

**MidWest Bancorporation, Inc.; Change in Bank Control Notice**

**Acquisition of Shares of Banks or Bank Holding Companies**

The notificant listed below has applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notice is available for immediate inspection at the Federal Reserve Bank indicated. Once the notice has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for the notice or to the offices of the Board of Governors. Comments must be received not later than September 20, 1995.

**A. Federal Reserve Bank of Minneapolis** (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *MidWest Bancorporation, Inc.*, Minnetonka, Minnesota, and Todd County Agency, Inc., Minnetonka, Minnesota; to acquire West Central Agency, Inc., Graceville, Minnesota, and thereby acquire certain assets from Graceville Insurance Agency, Graceville, Minnesota, and thereby engage in

general insurance agency activities in a place with a population of less than 5,000, pursuant to § 225.25(b)(8)(iii)(A) of the Board's Regulation Y. The geographic scope for these activities is the Minnesota communities of Barrett, Bertha, Elbow Lake, Graceville, Verndale, and Wheaton, each of which has a population of less than 5,000.

Board of Governors of the Federal Reserve System, August 31, 1995.

**William W. Wiles,**

*Secretary of the Board.*

[FR Doc. 95-22206 Filed 9-6-95; 8:45 am]

BILLING CODE 6210-01-F

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**Agency Information Collection Under OMB Review; Proposed Information Collection Submitted for Public Comment and Recommendations**

In compliance with the requirements of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 for opportunity for public comment on proposed data collection projects, the Administration for Children and Families (ACF) is publishing the following summary(ies). To request copies of the proposed collection of information write The Administration for Children and Families, Office of

Information Systems, 370 L'Enfant Promenade, SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Proposed Project(s):

Title: Family Preservation and Family Services (FP/FS) Support Act.

OMB No.: New.

Description: Participants in the implementation of the Family Preservation and Family Support Services Program will provide information for reauthorization of Title IV-B, subpart 2 of the Social Security Act and provide feedback to ACF necessary to determine the need for future policy guidance and refine the nature and scope of technical assistance.

Respondents: State, Local and Tribal government.

Title	No. of respondents	No. of responses per respondents	Average burden per response	Burden
Traditional Child Welfare Staff .....	40	1	2.00	19.90
FP/FS Coordinator .....	10	1	1.00	10.00
FP/FS Stakeholders .....	80	1	8.00	80.00
Family Preservation Staff .....	10	1	0.75	7.50
Family Support Staff .....	10	1	1.00	10.00
Estimated Total Annual Burden Hours: .....	.....	.....	.....	127.5

Dated: August 30, 1995.

**Roberta Katson,**

*Acting Director, Office of Information Resource Management.*

[FR Doc. 95-22079 Filed 9-6-95; 8:45 am]

BILLING CODE 4184-01-M

**ACTION:** Announcement of availability of competitive financial assistance for projects in competitive areas administered by the Administration for Native Americans for American Indians, Native Hawaiian, Alaska Natives and Native American Pacific Islanders.

**SUMMARY:** The Administration for Native Americans (ANA) announces the anticipated availability of fiscal year 1996 funds in four competitive areas:

- (1) Governance and social and economic development;
- (2) Governance and social and economic development for Alaska Native entities;

(3) Environmental regulatory enhancement; and

(4) Native American languages preservation and enhancement.

Financial assistance provided by ANA in support of projects in these four areas is intended to promote the goal of self-sufficiency for Native Americans.

**APPLICATION KIT:** Application kits, containing the necessary forms and instructions to apply for a grant under this program announcement, may be obtained from: Department of Health and Human Services, Administration for Children and Families, Administration for Native Americans, Room 348F,

**[Program Announcement No. 93612-961]**

**Administration for Native Americans; Availability of Financial Assistance**

**AGENCY:** Administration for Native Americans (ANA), Administration for Children and Families, (ACF).

Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201-0001, Attention: 93612-961, Telephone: (202) 690-7776.

#### SUPPLEMENTARY INFORMATION:

##### Introduction and Purpose

The purpose of this program announcement is to announce the anticipated availability of fiscal year 1996 funds, authorized under the Native American Programs Act (Act), as amended, to promote the goal of social and economic self-sufficiency for American Indians, Alaska Natives, Native Hawaiians, and Native American Pacific Islanders in four competitive areas.

In order to streamline the application process for eligible applicants under four competitive areas, ANA is issuing a single program announcement for fiscal year 1996 funds. Therefore, information regarding ANA's mission, policy, goals, application requirements, review criteria and closing dates for each competitive area is included in this comprehensive announcement.

In previous years, the Administration for Native Americans promoted the goal of self-sufficiency in Native American communities primarily through Social and Economic Development Strategies (SEDS) projects. Amendments to the Native American Programs Act have expanded ANA's granting authority to establish two additional programs for 1) environmental regulatory enhancement, and 2) Native American languages preservation and enhancement.

Funding authorization is provided under sections [803(a), 803(d) and 803C of the Native American Programs Act of 1974, as amended (Pub. L. 93-644, 88 Stat. 2324, 42 U.S.C. 2991b).]

The Indian Environmental Regulatory Enhancement Act of 1990 (Pub. L. 101-408) authorizes financial assistance for projects to address environmental regulatory concerns (Section 803(d) of the Native American Programs Act of 1974, as amended).

The Native American Languages Act of 1992 (Pub. L. 102-524) authorizes financial assistance for projects to promote the survival and continuing vitality of Native American languages (Section 803C of the Native American Programs Act of 1974, as amended).

This program announcement is being issued in anticipation of the appropriation of funds for fiscal year 1996 and the availability of funds for the four competitive areas is contingent upon sufficient final appropriations. Proposed projects will be reviewed on a competitive basis against the specific

evaluation criteria presented under each competitive area in this announcement.

Eligible applicants may compete for and receive a grant award in each of the three competitive areas (An Alaska Native entity may not submit an application under both Competitive Areas 1 and 2 for the same closing date.) However, ANA continues its policy that an applicant may only submit one application per competitive area.

This program announcement consists of three parts.

##### Part I ANA Policy and Goals

Provides general information about ANA's policies and goals for the four competitive areas.

##### Part II ANA Competitive Areas

Describes the four competitive areas under which ANA is requesting applications:

- Governance, Social and Economic Development (SEDS);
- Governance, Social and Economic Development (SEDS) for Alaska Native entities;
- Environmental Regulatory Enhancement; and
- Native American Languages Preservation and Enhancement.

Each competitive area includes the following sections which provide area-specific information to be used to develop an application for ANA funds:

- A Purpose and Availability of Funds;
- B Background;
- C Proposed Projects to be Funded;
- D Eligible Applicants;
- E Grantee Share of the Project;
- F Review Criteria;
- G Application Due Date(s); and
- H Contacts to Obtain Further Information

##### Part III General Application Information and Guidance

Provides important information and guidance that applies to all four competitive areas and that must be taken into account in developing an application for any of the four areas.

##### Part I—ANA Policy and Goals

The mission of the Administration for Native Americans (ANA) is to promote the goal of social and economic self-sufficiency for American Indians, Alaska Natives, Native Hawaiians, and other Native American Pacific Islanders.

The Administration for Native Americans believes that a Native American community is self-sufficient when it can generate and control the resources necessary to meet its social and economic goals, and the needs of its members.

The Administration for Native Americans also believes that the

responsibility for achieving self-sufficiency resides with the governing bodies of Indian tribes, Alaska Native villages, and in the leadership of Native American groups. A community's progress toward self-sufficiency is based on its efforts to plan, organize, and direct resources in a comprehensive manner which is consistent with its established long-range goals.

The Administration for Native Americans' policy is based on three interrelated goals:

1. *Governance*: To assist tribal and Alaska Native village governments, Native American institutions, and local leadership to exercise local control and decision-making over their resources.
2. *Economic Development*: To foster the development of stable, diversified local economies and economic activities which will provide jobs and promote economic well-being.
3. *Social Development*: To support local access to, control of, and coordination of services and programs which safeguard the health, well-being and culture of people, provide support services and training so people can work, and which are essential to a thriving and self-sufficient community.

The Administration for Native Americans assists eligible applicants for the four competitive areas to undertake one to three year development projects that are part of long-range comprehensive plans to move toward governance, social, and/or economic self-sufficiency.

For each type of project, applicants must describe a concrete locally-determined strategy to carry out a proposed project with fundable objectives and activities.

Local long-range planning must consider the maximum use of all available resources, how the resources will be directed to development opportunities, and present a strategy for overcoming the local issues that hinder movement toward self-sufficiency in the community.

Under each competitive area, ANA will only accept one application which serves or impacts a reservation, Tribe, or Native American community.

An application from a federally recognized Tribe, Alaska Native Village or Native American organization must be from the governing body of the Tribe or organization. ANA will not accept applications from tribal components which are tribally-authorized divisions of a larger tribe, unless the application includes a Tribal resolution which clearly demonstrates the Tribe's support of the project and the Tribe's understanding that the other applicant's project supplants the Tribe's authority

to submit an application under that specific competitive area for the duration of the approved grant period.

**Note:** If a Tribe or Alaska Native village chooses not to submit an application under a specific competitive area, it may support another applicant's project (e.g., a tribal organization) which serves or impacts the reservation. In this case, the applicant must include a Tribal resolution which clearly demonstrates the Tribe's support of the project and the Tribe's understanding that the other applicant's project supplants the Tribe's authority to submit an application under that specific competitive area for the duration of the approved grant period.

## Part II—ANA Competitive Areas

The four competitive areas under this Part describe ANA's funding authorities, priorities, special initiatives, requirements, and review criteria. However, most of the requirements are standard for all applications to be submitted under this program announcement. The standard requirements necessary for each application, as well as standard ANA program guidance and technical guidance are described in Part III of this announcement.

An applicant may submit a separate application under any of the competitive areas described in this Part, as long as the applicant meets the eligibility requirements that are listed separately under each area. Applications for SEDS grants from Alaska Native entities may be submitted under either Competitive Area 1 or Competitive Area 2. An Alaska Native entity may not submit an application under both Competitive Areas 1 and 2 for the same closing date.

### *ANA Competitive Area 1. Social and Economic Development Strategies (SEDS) Projects*

#### A. Purpose and Availability of Funds

The purpose of this competitive area is to announce the anticipated availability of fiscal year 1996 financial assistance to promote the goal of social and economic self-sufficiency for American Indians, Alaska Natives, Native Hawaiians, and Native American Pacific Islanders through locally developed social and economic development strategies (SEDS).

Approximately \$14 million of financial assistance is anticipated to be available under this priority area for governance, social and economic development projects. In fiscal year 1996, ANA anticipates awarding approximately 120 competitive grants ranging from \$30,000 to \$1,000,000 under this competitive area.

#### B. Background

To achieve its goals, ANA supports tribal and village governments, and Native American organizations, in their efforts to develop and implement community-based, long-term governance, social and economic development strategies (SEDS). These strategies must promote the goal of self-sufficiency in local communities.

The SEDS approach is based on ANA's program goals and incorporates two fundamental principles:

1. The local community and its leadership are responsible for determining goals, setting priorities, and planning and implementing programs aimed at achieving those goals. The local community is in the best position to apply its own cultural, political, and socio-economic values to its long-term strategies and programs.

2. Governance and social and economic development are interrelated. In order to move toward self-sufficiency, development in one area should be balanced with development in the others. Consequently, comprehensive development strategies should address all aspects of the governmental, economic, and social infrastructures needed to promote self-sufficient communities.

ANA's SEDS policy is based on the use of the following definitions:

- "Governmental infrastructure" includes the constitutional, legal, and administrative development requisite for independent governance.
- "Economic infrastructure" includes the physical, commercial, industrial and/or agricultural components necessary for a functioning local economy which supports the life-style embraced by the Native American community.
- "Social infrastructure" includes those components through which health, economic well-being and culture are maintained within the community and that support governance and economic goals.

These definitions should be kept in mind as a local social and economic development strategy is developed as part of a grant application.

A community's movement toward self-sufficiency could be jeopardized if a careful balance between governmental, economic and social development is not maintained. For example, expansion of social services, without providing opportunities for employment and economic development, could lead to dependency on social services.

Conversely, inadequate support services and training could seriously impede productivity and local economic

development. Additionally, the necessary infrastructures must be developed or expanded at the community level to support social and economic development and growth. In designing their social and economic development strategies, ANA encourages an applicant to use or leverage all available human, natural, financial, and physical resources.

In discussing their community-based, long-range goals, and the objectives for the proposed projects, ANA recommends that non-Federally recognized and off-reservation groups include a description of what constitutes their specific community.

ANA encourages the development and maintenance of comprehensive strategic plans which are an integral part of attaining and supporting the balance necessary for successful activities that lead to self-sufficiency.

#### C. Proposed Projects to be Funded

This section provides descriptions of activities which are consistent with the SEDS philosophy. Proposed activities should be tailored to reflect the governance, social and economic development needs of the local community and should be consistent and supportive of the proposed project objectives.

The types of projects which ANA may fund include, but are not limited to, the following:

##### Governance

- Improvements in the governmental, judicial and/or administrative infrastructures of tribal and village governments (such as strengthening or streamlining management procedures or the development of tribal court systems);
- Increasing the ability of tribes, villages, and Native American groups and organizations to plan, develop, and administer a comprehensive program to support community social and economic self-sufficiency (including strategic planning);
- Increasing awareness of and exercising the legal rights and benefits to which Native Americans are entitled, either by virtue of treaties, the Federal trust relationship, legislative authority, executive orders, administrative and court decisions, or as citizens of a particular state, territory, or of the United States.
- Status clarification activities for Native groups seeking Federal or State tribal recognition, such as performing research or any other function necessary to submit a petition for Federal acknowledgement or in response to any obvious deficiencies cited by the Bureau

of Acknowledgement and Research (BAR), Department of Interior, in a petition from a Native group seeking Federal recognition; and

- Development of and/or amendments to tribal constitutions, court procedures and functions, by-laws or codes, and council or executive branch duties and functions.

#### Economic Development

- Development of a community economic infrastructure that will result in businesses, jobs, and an economic support structure.

- Establishment or expansion of businesses and jobs in areas such as tourism, specialty agriculture, light and/or heavy manufacturing, construction, housing and fisheries or aquaculture;

- Stabilizing and diversifying a Native community's economic base through business development ventures;

- Creation of microenterprises or private sector development;
- Establishment or expansion of businesses and jobs that utilize Indian tax incentives passed in the Omnibus Budget Reconciliation Act of 1993; and

#### Social Development

- Enhancing tribal capabilities to design or administer programs aimed at strengthening the social environment desired by the local community;

- Developing local and intertribal models related to comprehensive planning and delivery of services;
- Developing programs or activities to preserve and enhance tribal heritage and culture; and

- Establishing programs which involve extended families or tribal societies in activities that strengthen cultural identity and promote community development or self-esteem.

#### D. Eligible Applicants

Current ANA SEDS grantees whose project period terminates in fiscal year 1996 (October 1, 1995-September 30, 1996) are eligible to apply for a grant award under this program announcement. (The Project Period is noted in Block 9 of the "Financial Assistance Award" document).

Additionally, provided they are not current ANA SEDS grantees, the following organizations are eligible to apply under this competitive area:

- Federally recognized Indian Tribes;
- Consortia of Indian Tribes;
- Incorporated non-Federally recognized Tribes;

- Incorporated nonprofit multi-purpose community-based Indian organizations;

- Urban Indian Centers;
- National or regional incorporated nonprofit Native American

organizations with Native American community-specific objectives;

- Alaska Native villages as defined in the Alaska Native Claims Settlement Act (ANCSA) and/or nonprofit village consortia;

- Incorporated nonprofit Alaska Native multi-purpose community-based organizations;

- Nonprofit Alaska Native Regional Corporations/Associations in Alaska with village specific projects;

- Nonprofit Native organizations in Alaska with village specific projects;

- Public and nonprofit private agencies serving Native Hawaiians;

- Public and nonprofit private agencies serving native peoples from Guam, American Samoa, Palau, or the Commonwealth of the Northern Mariana Islands. (The populations served may be located on these islands or in the United States); and

- Tribally Controlled Community Colleges, Tribally Controlled Post-Secondary Vocational Institutions, and colleges and universities located in Hawaii, Guam, American Samoa, Palau, or the Commonwealth of the Northern Mariana Islands which serve Native American Pacific Islanders.

Proof of an applicant's nonprofit status, such as an IRS determination of nonprofit status under IRS Code 501(c)(3), must be included in the application.

If the applicant, other than a tribe or an Alaska Native Village government, is proposing a project benefiting Native Americans or Native Alaskans, or both, it must provide assurance that its duly elected or appointed board of directors is representative of the community to be served. An organization can conclusively establish that it meets this requirement through a signed statement or resolution stating that its duly elected or appointed board of directors are either Native Americans or Native Alaskans or a copy of the organizational charter or by-laws that clearly states that the organization has a board drawn from members of those groups.

**Note:** Under each competitive area, ANA will only accept one application which serves or impacts a reservation, Tribe, or Native American community. If a Tribe or Alaska Native village chooses not to submit an application under a specific competitive area, it may support another applicant's project (e.g., a tribal organization) which serves or impacts the reservation.

In this case, the applicant must include a Tribal resolution which clearly demonstrates the Tribe's support of the project and the Tribe's understanding that the other applicant's project supplants the Tribe's authority to submit an application under that

specific competitive area for the duration of the approved grant period.

#### E. Grantee Share of the Project

Grantees must provide at least 20 percent of the total approved cost of the project. (The total approved cost of the project is the sum of the ACF share and the non-Federal share.) The non-Federal share may be met by cash or in-kind contributions; although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a project requesting \$300,000 in Federal funds must include a match of at least \$75,000 (20% total project cost).

As per 45 CFR Part 74.2, In-Kind contributions is defined as "the value of non-cash contributions provided by non-Federal third parties. Third party-in kind contributions may be in the form of real property, equipment, supplies and other expendable property, and the value of goods and services directly benefiting and specifically identifiable to the project or program."

In addition it may include other Federal funding sources where its legislation or regulations authorizes using specific types of funds for a match and provided the source relates to the ANA project, as follows:

- Indian Child Welfare funds, through the Department of Interior;
- Indian Self-Determination and Education Assistance funds, through the Department of Interior and the Department of Health and Human Services; and

- Community Development Block Grant funds, through the Department of Housing and Urban Development.

An itemized budget detailing the applicant's non-Federal share, and its source, must be included in an application.

If an applicant plans to charge indirect costs in its ANA application, a current copy of its Indirect Cost Agreement must be included in the application.

A request for a waiver of the non-Federal share requirement may be submitted in accordance with 45 CFR 1336.50(b)(3) of the Native American Program Regulations.

**Note:** Applications originating from American Samoa, Guam, Palau, or the Commonwealth of the Northern Mariana Islands are covered under Section 501(d) of Public Law 95-134, as amended (48 U.S.C. 1469a) under which HHS waives any requirement for local matching funds under \$200,000 (including in-kind contributions).

#### F. Review Criteria

A proposed project should reflect the purposes of ANA's SEDS policy and

program goals (described in the Background section of this competitive area), include a social and economic development strategy which reflects the needs and specific circumstances of the local community, and address the specific developmental steps that the tribe or Native American community is undertaking toward self-sufficiency.

The evaluation criteria are closely related to each other and are considered as a whole in judging the overall quality of an application. Points are awarded only to applications which are responsive to this competitive area and these criteria. Proposed projects will be reviewed on a competitive basis using the following evaluation criteria:

*(1) Long-Range Goals and Available Resources. (15 Points)*

(a) The application describes the long-range goals and strategy, including:

- How specific social, governance and economic long-range community goals relate to the proposed project and strategy;
- How the community intends to achieve these goals;
- The relationship between the long-range goals and the applicant's comprehensive community social and economic development plan. (Inclusion of the community's entire development plan is not necessary); and
- A clearly delineated social and economic development strategy (SEDS).

The application documents the type of involvement and support of the community in the planning process and implementation of the proposed project. A Tribe may meet this requirement by submitting a resolution stating that community involvement has occurred in the project planning. All other eligible applicants may meet this requirement by providing documentation of community support/involvement. The type of community you serve will determine the type of documentation necessary.

For example, a tribal organization may submit resolutions supporting the project proposal from each of its members tribes, as well as a resolution from the applicant organization. Other examples of documentation include: community surveys; minutes of community meetings; questionnaires; tribal presentations; and/or discussion/position papers.

Applications from National Indian and Native organizations must clearly demonstrate a need for the project, explain how the project was originated, state who the intended beneficiaries will be, and describe how the recipients will actually benefit from the project. National Indian and Native

organizations should define their membership and describe how the organization operates.

(b) Available resources (other than ANA and the non-Federal share) which will assist, and be coordinated with the project are described. These resources should be documented by letters or documents of commitment of resources, not merely letters of support.

- "Letters of support" merely express another organization's endorsement of a proposed project. Support letters are not binding commitment letters or do not factually establish the authenticity of other resources.

- "Letters and other documents of commitment" are binding when they specifically state the nature, the amount, and conditions under which another agency or organization will support a project funded with ANA funds.

For example, a letter from another Federal agency or foundation pledging a commitment of \$200,000 in construction funding to complement proposed ANA funded pre-construction activity is evidence of a firm funding commitment. These resources may be human, natural or financial, and may include other Federal and non-Federal resources. (Applicant states that additional funding will be sought from other specific sources are not considered a binding commitment of outside resources.)

**Note:** Applicants from the Native American Pacific Islands are not required to provide a 20% match for the non-Federal share if it is under \$200,000 and may not have points reduced for this policy. They are, however, expected to coordinate non-ANA resources for the proposed project, as are all ANA applicants.

*(2) Organizational Capabilities and Qualifications. (10 Points)*

(a) The management and administrative structure of the applicant is explained. Evidence of the applicant's ability to manage a project of the proposed scope is demonstrated. The application clearly shows the successful management of projects of similar scope by the organization, and/or by the individuals designated to manage the project.

(b) Position descriptions and/or resumes of key personnel, including those of consultants, are presented. The position descriptions and/or resumes relate specifically to the staff proposed in the Approach Page and in the proposed Budget of the application. Position descriptions very clearly describe each position and its duties and clearly relate to the personnel staffing required to achieve the project objectives. Resumes demonstrate that

the proposed staff are qualified to carry out the project activities. Either the position descriptions or the resumes contain the qualifications and/or specialized skills necessary for overall quality management of the project. Resumes must be included if individuals have been identified for positions in the application.

**Note:** Applicants are strongly encouraged to give preference to Native Americans in hiring staff and subcontracting services under an approved ANA grant.

*(3) Project Objectives, Approach and Activities. (45 Points)*

The application proposes specific project Objective Work Plans with activities related to each specific objective.

The Objective Work Plan(s) in the application includes project objectives and activities for each budget period proposed and demonstrates that each of the objectives and its activities:

- Is measurable and/or quantifiable in terms of results or outcomes;
- Supports the community's social and economic development strategy;
- Clearly relates to the community's long-range goals;
- Can be accomplished with the available or expected resources during the proposed project period;
- Indicates when the objective, and major activities under each objective, will be accomplished;
- Specifies who will conduct the activities under each objective; and
- Supports a project that will be completed, self-sustaining, or financed by other than ANA funds at the end of the project period.

*(4) Results or Benefits Expected. (20 Points)*

Completion of the proposed objectives will result in specific, measurable results. The application shows how the expected results will help the community meet its long-range goals. The specific information provided in the narrative and objective work plans on expected results or benefits for each objective is the standard upon which its achievement can be evaluated at the end of each budget year.

*(5) Budget. (10 Points)*

A detailed and fully explained budget is provided for each budget period requested which:

- Justifies each line item, with a well-written justification, in the budget categories in Section B of the Budget Information of the application, including the applicant's non-Federal share and its source;
- Includes and justifies sufficient cost and other necessary details to facilitate

the determination of cost allowability and the relevance of these costs to the proposed project; and

- Requests funds which are appropriate and necessary for the scope of the proposed project.

For business development projects, the proposal demonstrates that the expected return on the funds used to develop the project provides a reasonable operating income and return within a future specified time frame.

**Note:** Applicants from the Native American Pacific Islands are exempt from the \$200,000 non-Federal share requirement.

#### G. Application Due Date

The closing dates for submission of applications under this competitive area are: October 20, 1995, February 9, 1996, and May 17, 1996.

#### H. For Further Information Contact

Sharon McCully (202) 690-5780, Department of Health and Human Services, Administration for Children and Families, Administration for Native Americans, 200 Independence Avenue, S.W., Room 348-F, Washington, D.C. 20201-0001

### Competitive Area 2. Alaska-Specific Social and Economic Development Strategies (SEDS) Projects

#### A. Purpose and Availability of Funds

The purpose of this competitive area is to announce the anticipated availability of fiscal year 1996 funds for Alaska Native social and economic development projects. Approximately \$1.5 million of financial assistance is anticipated to be available under this competitive area for Alaska Native governance, social and economic development projects.

ANA plans to award approximately 15-18 grants under this competitive area. For individual village projects, the funding level for a budget period of 12 months will be up to \$100,000; for regional nonprofit and village consortia, the funding level for a budget period of 12 months will be up to \$150,000, commensurate with approved multi-village objectives.

#### B. Background

Based on the three ANA goals described in Part I, ANA implemented a special Alaska social and economic development initiative in fiscal year 1984. This special effort was designed to provide financial assistance at the village level or for village-specific projects aimed at improving a village's governance capabilities and for social and economic development.

This competitive area continues to implement this special initiative. ANA

believes both the nonprofit and for-profit corporations in Alaska can play an important supportive role in assisting individual villages to develop and implement their own locally determined strategies which capitalize on opportunities afforded to Alaska Natives under the Alaska Native Claims Settlement Act (ANCSA), Public Law 92-203.

The Administration for Native Americans does not fund objectives or activities for the core administration of an organization. However, ANA will consider funding core administrative capacity building projects at the village government level if the village does not have governing systems in place.

#### C. Proposed Projects to be Funded

Examples of the types of projects that ANA may fund include, but are not limited to, projects that will:

##### Governance

- Initiate demonstration programs at the regional level to allow Native people to become involved in developing strategies to maintain and develop their economic subsistence base;
- Assist villages in developing land use capabilities and skills in the areas of land and natural resource management and protection, resource assessment and conducting environmental impact studies;
- Assist village consortia in the development of tribal constitutions, ordinances, codes and tribal court systems;
- Develop agreements between the State and villages that transfer programs jurisdictions, and /or control to Native entities;
- Strengthen village government control of land management, including land protection, through coordination of land use planning with village corporations and cities, if appropriate;
- Assist in status clarification activities;
- Initiate village level mergers between village councils, village corporations and others to coordinate programs and services which safeguard the health, well being and culture of a community and its people;
- Strengthen local governance capabilities through the development of village consortia and regional IRAs (Indian Reorganization Act councils organized under the Indian Reorganization Act, 25 U.S.C. 473a);
- Assist villages in preparing and coordinating plans for the development and/or improvement of water and sewer systems within the village boundaries;
- Assist villages in establishing initiatives through which youth may

participate in the governance of the community and be trained to assume leadership roles in village governments; and

- Consider strategies and plans to protect against, monitor, and assist when catastrophic events occur, such as oil spills or earthquakes.

##### Economic Development

- Assist villages in developing businesses and industries which: 1) use local materials; 2) create jobs for Alaska Natives; 3) are capable of high productivity at a small scale of operation; and 4) complement traditional and necessary seasonal activities;
- Substantially increase and strengthen efforts to establish and improve the village and regional infrastructure and the capabilities to develop and manage resources in a highly competitive cash-economy system;
- Assist villages, or consortia of villages, in developing subsistence compatible industries that will retain local dollars in villages;
- Assist in the establishment or expansion of new native owned businesses; and
- Assist villages in labor export; i.e., people leaving the local communities for seasonal work and returning to their communities.

##### Social Development

- Assist in developing training and education programs for local jobs in education, government, and health-related fields; and work with these agencies to encourage job replacement of non-Natives by trained Natives;
- Develop local models related to comprehensive planning and delivery of social services;
- Develop new service programs, initially established with ANA funds, which will be funded for continued operation (after the ANA grant terminates) by local communities or the private sector;
- Develop or coordinate with State-funded projects, activities designed to decrease the incidence of child abuse and neglect, fetal alcohol syndrome, and/or suicides;
- Assist in obtaining licenses to provide housing or related services from State or local governments; and
- Develop businesses to provide relief for caretakers needing respite from human service-related care work.

#### D. Eligible Applicants

Current ANA SEDS grantees in Alaska whose project period terminates in fiscal year 1996 (October 1, 1995—

September 30, 1996) are eligible to apply for a grant award under this program announcement. (The Project Period is noted in Block 9 of the "Financial Assistance Award" document.)

Additionally, provided they are not current ANA SEDS grantees, the following organizations are eligible to apply under this competitive area:

- Federally recognized Indian Tribes in Alaska;
- Alaska Native villages as defined in the Alaska Native Claims Settlement Act (ANCSA) and/or nonprofit village consortia;
- Incorporated nonprofit Alaska Native multi-purpose community-based organizations;
- Nonprofit Alaska Native Regional Corporations/Associations in Alaska with village specific projects; and
- Nonprofit Native organizations in Alaska with village specific projects.

Proof of an applicant's nonprofit status, such as an IRS determination of nonprofit status under IRS Code 501(c)(3), must be included in the application.

If the applicant, other than a tribe or an Alaska Native Village government, is proposing a project benefiting Native Americans or Native Alaskans, or both, it must provide assurance that its duly elected or appointed board of directors is representative of the community to be served. An organization can conclusively establish that it meets this requirement through a signed statement or resolution stating that its duly elected or appointed board of directors are either Native Americans or Native Alaskans or a copy of the organizational charter or by-laws that clearly states that the organization has a board drawn from members of those groups.

Although for-profit regional corporations established under ANCSA are not eligible applicants, individual villages and Indian communities are encouraged to use the for-profit corporations as subcontractors and to collaborate with them in joint-venture projects for promoting social and economic self-sufficiency. ANA encourages the for-profit corporations to assist the villages in developing applications and to participate as subcontractors in a project.

**Note:** Under each competitive area, ANA will only accept one application which serves or impacts a reservation, Tribe, or Native American community. If a Tribe or Alaska Native village chooses not to submit an application under a specific competitive area, it may support another applicant's project (e.g., a tribal organization) which serves or impacts the reservation.

In this case, the applicant must include a Tribal resolution which clearly demonstrates the Tribe's support of the project and the Tribe's understanding that the other applicant's project supplants the Tribe's authority to submit an application under that specific competitive area for the duration of the approved grant period.

#### *E. Grantee Share of the Project*

Grantees must provide at least 20 percent of the total approved cost of the project. The total approved cost of the project is the sum of the ACF share and the non-Federal share. The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a project requesting \$100,000 in Federal funds must include a match of at least \$25,000 (20% total project cost).

As per 45 CFR Part 74.2, In-Kind contributions is defined as "the value of non-cash contributions provided by non-Federal third parties. Third party-in kind contributions may be in the form of real property, equipment, supplies and other expendable property, and the value of goods and services directly benefiting and specifically identifiable to the project or program."

In addition it may include other Federal funding sources where its legislation or regulations authorizes using specific types of funds for a match and provided the source relates to the ANA project, as follows:

- Indian Child Welfare funds, through the Department of Interior;
- Indian Self-Determination and Education Assistance funds, through the Department of Interior and the Department of Health and Human Services; and
- Community Development Block Grant funds, through the Department of Housing and Urban Development.

An itemized budget detailing the applicant's non-Federal share, and its source, must be included in an application.

If an applicant plans to charge indirect costs in its ANA application, a current copy of its Indirect Cost Agreement must be included in the application.

A request for a waiver of the non-Federal share requirement may be submitted in accordance with 45 CFR 1336.50(b)(3) of the Native American Program Regulations.

#### *F. Review Criteria*

A proposed project should reflect the purposes of ANA's SEDS policy and goals (described in the Background

section of this competitive area and in the Background section of Competitive Area 1), include a social and economic development strategy which reflects the needs and specific circumstances of the local community, and address the specific developmental steps that the tribe or Native American community is undertaking toward self-sufficiency.

The evaluation criteria are closely related to each other and are considered as a whole in judging the overall quality of an application. Points are awarded only to applications which are responsive to this competitive area and these criteria. Proposed projects will be reviewed on a competitive basis using the following evaluation criteria:

#### *(1) Long-Range Goals and Available Resources. (15 Points)*

(a) The application describes the long-range goals and strategy, including:

- How specific social, governance and economic long-range community goals relate to the proposed project and strategy;
- How the community intends to achieve these goals;
- The relationship between the long-range goals and the applicant's comprehensive community social and economic development plan. (Inclusion of the community's entire development plan is not necessary); and
- A clearly delineated social and economic development strategy (SEDS).

The application documents the type of involvement and support of the community in the planning process and implementation of the proposed project. A Tribe may meet this requirement by submitting a resolution stating that community involvement has occurred in the project planning. All other eligible applicants may meet this requirement by providing documentation of community support/involvement. The type of community you serve will determine the type of documentation necessary.

For example, a tribal organization may submit resolutions supporting the project proposal from each of its members tribes, as well as a resolution from the applicant organization. Other examples of documentation include: community surveys; minutes of community meetings; questionnaires; tribal presentations; and/or discussion/position papers.

Applications from National Indian and Native organizations must clearly demonstrate a need for the project, explain how the project was originated, state who the intended beneficiaries will be, and describe how the recipients will actually benefit from the project. National Indian and Native

organizations should describe their membership and define how the organization operates.

(b) Available resources (other than ANA and the non-Federal share) which will assist, and be coordinated with the project are described. These resources should be documented by letters or documents of commitment of resources, not merely letters of support.

- "Letters of support" merely express another organization's endorsement of a proposed project. Support letters are not binding commitment letters or do not factually establish the authenticity of other resources.

- "Letters and other documents of commitment" are binding when they specifically state the nature, the amount, and conditions under which another agency or organization will support a project funded with ANA funds.

For example, a letter from another Federal agency or foundation pledging a commitment of \$200,000 in construction funding to complement proposed ANA funded pre-construction activity is evidence of a firm funding commitment. These resources may be human, natural or financial, and may include other Federal and non-Federal resources. (Applicant statements that additional funding will be sought from other specific sources are *not* considered a binding commitment of outside resources.)

*(2) Organizational Capabilities and Qualifications. (10 Points)*

(a) The management and administrative structure of the applicant is explained. Evidence of the applicant's ability to manage a project of the proposed scope is demonstrated. The application clearly shows the successful management of projects of similar scope by the organization, and/or by the individuals designated to manage the project.

(b) Position descriptions and/or resumes of key personnel, including those of consultants, are presented. The position descriptions and/or resumes relate specifically to the staff proposed in the Approach Page and in the proposed Budget of the application. Position descriptions very clearly describe each position and its duties and clearly relate to the personnel staffing required to achieve the project objectives. Resumes demonstrate that the proposed staff are qualified to carry out the project activities. Either the position descriptions or the resumes contain the qualifications and/or specialized skills necessary for overall quality management of the project. Resumes must be included if

individuals have been identified for positions in the application.

**Note:** Applicants are strongly encouraged to give preference to Native Americans in hiring staff and subcontracting services under an approved ANA grant.

*(3) Project Objectives, Approach and Activities. (45 Points)*

The application proposes specific project objective work plans with activities related to each specific objective. The objective work plan(s) in the application includes project objectives and activities for *each* budget period proposed and demonstrates that each of the objectives and its activities:

- Is measurable and/or quantifiable in terms of results or outcomes;
- Supports the community's social and economic development strategy;
- Clearly relates to the community's long-range goals;
- Can be accomplished with the available or expected resources during the proposed project period;
- Indicates when the objective, and major activities under each objective, will be accomplished;
- Specifies who will conduct the activities under each objective; and
- Supports a project that will be completed, self-sustaining, or financed by other than ANA funds at the end of the project period.

*(4) Results or Benefits Expected. (20 Points)*

Completion of the proposed objectives will result in specific, measurable results. The application shows how the expected results will help the community meet its long-range goals. The specific information provided in the narrative and objective work plans on expected results or benefits for each objective is the standard upon which its achievement can be evaluated at the end of each budget year.

*(5) Budget. (10 Points)*

A detailed and fully explained budget is provided for each budget period requested which:

- Justifies each line item, with a well-written justification, in the budget categories in Section B of the Budget Information of the application, including the applicant's non-Federal share and its source;
- Includes and justifies sufficient cost and other necessary details to facilitate the determination of cost allowability and the relevance of these costs to the proposed project; and
- Requests funds which are appropriate and necessary for the scope of the proposed project.

For business development projects, the proposal demonstrates that the

expected return on the funds used to develop the project provides a reasonable operating income and return within a future specified time frame.

*G. Application Due Date*

The closing date for submission of applications under this competitive area is: May 17, 1996.

*H. For Further Information Contact*

Sharon McCully (202) 690-5780, Department of Health and Human Services, Administration for Children and Families, Administration for Native Americans, 200 Independence Avenue, SW., Room 348-F, Washington, DC 20201-0001.

**Competitive Area 3. Indian Environmental Regulatory Enhancement Projects**

*A. Purpose and Availability of Funds*

The purpose of this competitive area is to announce the anticipated availability of fiscal year 1996 funds for environmental regulatory enhancement projects. Approximately \$3 million of financial assistance is anticipated to be available under this announcement for environmental regulatory enhancement projects. ANA expects to award approximately 35 grants under this competitive area. The funding level for a budget period of 12 months will be up to \$250,000.

*B. Background*

Despite an increasing environmental responsibility and growing awareness of environmental issues on Indian lands, there has been a lack of resources available to tribes to develop tribal environmental programs that are responsive to tribal needs. In many cases, this lack of resources has resulted in a delay in action on the part of the tribes.

Some of the critical issues identified by tribes before Congressional committees include:

- The need for assistance to train professional staff to monitor and enforce tribal environmental programs;
- The lack of adequate data for tribes to develop environmental statutes and establish environmental quality standards; and
- The lack of resources to conduct studies to identify sources of pollution and the ability to determine the impact on existing environmental quality.

As a result, Congress enacted the Indian Environmental Regulatory Enhancement Act of 1990 (Public Law 101-408) to strengthen tribal governments through building capacity within the tribes in order to identify, plan, develop, and implement



environmental programs in a manner that is consistent with tribal culture. ANA is to support these activities on a government-to-government basis in a way that recognizes tribal sovereignty and is consistent with tribal culture.

The Administration for Native Americans believes that responsibility for achieving environmental regulatory enhancement rests with the governing bodies of Indian tribes, Alaska Native villages, and with the leadership of Native American groups.

"Environmental regulatory enhancement" includes (but is not limited to) the planning, development, and application of laws, training, monitoring, and enforcement procedures, tribal courts, environmental laboratories and other facilities, and associated regulatory activities to strengthen the tribal government's capacity to enhance the quality of reservation life as measured by the reduction of pollutants in the air, water, soil, food and materials encountered by inhabitants of tribes and villages.

Progress toward the goal of environmental regulatory enhancement would include the strengthening of tribal environmental laws, providing for the training and education of those employees responsible for ensuring compliance with and enforcement of these laws, and the development of programs to conduct compliance and enforcement functions.

Other functions leading toward enhancing local regulatory capacity include, but are not limited to:

- Environmental assessments;
- Development and use of environmental laboratories; and
- Development of court systems for enforcement of tribal and Federal environmental laws.

Ultimate success in this program will be realized when the applicant's desired level of environmental quality is acquired and maintained.

#### C. Proposed Projects to be Funded

Financial assistance provided by ANA is available for developmental projects designed to assist tribes in advancing their capacity and capability to plan for and:

- Develop or enhance the tribal environmental regulatory infrastructure required to support a tribal environmental program, and to regulate and enforce environmental activities on Indian lands pursuant to Federal and Indian law;
- Develop regulations, ordinances and laws to protect the environment;
- Develop the technical and program capacity to carry out a comprehensive tribal environmental program and

perform essential environmental program functions;

- Promote environmental training and education of tribal employees;
- Develop technical and program capability to meet tribal and Federal regulatory requirements;
- Develop technical and program capability to monitor compliance and enforcement of tribal environmental regulations, ordinances, and laws; and
- Ensure the tribal court system enforcement requirements are developed in concert with and support the tribe's comprehensive environmental program.

#### D. Eligible Applicants

The following organizations are eligible to apply under this competitive area:

- Federally recognized Indian tribes;
- Incorporated non-Federally recognized Indian tribes;
- Alaska Native villages as defined in the Alaska Native Claims Settlement Act (ANCSA) and/or nonprofit village consortia;
- Nonprofit Alaska Native Regional Corporations/Associations with village specific projects; and
- Other tribal or village organizations or consortia of Indian tribes.

The following organizations are not eligible to apply:

- Urban Indian Centers;
- Incorporated nonprofit multi-purpose community-based Indian organizations;
- Public and nonprofit private agencies serving: Native Hawaiians, peoples from Guam, American Samoa, Palau, or the Commonwealth of Northern Mariana Islands;
- Incorporated nonprofit Alaska Native multi-purpose community based organizations; and
- National or regional incorporated nonprofit Native American organizations with Native American community-specific objectives.

Proof of an applicant's nonprofit status, such as an IRS determination of nonprofit status under IRS Code 501(c)(3), must be included in the application.

If the applicant, other than a tribe or an Alaska Native Village government, is proposing a project benefiting Native Americans or Native Alaskans, or both, it must provide assurance that its duly elected or appointed board of directors is representative of the community to be served. An organization can conclusively establish that it meets this requirement through a signed statement or resolution stating that its duly elected or appointed board of directors are either Native Americans or Native

Alaskans or a copy of the organizational charter or by-laws that clearly states that the organization has a board drawn from members of those groups.

**Note:** Under each competitive area, ANA will only accept one application which serves or impacts a reservation, Tribe or Native American community. If a Tribe or Alaska native village chooses not to submit an application under a specific competitive area, it may support another applicant's project (e.g., a tribal organization) which serves or impacts the reservation.

In this case, the applicant must include a Tribal resolution which clearly demonstrates the Tribe's support of the project and the Tribe's understanding that the other applicant's project supplants the Tribe's authority to submit an application under that specific competitive area for the duration of the approved grant period.

#### E. Grantee Share of the Project

Grantees must provide at least 20 percent of the total approved cost of the project. The total approved cost of the project is the sum of the ACF share and the non-Federal share. The non-Federal share may be met by cash or in-kind contributions; although applicants are encouraged to meet their match requirement through cash contributions. Therefore, a project requesting \$250,000 in Federal funds must include a match of at least \$62,500 (20% of total project cost).

As per 45 CFR Part 74.2, In-Kind contributions is defined as "the value of non-cash contributions provided by non-Federal third parties. Third party-in kind contributions may be in the form of real property, equipment, supplies and other expendable property, and the value of goods and services directly benefiting and specifically identifiable to the project or program."

In addition it may include other Federal funding sources where its legislation or regulations authorizes using specific types of funds for a match and provided the source relates to the ANA project, as follows:

- Indian Child Welfare funds, through the Department of Interior;
- Indian Self-Determination and Education Assistance funds, through the Department of Interior and the Department of Health and Human Services; and
- Community Development Block Grant funds, through the Department of Housing and Urban Development.

An itemized budget detailing the applicant's non-Federal share, and its source, must be included in an application.

If an applicant plans to charge indirect costs in its ANA application, a

current copy of its Indirect Cost Agreement must be included in the application.

A request for a waiver of the non-Federal share requirement may be submitted in accordance with 45 CFR 1336.50(b)(3) of the Native American Program Regulations.

#### F. Review Criteria

A proposed project should reflect the environmental regulatory purposes stated and described in the Background section of this competitive area. The evaluation criteria are closely related to each other and are considered as a whole in judging the overall quality of an application. Points are awarded only to applications which are responsive to this competitive area and these criteria. Proposed projects will be reviewed on a competitive basis using the following evaluation criteria:

##### (1) Long-Range Goals and Available Resources. (15 Points)

(a) The application describes the long-range goals and strategy, including:

- How specific environmental regulatory enhancement long-range goal(s) relate to the proposed project and strategy;
- How the community intends to achieve these goals;
- The applicant's specific environmental regulatory needs; and
- A clearly delineated strategy to improve the capability of the governing body of a tribe to regulate environmental quality through enhancing local capacity to perform necessary regulatory functions.

The application documents the type of involvement and support of the community in the planning process and implementation of the proposed project. A Tribe may meet this requirement by submitting a resolution stating that community involvement has occurred in the project planning. All other eligible applicants may meet this requirement by providing documentation of community support/involvement. The type of community you serve will determine the type of documentation necessary.

For example, a tribal organization may submit resolutions supporting the project proposal from each of its members tribes, as well as a resolution from the applicant organization. Other examples of documentation include: community surveys; minutes of community meetings; questionnaires; tribal presentations; and/or discussion/position papers.

(b) Available resources (other than ANA and the non-Federal share) which will assist, and be coordinated with the

project are described. These resources should be documented by letters or documents of commitment of resources, not merely letters of support.

- "Letters of support" merely express another organization's endorsement of a proposed project. Support letters are not binding commitment letters or do not factually establish the authenticity of other resources.

- "Letters and other documents of commitment" are binding when they specifically state the nature, the amount, and conditions under which another agency or organization will support a project funded with ANA funds.

For example, a letter from another Federal agency or foundation pledging a commitment of \$200,000 in construction funding to complement proposed ANA funded pre-construction activity is evidence of a firm funding commitment. These resources may be human, natural or financial, and may include other Federal and non-Federal resources. (Applicant statements that additional funding will be sought from other specific sources are *not* considered a binding commitment of outside resources.)

##### (2) Organizational Capabilities and Qualifications. (15 Points)

(a) The management and administrative structure of the applicant is described and explained. Evidence of the applicant's ability to manage a project of the scope proposed is well documented. The application clearly shows the successful management of projects of similar scope by the organization, and/or by the individuals designated to manage or consult on the project. The tribe itself may not have experience to meet this requirement but the proposed staff and consultants should have the required qualifications and experience. The application should clearly describe any previous or current activities of the applicant organization or proposed staff and/or consultants in support of environmental regulatory enhancement.

(b) Position descriptions and/or resumes of key personnel, including those of consultants, are presented. The position descriptions and/or resumes relate specifically to the staff proposed in the Approach Page and in the proposed Budget of the application. Position descriptions very clearly describe each position and its duties and clearly relate to the personnel staffing required to achieve the project objectives. Resumes indicate that the proposed staff are qualified to carry out the project activities. Either the position descriptions or the resumes contain the qualifications and/or specialized skills

necessary for overall quality management of the project. Resumes must be included if individuals have been identified for positions in the application.

**Note:** Applicants are strongly encouraged to give preference to Native Americans in hiring staff and subcontracting services under an approved ANA grant.

##### (3) Project Objectives, Approach and Activities. (40 Points)

The application proposes specific project objective work plans with activities related to each specific objective. The objective work plan(s) in the application includes project objectives and activities for *each* budget period proposed and demonstrates that each of the objectives and its activities:

- Is measurable and/or quantifiable in terms of results or outcomes;
- Supports the community's strategy for environmental regulatory enhancement;
- Clearly relates to the community's long-range environmental goals;
- Can be accomplished with the available or expected resources during the proposed project period;
- Indicates when the objective, and major activities under each objective, will be accomplished;
- Specifies who will conduct the activities under each objective; and
- Supports a project that will be completed, self-sustaining, or financed by other than ANA funds at the end of the project period.

##### (4) Results or Benefits Expected. (20 Points)

Completion of the proposed objectives will result in specific, measurable results. The application shows how the expected results will help the community meet its long-range environmental goals. The specific information provided in the narrative and objective work plans on expected results or benefits for each objective is the standard upon which its achievement can be evaluated at the end of each budget year.

##### (5) Budget. (10 Points)

A detailed and fully explained budget is provided for each budget period requested which:

- Justifies each line item, with a well-written justification, in the budget categories in Section B of the Budget Information of the application, including the applicant's non-Federal share and its source;
- Includes and justifies sufficient cost and other necessary details to facilitate the determination of cost allowability and the relevance of these costs to the proposed project; and

- Requests funds which are appropriate and necessary for the scope of the proposed project.

#### G. Application Due Date

The closing date for submission of applications under this competitive area is March 1, 1996.

#### H. For Further Information Contact

Sharon McCully (202) 690-5780, Department of Health and Human Services, Administration for Children and Families, Administration for Native Americans, 200 Independence Ave., SW., Room 348-F, Washington, DC 20201-0001.

### Competitive Area 4. Native American Languages Preservation and Enhancement Projects

#### A. Purpose and Availability of Funds

The purpose of this competitive area is to announce the anticipated availability of fiscal year 1996 funds for projects which assist Native Americans to assure the survival and continuing vitality of their languages. Approximately \$1 million of financial assistance is anticipated to be available under this competitive area.

For Category I, Planning Grants, the funding level for a budget period of 12 months will be up to \$50,000. For Category II, Design and/or Implementation Grants, the funding level for a budget period of 12 months will be up to \$125,000.

#### B. Background

The Congress has recognized that the history of past policies of the United States toward Indian and other Native American languages has resulted in a dramatic decrease in the number of Native American languages that have survived over the past five hundred years. Consequently, the Native American Languages Act was enacted in 1990 (Title I, Public Law 101-477) to address this decline.

This Act invested the United States government with the responsibility to work together with Native Americans to ensure the survival of cultures and languages unique to Native America. This law declares that it is the policy of the United States to "preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages." The Congress made a significant first step in passing this legislation in 1990, but it served only as a declaration of policy. No program initiatives were proposed, nor were funds authorized to begin a significant program to carry out this policy.

In 1992, Congressional testimony highlighted that of the several hundred Native American languages that once existed, only about one hundred and fifty-five (155) languages are still spoken or remembered today. However, only 20 are spoken by persons of all ages, 30 are spoken by adults of all ages, about 60 are spoken by middle-aged adults, and 45 are spoken only by the most elderly.

In response to this testimony, the Congress passed the Native American Languages Act of 1992 (Public Law 102-524) to assist Indian tribes, Alaska villages, and Native American groups to assure the survival and continuing vitality of their languages. Passage of this law is an important second step to support the survival and continuation of Native American languages. It provides a basic building block foundation upon which Tribal nations can rebuild economic strength and maintain rich cultural diversity.

The Federal government recognizes that substantial loss of Native American languages has occurred over the past several hundred years. The nature and magnitude of the status of Native American languages will become better defined as language assessments are made.

The Administration for Native Americans (ANA) believes that responsibility for achieving language(s) project results rests with the governing bodies of Indian tribes, Alaska Native villages, and in the leadership of Native American groups. The local community and its leadership are responsible for determining its own goals, setting priorities, and planning and implementing programs which support the community's long-range language goals.

Preserving a language and ensuring its continuation is generally one of the first steps taken toward strengthening a group's identity. Therefore, projects proposed under this program announcement will contribute to the balanced development in a native community and can significantly contribute to its path toward self-sufficiency.

Under this competitive area eligible applicants will have the opportunity to develop their own language plans, increase their technical capabilities, and have access to financial and technical resources in order to assess, plan, develop and implement programs to address the survival and continuing vitality of their languages. ANA recognizes that potential applicants may have various levels of specialized knowledge and capabilities to address their specific language concerns. This competitive area is designed to take into

account these special needs and circumstances.

"Language preservation" is the maintenance of a language so that it will not decline into non-use.

"Language vitality" is the active use of a language in a wide range of domains of human life.

"Language replication" is defined as the application of a language program model developed in one community to other linguistically similar communities.

"Language survival" is defined as the maintenance and continuation of language from one generation to another in a wide range of aspects of community life.

#### C. Proposed Projects to be Funded

There are two types of projects applicants may apply for:

- Category I—"Planning Grants"—for projects up to 12 months, the funding level will be up to \$50,000 or,
- Category II—"Design and/or Implementation Grants"—for projects up to 36 months, the funding level for a budget period of 12 months will be up to \$125,000.

##### Category I—Planning Grants

The purpose of a Planning Grant is to conduct an assessment and to develop the plan needed to describe the current status of the language(s) to be addressed and to establish community long-range language goal(s) to ensure its survival.

Project activities may include, but are not limited to:

- To collect data, organize it, and determine and describe current language status through a "formal" method (e.g., work performed by a linguist, and/or a language survey conducted by community members) or an "informal" method (e.g., a community consensus of the language status based on elders, tribal scholars, and/or other community members);
- To establish the community's long-range language goals; and
- To get the necessary training and technical assistance to administer the project and achieve the project goal(s).

##### Category II—Design and/or Implementation Grants

The purpose of providing an option for a Design and/or an Implementation Grant is:

*Option One:* So tribes or communities can design and/or implement a language program to achieve the community's long-range language goal(s); and

*Option Two:* To accommodate where the Tribe or community is in their long-term language(s) goals continuum.

Applicants under Category II must be able to document that:

(a) Language information has been collected and analyzed, and that it is current (compiled within 36 months prior to the grant application);

(b) The community has established long-range language goals; and

(c) Community representatives are adequately trained so that the proposed project goals can be achieved.

Category II applications may include purchasing specialized equipment (including audio and video recording equipment, computers, and software) necessary to achieve the project objectives. The applicant must fully justify the need for this equipment and explain how it will be used to achieve the project objectives.

The types of projects and activities ANA can fund under Category II include, but are not limited to:

- Establishment and support of a community Native American language project to bring older and younger Native Americans together to facilitate and encourage the teaching of Native American languages skills from one generation to another;
- Establishment of a project to train Native Americans to teach Native American languages to others or to enable them to serve as interpreters or translators of such languages;
- Development, printing, and dissemination of materials to be used for the teaching and enhancement of Native American languages;
- Establishment or support of a project to train Native Americans to produce or participate in television or radio programs to be broadcast in Native American languages; and
- Compilation, transcription, and analysis of oral testimony to record and preserve Native American languages.

#### *Policy*

It is ANA's policy that funds will not be awarded for projects addressing dead languages.

#### *Requirement*

The Institute of American Indian and Alaska Native Culture and Arts Development has been established by the Act as the repository for copies of products from Native American languages grants funded under this program announcement. At the end of the project period, products of Native American languages grants funded by this program announcement must be sent to the Institute. Specific information about the repository is in the ANA application kit.

Federally recognized Indian Tribes (as listed by the Bureau of Indian Affairs in an October 21, 1993 **Federal Register** notice, 58 Fed. Reg. 54,364 (1993)) are

not required to comply with this requirement.

#### *D. Eligible Applicants*

The following organizations are eligible to apply for funding under this competitive area:

- Federally recognized Indian Tribes;
- Consortia of Indian Tribes;
- Incorporated non-Federally recognized Tribes;
- Incorporated nonprofit multi-purpose community-based Indian organizations;
- Urban Indian Centers;
- National or regional incorporated nonprofit Native American organizations with Native American community-specific objectives;
- Alaska Native villages as defined in the Alaska Native Claims Settlement Act (ANCSA) and/or nonprofit village consortia;
- Incorporated nonprofit Alaska Native multi-purpose community-based organizations;
- Nonprofit Alaska Native Regional Corporations/Associations in Alaska with village specific projects;
- Nonprofit Native organizations in Alaska with village specific projects;
- Public and nonprofit private agencies serving Native Hawaiians;
- Public and nonprofit private agencies serving native peoples from Guam, American Samoa, Palau, or the Commonwealth of the Northern Mariana Islands. (The populations served may be located on these islands or in the United States); and
- Tribally Controlled Community Colleges, Tribally Controlled Post-Secondary Vocational Institutions, and colleges and universities located in Hawaii, Guam, American Samoa, Palau, or the Commonwealth of the Northern Mariana Islands which serve Native American Pacific Islanders.

#### *Participating Organizations*

If a tribal organization, or other eligible applicant, decides that the objectives of its proposed Native American language project would be accomplished more effectively through a partnership arrangement with a tribal school, college, or university, the applicant shall identify such school, college, or university as a participating organization in its application. Under a partnership agreement, the applicant will be responsible for the fiscal, administrative and programmatic management of the grant.

Proof of an applicant's nonprofit status, such as an IRS determination of nonprofit status under IRS Code 501(c)(3), must be included in the application.

If the applicant, other than a tribe or an Alaska Native Village government, is proposing a project benefiting Native Americans or Native Alaskans, or both, it must provide assurance that its duly elected or appointed board of directors is representative of the community to be served. An organization can conclusively establish that it meets this requirement through a signed statement or resolution stating that its duly elected or appointed board of directors are either Native Americans or Native Alaskans or a copy of the organizational charter or by-laws that clearly states that the organization has a board drawn from members of those groups.

Under each competitive area, ANA will only accept one application which serves or impacts a reservation, Tribe or Native American community. If a Tribe or Alaska Native village chooses not to submit an application under a specific competitive area, it may support another applicant's project (e.g., a tribal organization) which serves or impacts the reservation.

In this case, the applicant must include a Tribal resolution which clearly demonstrates the Tribe's support of the project and the Tribe's understanding that the other applicant's project supplants the Tribe's authority to submit an application under that specific competitive area for the duration of the approved grant period.

#### *E. Grantee Share of the Project*

Grantees must provide at least 20 percent of the total approved cost of the project. The total approved cost of the project is the sum of the ACF share and the non-Federal share. The non-Federal share may be met by cash or in-kind contributions; although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a project requesting \$125,000 in Federal funds must include a match of at least \$31,250 (20% total project cost).

As per 45 CFR Part 74.2, In-Kind contributions is defined as "the value of non-cash contributions provided by non-Federal third parties. Third party-in kind contributions may be in the form of real property, equipment, supplies and other expendable property, and the value of goods and services directly benefiting and specifically identifiable to the project or program."

In addition the non-Federal share may include certain funds distributed to a tribe, including interest, by the Federal government:

- Funds from the satisfaction of a claim made under Federal law;

- Funds collected and administered on behalf of such tribe or its constituent members; or

- Funds for general tribal administration or tribal development under a formula or subject to a tribal budgeting priority system, such as, but not limited to, funds involved in the settlement of land or other judgment claims, severance or other royalty payments, or payments under the Indian Self-Determination Act (25 U.S.C. 450f et seq.) or tribal budget priority system.

A complete itemized budget must also detail the applicant's non-Federal share, and its source.

If an applicant plans to charge indirect costs in its ANA application, a current copy of its Indirect Cost Agreement must be included in the application.

A request for a waiver of the non-Federal share requirement may be submitted in accordance with 45 CFR 1336.50(b)(3) of the Native American Program Regulations.

Applications submitted as a partnership arrangement with a school, college, or university, may use contributions from the "partner" organization(s) to meet the non-Federal share, as appropriate.

Applications originating from American Samoa, Guam, Palau, or the Commonwealth of the Northern Mariana Islands are covered under section 501(d) of Public Law 95-134, as amended (48 U.S.C. 1469a) under which HHS waives any requirement for local matching funds under \$200,000 (including in-kind contributions).

#### F. Review Criteria

The proposed project should address the Native American languages purposes stated and described in the Background (Section B) of this competitive area.

The evaluation criteria below are closely inter-related. They are considered as a whole in judging the overall quality of an application.

Points are awarded only to applications which respond to this competitive area and to these criteria. Proposed projects will be reviewed on a competitive basis using the following evaluation criteria:

##### (1) *The Current Status of Native American Language(s) is Described and Description(s) of Existing Programs/Projects (if Any) Which Support the Language(s) are Included. (10 Points)*

(a) The application fully describes the current status of the Native American language(s) in the community. ("Current status" is defined as data compiled

within the previous thirty-six (36) months.)

The description of "current status" minimally includes the following information:

- (1) Number of speakers of the language(s);
- (2) Age of speakers;
- (3) Gender of speakers;
- (4) Level(s) of fluency;
- (5) Number of first language speakers (the Native language is the first language acquired);
- (6) Number of second language speakers (the Native language is the second language acquired);
- (7) Where the language is used (specific uses such as: home, court system, religious ceremonies, church, multimedia, school, governance activities and other, as appropriate to applicant);
- (8) Source of data; (formal and/or informal); and
- (9) Rate of language loss or gain.

The application has clearly described the current status of the Native American language(s) to be addressed by the project.

**Note:** Planning Grant applicants may not have all the information requested about their current language status, since obtaining this data may be part of the planning grant application being reviewed. Applicants applying for Category I—Planning Grants can meet this requirement by explaining their current language status and providing a detailed description of any circumstances or barriers which have prevented the collection of community language data.

(b) The application fully describes existing community language or language training programs and projects, if any, that support the Native American language to be addressed by the proposed project.

Existing programs and projects may be "formal" (e.g., work performed by a linguist, and/or a language survey conducted by community members) or "informal" (e.g., a community consensus of the language status based on elders, tribal scholars, and/or other community members).

The description should answer the following:

- (1) Has applicant had a community language or language training program within the last thirty-six (36) months?
- (2) Has applicant had a community language or language training program within the last ten (10) years?

Applicants that answer "no" to either question (1) or (2) should provide a detailed explanation of what barriers or circumstances prevented the establishment or implementation of a community language program.

Applicants that answer "yes" to either questions (1) or (2) should describe recent language program(s), including:

- (1) Program goal(s);
- (2) Number of program participants;
- (3) Number of speakers;
- (4) Age range of participants (e.g., 0-5; 6-10; 11-18; etc.);
- (5) Number of language teachers;
- (6) Criteria used to acknowledge competency of language teachers;
- (7) Resources available, if any, to the applicant (e.g., valid grammars, dictionaries, and/or orthographics or describe other suitable resources); and
- (8) What has been achieved.

##### (2) *Long-Range Goals and Available Resources. (25 Points)*

(a) The application describes the proposed project's long-range goal(s) and strategy, including:

- How the specific Native American(s) long range community goal(s) relate to the proposed project;
- How the goals fit within the context of the applicant's current language status; and
- A clearly delineated strategy to assist in assuring the survival and continued vitality of the Native American language(s) addressed in the community.

(b) The application explains how the community or tribal government (where one exists) intends to achieve these goals.

The application documents the type of involvement and support of the community in the planning process and implementation of the proposed project. A Tribe may meet this requirement by submitting a resolution stating that community involvement has occurred in the project planning. All other eligible applicants may meet this requirement by providing documentation of community support/involvement. The type of community served will determine the type of documentation necessary.

For example, a tribal organization may submit resolutions supporting the project proposal from each of its member's tribes, as well as a resolution from the applicant organization. Other examples of documentation include: community surveys; minutes of community meetings; questionnaires; tribal presentations; and/or discussion/position papers.

Applications from National Indian and Native organizations must clearly demonstrate a need for the project, explain how the project was originated, state who the intended beneficiaries will be, and describe how the recipients will actually benefit from the project. National Indian and Native

organizations should describe their membership and define how the organization operates.

(c) Available resources (other than ANA and the non-Federal share) which will assist and be coordinated with the project are described. These resources should be documented by letters or documents of commitment of resources, and not "letters of support."

- "Letters of support" merely express another organization's endorsement of a proposed project. Support letters are not binding commitment letters or documents that factually establish the authenticity of other resources.

- "Letters and other documents of commitment" are binding and specifically state the nature, amount and conditions under which another agency or organization will support a project funded with ANA funds. These resources may be human, natural or financial, and may include other Federal and non-Federal resources.

Applicant statements that additional funding will be sought from other specific sources are *not* considered a binding commitment of outside resources.

If the applicant proposes to enter into a partnership arrangement with a school, college, or university, documentation of this commitment must be included in the application.

**Note:** Applicants from the Native American Pacific Islands are not required to provide a 20% match for the non-Federal share if it is under \$200,000 and may not have points reduced for this policy. They are, however, expected to coordinate non-ANA resources for the proposed project, as are all ANA applicants.

### (3) Project Objectives, Approach and Activities. (25 Points)

The proposed objectives in the Objective Work Plan(s) relate to the competitive area goal to ensure the survival and continuing vitality of Native American language(s). More specifically, together they will achieve the Tribe or community's language goals for the proposed project. If the project is for more than one year, the application includes Objective Work Plans for each year (budget period) proposed.

Each Objective Work Plan proposed clearly describes:

- The Tribal government's, or community's active involvement in the continuing participation of Native American language speakers;
- Measurable or quantifiable results or outcomes;
- How they relate to the community's long-range language goals;
- How the project can be accomplished with the available or

expected resources during the project period;

- How the main activities will be accomplished;
- Who specifically will conduct the activities under each objective;
- For Category I projects, what the next steps may be after the Planning project is completed; and
- For Category II projects, how the project will be completed, become self-sustaining, or be financed by other than ANA funds at the end of the project period.

### (4) Evaluation Plan. (15 Points)

A section of the application includes an "Evaluation Plan" with a baseline to measure project outcomes, including, but not limited to, describing effective language growth in the community (e.g., an increase of Native American language use). This plan will be the basis for evaluating the community's progress in achieving its language goals and objectives.

### (5) Sharing Plan and Plan to Preserve Project Products (10 Points)

A section of the application includes two plans:

(a) A *Sharing Plan* that identifies how the project's methodology, research data, products or outcomes can be shared and used or modified, by other tribes or communities. If this is not feasible or appropriate, provide the reasons. The goal is to provide opportunities to ensure the survival and continuing vitality of native languages.

(b) A *Plan to Preserve Project Products* describes how the products of the project will be preserved through archival or other methods, for the benefit of future generations.

### (6) Organizational Capabilities/Qualifications and Budget. (15 Points)

(a) The management and administrative structure of the applicant is explained. Evidence of the applicant's ability to manage a project of the proposed scope is well defined. The application clearly demonstrates the successful management of projects of similar scope by the organization and/or by the individuals designated to manage the project.

(b) Position descriptions and/or resumes of key personnel, including those of consultants, are presented. The position descriptions and/or resumes relate specifically to the staff proposed in the Approach Page and in the proposed Budget of the application. Position descriptions very clearly describe the position and its duties and clearly relate to the personnel staffing required to achieve the project

objectives. Resumes demonstrate that the proposed staff are qualified to carry out the project activities.

Either the position descriptions or the resumes contain the qualifications, and/or specialized skills, necessary for overall quality management of the project. Resumes must be included if individuals have been identified for positions in the application.

**Note:** Applicants are strongly encouraged to give preference to Native Americans in hiring staff and subcontracting services under an approved ANA grant.

(c) A detailed and fully explained budget is provided for each budget period requested which:

- Justifies each line item, with a well-written justification, in the budget categories in Section B of the Budget Information of the application, including the applicant's non-Federal share and its source;
- Includes and justifies sufficient cost and other necessary details to facilitate the determination of cost allowability and the relevance of these costs to the proposed project; and
- Requests funds which are appropriate and necessary for the scope of the proposed project.

**Note:** (Applicants from the Native American Pacific Islands are exempt from the \$200,000 non-Federal share requirement).

### G. Application Due Date

The closing date for submission of applications under this competitive area is March 15, 1996.

### H. For Further Information Contact

Deborah Yatsko, (202) 690-7843, Department of Health and Human Services, Administration for Children and Families, Administration for Native Americans, 200 Independence Ave., SW., Room 348-F, Washington, DC 20201-0001

## Part III—General Application Information and Guidance

### A. Definitions

Funding areas in this program announcement are based on the following definitions:

- A "multi-purpose community-based Native American organization" is an association and/or corporation whose charter specifies that the community designates the Board of Directors and/or officers of the organization through an elective procedure and that the organization functions in several different areas of concern to the members of the local Native American community. These areas are specified in the by-laws and/or policies adopted by the organization. They may include, but

need not be limited to, economic, artistic, cultural, and recreational activities, and the delivery of human services such as health care, day care, counseling, education, and training.

- A "multi-year project" is a project on a single theme that requires more than 12 months to complete and affords the applicant an opportunity to develop and address more complex and in-depth strategies than can be completed in one year. A multi-year project cannot be a series of unrelated objectives with activities presented in chronological order over a two or three year period.

- "Budget Period" is the interval of time (usually 12 months) into which the project period is divided for budgetary and funding purposes.

- "Core administration" is funding for staff salaries for those functions which support the organization as a whole, or for purposes unrelated to the actual management or implementation of work conducted under an ANA approved project.

- "Environmental regulatory enhancement" includes (but is not limited to) the planning, development, and application of laws, training, monitoring, and enforcement procedures, tribal courts, environmental laboratories and other facilities, and associated regulatory activities to strengthen the tribal government's capacity to enhance the quality of reservation life as measured by the reduction of pollutants in the air, water, soil, food and materials encountered by inhabitants of tribes and villages.

- "Language preservation" is the maintenance of a language so that it will not decline into non-use.

- "Language vitality" is the active use of a language in a wide range of domains of human life.

- "Language replication" is the application of a language program model developed in one community to other linguistically similar communities.

- "Language survival" is the maintenance and continuation of language from one generation to another in a wide range of aspects of community life.

#### *B. General Considerations*

Non-ANA resources should be leveraged to strengthen and broaden the impact of the proposed project in the community. Project designs should explain how those parts of projects which ANA does not fund will be financed through other sources. For example, ANA does not fund construction. Applicants must show the relationship of non-ANA funded activities to those objectives and

activities that are funded with ANA grant funds.

Costs of fundraising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions are unallowable under a grant award. However, even though these costs are unallowable for purposes of computing charges to Federal awards, they must be treated as direct costs for purposes of determining indirect cost rates and be allocated their share of the organization's indirect costs if they represent activities which 1) include the salaries of personnel, 2) occupy space, and 3) benefit from the organization's indirect costs.

All projects funded by ANA must be completed, or self-sustaining or supported with other than ANA funds at the end of the project period.

"Completed" means that the project ANA funded is finished, and the desired result(s) have been attained. "Self-sustaining" means that a project will continue without outside resources.

"Supported by other than ANA funds" means that the project will continue beyond the ANA project period, but will be supported by funds other than ANA's.

#### *C. Activities That Cannot be Funded by ANA*

The Administration for Native Americans does not fund projects that operate indefinitely or require ANA funding on a recurring basis. The Administration for Native Americans does not fund objectives or activities for the core administration of an organization. "Core administration" is funding for staff salaries for those functions which support the organization as a whole, or for purposes unrelated to the actual management or implementation of work conducted under an ANA approved project.

Under Competitive Area 2, ANA will consider funding core administrative capacity building projects at the village government level if the village does not have governing systems in place.

However, functions and activities that are clearly project related are eligible for grant funding. For example, the management and administrative functions necessary to carry out an ANA approved project are not considered "core administration" and are, therefore, eligible costs. Additionally, ANA will fund the salaries of approved staff for time actually and reasonably spent to implement a funded ANA project.

Projects or activities that generally will not meet the purposes of this

announcement are discussed further in Part III, Section H, General Guidance to Applicants, below.

#### *D. Multi-Year Projects*

Applicants may apply for projects of up to three years. A multi-year project is a project on a single theme that requires more than 12 months to complete and affords the applicant an opportunity to develop and address more complex and in-depth strategies than can be completed in one year. Applicants are encouraged to develop multi-year projects. A multi-year project cannot be a series of unrelated objectives with activities presented in chronological order over a two or three year period.

Awards, on a competitive basis, will be for a one-year budget period, although project periods may be for three years. Applications for continuation grants funded under these awards beyond the one-year budget period, but within the three-year project period, will be entertained in subsequent years on a non-competitive basis, subject to the availability of funds, satisfactory progress of the grantee and determination that continued funding would be in the best interest of the Government. Therefore, this program announcement does not apply to current ANA grantees with multi-year projects that apply for continuation funding for their second or third year budget periods.

#### *E. Intergovernmental Review of Federal Programs*

This program is not covered by Executive Order 12372 or 45 CFR Part 100.

#### *F. The Application Process*

##### *1. Availability of Application Forms*

In order to be considered for a grant under this program announcement, an application must be submitted on the forms supplied and in the manner prescribed by ANA. The application kits containing the necessary forms and instructions may be obtained from: Department of Health and Human Services, Administration for Children and Families, Administration for Native Americans, Room 348F, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201-0001, Attention: 93612-961, Telephone: (202) 690-7776.

##### *2. Application Submission*

One signed original, and two copies, of the grant application, including all attachments, must be mailed on or before the specific closing date of each ANA competitive area to: Department of

Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, 370 L'Enfant Promenade, SW., 6th Floor, ACF Guard Station, Washington, DC 20447, Attention: William J. McCarron, ANA No. 93612-961.

Hand delivered applications are accepted during the normal working hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, on or prior to the established closing date at:

Administration for Children and Families, Division of Discretionary Grants, 6th Floor, ACF Guard Station, 901 D Street, SW., Washington, DC 20024.

The application (Form 424) must be signed by an individual authorized (1) to act for the applicant tribe or organization, and (2) to assume the applicant's obligations under the terms and conditions of the grant award, including Native American Program statutory and regulatory requirements.

Each tribe, Native American organization, or other eligible applicant may compete and receive a grant award in each of the three competitive areas under this announcement. The Administration for Native Americans will accept only one application per competitive area from any one applicant. Alaska Native entities may submit a SEDS application under either competitive area 1 or 2, but not under both.

If an eligible applicant sends in two applications for the same competitive area, the one with the earlier postmark will be accepted for review unless the applicant withdraws the earlier application.

### 3. Application Consideration

The ANA Commissioner determines the final action to be taken on each grant application received under this program announcement.

The following points should be taken into consideration by all applicants:

- Incomplete applications and applications that do not conform to this announcement will not be accepted for review. Applicants will be notified in writing of any such determination by ANA.

- Complete applications that conform to all the requirements of this program announcement are subjected to a competitive review and evaluation process (discussed in section G below). Independent review panels consisting of reviewers familiar with (1) American Indian Tribes and Native American communities and organizations, (2) environmental issues, and (3) Native American languages, as appropriate,

evaluates each application using the published criteria in each funding competitive area. As a result of the review, a numerical score will be assigned to each application.

- The Commissioner's funding decision is based on the review panel's analysis of the application, recommendation and comments of ANA staff, State and Federal agencies having contract and grant performance related information, and other interested parties.

- The Commissioner makes grant awards consistent with the purpose of the Act, all relevant statutory and regulatory requirements, this program announcement, and the availability of funds.

- After the Commissioner has made decisions on all applications, unsuccessful applicants are notified in writing within approximately 120 days of the closing date. The notification will be accompanied by a critique including recommendations for improving the application. Successful applicants are notified through an official Financial Assistance Award (FAA) document. ANA staff cannot respond to requests for information regarding funding decisions prior to the official notification to the applicants. The FAA will state the amount of Federal funds awarded, the purpose of the grant, the terms and conditions of the grant award, the effective date of the award, the project period, the budget period, and the amount of the non-ACF matching share requirement.

### G. The Review Process

#### 1. Initial Application Review

Applications submitted by the closing date and verified by the postmark under this program announcement will undergo a pre-review to determine that:

- The applicant is eligible in accordance with the Eligible Applicants Section of this announcement; and
- The application narrative, forms and materials submitted are adequate to allow the review panel to undertake an in depth evaluation. (All required materials and forms are listed in the Grant Application Checklist in the Application Kit).

#### 2. Competitive Review of Accepted Applications

Applications which pass the pre-review will be evaluated and rated by an independent review panel on the basis of the specific evaluation criteria listed in Part II. These criteria are used to evaluate the quality of a proposed project, and to determine the likelihood of its success.

#### 3. Determination of Ineligibility

Applicants who are initially rejected from competitive evaluation because of ineligibility, may appeal an ANA decision of applicant ineligibility. Likewise, applicants may also appeal an ANA decision that an applicant's proposed activities are ineligible for funding consideration. Section 810(b) of the Native American Programs Act, as amended, 42 U.S.C. 2991h, specifies the appeals process when ANA determines that an organization or activities are ineligible for assistance. When an applicant or the activities proposed by the applicant are rejected as ineligible, the applicant will be advised of the appropriate appeal process.

### H. General Guidance to Applicants

The following information is provided to assist applicants in developing a competitive application.

#### 1. Program Guidance

- The Administration for Native Americans funds projects that demonstrate the strongest prospects for addressing the stated purposes of this program announcement. Projects will not be funded on the basis of need alone.

- In discussing the goals, strategy, and problems being addressed in the application, include sufficient background and/or history of the community concerning these issues and/or progress to date, as well as the size of the population to be served. This material will assist the reviewers in determining the appropriateness and potential benefits of the proposed project.

- In the discussion of community-based, long-range goals, non-Federally recognized and off-reservation groups are encouraged to include a description of what constitutes their specific "community."

- Applicants must document the community's support for the proposed project and explain the role of the community in the planning process and implementation of the proposed project. For tribes, a current signed resolution from the governing body of the tribe supporting the project proposal stating that there has been community involvement in the planning of this project will suffice as evidence of community support/involvement. For all other eligible applicants, the type of community you serve will determine the type of documentation necessary. For example, a tribal organization may submit resolutions supporting the project proposal from each of its members tribes, as well as a resolution



from the applicant organization. Other examples of documentation include: community surveys; minutes of community meetings; questionnaires; tribal presentations; and/or discussion/position papers.

- Applications from National Indian and Native organizations must demonstrate a need for the project, explain how the project was originated, state who the intended beneficiaries will be, and describe how the recipients will actually benefit from the project.

- An application should describe a clear relationship between the proposed project, the social and economic development strategy, or environmental or language goals, as appropriate, and the community's long-range goals or plan.

- The project application, including the Objective Work Plans, must clearly identify in measurable terms the expected results, benefits or outcomes of the proposed project, and the positive or continuing impact that the project will have on the community.

- Supporting documentation, including letters of support, if available, or other testimonies from concerned interests other than the applicant should be included to demonstrate support for the feasibility of the project and the commitment of other resources to the proposed project.

- In the ANA Project Narrative, Section A of the application package, "Resources Available to the Proposed Project," the applicant should describe any specific financial circumstances which may impact on the project, such as any monetary or land settlements made to the applicant, and any restrictions on the use of those settlements. When the applicant appears to have other resources to support the proposed project and chooses not to use them, the applicant should explain why it is seeking ANA funds and not utilizing these resources for the project.

- Reviewers of applications for ANA indicate they are better able to evaluate whether the feasibility has been addressed and the practicality of a proposed economic development project, or a new business, if the applicant includes a business plan that clearly describes its feasibility and the approach for the implementation and marketing of the business. (ANA has included sample business plans in the application kit). It is strongly recommended that an applicant use these materials as guides in developing a proposal for an economic development project or business that is part of the application.

- Applications which were disapproved under a previous closing

date and revised for resubmission should make reference to the changes in their current application which are based on ANA panel review comments.

## 2. Technical Guidance

- It is strongly suggested that the applicant follow the Supplemental Guide included in the ANA application kit to develop an application. The Guide provides practical information and helpful suggestions, and is an aid to help applicants prepare ANA applications.

- Applicants are encouraged to have someone other than the author apply the evaluation criteria in the program announcement and score the application prior to its submission, in order to gain a better sense of the application's quality and potential competitiveness in the ANA review process.

- For purposes of developing an application, applicants should plan for a project start date approximately 120 days after the closing date under which the application is submitted.

- The Administration for Native Americans will not fund essentially identical projects serving the same constituency.

- If a project could be supported by other Federal funding sources, the applicant should fully explain its reasons for not pursuing other Federal funds for the project.

- Applicants are strongly encouraged to submit proposals addressing environmental regulatory enhancement and Native American languages preservation and enhancement under the issue-specific competitive areas described in this announcement.

- For purposes of this announcement, ANA is using the Bureau of Indian Affairs' list of Federally recognized Indian tribes which includes nonprofit Alaska Native community entities or tribal governing bodies (IRA or traditional councils). Other Federally recognized Indian tribes which are not included on this list (e.g., those Tribes which have been recently recognized or restored by the United States Congress) are also eligible to apply for ANA funds.

- The Administration for Native Americans will accept only one application, per competitive area, from any one applicant. If an eligible applicant sends in two applications for the same competitive area, the one with the earlier postmark will be accepted for review unless the applicant withdraws the earlier application.

- An application from a federally recognized Tribe, Alaska Native Village or Native American organization must be from the governing body of the Tribe

or organization. ANA will not accept applications from tribal components which are tribally-authorized divisions of a larger tribe, unless the application includes a Tribal resolution which clearly demonstrates the Tribe's support of the project and the Tribe's understanding that the other applicant's project supplants the Tribe's authority to submit an application under that specific competitive area for the duration of the approved grant period.

- Under each competitive area, ANA will only accept one application which serves or impacts a reservation, Tribe, or Native American community. If a Tribe, or Alaska Native village chooses not to submit an application under a specific competitive area, it may support another applicant's project (e.g., a tribal organization) which serves or impacts the reservation. In this case, the applicant must include a Tribal resolution which clearly demonstrates the Tribe's support of the project and the Tribe's understanding that the other applicant's project supplants the Tribe's authority to submit an application under that specific competitive area for the duration of the approved grant period.

- The application's Form 424 must be signed by the applicant's representative authorized to act with full authority on behalf of the applicant.

- The Administration for Native Americans recommends that the pages of the application be numbered sequentially and that a table of contents be provided. Simple tabbing of the sections of the application is also helpful to the reviewers.

- An application with an original signature and two additional copies are required.

- The Cover Page (included in the Kit) should be the first page of an application, followed by the one-page abstract.

- The Approach page (Section B of the ANA Program Narrative) for each Objective Work Plan proposed should be of sufficient detail to become a monthly staff guide for project responsibilities if the applicant is funded.

- The applicant should specify the entire project period length on the first page of the Form 424, Block 13, not the length of the first budget period. Should the application's contents propose one length of project period and the Form 424 specify a conflicting length of project period, ANA will consider the project period specified on the Form 424 as governing.

- Line 15a of the Form 424 must specify the Federal funds requested for

the first Budget Period, not the entire project period.

- If a profit-making venture is being proposed, profits must be reinvested in the business in order to decrease or eliminate ANA's future participation. Such revenue must be reported as general program income. A decision will be made at the time of grant award regarding appropriate use of program income. (See 45 CFR Part 74 and Part 92.)

- Applicants may propose a 17 month project period. However, the project period for the first year of a multi-year project may only be 12 months.

- Applicants proposing multi-year projects must fully describe each year's project objectives and activities. Separate Objective Work Plans (OWPs) must be presented for each project year and a separate itemized budget of the Federal and non-Federal costs of the project for each budget period must be included.

- Applicants for multi-year projects must justify the entire time-frame of the project (i.e., why the project needs funding for more than one year) and clearly describe the results to be achieved for each objective by the end of each budget period of the total project period.

- The Administration for Native Americans will critically evaluate applications in which the acquisition of equipment is a major component of the Federal share of the budget. "Equipment is tangible, non-expendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit." During negotiation, such expenditures may be deleted from the budget of an otherwise approved application, if not fully justified by the applicant and not deemed appropriate to the needs of the project by ANA.

- Applicants are encouraged to request a legibly dated receipt from a commercial carrier or U.S. Postal Service as proof of timely mailing.

### 3. Projects or Activities That Generally Will Not Meet the Purposes of This Announcement

- Projects in which a grantee would provide training and/or technical assistance (T/TA) to other tribes or Native American organizations which are otherwise eligible to apply to ANA ("third party T/TA"). However, the purchase of T/TA by a grantee for its own use or for its members' use (as in the case of a consortium), where T/TA is necessary to carry out project objectives, is acceptable. In addition, T/TA is an allowable activity for environmental regulatory enhancement

projects submitted under Competitive Area 3, and Native American languages projects submitted under Competitive Area 4.

- Projects that request funds for feasibility studies, business plans, marketing plans or written materials, such as manuals, that are not an essential part of the applicant's long-range development plan. As an objective of a larger project, business plans are allowable. However, ANA is not interested in funding "wish lists" of business possibilities. ANA expects written evidence of the solid investment of time and consideration on the part of the applicant with regard to the development of business plans. Business plans should be developed based on market analysis and feasibility studies regarding the potential success to the business prior to the submission of the application.

- The support of on-going social service delivery programs or the expansion, or continuation, of existing social service delivery programs.

- Core administration functions, or other activities, which essentially support only the applicant's on-going administrative functions. However, under Competitive Area 2, ANA will consider funding core administrative capacity building projects at the village government level if the village does not have governing systems in place.
- Project goals which are not responsive to one or more of the funding competitive areas.

- Proposals from consortia of tribes that are not specific with regard to support from, and roles of, member tribes. ANA expects an application from a consortium to have goals and objectives that will create positive impacts and outcomes in the communities of its members. Proposals from consortia of tribes should have individual objectives which are related to the larger goal of the proposed project. Project objectives may be tailored to each consortium member, but within the context of a common goal for the consortia. In situations where both a consortium of tribes and the tribes who belong to the consortia receive ANA funding, ANA expects that consortium groups will not seek funding that duplicates activities being conducted by their member tribes.

- Projects that will not be completed, self-sustaining, or supported by other than ANA funds, at the end of the project period.

- ANA will not fund the purchase of real estate (see 45 CFR 1336.50 (e)) or construction (see ACF Grants Administration Manual § 3.12).

- ANA will not fund investment capital for purchase or takeover of an existing business, for purchase or acquisition of a franchise, or for purchase of stock or other similar investment instruments.

- Renovation or alteration unless it is essential for the project. Renovation or alteration costs may not exceed the lesser of \$150,000 or 25 percent of the total direct costs approved for the entire budget period.

- Projects originated and designed by consultants who provide a major role for themselves in the proposed project and are not members of the applicant organization, tribe or village.

### I. Paperwork Reduction Act of 1980

Under the Paperwork Reduction Act of 1980, Pub. Law 96-511, as amended in 1986, the Department is required to submit to the Office of Management and Budget (OMB) for review and approval any reporting and record keeping requirements in regulations, including program announcements. All information required by this is covered under the following OMB Approval Nos:

- SF 424 OMB Clearance No. 0348-0043 Application for Federal Assistance Standard Form 424

- SF 424A OMB Clearance No. 0348-0044 Budget Information

- SF 424B OMB Clearance No. 0348-0040 Assurances—Non Construction Programs

- OMB Clearance No. 0980-0204 ANA Program Narrative, Application for Federal Assistance

### J. Receipt of Applications

Applications must either be hand delivered or mailed to the address in Section F, The Application Process: Application Submission. The Administration for Native Americans will not accept applications submitted via facsimile (FAX) equipment. Videotapes and cassette tapes may not be included as part of a grant application for panel review.

#### 1. Deadlines

Applications mailed through the U.S. Postal Service or a commercial delivery service shall be considered as meeting an announced closing date if they are either:

- Received on or before the deadline date at the address specified in Section F2, Application Submission; or

- Sent on, or before, the deadline date and received in time for the ANA independent review. (Applicants are cautioned to request a legibly dated receipt from a commercial carrier or U.S. Postal Service or a legible postmark

date from the U.S. Postal Service. Private metered postmarks shall not be acceptable as proof of timely mailing.)

- No additional material will be accepted, or added to an application, unless it is postmarked by the deadline date.

## 2. Late applications

Applications which do not meet the criteria in the above paragraph of this section are considered late applications and will be returned to the applicant. The Administration for Children and Families shall notify each late applicant that its application will not be considered in the current competition.

## 3. Extension of deadlines

The Administration for Children and Families may extend the deadline for all applicants because of acts of God such as floods, hurricanes, etc., or when there is a widespread disruption of the mails. However, if ACF does not extend the deadline for all applicants, it may not waive or extend the deadline for any applicant.

(Catalog of Federal Domestic Assistance Program Numbers: 93.612 Native American Programs; 93.581 Improving the Capability of Indian Tribal Governments to Regulate Environmental Quality; and 93.587 Promoting the Survival and Continuing Vitality of Native American Languages.)

Dated: August 30, 1995.

**Gary N. Kimble,**

*Commissioner, Administration for Native Americans.*

[FR Doc. 95-22073 Filed 9-6-95; 8:45 am]

BILLING CODE 4184-01-P

## Administration for Children and Families

### New Child Welfare Waiver Demonstration Project Proposals Submitted Pursuant to Section 1130 of the Social Security Act (the Act); Title IV-E and IV-B of the Act; Public Law 103-432

**AGENCY:** Administration for Children and Families, HHS.

**ACTION:** Notice.

**SUMMARY:** This notice lists new proposals for child welfare waiver demonstration projects submitted to the Department of Health and Human Services pursuant to **Federal Register**, Volume 60, No. 115, published Thursday, June 15, 1995. Federal approval for the proposals has been requested pursuant to section 1130 of the Social Security Act.

**COMMENTS:** We will accept written comments on these proposals. We will, if feasible, acknowledge receipt of all comments, but we will not provide written responses to comments. We will, however, neither approve nor disapprove any new proposal for at least 30 days after the date of this notice to allow time to receive and consider comments. Direct comments as indicated below.

**ADDRESSES:** For specific information or questions on the content of a project or requests for copies of a proposal, contact the State contact listed for that project.

Comments on a proposal should be addressed to:

Michael W. Ambrose, Administration on Children, Youth and Families, Children's Bureau, 330 C Street, SW, Mary E. Switzer Building, Room 2068, Washington, D.C. 20201, FAX: (202) 205-9345

## SUPPLEMENTARY INFORMATION:

### I. Background

Under Section 1130 of the Social Security Act (the Act), the Secretary of Health and Human Services (HHS) may approve child welfare waiver demonstration project proposals with a broad range of policy objectives.

In exercising her discretionary authority, the Secretary has developed a number of policies and procedures for reviewing proposals. On June 15, 1995, we published a notice in the **Federal Register** (Volume 60, No 115, page 31478) that specified (1) the principles that we ordinarily will consider when approving or disapproving demonstration projects under the authority in section 1130 of the Act; (2) the procedures we expect States to use in involving the public in the development of proposed demonstration projects under section 1130; and (3) the procedures we ordinarily will follow in reviewing demonstration proposals. We are committed to a thorough and expeditious review of State requests to conduct such demonstrations.

### II. Listing of New Proposals

As part of our procedures, we are publishing a notice in the **Federal Register** of all new proposals. This notice contains summaries of 14 proposals received by July 31, 1995, the date established for the first round of proposals. Each of the proposals contains an assurance that the proposed demonstration effort will be cost neutral to the federal government over the life of the proposed effort; and each proposal contains an evaluation component designed to assess the effectiveness of the project.

The June 15, 1995 **Federal Register** Announcement indicated the Department would give priority consideration to proposals received by July 31, 1995. Further, if ten states had not been approved, additional proposals would be accepted by September 30, 1995 and at the end of each calendar quarter thereafter until ten waiver demonstration projects have been approved. The next date for acceptance of any child welfare waiver demonstration proposals is changed to December 31, 1995.

**STATE:** CALIFORNIA.

**DESCRIPTION:** California proposes to extend, and broaden to include the use of federal funds, a planned State Partnership Demonstration Project that will provide direct funding to counties for the implementation of child welfare services. Participating counties would receive from the State a single allocation of funds for family and children's services, rather than using categorical funding streams.

The project would enhance the counties' abilities: to meet families' needs more comprehensively; to increase the focus on outcomes; to provide additional in-home services which will result in less need for out of home care; and to contain costs.

The State anticipates that enhanced flexibility in the use of federal funds, reduced administrative requirements and a new "outcome-oriented oversight role" will improve outcomes for children and families, including more effective prevention services that will reduce the need for out of home care. The State is particularly interested in promoting a whole family foster care program and long term options for children in kinship care.

The State proposes, potentially, to waive a large number of statutory (and regulatory) provisions, which would be based on negotiations among federal, State and local child welfare services officials regarding specific local waiver proposals. For each of many statutory provisions, the state proposes conditionally to "request waiver of this section to the extent necessary to implement the proposed demonstration project." Statutory items include certain title IV-E State plan requirements, title IV-E income eligibility requirements, statutory definitions (including definitions of eligible facilities), requirements regarding adoption assistance payments, required statistical reports, and Independent Living Program eligibility requirements. Regulatory items proposed for waiver include limitation on the sources of state match, cost allocation plan