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PROGRAM GUIDANCE

PROGRAM: Indian Community Development Block Grant (ICDBG) Program

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 2009 Notice of Funding Availability (NOFA)

Purpose: The purpose of this guidance is to notify Tribes of the Indian Community Development Block Grant (ICDBG) funding opportunity available pursuant to the Fiscal Year (FY) 2009 NOFA.

Eligible Applicants: Eligible applicants are Indian tribes or Tribal organizations on behalf of Indian tribes as further described at 24 CFR 1003.5.

Eligible Uses: Activities that are eligible for funding include housing construction, rehabilitation, acquisition of land for housing, direct assistance to facilitate homeownership among low- and moderate-income persons, construction of tribal and other facilities for single or multi-use, streets and other public facilities, and economic development projects (See 24 CFR 1003.201-1003.206). Funds awarded in accordance with this NOFA will be subject to the requirements of the ICDBG regulations at 24 CFR part 1003. The NOFA also provides funds for Imminent Threat grants to address emergencies of a public health and safety nature.

Funding Availability: The total amount of funding available for this NOFA is \$65,000,000. The Area ONAP allocations are:

Eastern/Woodlands:	\$ 6,928,975
Southern Plains:	\$13,095,381
Northern Plains:	\$ 8,701,356
Southwest:	\$22,737,279
Northwest:	\$ 3,105,735
Alaska:	\$ 6,471,274
Imminent Threats	\$ 3,960,000

Grant Ceilings: Tribes are permitted to submit only one ICDBG application in response to this NOFA. Applications may include more than one project but cannot exceed the ceilings listed in Section II of the NOFA.

Major Changes from FY 2008 NOFA:

The following major changes have been made to the FY 2008 ICDBG NOFA. Please check the NOFA carefully for additional changes.

- The NOFA clarifies that initial Imminent Threat grant requests should be submitted to the Area ONAP. If in response to an initial request, the Area ONAP asks for a complete application, the NOFA specifies what forms must be submitted.
- An applicant must include a DUNS number on the SF-424 and register with the Central Contractor Registry.
- The housing rehabilitation limit for the NWONAP has been increased from \$40,000 to \$50,000 per unit.
- The NOFA redefines the term “New Applicant” to mean an applicant that has never “received” an ICDBG grant or whose prior grants have been closed subject to audit for more than 12 months prior to the application deadline. In FY 2008, a new applicant was an applicant that has never applied for an ICDBG grant or whose prior grants have been closed subject to audit for more than two years prior to the application deadline. The NOFA also specifies that the definition applies to the entity submitting the application.
- The NOFA requires applicants who wish to adopt Housing Quality Standards that are less strict than the Section 8 standards to submit those standards to the Area ONAP at least 30 days before the application deadline. This was not required in the FY 2008 NOFA.
- In Rating Factor 1, new applicants that are not required to have audits in accordance with OMB Circular A-133 must state this in their applications. In FY 2008, the requirement to state that audits are not required only applied to current applicants.
- In Rating Factor 3, applications proposing to undertake economic development projects will no longer have to submit: a description of the organizational system and capacity of the entity that will be operating the business; documents that show that formal provisions exist for separation of government functions from business operating decisions; an operating plan for the project; and the feasibility and market analysis of the proposed business activity and financial viability of the project. Instead, in addition to the financial analysis that is required by the project-related threshold, applicants will be required to describe how their projects will operate, why they are needed, and how and why the projects will succeed.
- In Rating Factor 3, points will be provided for applicants that “Promote Energy Star and Green Development”. Applicants that design, build, rehabilitate, or operate housing or community facilities will receive one policy priority point if they incorporate energy-efficiency measures in the design, construction and operation of their properties. Applicants

that demonstrate they will undertake green development in the implementation of their program are eligible to receive one additional policy priority point. This additional policy priority point for green development will only be available to applicants that fulfill the requirements for use of Energy Star appliances and products, plus undertake green development. Applicants must be prepared to report on progress in meeting this priority. In FY 2008, applicants received only one point for one of two policy priorities (“Improving Our Nation’s Communities” or “Encouraging Accessible Design Features”).

- In Rating Factor 3, applicants that demonstrate that they will apply Section 3 requirements to their proposed projects will receive only one point. In FY 2008, applicants demonstrating that they met these requirements received two points.

Application Submission Deadline: Applications must be received by the respective Area ONAP no later than 5:00 p.m. local time on August 7, 2009. Applicants should submit one original and one copy of their applications through the United States Postal Service, DHL, Falcon Carrier, Federal Express, or United Parcel Services.

Funding Obligation: HUD expects to announce awards by December 14, 2009.

Technical Assistance: Contact staff at your Area ONAP for general guidance and technical assistance regarding the NOFA. ONAP staff is not, however, permitted to help you prepare your application.

Copies of this NOFA and application forms may be downloaded from the HUD website at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

Applicants should not rely solely on information in this Guidance since it does not include all applicable NOFA requirements on the subjects addressed.