

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-3961-N-01]

Office of Community Planning and Development; Fiscal Year 1995 Notice of Funding Availability for the Early Childhood Development Program

AGENCY: Office of Community Planning and Development, HUD.

ACTION: Notice of Funding Availability (NOFA) for Fiscal Year (FY) 1995.

SUMMARY: This NOFA announces the availability of \$21 million to assist non-profit organizations in providing early childhood development services for lower-income families who reside in public housing, and for homeless families or those at risk of becoming homeless. In keeping with the Clinton Administration's commitment to create communities of opportunity by providing a coordinated package of programs to highly distressed areas, this competition is limited to non-profit organizations that will provide early childhood development services in or near public housing located in urban and rural Federally-designated Empowerment Zones and Enterprise Communities (EZ/ECs). Funded programs will be linked to and build upon the self-sufficiency activities outlined in EZ/EC communities' strategic plans.

DATES: An original and three copies of the completed application for grant funds must be received in HUD Headquarters prior to 5 p.m. Eastern Time on June 26, 1996.

ADDRESSES: Applications will be accepted at the following address: Processing and Control Unit, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7251, Washington, DC 20410. ATTN: Childhood Development Program. By 5 p.m. Eastern Time on the deadline date applications will be received at either room 7251 or the South Lobby of the Department of Housing and Urban Development at the above address.

Late applications will be deemed to have been received by the deadline date if postmarked by the United States Postal Service no later than three days prior to the deadline date. Late express delivery items will be deemed to have been received by the deadline date upon submission of documentary evidence that they were placed in transit with the express delivery service no later than the day before the deadline.

FOR FURTHER INFORMATION CONTACT:

Elizabeth A. Butler, Office of Economic Development, Office of Community Planning and Development, Department of Housing and Urban Development, Room 7134, 451 Seventh Street, SW, Washington, DC 20410, fax (202) 708-7543. A telecommunications device for hearing or speech impaired persons (TTY) is available at 1-800-877-8339 (Federal Information Relay Service TTY). (Except for the "800" number, these are not toll-free telephone numbers.)

SUPPLEMENTARY INFORMATION:

I. Paperwork Reduction Act Statement

The information collection requirements contained in this notice have been submitted to the Office of Management and Budget (OMB) for review under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number. The OMB control number, when assigned, will be announced in the Federal Register.

II. Purpose and Substantive Description

(a) Background

This announcement solicits applications from nonprofit organizations serving Federally-designated urban and rural Enterprise Zones/Empowerment Communities (EZ/ECs). To ensure that grants are provided to the largest number of nonprofit organizations practicable, all applicants are limited to \$500,000 per project. The average award per project is expected to be approximately \$200,000. These funds are intended to establish childhood development services to facilitate the employability of the parents or guardians of children who are residing in public housing, and to provide early childhood development services to families who are homeless or at risk of becoming homeless.

(b) Program Purpose

This program is designed to determine the extent to which the availability of early childhood development services in or near lower-income housing projects facilitates the employability of the parents or guardians of children who are residing in public housing, and to provide early childhood development services in or near lower-income housing projects to families who are homeless or at risk of becoming homeless. These funds may be used for the operating expenses and/

or for minor renovations of child care facilities located in or near public housing developments.

All of these funds will be awarded through a competitive process to nonprofit agencies establishing or expanding child care services in Federally-designated urban and rural EZ/ECs. Any grants awarded must be expended for their appropriate activities within eighteen (18) months of the date of award. This announcement anticipates that a likely use of the grant funds will be to create child care facilities in or near public housing developments or to develop "wrap-around" child care services in or near housing developments currently offering programs.

Wrap-around child care services means added hours and days of service will be provided to allow parents the opportunity to retain, train for or seek employment. Proposed wrap-around services must be substantially different from services already provided. Funds from grants awarded under this announcement may only be used to finance the additional hours or days of services.

To the extent the program is designed to serve children who are homeless or at risk of becoming homeless, the services should be coordinated with the community's Continuum of Care system or approach for assisting homeless persons and preventing homelessness.

(c) Definitions

(1) *A person at risk of becoming homeless* means an individual or family who is precariously housed and lacks the resources and support network needed for stable housing.

(2) *Continuum of Care* means a system or approach designed to assist homeless families and individuals and prevent homelessness, involving a community process for coordinating resources and consisting of four basic components:

(i) A system of outreach and assessment for determining the needs and conditions of an individual or family who is homeless, or whether assistance is necessary to prevent an individual from becoming homeless;

(ii) Emergency shelters with appropriate supportive services to help ensure that homeless individuals and families receive adequate emergency shelter and referral to necessary service providers or housing finders;

(iii) Transitional housing with appropriate supportive services to help those homeless individuals and families who are not prepared to make the transition to permanent housing and independent living; and

(iv) Permanent housing, or permanent supportive housing, to help meet the long-term needs of homeless individuals and families.

(3) *Empowerment Zone/Enterprise Community (EZ/EC)* means an urban or rural area so designated by the Secretary of HUD or the Secretary of Agriculture pursuant to sections 1391–1393 of the Omnibus Budget Reconciliation Act of 1993. For purposes of this NOFA, this term shall include Supplemental Empowerment Zones and Enhanced Enterprise Communities, as defined below.

(4) *Supplemental Empowerment Zone/Enhanced Enterprise Community (SEZ/EEC)* means an urban area which was designated by the Secretary of HUD as either a Supplemental Empowerment Zone (SEZ) or an Enhanced Enterprise Community (EEC) and announced as such in the Notice of Designation printed in the Federal Register on February 23, 1995 (60 FR 10018).

(5) *Full-day child care* means provision of child care that permits parents or guardians to work at full-time employment.

(6) *Homeless family* means:

(i) An individual or family who lacks a fixed, regular, and adequate nighttime residence; and

(ii) An individual or family who has a primary nighttime residence that is:

(A) A supervised publicly- or privately-operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);

(B) An institution that provides a temporary residence for individuals intended to be institutionalized; or

(C) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

(7) *Lower-income families* has the meaning given such term in section 3(b)(2) of the U.S. Housing Act of 1937.

(8) *Lower-income or public housing* has the meanings given such terms in section 3(b)(1) of the U.S. Housing Act of 1937.

(9) *Non-profit organization* means an organization:

(i) That no part of the net earnings of which inures to the benefit of any member, founder, contributor or individual;

(ii) That, in the case of a private nonprofit organization, has a voluntary board;

(iii) That has an accounting system, or has designated a fiscal agent in accordance with requirements established by the Secretary; and

(iv) That practices nondiscrimination in the provision of assistance.

(10) *Public Housing Agency* has the meaning given such term in section 3(b)(2) of the United States Housing Act of 1937.

(d) Available Funds

(1) This announcement solicits applications from non-profit organizations that wish to apply for a portion of the \$21 million in grant funds that are available under HUD's Early Childhood Development program. Up to 20 percent of available funds can be awarded to rural EZ/ECs.

(2) The average award per project is expected to be approximately \$200,000. Individual grants awarded under this announcement shall not exceed \$500,000, in order to ensure that funds are provided to as large a number of EZ/EC communities as possible. An EZ/EC cannot receive more than \$1 million. It should be noted that while an applicant may apply for funds to establish or expand services for more than one project, no single project will be funded for more than \$500,000. The grants are intended to cover operating expenses or one-time renovation costs and will be funded for a period of eighteen (18) months. HUD reserves the right to fund less than the full amount requested in any application.

(e) Eligible Applicants

Applicants must be non-profit organizations, whose service areas include an EZ/EC, that wish to locate child care facilities in or near public housing developments by:

(1) Establishing one or more full-day child care centers or family day care homes, or

(2) Expanding current part-day centers for EZ/EC residents. Family-based facilities may be in the homes of one or more residents of a public housing development.

(f) Eligible Activities

Awarded funds may only be used for operating expenses and minor renovations of facilities necessary for the provision of childhood development services in or near public housing developments located in EZ/ECS. Funds may not be used for new construction of a facility.

(1) Operating expenses include such expenses as planning and development costs, administration, leasing and/or the purchase of equipment and/or leasing vehicles, maintenance, minor or routine repairs, security, utilities, furnishings, equipment and supplies (including curriculum), insurance, and staff salaries.

(2) Minor renovations include the reconfiguration of space; installation of bathrooms or kitchens; renovations necessary to achieve compliance with physical accessibility standards for persons with disabilities or required to meet State or local licensing and building code standards; landscaping; painting; and lighting. Minor renovations does not include the cost associated with lead-based paint abatement since removal of lead-based paint is funded through another HUD program.

III. Special Requirements

Interested applicants must adhere to the following requirements when developing a proposal:

(a) The program should not propose to serve children of the same ages as those currently being served by existing child care programs in or near the targeted public housing development. This prohibition does not apply to those applicants who propose to extend the hours of child care services provided by a center already located in or near the development.

(b) The appropriate public housing authority must agree to provide, at nominal or no cost, suitable facilities to the grantee for provision of full-day child care services.

(c) The full-day child care services program must serve pre-school and school children to permit parents or guardians to obtain, retain or train for employment.

(d) The full-day child care center must hire qualified staff who have received appropriate training specific to age groups served to carry out activities that support early childhood development.

(e) The full-day child care services program must involve the parents of children benefiting from such program, to the extent practicable, in the classroom.

(f) To the extent practicable, the full-day child care services program must provide opportunities for the employment of residents from the public housing development area, especially elderly residents.

(g) The full-day child care services and facilities must comply with all applicable state and local laws, regulations and ordinances.

IV. Criteria for Review and Evaluation of the Grant Application

The following are the criteria for the review and evaluation of grant applications which HUD will use in selecting grantees:

(a) *Program Quality:* comprehensiveness and effectiveness of

the proposed program. (Maximum: 25 points). The application should describe:

(1) The process by which the full-day child care center or family day care home will become operational within a reasonable period of time. Applicants should include items such as a timetable covering the projected beginning and ending dates of the minor renovations, projected date by which staff will be hired, and projected date for beginning operations.

(2) How families and children who are in need of full-day child care services and who are residents of public housing or are homeless or at risk of becoming homeless will be identified and recruited.

(3) The range of ages and number of children that will be cared for, the adult/child ratios and group sizes by age, the operating hours of the full-day child care, and the cost per child of providing services.

(4) What measures will be taken to ensure the health and safety of children and staff participating in the program.

(5) How quality full-day child care services will continue to be provided at a reasonable cost at the end of the grant period, including an adequate plan for monitoring the quality of programs and services.

(6) The consistency of care delivered to each child by a particular caregiver or caregiver team.

(b) *Capability*: the qualifications, experience, or potential capabilities of the applicant and participating parties (Maximum: 25 points). The application should describe:

(1) The ability and experience of applicant, co-applicants and/or subcontractors to perform functions.

(2) The qualifications of proposed staff, such as a Child Development Associate Credential or similar standard.

(c) *Objectives*: the extent to which the application reflects the purpose of the program. (Maximum: 25 points). The application should describe:

(1) The extent to which the child care services will serve and assist the parents or guardians to seek, retain or train for employment.

(2) The community benefit added by the service.

(3) The public housing development the services will be in or near, including street address and the number of resident children in need of proposed services.

(4) How opportunities for employment will be provided, to the extent practicable, by the program to public housing development residents.

(d) *Coordination and Resources*: partnerships formed with and participation of the community stakeholders. (Maximum: 25 points). The application should describe:

(1) How community stakeholders, including parents and the public housing authority, have worked in partnership in preparing program design and implementation.

(2) The extent to which the services will be coordinated with current supportive services, such as Americorps' VISTA and Foster Grandparent programs or similar initiatives.

(3) If the program will serve children who are homeless or at risk of becoming homeless, how the services will be coordinated with the community's Continuum of Care system or approach.

(4) Other resources; funds, staff, in-kind or other, committed to support the proposed program, including letters of commitment.

(5) Assurances or firm commitments from community sources to continue the project funding beyond the initial funding period.

(e) *EZ/EC Performance*: Progress made by the EZ/EC in the implementation of its strategic plan and benchmark activities. (Maximum: 15 points and two pages). Application should describe achievements made in:

(1) Job creation and business expansion.

(2) Job training and retention.

(3) Advancing self-sufficiency.

(4) Human services delivery.

(5) Youth development.

(6) Other activities supportive of the purpose of this NOFA.

V. Application Process

(a) Nonprofit organizations seeking Childhood Development Program assistance must make a specific request for that assistance, in accordance with this NOFA.

(b) *Timing of Submission*. One original and three copies of applications for assistance are due in HUD Headquarters on or before 5 p.m. Eastern Time on the deadline date. HUD will treat as ineligible applications that are received after that deadline. *Applications may not be sent by facsimile (FAX).*

(c) *Other Submission Requirements*. All pages of the application shall be numbered sequentially. Applications of no more than 22 pages should be submitted on 8.5" x 11" paper. In addition to the materials requested in Section IV of this notice, the nonprofit organization shall submit the following:

(1) SF-424, Application for Federal Assistance;

(2) The certification regarding lobbying required under 24 CFR part 87;

(3) Certification of a Drug-Free Workplace, in accordance with the Drug-Free Workplace Act of 1988, and HUD's regulations at 24 CFR part 24, subpart F;

(4) A copy of the organization's IRS ruling providing tax-exempt status under section 501(c) of the IRS Code of 1986, as amended;

(5) Line-item budget;

(6) A written certification stating the project will operate within EZ/EC area; and

(7) A signed statement from the local PHA committing space and/or renovation funds to the establishment/expansion of child care facility.

(d) Each grantee will be required to submit to HUD a progress report, in a form prescribed by HUD, within 90 days after the completion of the project. Each report shall describe the use of the grant funds and include a description and an analysis of the project, the approaches taken, and the level of cooperation among participating parties.

VI. Technical Deficiencies

To the extent permitted by law, HUD may advise the applicant of technical deficiencies in the applications and permit them to be corrected. Due to the requirements of the HUD Reform Act, HUD staff is limited in the assistance it is permitted to provide regarding applications for grants. The assistance and advice that can be provided includes such activities as explaining and responding to questions about program requirements, identification of those parts of an application that need substantive improvement, the dates by which decisions will be made and procedures that are required to be performed to process an application. This term, however, does not include advising the applicant how to make those improvements.

In addition, any information published in the Federal Register and in this NOFA and any information that has been made public through a means other than the Federal Register or NOFA may be discussed.

VII. Other Matters

(a) *Environmental Impact*. A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulation 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 am and 5:30 pm weekdays at the Office of the Rules

Docket Clerk, 451 7th St. SW Room 10276, Washington, DC 20410.

(b) *Environmental Review.* Any selected application containing funding for minor renovations is subject to environmental review by HUD and selection of such an application does not imply HUD approval of any particular property for use in the project. HUD will complete an environmental review with respect to particular properties, to the extent required under 24 CFR part 50, prior to execution of the grant agreement. The recipient may not commit HUD or other funds for minor renovations until it receives HUD approval of the property. If an application is funded only for operating expenses, environmental approval by HUD is not required.

(c) *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 Governments, or on the distribution of power and responsibilities between them and other levels of governments.

(d) *Family.* The General Counsel, as the Designated Official for Executive Order 12606, The Family, has determined that the policies announced in the NOFA do not have the potential for significant impact on family formation, maintenance and general well-being within the meaning of the Order. No significant change in existing HUD policies and programs will result from issuance of this NOFA, as those policies and programs relate to family concerns.

(e) *Prohibition Against Lobbying.* 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 Appropriation Act for Fiscal Year 1990 (31 U.S.C. 1351) 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.

(f) *Prohibition Against Advance Disclosure of Funding Decisions.* HUD's regulations implementing section 103 of the HUD Reform Act are codified at 24 CFR part 4 and apply to the funding competition announced today. The requirements of part 4 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 by 24 CFR part 4.

Applicants or employees who have ethics related questions should contact the HUD Office of Ethics (202) 708-3815. (This is not a toll-free number.) For HUD employees who have specific program questions, such as whether subject matter can be discussed with persons outside HUD, the employee should contact the appropriate Field Office Counsel, or Headquarters counsel for the program to which the question pertains.

(g) *Accountability in the Provision of HUD Assistance.* HUD's regulation implementing section 102 of the HUD Reform Act is codified at 24 CFR part 12. Section 102 contains a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 16, 1992 (57 FR 1942), following publication of the final rule, HUD published additional information that gave the public (including applicants for, and recipients of, HUD assistance) further information on the implementation, public access, and disclosure requirements of section 102. The requirements of section 102 are applicable to assistance awarded under this NOFA.

(1) *Documentation and Public Access Requirements.* HUD will ensure 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, will be made available for public inspection for a five-year period beginning not less than 30 days after the award of the assistance. Material will 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 will include the recipients of assistance pursuant to this NOFA in its Federal Register notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14 (a) and 12.6 (b), and the notice published in the Federal Register on January 16, 1992 (57 FR 1942) for further information on these requirements.)

(2) *Disclosures.* HUD will 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) will be made available along with the applicant disclosure reports, but in no case for a period of less than three years.

Authority: Section 222 of the Housing and Urban-Rural Recovery Act of 1983 and the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Acts of 1994 and 1995 (P.L. 103-327 and P.L. 103-327, respectively).

Applicant Certifications

To be Signed By The Authorized Representative of the Applicant and Submitted with the Application.

The Applicant hereby assures and certifies that:

A. It meets the criteria for eligible applications defined in the Early Childhood Development NOFA and has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability to ensure proper planning, management and completion of the project described in this application and it shall comply with all applicable Federal and state civil rights and housing laws and implementing regulations as those requirements now exist, or as they may be enacted, promulgated or amended from time to time.

B. It will comply with the requirements of the Fair Housing Act (42 U.S.C. 3601-19) and implementing 24 CFR Part 100, Part 109 and Part 110; Executive Order 11063, as amended (Equal Opportunity in Housing) and implementing 24 CFR 107; Titles II and V of the Americans with Disabilities Act, 42 U.S.C. §§ 12101 et seq.; and Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing at 24 CFR Part 1, or, for applicants which are Indian Tribes or Indian Housing Authorities, the Indian Civil Rights Act (25 U.S.C. 1201 et seq.).

C. It will comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing 24 CFR 146, and Section 504 of the Rehabilitation Act of 1993

(29 U.S.C. 794) and implementing 24 CFR 8.

D. It will comply with the requirements of Executive Order 11426, as amended (Equal Employment Opportunity) and implementing 41 CFR Part 60 and the requirements of Executive Orders 11625, 12432, and 12138, which state that recipients must make efforts to encourage the use of minority- and women-owned business enterprises in connection with funded activities.

E. It will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, (U.S.C. 1701u) (Employment Opportunities for Lower Income Persons in Connection with Assisted Projects); and Section 109 of the Housing and Community Development Act of 1974, 42 U.S.C. 5309.

F. It will comply with the requirements of section 1352, Title 31, U.S.C. and the implementing 24 CFR Part 87, and, if this application is requesting more than \$100,000, it certifies that:

(1) No Federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding or modification of this grant.

(2) If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence any person defined in (1) above in connection with this Federal grant, the undersigned shall complete and submit Standard Form-LLL, "Disclosure form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under this grant) and that all subrecipients shall certify and disclose accordingly.

Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and of not more than \$100,000 for each such failure. Indian Housing Authorities (IHAs) established by an Indian tribe as a result of the exercise of its sovereign power are excluded from coverage, but IHAs established under state law are not excluded from coverage.

G. It and its principals: (1) are not presently debarred, suspended, proposed for debarment, declared ineligible, or

voluntarily excluded from covered transactions (see 24 CFR 24.110) by any Federal department or agency; (2) have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; (3) are not presently indicated for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with the commission of any of the offenses enumerated in (2) above; and (4) have not within a three-year period preceding this application had one or more public transactions terminated for cause or default. Where the applicant is unable to certify any of the statements in this certification, such applicant shall attach an explanation behind this page.

Signature of Authorized Certifying Official
and Date

Title

Organization

Certification Regarding Drug-Free Workplace Requirements

Instruction for Certification

1. By submitting this application, the applicant is providing certification set out below.

2. The certification set out below is a material representation of fact upon which reliance will be placed if HUD determines to award a grant to the applicant. If it is later determined that the applicant knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

Certification Regarding Drug-Free Workplace Requirements

A. The applicant certifies that it will provide drug-free workplace by:

(a) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) establishing an ongoing drug-free awareness program to inform employees about:

(1) the dangers of drug abuse in the workplace;

(2) the grantee's policy of maintaining a drug-free workplace;

(3) any available drug counseling, rehabilitation, and employee assistance programs; and

(4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) abide by the terms of the statement; and

(2) notify the employer of any criminal drug statute conviction for the violation occurring in the workplace no later than five days after such conviction;

(e) notifying HUD within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction.

(f) taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) taking appropriate personnel action against such an employee, up to an including termination; or

(2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency;

(g) making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) through (f) above.

B. The applicant shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant.

Place of Performance (street address, city, state and zip code)

Signature of Authorized Certifying Official
and Date

Title

Organization

Dated: March 12, 1996.

Andrew Cuomo,
Assistant Secretary for Community Planning
and Development.

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