DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Public and Indian Housing

[Docket No. N-95-3843; FR-3769-N-01]

NOFA for the Traditional Indian Housing Development Program for Fiscal Year 1995

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

ACTION: Notice of funding availability (NOFA) for fiscal year 1995.

SUMMARY: A. This notice announces the availability of funding for Fiscal Year (FY) 1995 for the development of new Indian Housing (IH) units and provides the applicable criteria, processing requirements and action timetable. All Indian housing authorities (IHAs) which have not been determined to be administratively incapable, in accordance with 24 CFR 905.135, are invited to submit applications for Indian Housing developments in accordance with the requirements of this NOFA.

B. This NOFA contains information concerning the purpose of this NOFA; eligibility; available amounts; and the procedures that an IHA must follow to apply for new Indian Housing units. The procedures for rating, ranking, and funding IHA applications are also in this NOFA.

DATES: Applications must be physically received by the Field Office of Native American Programs (FONAP) having jurisdiction over the applicant on or before 3:00 p.m., FONAP local time, March 6, 1995. The applicant shall submit its application(s) for new housing units on Form HUD–52730 with all supporting documentation required by Appendix 2, and for demolition or disposition in accordance with 24 CFR part 905, subpart M.

FOR FURTHER INFORMATION CONTACT: Applicants may contact the appropriate FONAP for further information. Refer to Appendix 1, for a complete list of FONAPs 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 development funds were reviewed by the Office of Management and Budget and assigned OMB control number 2577–0030.

Changes From FY 1994 NOFA

The Indian Housing Development NOFA for FY 1995 is essentially the same document published for the FY 1994 funding cycle with the following substantive changes:

A. Revised program administration criterion. The rating factor for current IHA development pipeline activity has been modified to allow field offices to consider all facilities development, renovation, and/or maintenance activities of an IHA.

B. Regional variations in maximum points available for rating factors. Previous Indian Housing Development NOFAs established a national standard for points to be awarded for each rating factor. To address differences in circumstances in each of the field office jurisdictions, the FY 1995 NOFA includes variations, by FONAP jurisdiction, in the points to be awarded for each rating factor.

C. Regional variations in the maximum unit award table. Previous Indian Housing Development NOFAs established a national standard for the maximum number of units to be awarded for each approved application. To address differences in circumstances in each of the FONAP jurisdictions, the FY 1995 NOFA includes variations, by FONAP jurisdiction, in the maximum units award table.

D. Bonus rating factor. A new factor has been added to the rating criteria which provides up to 5 points for project pre-planning, economical selection of housing sites, and/or innovative approaches to development or financing.

I. New Development

A. Authority

1. Statutory Authority. Sections 5 and 6, U.S. Housing Act of 1937 (42 U.S.C. 1437c, 1437d), as amended; U.S. Department of Housing and Urban Development and Independent Agencies Appropriations Act for Fiscal Year 1995; Section 23 U.S. Housing Act of 1937, as added by section 554, Cranston-Gonzalez National Affordable Housing Act; section 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d).

2. Indian Housing Regulations. Indian Housing Development regulations are published at 24 CFR part 905.

3. 24 CFR Part 135. Economic Opportunities for Low and Very Low Income Persons. All applicants are herein notified that the provisions of section 3 of the Housing and Urban Development Act of 1968, as amended, and the regulations in 24 CFR part 135 are applicable to funding awards made

under this NOFA. One of the purposes of the assistance is to give to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, job training employment, contracting and other economic opportunities to section 3 residents and section 3 business concerns. IHAs and tribes that receive HUD assistance described in this part shall comply with the procedures and requirements of this part to the maximum extent consistent with, but not in derogation of, compliance with section 7(b) of the Indian Self-**Determination and Education** Assistance Act (25 U.S.C. 450e(b).

B. Development Allocation Amount

The FY 1995 VA–HUD
Appropriations Act (Public Law 103–327) made available \$282,000,000 of budget authority for the Indian Housing Development program (new Indian Housing units). Since some of the appropriated funds are to be derived from the recapture of prior year obligations and anticipated carryover funds, the actual amount available may be less.

Each of the FONAP jurisdictions has been designated as the smallest practical area for the allocation of assistance. Funds available for new units will be assigned to the FONAPs consistent with 24 CFR 791.403.

Up to \$20,000,000 of the available Indian Housing Development funds will be made available by the Department in order to provide funds needed to replace units approved for demolition/disposition. Any portion of the \$20,000,000 that is not designated for demolition/disposition replacements by July 1, 1995, as well as any amounts of actual recaptures that are realized and reallotted to the program, will be made available to the six FONAPs on the same basis as the amounts allocated for new units.

The competitive process described in this NOFA will be used to select IHA applications to be funded for new Indian Housing units. Departmental compliance with the metropolitan/nonmetropolitan provisions of section 213(d) of the Housing and Community Development Act of 1974 may require the selection of lower rated metropolitan applications over higher rated non-metropolitan applications. The table below indicates the percentage of grant authority available for new units in FY 1995 for the six FONAPs, inclusive of funds needed to meet off-site sewer and water requirements.