

**Unsuitable Properties***Building*

Puerto Rico

Bldgs. 148, 380, 381, 386

Fort Buchanan

Guaynabo PR 00934

Landholding Agency: Army

Property Number: 21200840049

Status: Excess

Reasons: Extensive deterioration

Tennessee

Bldgs. 7201, 7297

Fort Campbell

Montgomery TN 42223

Landholding Agency: Army

Property Number: 21200840050

Status: Unutilized

Reasons: Secured Area, Within airport runway clear zone, Extensive deterioration

Bldg. W005A

Milan AAP

Gibson TN 38358

Landholding Agency: Army

Property Number: 21200840051

Status: Excess

Reasons: Secured Area, Within 2000 ft. of flammable or explosive material, Extensive deterioration

**Unsuitable Properties***Building*

Texas

5 Bldgs.

Dyess AFB

Abilene TX 79607

Landholding Agency: Air Force

Property Number: 18200840005

Status: Unutilized

Directions: B-4003, 4120, B-4124, 4127, 4130

Reasons: Secured Area

4 Bldgs.

Dyess AFB

Abilene TX 79607

Landholding Agency: Air Force

Property Number: 18200840006

Status: Unutilized

Directions: 7225, 7226, 7227, 7313

Reasons: Secured Area

4 Bldgs.

Dyess AFB

Abilene TX 79607

Landholding Agency: Air Force

Property Number: 18200840007

Status: Unutilized

Directions: 8050, 8054, 8129, 8133

Reasons: Secured Area

**Unsuitable Properties***Building*

Texas

5 Bldgs.

Dyess AFB

Abilene TX 79607

Landholding Agency: Air Force

Property Number: 18200840008

Status: Unutilized

Directions: B-9032, 9107, 9114, B-9140, 11900

Reasons: Secured Area

Bldg. 11007

Fort Bliss

El Paso TX 79916

Landholding AGENCY: Army

Property Number: 21200840052

Status: Unutilized

Reasons:

Extensive deterioration

4 Bldgs. Burns Run Area

Texoma Lake 57667, 42562, 42486, 42568

Denison TX

Landholding Agency:

COE

Property Number: 31200840012

Status: Unutilized

Reasons: Extensive deterioration

**Unsuitable Properties***Building*

Utah

8 Bldgs.

Tooele Army Depot

Tooele UT 84074

Landholding Agency: Army

Property Number: 21200840053

Status: Unutilized

Directions: 0108, 0109, 0110, 0112, 0114, 0116, 0139, 0143

Reasons: Secured Area

Virginia

Bldg. C0903

Fort A.P. Hill

Bowling Green VA 22427

Landholding Agency: Army

Property Number: 21200840054

Status: Unutilized

Reasons: Extensive deterioration

Bldg. 10502

Fort Lee

Prince George VA 23801

Landholding Agency: Army

Property Number: 21200840055

Status: Unutilized

Reasons: Secured Area, Extensive deterioration

**Unsuitable Properties***Building*

Virginia

Bldgs. 00187, 00189, 00707

Fort Belvoir

Fairfax VA 22060

Landholding Agency: Army

Property Number: 21200840056

Status: Underutilized

Reasons: Secured Area

Bldgs. 00025, S0044

Defense Supply Center

Richmond VA 23297

Landholding Agency: Army

Property Number: 21200840057

Status: Unutilized

Reasons: Secured Area

Bldg. JHK-16754

Henderson Point

Mecklenburg VA 23917

Landholding Agency: COE

Property Number: 31200840013

Status: Unutilized

Reasons: Extensive deterioration

Bldg. NAB757

Naval Amphibious Little Creek

Norfolk VA

Landholding Agency: Navy

Property Number: 77200840008

Status: Unutilized

Reasons: Secured Area

**Unsuitable Properties***Building*

Virginia

19 Ammunition Bunkers

Naval Weapon Station

Ammo Plant 1 &amp; 2

Yorktown VA 23691

Landholding Agency: Navy

Property Number: 77200840009

Status: Excess

Reasons: Secured Area, Extensive deterioration

Washington

Bldg. P406

Vancouver Barracks

Vancouver WA 98661

Landholding Agency: Army

Property Number: 21200840058

Status: Unutilized

Reasons: Secured Area, Extensive deterioration

Bldg. 03102

Fort Lewis

Pierce WA 98433

Landholding Agency: Army

Property Number: 21200840059

Status: Underutilized

Reasons: Secured Area

**Unsuitable Properties***Building*

Wisconsin

10 Bldgs.

Fort McCoy

Monroe WI 54654

Landholding Agency: Army

Property Number: 21200840060

Status: Unutilized

Directions: 2745, 2752, 2753, 2758, 2759, 2846, 2851, 2856, 2861, 8039

Reasons: Extensive deterioration

[FR Doc. E8-28066 Filed 11-26-08; 8:45 am]

BILLING CODE 4210-67-P

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT****[Docket No. FR-5229-N-01]****Notice of Funding Availability (NOFA) for Rental Assistance for Non-Elderly Persons With Disabilities Related to Certain Types of Section 8 Project-Based Developments and Sections 202, 221(d)(3), and 236 Developments (Certain Developments)****AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.**ACTION:** Notice of Funding Availability for Fiscal Year (FY) 2008 Rental Assistance for Non-Elderly Persons With Disabilities Related to Certain Types of Section 8 Project-Based Developments and Sections 202, 221(d)(3) and 236 Developments (Certain Developments).

**SUMMARY:** This NOFA announces the availability of approximately \$15 million in one-year budget authority for Housing Choice Vouchers (HCVs) for non-elderly disabled families in support of Certain Developments that provide preferences for, or restrict occupancy to, certain units for occupancy by elderly families only. This NOFA is governed by the information and instructions found in the Notice of HUD's FY2008 Notice of Funding Availability; Policy Requirements and General Section (General Section) to HUD's FY2008 NOFAs for Discretionary Programs that HUD published in the **Federal Register** on March 19, 2008 (73 FR 14882), the SuperNOFA Introduction published on May 12, 2008 (73 FR 27032), and the correction published on June 12, 2008 (73 FR 33446).

**FOR FURTHER INFORMATION CONTACT:**

Questions regarding specific program requirements should be directed to the agency contact identified in this program NOFA.

Questions regarding the March 10, 2008 (73 FR 12751) Notice of FY2008 Opportunity to Register Early and Other Important Information for Electronic Application Submission Via Grants.gov, the General Section of March 19, 2008, the SuperNOFA Introduction of May 12, 2008, or the correction of June 12, 2008, should be directed to the Office of Departmental Grants Management and Oversight at (202) 708-0667 (this is not a toll-free number) or the NOFA Information Center at (800) HUD-8929 (toll-free). Persons with hearing or speech impairments may access these numbers via TTY by calling the Federal Information Relay Service at (800) 877-8339. The NOFA Information Center is open between the hours of 10 a.m. and 6:30 p.m. eastern time, Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

HUD is making available approximately \$15 million in one-year budget authority for Housing Choice Vouchers (HCVs) for non-elderly disabled families in support of Certain Developments noted above that provide preferences for, or restrict occupancy to, certain units for occupancy by elderly families only. This funding is expected to provide assistance for approximately 2,000 non-elderly disabled families.

As is HUD's practice in publishing the SuperNOFA, the NOFA published today provides the statutory and regulatory requirements, threshold requirements, and other factors applicable to funding being made available. Applicants for assistance under this NOFA must also refer to the 2008 General Section published on March 19, 2008, and

subsequent supplementary information and technical corrections noted in the Summary section above for important application information and requirements (including submission requirements) which have changed this year. Applicants must submit their applications electronically through <http://www.grants.gov>. This requirement for all applicants was not in place at the time of the last NOFA published for Rental Assistance for Non-Elderly Persons with Disabilities Related to Certain Developments in 2002. Accordingly, if applicants have questions concerning the registration process, registration renewal, assigning a new Authorized Organization Representative, or have a question about a NOFA requirement, please contact HUD staff identified in this program NOFA HUD staff cannot help you write your application, but can clarify requirements that are contained in the General Section to the SuperNOFA, this NOFA, and in HUD's registration materials.

New applicants should note that they are required to complete a five-step registration process in order to submit their applications electronically. The General Section to the SuperNOFA included in the instructions download materials on Grants.gov provides a step-by-step explanation of the registration process, as well as where to find, on HUD's Web site, materials prepared by HUD to help guide applicants through the registration and application submission process.

Applications and Instructions are posted to Grants.gov as soon as HUD finalizes them. HUD encourages applicants to subscribe to the Grants.gov free notification service. By doing so, applicants will receive an e-mail notification as soon as items are posted to the Web site. The address to subscribe to this service is <http://www.grants.gov/search/email.do>. By joining the notification service, if a modification is made to the NOFA, applicants will receive an e-mail notification that a change has been made.

HUD encourages applicants to carefully read the General Section and this NOFA. Carefully following the directions provided can make the difference in a successful application submission.

**Overview Information**

A. Federal Agency Name: Department of Housing and Urban Development, Office of Public and Indian Housing.

B. Funding Opportunity Title: Rental Assistance for Non-Elderly Persons With Disabilities Related to Certain

Types of Section 8 Project-Based Developments and Sections 202, 221(d)(3) and 236 Developments (Certain Developments).

C. Announcement Type: Initial announcement.

D. Funding Opportunity Number: OMB Approval Numbers applicable to this NOFA are 2577-0169 and 2577-0083.

E. Catalog of Federal Domestic Assistance (CFDA) Number(s): 14.871, Section 8 Housing Choice Vouchers.

F. Dates:

1. Application Submission Date: The application deadline date is January 30, 2009. Applications must be received and validated by Grants.gov by 11:59 p.m. eastern time on the deadline date. The validation check can take 24 to 48 hours after an application is received by Grants.gov. As a result, HUD strongly encourages applicants to submit their applications 48 to 72 hours prior to the application deadline date. See the 2008 General Section for application submission, faxing instructions, and timely receipt requirements. HUD will not accept an entire application submitted by fax.

2. Estimated Grant Award Date: The estimated award date will be June or July 2009.

G. Additional Important Overview Information:

1. This NOFA announces the availability of approximately \$15 million in one-year budget authority for HCVs for non-elderly disabled families in support of Certain Developments that provide preferences for, or restrict occupancy to, certain units for occupancy by elderly families only. Funding made available under the HCV program through this NOFA will enable public housing agencies (PHA) to provide vouchers to approximately 2,000 non-elderly disabled families who are not currently receiving housing assistance in certain Section 8 project-based developments due to the owner's establishment of preferences for the admission of elderly families, or in certain types of Section 202, Section 221(d)(3), or Section 236 developments where the owner is restricting occupancy in the developments (or portions thereof) to elderly families. The vouchers will enable non-elderly disabled families affected by these actions to access affordable housing.

2. Electronic Application Submission. Applications for this NOFA must be submitted electronically through [http://www.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www.grants.gov/applicants/apply_for_grants.jsp). Registration or required annual re-registration to submit an application electronically may take more than a week because of the

following: (1) The applicant's requirement to register with the Central Contractor Registration (CCR), (2) the cross-checking of applicant identification numbers between CCR and the Internal Revenue Service (IRS), (3) applicant registration with the Grants.gov Web site, and (4) the applicant's requirement to register the official who will be submitting the application. HUD's Early Registration Notice can be obtained through HUD's Web site at <http://www.hud.gov/grants/>.

3. Match. None required.

4. Application materials. Application materials may be obtained from [http://www.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www.grants.gov/applicants/apply_for_grants.jsp). Any technical corrections will be published in the **Federal Register** and posted to Grants.gov. Frequently asked questions will be posted on HUD's Web site at <http://www.hud.gov/offices/adm/grants/otherhud.cfm> and <http://www.hud.gov/offices/pih/programs/ph/hope6/grants/fy08/>.

5. 2008 General Section Reference. Section I, "Funding Opportunity Description" of the 2008 General Section and subsequent supplementary information and technical corrections published in the **Federal Register** are hereby incorporated by reference.

6. Other 2008 General Section References. See "Other Submission Requirements" in Section IV.F. of this NOFA and the 2008 General Section for detailed information about application submission.

## Full Text of Announcement

### I. Funding Opportunity Description

A. Available Funds. This NOFA announces the availability of approximately \$15 million in FY 2008 funds.

B. Purpose of this program. Vouchers under this NOFA will assist non-elderly disabled families that are not currently receiving housing assistance in certain Section 8 project-based developments due to the owner's establishment of preferences for the admission of elderly families, or in certain types of Section 202, Section 221(d)(3), or Section 236 developments where the owner is restricting occupancy in the developments (or portions thereof) to elderly families, access affordable housing.

C. Legal Authority. Title II of Division K of the Consolidated Appropriations Act, 2008 (Pub. L. 110-161) provides appropriations for incremental vouchers to assist non-elderly disabled families affected by the establishment of preferences in accordance with section

651 of the Housing and Community Development Act of 1992 (42 U.S.C. 13611) or the restriction of occupancy to elderly families in accordance with section 658 of such Act (42 U.S.C. 13618).

D. Definitions of Terms. The following definitions apply to funding available under this NOFA.

1. Section 651 of the Housing and Community Development Act (HCDA) of 1992 (42 U.S.C. 13611). This section refers to section 659 of the HCDA of 1992 which states that "covered section 8 housing" means housing described in section 683(2)(G) that was originally designed for occupancy by elderly families. Section 683(2)(G) of the HCDA of 1992 describes such housing as that constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of the USHA of 1937, as in effect before October 1, 1983, that is assisted under a contract for assistance under such section. Section 651 of the HCDA of 1992 allowed owners of the following covered Section 8 project-based developments to provide preferences to elderly families in selecting tenants for available assisted units in those projects:

- a. Section 8 New Construction Program, 24 CFR part 880;
- b. Section 8 Substantial Rehabilitation Program, 24 CFR part 881;
- c. State Housing Agencies Program (insofar as involving new construction and substantial rehabilitation), 24 CFR part 883;
- d. New Construction Set-Aside for Section 515 Rural Rental Housing Projects Program, 24 CFR part 884; and
- e. Section 8 Housing Assistance Program for the Disposition of HUD-Owned Projects (insofar as involving substantial rehabilitation), 24 CFR part 886, subpart C.

2. Section 658 of the Housing and Community Development Act of 1992 (42 U.S.C. 13618). This section provides that an owner of a Federally assisted project (or portion thereof) that was designed for occupancy for elderly families may continue to restrict occupancy in such project (or portion) to elderly families in accordance with the rules, standards, and agreements governing occupancy in such housing in effect at the time of the development of the housing. The three types of assisted housing developments covered by Section 658 are as follows:

- a. Housing assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as such section existed before the enactment of the National Affordable Housing Act (Pub. L. 101-

625, 104 Stat. 4079, approved November 28, 1990) (NAHA);

b. Housing financed by a loan or mortgage insured under section 221(d)(3) of the National Housing Act (12 U.S.C. 1701 *et seq.*) that bears an interest rate determined under section 221(d)(5) of the National Housing Act; and

c. Housing insured, assisted or held by the Secretary or a State or State Agency under section 236 of the National Housing Act.

3. Elderly Family. A family whose head, spouse, or sole member is 62 years or older. It may include two or more elderly persons living together, or one or more elderly persons living with one or more persons determined under the public housing agency plan to be essential to their care or well being.

4. Non-Elderly Disabled Family. A family that does not meet the definition of an elderly family whose head, spouse, or sole member is a person with disabilities.

5. Person with disabilities.

a. Has a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423);

b. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment which: (i) Is expected to be of long-continued and indefinite duration; (ii) substantially impedes his or her ability to live independently; and (iii) is of such a nature that such ability could be improved by more suitable housing conditions; or

c. Has a developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 6001); and

d. Such term shall not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. Notwithstanding any other provision of law, no individual shall be considered a person with disabilities for purposes of eligibility for low-income housing solely on the basis of any drug or alcohol dependence.

### II. Award Information

A. Available Funds. This NOFA announces the availability of \$15 million in one-year budget authority for HCVs for non-elderly disabled families in support of Certain Developments that provide preferences for, or restrict occupancy to, certain units for occupancy by elderly families only. This funding is expected to provide

assistance to approximately 2,000 non-elderly disabled families.

Any funds remaining unobligated under this NOFA will first be used to fund any approvable applications under HUD's NOFA entitled *Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans (Designated Housing)* for which there are insufficient funds. Conversely, any funds remaining unobligated after funding approvable applications under the Designated Housing NOFA will be made available to fund approvable applications under this NOFA. Further, pursuant to the Consolidated Appropriations Act, 2008, any funds still remaining unobligated under this announcement or the Designated Housing NOFA will be available for other non-elderly disabled families through a subsequent NOFA.

B. HCV Funding Process. HUD will only fund one application per PHA under this announcement. This one-application-per-PHA limit applies regardless of whether or not the PHA is a state or regional PHA.

1. Maximum Voucher Request. A PHA may apply for only the number of vouchers needed to house those non-elderly disabled families that otherwise would have been housed if not for the preferences for, or restricted occupancy to, a project/building (or portion thereof) for elderly families only. PHAs are limited to applying for no more than the number of these restricted units for one or more Certain Development projects or 100 vouchers, whichever is less.

2. Determination of Funding Amount for the Applicant's Requested Number of Vouchers. HUD's Housing Voucher Financial Management Division will determine the amount of one-year budget authority that an applicant will be awarded under this NOFA based on the PHA's per unit cost for 2008 renewal funding or 2009 renewal funding if those costs are available. Administrative fees are not included in this funding and will be determined in accordance with section 10 of Public and Indian Housing (PIH) Notice 2008-15 (HA) or a subsequent administrative fee notice (a copy of all PIH notices referenced in this NOFA may be downloaded at <http://www.hudclips.org>). PIH Moving to Work (MTW) agencies will be funded under this NOFA in accordance with their MTW agreements.

3. Unfunded Approvable Applications. PHAs with approvable applications that are not funded in whole or in part due to insufficient funds available under this NOFA will not be funded.

### III. Eligibility Information

A. Eligible Applicants. PHAs that currently administer a HCV program are eligible to apply for funding under this NOFA.

B. Cost Sharing or Matching. None required.

C. Other Requirements.

1. Eligible Activities.

HCVs awarded under this NOFA will be subject to all of the requirements of 24 CFR part 982 with exceptions noted for waiting list selection in section III.C.3. MTW agencies may administer these vouchers in accordance with their MTW agreements unless they are inconsistent with Appropriations Act requirements or the requirements of this NOFA. All PHAs (including MTW agencies) must comply with the requirements of PIH Letter 2007-1 (*New Freedom Initiative*, Executive Order 13217: "Community-Based Alternatives for Individuals with Disabilities," and the Housing Choice Voucher Program) which extended Notice PIH 2006-21 (HA) which reinstated Notice PIH Notice 2005-5 (HA). These requirements include, but are not limited to, re-issuance upon turnover of these vouchers to non-elderly disabled families on the PHA's waiting list and entering appropriate data into the Public and Indian Housing Information Center (PIC). In addition, Section 213 of the FY 2008 Appropriations Act states that amounts available under this Act or previous appropriations acts for tenant-based rental assistance and used for non-elderly disabled families or for the Family Unification Program shall, to the extent practicable, remain available for each respective purpose upon turnover.

2. Threshold Requirements.

a. All applicants must meet all threshold requirements in Section III.C. of the General Section with the following exceptions:

(1) Section III.C.2.d. (Conducting Business in Accordance with Core Values and Ethical Standards). To reflect core values, all applicant PHAs shall develop and maintain a written code of conduct in the PHA's administrative plan that:

(a) Requires compliance with the conflict of interest requirements of the HCV program cited in 24 CFR 982.161; and

(b) Prohibits the solicitation or acceptance of gifts or gratuities in excess of a nominal value by an officer or employee of the HA or any contractor, subcontractor, or agent of the PHA.

The PHA's administrative plan shall state the PHA policies concerning PHA administrative and disciplinary remedies for violation of the PHA code

of conduct. The PHA shall inform all officers, employees and agents of its organization of the PHA's code of conduct.

(2) Section III.C.4.b.(1) through (3) (Specific Steps to Affirmatively Furthering Fair Housing). The PHA must comply with Section III.C.4.b. of the General Section; the exceptions only apply to providing specific steps in the application. In addition, prior to the application due date under this NOFA, each applicant must submit to the public housing director in the applicant's local HUD field office an addendum to the applicant's HCV administrative plan that outlines reasonable steps the applicant will take to affirmatively further fair housing in regard to the vouchers awarded under this NOFA. Reasonable steps must include:

(a) Identifying and contacting all non-elderly disabled families that were affected by the preferences, or restricted occupancy, to certain units in Certain Developments for occupancy by elderly families only; and

(b) Informing individuals on how to file a fair housing complaint including the provision of the toll free number for the Housing Discrimination Hotline: 1-800-669-9777.

Further, an applicant must comply with the affirmatively furthering fair housing requirements of 24 CFR Section 903.7(o) by: (1) Examining its programs or proposed programs; (2) identifying any impediments to fair housing choice within those programs; (3) addressing those impediments in a reasonable fashion in view of the resources available; (4) working with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and (5) maintaining records reflecting these analyses and actions. Further, applicant PHAs are encouraged to take the following proactive steps in addressing accessibility problems for persons with disabilities: (1) Where requested by an individual, assist program applicants and participants gain access to supportive services available within the community, but not require eligible applicants or participants to accept supportive services as a condition of continued participation in the program; (2) Identify public and private funding sources to assist participants with disabilities in covering the costs of structural alterations and other accessibility features that are needed as accommodations for their disabilities; (3) Not deny persons who qualify for a HCV under this program other housing opportunities, or otherwise restrict

access to PHA programs to eligible applicants who choose not to participate; (4) Provide housing search assistance; (5) In accordance with rent reasonableness requirements, approve higher rents to owners that provide accessible units with structural modifications for persons with disabilities; and (6) Provide technical assistance, through referrals to local fair housing and equal opportunity offices, to owners interested in making reasonable accommodations or units accessible to persons with disabilities.

b. Applications under this NOFA must also meet the following threshold requirements to be eligible for funding under this NOFA.

(1) Each applicant must meet the PIC reporting requirements under PIH Notice 2007-29(HA) that will be assessed for the month immediately preceding the month in which the applications under this NOFA are due. This threshold requirement will not apply to MTW agencies.

(2) Each applicant must have achieved points (15 or 20) under the Section 8 Management Assessment Program (SEMAP) leasing indicator (24 CFR 985.3(n)) and not be designated as troubled for its most recent assessed fiscal year. MTW agencies that are not required to report under SEMAP shall be held to the 95 percent lease-up and budget authority utilization requirements referenced above. These MTW agencies are required to submit a certification with their application certifying that they are not required to report under SEMAP, and that they meet the 95 percent lease-up or budget authority utilization requirements.

(3) The PHA applicant must not have any major unresolved program management findings from an Inspector General audit, HUD management review or Independent Public Accountant (IPA) audit for the PHA's HCV program or other significant program compliance problems (such as fair housing and/or civil rights violations or findings) that were not resolved prior to this NOFA's application deadline. Major program management findings, or significant program compliance problems, are those that would cast doubt on the capacity of the applicant to effectively administer any new HCV funding in accordance with applicable HUD regulatory and statutory requirements.

(4) The PHA must not be involved in litigation where HUD determines that the litigation may seriously impede the ability of the applicant to administer the vouchers.

3. Eligible Participants. Non-elderly disabled families that are income eligible under 24 CFR 982.201(b)(1) and

were on the waiting list for a unit when the Certain Development provided preferences for or restricted occupancy to certain units may receive a HCV awarded under this NOFA. Such families need not be listed on the PHA's HCV waiting list in order to be offered a voucher. These families may be admitted to the HCV program as special admissions under 24 CFR Section 982.203.

4. Environmental Review. In accordance with 24 CFR 50.19(b)(11) and 58.35(b)(1) of the HUD regulations, tenant-based rental activities under this program are categorically excluded from the requirements of the National Environmental Policy Act of 1969 (NEPA) and are not subject to environmental review under the related laws and authorities. Activities under the homeownership option for existing units and for units under construction at the time the family enters into the contract for sale are categorically excluded from NEPA requirements and excluded from other environmental requirements under 24 CFR 58.5 in accordance with 24 CFR 58.35(b)(5), but PHAs are responsible for the environmental requirements in 24 CFR 982.626(c). With regard to activities under the homeownership option for units not yet under construction at the time the family enters into the contract for sale, the additional environmental review requirements referenced in 24 CFR 982.628(e), 982.631(c)(3) and 982.637(b) also apply in addition to § 982.626(c), and the PHA shall submit all relevant environmental information to the responsible entity or to HUD to assist in the completion of those requirements.

#### IV. Application and Submission Information

A. Addresses to Request Application Package. Please read the General Section under Section IV.A. for full details on Web sites, electronic forms, and electronic applicant submission requirements.

1. Web site. A copy of this funding announcement for Certain Developments under the HCV program may be downloaded from the following Web site: [http://www.Grants.gov/applicants/apply\\_for\\_grants.jsp](http://www.Grants.gov/applicants/apply_for_grants.jsp).

2. Further Information. When requesting information, please refer to the name of the program you are interested in. The NOFA Information Center opens for business simultaneously with the publication of the SuperNOFA. You can also obtain information on this NOFA when you download the instructions from the

<http://www.Grants.gov> Web site identified above.

B. Content and Form of Application Submission. Please carefully read Section IV. of the General Section.

1. Content of Application under this NOFA.

a. Each PHA must complete the following forms:

(1) Form HUD-52515, *Funding Application, Section 8 Tenant-Based Assistance, Rental Certificate Program, Rental Voucher Program*.

(A) When completing this form, only complete the box for total dwelling units under vouchers in section B. Do not complete section C.

(B) In section D of the form, the PHA applicant must provide the following information for each Certain Development that provided preferences for, or restricted occupancy to, certain units for occupancy by elderly families only. The PHA may apply for units affected in more than one Certain Development:

(i) The name and identifier of the Certain Development;

(ii) The month and year the owner of the Certain Development provided preferences for, or restricted occupancy to, certain units for occupancy by elderly;

(iii) The number of units affected by the provision of preferences or the restricted occupancy;

(iv) The owner-certified number of non-elderly disabled families on the waiting list for the Certain Development at the time of the action that restricted occupancy that must correspond to the family data and contact information provided to the PHA.

(v) Any vouchers previously awarded to the PHA related to a prior Certain Development NOFA.

(vi) The minimum number of vouchers that the PHA will accept if selected under a lottery system (See Section V.B.3. below).

In order to obtain the information required above, the PHA must contact the Multifamily Housing Division (MHD) in the local HUD field office. A MHD representative will provide the names of the Certain Developments noted in section I.B.1. and 2. of this NOFA and the number of units for which a preference was provided for, or occupancy restricted to, elderly families only in each project that are recorded in HUD's Real Estate Management System (REMS). Contact information for these Certain Developments may be obtained at the following Web site: <http://www.hud.gov/apps/section8/index.cfm>. If the development is not listed on this Web site, the MHD representative can provide this information. Each

development owner must be contacted by the PHA for the information required above.

(2) Form SF-424, *Application for Federal Assistance*. When completing this form, the Federal Identifier requested in section 5a is the PHA's five digit number (e.g., MD035 or AK002). PHA applicants should estimate the proposed start date and end date in section 17. In Section 18 (Estimated Funding), complete only 18.a and 18.g. The amount entered in both fields should be the total number of vouchers requested in Section B of the form HUD-52515 multiplied by the per housing assistance payments unit cost for 2008 HCV renewal funding or the per unit cost for 2009 renewal funding, if those costs are available.

(3) Form HUD-2880, *Applicant/Recipient Disclosure/Update Report*;

(4) Form HUD-2993, *Acknowledgment of Application Receipt*;

(5) Form HUD-96011, *Third Party Documentation Facsimile Transmittal*; if applicable for cover letter;

(6) Form HUD-2991, *Certification of Consistency with the Consolidated Plan*, or a copy of the signed PHA Certification of Compliance for its current Annual PHA Plan; and

(7) SF-LLL, *Disclosure of Lobbying Activities*, if applicable.

C. Submission Date and Time. Your completed application must be received and validated by Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date.

D. Intergovernmental Review. This NOFA is not subject to Executive Order 12372, Intergovernmental Review of Federal Programs.

E. Funding Restrictions. Funds under this NOFA may only be used for housing assistance for eligible participants and may not be used for performance of routine HCV program functions that are reimbursed through HCV administrative fees.

F. Other Submission Requirements. See section IV.F.3. of the General Section. Electronic application submission is mandatory unless an applicant requests, and is granted, a waiver to the requirement. Applicants should submit their waiver requests in writing using e-mail. Waiver requests must be submitted no later than 15 days prior to the application deadline date and should be submitted to [Danielle.L.Bastarache@hud.gov](mailto:Danielle.L.Bastarache@hud.gov) and [Phyllis.A.Smelkinson@hud.gov](mailto:Phyllis.A.Smelkinson@hud.gov). The subject line of the e-mail message should be FY2008 Certain Developments NOFA Waiver Request. If an applicant is granted a waiver, then the approval will provide instructions

for submitting paper copies to the appropriate HUD office(s). All paper applications must be received by the application deadline date to meet the requirements for timely submission.

## V. Application Review Information

### A. Criteria.

1. Factors Used to Evaluate and Rate Applications. None.

### B. Review and Selection Process.

1. Technically Acceptable Applications. All technically acceptable applications that meet the threshold criteria of section III.C.2. above will be funded to the extent funds are available.

a. Funding Priority Categories. None.

b. Order of Funding. If funding under this NOFA is not available to fund all applications received by the NOFA deadline, a lottery will be used until all funding is exhausted.

c. Insufficient Funds. Not applicable.

2. Corrections to Deficient Applications. The General Section provides the procedures for corrections to deficient applications. Please note that clarifications or corrections of technical deficiencies in accordance with the information provided by HUD to the applicant must be submitted within 14 calendar days of the date of receipt of the HUD notification.

3. Unacceptable Applications. After the technical deficiency correction period (as provided in the General Section), the HUD Grants Management Center (GMC) will disapprove PHA applications that it determines are not acceptable for processing. Applications from PHAs that fall into any of the following categories are ineligible for funding under this NOFA and will not be processed:

a. Any PHA that does not meet the threshold requirements of the General Section;

b. Any PHA that does not meet the threshold requirements of Section III.C.;

c. A PHA whose application does not comply with the requirements of this NOFA after the expiration of the 14-calendar day technical deficiency correction period;

d. A PHA whose application was submitted after the application due date; or

e. A PHA whose application was not submitted to the official place of receipt.

C. Anticipated Announcement and Award Dates. It is anticipated that award announcements will take place during the month of June or July, 2009.

## VI. Award Administration Information

A. Award Notices. Successful applicants will receive an award letter from HUD. Funding will be provided to successful applicants as an amendment

to the Annual Contributions Contract (ACC) of the applicant PHA.

Unsuccessful applicants will receive a notification of rejection letter from the GMC that will state the basis for the decision. The applicant may request an applicant debriefing. Beginning not less than 30 days after the awards for assistance are announced publicly, upon receiving a written request, HUD will provide a debriefing to the requesting applicant. (See the General Section for additional information regarding a debriefing.) Applicants requesting to be debriefed must send a written request to: Keia Neal, Acting Director, Grants Management Center, U.S. Department of Housing and Urban Development, 501 School Street, SW., Suite 800, Washington, DC 20024.

B. Administrative and National Policy Requirements.

1. HUD's Strategic Goals. HUD is committed to ensuring that programs result in the achievement of HUD's strategic mission. HCVs awarded under this NOFA support the Department's strategic goals of: (1) Increasing homeownership opportunities, and (2) promoting decent, affordable housing by expanding access to these opportunities for non-elderly persons with disabilities. For more information about HUD's Strategic Plan and Annual Performance Plan, you may visit HUD's Web site at <http://www.hud.gov/offices/cfo/reports/cforept.cfm>.

2. HUD Policy Priorities. HCVs awarded under this NOFA supports HUD's policy providing increased homeownership and rental opportunities for low- and moderate-income persons with disabilities.

C. Reporting. Successful applicants (including MTW agencies) must report the usage of voucher funds under this NOFA through required submissions of the form HUD-50058, *Family Report*. PHAs must enter the program code "MFHDES" on line 2n of the Family Report for families who are assisted with vouchers under this NOFA. PHAs must maintain this code on the form HUD-50058 for the duration of the family's participation in the HCV program. HUD's assessment of PHA compliance under this NOFA will be based on PIC system data.

## VII. Agency Contacts

A. For Technical Assistance. For answers to your questions, you may contact the Public and Indian Housing Resource Center at 1-800-955-2232. Persons with hearing or speech impairments may access this number via TTY (text telephone) by calling the Federal Information Relay Service at 1-800-877-8339. (These are toll-free

numbers). Prior to the application deadline, staff at the numbers given above, will be available to provide general guidance, but not guidance in actually preparing the application. Following selection, but prior to award, HUD staff will be available to assist in clarifying or confirming information that is a prerequisite to the offer of an award by HUD. Agency contacts are those listed in Section IV. F. above in the Housing Voucher Management and Operations Division, (202) 708-0744.

#### B. Technical Corrections to the NOFA.

1. Technical corrections to this NOFA will be posted on the Grants.gov Web site.

2. Any technical corrections will also be published in the **Federal Register**.

3. You are responsible for monitoring these sites during the application preparation period.

### VIII. Other Information

#### A. General Section References

The following sub-sections of section VIII. of the General Section are hereby incorporated by reference:

1. Executive Order 13132, Federalism;
2. Public Access, Documentation, and Disclosure;
3. Section 103 of the HUD Reform Act.

#### B. Paperwork Reduction Act

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520) and assigned OMB control numbers 2577-0169 and 2577-0083. In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

#### C. Environmental Impact

This NOFA provides funding under, and does not alter the environmental requirements of 24 CFR part 982. Accordingly, under 24 CFR 50.19(c)(5), the NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). For environmental review of activities funded under this NOFA, see requirements described in section III.C.4 above.

Dated: November 18, 2008.

**Paula O. Blunt,**

*General Deputy Assistant Secretary for Public and Indian Housing.*

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**BILLING CODE 4210-67-P**

### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5228-N-01]

#### Notice of Funding Availability (NOFA) for Rental Assistance for Non-Elderly Persons With Disabilities in Support of Designated Housing Plans

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

**ACTION:** Notice of Funding Availability for Fiscal Year (FY) 2008 for Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans.

**SUMMARY:** This NOFA announces the availability of approximately \$15 million in one-year budget authority for Housing Choice Vouchers (HCVs) for non-elderly disabled families. This NOFA is governed by the information and instructions found in the Notice of HUD's FY2008 Notice of Funding Availability; Policy Requirements and General Section (General Section) to HUD's FY2008 NOFAs for Discretionary Programs that HUD published in the **Federal Register** on March 19, 2008 (73 FR 14882), the SuperNOFA Introduction published on May 12, 2008 (73 FR 27032), and the correction published on June 12, 2008, (73 FR 33446).

**FOR FURTHER INFORMATION CONTACT:** Questions regarding specific program requirements should be directed to the agency contact identified in this program NOFA. Questions regarding the March 10, 2008 (73 FR 12751) Notice of FY2008 Opportunity to Register Early and Other Important Information for Electronic Application Submission Via Grants.gov, the General Section of March 19, 2008, the SuperNOFA Introduction of May 12, 2008, or the correction of June 12, 2008, should be directed to the Office of Departmental Grants Management and Oversight at (202) 708-0667 (this is not a toll-free number) or the NOFA Information Center at (800) HUD-8929 (toll-free). Persons with hearing or speech impairments may access these numbers via TTY by calling the Federal Information Relay Service at (800) 877-8339. The NOFA Information Center is open between the hours of 10 a.m. and 6:30 p.m. eastern time, Monday through Friday, except federal holidays.

#### SUPPLEMENTARY INFORMATION:

Through today's publication, HUD is making available approximately \$15 million in one-year budget authority for Housing Choice Vouchers (HCVs) for non-elderly disabled families. This funding is expected to provide assistance to approximately 2,000 non-elderly disabled families and will enable public housing agencies (PHAs) to provide sufficient alternative resources to meet the housing needs of those non-elderly disabled families who would have been housed by the PHA if occupancy in a designated public housing project or building (or portion thereof) were not restricted to elderly households through the approval of a Designated Housing Plan.

As is HUD's practice in publishing the SuperNOFA, the NOFA published today provides the statutory and regulatory requirements, threshold requirements, and other factors applicable to funding being made available. Applicants for assistance under this NOFA must also refer to the 2008 General Section published on March 19, 2008, and subsequent supplementary information and technical corrections noted in the Summary section above for important application information and requirements (including submission requirements) which have changed this year.

Applicants must submit their applications electronically through <http://www.grants.gov>. If applicants have questions concerning the registration process, registration renewal, assigning a new Authorized Organization Representative, or have a question about a NOFA requirement, please contact HUD staff identified in this program NOFA. HUD staff cannot help the applicant write the application, but can clarify requirements that are contained in the 2008 General Section of this Notice, and in HUD's registration materials.

New applicants should note that they are required to complete a five-step registration process in order to submit their applications electronically. The 2008 General Section, included in the instructions download materials on <http://www.grants.gov> (Grants.gov), provides a step-by-step explanation of the registration process, as well as where to find, on HUD's Web site, materials prepared by HUD to help guide applicants through the registration and application submission process.

Applications and Instructions have been posted to Grants.gov. HUD encourages applicants to subscribe to the Grants.gov free notification service. By doing so, applicants will receive an