- 1. Cover letter:
- 2. Form HUD 52470, Application for Public Housing Development;
- 3. Evidence of legal eligibility (if not previously evidenced) with a current General Certificate (HUD 9009);
- 4. Evidence that the number of units in management, in development, and being requested in this application are covered by Cooperation Agreements (HUD 52481) and any other State/local requirements have been met;

5. HUD 52471, PHA Resolution in Support of Public Housing;

- 6. HUD 52472, Local Governing Body Resolution, if front-end funds are being requested by the PHA. (Note: If frontend funds are requested, the HUD 52471 must be appropriately modified. See Section III.A.6. of this NOFA.);
- 7. PHA statement identifying its funding preferences for particular sites if an application covering more than one site is being submitted for category 4 (see Section II.B of NOFA). (Note, however, that no more than one application per locality may be filed under category 4.);
- 8. PHA statement whether it will accept fewer "other" units than applied for (category 4);
- 9. HUD 50070, PHA Certification for a Drug-Free Workplace;
- 10. HUD-50071, Certification for Contracts, Grants, Loans and Cooperative Agreements;
- 11. Form SF–LLL, Byrd Amendment Disclosure and Certification Regarding Lobbying, only if the applicant determines it is applicable;
- 12. Form HUD 2880, Disclosure of Government Assistance and Identity of Interested Parties;
- 13. Section 5(j) certification appropriate to the category of application;
- 14. Certification of consistency with Environmental Justice Executive Order 12898;
- 15. Evidence of inadequate housing supply (i.e., a "tight" rental housing market), for category 4 ("Other") units;
- 16. Evidence (such as waiting list information or PHA vacancy rate data) of need and market for the units requested for category 4 applications;
- 17. Section 6(h) cost comparison justification, if new construction is requested;
- 18. FSS program certification if for Category 3 (Headquarters Reserve) or Category 4 ("Other") units;
- 19. Replacement housing exhibits, if applicable (see section III.C);
- 20. (Optional) For replacement housing applications, documentation how the application addresses HUD priorities (see section II.C.2).

- 21. (Optional) For "other" applications, documentation to address the rating factors (see section IV.E.).
- B. Application Packets

Forms comprising the application package may be obtained from the HUD Field Office.

VIII. Other Matters

A. Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50, implementing 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 and copying between 7:30 a.m. and 5:30 p.m. weekdays at the Office of the Rules Docket Clerk, 451 Seventh Street, S.W., Room 10276, Washington, D.C. 20410.

B. Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that this NOFA will not have substantial, direct effects on States, on their political subdivisions, or on their relationship with the Federal government, or on the distribution of power and responsibilities between them and other levels of government. The NOFA will provide PHAs with funding for public housing development.

C. Family Impact

The General Counsel, as the Designated Official for Executive Order 12606, the Family, has determined that the provisions of this NOFA do not have the potential for significant impact on family formation, maintenance and general well-being within the meaning of the Order. To the extent that the funding provided through this NOFA results in additional or improved housing, the effects on the family will be beneficial.

D. Prohibition Against Lobbying Activities: The Byrd Amendment

The use of funds awarded under this NOFA is subject to the disclosure requirements and prohibitions of section 319 of the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) and the implementing regulations at 24 CFR part 87. These authorities prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a

specific contract, grant, or loan. The prohibition also covers the awarding of contracts, grants, cooperative agreements, or loans unless the recipient has made an acceptable certification regarding lobbying.

Under 24 CFR part 87, applicants, recipients, and subrecipients of assistance exceeding \$100,000 must certify that no Federal funds have been or will be spent on lobbying activities in connection with the assistance. As noted earlier a certification is required, at the time the application for funds is made, that Federally appropriated funds are not being or have not been used in violation of section 319 and that disclosure will be made of payments for lobbying with other than Federally appropriated funds. Also, again as noted earlier, there is a standard disclosure form, SF-LLL, "Disclosure Form to Report Lobbying," which must be used to disclose lobbying with other than Federally appropriated funds.

E. Prohibition Against Lobbying of HUD Personnel

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

HUD's regulation implementing section 13 is codified at 24 CFR part 86. 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. Appendix A of this rule contains examples of activities covered by this rule.

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