

### CHAPTER 3. NOTICES OF FUNDING AVAILABILITY

- 3-1. OBJECTIVE. To establish uniform Departmental procedures for processing HUD Notices of Funding Availability (NOFAs).
- 3-2. APPLICABILITY. This chapter applies to the preparation of all HUD NOFAs.
- 3-3. OVERCOMING FUNDING UNCERTAINTIES.
- a. General. The Department wants to assure that NOFAs are developed, and programs funded, as expeditiously as possible. Occasionally, a question arises regarding a particular program about whether and to what extent appropriations will be made available by the Congress. Even so, the Department's goal is to move the NOFA process forward, absent exceptional circumstances.
  - b. Appropriations. HUD will not publish a NOFA prior to enactment of an Appropriations Act. However, in anticipation of appropriations, as a general matter (with exceptions discussed in paragraph d below), a NOFA should be drafted and cleared through the Department. The absence of a precise funding allocation amount, early on, should not serve to unduly impede HUD's ability to subsequently deliver a program in a timely fashion. Where funds are forthcoming, early preparation of a NOFA is both desirable and appropriate because of the need to be prepared to proceed quickly so that funding is made available as soon as possible.
  - c. Publication of Estimated Allocations. When appropriations are authorized, are anticipated to be forthcoming, and only the general range of the amount to be appropriated is known, the responsible HUD program office should publish the most likely estimate of funds, dollar range or percentage allocations. This could occur, for example, in a year in which a supplemental appropriation is a possibility, and final funding amounts may not be certain for a period of time. When HUD publishes a NOFA without precise funding information, the NOFA shall indicate that the exact amount of funding will be determined at a later date. In addition, the NOFA shall provide information concerning why

HUD cannot now provide more detailed information, and any additional factors that would be considered in the event that less than the full amount (ultimately authorized for the program) is allocated.

- d. Exceptional Circumstances. Exceptions to the policy favoring early development and publication of NOFAs, even absent precise funding information, fall into two categories:
- (1) Legal Prohibition - The Department will not publish a NOFA, indicating estimated amounts, if it is required by law to publish exact allocation amounts. The involved program office shall consult with the Office of General Counsel to determine whether such is the case.
  - (2) Funding Questionable - If a program office determines that there is a very remote possibility of funds being authorized at all; or, although authorized, appropriations will not be forthcoming; or the appropriation levels are unknown, it may decide that it would be improper to put the applicant through an application process. In reaching this determination, the program office will need to consider and balance such factors as the potential, or lack of such, for funding, and the degree of effort required to comply with the application process.

3-4. EARLY ISSUANCE: NOFA SCHEDULE

- a. General. It is the Department's objective to assure that funding allocations, in every program, are made available to program participants at the soonest possible time. In this manner, members of the public, who rely on HUD to meet housing, community development, and related needs, will be provided with important services on a timely basis.
- b. Early Issuance. In keeping with HUD's objective to make timely funding allocations, program offices shall always seek to prepare and publish each NOFA as soon as possible within the fiscal year. In order to facilitate this task, the Department shall, at the beginning of each fiscal year, prepare a schedule that identifies all NOFAs, and identifies the time frames within which salient steps in the funding process (from NOFA development through awards) are targeted for completion. In

addition, the schedule shall identify the HUD organizations that participate in key phases of the process.

- c. Schedule. The annual schedule, distributed by the Executive Secretariat, will use a matrix that describes the preparation of each NOFA. The matrix divides the fiscal year into six sequential two-month blocks beginning with November-December, and ending with September-October of the following calendar year. The critical steps identified on the matrix are the following:
- (1) NOFA preparation. The Headquarters program office with responsibility for funding the program will provide information on it to the Office of General Counsel for their use in developing the NOFA. However, typically, a number of HUD offices, in Headquarters and the Field, participate in this process. The matrix indicates which offices will be involved.
  - (2) Departmental Clearance. Once the NOFA is developed, the Office of General Counsel, Regulations Division, will place the NOFA into Departmental Clearance.
  - (3) Federal Register Publication. After HUD Offices have had an opportunity to comment on, and ultimately to concur in the NOFA, the NOFA will be submitted to the Federal Register for publication. The number of applications HUD anticipates receiving for each NOFA must also be provided.
  - (4) Application Deadline and Review Process. This phase of the schedule is designed to elicit information on how long the application review process will take, and which HUD offices participate in the review.
  - (5) Funding Allocations. The schedule also indicates dates upon which selections will be made, funds reserved, and awards published.
- d. Schedule Variances. Funding programs do not all entail the same exact steps. However, there are basic steps common to all, and variances can be accommodated within the basic framework of the matrix. The

purpose of creating and maintaining the schedule is ultimately to assist all HUD offices in achieving the Department's goal of timely delivery of its funding programs. The information provided will assist offices in identifying and dealing with potential staff resource problems.

- e. Eliminating Crunches and Staggering Schedules. While early preparation and issuance of NOFAs is of utmost importance, there may be times when staggering or overlapping schedules will alleviate "crunch periods". In preparing the schedule each year, representatives from HUD organizations involved in the NOFA process shall seek to minimize staff overloading, and to assure that offices involved in various phases of the process have an early understanding of when and how they will be required to participate during the fiscal year.

3-5. UNIFORM NOFA FORMAT.

- a. General. The Department seeks to facilitate the preparation of all NOFAs, and to provide information in an understandable format. The use of a uniform format will help to expedite the development and publication of NOFAs. In addition, members of the public will be able to identify key steps in the application process. As a consequence, the ability of applicants to comply with requirements of a NOFA and accompanying application kit will be enhanced.
- b. NOFA Development. The program office with jurisdiction over the involved funding program is responsible for providing information to OGC to use in developing the NOFA. Each NOFA will be prepared in accordance with the uniform format. Particular attention should be paid to the issue of curable deficiencies (i.e., to ensure that the items which can be cured are not substantive in nature), and application due dates (i.e., since programs now must use application kits, the due dates should be established in reference to the issuance of the application kits). Once a NOFA is prepared, it shall be transmitted to the Regulations Division of the Office of General Counsel. The Regulations Division has the responsibility for placing the NOFA into Departmental clearance. Prior to doing so, Regulations Division shall assure that the NOFA document correctly adheres to the uniform format.

- c. **Uniform Format.** Exhibit 3-1 contains the model format that shall be used for all NOFAs. This format uses certain topical headings and Sections. At the same time, since procedural and policy differences, as well as similarities, exist among HUD programs, the format allows program officials a fair measure of discretion.
- (1) **Mandatory Components.** These items, identified in bold print on the model format, initially address rigid requirements that pertain to the publication of documents in the Federal Register. Matters addressed range from the identification of the Department, to summary information concerning the nature of the publication, key dates in the process, and any person(s) who can be contacted by the public for additional information.

Five Sections, identified by Roman Numerals and standardized titles, will also appear, in the same sequence, in every NOFA. It is within each of these Sections that the Department will provide the public with clear, detailed and sufficiently comprehensive information about the application process. These Sections are as follows:

- I. Purpose and Substantive Description
- II. Application Process
- III. Checklist of Application Submission Requirements
- IV. Corrections to Deficient Applications
- V. Other Matters

- (2) **Exercise of Discretion within the Mandatory Framework.** The model format contains guidance on how to prepare information under each boilerplate paragraph title and Section. In some instances (e.g., Paperwork Reduction Statement), deviation from the use of boilerplate language is impermissible. However, in many instances, particularly in relation to the standardized paragraphs identified by Roman Numerals, a program office will have significant latitude in determining what should be included to address the issues identified in the paragraph or Section title. However, some of the guidance provided to program officials in the model format reflects specific, mandatory requirements that are discussed in other paragraphs of this chapter. For example,

under Section IV, Corrections to Deficient Applications, a program official has discretion concerning what kinds of deficiencies are technical in nature and curable. On the other hand, mandatory guidance under this same Section provides that items that are curable are those that: (a) are unnecessary to ascertain the quality of the technical submission, i.e., are not needed to evaluate the application in accordance with the selection criteria/ranking factors; and (b) cannot be submitted after expiration of the application due date to substantially improve the quality of the technical proposal. Similarly, the number of days (14), within which an applicant must submit corrective materials after notification from HUD, cannot be changed.

3-6. DEPARTMENTAL CLEARANCE.

- a. General. Departmental clearance of NOFAs is necessary to assure that all HUD offices that have an interest in the funding program are given adequate opportunity to review and comment on the draft NOFA before it is published. The process helps to assure that the NOFA document is sound with respect to law, policy, and procedure. Nonetheless, this process must not unduly delay the publication of the NOFA and the delivery of the program to the public. Accordingly, HUD's objective is to assure that all offices provide their comments in a timely manner.
- b. Time Frame. Departmental clearance time frames will vary among NOFAs, just as the complexity and size of NOFAs differ. Generally, the time frame for office comments will be no less than two weeks or greater than one month. The determination of how long the clearance period shall run is ultimately the responsibility of OGC's Regulations Division. This Division places the document into clearance, and receives the responses submitted by participating HUD offices. It also decides which HUD offices will participate in the review process. In making these determinations, Regulations Division will consult with the program office originating the document, as well as other offices on an "as-needed" basis.
- c. Timely Submission of Comments. Time is of the essence in order to complete the NOFA process. A delay in any one phase can create

resource and other problems in other phases, and ultimately thwart HUD's ability to deliver timely services to the public. For this reason, it is imperative that HUD offices provide their clearance comments to the Regulations Division within the time frame established. The Regulations Division will maintain a record of responses, and identify all offices that fail to timely respond, immediately after expiration of the response due date. Exhibit 3-2 is a form memo that shall be used by the Assistant General Counsel for Regulations to notify the Deputy Secretary of any office(s) that fail to timely respond. The notification form requests that the Deputy Secretary use his/her offices to prompt immediate compliance. Generally, an office's failure to be timely shall not itself constitute a basis for proceeding in the absence of that office's comments, since the comments may have a material impact on the NOFA. However, recognizing that delays can be damaging to the program, the Deputy Secretary shall assume the responsibility of assuring that the late-responding office(s) proceed(s) with due diligence.

- d. Early Consultation. In order to assure that other HUD Offices have ample opportunity to review a draft NOFA, the originating program office should consult with "key" offices during the NOFA development stage (in advance of formal Departmental clearance). Ordinarily, it is fairly easy to identify the several HUD offices that have a greater than usual interest in the particular NOFA program. By providing these offices with an early opportunity to participate in the NOFA's development, the program office can diminish the potential for any extended reviews or adverse comments.

### 3-7. MULTI-YEAR CLEARANCE PROCESS.

- a. General. After a NOFA has gone through Departmental clearance, it must be reviewed (for budgeting purposes) by the Office of Management and Budget (OMB) before publication in the Federal Register. Often, these clearance processes consume a significant amount of time. It is the Department's policy to eliminate (or curtail) clearance processes for NOFAs that do not contain substantive revisions from the prior year's publications. A substantive revision is one which results in a substantial or significant change, i.e., a change that would severely impact the direction or intensity of the NOFA program from year-to-year. Ordinarily, a change in the amount of funds appropriated is not

considered a substantial change; however, if the change potentially impacts on the conduct of a program, it should be considered a substantive, and therefore warrant a thorough NOFA review.

- b. Annual Publication - Annual publication of each NOFA is necessary to comply with statutes that require publication of selection factors, to promote competition, and to assure that new, possibly better qualified, applicants are given adequate notice and opportunity to participate in HUD programs. This does not mean, however, that a given NOFA, developed, reviewed, cleared, and published in one year ("base-year"), need be subjected to the same scope of review in subsequent years. Just as use of the uniform NOFA format will expedite NOFA development, a Departmental or OMB clearance process that is eliminated or sharply curtailed will result in an earlier NOFA publication.
  
- c. Departmental Clearance - A fundamental question for a program office that is developing a NOFA is whether the NOFA contains substantive revisions from that published in the previous year. Such revisions may stem from legislative revisions to a program or changes in HUD policies and procedures. Use of the uniform NOFA format will facilitate making this determination, since revisions from the base-year NOFA will be identifiable. Similarly, whether a revision is substantive should be readily ascertainable. If substantive revisions are made to a program, the NOFA will be placed into Departmental clearance by the Regulations Division. If, however, the NOFA does not contain substantive revisions (other than allocation amounts), the document will not normally be reviewed in Departmental clearance. (As noted previously, however, program officials should always consult with OGC, and also, Policy Development and Research and the Office of Ethics, and any other offices as necessary, during the NOFA development stage to assure that the NOFA will properly reflect existing laws and Departmental policies.)
  
- d. OMB Clearance Process. Every NOFA is submitted to the Housing Budget Branch of OMB for a pre-publication review so that OMB can access the impact of the funding program on the federal budget. OMB has agreed to a one-day review and clearance process, provided that the NOFA remains unchanged from the prior year's document (other than dollar amounts). However, the annual submission to OMB must still be made, if only for record-keeping purposes.

**3-8. APPLICATION DUE DATES.**

a. **General.** Every published NOFA (with the exceptions described in paragraph b below), must indicate the due date upon which applications must be submitted to HUD. This information shall also appear in the application kit. In selecting and publishing a due date, the program office must address the following matters:

(1) **Minimum 30-day response time.** Each NOFA must provide applicants no less than 30 days to submit applications, with the 30 day (or longer) response time beginning on the first day that application kits are made available. It is necessary to have the response period begin on the first day of availability, because, in many cases, applicants can pick up an application kit at any time prior to the date it must be returned to HUD.

(2) **Date, time, and location(s).** The date, time, and location may be reflected in one of two places.

(a) **In the NOFA itself.** The NOFA must be specific, not only in relation to the application due date, but also the (local) time of day, and the location(s) to which applications must be submitted. In relation to the location(s), the NOFA must identify, at a minimum, the specific room number to which delivery must be made.

(b) **In the application kit.** Currently, most programs use an application kit in addition to the published NOFA. The Department has determined that, as soon as possible, but no later than Fiscal Year 1992, every NOFA program shall use an OMB-approved application kit (see paragraph 3-11). There are instances in which a NOFA will be published in advance of the final preparation and, thus, availability of the application kit. In such a case, the published NOFA shall indicate that the application kit will specify the application due date, as well as other pertinent information. (See the uniform NOFA format, Exhibit 3-1, that provides specific guidance on how to state this information in the Section titled "DATE".)

- (3) Degree of complexity or hardship. Response times will vary among NOFAs, based, in part, on the degree of complexity of each application. In addition, however, the program office should consider potential hardships that relate to certain applicants. For example, some persons, entities, communities or agencies that are likely applicants may be located far away from the HUD offices receiving applications. Also, a new or substantially revised NOFA program may warrant HUD's affording extra response time so that applicants can better familiarize themselves with the program.
- (4) Workshops. In order to better acquaint potential applicants with the program and the application requirements, public workshops or other educational forums are occasionally established by program offices. Where such forums are used, the program official must consider the appropriate amount of time that needs to be added to the application response time.

- b. Timely Applicant Submissions. In order to be timely, an applicant's submission to HUD must be physically received by HUD by the due date and time; it is not enough for an application to be postmarked within the submission time period. HUD offices use different methods for receiving applications. Some require receipt of applications in more than one place (e.g., Headquarters and a Field Office), although one location must be designated as the place of official receipt. To assure that the applicant is fully aware of submission requirements, each HUD and/or application kit must also identify the room to which delivery must be made. HUD will date-stamp incoming applications to evidence (timely or late) receipt, and upon request, provide the applicant with an acknowledgement of receipt. Applications submitted telegraphically, i.e., by facsimile machine, will not be accepted, although cure information submitted in this manner and confirmed with a signed paper copy will be.

3-9. CURE PERIOD.

- a. General. The Department does not wish to eliminate an applicant from consideration based solely upon its failure to properly comply with a technical, non-substantive requirement of a NOFA. Accordingly, where

an applicant is able to speedily correct a deficiency in an application, that does not pertain to the merits of its submission, HUD will permit the applicant the opportunity to correct the deficiency.

- b. Curable Items. The published NOFA shall contain a distinct Section titled "Corrections to Deficient Applications" that indicates that applications must be filed in complete form and on time but that HUD will allow applicants to cure technical deficiencies. This Section will state, further, that any deficiency capable of being cured must involve an item that is not necessary for HUD to evaluate under the evaluation/ranking process.

An example of a technical deficiency would be the failure of an applicant to submit a certification with its proposal. A late submission of such information would not interfere with HUD's ability to assess the merits of the applicant's technical proposal under the NOFA's evaluation factors. Conversely, an applicant cannot be permitted to improve its application by filing statements that address substantive requirements after the due date for submissions has passed. The program office and Grant Officer must take care to assure that all Field Office and Headquarters personnel involved in the review process share the same view of what items constitute curable, technical deficiencies. It is possible that an omission would be viewed as technical and curable, for purposes of one NOFA program, and yet substantive and incurable for another. Even so, applicants will have no cause to complain about such a discrepancy, provided that the terms of each particular NOFA competition are administered in an even-handed fashion.

- c. Time Available to Cure Deficiencies. A cure period, of 14 calendar days, shall be incorporated into each NOFA. An applicant shall be required to cure any such technical deficiency within 14 days from the date of HUD's written notice to the applicant of the problem(s). The written notification shall be a mandatory requirement. In addition, an applicant may be notified by other methods, e.g., by telephone, but this method of notification must be applied by the program office in a uniform manner in relation to all applicants involved. Cure information may be submitted telegraphically, i.e., by facsimile machine, if it is followed up in writing.

3-10. APPLICATION CHECKLIST.

- a. General. In order to help assure that an applicant for funding fully understands the NOFA, each NOFA shall include a "Checklist of Application Submission Requirements." The checklist will appear in a distinct Section of the NOFA publication, and also in the application kit. The use of the checklist should eliminate the possibility of an applicant's loss of eligibility based on the failure to comply with a technical processing step.
- b. Uniform NOFA Format. Section III of the uniform NOFA, titled "Checklist of Application Submission Requirements", provides guidance on how to structure the checklist. The steps must be set forth in sequence. Also, the processing steps should refer to all exhibits, including certifications, that are required of an applicant. Further, this section should provide information about workshops, and other optional matters. Whenever relevant, a date should be listed next to the submission or procedural step identified.
- c. Application Kit. It is essential that the application kit contain a comprehensive listing of application submission requirements. (It is possible, although not preferable, that the NOFA will not identify every step in the process. In such a case, the NOFA will indicate that all steps, including any omitted from the NOFA publication, will be identified in a distinct section of the application kit.)

3-11. APPLICATION KIT.

- a. General. In the past, an application kit has been prepared, in addition to the published NOFA, for most funding programs. The typical application kit, referred to in the NOFA, contains more detailed information about the program and the requirements that must be adhered to by an applicant. Whereas the NOFA provides the public with notice of, and salient information about, a funding program, it is the application kit that provides the potential applicant with comprehensive information on how to participate in the program. The Department has determined that every NOFA program should contain an application kit. The use of an application kit helps to eliminate user confusion, and to facilitate HUD's review of applicant responses.

- b. Inter-relationship between NOFA and Application Kit. There will be some overlap in relation to information provided by the NOFA and the application kit. The model, uniform NOFA format is designed to assure that potential applicants are clearly apprised of the existence and nature of a funding program, and how to participate in the program. Accordingly, one critical element of the NOFA is to provide the applicants with sufficient information to decide whether they are eligible and able to participate in the program. A second critical element consists of providing applicants with clear guidance on how to proceed, if they elect to participate. In this vein, it is fundamental that the NOFA direct applicants to the application kit. The application kit is the means of participation. It details specific requirements. It indicates, step-by-step, how to proceed; what is acceptable and what is not; and, how the Department will evaluate applications and select awardees.
- c. Content of Application Kit. Application kits need not contain the same exact format. However, every application kit must be a carefully structured document that provides all necessary information to the user in easily understood terms. A well-organized kit, written in plain English, will reduce opportunities for error in complying with submission requirements. In addition, HUD reviewers will be able to quickly ascertain whether applications are complete and technically correct. Matters that an application kit must address are discussed in paragraph 2-7d.
- d. Development of the Application Kit. The application kit is developed by the program office with responsibility for the particular funding program. It must be approved by the Office of Management and Budget (for Paperwork Reduction Act implications) before it is used. Program offices are strongly encouraged to consult with HUD's Office of Procurement and Contracts during the development of the application kit. In addition, the Office of General Counsel should be consulted to assure that the application kit contents are consistent with legal requirements that pertain to the program.

### 3-12. CERTIFICATIONS.

- a. General. Applicants that seek government funding are routinely required to submit certifications as part of their submissions. Certain

certifications are required in all HUD programs, while others are particular to individual funding programs. Some programs require applicants to submit a large number of certifications. The Department wishes to eliminate any confusion or possibility of omission on the part of applicants in relation to what certifications are required, and when and how certifications must be filed.

- b. Identifying Required Certifications. As noted in paragraph 3-10, each NOFA, and accompanying application kit, shall contain a distinct Section that sets forth, in sequence, steps an applicant must follow in developing and submitting its application for funding. In addition to physical processing steps, this section shall identify all exhibits, including certifications that will be provided as part of the application kit, and that must be submitted by applicants.
- c. When Certifications Must be Submitted. As a general rule, all certifications must be filed with the application. An exceptional case might arise because, for example, a given certification must be prepared by a party other than the applicant (e.g., a local government), and that entity is unable to make the certification in the absence of reviewing all or part of the application. HUD program offices, when aware of such possibilities, must clearly explain in the NOFA and application kit, alternative arrangements for the timely submission of such certifications. In other words, the NOFA must address the contingency and provide clear guidance on what will be acceptable to HUD.
- d. Failure to Timely Submit a Certification. An applicant's failure to timely submit a certification may or may not constitute a curable error or omission. It would appear, however, that in most instances, the failure to timely submit a certification would be a curable deficiency because it does not affect HUD's ability to otherwise assess the merits of an application. Every published NOFA contains a Section entitled "Corrections to Deficient Applications." This section shall indicate whether, and if so how, a certification error or omission could be cured.

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Office of the \_\_\_\_\_

(Docket No. \_\_\_\_\_ )

NOFA for . . .

Include the Acronym "NOFA" at the beginning of the Title, if at all possible.

**AGENCY:** Office of . . . , HUD.

**ACTION:** Notice of Funding Availability for FY '90 and . . .

**SUMMARY:**

*The summary should not contain substantive information about the NOFA. Rather, it should indicate what kind of information is contained with the body.*

*Example:*

This NOFA announces HUD's funding for . . . . In the body of this document is information concerning the following:

- (a) The purpose of the NOFA and information regarding eligibility, available amounts, and selection criteria;*
- (b) Application processing, including how to apply and how selections will be made; and*
- (c) A checklist of steps and exhibits involved in the application process.*

**DATES:** Applications are due on or before \_\_\_\_\_.

**ADDRESSEES:** *Include where applications should be submitted.*

**FOR FURTHER INFORMATION CONTACT:**

2210.17 REV 2  
Exhibit 3-1

### **SUPPLEMENTARY INFORMATION:**

*The program office should also provide additional information here, such as a brief indication of what constitutes proper submission.*

*Sometimes, a specific application due date cannot be determined until after publication of the NOFA (e.g., because the application package has not yet been prepared). In such an instance, use alternative language, as precise as possible, to assist the user. For example, the NOFA could state that:*

The actual Application Due Date will be specified in the application kit. In no event, however, will the application be due before \_\_\_\_\_. Further, applicants will have at least 30 days to prepare and submit their proposals. The 30-day (or more) response period shall begin to run from the first date upon which application kits are made available.

### **Paperwork Reduction Act Statement**

*This is a boilerplate paragraph. There are actually several boilerplate paragraphs, each of which addresses a different status situation (e.g., paperwork has been approved; approval is pending, etc.)*

### **I. Purpose and Substantive Description:**

*In this section, the NOFA should provide, under separate sub-headings, substantive information about the funding process. Paragraphs could address the following:*

(a) Authority:

*What statutes, rules or handbooks authorize the NOFA. What is funded?*

(b) Allocation Amounts:

*Best information available. Estimated amounts, if exact figures are unavailable. Planned method of allocation.*

2210.17 REV 2  
Exhibit 3-1

(c) Eligibility:

*Who can apply for the funding?*

(d) Selection Criteria/Ranking Factors:

*How we pick. The HUD Reform Act requires that selection criteria and ranking factors be delineated in the published NOFA.*

*NOTE: The amount of information incorporated into this Section (I), will vary among NOFAs, depending on factors such as whether a separate and comprehensive application package exists. If one does, we should not (absent a legal constraint) produce the full package in two places, i.e., both the application package and the published Federal Register NOFA. It is required, however, to recite salient provisions that exist in regulations, and that apply to the selection process. [NOTE: If a NOFA does not now contain a separate OMB-approved application package, the program administrator should immediately begin to prepare one.]*

**II. Application Process:**

*This Section (II) of the NOFA should answer the following questions:*

- (a) Where can I obtain an application package (if one is separately prepared)?*
- (b) To whom do I submit the completed application?*
- (c) When must I submit the application?*
- (d) Any other relevant information concerning the physical delivery process surrounding the receipt, preparation and submission of the application.*  
*Exception: Curing technical errors, which is discussed in Section IV below.*

2210.17 REV 2  
Exhibit 3-1

### III. Checklist of Application Submission Requirements:

*In this Section (III), a series of steps that must be followed by an applicant, should be set out in sequence. In addition, all exhibits, including certifications, that an applicant is required to submit, should be set forth in this Section. In the interest of clarity, the list of exhibits must be identified separately from the list of physical processing requirements. Exhibits that are clearly identified in the application package need not be repeated here, provided that this Section indicates that such provide information about workshops, and such other optional matters, that are available to user. The section could be introduced with the following sample paragraph:*

The application requirements consist of the following procedures.

*Whenever relevant, a date is listed next to the step.*

(a) An application (form number XYZ) may be obtained at (location). Applications are available from April 1, 1990 to May 1, 1990.

(b) . . . .

### IV. Corrections to Deficient Applications:

*This Section (IV) of the NOFA should advise the reader of the following:*

*(a) What kinds of technical deficiencies can be cured, after the submission date for applications has passed? It is not necessary to identify specific items that constitute technical deficiencies. Do indicate, however, that curable, technical deficiencies relate to items that (1) HUD does not need in order to review the quality of the technical submission in terms of the selection criteria/ranking factors; and (2) cannot be submitted, after the application due date has expired, to improve the quality of the technical approach.*

*(b) HUD will notify an applicant in writing, after the expiration on the NOFA/application response deadline, of any technical deficiencies in the application. The applicant must submit corrections within 14 calendar days from the date of HUD's letter notifying the applicant of any such deficiency.*

2210.17 REV 2  
Exhibit 3-1

*This Section must also explain to the applicant what constitutes timely and appropriate submission of correction materials.*

V. Other Matters:

*This Section (V) should contain all required boilerplate paragraphs including:*

- (a) Environmental Impact (or not)
- (b) Federalism Executive Order; and
- (c) Family Executive Order.

**AUTHORITY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
Signatory





OFFICE OF GENERAL COUNSEL

MEMORANDUM FOR: Alfred A. DelliBovi, Deputy Secretary, D

FROM: Grady Norris, Assistant General Counsel for Regulations  
Office of Legislation and Regulations, GLR

SUBJECT: FR- . . . , NOFA for . . .

Please be advised that the office(s) identified below has (have) failed to submit Departmental Clearance comments in relation to the above-referenced NOFA. Clearance comments were due on or before \_\_\_\_\_, 199\_\_.

It is necessary to receive and resolve clearance comments as soon as possible, so that the Department can carry out its program responsibilities in an efficient manner. Please contact immediately the office(s) listed above, and request its (their) immediate attention to this matter. Thank you.

cc: [Office(s) listed in this memorandum]

