Sunshine Act Meetings

Federal Register
Vol. 58, No. 34
Tuesday, February 23, 1993

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

AFRICAN DEVELOPMENT FOUNDATION

Board of Directors Meeting

TIME: 10:00 a.m.–12:00 Noon.

PLACE: Africare.

DATE: Monday, March 8, 1993.

STATUS: Open.

Agenda

10:00–10:15 President's Report
10:15–10:30 Status of ADF Board Member Selection
10:30–10:45 Advisory Council Update
11:00–11:30 Update on ADF Activities (Headquarters and Field)
11:45–12:00 Personnel Issues/New Structure (Executive Session)

If you have any questions or comments, please direct them to Ms. Janis McCollim, Executive Assistant to the President, who can be reached at (202) 673–3916.

Gregory Robeson Smith,
President.
[FR Doc. 93–4269 Filed 2–19–93; 2:42 pm]
BILLING CODE 6116–01–U

COMMODITY FUTURES TRADING COMMISSION

TIME AND DATE: 10:00 a.m., Tuesday, March 2, 1993.

PLACE: 2033 K St., NW., Washington, DC, 8th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Enforcement Matters.

CONTACT PERSON FOR MORE INFORMATION: Jean A. Webb, 254–6314.

Jean A. Webb,
Secretary of the Commission.
[FR Doc. 93–4310 Filed 2–19–93; 2:49 pm]
BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING COMMISSION

TIME AND DATE: 10:00 a.m., Monday, March 1, 1993.

PLACE: 2033 K St., NW., Washington, DC, 8th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Enforcement Matters.

CONTACT PERSON FOR MORE INFORMATION: Jean A. Webb, 254–6314.

Jean A. Webb,
Secretary of the Commission.
[FR Doc. 93–4270 Filed 2–19–93; 2:43 pm]
BILLING CODE 6351–01–M

NATIONAL TRANSPORTATION SAFETY BOARD

TIME AND DATE: 9:30 a.m., Tuesday, March 2, 1993.

PLACE: The Board Room, 5th Floor, 490 L'Enfant Plaza, SW., Washington, D.C. 20594.

STATUS: The first two items are open to the public. The last three items are closed under Exemption 10 of the Government in Sunshine Act.

MATTERS TO BE CONSIDERED:

5806A Aviation Accident Report: Controlled Collision With Terrain Involving GP Express, Inc., Flight 861, Beech C99A, Anniston, Alabama, June 8, 1992.
5977 Recommendations to States: Reducing Youth Involvement in Highway Crashes.
5955 Opinion and Order: Administrator v. Kekoa, Docket SE–11328; disposition of respondent's appeal.
5970 Opinion and Order: Administrator v. Nyren, Docket SE–11150; disposition of Administrator's appeal.
5983 Opinion and Order: Administrator v. Stern, Docket SE–11365; disposition of respondent's appeal.

NEWS MEDIA CONTACT: Telephone (202) 382–0660.

FOR MORE INFORMATION CONTACT: Bea Hardesty, (202) 382–6525.

Dated: February 19, 1993.

Bea Hardesty,
Federal Register Liaison Officer.
[FR Doc. 93–4308 Filed 2–19–93; 2:48 pm]
BILLING CODE 7533–01–M

STATE JUSTICE INSTITUTE

TIME AND DATE:

9:00 a.m. to 5:00 p.m., March 5, 1993
9:00 a.m. to 5:00 p.m., March 6, 1993

PLACE: State Justice Institute, 1650 King Street, Suite 600, Alexandria, Virginia 22314.

STATUS: The meeting will be open to the public.

MATTERS TO BE CONSIDERED: Concept paper and application review, and internal Institute business.

PORTIONS OPEN TO THE PUBLIC: Business meeting (except as noted below) and grant decisions.

PORTIONS CLOSED TO THE PUBLIC: Internal personnel discussions.

CONTACT PERSON FOR MORE INFORMATION: David I. Tevelin, Executive Director, State Justice Institute, 1650 King Street, Suite 600, Alexandria, Virginia 22314, Tel.: (703)–684–6100.

David I. Tevelin,
Executive Director.
[FR Doc. 93–4307 Filed 2–19–93; 2:47 pm]
BILLING CODE 6820–SC–M

NUCLEAR REGULATORY COMMISSION

DATE: Weeks of February 22, March 1, 8, and 15, 1993.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Open and Closed.

MATTERS TO BE CONSIDERED:

Week of February 22

Monday, February 22

9:00 a.m.
Briefing by Advisory Committee on Medical Uses of Isotopes (Public Meeting)
(Contact: John Glenn, 301–504–3415)

Friday, February 26

9:00 a.m.
Periodic Meeting with Advisory Committee on Nuclear Waste (ACNW) (Public Meeting)
(Contact: Richard Major, 301–492–8109)
10:30 a.m.
Affirmation/Discussion and Vote (Public Meeting)
a. Environmental and Resource Conservation Organization's Appeal of LBP–92–23 (Rancho Seco) (Tentative)
(Contact: Margaret Doane, 301–504–2001)
2:00 p.m.
Briefing on Status of Nuclear Safety Issues in Eastern Europe and Former Soviet Union (Public Meeting)
(Contact: Michael Congdon, 301–504–2744)

Week of March 1—Tentative

Wednesday, March 3

10:00 a.m.
Briefing by NARUC on Issues Associated with Nuclear Power Plant Operations and HLW Programs (Public Meeting) (Tentative)
(Contact: Spiros Droggitis, 301–504–2367)
11.30 a.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)
2:00 p.m.
Briefing on Activities of Nuclear Waste Technical Review Board (Public Meeting)

(Contact: Seth Coplan, 301–504–1850)
3:30 p.m.
Discussion of Internal Management Issues (Closed—Ex. 2)

Thursday, March 4

2:00 p.m.
Briefing on License Renewal Issues (Public Meeting)
(Contact: William Travers, 301–504–1117)

Friday, March 5

10:00 a.m.
Briefing by Executive Branch (Closed—Ex. 1)

Week of March 8—Tentative

Monday, March 8

10:00 a.m.
Briefing on NRC Financial Management Matters (Public Meeting)
(Contact: Ron Scroggins, 301–492–4750)
2:30 p.m.
Discussion of NRC Policy Options Concerning Nuclear Safety Issues in Eastern Europe and Former Soviet Union (Public Meeting)
(Contact: Michael Congdon, 301–504–2744)

Tuesday, March 9

10:00 a.m.
Briefing on Activities of the Center for Nuclear Waste Regulatory Analysis (CNWRA) (Public Meeting)
(Contact: Malcolm Knapp, 301–504–3324)
11:00 a.m.
Affirmation/ Discussion and Vote (Public Meeting) (if needed)
2:00 p.m.
Briefing on Proposed Rulemaking for Preparation and Use of Radiopharmaceuticals (Public Meeting)
(Contact: Anthony Tse, 301–492–3797)

Week of March 15—Tentative

Monday, March 15

10:00 a.m.
Discussion/Possible Vote on Full Power Operating License for Comanche Peak (Unit 2) (Public Meeting) (Tentative)
(Contact: Brian Grimes, 301–504–1163)
11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Note: Affirmation sessions are initially scheduled and announced to the public on a time-reserved basis. Supplementary notice is provided in accordance with the Sunshine Act as specific items are identified and added to the meeting agenda. If there is no specific subject listed for affirmation, this means that no item has as yet been identified as requiring any Commission vote on this date.

To Verify the Status of Meeting Call (Recording)—(301)–504–1292.

CONTACT PERSON FOR MORE INFORMATION: William M. Hill (301)–504–1661.

Date: February 19, 1993.

William M. Hill, Jr.,

SECY Tracking Officer, Office of the Secretary.

[FR Doc. 93–4300 Filed 2–19–93; 2;46 pm]

BILLING CODE 7590–01–M

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

TIME AND DATE: 11:00 a.m., Monday, March 1, 1993.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452–3204. You may call (202) 452–3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: February 19, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93–4289 Filed 2–19–93; 2:45 pm]

BILLING CODE 6210–01–M

UNITED STATES INTERNATIONAL TRADE COMMISSION

[USITC SE–93–03A; Emergency Notice]

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 58FR7843—dated February 9, 1993.

CHANGE OF DATE, TIME, AND ADDITION OF AN AGENDA ITEM:

ORIGINAL DATE AND TIME: February 19, 1993 at 2:00 p.m.

NEW DATE AND TIME: March 2, 1993 at 10:00 a.m.

AMENDMENT TO THE AGENDA:

5. Inv. No. 731–TA–643 (Preliminary) (Defrost Timers from Japan)—briefing and vote.

Notice is given that a Commission meeting was scheduled at 2:00 p.m., on February 19, 1993 and in conformity with 19 CFR § 201.37(a), the Commission has voted to change the date and time for the meeting to March 2, 1993 at 10:00 a.m., and to add an item 5 to the agenda. The other agenda items are renumbered accordingly.

Commissioners Nuzum, Crawford, Brunsdale, Rohr, Watson, and Newquist determined by circulation of an action jacket that Commission business requires the change in the date and time, and the addition of Agenda Item 5, and affirmed that no earlier notice of the change was possible, and directed the issuance of this notice at the earliest practicable time.

CONTACT PERSON FOR MORE INFORMATION: Paul R. Bardos, Acting Secretary (202) 205–2000.

Dated: February 18, 1993.

Paul R. Brados,

Acting Secretary.

[FR Doc. 93–4271 Filed 2–19–93; 2:44 pm]

BILLING CODE 7020–02–M

UNITED STATES INTERNATIONAL TRADE COMMISSION

[USITC SE–93–05]

TIME AND DATE: March 4, 1993 at 10:00 a.m.

PLACE: Room 101, 500 E Street SW., Washington, DC 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda for future meetings.
2. Minutes.
3. Ratification List.
4. Invs. Nos. 701–TA–314–317 and 731–TA–552–555 (Final) Certain hot-rolled lead and bismuth carbon steel products from Brazil, France, Germany, and the United Kingdom)—briefing and vote.
5. Outstanding action jacket requests—None.
6. Any items left over from previous agenda.

CONTACT PERSON FOR MORE INFORMATION: Paul R. Bardos, Acting Secretary, (202)–205–2000.

Issued: February 18, 1993.

Paul R. Bardos,

Acting Secretary.

[FR Doc. 93–4272 Filed 2–19–93; 2:44 pm]

BILLING CODE 7020–02–M

Corrections

Federal Register
Vol. 58, No. 34
Tuesday, February 23, 1993

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

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 92-097-1]

Witchweed Quarantine and Regulations

Correction

In rule document 93-65 beginning on page 215 in the issue of Tuesday, January 5, 1993, make the following corrections:

§ 301.80-2a [Corrected]

On page 217, in the second column, in § 301.80-2a, in the fifth paragraph, in the second line, "of Secondary" should read "of State Secondary".

BILLING CODE 1505-01-D

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 92-193-1]

Availability of Environmental Assessments and Findings of No Significant Impact Relative to Issuance of Permits to Field Test Genetically Engineered Organisms

Correction

In notice document 93-928 beginning on page 4405 in the issue of Thursday, January 14, 1993, make the following correction:

On page 4406, in the table, in the first column, in the second entry, in the second line, "92-274-05," should read "90-274-05,".

BILLING CODE 1505-01-D

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1018 and 1312

[Ex Parte No. 508]

Fee Billing and Debt Collection

Correction

In rule document 93-3074 beginning on page 7748 in the issue of Tuesday, February 9, 1993, make the following corrections:

§ 1018.20 [Corrected]

1. On page 7751, in the first column, in § 1018.20(a)(5), in the second line, "and" should read "the".

§ 1018.50 [Corrected]

2. On page 7754, in the first column, in § 1018.50, in the sixth line, "affect" should read "effect".

§ 1312.4 [Corrected]

3. On page 7756, in the second column, in § 1312.4(b)(2)(ii)(D), in the second line, the sentence beginning with "If" should be a separate paragraph.

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8472]

RIN 1545-AL35

Certain Corporate Distributions to Foreign Corporations Under Section 367(e)

Correction

In rule document 93-1398 beginning on page 5927 in the issue of Monday, January 25, 1993, make the following correction:

§ 1.367(e)-1 [Corrected]

On page 5931, in § 1.367(e)-1(c)(3)(ii)(B), in the 3d column, in the 22d line "value of which" should read "value) of which".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8464]

RIN 1545-AQ44

Change in Functional Currency

Correction

In rule document 92-31467 beginning on page 231 in the issue of Tuesday, January 5, 1993, make the following corrections:

PART 1 [CORRECTED]

1. On page 232, in Part 1, in Paragraph 1, in the third line, " "Sections 1.985-OT" should read " "Sections 1.985-0T".

§ 1.985-5 [Corrected]

2. On page 234, in § 1.985-5(f), in *Example 1*, in the table, in the second column, in the eighth entry, "1,00,000" should read "1,000,000".

BILLING CODE 1505-01-D

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 4

RIN 2900-AE41

Schedule for Rating Disabilities; Endocrine System Disabilities

Correction

In proposed rule document 92-1543 beginning on page 5691 in the issue of Friday, January 22, 1993 make the following correction:

On page 5691, in the third column, in the Dates section the last sentence is corrected to read as follows:

This change is proposed to be effective 30 days after the date of publication of the final rule.

BILLING CODE 1505-01-D

federal register

Tuesday
February 23, 1993

Part II

Department of Housing and Urban Development

Office of the Assistant Secretary for Public and Indian Housing

Funding Availability (NOFA) for Fiscal Year 1993 for Indian Applicants Under the HOME Program; Notices

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Public and Indian Housing

[Docket No. N-93-3565; FR-3400-N-01]

Funding Availability (NOFA) for Fiscal Year 1993 for Indian Applicants Under the HOME Program

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

ACTION: Notice of funding availability (NOFA) for fiscal Year 1993 for Indian applicants for HOME Investment Partnerships Act (the HOME Act) programs, referred to as the HOME program (Pub. L. 101–625).

SUMMARY: This NOFA announces the availability of $10 million in funding for Fiscal Year (FY) 1993 for the HOME Program for Indian tribes, provides the selection criteria and information on how to apply and how selections shall be made. All eligible applicants are invited to submit applications for HOME funds in accordance with the requirements of this NOFA.

DATES: Applications must be physically received by the Indian Field Office (FO) having jurisdiction over the applicant on or before 3:15 p.m. (FO local time) on July 15, 1993. This application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, the Department shall treat as ineligible for consideration any application that is received after the deadline. Applicants should take this practice into account and make early submission of their materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery-related problems. Facsimile ("FAX") copies shall not be accepted.

FOR FURTHER INFORMATION CONTACT: Prospective applicants may contact the appropriate Indian FO. Refer to Appendix 1 of this NOFA for a complete list of Indian FOs and telephone numbers.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act Statement

In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3520), the information collection requirements contained in these application procedures for HOME funds were reviewed by the Office of Management and Budget for the HOME interim rule and approved under OMB control number 2501–0013.

I. Purpose and Substantive Description.
(a) Authority.
(b) Allocation Amounts.
(c) Eligibility.
(d) Threshold Requirements.
(e) Selection Criteria and Ranking Factors.
II. Application Process.
(a) Application Packages.
(b) Submittal of Complete Application.
(c) Application Due Date.
III. Checklist of Application Submission Requirements.
IV. Other Matters.
(a) Environment.
(b) Energy.
(c) Federalism Impact.
(d) Family Impact.
(e) Section 102 of the HUD Reform Act.
(f) Section 103 of the HUD Reform Act.
(g) Section 112 of the HUD Reform Act.
(h) Monitoring.

List of Appendices

Appendix 1. List of Indian Field Offices.
Appendix 2. Summary of 1992 Act Amendments.

I. Purpose and Substantive Description

(a) Authority

The HOME Investment Partnerships Act (title II of the Cranston-Gonzalez National Affordable Housing Act) was signed into law on November 28, 1990 (Pub. L. 101–625). The HOME Act creates the HOME Investment Partnerships (or HOME) Program that provides funds to Indian tribes to expand the supply of affordable housing for very low-income and low-income persons. Interim regulations for the HOME Investment Partnerships Program were published in the **Federal Register** on December 16, 1991 (56 FR 65312) and are codified at 24 CFR part 92. The requirements of 24 CFR part 92, subpart M (§§ 92.600–92.652) apply specifically to the Indian HOME program. Amendments to the interim rule were published on December 22, 1992 (57 FR 60960). Reference in this NOFA to sections and subparts of the rule refer to the interim rule.

The HOME Act was amended October 28, 1992 by the Housing and Community Development Act of 1992 (HCDA 1992) (Pub. L. 102–550). Some provisions of HCDA 1992 directly affect the operation of the HOME program and were effective upon enactment. They apply to grants made available pursuant to this NOFA. A summary of the effective provisions is provided in Appendix 2.

(b) Allocation Amounts

(1) In accordance with section 217(a)(2) of the HOME Act, each Fiscal Year (FY) HUD shall provide funds to Indian tribes, totaling one percent (or such other percentage or amount as authorized by Congress) of the amount appropriated for the HOME program to expand the supply of affordable housing. Following the procedures in the rule, the funds shall be awarded competitively by HUD FOs that have responsibility for the HOME Indian program, unless HUD determines for administrative convenience based on the amount of HOME funds available to hold a nationwide competition. For the fiscal year ending September 30, 1993, the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act of 1993, (approved October 6, 1992, Pub. L. 102–389), appropriated a total of $1.0 billion for the HOME program. Thus, the amount of funding available for the HOME Indian program for the fiscal year ending September 30, 1993 is $10 million.

(2) For FY 1993, HUD has determined for administrative convenience based on the amount of HOME funds available to hold a nationwide competition.

(3) Project Grant Amount. There is no maximum grant amount per project.

(4) Section 92.604 of the HOME rule established the selection criteria. Projects will be selected on the basis of those criteria as stated in this NOFA. Projects may be funded at a level less than applied for. Projects with the highest score after environmental review shall be funded in rank order until the funding allocation is exhausted.

(5) For the purposes of this NOFA, all environmental reviews will be performed in accordance with 24 CFR part 50, by HUD Indian field offices, after application rating and ranking, but before selection for award, and the process will permit changes in ranking or disqualification on the basis of the environmental review. Sufficient applications will be rated and ranked to substitute for applications changed in rank or disqualified on the basis of the environmental review.

(6) If the Department does not award the entire $10 million in this funding round because there is not a sufficient number of eligible applications, the amount not awarded shall be awarded at another time.

(c) Eligibility

(1) Eligible Applicants. For the purposes of the HOME program, eligible applicants are defined as any Indian Tribe, band, group, or Nation, including Alaskan Indians, Aleuts, and Eskimos, and any Alaskan Native Village of the United States that is considered an eligible recipient under Title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450) or was considered an eligible recipient under the State and Local Fiscal Assistance Act of 1972 (31 U.S.C.

1221) before repeal of that Act. Eligible recipients under the Indian Self-Determination and Education Assistance Act are determined by the Bureau of Indian Affairs.

(2) Projects and Activities. (i) Applications for one or more projects shall be considered under this NOFA. 24 CFR sec. 92.2: "*Project* means a site or entire building (including a manufactured housing unit), or two or more buildings together with the site or sites on which the building or buildings is located, that are under common ownership, management, and financing and are to be assisted with HOME funds, under a commitment by the owner, as a single undertaking under this part. Project includes all of the activities associated with the site and building. If there is more than one site associated with a project, the sites must be within a four block area." However, "block" has no meaning for the Indian HOME program and should not be used in determining the extent of the project. As part of the application, the tribe must identify the scale and location of a project and show the project is within the operating area of the tribe. A project may be as small as one site or as large as the operating area of the tribe. 24 CFR 92.604: "There are four categories of projects that may be funded under the HOME Indian program: Housing rehabilitation (moderate and substantial), acquisition of housing, new housing construction, and tenant-based rental assistance." (1) A rehabilitation project consists of only rehabilitation, or includes acquisition of units with rehabilitation, (2) an acquisition project consists of the acquisition of standard units not requiring rehabilitation, (3) a new construction project consists of new construction of housing and may include acquisition and demolition, and (4) a tenant-based rental assistance project consists of tenant-based rental assistance, not tied to specific housing units. Project types (1), (2), and (3) may also include site improvements and relocation. An application may contain any number of projects. Each project must be presented separately and shall be rated and ranked separately. The project may be for rental or homeownership. If one project is needed for the success of a second, the second shall not be funded without the first.

(ii) Eligible activities are described at 24 CFR 92.611 as follows:

"(1) HOME funds may be used by an Indian tribe to provide incentives to develop and support affordable rental housing and homeownership affordability through the acquisition (including assistance to first-time homebuyers), new construction, reconstruction, or moderate or substantial rehabilitation of nonluxury housing with suitable amenities, including real property acquisition, site improvement, conversion, demolition, and other expenses, including financing costs, relocation expenses of any displaced persons, families, businesses, or organizations; to provide tenant-based rental assistance; and to pay administrative costs. The specific eligible costs for these activities are set forth in § 92.612.

"(2) Acquisition of vacant land or demolition must be undertaken only with respect to a particular housing project intended to provide affordable housing, and for which funds for construction have been committed.

"(3) Housing that has received an initial certificate of occupancy or equivalent document within a one-year period before an Indian tribe commits HOME funds to the project is new construction for purposes of this part.

"(4) Conversion of an existing structure to affordable housing is rehabilitation, unless the conversion entails adding a unit beyond the existing walls, in which case, the project is new construction for purposes of this part."

(d) Threshold Requirements

The applicant must ensure that its application meets each of the threshold requirements. The threshold requirements, to be included in the application package, are:

(1) A description of the proposed project. An application must provide a brief narrative summary description of the proposed project that tells HUD what the applicant wants to do with program funds. The applicant must include this brief narrative summary description. While there are no points for this project description requirement, it is a necessary threshold requirement. For an application to be considered for ranking, rating and funding, it must include a brief description of the project or projects proposed for funding.

(2) A description which addresses how the project meets each of the selection criteria. In addition to providing a brief summary project description, an application must tell HUD how each project meets the selection criteria. This NOFA presents the selection criteria in section I.(e), below. The selection criteria are taken from the regulation for the HOME program that was published as an interim rule in the **Federal Register** on December 16, 1991 (pp. 65,312–65,385). For each project, the applicant must tell HUD how its project meets each of the criteria listed in this NOFA. While there are no points for this requirement, it is also a threshold requirement.

(3) Information which demonstrates how the project will contribute to a comprehensive approach for expanding the supply of affordable housing for members of the Indian tribe. (Indian tribes are not required to submit a Comprehensive Housing Affordability Strategy (CHAS), a Tribal Housing Plan, or a housing strategy to receive HOME funds.)

HUD suggests that each applicant score its own project, even though there is no requirement to do so. This will help to show how a project might be scored by the reviewers. It will also help to show if the application meets the thresholds and the minimum point score requirement (50 points), and where the strengths and weaknesses in a project are located. Then, the applicant can strengthen the weaker parts of a project and use the stronger parts as a model for other projects. Copies of the scoring sheets that will be used by HUD to evaluate a project are available from the FO.

For an application to be considered for rating, ranking, and funding, all threshold requirements must be addressed. After rating, the project must receive at least 50 points to be considered for funding.

(e) Selection Criteria and Ranking Factors

Each project submitted for grant funding shall be evaluated using the three criteria provided in 24 CFR 92.604, as more fully explained is sections I.(e) (1), (2), and (3) of this NOFA, below. See Figure 1. The complete rating and ranking process is described in detail at section I.(e)(4). Remember, the HOME program is for low-income and very low-income persons. Applicants should provide—in the application—the median income amount for the location of the project. If this information is not available, the applicant should obtain it from the FO.

FIGURE 1.—INDIAN HOME PROGRAM SCORING

Selection criteria	Maximum points
Need and design	40
Planning and implementation	40
Leveraging	20

(1) Need and Design—40 points maximum.

The first of the three criteria provided in 24 CFR 92.604 is: The degree to which the proposed project addresses the housing needs of the tribe as

identified in the application and through other information available to HUD in the application, and the degree to which the proposed project is feasible while maximizing benefits to very low and low-income families.

This first criterion is divided into two parts that will be examined and evaluated separately:

(i) Need—20 points maximum. The degree to which the proposed project addresses the housing need(s) of the Indian tribe as identified in the documentation for the project and through other information available to HUD. Tribal need must be documented. This documentation should include current IHA waiting lists, data on the degree of overcrowding, percentage of population in need of housing based upon census data, etc.

(ii) Project feasibility—20 points maximum. Project feasibility as measured here is the degree to which the number and size of the proposed housing units matches the need for low income housing identified in the previous evaluation factor. Examples: There a match between the *size* of the proposed units and the *size* of units needed by the low income families to be housed. There is a match between the *number* of proposed units and the *number* of families to be housed

Documentation for a project must demonstrate that:

—The proposed project is feasible for its community in terms of the degree to which it maximizes benefits to very low and low-income members of the tribe.

—The proposed project shall provide a sufficient number of units of the appropriate size for the need that was identified.

—The units are suitable for occupancy (or shall be made suitable), and

—The units are in compliance with building code requirements (or shall be brought into compliance). Modular and manufactured homes are eligible forms of housing.

(2) Planning and Implementation—40 points maximum.

The second of the three criteria provided in 24 CFR 92.604 is: The degree to which the financial, legal, and administrative actions necessary to undertake the proposed project have been considered and addressed in the documentation for the project, and the degree to which the applicant has the administrative staff to successfully carry out the project.

This section must be concrete and specific about the financial, administrative, and legal actions necessary to carry out the project, and it must address administrative capability—existing or planned. The applicant must demonstrate that the proposed project is feasible and meets the regulatory affordability requirements. This evaluation must include complete cost and revenue estimates for the project.

(i) Financial—15 points maximum.

(ii) Legal and Administrative Actions—10 points maximum.

(iii) Administrative Staffing—15 points maximum.

(3) Leveraging—20 points maximum.

The third of the three criteria provided in 24 CFR 92.604 is: Leveraging of HOME funds. This means HOME funds attracting or bringing in other dollars. Leveraging is the degree to which other sources of assistance, including, but not limited to: Loans, advances, equity investments, interest subsidies, State funds, private contributions, and in-kind contributions are used in conjunction with HOME funds to carry out the proposed project.

Funds from all sources shall be documented by a written commitment and may be contingent on approval of the HOME award. Resources shall be counted only if they are currently available or shall be available within 3 months of grant notification. The degree to which other sources of assistance are used shall be evaluated, and points shall be awarded based upon the additional number of dollars for assisted housing made available by the other sources of assistance divided by the number of dollars for assisted housing in the grant under this program.

(i) Points shall be awarded as presented in Table 1. For example, when fifteen (or more) dollars are made available by other sources of assistance for each one hundred dollars made available by HOME funds, the maximum number of points (20) are awarded. When five dollars are made available by other sources of assistance for each one hundred dollars made available by HOME funds, ten points are earned.

TABLE 1.—SCORING GUIDE LEVERAGING

Ratio	Points	Score
1. 15% or more	20	
2. 10% but less than 15%	15	
3. 5% but less than 10%	10	
4. Greater than 0% but less than 5%	5	
5. None	0	

(ii) Ratio as a percentage is computed by dividing the number of dollars made available by other sources of assistance by the number of dollars made available by HOME funds, and multiplying by 100.

(iii) Applicants must provide documentation of the amount and sources of additional funds, including mortgage insurance, tribal funds, private contributions, tribal in-kind contributions directly related to the activity (labor, material, and equipment, as well as for soft costs, e.g., architectural and engineering costs, administrative costs), etc., which are to be used in conjunction with HOME funds to carry out the proposed project.

(iv) In-kind contributions must be documented. Land already owned by the tribe shall not be counted. In the case of land donated by individuals or entities, it shall be counted if the donation was contingent upon the receipt of the award. All funds, services, and land to be contributed must be documented. Land value shall be counted as a contribution only to the extent of its appraised value. All appraisals shall be in conformance with established and generally recognized appraisal practice and procedures in common use by professional appraisers. Donated services shall be accepted, provided: (1) The costs are demonstrated and determined necessary and directly attributable to the actual development of the project; and (2) comparable costs and time estimates are submitted that justify the costs attributable to the donated services or labor. Donated labor shall be valued at a level necessary for the work provided and shall be assessed at the skill level of the individual(s) providing the labor.

(v) The amounts recognized as leverage can include any other Federal grant or assistance program. Loans secured through mortgage loan insurance programs (e.g., section 248 mortgage loan insurance) can be recognized as leverage.

(4) Application Review.

(i) Eligibility, Technical Deficiencies, and Threshold. Upon receipt of the application, the FO shall note the date and time and provide written acknowledgement to the applicant indicating the date and time the application was received. If the applicant proposes to involve the IHA, the IHA must not have been disqualified for funding of new projects, as determined in accordance with 24 CFR 905.135. Each application will be screened at the FO for eligibility and technical deficiencies. For the project to be considered further, the applicant must be eligible and the application must have no technical deficiencies. If the applicant fails to submit certain technical items, or the application contains a technical mistake, such as an incorrect signatory or the involvement of a disqualified IHA, the FO shall

notify the applicant in writing that the applicant has additional time to submit the missing item or correct the technical mistake. The FO must receive the correction within 14 calendar days from the date of issuance of the HUD notification letter. If the FO does not receive the missing or corrected item within the required time period, the application shall be ineligible for further processing. Completeness will be determined by the FO as to whether the application includes all the items, properly prepared and executed, identified in the Checklist of Application Submission Requirements. Following screening for and correction of technical deficiencies, the application will be reviewed by the FO to determine whether the application includes all the items identified as threshold requirements under the Threshold Requirements heading. No rating or point scoring shall be done. Therefore, FO review does not include determining whether the application meets the minimum point score requirement. After these FO reviews, each application which has no technical deficiencies and passes threshold will be sent with the FO checklist by the FO to the national panel for rating and ranking.

(ii) Rating and Ranking. There will be a single national rating and ranking of projects.

The reviewer should use as a guide Figure 2.—Rating Form for Indian HOME Grant Applications, below, to roll-up the scores for each of the selection criteria.

Figure 2.—Rating Form for Indian HOME Grant Applications

Applicant _____

Reviewer _____

Date _____

Threshold factor	Yes	No
1. Submission of Project Narrative Description.		
2. Submission of How Project Meets Selection Criteria.		
3. Submission of how project contributes to a comprehensive approach for expanding the supply of affordable housing for members of the Indian tribe.		
Pass all thresholds.		

Point scores for each factor	Maximum points	Project score
1. Need and design	Total 40	
a. Housing need	Subtotal (20)	
b. Project feasibility	Subtotal (20)	
2. Planning and implementation.	Total 40	
a. Financial	Subtotal (15)	
b. Legal and administrative actions.	Subtotal (10)	
c. Administrative staffing.	Subtotal (15)	
3. Leveraging	Total 20	
Project total score	Max. 100	

(A) Merged Ranking. After the projects from all applicants have been rated, their scores will be assembled in a single, merged list of scores for all rated projects.

(B) Computation. Scores for ranking shall be carried out to two decimal places (e.g., 12.34).

(C) Selection. The ranking process shall produce an ordered list of projects that may receive funding. The order is established by the number of points the project received in the rating process. The threshold for further consideration shall be 50 out of 100 points. Project applications scoring lower than 50 points shall be set aside as non-responsive and ineligible. After rating and ranking, HUD Indian field offices will perform an environmental review of applications, and applications may be re-ranked or disqualified on the basis of the environmental review. Of the qualifying applications, the project with the highest ranking after environmental review shall be funded first, the next highest shall be funded second, and so on, continuing through all the projects that have met the threshold requirement or until the funds are exhausted.

(D) Tie Breaker. When rating results in a tie among projects, projects shall be approved in the following order:

(1) Those that can be fully funded over those that cannot be fully funded.

(2) Projects that benefit the most very low and low-income persons.

(3) Projects that benefit the highest percentage of the total population of the tribe.

II. Application Process

(a) *Application Packages.* An application kit, including Application Form 424 may be obtained from any Indian FO listed in Appendix 1.

(b) *Submittal of Complete Application.* Completed applications must be submitted to the Indian FO having jurisdiction for the applicant at the address/location listed at Appendix 1. The application shall be submitted on Form 424 and shall be accompanied by all the legal and administrative attachments required by the form.

(c) *Application Due Date.* An applicant may submit an applicant for a project at any time after the Publication Date of this NOFA, to the Indian FO having jurisdiction over the applicant on or before 3:15 P.M. FO local time, July 15, 1993. This application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, the Department shall treat as ineligible for consideration any application that is received after the deadline. Applicants should take this practice into account and make early submission of their materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery-related problems. Facsimile ("FAX") copies shall not be accepted.

III. Checklist of Application Submission Requirements

Each application must contain the following:

(a) _____Component that addresses the Comprehensive Approach For Expanding The Supply Of Affordable Housing threshold. Indian tribes are not required to submit a Comprehensive Housing Affordability Strategy (CHAS), a Tribal Housing Plan, or a housing strategy to receive HOME funds. However, the application must demonstrate how the proposed project will contribute to a comprehensive approach for expanding the supply of affordable housing for members of the Indian tribe.

(b) _____Component that addresses the summary description of the proposed project threshold.

(c) _____Components that address the selection criteria thresholds. The applicant must provide a narrative and supporting documentation that are responsive to the selection criteria of sections I.(e)(1), (2), and (3) of this NOFA. This includes, but is not limited to, a description of how the HOME funds shall be used, and the various kinds of information that are necessary in order to apply the selection criteria and rating factors.

(d) _____Standard Form 424, Application for Federal Assistance. Complete side one only.

(e) _____HUD Form 4122, Community Development Block Grants for Indian Tribes and Alaskan Native Villages. Project Summary.

(f) _____HUD Form 4123, Community Development Block Grants for Indian Tribes and Alaskan Native Villages. Cost Summary.

(g) _____HUD Form 4125, Community Development Block Grants for Indian Tribes and Alaskan Native Villages. Implementation Schedule.

(h) _____Project location map.

(i) _____HUD Form 2880, Applicant/Recipient Disclosure/Update Report.

(j) The following certifications:

(1) _____A certification that the applicant shall comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies

Act of 1970, as amended, implementing regulations at 49 CFR part 24 and the requirements of section 92.634.

(2) _____A certification that the applicant shall use HOME funds in compliance with all the requirements of 24 CFR part 92, the HOME investment partnerships program interim rule.

(3) _____Drug-free workplace. The certification with regard to the drug-free workplace required by 24 CFR part 24, subpart F and appendix C.

(4) _____Debarment. The certification that neither the applicant nor its principals are presently excluded from participation in any HUD programs, as required by 24 CFR part 24, appendix A.

IV. Other Matters

(a) *Environment.* A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding of No Significant Impact is available for public inspection during business hours in the Office of the Rules Docket Clerk, Office of General Counsel, room 10276, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410.

(b) *Energy.* Utility expenses place a heavy burden on Indian housing and often cause abandonment. Applicants are encouraged to address this problem in applications for funding. 24 CFR 92.621: "Newly constructed housing must meet the current edition of the Model Energy Code published by the Council of American Building Officials. Substantially rehabilitated housing must meet the cost-effective energy conservation and effectiveness standards in 24 CFR part 39." See also 24 CFR 905.250(b) and 24 CFR 85.36(b)(7).

(c) *Federalism Impact.* The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that the policies contained in this NOFA shall not have substantial direct effects on states or their political subdivisions, or the relationship between the federal government and the states, or on the distribution of power and responsibilities among the various levels of government. As a result, the rule is not subject to review under the order. The NOFA is limited to providing funds to Indian tribes in accordance with a program to expand the supply of affordable housing.

(d) *Family Impact.* The General Counsel, as the Designated Official for Executive Order 12606, the Family, has determined that the provisions of this NOFA have the potential for indirect, although positive, impact on family formation, maintenance and general well-being within the meaning of the Order. The NOFA provides funds to Indian tribes in accordance with a program to expand the supply of affordable housing. To the extent that housing for families is increased, the impact on the family is indirect and beneficial. Accordingly, no further review is considered necessary.

(e) *Section 102 of the HUD Reform Act.* Documentation and Public Access Requirements; Applicant/Recipient disclosures:

Documentation and public access requirements. HUD shall ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, shall be made available for public inspection for a five-year period beginning not less than 30 days after the award of the assistance. Material shall be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD shall include the recipients of assistance pursuant to this NOFA in its quarterly **Federal Register** notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.16(b), and the notice published in the **Federal Register** on January 16, 1992 (57 FR 1942), for further information on these documentation and public access requirements.)

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

(f) *Section 103 of the HUD Reform Act.* HUD's regulation implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a) was published on May 13, 1991 (56 FR 22088) and became effective on June 12, 1991. That regulation, codified as 24 CFR part 4, applies to the funding competition announced today. The requirements of the rule continue to apply until the announcement of the selection of successful applicants.

HUD employees involved in the review of applications and in the making of funding decisions are restrained by part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants who have questions should contact the HUD Office of Ethics (202) 708–3815. (This is not a toll-free number.) The Office of Ethics shall provide information of a general nature to HUD employees, as well.

(g) *Section 112 of the HUD Reform Act.* Section 13 of the Department of Housing and Urban Development Act (42 U.S.C. 3537b) contains two provisions dealing with efforts to influence HUD's decisions with respect to financial assistance. The first imposes disclosure requirements on those who are typically involved in these efforts—those who pay others to influence the award of assistance or the taking of a management action by the Department and those who are paid to provide the influence. The second restricts the payment of fees to those who are paid to influence the award of HUD assistance, if the fees are tied to the number of housing units received or are based on the amount of assistance received, or if they are contingent upon the receipt of assistance.

Section 13 was implemented by final rule published in the **Federal Register** on May 17, 1991 (56 FR 22912). If readers are involved in any efforts to influence the Department in these ways, they are urged to read the final rule, particularly the examples contained in Appendix A of the rule. Forms necessary for compliance with the rule may be obtained from the local HUD office.

(h) *Monitoring.* (1) HUD Monitoring. HUD Monitoring will be in accordance with the provisions at 24 CFR 92.650, Performance Reviews.

(2) Grantee Reports. Grantees must submit performance reports in accordance with 24 CFR 92.649.

(3) Certifications. HUD monitoring will continue until the grant funds are expended and the project is complete. After that, HUD will rely upon an

annual statement from the grantee—throughout the required period—which affirms that the project continues to meet affordability requirements.

Authority: 42 U.S.C. 3535(d) and 12701–12839.

Dated: February 8, 1993.

Michael B. Janis,

General Deputy Assistant Secretary for Public and Indian Housing.

Appendix 1.—List of Indian Field Offices

Region V—Chicago

Office of Indian Programs, HUD, 77 West Jackson Boulevard, Chicago, Illinois 60606–3507, 312–353–1282 or 1–800–735–3239, TDD Numbers: 1–800–927–9275, 312–886–3741

Region VI—Oklahoma

Indian Programs Division, HUD, Murrah Federal Building, 200 N.W. 5th Street, Oklahoma City, Oklahoma 73102–3202, 405–231–4101, TDD Numbers: 405–231–4181, 405–231–4891

Region VIII—Denver

Office of Indian Programs, HUD, Executive Tower Building, 1405 Curtis Street, Denver, Colorado 80202–2349, 303–844–2963, TDD Number: 303–844–6158

Region IX—Phoenix

Office of Indian Programs, HUD, Two Arizona Center, 400 North Fifth Street, Suite 1650, Phoenix, Arizona 85004–2360, 603–379–4156, TDD Number: 602–379–4461

San Francisco, Office of Indian Programs, HUD, 450 Golden Gate Avenue, 8th Floor, Box 36003, San Francisco, CA 94102–3448, 415–556–9200 TDD Number: 415–556–8357

Albuquerque, Office of Indian Programs, HUD, P.O. Box 1128, 421 Gold Street, Room 304, Albuquerque, NM 87103, 505–766–1372, TDD Number: None

Region X—Seattle

Office of Indian Programs, HUD, Seattle Federal Office Building, 909 First Avenue, Suite 200, Seattle, WA 98104–1000, 206–220–5270, TDD Number: None

Region X—Anchorage

Indian Housing Division, HUD, 701 C Street, Box 64, Anchorage, Alaska 99513–7537, 907–271–4170, TDD Number: 907–271–4328

Appendix 2.—Summary of 1992 Act Amendments

The Housing and Community Development Act of 1992 amended several provisions of the HOME statute. The following sections of the 1992 Act that directly affect the operation of the HOME program were effective upon enactment (October 28, 1992) and are applicable to grants awarded under this NOFA. Conforming changes will be made to the regulations.

Section 204.—Policies and Preferences Rules

The law eliminates the requirement that tenants assisted with HOME tenant based assistance be on the Section 8 waiting list; tenant-based rental assistance may be provided to low- and very low-income families in accordance with written policies and criteria that are "reasonably related to" preference rules established under section 6(c)(4)(A) of the Housing Act of 1937.

[**Note:** the effect is to require 70% of the families assisted with rental assistance to meet a federal preference.]

Section 205.—Use of Home Funds for Homeless Assistance

Permanent housing for disabled homeless persons, transitional housing and single-room occupancy housing are included in the definition of "affordable housing."

[**Note:** the effect is to add transitional housing as an eligible activity; all permanent housing and SROs are currently eligible under the HOME regulation.]

Section 208.—Affordable Housing

Rental housing shall qualify as affordable if the rents are not greater than (i) the Fair Market Rent for comparable units or (ii) a rent that does not exceed 30 percent of the adjusted income of a family at 65 percent of median income for the area, *adjusted for the number of bedrooms in the unit.*

[**Note:** This adjustment replaces the adjustment for smaller and larger families, but should have no effect on the program because the Department has provided rents based on bedroom size.]

Tenants who occupy HOME-assisted housing, who no longer qualify as low-income because of increases in their income shall pay as rent the lesser of 30 percent of the family's adjusted monthly income, as recertified annually, or "the amount payable by the tenant under State or local law."

[**Note:** Only underlined section is new.] For rental housing with Low Income Housing Tax Credits and for units under local rent controls, when a tenant's income increases, that tenant's rent will not have to be adjusted to 30 percent of the family's income.

Rental housing must remain affordable, as outlined in 24 CFR 92.614, except "upon foreclosure by a lender, (or upon other transfer in lieu of foreclosure), if such action recognizes the legal rights of public agencies, nonprofits, or others to take actions that would not avoid termination of low-income affordability in the case of foreclosure or transfer in lieu of foreclosure, and is not for the purpose of avoiding low-income affordability restrictions."

Section 209.—Homeownership Resale Restrictions

An Indian tribe grantee may meet the resale restrictions created in the original law, "or recapture its HOME investment, provided it uses the recaptured funds to assist other persons in accordance with the requirements of this subsection [in other words, to assist first-time homebuyers], except where there are not net proceeds or where the net proceeds are insufficient to repay the full amount of the assistance."

[**Note:** For Indian tribes who choose this option, the subsidy technique used must permit the recapture of the HOME subsidy amount, in whole or in part, during the period of affordability, although the subsidy amount could be forgiven at the end of the period.]

Section 219.—Eligibility of Manufactured Home Owners as First-Time Homebuyers

The definition of "first-time homebuyer" is amended such that "an individual shall not be excluded from consideration as a first-time homebuyer under this paragraph on the basis that the individual owns or owned, as a principal residence during such 3-year period, a dwelling unit whose structure is—

(i) Not permanently affixed to a permanent foundation in accordance with local or other applicable regulations, or

(ii) Not in compliance with State, local, or model building codes, or other applicable codes, and cannot be brought into compliance with such codes for less than the cost of constructing a permanent structure."

This second provision has wider application beyond owners of manufactured housing and applies to individuals living in units not meeting applicable standards which can not be rehabilitated cost-effectively as described in (ii) in the document judgment of the Indian tribe.

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