and deter abductions through the development of guidelines for prosecutors and judges on the effective handling of parental abduction cases and to minimize the negative effects on children by enabling judges to make more informed decisions regarding post-abduction custody.

Background

Recent OJJDP-sponsored studies on the obstacles to the recovery of parentally abducted children and on the psychological impact of abduction on children and families show that child victims of family abductions experience more trauma and long-term disturbances than is commonly believed. These, and other studies, indicate that primary motivations of family abductors in the majority of cases were anger and revenge against the other parent and that the abductors attempted to use their children to control and attack the opposing parent. Some parents were fleeing abuse directed at themselves, their child, or both, and needed protection. While studies indicate that up to 33% of parental abduction cases involve allegations of child abuse, a higher percentage reportedly involve a violent relationship between the parents. A recent study found that more than one-half of left-behind parents reported previous abuse by their partners, with three-quarters of abducting fathers having a history of violent behavior compared with one-quarter of abducting mothers. Fifteen percent of the abductions in the same sample involved the use of force. One

study of missing children found that parentally abducted children were missing longer (an average of 499 days) than stranger abducted children (an average of 122.3 days), or runaway children (an average of 27.7 days).

Family abduction cases represent a wide variety of situations with regard to motivation, effects on the child, and outcomes. Regardless of whether an abduction is prompted by frustration with unsatisfactory custody or visitation arrangements or by a desire to punish or control the other parent, many abducting parents intentionally or unintentionally inflict serious emotional or physical harm upon their children. Legal outcomes differ greatly from state to state. OJJDP-sponsored studies indicate that few abductors are being prosecuted or are receiving sentences of any consequence, and custody is being awarded to the abductor in some cases. Consequently, in many jurisdictions, law enforcement involvement in these cases is infrequent and inconsistent.

Goal

The goal of the project is to develop guidelines that inform prosecutors and judges of the effects of parental abductions on children and families which will enable the criminal justice system to develop more accurate and effective responses to family abduction cases.

Objectives

- The objectives of this program are to:
- Develop guidelines for prosecutors who must make decisions on charging in parental abduction cases.
 - Develop guidelines for judges on sentencing and post-abduction and post-recovery custody determinations.
 - From these judicial guidelines, develop a bench book for judges.

Program Strategy

The grantee will be responsible for reviewing current studies about the abduction of children and the consequences of this action on children and their families, as well as conducting surveys, if necessary, to determine judicial and prosecutorial needs in this area. In addition, reports and information on Federal and State statutes should be examined and analyzed. This information will be utilized to develop guidelines for prosecutors and judges to enable them to identify and address a wide range of cases with varying motivations and consequences to the abducted child. Examples of the factors to be considered include child concealment behaviors, use of force or violence at the time of

the abduction, transporting a child out of state, changing a child's name, depriving the child of stable schooling, physical or sexual abuse, emotional and physical (including medical) neglect, and lying to the child by telling it that the other parent does not want it or is dead. The guidelines should be specifically directed to the complex concerns facing judges and court personnel and prosecutors, such as the types of situations in which abduction is likely to reoccur, a history of domestic violence which would affect the other parent and/or the child, the circumstances in which child custody might be granted to the abducting parent, and what visitation options and circumstances guiding them will be permitted after the recovery of the child.

The applicant will develop the judicial guidelines into a bench book as well as a series of articles that can be widely distributed to criminal and family court judges. The grantee will also develop a plan for dissemination to professionals through judicial, prosecutorial, and child welfare organizations.

To support this work the applicant will establish an advisory committee of judges, prosecutors and other practitioners and researchers. This advisory committee will advise the grantee on all aspects of the project and review and comment on all of the products.

The successful applicant will work with the grantee in the followup project to "Obstacles to the Recovery and Return of Parentally Abducted Children" to develop a training curriculum that can be incorporated into existing national, State and local judicial, prosecutorial and child welfare training.

Products

OJJDP expects the following products under this grant:

- Guidelines for prosecutors with regard to the handling of parental abduction cases.
- Guidelines for judges on the handling of parental abduction cases and the related custody issues.
- A judicial bench book which incorporates the guidelines and guidance for sentencing of parental abductors and guidance with regard to custody determinations in child abduction cases.

Eligibility Requirements

Applications are invited from public agencies and private organizations which can demonstrate knowledge of issues relating to missing and abducted children, experience with surveys,

development of guidelines, and capability in civil and criminal justice issues and training development. Joint proposals by more than one applicant are welcome, as long as one organization is designated as the applicant with fiscal responsibility for the grant and the other as the co-applicant.

Selection Criteria

Applications will be rated on the extent to which they meet the following criteria:

(1) **Conceptualization of the Problem.** (15 points)

The applicant must demonstrate a clear understanding of the problem and a competence to deal with issues relating to missing, abducted, and exploited children, including civil and criminal justice handling of parental abduction cases.

(2) **Statement of the Goal and Objectives.** (20 points)

The applicant must demonstrate a clear understanding of the goal and objectives to be achieved by this project and this understanding must be consistent with the requirements set forth in the conceptualization of the problem.

(3) **Project Design.** (25 points)

The program strategy, procedures, workplan or milestone chart, and proposed products of this project must be directly linked with the stated objectives, and with the problem addressed by this announcement. The applicant must provide a clear discussion of how it will accomplish the various tasks and responsibilities under this project.

(4) **Project Management.** (15 points)

The project's management structure and staffing must be adequate for the successful implementation and completion of the project. The management plan describes a system whereby logistical activities are handled in the most efficient and economical way.

(5) **Organizational Capability.** (15 points)

The applicant's ability to conduct the project successfully must be documented in the application. Organizational experience is also required in issues relating to missing and exploited children, including civil and criminal justice system handling of parental abduction cases, and development of publications and training curricula. Key project personnel should have significant experience in the subject area addressed in this announcement.

(6) **Budget.** (10 points)

The proposed budget must be reasonable, allowable, and cost-effective vis-a-vis the activities to be undertaken.

Award Period

The project period is 18 months.

Award Amount

Up to \$125,000 has been allocated for this project.

Due Date

Applications must be received by mail or delivered to OJJDP by September 14, 1992.

Contact

For further information contact Len Johnson, Special Emphasis Division, at (202) 616-3657.

Model Treatment and Services Approaches for Mental Health Professionals Working With Families of Missing Children

Purpose

The purpose of this project is to increase knowledge of and develop effective treatment and services approaches for mental health professionals working with families of missing children in order to minimize the psychological consequences experienced by these victims and their families.

Background

"The Families of Missing Children: The Psychological Consequences and Promising Interventions" (Center for the Study of Trauma at University of California at San Francisco) study found that the vast majority of families of missing and recovered children do not receive any mental health services even though the experience of having a child abducted inflicts significant trauma upon the victim and the family members left behind. Only a limited number of criminological or psychological studies have specifically addressed missing children and their families. Previous studies have generally reported that there are profound negative psychological effects that result from the missing experience. The adverse psychological effects of the abduction response are peculiar to children and can be observed in their immediate responses as well as up to 4-5 years post-trauma. However, long-term traumatic effects may not be observed by parents for 6 months to 1 year post-trauma. Symptoms range in frequency and severity. The more severely disturbed children often may have pre-existing psychological problems. They may also come from families with pre-

existing physical or emotional disturbances, and may have fewer extended family members in the community. Significant trauma symptoms have been reported in recovered children in parental abduction cases, including disordered sleep, violent behavior, uncontrolled crying, fearfulness, and separation difficulties. Children may also perceive the left-behind parent as having failed to protect them and may react with anger and rejection. One study noted that the degree of trauma to children was affected by five factors: (1) Their age at the time of abduction, (2) how they were treated by the abductor, (3) the length of time gone, (4) the events and lifestyle experienced during the abduction, and (5) the type of support received upon recovery.

Other families experience post traumatic stress symptoms similar to those of the child victim, although often of lesser intensity. The "Families of Missing Children: Psychological Consequences and Promising Interventions" study also indicated that the majority of families of missing children experience clinically significant levels of distress. While the severity of trauma suffered by victims and families of non-family abduction is more commonly recognized, children and left-behind parents involved in parental abductions also suffer high levels of trauma and long-term distress. Children are usually abducted by a parent during or after the breakup of a marriage or relationship. As a consequence, in addition to the trauma ensuing from the loss of the child, the parent must also deal with other stressful factors stemming from the marital or relationship break-up. The literature review conducted in conjunction with this study found that there is a dearth of experience and knowledge and almost no research on abduction trauma and reactions of families to having a child abducted. Thus, parents who do seek mental health assistance are not likely to find a therapist with experience in either non-family or family abduction trauma.

Goal

Given the void in experience, information, and research on the psychological trauma associated with child abduction, the goal of this program is to develop, test, and refine model treatment and services approaches and training materials for use by mental health professionals in stabilizing family units upon recovery of missing children, and supporting the members of these family units and the returned child to

recover effectively from the associated emotional trauma.

Objectives

The objectives of the project are:

- Through existing research and interviews with victims and their families and therapists, to assess the experiences and effects of abductions (both family and nonfamily).
- To assess other treatment approaches which have been determined to be effective with child victims and their families.
- To develop and test program and family services approaches designed specifically for missing children and their families.
- To develop materials for training curricula and replication manuals.

Program Strategy

While the desirability of developing research-based treatment models is irrefutable, given the immediate need for professionally structured treatment and services approaches, the strategy anticipated for development of these programs anticipates an eclectic approach. The grantee may want to interview families and victims about their experiences and the effects, as well as therapists who have worked with victims and families. Program approaches should be developed which are based upon a combination of treatment approaches determined to be effective in cases involving child protection, family violence, gross family dysfunctioning, court ordered placement of children, familial incest, and marital conflict accompanied by serious violence, and post-traumatic stress disorder in children and adults. Treatment with families of soldiers missing in action should also be explored to determine if effective approaches were developed. The project may also include the development of a nationwide referral system.

Products

The end product should be two to three treatment and services approaches which can be tested in the second and third years of a three year project period, along with replication manuals, training curricula, and a complete literature review.

Eligibility Requirements

Applications are invited from public agencies and private nonprofit organizations that can demonstrate knowledge of issues relating to missing and exploited children and experience and capability in development of mental health treatment and services for victims. Joint proposals by more than

one applicant are welcome, as long as one organization is designated as the applicant and the other as co-applicant.

Selection Criteria

Applications will be rated on the extent to which they meet the following criteria:

(1) Conceptualization of the Problem. (15 points)

The applicant must demonstrate a clear understanding of, and competence to deal with, issues relating to missing and exploited children and the development of mental health treatment and services for victims of crime.

(2) Statement of Objectives. (15 points)

The objectives to be achieved by the project must be clearly defined and consistent with the issues and requirements set forth in the conceptualization of the problem.

(3) Project Design. (30 points)

The procedures, workplan and proposed products of the project must be directly linked with the stated objectives, and with the problem addressed by this announcement.

(4) Project Management. (15 points)

The project's management structure and staffing must be adequate for the successful implementation and completion of the project. The management plan describes a system whereby logistical activities are handled in the most efficient and economical way.

(5) Organizational Capability. (15 points)

The applicant organization's ability to conduct the project successfully must be documented in the application. Organizational experience in issues relating to missing and exploited children and development of mental health services and treatment is required. Key project personnel should have significant experience in the subject area addressed in this announcement.

(6) Budget. (10 points)

The proposed budget must be reasonable, allowable, and cost-effective vis-a-vis the activities to be undertaken.

Award Period

The project period is 36 months.

Award Amount

The allocation of funds for the initial 18 month budget period is up to \$200,000. The applicant must include an estimated budget for a second 18 month budget period.

Due Date

Applications must be received by mail or delivered to OJJDP by September 28, 1992.

Contact

For further information contact Kathryn Turman, Missing & Exploited Children Program at (202) 616-3631.

Interviewing Adolescent Victims of Sexual Exploitation and Sexual Abuse

Purpose

The purpose of this program is to improve the response of the criminal and civil justice systems to missing children and exploited children by improving interviewing techniques for law enforcement, judicial and other professionals who deal with sexually abused or exploited adolescents.

Background

Interviewing adolescent victims of sexual abuse and exploitation requires particular skills and techniques. Due to their age and the nature of their exploitation, these victims are often extremely reluctant or unable to disclose or discuss their abuse or exploitation. There is little literature or training available in the field to instruct law enforcement personnel and medical and direct service providers on how to conduct interviews with the adolescent victim. However, individual practitioners in various police, prosecutorial, health, or related agencies have developed considerable proficiency in dealing with adolescent victims. Their expertise could be harnessed to train others.

Goal

The goal of this project is to develop information and techniques for interviewing adolescent victims of sexual abuse and exploitation for use by criminal justice personnel and other professionals.

Objectives

The objectives of this project are:

- To assess and inventory training needs in the subject area.
- To develop the necessary training curricula and related informational materials for professionals who conduct interviews with adolescent victims.

Program Strategy

In order to expand the availability of information and training in this area, OJJDP will sponsor an inventory and assessment of existing informational and training resources pertaining to this topic. Overall, the project will review

the protocols for conducting victim interviews and the distinctions between the first responder interview, the investigative interview, and the therapeutic interview. Joint investigative interviewing by law enforcement personnel and child protective services should also be addressed. Project documents are expected to cover: (1) Interviewing techniques, including types and purposes; (2) essential elements of sexual exploitation and abuse investigations; and (3) essential elements of adolescent psychology and behavior. The grantee is expected to draw on the expertise of experienced law enforcement investigators and others who have developed special skills in interviewing adolescent victims. A literature review should be included. The training should be tested in several sites.

Products

Final products expected by OJJDP include a literature review, a suggested training curriculum and a summary state-of-the-art monograph, as well as a listing of resources and practitioners with particular expertise in this area.

Eligibility Requirements

Applications are invited from public agencies and private organizations that can demonstrate the knowledge of issues relating to missing and exploited children, and the experience and capability in developing curricula and publications for law enforcement and social services and mental health personnel.

Selection Criteria

Applications will be rated on the extent to which they meet the following criteria:

(1) Conceptualization of the Problem. (15 points)

The applicant must demonstrate a clear understanding of, and competence to deal with, issues relating to missing and exploited children, investigation of crimes against children, and curricula and publications development.

(2) Statement of Objectives. (15 points)

The objectives to be achieved by the project must be clearly defined and consistent with the issues and requirements set forth in the conceptualization of the problem.

(3) Project Design. (30 points)

The procedures, workplan and proposed products of the project must be directly linked with the stated objectives, and with the problem addressed by this announcement.

(4) Project Management. (15 points)

The project's management structure and staffing must be adequate for the successful implementation and completion of the project. The management plan must describe a system whereby logistical activities are handled in the most efficient and economical way.

(5) Organizational Capability. (15 points)

The applicant organization's ability to conduct the project successfully must be documented in the application. Organizational experience in issues relating to missing and exploited children, training curricula for investigators, and publications development is required. Key project personnel should have significant experience in the subject area addressed in this announcement.

(6) Budget. (10 points)

The proposed budget must be reasonable, allowable and cost-effective vis-a-vis the activities to be undertaken.

Award Period

The project period is 24 months.

Award Amount

Up to \$125,000 has been allocated for the first 12 month budget period. The applicant must include an estimated budget for a second 12 month budget period.

Due Date

Applications must be received by mail or delivered to OJJDP by September 28, 1992.

Contact

For further information contact Kathryn Turman, Missing and Exploited Children Program, at (202) 616-3631.

Resource Handbook of Victim Services and Assistance for Missing and Exploited Children and Their Families

Purpose

The purpose of this project is to enable families of missing children to minimize the negative psychological effects of the abduction or missing experience through the development of a resource handbook to be used by families and friends of missing children to help them recognize the emotional and physical needs of family members and to identify and access available services designed to assist them in coping with the loss, loss and recovery, or death of their child.

Background

The "Families of Missing Children: The Psychological Consequences and Promising Interventions" study found that the vast majority of families of

missing and recovered children do not receive mental health services, guidance in coping with the return of a child, or other victims services and resources even though the experience of having a child abducted inflicts significant trauma upon both the victims and the family members left behind.

Families of missing and recovered children can (1) enhance their personal, marital, and family stability during this crisis when they know what constitutes expected or normative reactions of child loss; (2) improve the parent-child relationship when they know the child's experience during the event and after recovery; and (3) insure their understanding of ongoing needs of the non-missing children in the family when they know sibling reaction to child loss.

Goal

The goal of this project is to develop and publish a resource handbook for families and friends of missing children that will help them (1) understand the emotional and physical needs of family members and (2) identify and access available services designed to assist them in coping with the disappearance and recovery or death of their child.

Objectives

The objectives of this project are to:

- Assess the needs of families of missing children.
- Produce a resource handbook for families and friends of missing children that will help them (1) identify the emotional and physical needs of family members and (2) identify and access the types of available services designed to assist them in coping with the loss and recovery or death of their child.
- Develop a plan whereby the publication can be efficiently and economically updated from time to time to ensure that the information—especially available services and financial assistance—remains as current as possible.
- Develop and implement a plan for an initial distribution of the final product.

Program Strategy

This project requires the development of a specialized handbook designed to enable families to recognize their personal needs and the needs of their family and to identify and access services available on a local, State, and national basis. This publication will include information on the types of available victim compensation and assistance, e.g., local, State and Federal funds, a listing of national support organizations for families and victims,

as well as information on selecting a therapist. For situations involving a crime, the handbook will also address investigative, legal and court issues. The handbook will provide information for friends and extended family members on providing support and assistance to the family of a missing child. The handbook is not intended to be a comprehensive directory of local services nationwide but should instead focus on the broader types of assistance available and provide general information about accessing it.

Due to the multi-faceted nature of this publication, it is important that an Advisory Group be established to assist in determining the most important information to be included in the document. The applicant should give careful consideration as to who should be represented in the Advisory Group. It is recommended that the Group include such advisors as family members who have survived the loss and recovery or death of a child; therapists; medical doctors; family counselors; and representatives of social services, law enforcement, and the legal and court systems. The purpose of the Advisory Group is to assist in providing information for the resource handbook and reviewing and commenting on the final publication.

Production of the resource handbook should include a needs assessment of what victimized family members needed during and following their crisis. The assessment should cover what services were most helpful to the victims and their families and what "services" were either missing or harmful. The applicant should also conduct a literature review that includes, but is not limited to, physical and psychological advice to family members and friends of a missing child and available services designed to assist them in coping with the loss and recovery or death of their child. The applicant should submit a handbook organizational plan and outline and a final draft of the handbook to the Advisory Group for review and comment.

The multi-faceted nature of the publication requires that a data base be established and maintained to provide the most current data on available services, including financial assistance. The National Center for Missing and Exploited Children (NCMEC) presently maintains resource lists of State missing children clearinghouses, private nonprofit organizations focusing on missing children, and some national support groups. The applicant is expected to work with NCMEC in compiling the data on available sources.

The applicant will develop an efficient, cost-effective plan whereby the resource handbook can be updated from time to time to ensure that the information remains as current as possible.

Publication of this handbook will be facilitated through NCMEC and dissemination will be primarily through NCMEC, missing children State clearinghouses, and other public and private organizations to the families of missing children they serve through an initial distribution effort and an ongoing basis as new cases arise. The applicant should develop a detailed marketing and dissemination plan to ensure that the product will reach the intended audience effectively.

Eligibility Requirements

Applications are invited from public agencies and private nonprofit organizations that can demonstrate the knowledge of issues relating to missing and exploited children and victims services, as well as experience and capability in producing publications.

Selection Criteria

Applications will be rated on the extent to which they meet the following criteria:

(1) Conceptualization of the Problem. (15 points)

The applicant must demonstrate a clear understanding of, and competence to deal with, issues relating to missing and exploited children, services and assistance to victims of crime, and publications development.

(2) Statement of Objectives. (15 points)

The objectives to be achieved by the project must be clearly defined and consistent with the issues and requirements set forth in the conceptualization of the problem.

(3) Project Design. (30 points)

The procedures, workplan, and proposed products of the project must be directly linked with the stated objectives, and with the problem addressed by this announcement.

(4) Project Management. (15 points)

The project's management structure and staffing must be adequate for the successful implementation and completion of the project. The management plan must describe a system whereby logistical activities are handled in the most efficient and economical way.

(5) Organizational Capability. (15 points)

The applicant organization's ability to conduct the project successfully must be documented in the application. Organizational experience in issues relating to missing and exploited

children, resources and assistance for victims, and publications development is required. Key project personnel should have significant experience in the subject area addressed in this announcement.

(6) Budget. (10 points)

The proposed budget must be reasonable, allowable and cost-effective vis-a-vis the activities to be undertaken.

Award Period

The project period is 12 months.

Award Amount

Up to \$60,000 has been allocated for this project.

Due Date

Applications must be received by mail or delivered to OJJDP by September 14, 1992.

Contact

For further information contact Cora Roy, Special Emphasis Division, at (202) 616-3659.

Symposium on International Child Abductions

Purpose

The purpose of this project is to provide information to assist in the location and return of internationally abducted children through holding a symposium for practitioners in North America on critical issues regarding international child abductions.

Background

Parental child abductions are tragic and often difficult cases to resolve. When a child is abducted or moved across international borders the difficulties are compounded. The left-behind parent faces not only the pain of the loss of their child but intensified frustration and helplessness because their child is beyond the jurisdiction of U.S. laws and custody orders.

The increase in international marriages since World War II has resulted in increased international child abductions. Over the past 13 years the Department of State has been contacted on the cases of approximately 2800 children who have been abducted from the United States or kept from returning to the United States by one of their parents. In 1980, the Hague Convention on the Civil Aspects of International Child Abduction was initiated. As of this date, the Hague Convention has been ratified by 23 countries, including the United States in 1988. The Hague Convention sets international policy condemning parental abduction and seeks promptly to restore children to

their pre-abduction circumstances, thus limiting the harm they suffer as a result of the abduction. It also provides international laws and procedures for the resolution of these difficult disputes.

Despite the adoption of the Hague Convention by many countries and the success in recovering children under the Convention, international child abduction still poses complicated problems for parents, governments and other agencies involved in the location and recovery of these children. There is a lack of knowledge and information about recovering children under the Hague and other resources available to assist in international child abduction cases. The Convention will govern the return of the child only if both countries have ratified the Convention and only in cases occurring after ratification. Where the Hague Convention does not govern, there are a whole set of additional issues that must also be addressed. Information on the appropriate civil and criminal remedies and the interaction between them is available and should be presented during the forum.

Educating professionals from around the country and North America, who can in turn educate parents and the public about precautionary measures and the dangers and consequences of international abduction, may help prevent abductions or repeat abductions.

Goal

The goal of this project is to educate practitioners on the issues related to international child abductions.

Objectives

The objectives of this project are:

- (1) To plan a conference on international child abductions;
- (2) To develop individual workshops or roundtables regarding prevention of international child abductions, overcoming obstacles to locating and recovering abducted children in the world-wide arena, on the progress in implementation of the Hague Convention, the interaction of civil and criminal remedies and international trafficking in children;
- (3) To hold the conference by mid-1993 in an accessible site;
- (4) To develop the proceedings of the conference into a monograph for distribution; and
- (5) To develop a dissemination plan to distribute the monograph and any related materials to the broadest possible audience of interested practitioners.

Program Strategy

The grantee would work cooperatively with the U.S. Department of State's Office of Citizens Consular Services (CCS), Interpol, the Office of International Affairs in the Criminal Division at the Department of Justice, the National Center for Missing and Exploited Children, and appropriate others to convene a forum of practitioners to examine current issues regarding international abductions, including prevention, overcoming obstacles for locating and recovering abducted children in a world-wide arena, and progress in the adoption and implementation of the Hague Convention. The symposium should be planned for mid-1993 to follow an international meeting of representatives of Hague Convention Central Authorities scheduled for January of 1993.

Besides providing a forum for reports and updates from the Hague Convention meeting, specific issues to be addressed should include court costs and legal fees, handling cases in non-Hague Convention countries, interaction between civil and criminal processes, techniques and assistance in locating abducted children abroad, needed policy improvements, training needs, public education as a deterrent, and trafficking in children.

Speakers and presenters would be drawn from the agencies mentioned above and others with expertise in handling international child abductions. Groups to be targeted for participation and attendance would include State Attorneys General, U.S. Attorneys, State prosecuting attorneys, judges, private attorneys, State missing children clearinghouse personnel, legislators, law enforcement officers, and media personnel. Invitations to participate in the symposium should also be extended to central authorities in Canada and Mexico.

An expected outcome of this forum would be the publication of a series of reports indicating directions for future study, training and information dissemination.

Eligibility Requirements

Applications are invited from public agencies and private nonprofit organizations that demonstrate the experience and capability in dealing with legal issues relating to international child abductions, conference and curricula development, and publications development.

Selection Criteria

Applications will be rated on the extent to which they meet the following criteria:

(1) Conceptualization of the Problem. (15 points)

The applicant must demonstrate a clear understanding of, and competence to deal with, issues regarding legal obstacles to and remedies for resolving international abduction cases, symposium development, and the providing of information and training to the target population.

(2) Statement of Objectives. (15 points)

The objectives to be achieved by the project must be clearly defined and consistent with the issues and requirements set forth in the conceptualization of the problem.

(3) Project Design. (30 points)

The procedures, workplan, and proposed products of the project must be directly linked with the stated objectives, and with the problem addressed by this announcement.

(4) Project Management. (15 points)

The project's management structure and staffing must be adequate for the successful implementation and completion of the project. The management plan must describe a system whereby logistical activities are handled in the most efficient and economical way.

(5) Organizational Capability. (15 points)

The applicant organization's ability to conduct the project successfully must be documented in the application. Organizational experience in legal issues, resource and conference development, and training is required. Key project staff should have significant experience in the subject area addressed in this announcement.

(6) Budget. (10 points)

The proposed budget must be reasonable, allowable, and cost-effective vis-a-vis the activities to be undertaken.

Award Period

The project period for this program is 12 months.

Award Amount

Up to \$200,000 has been allocated for this project.

Due Date

Applications must be received by mail or delivered to OJJDP by September 28, 1992.

Contact

For further information contact Douglas Dodge, Special Emphasis Division, (202) 616-3652.

Obstacles to the Recovery and Return of Parentally Abducted Children: Training, Technical Assistance and Product Resources

Purpose

The purpose of this project is to improve the justice system response to children who are abducted by family members through the dissemination to judges, prosecutors, law enforcement personnel, private attorneys, and policy makers information on the legal obstacles faced by parents and investigators in recovering parentally abducted children.

Background

Section 408 of the Act, 42 U.S.C. 5778, directed OJJDP to fund a study on the obstacles that prevent or impede the recovery and return of parentally abducted children. The study, "Obstacles to the Recovery and Return of Parentally Abducted Children" was conducted for OJJDP by the Center on Children and the Law at the American Bar Association. The interim report presented to Congress in November, 1991, identified and focused on three key legal obstacles. These obstacles were: (1) lack of knowledge of applicable law on the part of judges and attorneys; (2) lack of compliance by judges and attorneys, even when knowledgeable; and (3) lack of uniformity and specificity in State laws. In addition, left-behind parents often were unable to afford legal assistance or to find attorneys who would adequately and knowledgeably represent them. The final report, which was received by OJJDP on July 1, 1992, details other issues of a non-legal nature and will include specific recommendations for removing legal obstacles and improving interstate and interjurisdictional cooperation in parental abduction cases.

Goals

The goals of this project are:

- (1) To increase the knowledge of judges, prosecutors, and policy makers as to the legal obstacles to recovering parentally abducted children and to existing civil remedies; and
- (2) To identify and assess potential remedies for practical obstacles relating to accessibility of custody records and lack of available and affordable legal assistance for left-behind parents.

Objectives

The objectives of this project are to:

- Develop specialized publications and resources;
- Develop training curriculum for judges and dissemination through existing organizations which provide training for the judiciary; and
- Implement regional policy conferences on parental abductions and the implementation of the Uniform Child Custody Jurisdiction Act and the Parental Kidnapping Prevention Act.
- Assess the feasibility of remedies such as development of a child custody registry, development of a nationwide referral network of attorneys who handle family abduction cases, and problems of affordability of legal services for left-behind parents.

Program Strategy

OJJDP expects this project to develop materials and training for different audiences and create cooperative arrangements with existing organizations to disseminate these materials. Target audiences include lawyers, judges, law enforcement personnel, prosecutors, policy makers and public and private missing children's organizations. The successful applicant is expected to develop and disseminate model State statutes and to possibly hold a conference for State legislators and their staffs. In addition, procedures for establishing a national child custody registry and possible resources to assist left-behind parents in accessing knowledgeable legal representation are to be examined.

Products

Specific products will include:

- (1) A written bench book for judges on the Uniform Child Custody Jurisdiction Act (UCCJA), the Parental Kidnapping Prevention Act (PKPA);
- (2) A booklet of practice tips for attorneys in family law on handling family abduction cases;
- (3) Information for left-behind parents on how best to work with the system to accomplish the recovery of an abducted child;
- (4) Development of a written protocol for law enforcement for both civil and criminal cases;
- (5) A fifty State, D.C., and territorial directory of relevant statutes and case law (on disk) related to family abductions; and
- (6) A directory of legal resources and information for use in parental abduction cases and enforcement of child custody orders.

Eligibility Requirements

Applications are invited from public agencies and private organizations that can demonstrate the experience and

capability to produce legal analysis, publications and training curricula for justice system personnel.

Selection Criteria

Applications will be rated on the extent to which they meet the following criteria:

- (1) Conceptualization of the Problem. (15 points)

The applicant must demonstrate a clear understanding of, and competence to deal with, issues regarding legal obstacles and remedies to parental abduction cases, curricula development, and the providing of information and training to the target population.

- (2) Statement of Objectives. (15 points)

The objectives to be achieved by the project must be clearly defined and consistent with the issues and requirements set forth in the conceptualization of the problem.

- (3) Project Design. (30 points)

The procedures, workplan, and proposed products of the project must be directly linked with the stated objectives, and with the problem addressed by this announcement.

- (4) Project Management. (15 points)

The project's management structure and staffing must be adequate for the successful implementation and completion of the project. The management plan must describe a system whereby logistical activities are handled in the most efficient and economical way.

- (5) Organizational Capability. (15 points)

The applicant organization's ability to conduct the project successfully must be documented in the application. Organizational experience in legal issues, resource and curricula development, and training is required. Key project staff should have significant experience in the subject area addressed in this announcement.

- (6) Budget. (10 points)

The proposed budget must be reasonable, allowable, and cost-effective vis-a-vis the activities to be undertaken.

Award Period

The project period is 36 months.

Award Amount

Up to \$250,000 has been allocated for this project for the first 18 month budget period. Applicants must include an estimated budget for a second 18 month budget period.

Due Date

Applications must be received by mail or delivered to OJJDP by September 28, 1992.

Contact

For further information contact Kathryn Turman, Missing and Exploited Children Program, at (202) 616-3631.

Telecommunications Training for Law Enforcement Personnel on Techniques for Investigating Missing and Exploited Child Cases

Purpose

The purpose of this project is to address the particular needs of missing children by minimizing the negative impact of law enforcement procedures on children who are victims of abuse or sexual exploitation through the development and dissemination to law enforcement personnel of a comprehensive video training curriculum designed to improve investigative response.

Background

The past decade has seen a substantial increase in the number of cases involving missing and sexually abused and exploited children. The majority of cases of children abducted by non-family members involve sexual assault. Runaway children are frequently at serious risk of sexual assault and exploitation. Recent surveys of prosecutors and law enforcement reflect the growing burden these cases place on the criminal and civil justice system. The investigation and handling of missing and sexually exploited children present difficult challenges for the law enforcement officer and require special skills and knowledge. Most law enforcement agencies employ less than ten officers. Even the smallest agencies will encounter these cases, yet these law enforcement officers have few opportunities or resources to receive specialized and intensive training in the investigation of crimes against children.

Rapidly developing telecommunications technologies are becoming more accessible and economical in use. According to proponents of this type of technology, these methods can provide many advantages over more traditional training and information dissemination, including cost savings in travel and time, more timely transfer of information, and greater access to larger numbers of students or interested parties.

The distribution of video training programs supported by satellite or other technology to closed user group

audiences may overcome many of the barriers to receiving specialized training faced by many law enforcement agencies. Training could occur through the existing law enforcement telecommunications systems or through structured teleconferencing.

Goal

The goal of this project is to provide state-of-the-art information on the investigation of missing and sexually abused and exploited children cases to a wide audience of small to mid-size police departments.

Objectives

The objectives of the project are:

- To support development of an integrated training course package to be used in model training approaches; and
- To develop and test dissemination strategies emphasizing utilization of cable and teleconferencing networks.

Program Strategy

OJJDP will select an organization to develop and produce a video training course about the investigation of missing and exploited children cases. This series of videotape presentations will focus on the investigation of missing children (including both family and non-family abductions), sexual abuse and exploitation of children, including related crimes committed against children who are missing or who may have been abducted, such as investigation of physical abuse injuries and homicides.

Related topics to be addressed in training videotapes include case management, developing offender profiles, techniques for interviewing child victims and suspects, and interacting with social service, medical, and mental health professionals. The curriculum should focus on basic, but state-of-the-art information and techniques, and should be consistent with other OJJDP-sponsored training programs for law enforcement. The curriculum should primarily represent situations and resources available to small and mid-size law enforcement agencies.

This project requires the selection of a project advisory committee approved by OJJDP consisting of experts and practitioners from law enforcement, child protective services, the medical field, mental health services, and prosecutors. This advisory committee will assist in the development of the curriculum. The grantee should consult with law enforcement officers currently serving as faculty for OJJDP's child abuse and exploitation training program as well as the training staff from the

National Center for Missing and Exploited Children.

In addition to the series of training videotapes, the successful applicant will produce a small publication or pocket card for law enforcement agencies listing national and regional resources which provide training, information, and technical assistance in cases of missing and exploited children.

The successful grantee will also design and test a plan for regional and national dissemination utilizing cable and teleconferencing networks, law enforcement training academies, and professional organizations.

Specific products to be completed during this project are:

- A series of training videos;
- A small pamphlet or pocket card for law enforcement listing resources for training, information, and technical assistance;
- A pilot demonstration effort using telecommunications technology, and
- A summary report detailing opportunities for future dissemination.

Eligibility Requirements

Applications are invited from public agencies and private organizations which can demonstrate the capability to develop and produce a high quality series of training videos on the investigation of child maltreatment cases for law enforcement as well as the demonstrated capability for utilizing telecommunications technology for dissemination of training materials.

Selection Criteria

Applications will be rated on the extent to which they meet the following criteria:

(1) Conceptualization of the Problem. (15 points)

The applicant must demonstrate a clear understanding of, and competence to deal with, investigative issues regarding child maltreatment cases, law enforcement training, and telecommunications technology.

(2) Statement of Objectives. (15 points)

The objectives to be achieved by the project must be clearly defined and consistent with the issues and requirements set forth in the conceptualization of the problem.

(3) Project Design. (30 points)

The procedures, workplan, and proposed products of the project must be directly linked with the stated objectives, and with the problem addressed by this announcement.

(4) Project Management (15 points)

The project's management structure and staffing must be adequate for the

successful implementation and completion of the project. The management plan must describe a system whereby logistical activities are handled in the most efficient and economical way.

(5) Organizational Capability (15 points)

The applicant organization's ability to conduct the project successfully must be documented in the proposal.

Organizational experience with law enforcement training and utilization of telecommunications is crucial. Key project staff should have significant experience in the subject area addressed in this announcement.

(6) Budget. (10 points)

The proposed budget must be reasonable, allowable, and cost-effective vis-a-vis the activities to be undertaken.

Award Period

The project will be funded for 24 months.

Award Amount

Up to \$200,000 has been allocated for the first 12 month budget period. Applicants must include an estimated budget for a second 12 month budget period.

Due Date

Applications must be received by mail or delivered to OJJDP by September 28, 1992.

Contact

For further information contact Kathryn Turman, Missing and Exploited Children Program, at (202) 616-3631.

Funding Support for Specific Program Development for State Clearinghouses for Missing Children

Purpose

The purpose of this project is to strengthen the capabilities of State missing children clearinghouses and to improve coordination and cooperation among the systems serving missing children at the Federal, State, and local levels.

Background

There are currently 44 State missing children clearinghouses around the country. They differ widely as to statutory authority, mission, staff size, functions, and budget. While most State clearinghouses are part of a state law enforcement agency, some are housed in a State Department of Education or in the Attorney General's office. The State clearinghouses are a critical link in the national network of agencies and organizations involved in missing and

exploited children cases. Through the National Center for Missing and Exploited Children (NCMEC) and other OJJDP grantees, training and technical assistance is provided for State clearinghouse personnel. OJJDP has provided funding for new computer systems for the State clearinghouses and has also provided a bulletin board technology link with other State clearinghouses and NCMEC. Through NCMEC, OJJDP also plans to establish computer age-progression labs in four State clearinghouses. The project presented in this solicitation will provide direct funding assistance to six to eight State clearinghouses for the development of special projects and functions.

Goal

The goal of this project is to assist State missing children clearinghouses to strengthen their role within their State through the development of specific projects and functions relating to missing and exploited children.

Objectives

The objectives of this project are:

- To generate new and innovative ways to serve the families of missing children and assist local law enforcement in the investigation of missing child cases;
- To facilitate the development of projects within State clearinghouses which would raise the visibility and viability of those clearinghouses;
- To develop models and processes for new programs and State clearinghouse functions for replication in other State clearinghouses.
- To develop programs which would expand the national networking capabilities among the State missing children clearinghouses and law enforcement agencies.

Program Strategy

Proposals are being solicited from designated State clearinghouses on missing and exploited children for cooperative agreements with OJJDP to develop and implement special programs and products designed to assist and improve the quality of services offered missing and exploited children by law enforcement and youth serving agencies.

OJJDP anticipates providing up to six grants (up to \$50,000) to individual clearinghouses to develop special projects and products. OJJDP encourages the applicants to develop their programs in formats to serve as models for other State clearinghouses around the country to improve their service capabilities. These projects

could include programs such as the development of a State-wide listing of investigators specializing in missing and/or exploited child cases; development and implementation of improved case management systems; the development of training and information dissemination programs designed for law enforcement personnel on investigating missing child cases and how to utilize and interface with their State clearinghouse; making their services known to law enforcement, lawyers, judges, attorneys, and parents; community education and prevention programs; and the development of a network of volunteers within the State who have experience and background in providing services for the parents of missing or exploited children. OJJDP will also consider submissions of original program ideas designed to improve the service capabilities of the State clearinghouse.

The successful applicant must be creative and innovative in its approach and strategy in designing and implementing this program. Applicants must be cost effective, develop their own strategy and budget for achieving the objectives and tasks of this initiative. The successful grantees must provide OJJDP with a report detailing the development of their programs and how they might be replicated for dissemination to other State clearinghouses.

Through a competitive peer review process, up to six applicants will be funded.

Eligibility Requirements

Applications are invited from eligible designated State missing children clearinghouses.

Selection Criteria

Applicants will be rated on the extent to which they meet the following criteria:

(1) Conceptualization of the Problem. (15 Points)

Applicants identify the nature and scope of the missing and exploited children problem to be addressed.

(2) Statement of Objectives. (10 Points)

Applicants provide a succinct statement demonstrating an understanding of the goals, objectives, and tasks associated with the program.

(3) Project Design. (20 Points)

Applicants clearly demonstrate an understanding of the nature of the program area and the soundness of the approach to implementing the needs to be addressed by the project. The

applicant must provide an innovative, yet replicable approach.

(4) Implementation Plan. (25 Points)

Project activities and management structures are adequate and appropriate. The feasibility and clarity of the time task plan is apparent as it addresses what, when, who, and where project activities will be performed and products developed.

(5) Organizational Capability. (20 Points)

Project management structure is adequate to conduct the project successfully. The applicants demonstrate adequate program management and experience in coordinating the type of task to be performed.

(6) Budget. (10 Points)

Proposed costs are complete, reasonable, and cost effective in relationship to the proposed strategy and task to be accomplished.

Award Period

The project period for these cooperative agreements will be 18 months.

Award Amount

Up to six applicants will be awarded up to \$50,000 each. Future funding will be based upon performance and availability of funds.

Due Date

Applications must be received by mail or delivered to OJJDP by September 28, 1992.

Contact

For further information contact Frank Smith, Special Emphasis Division, at (202) 616-3656.

General Application and Administrative Requirements

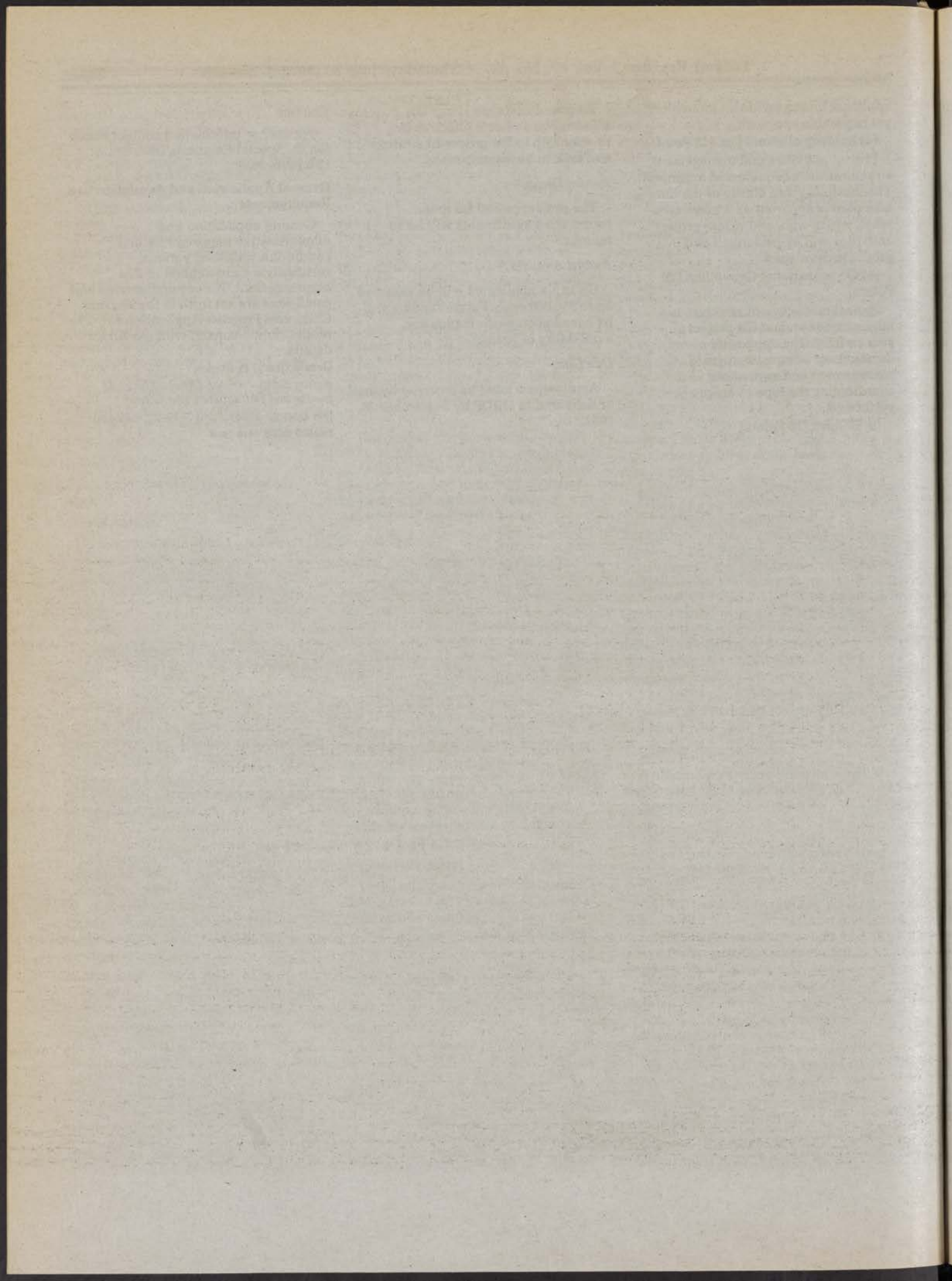
General application and administrative requirements and conditions, including various certifications, are implicit in this announcement. These requirements and conditions are set forth in the Missing Children's Program Application Kit. The reader should consult with the Kit for details.

Gerald (Jerry) P. Regier,

Acting Administrator, Office of Juvenile Justice and Delinquency Prevention.

[FR Doc. 92-17851 Filed 7-29-92; 8:45 am]

BILLING CODE 4410-18-M



Federal Register

Thursday
July 30, 1992

Part V

Department of Housing and Urban Development

Office of the Secretary

24 CFR Parts 207 et al.

**Smoke Detectors for HUD-Assisted or
Insured Rental Housing and Public and
Indian Housing; Final rule**

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Parts 207, 213, 215, 220, 221, 231, 232, 234, 236, 242, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 905, and 965

[Docket No. R-92-1567; FR-3081-F-02]

RIN 2501-AB39

Smoke Detectors for HUD-Assisted or Insured Rental Housing and Public and Indian Housing

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule.

SUMMARY: This rule makes final a rule proposed on November 22, 1991 (56 FR 59150) amending HUD regulations to require, at a minimum, one smoke detector on each level of a rental dwelling unit, assisted or insured by HUD, and in public and Indian housing dwelling units. The purpose of the rule is to assure that fire safety equipment is included and maintained in HUD-associated rental units, and to further the National Housing Goal of a decent home and a suitable living environment for every American family.

EFFECTIVE DATE: August 31, 1992.

FOR FURTHER INFORMATION CONTACT: For Section 8 rental certificate, rental voucher, and moderate rehabilitation programs, contact Gerald Benoit, Room 6122, telephone (202) 708-1800; (TDD) (202) 708-4594; for Section 202 Elderly and Handicapped Housing, contact Robert Wilden, room 6116, telephone (202) 708-2730; (TDD) (202) 708-4594; for Public and Indian Housing, contact Janice Rattley, room 4136, telephone (202) 708-1800; (TDD) (202) 708-0850; for HUD-insured and other programs, contact James Tahash, room 6182, telephone (202) 708-3944; (TDD) (202) 708-4594; 451 Seventh Street SW., Washington, DC 20410. (Telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION:

I. Background

The primary objective of HUD housing programs is to advance the long-established national commitment to decent, safe, and sanitary housing for every American. This standard is required under Annual Contributions contracts with public housing agencies (PHAs) and Indian Housing Authorities (IHAs), as well as the Housing Assistance Payments contracts with owners of housing assisted under section 8 of the U.S. Housing Act of 1937. The standard is also the

underlying purpose of HUD's Minimum Property Standards (MPS) and housing quality standards (HQS).

Fire safety in all HUD-associated rental units is critical to achieving the goal of a safe environment for all families residing in those units. The early detection of fires through smoke alarms can be a primary factor in saving lives and preventing injury. On November 22, 1991 (56 FR 59150), the Department invited public comment to a proposed rule amending its regulations to require that each affected unit contain, at a minimum, one working smoke detector to provide a measure of safety from fires to residents of those units.

Under the MPS contained in subpart S of 24 CFR part 200, all units developed or substantially rehabilitated with HUD assistance, including insured financing, since 1978 are required to be equipped with smoke detectors. In addition, public and Indian housing units that have received assistance for modernization under the Comprehensive Improvement Assistance Program (CIAP) since 1985 are required to have smoke detectors. Public and Indian housing units that receive modernization assistance under the new Comprehensive Grant Program (CGP), for PHAs and IHAs that own or operate 500 or more public or Indian housing units (250 or more units in fiscal year 1993), are required by the modernization standards in 24 CFR 968.115 and 905.603 to have smoke detectors. The Department also requires smoke detectors in all units owned by HUD or for which HUD is the mortgagee-in-possession.

With respect to all other units not covered by the requirements of the MPS, CIAP, or CGP, or units which HUD does not own or is not the mortgagee-in-possession, HUD believes that most of those units may already be equipped with smoke detectors under requirements imposed by State and local codes or by fire or liability insurance carriers. This rule is not intended to preempt those requirements, but to require that, in order to meet the HQS or regulatory requirements for the applicable programs, each assisted unit must contain at least one working smoke detector on each level of the unit.

The rule will amend the HQS in 24 CFR parts 882, 886, and 887, which describe the minimum requirements for units in the Section 8 Rental Certificate and Rental Voucher programs, the Moderate Rehabilitation programs, Project-Based Certificate Assistance, Loan Management Set-Aside and Property Disposition programs, as well as any other units required to meet the HQS described in those regulations. The

rule also will amend subparts B and C of part 885, which govern Section 202 elderly and handicapped housing, as well as parts 880 (New Construction), 881 (Substantial Rehabilitation), 883 (State Housing Agencies), 884 (Section 515 Rural Rental Housing), and 215 (Rent Supplement). This final rule adds two programs inadvertently omitted from the proposed rule, by amending parts 889 (Supportive Housing for the Elderly) and 890 (Supportive Housing for Persons with Disabilities), which govern the new Section 202 and Section 811 programs.

The rule will also amend regulations governing HUD-insured multifamily rental projects and care-type properties (parts 207, 213, 215, 220, 221, 231, 232, 234, 236, and 242). Units in insured projects constructed or substantially rehabilitated after 1978 are required to contain smoke detectors under the MPS, as discussed above. The intent of the amendments is to ensure that pre-1978 insured projects are subject to the requirement as well.

With respect to public and Indian housing dwelling units, the rule amends 24 CFR parts 905 (Indian housing) and 965 (public housing). (On June 24, 1992 (57 FR 28240), HUD published a final rule consolidating into part 905 all regulations pertaining to Indian housing programs.)

The final rule requires that each unit be equipped with at least one battery-operated or hard-wired smoke detector, in proper working condition, located in a hallway adjacent to the bedroom or bedrooms, and one additional smoke detector on each level of a multilevel unit. The rule also requires that units occupied by hearing-impaired persons be equipped with alarm systems designed for the hearing-impaired and located in the bedrooms occupied by those persons.

II. Public Comments

During the comment period, which ended January 21, 1992, HUD received 24 public comments. Generally, the majority of the commenters favored the rule, but several requested clarification or some changes to the requirements. One commenter questioned the Department's legal authority to extend what amounts to minimum property standards on a retroactive basis to multifamily dwelling units. Section 2 of the National Housing Act of 1949 sets forth the goal of providing a decent home and suitable living environment for every American family. This goal has been reaffirmed again and again in subsequent housing legislation. The Department firmly believes that the provision of smoke detectors in

multifamily housing advances this goal. HUD regulations at 24 CFR 207.249 grant authority to the Secretary to amend the regulations pertaining to contract rights and obligations so long as the amendment does not "adversely affect the interest of a mortgagee or lender." The requirement that the mortgagor install smoke detectors in the insured project does not adversely impact the mortgagee. Indeed, it enhances the mortgagee's security by providing for an additional fire safety device in the building.

In the Regulatory Agreement (HUD-Form 92466) executed between HUD and the mortgagors for projects insured under sections 207, 220, 221(d)(4), 231, and 232 of the National Housing Act, the mortgagor contractually obligates itself to comply with certain HUD requirements. Specifically, paragraph 7 of the Agreement provides that "[o]wners shall maintain the mortgaged premises, accommodations and the grounds and equipment appurtenant thereto, in good repair and condition." The Department believes that this provision can be interpreted to encompass the additional requirement that mortgagors install smoke detectors in insured projects, in compliance with their contractual agreement to maintain the premises in good repair and condition, since there is an increased risk of smoke and fire damage to the property where there is no early warning system.

In addition, it is the opinion of the Department that *Thorpe v. Housing Authority of the City of Durham*, 393 U.S. 268 (1969), stands for the principle that HUD can impose an additional obligation on the parties to a housing contract provided that it does not amount to a substantial modification of the contract. The Regulatory Agreement does not preclude HUD from requiring the installation of safety devices, such as smoke detectors, by the mortgagor, when the technology is later developed and becomes available subsequent to the execution of the contract between HUD and the mortgagor. The Department believes that the smoke detector requirement does not amount to a substantial modification of the Agreement.

The remainder of the comments focused on the following areas:

Location of Smoke Detectors

One commenter stated that a local code to which it is subject requires that smoke detectors be located in each bedroom of a unit, and expressed concern that by following the local standard it would violate HUD's rule. Another commenter stated that the rule

should allow for flexibility in the location of smoke detectors where the design of a unit makes another location more feasible. Several commenters recommended that the rule require more than one smoke detector per unit, and suggested they be located outside each separate sleeping area and on each additional level of a unit. A commenter also suggested that units should be equipped with residential sprinkler systems and range hoods with fusible link triggered automatic extinguishers. The commenter was especially concerned about housing located in rural areas served by undertrained volunteer firefighters with inadequate and outdated equipment, and stated that any extra measures for early warning of fires in these areas would reduce the risk of personal injury and property damage.

The Department has stated that the rule is not intended to preempt local or State fire safety codes. The purpose of the rule is to set out a minimum standard for HUD-associated housing. To the extent that a local code has a stricter standard or requires a different type of smoke detector (e.g., hard-wired rather than battery-operated) or different location for the detector (e.g., in each bedroom rather than adjacent to bedrooms), the local code should be followed, as long as HUD's minimum standard that each unit contain a smoke detector is met. Since the rule explicitly states that the required location of the detector is to be followed "to the extent practicable," inspectors of HUD-associated housing will be instructed to allow a degree of latitude on this issue. Under this standard, PHAs and owners have the discretion to install detectors in an alternate location if warranted by the design of the unit.

The costs involved in retrofitting units with sprinkler systems would be prohibitive for some PHAs and owners, and such a requirement could conceivably result in some owners withdrawing from the programs. Again, the rule sets out minimum standards. PHAs or owners located in rural areas where firefighting protection may be limited or inadequate have the discretion to install a greater measure of protection on a voluntary basis.

The Department agrees with the comments that the rule should require that each level of a multilevel unit should be equipped with at least one smoke detector, and the final rule has been changed to include this requirement. The final rule for public and Indian housing units has also been changed at 24 CFR 965.805(a) and 905.346(b) to provide that public areas, such as community rooms, laundry

rooms, and hallways and stairwells, must also be equipped with smoke detectors.

Battery-Operated vs. Hard-Wired Smoke Detectors

Several commenters argued that the rule should require hard-wired detectors, rather than battery-operated, since batteries wear out or are removed by residents. Others requested clarification concerning who is responsible for replacing batteries in battery-operated detectors, with two commenters suggesting that PHAs and owners should be responsible only for installation or provision, and that residents should be responsible for continued operation (e.g. changing batteries).

The Department is attempting to balance the need to protect residents from fire and the desire to keep owners' costs at a reasonable level. For that reason, the rule allowed owners the discretion to install either battery-operated or hard-wired smoke detectors, with a minimum of one detector per unit. The final rule has not been changed with regard to allowing the smoke detectors to be either battery-operated or hard-wired smoke detectors. Owners may make their own decisions regarding the type of detector to use. (The rule for public and Indian housing units allows battery-operated detectors on a temporary basis only for projects where modernization has not been completed. Under the CIAP program, hard-wired detectors are required and have already been installed by PHAs that have completed modernization.)

Owners (PHAs in the case of PHA-owned or -leased projects) and PHAs are responsible for installing, inspecting, and replacing batteries, as necessary, in the smoke detectors. A resident's responsibility under the lease to maintain and care for the unit extends to not tampering with smoke detectors and ensuring that batteries are kept in place. Residents also should be responsible for informing the owner or PHA of any problems with the smoke detectors, including the failure of the batteries, in the same manner that they are responsible for informing the owner or PHA of any other malfunction or maintenance need in their units.

Smoke Detectors for the Hearing-Impaired

Several comments dealt with the requirements for smoke detectors equipped with visual alarm systems for the hearing-impaired. They included recommendations with respect to technical specifications for visual

alarms and suggested these be included in the rule; a request for a definition of "hearing-impaired"; and instructions on what documentation will be necessary to determine whether a resident is hearing-impaired or which bedroom the person would occupy. Another commenter argued that the requirement for smoke detectors specifically designed for the hearing-impaired should be deleted, since it would necessitate inquiring about the nature of a handicap, which is prohibited.

The Department declines to give detailed technical specifications regarding smoke detectors for the hearing-impaired, and leaves this to the judgment of PHAs and owners. They may wish to consult organizations familiar with equipment for hearing-impaired persons for advice on this issue. The Department also declines to define hearing-impaired in the rule. HUD's position is that residents requiring visual alarms because of a hearing impairment should advise owners and PHAs of this need. If eligibility for housing or a preference depends on the resident being handicapped, PHAs and owners may, of course, make the appropriate inquiries. Otherwise, it is up to residents to request any special equipment, since they are often the best judge of their individual needs.

A number of the comments on this subject were concerned about the cost of providing special detectors for hearing-impaired persons and whether the owner or resident would pay for these special detectors, since Fair Housing regulations provide that disabled persons may install special equipment in any unit at their own expense. A few commenters were especially concerned about the cost of these smoke detectors since they must be hard-wired, and one suggested that portable visual/audio alarms would be much less of a cost burden for owners. A portable detector, which the commenter argued costs less than a permanently installed detector, has the advantage of eliminating the need to retrofit units over time due to resident turnover, and is returned when the resident moves.

It is the responsibility of owners and PHAs to provide the smoke detectors, which includes the cost of the equipment. The Department recognizes that permanently installed smoke detectors for the hearing-impaired may be costly. However, it is not willing to consider the use of portable equipment in fulfilling the minimum standard required under the rule. The possibilities of loss or improper use make portable

detectors less reliable, especially when used as the sole warning system. The final rule has not been changed.

Finally, the Department received a comment on the requirements for smoke detectors for the hearing-impaired with respect to nursing homes. The commenter stated that most persons occupying rooms in nursing homes have some degree of impairment to their hearing, and therefore visual alarm detectors would have to be installed in all rooms. The commenter asserted that nursing homes and other care-type housing have smoke detector systems that are connected to a central alarm system, as well as to an alarm monitored on a 24-hour basis by professional staff. Visual alarms in each room in nursing homes and hospitals can be disturbing to the occupants and lead to panic and perhaps injury if an occupant attempts to leave the room unassisted by the professional staff. The Department agrees that the requirement for a visual alarm in each occupied room in nursing homes and hospitals is unnecessary if the smoke detector in the room is connected to a central alarm system and staff-monitored system. Parts 232 and 242 have been changed in the final rule to relax the requirement for smoke detectors designed for hearing-impaired persons if the room's smoke detector is connected to a central alarm system and monitored on a 24-hour basis, or otherwise has a system meeting industry standards.

Miscellaneous

A commenter asked how the Department intends to fund the purchase and installation of smoke detectors. As stated in the responses to comments related to detectors for the hearing-impaired, it is the responsibility of individual owners and PHAs to fund the purchase and installation of smoke detectors. For public and Indian housing units, PHAs may use operating funds or reserves to provide battery-operated detectors where hard-wired detectors are not already in place, or may apply for emergency CIAP or CGP funding if operating funds or reserves are insufficient. CIAP or CGP funds may be used to replace the battery-operated with hard-wired detectors in the normal course of a CIAP or CGP program. The final rule has been changed at 24 CFR 905.346(b) and 965.805(c) with respect to this issue.

One commenter recommended that the rule allow 90 to 120 days for installation, arguing that 60 days is insufficient time, and another commenter requested that the rule allow local HUD offices to grant extensions of time to PHAs with more than 500 units

to install hard-wired smoke detectors, considering local conditions and circumstances. The Department has determined that the 60 days from the effective date of the final rule is sufficient time, since this is, in effect, 90 days from publication of the rule. The rule does not require the installation of hard-wired detectors, and large PHAs desiring to do so have the option of installing battery-operated detectors on a temporary basis. The final rule has not been changed.

Finally, one commenter stated that some smoke detectors on the market now contain a radioactive element in the sensor. While the risk from the radioactivity is minimum, the commenter believes the rule should prohibit their use. As stated earlier, the Department declines to provide technical specifications for the smoke detectors. However, owners and PHAs should inspect detectors before installation by owners and PHAs for any hazard that may be detrimental to the assisted families.

Other Matters

This rule does not constitute a "major rule" as that term is defined in section 1(d) of the Executive Order on Federal Regulations issued by the President on February 17, 1981. An analysis of the rule indicates that it would not (1) have an annual effect on the economy of \$100 million or more; (2) cause a major increase in costs of prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

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 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.

The General Counsel, as the designated official under Executive Order 12606, *The Family*, has determined that this rule does not have a potential significant impact on the formation, maintenance, and general

well-being of the family and, thus, is not subject to review under that Order. The rule amends the property standards under which HUD-insured, Section 8-assisted, and public and Indian housing units are operated.

The General Counsel has also determined, as the Designated Official for HUD under section 6(a) of Executive Order 12612, Federalism, that the policies contained in this rule do not have federalism implications and, thus, are not subject to review under that Order. The requirements of the rule do not replace or affect any requirements that may already be imposed by States and local governments with respect to the use of smoke detectors in rental housing.

The Secretary, in accordance with the Regulatory Flexibility Act, (5 U.S.C. 605(b)), has reviewed this rule before publication and by approving it certifies that the rule does not have a significant economic impact on a substantial number of small entities. The rule applies equally to all owners of HUD-insured and Section 8-assisted housing, as well as PHAs and Indian Housing Authorities.

This rule was listed as item number 1130 in the Department's Semiannual Agenda of Regulations published at 57 FR 16820 on April 27, 1992 under Executive Order 12291 and the Regulatory Flexibility Act.

List of Subjects

24 CFR Part 207

Manufactured homes, Mortgage insurance, Reporting and recordkeeping requirements, Solar energy.

24 CFR Part 213

Cooperatives, Mortgage insurance, Reporting and recordkeeping requirements.

24 CFR Part 215

Grant programs—housing and community development, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 220

Home improvement, Loan programs—housing and community development, Mortgage insurance, Reporting and recordkeeping requirements, Urban renewal.

24 CFR Part 221

Low and moderate income housing, Mortgage insurance, Reporting and recordkeeping requirements.

24 CFR Part 231

Aged, Mortgage insurance, Reporting and recordkeeping requirements.

24 CFR Part 232

Fire prevention, Health facilities, Loan programs—health, Loan programs—housing and community development, Mortgage insurance, Nursing homes, Reporting and recordkeeping requirements.

24 CFR Part 234

Condominiums, Mortgage insurance, Reporting and recordkeeping requirements.

24 CFR Part 236

Grant programs—housing and community development, Low and moderate income housing, Mortgage insurance, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 242

Hospitals, Mortgage insurance, Reporting and recordkeeping requirements.

24 CFR Part 880

Grant programs—housing and community development, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 881

Grant programs—housing and community development, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 882

Grant programs—housing and community development, Lead poisoning, Manufactured homes, Homeless, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 883

Grant programs—housing and community development, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 884

Grant programs—housing and community development, Rent subsidies, Reporting and recordkeeping requirements, Rural areas.

24 CFR Part 885

Aged, Handicapped, Loan programs—housing and community development, Low and moderate income housing, Reporting and recordkeeping requirements.

24 CFR Part 886

Grant programs—housing and community development, Lead poisoning, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 887

Grant programs—housing and community development, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 889

Aged, Grant programs—housing and community development, Loan programs—housing and community development, Low and moderate income housing, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 890

Civil rights, Grant programs—housing and community development, Handicapped, Loan programs—housing and community development, Low and moderate income housing, Mental health programs, Reporting and recordkeeping requirements.

24 CFR Part 905

Grant programs—Indians, Low and moderate income housing, Homeownership, Public housing.

24 CFR Part 965

Energy conservation, Government procurement, Grant programs—housing and community development, Lead poisoning, Loan programs—housing and community development, Public housing, Reporting and recordkeeping requirements, Utilities.

Accordingly, for the reasons set forth in the preamble, 24 CFR parts 207, 213, 215, 220, 221, 231, 232, 234, 236, 242, 880, 881, 882, 883, 884, 885, 886, 887, 889, 890, 905, and 965 are amended to read as follows:

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

1. The authority citation for 24 CFR part 207 is revised to read as follows:

Authority: 12 U.S.C. 1701z-11(e), 1713, and 1715b; 42 U.S.C. 3535(d).

2. Part 207 is amended by adding § 207.24a under the undesignated center heading *Property Requirements*, to read as follows:

§ 207.24a Smoke detectors.

(a) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(b) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

3. The authority citation for part 213 continues to read as follows:

Authority: 12 U.S.C. 1715b, 1715e; 42 U.S.C. 3535(d).

4. Part 213 is amended by adding § 213.41, to read as follows:

§ 213.41 Smoke detectors.

(a) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(b) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 215—RENT SUPPLEMENT PAYMENTS

5. The authority citation for part 215 is revised to read as follows:

Authority: 12 U.S.C. 1701s; 42 U.S.C. 3535(d).

6. Part 215 is amended by adding § 215.16, to read as follows:

§ 215.16 Smoke detectors.

(a) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(b) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which

case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 220—MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS FOR URBAN RENEWAL AND CONCENTRATED DEVELOPMENT AREAS

7. The authority citation for part 220 is revised to read as follows:

Authority: 12 U.S.C. 1713, 1715b, 1715k; 42 U.S.C. 3535(d).

8. Subpart C of part 220 is amended by adding § 220.506a, to read as follows:

§ 220.506a Smoke detectors.

(a) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(b) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

9. The authority citation for part 221 is revised to read as follows:

Authority: 12 U.S.C. 1707(a), 1715b, and 1715i; 42 U.S.C. 3535(d).

10. Subpart C or part 221 is amended by adding § 221.545a, to read as follows:

§ 221.545a Smoke detectors.

(a) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(b) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a

hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 231—HOUSING MORTGAGE INSURANCE FOR THE ELDERLY

11. The authority citation for part 231 is revised to read as follows:

Authority: 12 U.S.C. 1715b, 1715v; 42 U.S.C. 3535(d).

12. Part 231 is amended by adding § 231.15 to Subpart a to read as follows:

§ 231.15 Smoke detectors.

(a) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(b) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 232—MORTGAGE INSURANCE FOR NURSING HOMES, INTERMEDIATE CARE FACILITIES, AND BOARD AND CARE HOMES

13. The authority citation for part 232 is revised to read as follows:

Authority: 12 U.S.C. 1715b, 1715w, and 1715z (9); 42 U.S.C. 3535(d).

14. Part 232 is amended by adding § 232.591, to read as follows:

§ 232.591 Smoke detectors.

After October 30, 1992, each occupied room must include at least one battery-operated or hard-wired smoke detector in proper working condition. If the room is occupied by hearing-impaired persons, the smoke detector must have an alarm system designed for hearing-impaired persons, unless the smoke alarm is connected to a central alarm system that is monitored on a 24-hour basis, or otherwise meets industry standards.

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

15. The authority citation for part 234 is revised to read as follows:

Authority: 12 U.S.C. 1707(a), 1715b, and 1715y; 42 U.S.C. 3535(d).

16. Part 234 is amended by adding § 234.521, to read as follows:

§ 234.521 Smoke detectors.

(a) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(b) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENT FOR RENTAL PROJECTS

17. The authority citation for part 236 continues to read as follows:

Authority: 12 U.S.C. 1715b, 1715z; 42 U.S.C. 3535(d).

18. Part 236 is amended by adding § 236.85, to read as follows:

§ 236.85 Smoke detectors.

(a) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(b) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 242—MORTGAGE INSURANCE FOR HOSPITALS

19. The authority citation for part 242 continues to read as follows:

Authority: 12 U.S.C. 1715b, 1715n(f), 1715z-7; 42 U.S.C. 3535(d).

20. Part 242 is amended by adding § 242.87a, to read as follows:

§ 242.87a Smoke detectors.

After October 30, 1992, each occupied room must include at least one battery-operated or hard-wired smoke detector in proper working condition. If the room is occupied by hearing-impaired persons, the smoke detector must have an alarm system designed for hearing-impaired persons, unless the smoke alarm is connected to a central alarm system that is monitored on a 24-hour basis, or otherwise meets industry standards.

PART 880—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM FOR NEW CONSTRUCTION

21. The authority citation for part 880 is revised to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437f, and 3535(d).

22. Section 880.207 is amended by adding paragraph (g), to read as follows:

§ 880.207 Property standards.

(g) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 881—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM FOR SUBSTANTIAL REHABILITATION

23. The authority citation for part 881 is revised to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437f, and 3535(d).

24. Section 881.207 is amended by adding paragraph (g), to read as follows:

§ 881.207 Property standards.

(g) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an

alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 882—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—EXISTING HOUSING

25. The authority citation for part 882 is revised to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437f, 3535(d), 11361, and 11401.

26. Section 882.109 is amended by adding paragraph (r), to read as follows:

§ 882.109 Housing quality standards.

(r) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 883—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—STATE HOUSING AGENCIES

27. The authority citation for part 883 is revised to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437f, and 3535(d).

28. Section 883.310 is amended by adding paragraph (c), to read as follows:

§ 883.310 Property standards.

(c) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an

alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 884—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM, NEW CONSTRUCTION SET-ASIDE FOR SECTION 515 RURAL RENTAL HOUSING PROJECTS

29. The authority citation for part 884 is revised to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437f, and 3535(d).

30. Section 884.110 is amended by adding paragraph (d), to read as follows:

§ 884.110 Types of housing and property standards.

(d) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 885—LOANS FOR HOUSING FOR THE ELDERLY OR HANDICAPPED

31. The authority citation for part 885 is revised to read as follows:

Authority: 12 U.S.C. 1701q; 42 U.S.C. 1437f and 3535(d).

32. Subpart B of part 885 is amended by adding § 885.429, to read as follows:

§ 885.429 Smoke detectors.

(a) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system,

designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(b) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

33. Section 885.717 of subpart C, part 885, is amended by adding paragraph (d), to read as follows:

§ 885.717 Project standards.

(d) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 886—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS—SPECIAL ALLOCATIONS

34. The authority citation for part 886 is revised to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437f, and 3535(d).

35. Section 886.113 is amended by redesignating paragraph (m) as paragraph (n), and by adding a new paragraph (m), to read as follows:

§ 886.113 Housing quality standards.

(m) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by

a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

36. Section 886.307 is amended by adding paragraph (p) to read as follows:

§ 886.307 Housing quality standards.

(p) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 887—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—HOUSING VOUCHERS

37. The authority citation for part 887 is revised to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437f, and 3535(d).

38. Section 887.251 is amended by adding paragraph (m), to read as follows:

§ 887.251 Housing quality standards.

(m) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 889—SUPPORTIVE HOUSING FOR THE ELDERLY

39. The authority citation for part 889 is revised to read as follows:

Authority: 12 U.S.C. 1701q; 42 U.S.C. 3535(d).

40. Section 889.265 is amended by adding paragraph (g), to read as follows:

§ 889.265 Other Federal requirements.

(g) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 890—SUPPORTIVE HOUSING FOR PERSONS WITH DISABILITIES

41. The authority citation for part 890 is revised to read as follows:

Authority: 42 U.S.C. 8013; 42 U.S.C. 3535(d).

42. Section 890.260 is amended by adding paragraph (h), to read as follows:

§ 890.260 Other Federal requirements.

(h) *Smoke detectors.* (1) *Performance requirement.* After October 30, 1992, each dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system, designed for hearing-impaired persons, in each bedroom occupied by a hearing-impaired person.

(2) *Acceptability criteria.* The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom, unless the unit is occupied by a hearing-impaired person, in which case each bedroom occupied by a hearing-impaired person must have an alarm system connected to the smoke detector installed in the hallway.

PART 905—INDIAN HOUSING PROGRAMS

43. The authority citation for part 905 is revised to read as follows:

Authority: 25 U.S.C. 405e(b); 42 U.S.C. 1437aa, 1437bb, 1437c, 1437cc, 1437d(c)(4)(D), 1437ee, and 3535(d).

44. Part 905 is amended by adding a new § 905.346, to read as follows:

§ 905.346. Fire safety.

(a) *Applicability.* This section applies to all IHA-owned or -leased housing, including Mutual Help and Turnkey III.

(b) *Smoke detectors.* (1) After October 30, 1992, each unit must be equipped with at least one battery-operated or hard-wired smoke detector, or such greater number as may be required by applicable state, local, or tribal codes, in working condition, on each level of the unit. In units occupied by hearing-impaired residents, smoke detectors must be hard-wired.

(2) After October 30, 1992, the public areas of all housing covered by this section must be equipped with a sufficient number, but not less than one for each area, or battery-operated or hard-wired smoke detectors to serve as adequate warning of fire. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.

(3) The smoke detector for each individual unit must be located, to the extent practicable, in a hallway adjacent to the bedroom or bedrooms. In units occupied by hearing-impaired residents, hard-wired smoke detectors must be connected to an alarm system designed for hearing-impaired persons and installed in the bedroom or bedrooms occupied by the hearing-impaired residents. Individual units that are jointly occupied by both hearing and hearing-impaired residents must be equipped with both audible and visual types of alarm devices.

(4) If needed, battery-operated smoke detectors, except in units occupied by hearing-impaired residents, may be installed as a temporary measure where no detectors are present in a unit. Temporary battery-operated smoke detectors must be replaced with hard-wired electric smoke detectors in the normal course of a IHA's planned CIAP or CGP program to meet the HUD Modernization Standards or applicable state, local, or tribal codes, whichever standard is stricter. Smoke detectors for units occupied by hearing-impaired residents must be installed in accordance with the acceptability criteria in paragraph (b)(3) of this section.

(5) IHAs shall use operating funds to provide battery-operated smoke detectors in units that do not have any smoke detector in place. If operating funds or reserves are insufficient to accomplish this, IHAs may apply for emergency CIAP funding. IHAs may apply for CIAP or CGP funds to replace battery-operated smoke detectors with hard-wired smoke detectors in the normal course of a planned modernization program.

PART 965—PHA-OWNED OR LEASED PROJECTS—MAINTENANCE AND OPERATIONS

45. The authority citation for part 965 is revised to read as follows:

Authority: 42 U.S.C. 1437, 1437a, 1437d, 1437g, 3535(d); and 4821-4846.

46. Part 965 is amended by adding subpart I, to read as follows:

Subpart I—Fire Safety

Sec.

965.800 Applicability.

965.805 Smoke detectors.

§ 965.800 Applicability.

This subpart applies to all PHA-owned or -leased housing, including Mutual Help and Turnkey III.

965.805 Smoke detectors.

(a) *Performance requirement.* (1) After October 30, 1992, each unit covered by this subpart must be equipped with at least one battery-operated or hard-wired smoke detector, or such greater number as may be required by state or local codes, in working condition, on each level of the unit. In units occupied by hearing-impaired residents, smoke detectors must be hard-wired.

(2) After October 30, 1992, the public areas of all housing covered by this subpart must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors to serve as adequate warning of fire. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.

(b) *Acceptability criteria.* (1) The smoke detector for each individual unit must be located, to the extent practicable, in a hallway adjacent to the bedroom or bedrooms. In units occupied by hearing-impaired residents, hard-wired smoke detectors must be connected to an alarm system designed for hearing-impaired persons and installed in the bedroom or bedrooms occupied by the hearing-impaired residents. Individual units that are

jointly occupied by both hearing and hearing-impaired residents must be equipped with both audible and visual types of alarm devices.

(2) If needed, battery-operated smoke detectors, except in units occupied by hearing-impaired residents, may be installed as a temporary measure where no detectors are present in a unit. Temporary battery-operated smoke detectors must be replaced with hard-wired electric smoke detectors in the normal course of a PHA's planned CIAP

or CGP program to meet the required HUD Modernization Standards or state or local codes, whichever standard is stricter. Smoke detectors for units occupied by hearing-impaired residents must be installed in accordance with the acceptability criteria in paragraph (b)(1) of this section.

(c) *Funding.* PHAs shall use operating funds to provide battery-operated smoke detectors in units that do not have any smoke detector in place. If operating funds or reserves are insufficient to

accomplish this, PHAs may apply for emergency CIAP funding. The PHAs may apply for CIAP or CGP funds to replace battery-operated smoke detectors with hard-wired smoke detectors in the normal course of a planned modernization program.

Dated: July 24, 1992.

Jack Kemp,

Secretary.

[FR Doc. 92-17922 Filed 7-24-92; 8:45 am]

BILLING CODE 4210-32-M