

DEPARTMENT OF COMMERCE**Economic Development
Administration**

[Docket No. 950302065-6354-07]

RIN 0610-ZA03

**Economic Development Assistance
Program for Disaster Recovery
Activities, Availability of Funds**

AGENCY: Economic Development Administration (EDA), Department of Commerce (DoC).

ACTION: Supplementary notice.

SUMMARY: The Economic Development Administration (EDA) announces the policies and the application procedures for funds available to support disaster recovery projects designed to assist affected states and local communities recover from the consequences of wind damage and flooding in the states of North Carolina, South Carolina, Virginia, West Virginia, the Commonwealth of Puerto Rico as a result of Hurricanes Fran and Hortense and other natural disasters.

EDA offers a variety of program tools to assist affected communities. For the purposes of a targeted recovery program response for this disaster, the primary emphasis of EDA's program will be to assist disaster-impacted areas with the construction of new and expanded infrastructure and development facilities required for economic development to alleviate the economic distress of the areas.

DATES: This announcement is effective December 20, 1996. Applications are accepted on a continuous basis and funds shall remain available until expended.

ADDRESSES: To establish merits of projects proposals, interested parties should contact the Atlanta Regional Office, Philadelphia Regional Office or the appropriate Economic Development Representative for the area (see listing in "Other Information").

FOR FURTHER INFORMATION CONTACT: See listing in "Other Information" of this Notice.

SUPPLEMENTARY INFORMATION: Applicants should be aware that a false statement on the application is grounds for denial of the application or termination of the grant award and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

Applicants are hereby notified that any equipment or products authorized to be purchased with funding provided under this program must be American-made to the maximum extent feasible.

The total dollar amount of the indirect costs proposed in an application under any EDA programs must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency prior to the proposed effective date of the award or 100 percent of the total proposed direct costs dollar amount in the application, whichever is less.

Applicants seeking an early start, i.e., to begin a project before EDA approval, must obtain a letter from EDA allowing such early start. Such approval may be given with the understanding that an early start does not constitute project approval. Applicants should be aware that if they incur any costs prior to an award being made they do so solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal or written assurance that may have been received, there is no obligation on the part of DOC to cover preaward costs.

If an application is selected for funding, EDA has no obligation to provide any additional future funding in connection with an award. Renewal of an award to increase funding or extend the period of performance is at the sole discretion of EDA.

Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding.

No award of Federal funds will be made to an applicant who has an outstanding delinquent Federal debt until either:

1. The delinquent account is paid in full;
2. A negotiated repayment schedule is established and at least one payment is received; or
3. Other arrangements satisfactory to DoC are made.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a currently valid Office of Management and Budget (OMB) control number. This notice involves a collection of information requirement subject to the provisions of the PRA and has been approved by OMB under Control Number 0610-0094.

Catalog of Federal Domestic Assistance (CFDA)

The Special Economic Development Adjustment Assistance Program—Long Term Economic Deterioration and Sudden and Severe Economic Dislocation is listed under CFDA 11.307

(13 CFR Part 308). Public Works and Development Facilities Assistance and Public Works Impact Program are listed under CFDA 11.300 and CFDA 11.304 (13 CFR 305). The Planning and Technical Assistance programs are listed under CFDA 11.302, 11.303, and 11.305 (13 CFR 307, Subpart A; and 13 CFR Part 307, Subparts E and F).

Funding Availability

Funds in the amount of \$25 million are available for this disaster relief program and shall remain available until expended. These funds are provided from the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104-208). The funds are available for awarding disaster assistance grants pursuant to the Public Works and Economic Development Act of 1965, as amended. Funds will be apportioned as follows: North Carolina—\$14.0 million; South Carolina—\$1.0 million; Virginia—\$4.5 million; West Virginia—\$1.0 million; Commonwealth of Puerto Rico—\$4.5 million.

Grant Rates

Grant rates, as established by the Public Works and Economic Development Act of 1965, as amended (PWEDA) and its implementing regulations at 13 CFR Chapter III, may vary, if permitted by PWEDA and its implementing regulations, and will depend on the type of applicant, relative needs and financial capacity of applicants. In most cases, a nonfederal local share of not less than 25 percent will be required. In rare and extenuating circumstances, EDA may waive the local share requirement where permitted by PWEDA and its implementing regulations at 13 CFR Chapter III.

Eligible Applicants

Eligible applicants include the states and the commonwealth or political subdivisions thereof, including municipalities and quasi-public corporations and authorities, Indian tribes, Community Development Corporations, and nonprofit corporations representing an EDA designated redevelopment area or part thereof, located in areas affected by Hurricanes Fran and Hortense in the states of North Carolina, South Carolina, Virginia, West Virginia and the Commonwealth of Puerto Rico.

Proposal Submission Procedures

Proposals for assistance under this disaster recovery program shall be submitted to EDA on a completed Form ED-900P, OMB Control No. 0610-0094. Applicants must clearly demonstrate

how the EDA assistance will help the area recover from the economic hardship and other problems caused by wind and/or flood damage, or other natural disasters, and that such assistance has been preceded by sound planning. Interested parties should contact the appropriate Economic Development Representative for the area, or the appropriate EDA Regional Office for a proposal package (see listing under "Other Information").

Application Procedures

A determination of whether to invite an application under this disaster recovery program for EDA assistance will be issued based upon the Agency's review of the applicant's proposal under the evaluation criteria herein and EDA's regulations at 13 CFR Chapter III.

Funding Instrument

Funds will be awarded in accordance with the requirements of Title I, Title III, and Title IX of the Public Works and Economic Development Act of 1965, as amended (Public Law 89-136; 42 U.S.C. 3121 et. seq.) (PWEDA) and EDA's regulations at 13 CFR Chapter III. The appropriate title for grant application and award will be determined by EDA based on the nature of the project and the eligibility of the area.

Project Selection Criteria

It is anticipated that the funds announced herein for disaster recovery

assistance may not be sufficient to meet all of the economic recovery needs for which requests are received. EDA will use the following criteria to select the projects for grant award: (1) projects that are consistent with an area Economic Adjustment Strategy, the Overall Economic Development Program for the Area, or the State Emergency Recovery Plan; (2) the degree to which EDA funding is leveraged with appropriate state, local, private, and other Federal assistance efforts; (3) the extent to which projects are located in areas with high levels of economic distress; (4) the degree to which projects enhance/stimulate sustainable economic development; (5) the extent to which projects mitigate the impacts of future disasters; (6) the relative impact projects have for assisting in the post-disaster recovery of the area; and (7) the extent to which the project will directly or indirectly tend to improve opportunities in the area for the establishment or expansion of industrial or commercial facilities and/or primarily benefit members of low-income families.

To establish the merits of project proposals, interested parties should contact the EDA Economic Development Representative or EDA Regional Office for the area (see listing below) for a proposal form, (ED-900P). Requests for assistance shall be submitted directly to the EDA Economic Development

Representative or EDA Regional Office that serves the area (see listing below).

EDA will evaluate proposals to determine whether they can meet the criteria established. Following the review of the proposals, EDA will invite those entities whose projects are selected for consideration to submit full applications, ED-900A, OMB Control No. 0610-0094. In addition to the real property title requirements at 13 CFR 314.7, applicants will be expected to submit satisfactory evidence of rights of entry assuring prompt access to project property at time of grant award in those cases where applicants do not hold title to all real property required for the projects at time of application.

Other Information

Except as modified herein, evaluation criteria, competitive selection procedures, application procedures, and other requirements for the applicable assistance program are described at 13 CFR Chapter III.

For further information contact the appropriate Economic Development Representative or EDA Regional Office listed below:

John E. Corrigan, Regional Director,
Philadelphia Regional Office, Curtis
Center, Independence Square West,
Suite 140 South, Philadelphia,
Pennsylvania 19106; Telephone: (215)
597-4603; Internet Address:
jcorriga@doc.gov

Economic development representatives	States covered
Neal E. Noyes, 700 Centre Building, Room 230, 704 East Franklin Street, Richmond, VA 23219; Telephone: (804) 771-2061; Internet Address: nnoyes@doc.gov.	Virginia.
R. Byron Davis, Rose City Press Building, 550 Eagan Street, Room 305, Charleston, WV 25301; Telephone: (304) 347-5252; Internet Address: bdavis3@doc.gov.	West Virginia.
Ernesto L. Cruz, Economic Development Representative, IBM Building, Room 620, 654 Munoz Rivera Avenue, Hato Rey, PR 00918; Telephone: (809) 766-5187; Internet Address: ecruz@doc.gov.	Puerto Rico.

William J. Day, Jr., Regional Director,
401 West Peachtree Street, NW., Suite
1820, Atlanta, GA 30308-3510;
Telephone: (404) 730-3002; Internet
Address: wday@doc.gov

Patricia M. Dixon—North Carolina,
South Carolina, Strom Thurmond
Federal Building, 1835 Assembly
Street, Room 307, Columbia, SC
29201; Telephone: (803) 765-5676;
Internet Address: pdixon@doc.gov

Dated: December 12, 1996.

Phillip A. Singerman,
*Assistant Secretary for Economic
Development.*

[FR Doc. 96-32267 Filed 12-19-96; 8:45 am]

BILLING CODE 3510-24-M