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# PROGRAM GUIDANCE

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**PROGRAM:** Indian Community Development Block Grant (ICDBG)

**FOR:** All Tribal Government Leaders

*R.J.B.*

**FROM:** Rodger J. Boyd, Deputy Assistant Secretary for Native American Programs, PN

**TOPIC:** Posting of Fiscal Year 2012 Notice of Funding Availability for ICDBG

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**Purpose:** The purpose of this guidance is to provide tribes with a summary of the Department's Fiscal Year (FY) 2012 Notice of Funding Availability (NOFA) for the Community Development Block Grant Program for Indian Tribes and Alaska Native Villages, also known as the Indian Community Development Block Grant (ICDBG) program, posted on October 4, 2011. The General Section of the NOFA was posted on September 19, 2011, and describes HUD's FY 2012 policy and submission requirements. Both documents can be downloaded from

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/grants/fundsavail](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail)

**Program Description:** The purpose of the ICDBG program is the development of viable Indian and Alaska Native communities, including the creation of decent housing, suitable living environments, and economic opportunities primarily for persons with low and moderate incomes.

**Eligibility Information:** All federally recognized Indian tribes and Alaska Native villages are eligible to participate in the ICDBG program. Tribal organizations, as described in 24 CFR 1003.5, are also eligible applicants. To apply for funding, an applicant must meet this eligibility criterion by the application submission date. Eligible categories of funding include housing rehabilitation, land acquisition to support new housing, homeownership assistance, public facilities and improvements, economic development, and microenterprise programs. For a complete description of eligible activities, please refer to 24 CFR 1003, subpart C.

**FY 2012 Funding Availability:** The NOFA does not include a total funding amount, an allocation of funds for each of the six Area Offices of Native American Program (ONAP), or a set-aside of Imminent Threat grant funds as it has in past years. The availability of

funding for this program is contingent on future Congressional action. HUD will issue a technical correction to this NOFA when and if appropriations are enacted that require HUD to modify the funding criteria or application requirements, or if HUD determines that adjustments to estimated award amounts or timelines are necessary. Any such technical correction will provide detailed instructions for applicants to permit them to resubmit the application to address the revised NOFA requirements.

**Changes in the FY 2012 NOFA:** Other than the absence of funding levels and streamlining of the text in certain sections of the NOFA, there are few other changes. This Program Guidance provides only a summary. Interested applicants should read the entire NOFA carefully to be aware of each and every change.

### ***Section I – Funding Opportunity Description***

#### *Imminent Threat Grants*

The NOFA informs applicants that they should not submit requests for Imminent Threat grants until after the FY 2012 appropriation has been enacted.

#### *Definition of Substandard Housing*

The NOFA clarifies that it is the tribe that must adopt the housing quality standards in the case of new construction projects. In a related section, the NOFA no longer states that for housing rehabilitation projects, the rehabilitation standards and policies must be adopted in accordance with tribal law or practice. Instead, for these types of projects, the standards and policies may be adopted by the tribal organization. For new construction projects, the standards and policies must be adopted by the tribe.

### ***Section III - Eligibility Information***

#### *Assistance to Community Based Development Organizations (CBDO)*

The NOFA states that if an organization has been determined by ONAP to be a CBDO, it does not need to submit this evidence again with its application in FY 2012.

### ***Section IV – Application Submission and Timely Receipt Information***

#### *Elimination of Two Forms*

The NOFA deletes two forms from the list of those that must be submitted with applications: the Logic Model (HUD-96010) and the Supplemental Survey on Ensuring Equal Opportunity for Applicants (Faith Based EEO Survey)(SF424 SUPP).

#### *Addition of One Form*

The NOFA adds one form to the list of forms that must be submitted with applications that are submitted through Grants.gov – the HUD Facsimile Transmittal (HUD-96011).

#### *Application Deadline*

ICDBG applications must be received by Grants.gov no later than 11:59:59 p.m. eastern time on **January 4, 2012**. Applicants should ensure that e-mail notification addresses contained in the Grants.gov registration are up to date so messages about the status of their application from

Grants.gov can be delivered. Applicants should also read the General Section closely for application submission information.

Applications must be submitted electronically unless the applicant submits a request and receives approval for a waiver of the requirement. Applicants must submit the waiver request to the applicable Area ONAP Administrator and must include a good cause for the waiver.

### ***Section V – Application Review Information***

#### *Implementation Plan*

In Rating Factor 1, the NOFA states that if an applicant did not submit a project implementation schedule that addresses both tasks and timelines it will receive 0 points. The FY 2011 NOFA stated that 0 points were to be provided if the implementation plan did not address all tasks and timelines.

#### *Past Performance*

In Rating Factor 1, the NOFA states that applicants are not required to respond to the subfactors related to past performance unless information is requested elsewhere in Rating Factor 1.

The NOFA also changes the title of the first subfactor under past performance to “*Implementation*” from “*Implementation Schedule.*” It also states that applicants will be rated on how well they have met the performance goals of previous ICDBG projects.

#### *Housing Needs Table*

In Rating Factor 2, the NOFA now informs applicants that the Factor 2 Needs Table can be found in the zip file in the Application Instructions for the ICDBG program on Grants.gov. It also states that the data used in the table is from the tribes’ FY 2011 IHBG formula information.

#### *Sustainability Priority Factor*

In Rating Factor 3, the NOFA refers applicants to Section I.B.2.i.(6)(e) of the General Section for definitions of universal design and visitability.

#### *Coordination*

In Rating Factor 5, the NOFA provides an additional point to applicants who indicate how they are addressing needs in accordance with comprehensive plans designed to improve the livability of tribal communities. It also states that applicants should address the extent to which they intend to use ICDBG as a catalyst for coordination among other organizations and tribal departments not providing financial support to the project.

#### *Outputs, Outcomes, and/or Goals*

In Rating Factor 5, the NOFA reduces the amount of points for outputs and outcomes from 8 to 7 points. It adds “*number of units constructed*” and “*linear feet of infrastructure*” to the list of types of program outputs. It also adds “*units connected to gas, phone, or electric lines/roads/sewer*” to the list of possible program outcomes. It provides a breakdown of points for this subfactor for the first time: 7, 4, and 0 points. The NOFA also deletes all reference to the Logic Model in this rating factor, which means that in FY 2012, this form is not required to be submitted with ICDBG applications.

***Section VI – Award Administrative Information***

*Award Notices*

The NOFA states that HUD expects to announce awards in FY 2012, but the exact date is subject to the availability of HUD appropriations.

*Lead-Based Paint*

The NOFA states that where the requirements of HUD's Lead Safe Housing Rule and the EPA's Renovation, Repair, and Painting Rule differ, the most protective requirement prevails.

*Compliance with New Reporting Rules*

The NOFA outlines when and how prime grant awardees and subaward recipients will be required to report on executive compensation pursuant to the Federal Funding Accountability and Transparency Act of 2006 (P.L. 109-282).

The NOFA states that a technical correction to the General Section may be issued when regulations implementing Section 872 of the Duncan Hunter National Defense Authorization Act (P.L. 110-417) are promulgated. The NOFA also states that HUD anticipates that the terms and conditions to its FY 2012 awards will contain requirements related to this Act and the one described above.

*Annual Status and Evaluation Report (ASER)*

The NOFA deletes all reference to the Logic Model (HUD-96010). Instead, grantees will be required to report on their project outputs and outcomes in their ASERs for grants awarded pursuant to this NOFA.

**HUD recommends that all applicants submit their application no later than 48 hours before the deadline of January 4, 2012.**

**Technical Assistance:** Contact staff at your Area ONAP for general guidance and technical assistance regarding the NOFA. ONAP staff is not permitted to help you prepare your application. Contact the Grants.gov Support Center for assistance with electronic submission requirements.