IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

RHODE ISLAND COALITION AGAINST DOMESTIC VIOLENCE, *et al.* *Plaintiffs*, v. ROBERT F. KENNEDY, JR., in his official capacity as Secretary of the United States Department of Health and Human Services, *et al.* *Defendants*.	Case No. 1:25-cv-00342-MRD-PAS

NOTICE OF FILING OF HUD ADMINISTRATIVE RECORD

Pursuant to the parties' amended briefing schedule (ECF No. 89), adopted by the Court on January 5, 2026 (Docket entry Jan. 5, 2026), an administrative record (the "HUD Administrative Record") is hereby filed on behalf of the following defendants:

- Scott Turner, in his official capacity as Secretary of the United States Department of Housing and Urban Development, and
- United States Department of Housing and Urban Development.

The Certification of the HUD Administrative Record is attached as Exhibit 1. The Index of the HUD Administrative Record is attached as Exhibit 2. The HUD Administrative Record itself is attached as Exhibit 3.

Dated: January 12, 2025

Respectfully submitted,

ROBERT F. KENNEDY, JR., in his official capacity as Secretary of the United States Department of Health and Human Services T, et al.
By their Attorneys,

CHARLES C. CALENDA
United States Attorney

/s/ *Andrea Hyatt*
Andrea Hyatt
Lauren S. Zurier
Assistant United States Attorneys
One Financial Plaza, 17th Floor
Providence, RI 02903
(401) 709-5000
(401) 709-5001 (Fax)
Email: Andrea.Hyatt@usdoj.gov
Email: Lauren.Zurier@usdoj.gov

CERTIFICATION OF SERVICE

I hereby certify that on January 12, 2026, I electronically filed the foregoing document through this Court's Electronic Case Filing (ECF) system, which will serve it upon all registered users in accordance with Federal Rule of Civil Procedure 5(b)(2)(E).

/s/ *Andrea Hyatt*
Andrea Hyatt
Assistant United States Attorney

Index to Defendant HUD's Administrative Record, *Rhode Island Coalition Against Domestic Violence, et al., v. Kennedy, et al.* , 1:25-cv-342 (D.R.I.)

File Name	Begin Bates Range	End Bates Range	Date
RE: NOFO Updates and forms clearance needed	DOJ-HUD-AR00001	DOJ-HUD-AR00003	5/5/2025 15:38
DOJ Civil Rights Fraud Initiative	DOJ-HUD-AR00004	DOJ-HUD-AR00004	5/20/2025 20:58
5-19-25USDOJ-dag-blanche-memo-civil-rights-fraud-initiative - FCA as tool for DEI certification falsity when using Federal funds.pdf	DOJ-HUD-AR00005	DOJ-HUD-AR00006	5/19/2025 20:08
OLHCHH response to OCFO Updates and forms clearance needed re FY25 NOFOs	DOJ-HUD-AR00007	DOJ-HUD-AR00008	4/24/2025 16:35
FW: Attorney General Bondi Memorandum for All Federal Agencies - Implementation of Executive Order 14168 Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government	DOJ-HUD-AR00009	DOJ-HUD-AR00010	5/6/2025 13:17
Attorney General Bondi Memorandum for All Federal Agencies - Implementation of Executive Order 14168 Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.pdf	DOJ-HUD-AR00011	DOJ-HUD-AR00020	4/29/2025 22:10
RE: Revised Grant Agreement	DOJ-HUD-AR00021	DOJ-HUD-AR00023	3/20/2025 17:37
RE: Introduction and request	DOJ-HUD-AR00024	DOJ-HUD-AR00025	2/20/2025 22:54
Fw: <External Message> Initial DEI EO Monthly Meeting	DOJ-HUD-AR00026	DOJ-HUD-AR00027	2/21/2025 17:04
Questions for Agencies on DEI EO Implementation.docx	DOJ-HUD-AR00028	DOJ-HUD-AR00029	2/21/2025 16:48
Items needing Decisions TODAY (1/30) and TOMORROW (1/31)	DOJ-HUD-AR00030	DOJ-HUD-AR00033	1/30/2025 17:22
<External Message> Domestic EO Implementation Call	DOJ-HUD-AR00034	DOJ-HUD-AR00035	1/30/2025 20:49
Re: CoC Funds	DOJ-HUD-AR00036	DOJ-HUD-AR00038	5/9/2025 22:26
FW: <External Message> NOFO Template Update	DOJ-HUD-AR00039	DOJ-HUD-AR00042	4/22/2025 18:57
General Administrative, National, and Departmental Policy Requirements and Terms for HUD's Financial Assistance Programs	DOJ-HUD-AR00043	DOJ-HUD-AR00053	4/22/2025 0:00
Re: CoC Grant Agreement	DOJ-HUD-AR00054	DOJ-HUD-AR00056	3/7/2025 14:10
RE: Update: Continuum of Care Award Letter Distribution	DOJ-HUD-AR00057	DOJ-HUD-AR00064	3/12/2025 22:59

Exhibit 2

Fw: CoC Grant Agreement Rescissions	DOJ-HUD-AR00065	DOJ-HUD-AR00065	3/19/2025 13:12
FW: <External Message> M-25-13	DOJ-HUD-AR00066	DOJ-HUD-AR00067	1/27/2025 22:27
M-25-13 Temporary Pause to Review Agency Grant Loan and Other Financial Assistance Programs.pdf	DOJ-HUD-AR00068	DOJ-HUD-AR00069	1/27/2025 21:11
FOR REVIEW: Gender Ideology (DUE COB Feb 6)	DOJ-HUD-AR00070	DOJ-HUD-AR00071	2/5/2025 18:24
OPM Memo Initial Guidance Regarding Trump Executive Order Defending Women 1-29-2025 FINAL (1).pdf	DOJ-HUD-AR00072	DOJ-HUD-AR00073	1/30/2025 16:45
Re: Defending Women Guidance and Required Actions	DOJ-HUD-AR00074	DOJ-HUD-AR00076	2/7/2025 0:57
Fw: Introduction and request	DOJ-HUD-AR00077	DOJ-HUD-AR00078	2/22/2025 2:12
Fw: Grant Agreement	DOJ-HUD-AR00079	DOJ-HUD-AR00081	2/27/2025 22:19
FW: COSCDA-NCDA Response Letter	DOJ-HUD-AR00082	DOJ-HUD-AR00086	6/5/2025 16:15
HUD Response to COSCDA NCDA _FINAL2.pdf	DOJ-HUD-AR00087	DOJ-HUD-AR00090	6/5/2025 16:13
FW: Final CoC Grant Agreement	DOJ-HUD-AR00091	DOJ-HUD-AR00093	3/19/2025 15:44
CoC Grant Agreement FINAL Version Rev. 03-19-2025.docx	DOJ-HUD-AR00094	DOJ-HUD-AR00104	3/19/2025 15:26
CPD Grant Agreement Issues	DOJ-HUD-AR00105	DOJ-HUD-AR00105	3/27/2025 15:53
RE: FY23 CoCs	DOJ-HUD-AR00106	DOJ-HUD-AR00109	3/27/2025 20:56
RE: Question on FY24 CoC Awards	DOJ-HUD-AR00110	DOJ-HUD-AR00110	3/3/2025 18:54
FW: FYI CoC grant agreement	DOJ-HUD-AR00111	DOJ-HUD-AR00112	3/3/2025 18:55
RE: CoC Grant Agreement	DOJ-HUD-AR00113	DOJ-HUD-AR00113	3/6/2025 22:54
COSCDA-NCDA Response Letter	DOJ-HUD-AR00114	DOJ-HUD-AR00114	6/2/2025 12:57
COSCDA_NCDA Action Plan Letter_04.04.25.pdf	DOJ-HUD-AR00115	DOJ-HUD-AR00117	4/24/2025 12:20
Action Plans & Executive Orders	DOJ-HUD-AR00118	DOJ-HUD-AR00118	5/15/2025 21:58
CPD Grant Alignment with Executive Orders.docx	DOJ-HUD-AR00119	DOJ-HUD-AR00120	5/15/2025 21:50
Re: <External Message> Re: CoC Grant Agreement Template	DOJ-HUD-AR00121	DOJ-HUD-AR00122	4/24/2025 23:09
RE: Grants TEP	DOJ-HUD-AR00123	DOJ-HUD-AR00124	3/18/2025 16:47
FW: FY24 CoC Grant Agreement	DOJ-HUD-AR00125	DOJ-HUD-AR00125	3/5/2025 19:18
RE: CPD Leaders: Update to M-25-13 Prohibition on Obligations and Disbursements	DOJ-HUD-AR00126	DOJ-HUD-AR00128	1/30/2025 16:33
ACTION: Gender Ideology	DOJ-HUD-AR00129	DOJ-HUD-AR00130	2/5/2025 18:01
RE: 2024 CoC Grant Agreements	DOJ-HUD-AR00131	DOJ-HUD-AR00131	2/24/2025 19:53
OPM Guidances - Hiring Freeze, Probationary, and DEIA	DOJ-HUD-AR00132	DOJ-HUD-AR00132	1/22/2025 16:00
OPM Memo Initial Guidance Regarding DEIA Executive Orders.pdf	DOJ-HUD-AR00133	DOJ-HUD-AR00136	1/21/2025 22:45
Re: Grants TEP	DOJ-HUD-AR00137	DOJ-HUD-AR00138	2/28/2025 0:06
New guidance issued 1/29	DOJ-HUD-AR00139	DOJ-HUD-AR00139	1/30/2025 18:19

FW: New Executive Order	DOJ-HUD-AR00140	DOJ-HUD-AR00141	1/30/2025 20:16
COSCDA-NCDA Response Letter	DOJ-HUD-AR00142	DOJ-HUD-AR00142	6/2/2025 21:32
COSCDA-NCDA Action Plan Letter	DOJ-HUD-AR00143	DOJ-HUD-AR00143	6/5/2025 16:48
FY 2024 and FY 2025 Continuum of Care Competition and Renewal or Replacement of Youth Homeless Demonstration Program Grants	DOJ-HUD-AR00144	DOJ-HUD-AR00272	8/29/2025
Executive Order 14,151, *Ending Radical and Wasteful Government DEI Programs and Preferencing* , 90 Fed. Reg. 8339 (Jan. 29, 2025)	DOJ-HUD-AR00273	DOJ-HUD-AR00275	1/20/2025
Executive Order 14,168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, 90 Fed. Reg. 8615 (Jan. 30, 2025)	DOJ-HUD-AR00276	DOJ-HUD-AR00279	1/20/2025
Executive Order 14,173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, 90 Fed. Reg. 8633 (Jan. 31, 2025)	DOJ-HUD-AR00280	DOJ-HUD-AR00283	1/21/2025
Executive Order 14,182, Enforcing the Hyde Amendment, 90 Fed. Reg. 8751 (Jan. 31, 2025)	DOJ-HUD-AR00284	DOJ-HUD-AR00285	1/24/2025
Executive Order 14,190, Ending Radical Indoctrination in K-12 Schooling, 90 Fed. Reg. 8853 (Feb. 3, 2025)	DOJ-HUD-AR00286	DOJ-HUD-AR00290	1/29/2025
Secretary Scott Turner (@SecretaryTurner), Twitter (Mar. 13, 2025)	DOJ-HUD-AR00291	DOJ-HUD-AR00293	3/13/2025
FY 2025 CoC NOFO Award Letter	DOJ-HUD-AR00294	DOJ-HUD-AR00295	3/20/2025
U.S Off. Att'y Gen., Implementation of Executive Orders 14151 and 14173: Eliminating Unlawful DEI Programs in Federal Operations	DOJ-HUD-AR00296	DOJ-HUD-AR00299	3/21/2025
Template FY 2024 CoC Program Grant Agreement Tr	DOJ-HUD-AR00300	DOJ-HUD-AR00301	n.d.
Form HUD-424-B	DOJ-HUD-AR00302	DOJ-HUD-AR00303	n.d.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

RHODE ISLAND COALITION AGAINST DOMESTIC VIOLENCE, *et al.*,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official capacity as Secretary of the United States Department of Health and Human Services, *et al.*,

Defendants.

Case No. 1:25-cv-00342

HUD's CERTIFICATION OF THE ADMINISTRATIVE RECORD

I, James G. Bartolotto, Associate General Counsel for Litigation, Office of General Counsel at the U.S. Department of Housing and Urban Development ("HUD"), pursuant to 5 U.S.C. § 706, declare as follows:

Attached hereto are the responsive, non-privileged documents that, to the best of my knowledge and belief, reflect the administrative record in this matter. Per stipulation between Plaintiffs and HUD, the record includes a template grant agreement transmittal letter. All notices that Plaintiffs received contained substantially similar terms and conditions, other than the paragraph concerning injunctions.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 12th day of January 2026 in Washington, DC.

_____
JAMES G. BARTOLOTTO

Exhibit 1

Message

From: Thurman, Todd M [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=02EED94058CB4D66BF5F308A04F01F89-THURMAN, TO]
Sent: 5/5/2025 3:38:11 PM
To: Brown, Christine W. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=30dd384cbfa54def9d199762fd1512f3-Christine W]; Darling, Kate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a8e1253e6101460394581b5686a1eb2e-Mishra, Kat]
CC: Funiba, Neba V [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=991161e128174f8b9d8ccf66d54dacb7-Funiba, Neb]
Subject: RE: NOFO Updates and forms clearance needed
Attachments: TThurman_User-Account-Request.pdf

Nonresponsive

From: Brown, Christine W. <Christine.W.Brown@hud.gov>
Sent: Monday, May 5, 2025 11:35 AM
To: Thurman, Todd M <Todd.M.Thurman@hud.gov>; Darling, Kate <Kate.Darling@hud.gov>
Cc: Funiba, Neba V <Neba.V.Funiba@hud.gov>
Subject: RE: NOFO Updates and forms clearance needed

Nonresponsive

Sincerely,
Christine

From: Thurman, Todd M <Todd.M.Thurman@hud.gov>
Sent: Monday, May 5, 2025 11:20 AM
To: Darling, Kate <Kate.Darling@hud.gov>
Cc: Brown, Christine W. <Christine.W.Brown@hud.gov>; Funiba, Neba V <Neba.V.Funiba@hud.gov>
Subject: RE: NOFO Updates and forms clearance needed

Nonresponsive

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Monday, May 5, 2025 11:18 AM
To: Thurman, Todd M <Todd.M.Thurman@hud.gov>
Cc: Brown, Christine W. <Christine.W.Brown@hud.gov>; Funiba, Neba V <Neba.V.Funiba@hud.gov>
Subject: FW: NOFO Updates and forms clearance needed

Exhibit 3

Nonresponsive

Kate Darling
Assistant Chief Financial Officer for Systems
Office of the Chief Financial Officer
U.S. Department of Housing and Urban Development

From: Knittle, Scott A <Scott.Knittle@hud.gov>
Sent: Tuesday, April 29, 2025 12:20 PM
To: Darling, Kate <Kate.Darling@hud.gov>
Cc: Dennis, Irving <Irving.Dennis@hud.gov>; Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Subject: RE: NOFO Updates and forms clearance needed

Hey Kate,

The updated language of the 424b looks good to me. Nonresponsive

Nonresponsive

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Monday, April 28, 2025 10:46 AM
To: Knittle, Scott A <Scott.Knittle@hud.gov>
Cc: Dennis, Irving <Irving.Dennis@hud.gov>; Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Subject: Re: NOFO Updates and forms clearance needed

Good morning Scott-

Putting this request to the top of your inbox. Thanks. Kate

Get Outlook for iOS

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Friday, April 25, 2025 4:46 PM
To: Knittle, Scott A <Scott.Knittle@hud.gov>
Cc: Dennis, Irving <Irving.Dennis@hud.gov>; Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Subject: RE: NOFO Updates and forms clearance needed

Hi Scott—Here are some updates to my list below:

- 424B update—Draft form updates to align with EOs is attached. Please let me know if any concerns. We will start the clearance process to update the PRA.

Nonresponsive

Thank you!
Kate

Kate Darling

Assistant Chief Financial Officer for Systems
Office of the Chief Financial Officer
U.S. Department of Housing and Urban Development

From: Darling, Kate
Sent: Tuesday, April 22, 2025 4:49 PM
To: Knittle, Scott A <Scott.Knittle@hud.gov>
Cc: Dennis, Irving <Irving.Dennis@hud.gov>; Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Subject: NOFO Updates and forms clearance needed
Importance: High

Hi Scott-- Here is an update on the NOFOs and next steps/action items:

Nonresponsive

- REVIEW NEEDED: Form 424B Update: We've updated the 424B form to align to EOs. OGC has reviewed the attached. Can you please review and let us know any edits or concerns? Once we have finalized, we will need to send to OMB for PRA clearance if the changes are deemed "substantial."

Nonresponsive

Please let me know if you want to discuss any of this. The main priorities are getting the forms finalized and approved by OMB so they are available to applicants.

Thank you,
Kate

Kate Darling

Assistant Chief Financial Officer for Systems

Office of the Chief Financial Officer

U.S. Department of Housing and Urban Development

Message

From: Bohling, Gayle E [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C4B577AB54D84A62AE75E1DF984E2487-BOHLING, GA]
Sent: 5/20/2025 8:58:51 PM
To: Miller, Brian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=98b6daa8bebc447a96f868d133835381-0cdb2532-e1]; Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]; Knittle, Scott A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=075dae54c24d4f0d955a5e99fa3f7a04-Knittle, Sc]; Brown, Amy L [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c427e41f9e734245b4638de45f3cc125-Brown, Amy]
Subject: DOJ Civil Rights Fraud Initiative
Attachments: 5-19-25USDOJ-dag-blanche-memo-civil-rights-fraud-initiative - FCA as tool for DEI certification falsity when using Federal funds.pdf

FYI

Gayle E. Bohling
Deputy General Counsel for Operations
Office of General Counsel
Room 10240 Weaver Building
(o) (202) 402-6519
(c) (703) 200-2564

The information in this communication may be confidential and privileged, is intended only for the use of the recipient(s) named above, and may be subject to additional legal non-disclosure requirements. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please re-send it to the sender and delete the original message and any copy of it from your computer system.

U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

May 19, 2025

MEMORANDUM FOR
OFFICE OF THE ASSOCIATE ATTORNEY GENERAL
CIVIL DIVISION
CIVIL RIGHTS DIVISION
CRIMINAL DIVISION
EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS
ALL UNITED STATES ATTORNEYS

FROM: THE DEPUTY ATTORNEY GENERAL

SUBJECT: Civil Rights Fraud Initiative

Under Attorney General Bondi's leadership, "[t]he Department of Justice is committed to enforcing federal civil rights laws and ensuring equal protection under the law." Attorney General Memorandum, *Ending Illegal DEI and DEIA Discrimination and Preferences* (Feb. 5, 2025). One of the most effective ways to accomplish this objective is through vigorous enforcement of the False Claims Act, 31 U.S.C. § 3729 et seq., against those who defraud the United States by taking its money while knowingly violating civil rights laws.

The False Claims Act is the Justice Department's primary weapon against government fraud, waste, and abuse. Liability results in treble damages and significant penalties. It is implicated when a federal contractor or recipient of federal funds knowingly violates civil rights laws—including but not limited to Title IV, Title VI, and Title IX, of the Civil Rights Act of 1964—and falsely certifies compliance with such laws. Accordingly, a university that accepts federal funds could violate the False Claims Act when it encourages antisemitism, refuses to protect Jewish students, allows men to intrude into women's bathrooms, or requires women to compete against men in athletic competitions. Colleges and universities cannot accept federal funds while discriminating against their students.

The False Claims Act is also implicated whenever federal-funding recipients or contractors certify compliance with civil rights laws while knowingly engaging in racist preferences, mandates, policies, programs, and activities, including through diversity, equity, and inclusion (DEI) programs that assign benefits or burdens on race, ethnicity, or national origin. While racial discrimination has always been illegal, the prohibition on such policies became clear after the Supreme Court stated that "[e]liminating racial discrimination means eliminating all of it." *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181, 205 (2023).

President Trump reinforced that principle in Executive Order 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, 90 Fed. Reg. 8633 (Jan. 21, 2025), explaining that racist policies "violate the text and spirit of our long-standing Federal civil-rights laws." Nevertheless, many corporations and schools continue to adhere to racist policies and preferences—albeit camouflaged with cosmetic changes that disguise their discriminatory nature.

The federal government should not subsidize unlawful discrimination. To that end, I am standing up the Civil Rights Fraud Initiative. This Initiative will utilize the False Claims Act to investigate and, as appropriate, pursue claims against any recipient of federal funds that knowingly violates federal civil rights laws. This Initiative will be co-led by the Civil Division's Fraud Section, which enforces the False Claims Act, and the Civil Rights Division, which enforces civil rights laws. Each division will identify a team of attorneys to aggressively pursue this work together. Each of the 93 United States Attorney's Offices will identify an Assistant United States Attorney to advance these efforts.

To ensure a comprehensive approach, the Civil Fraud Section and the Civil Rights Division will engage in regular coordination meetings and share relevant information about potential violations. The Civil Fraud Section and the Civil Rights Division will also engage with the Criminal Division, as well as with other federal agencies that enforce civil rights requirements for federal funding recipients, including the Department of Education, the Department of Health and Human Services, the Department of Housing and Urban Development, and the Department of Labor. The Civil Fraud Section and the Civil Rights Division will also establish partnerships with state attorneys general and local law enforcement to share information and coordinate enforcement actions.

The Department recognizes that it alone cannot identify every instance of civil rights fraud. Congress likewise has recognized as much and, as a result, has authorized private parties to protect the public interest by filing lawsuits and litigating claims under the False Claims Act—and, if successful, sharing in any monetary recovery. *See* 31 U.S.C. § 3730. The Department strongly encourages these lawsuits. The Department also encourages anyone with knowledge of discrimination by federal-funding recipients to report that information to the appropriate federal authorities so that the Department may consider the information and take any appropriate action. Please visit https://www.justice.gov/civil/report-fraud for more information.

Message

From: Friedman, Warren [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=923572EAB892433DB7C31F24DFF24E6A-FRIEDMAN, W]
Sent: 4/24/2025 4:35:26 PM
To: Darling, Kate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a8e1253e6101460394581b5686a1eb2e-Mishra, Kat]
CC: Knittle, Scott A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=075dae54c24d4f0d955a5e99fa3f7a04-Knittle, Sc]; Dennis, Irving [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c552c1c6732840e29367eb92b0d06965-753d8458-8b]; Ballard, Daniel L [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e99ccb1d9f284364bdf2509dcdad6763-Ballard, Da]; Ammon, Matthew E [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3336047f62e4a76973633ea4aa18507-Ammon, Matt]; Medeiros, Michelle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a02be989b55f466e9dac4bcb7d83cd64-Miller, Mic]; Brown, Yolanda A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b7412fc64e6a4335a74a64a8539f8127-Brown, Yola]; Simmons, Jonnette H [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9fb32f0db65d41b88ba506de98ce183c-Simmons, Jo]; Radosevich, Tara J [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=09e3fb5f791f4b1b8d78784837e30752-Radosevich,]
Subject: OLHCHH response to OCFO Updates and forms clearance needed re FY25 NOFOs
Attachments: 424B-v1.OLHCHH1-edit.docx

Kate:
Regarding your update, below, to Scott on the FY25 NOFOs and next steps/action items, the OLHCHH has responses in the indented open-circle bullets and the associated attachment.

If you or your staff have any questions about this, please let me know.

Yours,
Warren
202-423-3730 cell, or Teams

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Tuesday, April 22, 2025 4:49:04 PM
To: Knittle, Scott A <Scott.Knittle@hud.gov>
Cc: Dennis, Irving <Irving.Dennis@hud.gov>; Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Subject: NOFO Updates and forms clearance needed

Hi Scott-- Here is an update on the NOFOs and next steps/action items:

Nonresponsive

- REVIEW NEEDED: Form 424B Update: We've updated the 424B form to align to EOs. OGC has reviewed the attached. Can you please review and let us know any edits or concerns? Once we have finalized, we will need to send to OMB for PRA clearance if the changes are deemed "substantial."

- Attached is the OLHCHH's correction of a substantive grammatical error in the form's new paragraph 6. The correction makes the new paragraph conform to the EO pertaining to the new paragraph. (The pertinent paragraph of the EO is cited in the Word Comment for this correction).

Nonresponsive

Please let me know if you want to discuss any of this. The main priorities are getting the forms finalized and approved by OMB so they are available to applicants.

Thank you,
Kate

Kate Darling

Assistant Chief Financial Officer for Systems

Office of the Chief Financial Officer

U.S. Department of Housing and Urban Development

Message

From: Wahlig, Amanda J [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4322DF4972E9484C807255CF7ED7020D-WAHLIG, AMA]
Sent: 5/6/2025 1:17:58 PM
To: Knittle, Scott A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=075dae54c24d4f0d955a5e99fa3f7a04-Knittle, Sc]
CC: Brown, Amy L [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c427e41f9e734245b4638de45f3cc125-Brown, Amy]; Lack, Allison A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ce26168e8d0b4d76baa108bb6aa4844f-Lack, Allis]; Helmick, Kyle E [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d26d26aa139a42dc9625fd8a4cc1dba3-Helmick, Ky]
Subject: FW: Attorney General Bondi Memorandum for All Federal Agencies - Implementation of Executive Order 14168 Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government
Attachments: Attorney General Bondi Memorandum for All Federal Agencies - Implementation of Executive Order 14168 Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.pdf

Scott,

We received this message from OSEC. As the email notes, this is an FYI for HUD, but we believe you should see it.

If you have any questions, I'll see what I can find out, but really this email chain is it. 😊

Thanks,

Amanda

From: ExecSec <ExecSec@hud.gov>
Sent: Thursday, May 1, 2025 3:35 PM
To: Lynn, Erica M <ERICA.M.LYNN@hud.gov>
Cc: Hughes, Andrew D <Andrew.Hughes@hud.gov>; Mccall, Jonathan A <Jonathan.Mccall@hud.gov>; Wilson, Reid <Reid.Wilson@hud.gov>; Grisedale, Garrison <Garrison.Grisedale@hud.gov>; Demarzo, Benjamin <Benjamin.Demarzo@hud.gov>; Robinson, Jozetta R <Jozetta.R.Robinson@hud.gov>; Miller, James P <Paul.Miller@hud.gov>; Gibbs, John <John.Gibbs@hud.gov>; Jackson, Sherra L <Sherra.L.Jackson@hud.gov>; Jackson, Lelia P <Lelia.P.Jackson@hud.gov>; Foxx, Nacheshia L <Nacheshia.L.Foxx@hud.gov>
Subject: FW: <External Message> Attorney General Bondi Memorandum for All Federal Agencies - Implementation of Executive Order 14168 Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government

Hello,

Please find below the transmittal titled "Implementation of Executive Order 14168 Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government" which was received from DOJ on April 30, 2025. This transmittal is for information only with no response required from HUD.

Thank you.

From: DOJExecSec (OES) <DOJExecSec@usdoj.gov>
Sent: Wednesday, April 30, 2025 10:01 AM
To: Nonresponsive

Nonresponsive

Nonresponsive ExecSec <ExecSec@hud.gov>; Nonresponsive

Nonresponsive

Cc: DOJExecSec (OES) <DOJExecSec@usdoj.gov>
Subject: <External Message> Attorney General Bondi Memorandum for All Federal Agencies - Implementation of Executive Order 14168 Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government

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Good morning,

Please find attached a memorandum from the Attorney General to All Federal Agencies regarding the implementation of Executive Orders 14168: Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.

Kind Regards,

United States Department of Justice
Office of the Executive Secretariat
DOJExecSec@usdoj.gov
(202) 514-2063

Office of the Attorney General
Washington, D. C. 20530

April 29, 2025

MEMORANDUM FOR ALL FEDERAL AGENCIES

FROM: THE ATTORNEY GENERAL

SUBJECT: IMPLEMENTATION OF EXECUTIVE ORDER 14168: DEFENDING WOMEN FROM GENDER IDEOLOGY EXTREMISM AND RESTORING BIOLOGICAL TRUTH TO THE FEDERAL GOVERNMENT

I. INTRODUCTION TO IMPLEMENTING EXECUTIVE ORDER 14168

This memorandum provides guidance for federal agencies to implement Executive Order 14168, "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," issued January 20, 2025, to defend women's rights by recognizing sex distinctions in federal policy. It builds on the Department of Justice's February 12, 2025, guidance clarifying that *Bostock v. Clayton County,* 590 U.S. 640 (2020) does not mandate gender-identity-based policies, reinforcing Titles VII and IX's focus on sex. It reaffirms that federal law, including Titles VII and IX, recognizes sex distinctions and directs agencies to uphold these in policy and practice. Agencies must maintain sex-separated intimate facilities (e.g., bathrooms, locker rooms) and athletic programs based on sex, not gender identity. The Department of Justice, alongside the Equal Employment Opportunity Commission and the Department of Education, will enforce compliance, ensuring employers and educational institutions do not compel individuals to share such spaces or compete athletically with the opposite sex. That approach aligns with *Bostock*, which neither requires gender-identity-based access to single-sex spaces nor weakens Title IX's protections for women. Statutory and constitutional religious exemptions remain fully applicable and will be enforced. Immediate compliance actions and the legal basis for those actions follow.

II. IMMEDIATE COMPLIANCE ACTIONS

The following actions are required of federal agencies to implement Executive Order 14168. While the full legal analysis supporting these requirements is provided in subsequent

sections, these compliance actions represent the immediate steps agencies must take to fulfill their obligations under the law.

All federal agencies should take the following steps to ensure compliance with Executive Order 14168 and federal law:

A. Maintain Sex-Separated Employee Facilities Under Title VII

Federal agencies must not remove single-sex intimate spaces for employees, including but not limited to bathrooms, locker rooms, and dormitories. These spaces must be provided to men and women based on sex, not gender identity. *Bostock* does not require employers, including the federal government, to compel employees to share intimate spaces with the opposite sex; rather, forcing such sharing could violate Title VII by creating hostile work environments or constructive discharges, and affected employees may bring suit to enforce their rights.

B. Enforce Title VII Compliance for Employers to Protect Single-Sex Spaces

The Department of Justice and EEOC will cooperate, using their Title VII enforcement and guidance authorities under Sections 706 and 707, to ensure employers do not require employees to share intimate spaces with members of the opposite sex based on gender identity. The EEOC should initiate actions against private employers, and the DOJ will pursue claims against both private and public employers—whether referred by the EEOC or developed internally—where such policies remove access to single-sex facilities in a manner that violates Title VII.

C. Uphold Religious Organization Exemptions Under Title VII

The Department of Justice and EEOC will review their current dockets of investigations, charges, litigation, and actions to ensure religious exemptions are applied appropriately. They will dismiss all actions where a religious organization is charged with violating Title VII based on conduct consistent with its religious principles and eligible for exemption under applicable law (e.g., 42 U.S.C. § 2000e-1(a)).

D. Ensure Sex-Separated Educational Facilities Under Title IX

The Department of Justice and Department of Education will cooperate, using their Title IX enforcement and guidance authorities, to ensure schools and universities subject to Title IX provide separate bathrooms, locker rooms, and similar facilities for men and women based on sex, not gender identity. Policies requiring students to share intimate spaces with the opposite sex impair Title IX rights and may be actionable. *Bostock* does not alter this mandate, and interpreting Title IX to prohibit sex-specific facilities would frustrate its purpose of ensuring privacy and equal opportunity, especially given physiological changes students undergo during education.

E. Protect Separate-Sex Athletics Under Title IX

The Department of Justice and Department of Education will use their Title IX enforcement and guidance authorities to ensure schools and universities operating or sponsoring separate-sex athletics do not require students to compete against, or participate in contact sports with, members of the opposite sex based on gender identity. Athletic opportunities may be offered to both sexes, including in co-ed programs, but separate-sex competition must reflect sex to preserve Title IX's guarantee of equal opportunity for women—a purpose upheld by single-sex teams for nearly 50 years. Permitting opposite-sex participation based on gender identity undermines this intent and discriminates by negating the single-sex nature of such activities. The DOJ will pursue actions and intervene in existing suits where such policies blur biological distinctions.

III. LEGAL BASIS

A. Constitutional Principles

It is an unremarkable and obvious truth that there are recognized differences between men and women based on biology. The Constitution and Federal law acknowledge the reality that "[p]hysical differences between men and women . . . are enduring," *United States v. Virginia*, 518 U.S. 515, 533 (1996), and it is the responsibility of the federal government to properly enforce the law. At the same time, the Equal Protection Clause of the Constitution prohibits the states from imposing sex-based classifications unless it can establish a basis under heightened constitutional scrutiny. *See id.* at 531-33.

B. Title VII Basis

Title VII of the Civil Rights Act of 1964 reinforces these constitutional principles by prohibiting employment discrimination. It applies not only to certain private employers and state and local governments, 42 U.S.C. § 2000e-2, but also the federal government. Regarding the federal government, it provides that "[a]ll personnel actions affecting employees or applicants for employment" in Executive Branch agencies "shall be made free from any discrimination based on race, color, religion, *sex*, or national origin." 42 U.S.C. § 2000e-16(a) (emphasis added).

Under Title VII, discrimination includes any employment-related action motivated, even in part, by a protected characteristic like sex. 42 U.S.C. § 2000e-2(m); *see also Comcast Corp. v. National Association of African American-Owned Media*, 589 U.S. 327, 337 (2020). Employment-related actions—including actions that affect the terms and conditions of employment, such as hiring, firing, promotion, demotion, selection for interviews, training opportunities, and work assignment—are covered by Title VII.

In *Bostock*, the Supreme Court interpreted Title VII to extend to certain forms of discrimination based on gender identity and sexual orientation. But nothing in the decision requires ignoring biological distinctions between men and women. On the contrary, the Supreme Court assumed that the term "sex," as used in Title VII "refer[s] only to biological distinctions between male and female." *Bostock*, 590 U.S. at 655. The Supreme Court also expressly reserved the question of how its holding might apply to other facts and other statutes. *Id.* at 681 ("Whether other policies and practices might or might not qualify as unlawful discrimination . . . are questions for future cases, not these."). *Bostock* did not "purport to address bathrooms, locker rooms, or anything else of the kind" under Title VII or any other statute. *Bostock*, 590 U.S. at 681.

In fact, *Bostock*'s reasoning suggests that sex-separated facilities do not run afoul of Title VII so long as they do not reflect intentional treatment of an individual "worse than others who are similarly situated." *Id.* at 657. Men and women are not similarly situated where the physiological differences between the sexes are relevant. *See Jespersen v. Harrah's Operating Co.*, 444 F.3d 1104, 1109-10 (9th Cir. 2006) ("Grooming standards that appropriately differentiate between the genders are not facially discriminatory."); *Gerdom v. Cont'l Airlines, Inc.*, 692 F.2d 602, 606 (9th Cir. 1982) (en banc), *cert. denied*, 460 U.S. 1074 (1983) (recognizing that "physiologically based policies which set a higher maximum weight for men than for women of the same height" would not be problematic where "no significantly greater burden of compliance was imposed on either sex"). And insofar as the use of sex-separated bathrooms and similar facilities might inadvertently inconvenience individuals, such incidental effects are not discriminatory adverse employment action or hostile work environment under Title VII. *See, e.g.*, *Smith v. Oakland Scavenger Co.*, 127 F.3d 1106, 1997 WL 661335, at *3 (9th Cir. 1997) (table); *O'Brien v. City of New York, Dept. of Educ.*, 686 F. Supp. 3d 221, 240-41 (E.D.N.Y. 2023) (employers refusal to provide teacher, who identified as man, with key to restroom labeled as men's did not constitute adverse employment action, for purposes of his claim for race, sex, and national origin discrimination under Title VII); *Sealy v. State Univ. of New York at Stony Brook*, 834 F. App'x 611, 615 (2d Cir. 2020); *Johnson v. Eastchester Union Free Sch. Dist.*, 211 F. Supp. 2d 514, 518 (S.D.N.Y. 2002) (an inconvenience, such as an increased commute or unfavorable hours, is not an adverse employment action under Title VII). Because males are not similarly situated to females when using the restroom, changing, or showering, neither Title VII nor *Bostock* requires employers, including the federal government, to impose novel gender-identity rules on "single-sex" spaces for employees.

Treating *differently* situated people differently—men and women are simply not similarly situated for policies under which physiological differences are relevant—also does not conflict with the Equal Protection Clause. In requiring Virginia Military Institute (VMI) to admit women, the Supreme Court stated that "[a]dmitting women to VMI would undoubtedly require alterations

necessary to afford members of each sex privacy from the other sex in living arrangements, and to adjust aspects of the physical training programs." *United States v. Virginia*, 518 U.S. 515, 550 n.19 (1996); *id.* (noting that, when the service academies admitted women, Congress specified that standards for women "shall be the same as those required for male individuals, except for those minimum essential adjustments in such standards required because of physiological differences between male and female individuals"). *Virginia* involved a claim under the Equal Protection Clause, rather than Title VII; but the Supreme Court's implicit approval of policies that ensure privacy of the sexes from each other and that consider the physiological differences between men and women strongly suggests that such policies are not discriminatory.

It is thus no surprise that courts have repeatedly rejected challenges to sex-specific policies and facilities where physiological differences between the sexes are relevant. For example, many courts have held that "regulations promulgated by employers which require male employees to conform to different grooming and dress standards than female employees is not sex discrimination within the meaning of Title VII." *Fountain v. Safeway Stores, Inc.*, 555 F.2d 753, 755 (9th Cir. 1977) (collecting cases). And for the more than 50 years that Title VII has been in place, no court has held that Title VII requires *eliminating* sex-separated bathrooms or locker rooms. On the contrary, the failure to have sex-specific bathrooms and locker rooms will, in some circumstances, itself create liability under Title VII. *See, e.g.*, *Pucino v. Verizon Wireless Commc'ns, Inc.*, 618 F.3d 112, 118 (2d Cir. 2010) (concluding that evidence that "there was an attempt to force female employees to use restrooms that had no locks" could support a hostile work environment claim); *DeClue v. Cent. Illinois Light Co.*, 223 F.3d 434, 437 (7th Cir. 2000) (suggesting that failure to offer "toilet facilities sufficiently private to meet [a female] plaintiff's needs . . . may have been a perfectly good claim of sex discrimination"); *James v. Nat'l R.R. Passenger Corp.*, No. 02-civ-3915, 2005 WL 6182322, at *5 (S.D.N.Y. Mar. 28, 2005) (holding that a jury could reasonably conclude that a policy of offering only unisex bathrooms and changing rooms could have a disparate impact on women in violation of Title VII). *Bostock* did not disturb this body of case law.

The *Bostock* decision also did not disturb the settled exceptions to Title VII's general prohibition, including that Title VII permits "religious organizations" and "religious educational institutions" to employ people who share their own religion in most circumstances. 42 U.S.C. § 2000e-1(a). The Supreme Court unanimously upheld the constitutionality of this exemption, allowing a religiously affiliated, non-profit entity to make employment decisions based on religion, even if the position related to non-religious activity of the organization. *Corp. of the Presiding Bishop v. Amos*, 483 U.S. 327 (1987). The *Bostock* decision identified three such protections for religious liberty that may limit the reach of its decision: the "express statutory exception for religious organizations" in Title VII itself, the Religious Freedom Restoration Act, and the First Amendment's protection of the "'employment relationship between a religious institution and its

ministers.'" 590 U.S. at 682 (citing *Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC*, 565 U.S. 171, 188 (2012)).[1]

Beyond the religious protections expressly noted in *Bostock*, Title VII contains two additional protections for the hiring decisions of religious organizations. Title VII makes clear that "it shall not be an unlawful employment practice for a school, college, university, or other educational institution or institution of learning to hire and employ employees of a particular religion if such school, college, university or other educational institution or institution of learning is, in whole or in substantial part, owned, supported, controlled, or managed by a particular religion or by a particular religious corporation, association, or society, or if the curriculum of such school, college, university, or other educational institution or institution of learning is directed toward the propagation of a particular religion." 42 U.S.C. § 2000e-2(e). Nor shall it be "an unlawful employment practice for an employer to hire and employ employees . . . on the basis of his religion . . . in those certain instances where religion . . . is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise." *Id.* "Because Title VII defines 'religion' broadly to include 'all aspects of religious observance and practice, as well as belief,' 42 U.S.C. 2000e(j), these exemptions include decisions to employ only persons whose beliefs and conduct are consistent with the employer's religious precepts." *See* 82 Fed. Reg. 49,677 (internal quotation marks omitted).

Finally, *Bostock* allows employers to "hire and employ employees . . . on the basis of [employees'] . . . sex . . . in those certain instances where . . . sex . . .is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise." 42 U.S.C. § 2000e-2(e)(1). Again, *Bostock* presumed that, as used in Title VII, "'sex . . . referr[ed] only to biological distinctions between male and female." 590 U.S. at 642. And the bona fide occupational qualification provision rests on the understanding that an employee's sex may, in some narrow circumstances, interfere with the employee's ability to perform the job. *See International Union, United Auto., Aerospace & Agri. Implement Workers of Am. v. Johnson Controls*, 499 U.S. 187, 204 (1991); *see also Dothard v. Rawlinson*, 433 U.S. 321, 335-36 (1977) (recognizing that male sex was a bona fide occupational qualification "for the job of correctional counselor in a 'contact' position in an Alabama male maximum-security penitentiary"); *Wilson v. Chertoff*, 699 F. Supp. 2d 364 (D. Mass. 2010) (recognizing that female sex is a bona fide

[1] The intersection between the enforcement of Title VII and the protections of RFRA and the First Amendment will be addressed in further guidance to be issued by the Department of Justice, in consultation with the EEOC and the Department of Labor, under Executive Order 14168: Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, 90 Fed. Reg 8615 (January 20, 2025).

occupational qualification for a TSA employee hired "to conduct pat-down searches of female passengers"). In these cases, employers may hire or employ employees based on their sex.

C. Title IX

Title IX is even clearer than Title VII in extending its protections to sex rather than gender identity. "Title IX prohibits sex discrimination by recipients of federal education funding." *Jackson v. Birmingham Bd. of Educ.*, 544 U.S. 167, 173 (2005). Title IX specifically equalizes opportunities for women by extending its protections based on "sex" alone. 20 U.S.C. § 1681(a). And Title IX includes express references to "one sex" and "the other sex," as well as to "both sexes," usage that confirms the ordinary, binary meaning of the term. 20 § 1681(a)(2), (8). Courts have thus repeatedly held that "sex" in Title IX does not mean gender identity. *Adams v. Sch. Bd. of St. Johns Cty.*, 57 F.4th 791, 813–14 (11th Cir. 2022) ("There simply is no alternative definition of 'sex' for transgender persons as compared to non-transgender persons under Title IX."); *Alabama, et al. v. U.S. Sec. of Educ., et al.*, No. 24-12444, 2024 WL 3981994, at *4 (11th Cir. Aug. 22, 2024) ("sex" in Title IX is "biological sex and not gender identity" (cleaned up)).

Title IX provides, subject to express exemptions, that "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." 20 U.S.C. § 1681. The text of Title IX differs from Title VII in several respects, including in that it does not use precisely the same "because of such individual's . . . sex" language that the Court relied on in *Bostock*. *Compare* 42 U.S.C. § 2000e-2, *with* 20 U.S.C. § 1681. And while Title VII imposes a regulatory prohibition on covered employers, Title IX acts as a condition on the receipt of certain federal funding. *See Gebser v. Lago Vista Indep. Sch. Dist.*, 524 U.S. 274, 286-87 (1998). The Supreme Court has explained that, when Congress acts pursuant to its power under the Spending Clause, a "central concern . . . [is] ensuring that the receiving entity of federal funds [had] notice" of its prospective liability. *Id.* (internal quotation marks and citation omitted).

When the physiological differences of the sexes are relevant to education programs or activities, sex should be taken into account. Several indicia from the statute establish this proposition. First, Congress expressly provided that "notwithstanding anything to the contrary contained in this chapter, nothing contained herein shall be construed to prohibit any educational institution receiving funds under this Act, from maintaining separate living facilities for the different sexes." 20 U.S.C. § 1686. That this provision is phrased as a rule of construction, rather than an exemption, is a textual indicator that Congress did not believe that its general prohibition on sex discrimination must be read to cover different living facilities. And Congress appears to have provided similar interpretive guidance in stating that Title IX "shall not preclude father-son or mother-daughter activities at an educational institution," so long as "reasonably comparable

activities [are] provided for students of the other sex," § 1681(8). Second, Congress expressly exempted certain single-sex activities from Title IX's reach where it is not clear that physiological differences are relevant. For example, Congress expressly exempted from Title IX the "membership practices of" sororities and fraternities, 20 U.S.C. § 1681(6)(A), or "voluntary youth service organization" that traditionally serve minors of a single sex, § 1681(6)(B); and programs and activities undertaken in connection with Boys State, Boys Nation, Girls State, and Girls Nation, § 1681(7).

What is more, Congress has long hailed the rise of women's athletics as one of the crowning achievements of Title IX. Although athletics was not expressly discussed in the text of Title IX, Congress tasked the Executive Branch with issuing regulations on the subject. *See* Pub. L. 93-380, § 844, 88 Stat. 484 (Aug. 21, 1974) ("The Secretary shall prepare and publish … proposed regulations implementing the provisions of Title IX of the Education Amendments of 1972 relating to the prohibition of sex discrimination in federally assisted education programs, which shall include with respect to intercollegiate athletic activities reasonable provisions considering the nature of particular sports."). Title IX regulations enacted soon after the law was passed recognized that because of inherent biological differences, schools may provide "separate toilet, locker room, and shower facilities on the basis of sex," so long as the facilities "provided for students of one sex shall be comparable to such facilities provided for students of the other sex." 34 C.F.R. § 106.33. Similar regulations allow schools to have "separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport." 34 C.F.R. § 106.41(b).

Title IX regulations also prohibit recipients of federal funds from providing athletics separately based on sex. *See* 7 C.F.R. § 15a.450(a).[2] The regulations except from that prohibition, however, programs where the "selection" for the relevant athletic teams "is based upon competitive skill" or where "the activity involved is a contact sport." *Id.* § 15a.450(b). Offering athletics separately prevents members of one sex from dominating athletic events based on an inherent physical advantage. *See, e.g.*, *Yellow Springs Exempted Vill. Sch. Dist. Bd. of Educ. v. Ohio High Sch. Athletic Ass'n*, 647 F.2d 651, 657–58 (6th Cir. 1981) (noting that contrary regulations requiring sex integration regardless of skill or other considerations "might result in male dominance of all teams and cause a return to pre-Title IX conditions, a result completely at variance

[2] Title IX's implementing regulations are contained in a Title IX "common rule" promulgated jointly by 21 agencies in 2000. *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance*, 65 Fed. Reg. 52,858 (Aug. 30, 2000). The Department of Agriculture ("USDA") adopted the common rule for its own operations in 2017. *Education Programs or Activities Receiving or Benefitting from Federal Financial Assistance*, 82 Fed. Reg. 46,655 (Oct. 6, 2017).

with the statute's purpose"); *cf. O'Connor v. Bd. of Educ. of Sch. Dist.* 23, 449 U.S. 1301, 1307 (1980) (Stevens, Circuit Justice) (observing in the equal-protection context that "[w]ithout a gender-based classification in competitive contact sports, there would be a substantial risk that boys would dominate the girls' programs and deny them an equal opportunity to compete in interscholastic events"). The potential for such inherent advantages is not limited to sports organized as "teams" such as basketball and soccer, or sports involving "teams" of individuals that compete collectively against other "teams." That potential also exists in wholly individual sports as well. The regulation does not require integration of all sports where the competitors compete as individuals but allows both group and individual sports to be offered separately to each sex, so long as the teams of competitors satisfy the competitive-skill or contact-sport exception, and the recipient otherwise "provide[s] equal athletic opportunity for members of both sexes." 7 C.F.R. § 15a.450(c).

The Supreme Court's holding with respect to firings based on gender identity and sexual orientation under Title VII does not apply to Title IX or to questions of sex-separated facilities and athletics. The Court has emphasized that "Title VII … is a vastly different statute from Title IX." *Jackson v. Birmingham Bd. of Educ.*, 544 U.S. 167, 175 (2005). Attempts by the prior administration to expand the definition of "sex" beyond its normal scope have been appropriately enjoined, and those injunctions have not been disturbed by the Supreme Court. *See Dep't of Educ. v. Louisiana*, 603 U.S. 866 (2024). All federal agencies should continue to interpret the prohibitions of Title IX based on sex as distinct from those under Title VII. But even setting those differences aside, as noted above, the prohibition of both Title VII and Title IX against discriminating—meaning "treating an individual worse than others who are similarly situated," *Bostock*, 580 U.S. at 657, fully permits agencies to recognize biological distinctions between the sexes. *See Sex Segregation in Youth Rodeo Events Under Title IX Regulations*, 45 Op. O.L.C. __ (Jan. 13, 2021) (slip op. at 7-9)

Religious exemptions also apply to Title IX recipients. The statute provides that its prohibition "shall not apply to an educational institution which is controlled by a religious organization if the application of [the prohibition] would not be consistent with the religious tenets of such organization." 20 U.S.C. § 1681(a)(3); *see also id.* § 1687 (defining "program or activity" to exclude "any operation of an entity which is controlled by a religious organization if the application of section 1681 . . . would not be consistent with the religious tenets of such organization"). Although under existing regulations "eligible institutions may 'claim the exemption' in advance by 'submitting in writing to the Assistant Secretary a statement by the highest ranking official of the institution, identifying the provisions . . . [that] conflict with a specific tenet of the religious organization,' 34 C.F.R. § 106.12(b), they are not required to do so to have the benefit of it." 82 Fed. Reg. 49,679. In addition, organizations that do not qualify for

that exemption may still claim the protection of RFRA where applicable, *id.*, as well as the constitutional protections described *supra*.

IV. CONCLUSION

As Executive Order 14168 stated, "[e]fforts to eradicate the biological reality of sex fundamentally attack women by depriving them of their dignity, safety, and well-being. The erasure of sex in language and policy has a corrosive impact not just on women but on the validity of the entire American system. Basing Federal policy on truth is critical to scientific inquiry, public safety, morale, and trust in government itself."

The Department of Justice stands ready to help agencies comply with these legal requirements. Questions about this guidance should be directed to the Office of Legal Policy at the Department of Justice (DOJ.OLP@usdoj.gov) or through your agency's designated DOJ liaison.

Message

From: Sanders, Nicola [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A6667D194E48458998719033158EA330-SANDERS, NI]
Sent: 3/20/2025 5:37:06 PM
To: Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]
CC: Knittle, Scott A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=075dae54c24d4f0d955a5e99fa3f7a04-Knittle, Sc]; Brown, Amy L [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c427e41f9e734245b4638de45f3cc125-Brown, Amy]; Forrester, Althea M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=de6843e0789248ddade4057016bb9308-Forrester,]
Subject: RE: Revised Grant Agreement
Attachments: EO Language Amendment to 2024 CoC Grant Agreement for 55 Executed Grants.docx

PDAS Woll—

ACP/DPP

Please let me know if you have any questions.

Thanks!

Nicola Sanders
Assistant General Counsel
Community Development Division

From: Brown, Amy L <Amy.L.Brown@hud.gov>
Sent: Tuesday, March 18, 2025 4:25 PM
To: Thompson, Alyce W <Alyce.W.Thompson@hud.gov>; Sanders, Nicola <Nicola.Sanders@hud.gov>; Forrester, Althea M <Althea.M.Forrester@hud.gov>
Subject: FW: Revised Grant Agreement

FYI

Amy L. Brown
Deputy General Counsel for Housing Programs

The information in this communication may be confidential and privileged, is intended only for the use of the recipient(s) named above, and may be subject to additional legal nondisclosure requirements. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please re-send it to the sender and delete the original message and any copy of it from your computer system. Thank you.

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Tuesday, March 18, 2025 4:13 PM
To: Brown, Amy L <Amy.L.Brown@hud.gov>; Woll, David <David.Woll@hud.gov>
Subject: RE: Revised Grant Agreement

Thank you Amy!

Hi Dave, Colleen called me wanting a copy of the final grant agreement. I can help provide to her if you'd like? Also, let me know if I have green light to use the attached CoC grant agreement to direct the Field to use?

From: Brown, Amy L <Amy.L.Brown@hud.gov>
Sent: Tuesday, March 18, 2025 3:59 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: RE: Revised Grant Agreement

ACP/DPP

Amy L. Brown
Deputy General Counsel for Housing Programs

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From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Tuesday, March 18, 2025 1:46 PM
To: Brown, Amy L <Amy.L.Brown@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: FW: Revised Grant Agreement

Hi Amy,

ACP/DPP

Thank you in advance.

Claudette

From: Woll, David <David.Woll@hud.gov>
Sent: Tuesday, March 18, 2025 1:26 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: FW: Revised Grant Agreement

DPP

From: Woll, David
Sent: Friday, March 14, 2025 11:11 AM
To: Brown, Amy L <Amy.L.Brown@hud.gov>
Cc: Knittle, Scott A <Scott.Knittle@hud.gov>
Subject: Revised Grant Agreement

ACP/DPP

David C. Woll, Jr.
Principal Deputy Assistant Secretary
Office of Community Planning and Development
(202) 975-5622

Message

From: Gooding, Kimberly N [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=927F706023F243B0A901DAC949A5CE49-71829D31-5D]
Sent: 2/20/2025 10:54:44 PM
To: Darling, Kate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a8e1253e6101460394581b5686a1eb2e-Mishra, Kat]; Knittle, Scott A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=075dae54c24d4f0d955a5e99fa3f7a04-Knittle, Sc]; Gibbs, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bd01757014ff462d89ef7f30b6324ae2-Gibbs, John]; Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]
Subject: RE: Introduction and request
Attachments: FY2025DeptNOFOTemplate-Revised-v4-withinstructions.docx; Eligibility Requirements Addendum_2025update_redline.docx; Eligibility Requirements Addendum_2025update_clean.docx; Administrative Requirements Addendum_2025update_redline.docx; Administrative Requirements Addendum_2025update_clean.docx

Greetings all,

Attached are the updated versions of the Draft FY25 NOFO Template, the FY25 Eligibility Requirements and FY25 Administrative Requirements that are included in the NOFO package. The comment boxes include the items that were flagged for leadership follow-up. All documents have been reviewed, edited, and approved by OGC's Administrative Law Division (ALD) for legal sufficiency.

They are ready for your review and/or approval.

Best regards,
Kim

From: Woll, David <David.Woll@hud.gov>
Sent: Wednesday, February 12, 2025 9:17 PM
To: Darling, Kate <Kate.Darling@hud.gov>; Dennis, Irving <Irving.Dennis@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Subject: Re: Introduction and request

Thanks for including me.

Get Outlook for iOS

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Wednesday, February 12, 2025 8:51:42 PM
To: Woll, David <David.Woll@hud.gov>; Dennis, Irving <Irving.Dennis@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Subject: Re: Introduction and request

Nonresponsive/DPP

Get Outlook for iOS

From: Woll, David <David.Woll@hud.gov>
Sent: Wednesday, February 12, 2025 8:14:12 PM
To: Darling, Kate <Kate.Darling@hud.gov>; Dennis, Irving <Irving.Dennis@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Subject: Re: Introduction and request

Nonresponsive/DPP

Get Outlook for iOS

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Wednesday, February 12, 2025 2:04:03 PM
To: Dennis, Irving <Irving.Dennis@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>; Woll, David <David.Woll@hud.gov>
Subject: RE: Introduction and request

Thanks Irv.

Nonresponsive/DPP

Thank you!
Kate

Kate Darling
Assistant Chief Financial Officer for Systems
Office of the Chief Financial Officer
U.S. Department of Housing and Urban Development

From: Dennis, Irving <Irving.Dennis@hud.gov>
Sent: Wednesday, February 12, 2025 1:09 PM
To: Darling, Kate <Kate.Darling@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>; Woll, David <David.Woll@hud.gov>
Subject: Introduction and request

Hi, Kate and Kim.

Nonresponsive/DPP

Please let me know if I can help further.

Thanks to all.

Message

From: Hughes, Andrew D [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=86A23267BACF4B56AD6DCFD55BC3FE18-HUGHES, AND]
Sent: 2/21/2025 5:04:31 PM
To: Knittle, Scott A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=075dae54c24d4f0d955a5e99fa3f7a04-Knittle, Sc]
Subject: Fw: <External Message> Initial DEI EO Monthly Meeting
Attachments: Questions for Agencies on DEI EO Implementation.docx

Scott, can you respond to this and represent HUD at the WH

Andrew D. Hughes
Chief of Staff
US Department of Housing & Urban Development
Email: Andrew.hughes@hud.gov
Phone: (202) 957-6624

From: Executive Privilege
Sent: Friday, February 21, 2025 12:00:01 PM
To: Executive Privilege
Cc:
Subject: <External Message> Initial DEI EO Monthly Meeting

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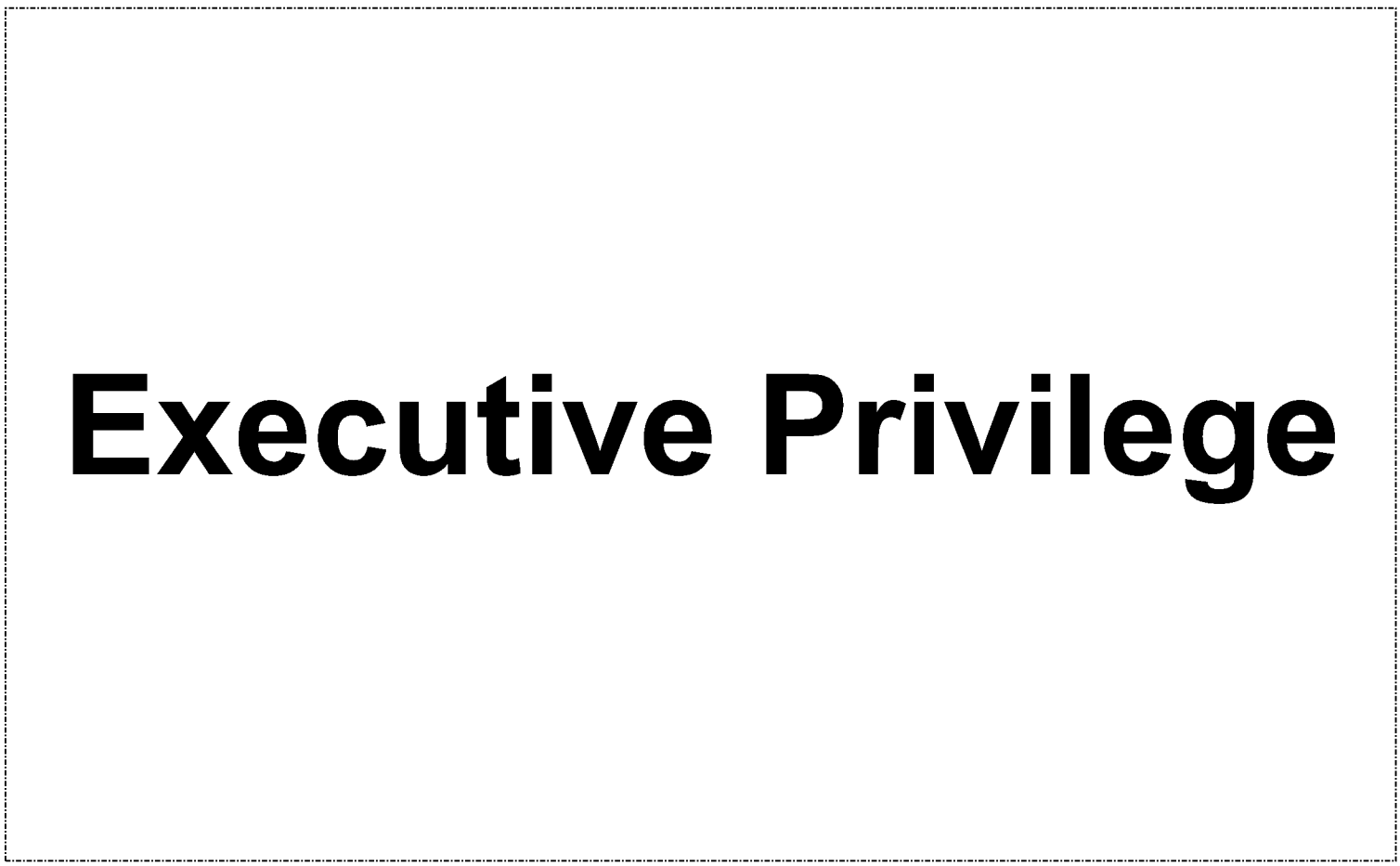

Executive Privilege

Executive Privilege

Questions on the Implementation of Executive Order 14151

General

1) What have been the three most impactful accomplishments in your agency so far as a result of EO 14151.
2) What are one or two additional actions you think the President could take to advance these policies further?
3) What are your top barriers to implementing EO 14151, and how could the White House support you?

DEI Offices and Positions

1) How many DEIA offices and positions existed in your agency on 11/4/2024?
2) How many of those offices and/or positions were relabeled without substantively changing their duties or responsibilities?
3) Which DEIA related offices have been eliminated since President Trump took office?
4) How many DEIA employees have been placed on administrative leave?
5) What is the progress and status of RIF-ing employees formerly employed in DEIA offices?
6) What is your agency doing to address DEIA employees or offices that were relabeled without substantively changing their duties or responsibilities?
7) Have you encountered barriers to terminating DEIA offices or to separating employees with DEIA-advocating responsibilities from Federal employment? If so, what are they?

Costs of DEI

1) What economic and social costs has your agency identified from DEI, DEIA, and "environmental justice" activities in agency or department programs, activities, policies, regulations, guidance, employment practices, enforcement activities, contracts (including set-asides), grants, consent orders, and litigating positions?
2) What unlawful DEIA activities has your agency uncovered? Please provide details.

Contracts and Grants

1) How many contracts and grants have you identified that used tax dollars to pay for DEI activities? What was the dollar value of those contracts and grants?
2) How many of those contracts and grants have been terminated? How many are in the process of being terminated? What are the total expected savings to taxpayers from these terminations? Please list the contracts and grants separately.

3) What are the most egregious stories of wasteful DEI contracts and grants that you have terminated? What was the cost and what are the taxpayer savings from terminating these contracts and grants?
4) Have you encountered barriers to terminating DEIA related contracts and grants? If so, what are they?

Message

From: Brown, Amy L [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C427E41F9E734245B4638DE45F3CC125-BROWN, AMY]
Sent: 1/30/2025 5:22:02 PM
To: Miller, Brian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=98b6daa8bebc447a96f868d133835381-0cdb2532-e1]; Knittle, Scott A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=075dae54c24d4f0d955a5e99fa3f7a04-Knittle, Sc]
CC: Bohling, Gayle E [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4b577ab54d84a62ae75e1df984e2487-Bohling, Ga]
Subject: Items needing Decisions TODAY (1/30) and TOMORROW (1/31)
Attachments: FW: For concurrence to proceed: Draft message to HUD Staff and Approach to Initial Guidance Re: EO on Defending Women; 2025-01-29 implementation of EOs 14148 and 14151 with edits .docx; Request for concurrence: CMP case; FW: P2P briefing memos: Statebridge and M&T; FW: 24-JM-0273-FH-013 Proposed Settlement Terms
Importance: High

Brian and Scott –

Nonresponsive

For today, we have a couple of pressing matters that we need to get your feedback on quickly.

Nonresponsive

5) Our OGC-Fair Housing attorneys have provided edits to the draft memo to rescind the Smith memo on *Bostock* and implement the Executive Orders 14148 and 14151. This document is available here: 2025-01-29 implementation of EOs 14148 and 14151 with edits .docx and a copy is also attached. They are happy to continue working to make any necessary edits as you see fit.

Nonresponsive

Nonresponsive

Amy L. Brown
Deputy General Counsel for Housing Programs

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From: Brown, Amy L
Sent: Tuesday, January 28, 2025 4:40 PM
To: Miller, Brian <Brian.Miller@hud.gov>
Cc: Bohling, Gayle E <Gayle.E.Bohling@hud.gov>
Subject: Requests for approvals/guidance we discussed this morning

Nonresponsive

Nonresponsive

Thanks,
Amy

Amy L. Brown
Deputy General Counsel for Housing Programs

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Appointment

From: Hughes, Andrew D [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=86A23267BACF4B56AD6DCFD55BC3FE18-HUGHES, AND]
Sent: 1/30/2025 8:49:13 PM
To: Miller, Brian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=98b6daa8bebc447a96f868d133835381-0cdb2532-e1]; Demarzo, Benjamin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c2db1a7c22064bd5838d2ef253b11480-76549d3e-cd]; Knittle, Scott A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=075dae54c24d4f0d955a5e99fa3f7a04-Knittle, Sc]

Subject: <External Message> Domestic EO Implementation Call
Attachments: 1.30.25 Domestic Executive Order Implementation.docx
Location: Info Below

Start: 1/30/2025 9:00:00 PM
End: 1/30/2025 10:00:00 PM
Show Time As: Tentative

Recurrence: (none)

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From: Executive Privilege
Sent: Wednesday, January 29, 2025 10:51:41 AM
To: Executive Privilege

Executive Privilege

Andrew D <Andrew.Hughes@hud.gov> Executive Privilege

Executive Privilege

Subject: <External Message> Domestic EO Implementation Call
When: Thursday, January 30, 2025 4:00 PM-5:00 PM.
Where: Info Below

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When it's time, join your Webex meeting here.

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More ways to join:

Join from the meeting link
https://pitc.webex.com/pitc/j.php?MTID=me68859548e3dcbe236229ff7af586d66

Join by meeting number
Meeting number (access code): 2826 791 6028
Meeting password: HjfjeYE@437 (45353931 when dialing from a phone)

Tap to join from a mobile device (attendees only)
+1-415-527-5035,,28267916028#45353931# United States Toll
Some mobile devices may ask attendees to enter a numeric password.

Join by phone
+1-415-527-5035 United States Toll
Global call-in numbers

Join from a video system or application
Dial 28267916028@pitc.webex.com
You can also dial 207.182.190.20 and enter your meeting number.

If you are a host, click here and login site to view host information.

Need help? Go to https://help.webex.com

Message

From: Knittle, Scott A [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=075DAE54C24D4F0D955A5E99FA3F7A04-KNITTLE, SC]
Sent: 5/9/2025 10:26:38 PM
To: Brown, Brandon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=58d608d795304d539eaec2c207694dba-b4c474c1-c8]
CC: Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]
Subject: Re: CoC Funds

Thank you!

Get Outlook for iOS

From: Brown, Brandon <Brandon.Brown@hud.gov>
Sent: Friday, May 9, 2025 6:07:06 PM
To: Knittle, Scott A <Scott.Knittle@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: Re: CoC Funds

Scott,

Please see attachment and below for more.

Nonresponsive

- To align with the new Administration's executive orders, HUD worked with Office of General Counsel and White House to amend the grant agreement template and add provisions to align with new requirements. See attached. After grant agreement was finalized, the Field started working with CoCs to execute grant agreements starting on March 14th. Grant agreement execution was prioritized for CoCs with expiring funds but all CoCs are starting to send their grant agreements for final awards. Of the $3.6 billion, $3 billion is already obligated.

Nonresponsive

Nonresponsive

Brandon Brown
Special Assistant
Office of Community Planning and Development
Office of the Assistant Secretary
Business Cell: 202-374-5664 | Brandon.Brown@hud.gov

From: Knittle, Scott A <Scott.Knittle@hud.gov>
Sent: Friday, May 9, 2025 5:10:44 PM
To: Brown, Brandon <Brandon.Brown@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: RE: CoC Funds

Nonresponsive

From: Brown, Brandon <Brandon.Brown@hud.gov>
Sent: Friday, May 9, 2025 4:10 PM
To: Knittle, Scott A <Scott.Knittle@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: CoC Funds

Scott,

Nonresponsive

Nonresponsive

Best,

Brandon Brown
Special Assistant
Office of Community Planning and Development
Office of the Assistant Secretary
Business Cell: 202-374-5664 | Brandon.Brown@hud.gov

Message

From: Brown, Amy L [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C427E41F9E734245B4638DE45F3CC125-BROWN, AMY]
Sent: 4/22/2025 6:57:04 PM
To: Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]; McKenney, Caitlyn J [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=103e76aa68a4426ba54f0559b335b0ce-a9b74ec4-0a]
Subject: FW: <External Message> NOFO Template Update
Attachments: FY2025DeptNOFOTemplate-Revised-Final.docx; Eligibility-Requirements-Addendum-FY2025.docx; Administrative-Requirements-Addendum-FY2025.docx
Importance: High

Final versions.

Amy L. Brown
Deputy General Counsel for Housing Programs

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From: Bellamy, Acacia L <Acacia.L.Bellamy@hud.gov>
Sent: Tuesday, April 22, 2025 2:06 PM
To: Brown, Amy L <Amy.L.Brown@hud.gov>; Cannatti, Julie K <JULIE.K.CANNATTI@hud.gov>
Cc: Richardson, Lee Ann <lee.ann.richardson@hud.gov>
Subject: FW: <External Message> NOFO Template Update
Importance: High

Good afternoon, Amy and Julie –

I hope all is well. Attached are the final versions of the revised NOFO template and Administrative and Eligibility Requirements. These documents are also available on the GMO SharePoint website: https://hudgov.sharepoint.com/sites/SEC/ODS/OSPM/GMOHome/SitePages/KEEPING-UP-WITH-GMO.aspx.

DPP

As always, please do not hesitate to contact me should you have any questions and/or concerns.

Warmest regards and stay safe,
Acacia

Acacia Bellamy, Esquire, M.P.A. | Attorney-Advisor
Office of General Counsel, Administrative Law Division
U.S. Department of Housing and Urban Development | 451 7th Street, SW, Washington, DC 20410
Office Phone: (202) 402-7587 | Cell: (240) 653-7711 | Email: Acacia.L.Bellamy@hud.gov

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From: Brown, Christine W. <Christine.W.Brown@hud.gov>
Sent: Tuesday, April 22, 2025 1:15 PM
To: Bellamy, Acacia L <Acacia.L.Bellamy@hud.gov>; Richardson, Lee Ann <lee.ann.richardson@hud.gov>
Cc: Wincek, Thaddeus D <Thaddeus.D.Wincek@hud.gov>; Funiba, Neba V <Neba.V.Funiba@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Subject: RE: <External Message> NOFO Template Update

ACP/DPP See final documents attached. This has gone to GrantSolutions. I plan to send this out to program offices today.

From: Brown, Christine W.
Sent: Tuesday, April 22, 2025 9:01 AM
To: Bellamy, Acacia L <Acacia.L.Bellamy@HUD.GOV>; Richardson, Lee Ann <lee.ann.richardson@hud.gov>
Cc: Wincek, Thaddeus D <Thaddeus.D.Wincek@hud.gov>; Funiba, Neba V <Neba.V.Funiba@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@HUD.GOV>
Subject: FW: <External Message> NOFO Template Update

+ Kim

Kim is out this week but wanted to make sure she is included in the email chain.

From: Brown, Christine W.
Sent: Tuesday, April 22, 2025 9:00 AM
To: Bellamy, Acacia L <Acacia.L.Bellamy@HUD.GOV>; Richardson, Lee Ann <lee.ann.richardson@hud.gov>
Cc: Wincek, Thaddeus D <Thaddeus.D.Wincek@hud.gov>; Funiba, Neba V <Neba.V.Funiba@hud.gov>
Subject: FW: <External Message> NOFO Template Update

Yay! The NOFO Template and addenda are approved. ACP/DPP

ACP/DPP

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Friday, April 18, 2025 5:33 PM
To: Brown, Christine W. <Christine.W.Brown@hud.gov>
Subject: Fw: <External Message> NOFO Template Update

Get Outlook for iOS

From: Executive Privilege/Nonresponsive
Sent: Friday, April 18, 2025 2:33:15 PM
To: Darling, Kate <Kate.Darling@hud.gov>; Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Cc: Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>; Executive Privilege/Nonresponsive
Subject: RE: <External Message> NOFO Template Update

Hi Kate,

Executive Privilege/Nonresponsive

From: Executive Privilege/Nonresponsive
Sent: Monday, April 14, 2025 5:24 PM
To: 'Darling, Kate' <Kate.Darling@hud.gov>; Executive Privilege/Nonresponsive; Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Cc: Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Subject: RE: <External Message> NOFO Template Update

Executive Privilege/Nonresponsive

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Monday, April 14, 2025 3:59 PM
To: Executive Privilege/Nonresponsive
Executive Privilege/Nonresponsive; Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Cc: Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Subject: RE: <External Message> NOFO Template Update
Importance: High

Executive Privilege/Nonresponsive

Thank you,
Kate

Kate Darling
Assistant Chief Financial Officer for Systems
Office of the Chief Financial Officer
U.S. Department of Housing and Urban Development

From: Executive Privilege/Nonresponsive
Sent: Monday, April 7, 2025 6:09 PM
To: Darling, Kate <Kate.Darling@hud.gov>; Executive Privilege/Nonresponsive; Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Subject: RE: <External Message> NOFO Template Update

Hi Kate,

Executive Privilege/Nonresponsive

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Friday, April 4, 2025 2:51 PM
To: Executive Privilege/Nonresponsive Ballard, Daniel L <Daniel.L.Ballard@hud.gov>
Cc: Executive Privilege/Nonresponsive
Subject: RE: <External Message> NOFO Template Update

Executive Privilege/Nonresponsive

Kate Darling
Assistant Chief Financial Officer for Systems
Office of the Chief Financial Officer
U.S. Department of Housing and Urban Development

From: Executive Privilege/Nonresponsive
Sent: Friday, April 4, 2025 2:50 PM
To: Ballard, Daniel L <Daniel.L.Ballard@hud.gov>; Darling, Kate <Kate.Darling@hud.gov>
Cc: Executive Privilege/Nonresponsive
Subject: <External Message> NOFO Template Update

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Executive Privilege/Nonresponsive

General Administrative, National, and Departmental Policy Requirements and Terms for HUD's Financial Assistance Programs

The table below outlines various laws and policies that may apply to recipients of HUD's financial assistance programs. Recipients are responsible for making sure activities funded by Federal awards comply with applicable Federal requirements, whether the recipients carry out those activities directly or use contractors or subrecipients to carry out those activities. *See* 2 CFR 200.101(b)(1), 200.300(a), 200.303, 200.329(a), and 200.332.

The table is not intended to include an exhaustive list of all laws and policies applicable to HUD awards. For NOFOs, the laws and policies below apply if they are listed in the program notice or the program NOFO, Section VII.A., "Administrative, National and Departmental Policy Requirements and Terms for HUD Applicants and Recipients of Financial Assistance Awards." Some laws and policies may apply only to awards with certain types of activities or to certain types of recipients. For example, some may apply only to construction awards, or awards associated with publications. Some of the exceptions are noted in the tables below.

In addition, the requirements as stated below apply only to the extent they are consistent with the requirements stated by applicable Federal statutes, regulations, and the applicable program NOFO or notices. The legal agreement signed pursuant to an award with the recipient or subaward with a subrecipient must contain assurances (and certifications where applicable) of compliance with program requirements including, but not limited to, nondiscrimination and equal opportunity requirements.

NO.	SUMMARY OF LAWS AND POLICIES	SOURCE	ADDITIONAL INFORMATION
1.	**Compliance with Fair Housing and Civil Rights Laws** Recipients must comply with all applicable fair housing and civil rights requirements, including, but not limited to, the Fair Housing Act; Title VI of the Civil Rights Act of 1964; the Age Discrimination Act of 1975; Section 504 of the Rehabilitation Act of 1973; and Title II and Title III of the Americans with Disabilities Act of 1990.	Fair Housing Act Statute: 42 U.S.C. §§ 3601 – 3619 Regulations: 24 CFR part 100 et seq. Title VI of the Civil Rights Act of 1964 Statute: 42 U.S.C. § 2000d et seq. Regulations: 24 CFR part 1 The Age Discrimination Act of 1975 Statute: 42 U.S.C. §§ 6101-6107 Regulations: 24 CFR part 146 Section 504 of the Rehabilitation Act of 1973 Statute: 29 U.S.C. § 794 Regulations: 24 CFR part 8 The Americans with Disabilities Act (ADA) Statute: Title II of the ADA (42 U.S.C. §§ 12131 – 12165). DOJ's Title II implementing regulations: 28 CFR part 35. Statute: Title III of the ADA (42 U.S.C. §§ 12181 – 12189). DOJ's Title III implementing regulations: 28 CFR part 36	
2.	**Affirmatively Furthering Fair Housing Requirements** The Fair Housing Act requires HUD to administer its programs and activities in a	Statute: Section 808(e)(5) of the Fair Housing Act (42 U.S.C. § 3608(e)(5)) Regulations: 24 CFR 5.150	

	manner to affirmatively further the purposes of the Fair Housing Act. HUD requires all recipients of HUD funding, including those awarded and announced under HUD's Notice of Funding Opportunities (NOFOs), to comply with its affirmatively further fair housing regulation published at 90 FR 11020 (March 3, 2025), as may be amended.		
3.	**Economic Opportunities for Low- and Very Low-Income Persons** Section 3 of the Housing and Urban Development Act of 1968, entitled *Economic Opportunities for Low-and Very Low-Income Persons* requires, to the greatest extent feasible, that training, employment, contracting and other economic opportunities be directed to low- and very low-income persons, especially recipients of government assistance for housing, and to businesses that provide economic opportunities to low- and very low-income persons.	Statute: Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. § 1701u) Regulations: 24 CFR part 75	HUD encourages recipients to utilize the Section 3 Resource Hub to discover local opportunities for workforce and business development.
4.	**Compliance with Immigration Requirements** The recipient must administer its award in accordance with all applicable immigration restrictions and requirements, including the eligibility and verification requirements that apply under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601-1646) (PRWORA) and any applicable requirements that HUD, the Attorney General, or the U.S. Citizenship and Immigration Services may establish from time to time to comply with PRWORA, Executive Order 14218, or other Executive Orders or immigration laws. No state or unit of general local government that receives HUD funding under may use that funding in a manner that by design or effect facilitates the subsidization or promotion of illegal immigration or abets policies that seek to shield illegal aliens from deportation. Subject to the exceptions provided by PRWORA, the recipient must use SAVE, or an equivalent verification system approved by the Federal government, to prevent any Federal public benefit from being provided to an ineligible alien who entered the United States illegally or is otherwise unlawfully present in the United States.	Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601-1646) (PRWORA) Executive Order 14218: Ending Taxpayer Subsidization of Open Borders	

5.	**Accessible Technology** Section 508 of the Rehabilitation Act of 1973 requires recipients to ensure access to information, programs, and activities for persons with disabilities consistent with HUD's regulations at 24 CFR § 8.6.	Statute: Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794d); Section 504 of the Rehabilitation Act (29 U.S.C. § 794); and Title II of the ADA (42 U.S.C. §§ 12131 – 12165) as applicable. Regulations: Access Board's Section 508 regulations at 36 CFR part 1194; HUD's Section 504 regulations at 24 CFR § 8.6; and DOJ's regulations at 28 CFR part 35, subpart E and H. and H	Recipients can also learn about Section 508 at Section508.gov and the U.S. Access Board website.
6.	**Ensuring the Consideration of Small Businesses, Minority Businesses, Women's Business Enterprises, Veteran-Owned Businesses, and Labor Surplus Area Firms** HUD ensures that small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms receive consideration in HUD's contracting opportunities and financial assistance programs. Recipients are required to ensure that, when possible, small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms receive consideration consistent with 2 CFR 200.321.	Regulations: 2 CFR 200.321	
7.	**Equal Participation of Faith-based Organizations in HUD Programs and Activities** HUD's regulations on the equal participation of faith-based organizations are at 24 CFR 5.109. These regulations provide, among other things, that a faith-based organization that participates in a HUD-funded program or activity retains its independence, and may continue to carry out its mission provided that it does not use direct Federal financial assistance to support or engage in any explicitly religious activities; an organization that engages in explicitly religious activities must separate those activities, in time or location, from activities supported by direct Federal financial assistance and participation must be voluntary; a faith-based organization that carries out programs or activities with direct Federal financial assistance from HUD must provide beneficiaries and prospective	Statute: Religious Freedom Restoration Act of 1993, as amended (42 U.S.C. 2000bb *et seq.*) Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*; Regulations: 24 CFR 5.109	

	beneficiaries with a written notice of certain protections; beneficiaries and prospective beneficiaries may object to the religious character of an organization, upon which the organization must undertake reasonable efforts to identify and refer the beneficiary or prospective beneficiary to an alternative provider; and an organization that receives Federal financial assistance under a HUD program or activity may not discriminate against a beneficiary or prospective beneficiary on the basis of religion, religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice. (See 24 CFR 5.109).		
8.	**Real Estate Acquisition and Relocation** With certain exceptions, HUD-funded programs or projects are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and the government-wide regulations issued by the Federal Highway Administration. The URA applies to acquisitions of real property and relocation occurring as a direct result of the acquisition, rehabilitation, or demolition of real property for Federal or Federally funded programs or projects. The relocation requirements of the URA and its implementing regulations at 49 CFR part 24, cover any displaced person who moves from real property or moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a program or project receiving HUD assistance.	Statute: Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) (42 U.S.C. § 4601 et seq.) Regulations: 49 CFR part 24	HUD's Relocation and Real Estate Division (RRED) is preparing guidance to describe the effective date and applicability of the 2024 URA Final Rule's provisions to HUD funded projects. This guidance will be promulgated in a Federal Register Notice. RRED's current websites include regulations, Handbook, Policy Briefs, FAQs, tools, resources, contacts, and on-line training materials. These materials and resources will require revision and updating to reflect the new regulatory requirements. Inquiries for additional assistance can be directed to the RRED program staff contact listing contained within the websites as follows: https://www.hud.gov/program_offices/comm_planning/relocation https://www.hudexchange.info/programs/relocation/
9.	**Participation in a HUD-Sponsored Program Evaluation**	Statute: 12 USC 1701z-1 and 12 USC 1702z-2	

	As a condition of the receipt of the award under a NOFO, the recipient is required to cooperate with all HUD staff, contractors, or designated grantees performing research or evaluation studies funded by HUD. In addition, all recipients must comply with the requirements of 24 CFR part 60 when conducting or participating in research activities sponsored or funded by HUD that involve human subjects.	24 CFR part 60 -- Protection of Human Subjects Federal Register Notice, (FR-6278-N-01) Also, see applicable NOFO.	
10.	**OMB Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards** Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, set forth in 2 CFR part 200, apply, except as otherwise provided by the Program NOFO or applicable program regulations.	Regulations: 2 CFR part 200	
11.	**Drug-Free Workplace** Recipients must comply with the drug-free workplace laws set forth in subpart B (or subpart C, if the recipient is an individual) of 2 CFR part 2429, which adopts the government-wide implementation (2 CFR part 182) of sections 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701-707).	Regulations: 2 CFR part 2429, subparts B (or C, if the recipient is an individual); 2 CFR part 182	
12.	**Privacy Act Requirements Related to Safeguarding Resident/Client Files** In maintaining resident and client files, funding recipients must follow all applicable privacy laws, including state, local, and tribal laws concerning the disclosure of records that pertain to individuals and take reasonable measures to ensure that all files are safeguarded, including when reviewing, printing, or copying client files. Federal requirements will apply where state, local, or tribal laws are inconsistent with Federal requirements, to the extent such Federal requirements preempt state, local, and tribal laws. When collecting or maintaining personally identifiable information for inclusion in a HUD system of records as defined by the Privacy Act of 1974, recipients must comply with agency rules, regulations, or other requirements issued under the Privacy Act of 1974, including, but not limited, to 24 CFR part 5 subpart B, PIH-2015-06, and other related issuances, as applicable.	Statute: Privacy Act of 1974, as amended (5 U.S.C. 552a) Regulations: 24 CFR part 5 subpart B; HUD Rule PIH-2015-06	
13.	**Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282) (Transparency Act), as amended** All recipients must comply with the award terms found in 2 CFR part 170 Appendix A.	Regulations: 2 CFR part 170, Appendix A to 2 CFR part 170	
14.	**Eminent Domain** No federal funds provided under the Federal award may be used to support any Federal,	This requirement is a recurring condition in HUD's annual appropriations Acts.	

	state, or local project that seeks to use the power of eminent domain, unless eminent domain is used only for public use. Public use may not be construed to include economic development that primarily benefits private entities. Public use includes use of funds for mass transit, railroad, airport, seaport, or highway projects, and utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and waste water-related infrastructure), other structures designated for use by the general public or with other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields, as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118).		
15.	**Accessibility for Persons with Disabilities** applies to all HUD-funded activities. All grantees must ensure that no one is excluded from participation or denied the benefits of any program or activity that receives Federal Financial assistance consistent with the provisions of 24 CFR Part 8, Subpart C.	Statute: Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) Regulations: 24 CFR part 8, subpart C	HUD's Resources: Section 504 of the Rehabilitation Act of 1973
16.	**Violence Against Women Act** *Requirements for Covered Housing Programs* The Violence Against Women Act of 1994 (VAWA), as amended, provides housing protections for victims of domestic violence, dating violence, sexual assault, and stalking in many of HUD's housing programs. In general, under the VAWA rule, an applicant for assistance or a tenant already assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis or as a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy. The VAWA rule also requires that the covered housing providers establish emergency transfer plans for facilitating the emergency relocation of certain tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. VAWA, as reauthorized by the Violence Against Women Act Reauthorization Act of 2022, prohibits any public housing agency or owner or manager or housing assisted under a covered housing program from discriminating against any	Statute: The Violence Against Women Act of 1994, as amended, housing provisions at 34 U.S.C. 12491, et seq. HUD's regulations implementing VAWA, as amended by the Violence Against Women Reauthorization Act of 2013, are at 24 CFR part 5, subpart L, Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (collectively, the VAWA rule), and in the applicable program regulations	The specific HUD programs that are subject to the VAWA housing protections are listed in the "covered housing program" definition at 24 CFR 5.2003, and as may be identified by HUD through further regulations, notices, or any other means.

	person because that person has opposed any act or practice made unlawful by the housing title of VAWA or because that person testified, assisted, or participated in any related matter. It also prohibits any public housing agency or owner or manager of housing assisted under a covered housing program from coercing, intimidating, threatening, interfering with, or retaliating against any person who exercises or assists or encourages a person to exercise any rights or protections under the housing title of VAWA. *Protecting the right to report crime and emergencies from one's home* VAWA also protects the right to report crime and emergencies from housing. It establishes that landlords, homeowners, tenants, residents, occupants, and guests of, and applicants for, housing have the right to seek law enforcement or emergency assistance on their own behalf or on behalf of another person in need of assistance. It prohibits actual or threatened penalties based on requests for assistance or criminal activity of which an individual is a victim or otherwise not at fault under the laws or policies adopted or enforced by (any municipal, county, or state government that receives funding under Section 106 of the Housing and Community Development Act of 1974).		
17.	**Conducting Business in Accordance with Ethical Standards** All Federal award recipients, except states and tribes subject to 2 CFR 200.317, must have a code of conduct (or written standards of conduct) for procurements that meet all requirements in 2 CFR 200.318(c). Before entering into an agreement with HUD, each applicant selected for an award under a NOFO must ensure an up-to-date copy of the organization's code of conduct, dated and signed by the Executive Director, Chair, or equivalent official, of the governing body of the organization, is available in Code of Conduct e-library. Applicants can check the e-Library to confirm whether HUD has received their Code of Conduct. States and Tribes subject to 2 CFR 200.317 must follow the same policies and procedures for procurements under Federal awards that the state uses for procurements from its non-Federal funds. If such policies and procedures do not exist, they must follow the code of conduct requirements in 2 CFR 200.318(c). All recipients must comply with the conflict-of-interest requirements in the applicable program regulations and grant agreements. If there are no program-specific regulations for	Regulations: 2 CFR 200.112, 2 CFR 200.113, 2 CFR 200.317, CFR 200.318(c).	

	the award, the conflict-of-interest requirements specified below this table, titled *Conflicts of Interest*, apply. Recipients must disclose in writing any potential conflict of interest to HUD.		
18.	**Build America, Buy America ("BABA")** The recipient must comply with the requirements of the Build America, Buy America (BABA) Act, Sections 70901-52 of Public Law No. 117-58, 41 U.S.C. 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Grantee's infrastructure project. Applicants are encouraged to consult with the NOFO point of contact to confirm additional requirements or waivers specific to each grant.	Statute: Build America, Buy America (BABA) Act, Sections 70901-52 of Pub. L. No. 117-58, 41 U.S.C. 8301 note	For additional resources, please see https://babawaiver.hud.gov/s/
19.	**Trafficking in Persons** The award term in Appendix A to 2 CFR part 175 applies to each grant or cooperative agreement HUD makes with a private entity, as defined in 2 CFR 175.300; and each grant or cooperative agreement HUD makes with a state, local government, Indian tribe, foreign public entity, or any other recipient, where funding under the award could be provided to a subrecipient that is a private entity. However, where the award term refers to the agency's regulatory implementation of the OMB guidelines in 2 CFR part 180, those references will be understood to refer to 2 CFR part 2424.	Statute: Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)) Regulations: 2 CFR part 175, 2 CFR part 180, 2 CFR part 2424	
20.	**Applicable Environmental Requirements** As applicable under 24 CFR part 50 or 24 CFR part 58, recipients must comply with the National Environmental Policy Act (NEPA).	Regulations: 24 CFR part 50, 24 CFR part 58	
21.	**Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment** Federal award funds must not be used to purchase, lease, or renew or extend contracts for "covered telecommunications equipment or services" as described in 2 CFR 200.216, which include equipment or services provided by Huawei Technologies Company or the ZTE Corporation (or any subsidiary or affiliate of such entities).	Statute: Section 889 of Public Law 115-232 (41 USC 3901 note prec.) Regulation: 2 CFR 200.216, Prohibition on Certain Telecommunication and Video Surveillance Equipment or Services	
22.	**The Freedom of Information Act (FOIA)** The FOIA gives any person the right to request access to HUD records. HUD must disclose the records requested unless they are protected by one or more of the exempt categories of information found in the FOIA. In addition to responding to FOIA requests from members of the public, HUD may also share records within HUD or with other Federal agencies, if HUD determines that sharing is relevant to the respective program's objectives.	Statute: 5 USC § 552 Regulations: 24 CFR pt 15	
23.	**Waste, Fraud, Abuse, and Whistleblower Protections.** Any person who becomes aware	Statute: 41 U.S.C. § 4712	HUD OIG is available to receive

	of the existence or apparent existence of fraud, waste or abuse of any HUD award must report such incidents to both the HUD official responsible for the award and to HUD's Office of Inspector General (OIG). All HUD awards are subject to the requirements under 41 U.S.C. § 4712, which includes informing employees in writing of their rights and remedies, in the predominant native language of the workforce. Under 41 U.S.C. § 4712, employees of a government contractor, subcontractor, grantee, and subgrantee—as well as a personal services contractor—who make a protected disclosure about a Federal grant or contract cannot be discharged, demoted, or otherwise discriminated against as long as they reasonably believe the information they disclose is evidence of: 1. Gross mismanagement of a Federal contract or grant; 2. Gross waste of Federal funds; 3. Abuse of authority relating to a Federal contract or grant; 4. Substantial and specific danger to public health and safety; or 5. Violations of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.		allegations of fraud, waste, and abuse related to HUD programs via its hotline number (1-800-347-3735) and its online hotline form. See Federal Contractor or Grantee Protections | Office of Inspector General, Department of Housing and Urban Development: https://www.hudoig.gov/fraud/whistleblower-rights/federal-contractor-grantee-protections
24.	**Other Presidential Executive Actions Affecting Federal Financial Assistance Programs** Recipients of Federal Awards must comply with applicable existing and future Executive Orders, as advised by the Department, including but not limited to the following: Executive Order (EO) 14219, *Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative*, requires agencies to focus its limited enforcement resources on regulations authorized by constitutional Federal statutes. EO 14218, *Ending Taxpayer Subsidization of Open Borders*, prohibits taxpayer resources and benefits from going to unqualified aliens. EO 14202, *Eradicating Anti-Christian Bias*, establishes a taskforce to eradicate Anti-Christian bias within the U.S. Department of Justice. EO 14205, *Establishment of the White House Faith Office*, establishes the White House Faith Office within the Executive Office of the President to empower faith-based entities.	Executive Orders: • 14219 (Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative); • 14218 (Ending Taxpayer Subsidization of Open Borders); • 14202 (Eradicating Anti-Christian Bias); 14205 (Establishment of the White House Faith Office); • 14182 (Enforcing the Hyde Amendment); • 14173 (Ending Illegal Discrimination and Restoring Merit-Based Opportunity); • 14168 (Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government); • 14151 (Ending Radical and Wasteful Government DEI Programs and Preferencing); and • 14148 (Initial Rescissions of Harmful Executive Orders and Actions)	This list is non-exhaustive. You may find additional Executive Orders at this webpage: https://www.whitehouse.gov/presidential-actions/.

	EO 14182, *Enforcing the Hyde Amendment*, prohibits the use of Federal taxpayer dollars to fund or promote elective abortion. EO 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, requires Federal agencies to terminate all discriminatory and illegal preferences. EO 14168, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, sets forth U.S. policy recognizing two sexes, male and female. EO 14151, *Ending Radical and Wasteful Government DEI Programs and Preferencing*, requires the OMB Director assisted by the Attorney General and the OPM Director to coordinate the termination of all discriminatory programs and activities. EO 14148, *Initial Rescission of Harmful Executive Orders and Action*, revokes 67 EOs that were each issued between January 20, 2021, and January 16, 2025; and 11 Presidential memoranda issued between March 13, 2023, and January 14, 2025, to advance fairness, safety, and improve the economy.		

Conflicts of Interest

All applicants, recipients, and subrecipients must comply with the conflict-of-interest requirements in the applicable program regulations and grant agreements. If there are no program-specific regulations for the award, the following conflict-of-interest requirements apply:

i. Conflicts Subject to Procurement Regulations. In the procurement of property or services by recipients and subrecipients, the conflict-of-interest rules in 2 CFR 200.317 and 2 CFR 200.318(c) shall apply. In all cases not governed by 2 CFR 200.317 and 2 CFR 200.318(c), recipients and subrecipients must follow the requirements contained in paragraphs ii-v below.

ii. General prohibition. No person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or subrecipient and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have a financial interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), sibling (including a stepsibling), grandparent, grandchild, and in-laws of a covered person.

iii. Exceptions. HUD may grant an exception to the general prohibition in paragraph (ii) upon the recipient's written request and satisfaction of the threshold requirements in paragraph (iv), if HUD determines the exception will further the Federal purpose of the award and the effective and efficient administration of the recipient's program or project, taking into account the cumulative effects of the factors in paragraph (v).

iv. Threshold requirements for exceptions. HUD will consider an exception only after the recipient has provided the following documentation:

a. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and

b. An opinion of the recipient's attorney that the interest for which the exception is sought would not violate state, local, or tribal law.

v. Factors to be considered for exceptions. In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements in paragraph (iii), HUD will consider the cumulative effect of the following factors, where applicable:

a. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;

b. Whether an opportunity was provided for open competitive bidding or negotiation;

c. Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;

d. Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question;

e. Whether the interest or benefit was present before the affected person was in a position as described in paragraph (ii);

f. Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and

g. Any other relevant considerations.

vi. For purposes of the above requirements, once procured, contractors are considered agents of the recipient or subrecipient and are subject to the above conflict of interest rules in addition to those for procurements at 2 CFR 200.317 or 2 CFR 200.318, as applicable.

Recipients must disclose in writing any potential conflict of interest to HUD.

Message

From: Bryon, Jemine A [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4B8F61C14EC443FA974AF6845600DA5A-BRYON, JEMI]
Sent: 3/7/2025 2:10:40 PM
To: Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]; Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]
Subject: Re: CoC Grant Agreement

Got it. Thanks

Get Outlook for iOS

From: Woll, David <David.Woll@hud.gov>
Sent: Friday, March 7, 2025 9:05:01 AM
To: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: Re: CoC Grant Agreement

Yes. I approve. Thanks

Get Outlook for iOS

From: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Sent: Friday, March 7, 2025 8:30:39 AM
To: Woll, David <David.Woll@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: Re: CoC Grant Agreement

I understand that Amy and Nicola sent you something on this. I will await your instruction on what to proceed with. Thanks

Get Outlook for iOS

From: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Sent: Friday, March 7, 2025 8:17:56 AM
To: Woll, David <David.Woll@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: Re: CoC Grant Agreement

DPP

Get Outlook for iOS

From: Woll, David <David.Woll@hud.gov>
Sent: Thursday, March 6, 2025 8:41:42 PM
To: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: Re: CoC Grant Agreement

DPP

Get Outlook for iOS

From: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Sent: Thursday, March 6, 2025 6:23:26 PM

To: Woll, David <David.Woll@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: RE: CoC Grant Agreement

DPP

From: Woll, David <David.Woll@hud.gov>
Sent: Thursday, March 6, 2025 6:09 PM
To: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: Re: CoC Grant Agreement

Could you highlight for me what the change is? Thanks

Get Outlook for iOS

From: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Sent: Thursday, March 6, 2025 5:17:33 PM
To: Woll, David <David.Woll@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: FW: CoC Grant Agreement

DPP

Are you good with us proceeding with this version?

Thanks.

From: Sanders, Nicola <Nicola.Sanders@hud.gov>
Sent: Thursday, March 6, 2025 5:04 PM
To: Woll, David <David.Woll@hud.gov>

Cc: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: CoC Grant Agreement

PDAS Woll—

ACP

Thanks!

Nicola Sanders
Assistant General Counsel
Community Development Division

Message

From: Bryon, Jemine A [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4B8F61C14EC443FA974AF6845600DA5A-BRYON, JEMI]
Sent: 3/12/2025 10:59:32 PM
To: Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]; Lovett, Kasey L [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=82bf93b8de1f4ab5b980e986cb26ac87-Lovett, Kas]; Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]
CC: Thorman, Sadie D [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c66bfcf6e1534f61b539932fc3d91c9d-Thorman, Sa]; Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]
Subject: RE: Update: Continuum of Care Award Letter Distribution

The added provisions to the grant agreement are identified in blue below. Thanks

From: Walkup, Alice <Alice.Walkup@hud.gov>
Sent: Wednesday, March 12, 2025 4:54 PM
To: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>; Woll, David <David.Woll@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

Great! I am looping in GDAS Fernandez and DAS Bryon. Claudette/Jemine – DPP

DPP

DPP

Alice Walkup
Senior Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development
Office: 202-402-8384
Work Cell: 202-717-7847
alice.walkup@hud.gov

From: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Sent: Wednesday, March 12, 2025 4:50 PM
To: Walkup, Alice <Alice.Walkup@hud.gov>; Woll, David <David.Woll@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

Yes, please do loop them in. That was an oversight on my part – they should be part of the conversation.

From: Walkup, Alice <Alice.Walkup@hud.gov>
Sent: Wednesday, March 12, 2025 4:48 PM
To: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>; Woll, David <David.Woll@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

PDAS Woll may already be reaching out to them, but would it be alright if I looped in GDAS Fernandez and DAS Bryon?

DPP

Alice Walkup
Senior Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development
Office: 202-402-8384
Work Cell: 202-717-7847
alice.walkup@hud.gov

From: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Sent: Wednesday, March 12, 2025 4:28 PM
To: Woll, David <David.Woll@hud.gov>; Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

Thanks! **DPP**

From: Woll, David <David.Woll@hud.gov>
Sent: Wednesday, March 12, 2025 4:00 PM
To: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>; Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Subject: Re: Update: Continuum of Care Award Letter Distribution

Looks good!

Get Outlook for iOS

From: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Sent: Wednesday, March 12, 2025 3:51:32 PM
To: Walkup, Alice <Alice.Walkup@hud.gov>; Woll, David <David.Woll@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

DPP

DPP

From: Walkup, Alice <Alice.Walkup@hud.gov>
Sent: Wednesday, March 12, 2025 3:02 PM
To: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>; Woll, David <David.Woll@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

The latter - the GA is sent separately from the award letter.

Alice Walkup
Senior Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development
Office: 202-402-8384
Work Cell: 202-717-7847
alice.walkup@hud.gov

From: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Sent: Wednesday, March 12, 2025 2:59 PM
To: Walkup, Alice <Alice.Walkup@hud.gov>; Woll, David <David.Woll@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

Thank you, so to confirm, would the GA be sent as part of the letter or would the GA be a separate step in the correspondence process after the awardee begins working with CPD?

+ @Woll, David

From: Walkup, Alice <Alice.Walkup@hud.gov>
Sent: Wednesday, March 12, 2025 2:54 PM
To: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

Kasey,

Yes, you are right – there is a modified grant agreement (GA). The GAs would be shared beyond HUD when they are issued to recipients, so in that sense, the modified GA would be public at that point.

Let me know if additional information would be helpful.

Alice

Alice Walkup
Senior Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development

Office: 202-402-8384
Work Cell: 202-717-7847
alice.walkup@hud.gov

From: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Sent: Wednesday, March 12, 2025 1:03 PM
To: Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

Thank you, Alice. I understand a key component of this is a modified grant agreement. Will that be public in the next step after this letter is distributed?

From: Walkup, Alice <Alice.Walkup@hud.gov>
Sent: Wednesday, March 12, 2025 9:00 AM
To: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>; Thorman, Sadie D <Sadie.Thorman@hud.gov>; Ristic, Igor <Igor.Ristic@hud.gov>
Cc: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Goodloe, Shantae M <Shantae.M.Goodloe@hud.gov>; Wiggins, Angelica P <Angelica.P.Wiggins@hud.gov>; Woll, David <David.Woll@hud.gov>; Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

PDAS Lovett,

Attached is the template letter that is going out to the FY 2024 CoC recipients. We would be glad to draft some language to be considered for social media and provide it for your consideration.

This letter provides notice to the recipients of their award(s). The awards were previously announced in January, but the attached, with the award details filled in, is the official notification for each awardee.

The process I describe next is for renewal grants, which are the most pressing right now.

- CPD works with the recipients to address any issues or conditions (I&C; items that need to be resolved – such as providing documentation of match funding), if applicable, for the renewal grants. Many recipients do not have I&C for their grants, so it is possible to move directly to the grant agreement stage.
- CPD will be generating those grant agreements (some this week, if I'm not mistaken) and then the CPD Directors and recipient's authorized signatory sign them.
- Once executed, the grant agreement is sent to the Ft. Worth Ft. Worth Accounting Center for the funds to be associated with the grant in the Line of Credit Control System (LOCCS).
- The CPD Field or Regional Office establishes in LOCCS the budget line items and funding amounts that match the executed grant agreement.
- After that point, the recipient can draw down funds.

In terms of when recipients will start to have access to funds, I have added in Thomas Herndon, our Acting DAS for Operations, who may be able to speak to the timeline of what I described above (and especially if I missed any key steps). I know he and the Budget team have been completing the steps that are possible to do ahead of time, so that we are poised for action to move on the grant agreements.

If you have any other questions, or if a call is helpful, please let us know.

Thanks very much,

Alice

Alice Walkup
Senior Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development
Office: 202-402-8384
Work Cell: 202-717-7847
alice.walkup@hud.gov

From: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Sent: Tuesday, March 11, 2025 3:44 PM
To: Walkup, Alice <Alice.Walkup@hud.gov>; Thorman, Sadie D <Sadie.Thorman@hud.gov>; Ristic, Igor <Igor.Ristic@hud.gov>
Cc: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Goodloe, Shantae M <Shantae.M.Goodloe@hud.gov>; Wiggins, Angelica P <Angelica.P.Wiggins@hud.gov>; Woll, David <David.Woll@hud.gov>
Subject: RE: Update: Continuum of Care Award Letter Distribution

Thanks, Alice. DPP

DPP

DPP

From: Walkup, Alice <Alice.Walkup@hud.gov>
Sent: Tuesday, March 11, 2025 3:41 PM
To: Thorman, Sadie D <Sadie.Thorman@hud.gov>; Ristic, Igor <Igor.Ristic@hud.gov>
Cc: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Goodloe, Shantae M <Shantae.M.Goodloe@hud.gov>; Wiggins, Angelica P <Angelica.P.Wiggins@hud.gov>; Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Subject: Update: Continuum of Care Award Letter Distribution

PDAS Lovett, Sadie, and OPA Team,

This message is to let you know that the Continuum of Care Award Letters are going out in batches, starting late today and will continue to out to recipients through the end of this week. If you need additional information if you would like to amplify on socials, please let us know and we are glad to supply it.

Thanks very much,

Alice

Alice Walkup
Senior Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development
Office: 202-402-8384
Work Cell: 202-717-7847
alice.walkup@hud.gov

From: Walkup, Alice
Sent: Monday, March 3, 2025 8:12 AM
To: Thorman, Sadie D <Sadie.Thorman@hud.gov>; Ristic, Igor <Igor.Ristic@HUD.GOV>
Cc: Fila, Stephanie C <Stephanie.C.Fila@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Goodloe, Shantae M <Shantae.M.Goodloe@hud.gov>; Wiggins, Angelica P <Angelica.P.Wiggins@hud.gov>; Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Subject: RE: OPA Clearance Sought: Continuum of Care Award Letter

Sadie,

Thank you so much for your and OPA's very quick review! DPP We'll confirm with Stephanie and PDAS Woll on those subjects. Yes, we will let you know when the letter goes out.

Thanks again!

Alice

Alice Walkup
Senior Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development
Office: 202-402-8384
Work Cell: 202-717-7847
alice.walkup@hud.gov

From: Thorman, Sadie D <Sadie.Thorman@hud.gov>
Sent: Sunday, March 2, 2025 10:22 PM
To: Walkup, Alice <Alice.Walkup@hud.gov>; Ristic, Igor <Igor.Ristic@hud.gov>
Cc: Fila, Stephanie C <Stephanie.C.Fila@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Goodloe, Shantae M <Shantae.M.Goodloe@hud.gov>; Wiggins, Angelica P <Angelica.P.Wiggins@hud.gov>; Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Subject: RE: OPA Clearance Sought: Continuum of Care Award Letter

Hi Alice,

DPP

Then, OPA approves the content.

We defer to Stephanie Fila if that distribution plan works, and we defer to PDAS Woll on timing. Can you let me know after it's sent in case OPA would like to amplify on socials?

Let us know if you need additional support from OPA, thank you!

From: Walkup, Alice <Alice.Walkup@hud.gov>
Sent: Friday, February 28, 2025 8:46 AM
To: Thorman, Sadie D <Sadie.Thorman@hud.gov>; Ristic, Igor <Igor.Ristic@hud.gov>
Cc: Fila, Stephanie C <Stephanie.C.Fila@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Goodloe, Shantae M

<Shantae.M.Goodloe@hud.gov>; Wiggins, Angelica P <Angelica.P.Wiggins@hud.gov>
Subject: OPA Clearance Sought: Continuum of Care Award Letter

Good morning,

Nonresponsive

I am sharing the attached Continuum of Care (CoC) award letter, which has been reviewed and approved by PDAS Woll. As you may know, CoC awards go to organizations that provide supportive services and housing for persons who are homeless. We are planning to send the letter out to the cities, counties, and nonprofits that were selected to receive FY24 CoC awards. Since the letter is going out to approximately 6,000 recipients, we wanted to make sure to clear it with you all first.

Could you review the attached letter, provide any feedback, and then clear the letter for distribution? Our plan will then be to have PDAS Woll's electronic signature applied to the letter and then it will be emailed out to recipients. We'll note that some of these letters will be addressed and sent to mayors/county commissioners, so I'm looping in Stephanie Fila for her awareness, but unlike the RUSH letters (thanks again for sending those out, Stephanie!), given the volume and having received PDAS Woll's concurrence on this approach, we'll have a member of the CPD staff send out the letters to elected officials and directors of nonprofits.

Nonresponsive

Thanks very much,

Alice

Alice Walkup
Senior Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development
Office: 202-402-8384
Work Cell: 202-717-7847
alice.walkup@hud.gov

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 3/19/2025 1:12:08 PM
To: O'kane, Colleen M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=148ea76c1973477f82faa372663f9df3-O'kane, Col]
CC: Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]
Subject: Fw: CoC Grant Agreement Rescissions
Attachments: FW: Urgent Message for FY24 CoC Grantees; FW: <External Message> RE: CoC grant agreements; FW: 2024 CoC Renewal Grant Agreement - Amendment Needed; FW: FY 2024 CoC Renewal Grant Agreement

Hi Colleen,

Per your request, attached is a sampling on what went out to CoCs on Fri. All CoCs received the same standard language vetted with Dave and OGC.

On status of final grant agreement, OGC reviewed it last night. Just awaiting on final "green light" from Dave on whether it is ready for dissemination. We'll confirm today and send yoi final copy of that as well.

Thanks!

Get Outlook for iOS

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Friday, March 14, 2025 4:16 PM
To: Knittle, Scott A <Scott.Knittle@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: CoC Grant Agreement Rescissions

Hello sir,

Per PDAS Woll, attached are examples of emails that already went out to CoC grantees using standard language approved by OGC to rescind grant agreement. All of our CPD Field Offices are doing this now. Do let us know if you need anything else.

Thank you for your support.

Claudette

CLAUDETTE FERNANDEZ
General Deputy Assistant Secretary
Office of Community Planning & Development
U.S. Department of Housing & Urban Development
Email: claudette.fernandez1@hud.gov
Cell: 202-304-3229

Message

From: Herndon, Thomas A [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=709677BEA02443D8A27D8389C50E3762-HERNDON, TH]
Sent: 1/27/2025 10:27:20 PM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]; Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]; Bryon, Jemine A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4b8f61c14ec443fa974af6845600da5a-Bryon, Jemi]; Hendrix, Elizabeth S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7227e0c8ea884ec5b5ed78fb893a38b6-Hendrix, El]; Clark, Darrell A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0f6910aa24f4112ba1e4f92ca584d05-Clark, Darr]; Bohnet, Brooke M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c0f67b64b2c1402386ecfad99d2d96d0-Bohnet, Bro]
CC: CPD Budget [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=13d021ef95574978a8fc3cdef1f9afca-5e8cfaa4-b0]
Subject: FW: <External Message> M-25-13
Attachments: M-25-13 Temporary Pause to Review Agency Grant Loan and Other Financial Assistance Programs.pdf
Importance: High

Good afternoon CPD PDAS/GDAS/DASes,

Flagging for you this OMB memorandum that came down the pike today. I'm sure many of you all have seen it, but in case you have not, we are awaiting guidance on implementation. More to come tomorrow, but wanted to flag it for everyone ASAP.

Thanks all,

Thomas Herndon
Director, Office of Budget & Compliance
Office of Community Planning and Development
Department of Housing and Urban Development
451 7th Street SW, Washington, DC 20410
202-402-6492 (Office)
202-215-9600 (Cell)

From: Rupar, Christopher J <Christopher.J.Rupar@hud.gov>
Sent: Monday, January 27, 2025 5:18 PM
To: Ferry, Shylon C <Shylon.C.Ferry@hud.gov>; McMillian, Tobye J <Tobye.J.McMillian@hud.gov>; Betts, Susan A <susan.a.betts@hud.gov>; Riendeau, Michael J <Michael.J.Riendeau@hud.gov>; Miller, Trudy S <Trudy.S.Miller@hud.gov>; Herndon, Thomas A <Thomas.A.Herndon@hud.gov>; Khine, Kay T <Kay.T.Khine@hud.gov>; Facundo, David W <David.W.Facundo@hud.gov>; Der, Virginia <Virginia.Der@hud.gov>; Medeiros, Michelle <Michelle.Medeiros@hud.gov>; Willingham, Doretta M <Doretta.M.Willingham@hud.gov>; Wells, Eric L <Eric.L.Wells@hud.gov>; Jones, William G <William.G.Jones@hud.gov>; Schofer, Maria L <Maria.L.Schofer@hud.gov>; LOFINMAKIN, ADETOKUNBO <ADETOKUNBO.LOFINMAKIN@hud.gov>; Thornton, De'Meshia P <DeMeshia.P.Thornton@hud.gov>
Cc: Wright, Kristen W <Kristen.W.Wright@hud.gov>; Jackson, Tonya M <Tonya.M.Jackson@hud.gov>; Phan, Lan Anh T <LanAnh.T.Phan@hud.gov>; Bloniarz, Kate A <Kate.A.Bloniarz@hud.gov>; Sneed, Ursula A <Ursula.A.Sneed@hud.gov>; Kruse, David N <David.N.Kruse@hud.gov>; Rios, Eric C <Eric.C.Rios@hud.gov>
Subject: FW: <External Message> M-25-13

All,

I just wanted everyone to see this memo from OMB. We have not received any guidance on implementing it and are trying to work through the details. No action is needed now, we will be in touch tomorrow with whatever guidance we receive.

Thanks—
Chris

Christopher J. Rupar
Director, Program Budget Division
CFO-Budget
US Department of Housing and Urban Development
Phone: 202-402-6589
Room 3272

From: Bloniarz, Kate A <Kate.A.Bloniarz@hud.gov>
Sent: Monday, January 27, 2025 4:47 PM
To: Sneed, Ursula A <Ursula.A.Sneed@hud.gov>; Rupar, Christopher J <Christopher.J.Rupar@hud.gov>; Hook, Christopher L <Christopher.L.Hook@hud.gov>; Malone, LaTonya T <Latonya.T.Malone@hud.gov>; Jenkins, Tracey E <Tracey.E.Jenkins@hud.gov>; Phan, Lan Anh T <LanAnh.T.Phan@hud.gov>; Wright, Kristen W <Kristen.W.Wright@hud.gov>; Jackson, Tonya M <Tonya.M.Jackson@hud.gov>; Anderson, Alicia E <Alicia.E.Anderson1@hud.gov>; David, Julian V <Julian.V.David@hud.gov>; Bing-Grant, Max A <Max.A.Bing-Grant@hud.gov>; Singh, Sharanjit (Sunny) <Sharanjit.Singh@hud.gov>
Cc: Darling, Kate <Kate.Darling@hud.gov>; Pavlik, Mary E <Mary.E.Pavlik@hud.gov>; Kubacki, MelaJo K <MelaJo.K.Kubacki@hud.gov>; Dawson, Terri M <Terri.M.Dawson@hud.gov>
Subject: FW: <External Message> M-25-13

FYI

Kate Bloniarz
Assistant CFO for Budget
Department of Housing and Urban Development
cell: 202-256-6087
email: Kate.A.Bloniarz@hud.gov

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 27, 2025

M-25-13

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Matthew J. Vaeth, Acting Director, Office of Management and Budget

SUBJECT: Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs

The American people elected Donald J. Trump to be President of the United States and gave him a mandate to increase the impact of every federal taxpayer dollar. In Fiscal Year 2024, of the nearly $10 trillion that the Federal Government spent, more than $3 trillion was Federal financial assistance, such as grants and loans. Career and political appointees in the Executive Branch have a duty to align Federal spending and action with the will of the American people as expressed through Presidential priorities. Financial assistance should be dedicated to advancing Administration priorities, focusing taxpayer dollars to advance a stronger and safer America, eliminating the financial burden of inflation for citizens, unleashing American energy and manufacturing, ending "wokeness" and the weaponization of government, promoting efficiency in government, and Making America Healthy Again. The use of Federal resources to advance Marxist equity, transgenderism, and green new deal social engineering policies is a waste of taxpayer dollars that does not improve the day-to-day lives of those we serve.

This memorandum requires Federal agencies to identify and review all Federal financial assistance[1] programs and supporting activities consistent with the President's policies and requirements.[2] For example, during the initial days of his Administration, President Donald J. Trump issued a series of executive orders to protect the American people and safeguard valuable taxpayer resources, including *Protecting the American People Against Invasion* (Jan. 20, 2025), *Reevaluating and Realigning United States Foreign Aid* (Jan. 20, 2025), *Putting America First in International Environmental Agreements* (Jan. 20, 2025), *Unleashing American Energy* (Jan. 20, 2025), *Ending Radical and Wasteful Government DEI Programs and Preferencing* (Jan. 20,

[1] 2 CFR 200.1 defines Federal financial assistance to mean "[a]ssistance that recipients or subrecipients receive or administer" in various forms, but this term does not include assistance provided directly to individuals. For the purposes of this memorandum, Federal financial assistance includes: (i) all forms of assistance listed in paragraphs (1) and (2) of the definition of this term at 2 CFR 200.1; and (ii) assistance received or administered by recipients or subrecipients of any type except for assistance received directly by individuals.

[2] Nothing in this memo should be construed to impact Medicare or Social Security benefits.

2025), *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government* (Jan. 20, 2025), and *Enforcing the Hyde Amendment* (Jan. 24, 2025). These executive orders ensure that Federal funds are used to support hardworking American families.

To implement these orders, each agency must complete a comprehensive analysis of all of their Federal financial assistance programs to identify programs, projects, and activities that may be implicated by any of the President's executive orders. In the interim, to the extent permissible under applicable law, Federal agencies **must temporarily pause** all activities related to obligation or disbursement of all Federal financial assistance, and other relevant agency activities that may be implicated by the executive orders, including, but not limited to, financial assistance for foreign aid, nongovernmental organizations, DEI, woke gender ideology, and the green new deal.

This temporary pause will provide the Administration time to review agency programs and determine the best uses of the funding for those programs consistent with the law and the President's priorities. The temporary pause will become effective on January 28, 2025, at 5:00 PM. Even before completing their comprehensive analysis, Federal agencies must immediately identify any legally mandated actions or deadlines for assistance programs arising while the pause remains in effect. Federal agencies must report this information to OMB along with an analysis of the requirement. OMB also directs Federal agencies to pause all activities associated with open NOFOs, such as conducting merit review panels.

No later than February 10, 2025, agencies shall submit to OMB detailed information on any programs, projects or activities subject to this pause. Each agency must pause: (i) issuance of new awards; (ii) disbursement of Federal funds under all open awards; and (iii) other relevant agency actions that may be implicated by the executive orders, to the extent permissible by law, until OMB has reviewed and provided guidance to your agency with respect to the information submitted.

OMB may grant exceptions allowing Federal agencies to issue new awards or take other actions on a case-by-case basis. To the extent required by law, Federal agencies may continue taking certain administrative actions, such as closeout of Federal awards (2 CFR 200.344), or recording obligations expressly required by law.

Additionally, agencies must, for each Federal financial assistance program: (i) assign responsibility and oversight to a senior political appointee to ensure Federal financial assistance conforms to Administration priorities; (ii) review currently pending Federal financial assistance announcements to ensure Administration priorities are addressed, and, subject to program statutory authority, modify unpublished Federal financial assistance announcements, withdraw any announcements already published, and, to the extent permissible by law, cancel awards already awarded that are in conflict with Administration priorities, and; (iii) ensure adequate oversight of Federal financial assistance programs and initiate investigations when warranted to identify underperforming recipients, and address identified issues up to and including cancellation of awards.

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 2/5/2025 6:24:56 PM
To: Bryon, Jemine A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4b8f61c14ec443fa974af6845600da5a-Bryon, Jemi]; Clark, Darrell A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0f6910aa24f4112ba1e4f92ca584d05-Clark, Darr]; Bynum, Nadab [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=157f7a111aea4766a0b090de20519467-Bynum, Nada]; Burke, Kathleen S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ad13ac178c1e4f3ea9265c3142e726f6-Burke, Kath]; Jones, Erica M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65c881e0ab5a48fc807d1084c33daf7b-Jones, Eric]; Hendrix, Elizabeth S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7227e0c8ea884ec5b5ed78fb893a38b6-Hendrix, El]; Bohnet, Brooke M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c0f67b64b2c1402386ecfad99d2d96d0-Bohnet, Bro]
CC: Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]; Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]
Subject: FOR REVIEW: Gender Ideology (DUE COB Feb 6)
Attachments: OPM Memo Initial Guidance Regarding Trump Executive Order Defending Women 1-29-2025 FINAL (1).pdf

Hello DAS/ADAS'es,

In alignment with the attached gender guidance, I've taken the first shot at drafting a response. Please review as soon as you can and let's get aligned on needed or actions underway **by COB tomorrow if possible, Feb 6**: CPD Activities to Align with Gender Memo DRAFT 02-05-25.docx.

Alice will consolidate and finalize. I will need to report all steps taken by end of week up the chain.

Thank you for your cooperation and assistance.

Claudette

From: Ammon, Matthew E Matthew.E.Ammon@hud.gov
Sent: Wednesday, February 5, 2025 6:08 AM
To: GDAS GDAS@hud.gov
Cc: Michalski, Lori A Lori.A.Michalski@hud.gov
Subject: Defending Women Guidance and Required Actions

Hi all – As a reminder, the Departmental needs to report to OPM this Friday on all steps taken to implement the attached guidance, including a complete list of actions taken in response to this guidance and *Defending Women*; and any agency plans to fully comply with this guidance and *Defending Women.*

Please send a summary of your office's actions to comply with this guidance to me by COB Thursday, thanks

Excerpt of attached OPM Guidance:

No later than 5:00 p.m. EST on Friday, January 31, 2025

- Send an email to all agency employees announcing that the agency will be complying with *Defending Women* and this guidance.
- Review all agency programs, contracts, and grants, and terminate any that promote or inculcate gender ideology.
- Review all agency position descriptions and send a notification to all employees whose position description involves inculcating or promoting gender ideology that they are being placed on paid administrative leave effective immediately as the agency takes steps to close/end all initiatives, offices, and programs that inculcate or promote gender ideology.
- Take down all outward facing media (websites, social media accounts, etc.) that inculcate or promote gender ideology.
- Review agency email systems such as Outlook and turn off features that prompt users for their pronouns.
- Withdraw any final or pending documents, directives, orders, regulations, materials, forms, communications, statements, and plans that inculcate or promote gender ideology.
- Cancel any trainings that inculcate or promote gender ideology or have done so in the past.
- Disband or cancel any employee resource groups or special emphasis programs that inculcate or promote gender ideology or have done so in the past.
- Review all agency forms that require entry of an individual's sex and ensure that all list male or female only, and not gender identity.
- Remove requests for "gender" and substitute requests for "sex."
- Ensure that all applicable agency policies and documents, including forms, use the term "sex" and not "gender."
- Ensure that intimate spaces designated for women, girls, or females (or for men, boys, or males) are designated by biological sex and not gender identity.

2. No later than 12:00 p.m. EST on Friday, February 7, 2025, report to OPM on all steps taken to implement this guidance, including a complete list of actions taken in response to this guidance and *Defending Women*; and any agency plans to fully comply with this guidance and *Defending Women*.

_____

Matthew Ammon
Acting Secretary
U.S. Department of Housing and Urban Development

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

MEMORANDUM

TO: Heads and Acting Heads of Departments and Agencies

FROM: Charles Ezell, Acting Director, U.S. Office of Personnel Management

DATE: January 29, 2025

RE: Initial Guidance Regarding President Trump's Executive Order *Defending Women*.

Pursuant to its authority under 5 U.S.C. § 1103(a)(1) and (a)(5), the U.S. Office of Personnel Management (OPM) is providing the following initial guidance to agencies regarding the President's Executive Order entitled *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government* (*Defending Women*).

Steps to End Federal Funding of Gender Ideology: In light of *Defending Women*, each agency should take prompt actions to end all agency programs that use taxpayer money to promote or reflect gender ideology as defined in Section 2(f) of *Defending Women*. Specifically, agency heads should take the following steps:

1. No later than **5:00 p.m. EST on Friday, January 31, 2025**

    a. Send an email to all agency employees announcing that the agency will be complying with *Defending Women* and this guidance.

    b. Review all agency programs, contracts, and grants, and terminate any that promote or inculcate gender ideology.

    c. Review all agency position descriptions and send a notification to all employees whose position description involves inculcating or promoting gender ideology that they are being placed on paid administrative leave effective immediately as the agency takes steps to close/end all initiatives, offices, and programs that inculcate or promote gender ideology.

    d. Take down all outward facing media (websites, social media accounts, etc.) that inculcate or promote gender ideology.

    e. Review agency email systems such as Outlook and turn off features that prompt users for their pronouns.

f. Withdraw any final or pending documents, directives, orders, regulations, materials, forms, communications, statements, and plans that inculcate or promote gender ideology.

g. Cancel any trainings that inculcate or promote gender ideology or have done so in the past.

h. Disband or cancel any employee resource groups or special emphasis programs that inculcate or promote gender ideology or have done so in the past.

i. Review all agency forms that require entry of an individual's sex and ensure that all list male or female only, and not gender identity. Remove requests for "gender" and substitute requests for "sex."

j. Ensure that all applicable agency policies and documents, including forms, use the term "sex" and not "gender."

k. Ensure that intimate spaces designated for women, girls, or females (or for men, boys, or males) are designated by biological sex and not gender identity.

2. No later than **12:00 p.m. EST on Friday, February 7, 2025**, report to OPM on all steps taken to implement this guidance, including:

a. a complete list of actions taken in response to this guidance and *Defending Women*; and

b. any agency plans to fully comply with this guidance and *Defending Women*.

Please contact OPM at defendingwomen@opm.gov if you have any questions regarding this guidance. Please send any reports requested by this guidance to defendingwomen@opm.gov.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, Human Resources Directors, and Chiefs of Staff

Message

From: Ammon, Matthew E [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3336047F62E4A76973633EA4AA18507-AMMON, MATT]
Sent: 2/7/2025 12:57:36 AM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]
CC: Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]
Subject: Re: Defending Women Guidance and Required Actions

This is great, thanks

Matthew Ammon
HUD, Dir OLHCHH

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Thursday, February 6, 2025 7:09:43 PM
To: Ammon, Matthew E <Matthew.E.Ammon@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: RE: Defending Women Guidance and Required Actions

Hi Matt, here's an early response from CPD for your consideration: CPD Activities to Align with Gender Memo DRAFT 02-05-25.docx. We're going to continue to work on many of them, but want you to see our early plans and progress. Let us know if you need anything else from CPD.

Claudette

From: Richardson, Todd M <Todd.M.Richardson@hud.gov>
Sent: Thursday, February 6, 2025 5:39 PM
To: Ammon, Matthew E <Matthew.E.Ammon@hud.gov>; GDAS <GDAS@hud.gov>
Cc: Michalski, Lori A <Lori.A.Michalski@hud.gov>
Subject: RE: Defending Women Guidance and Required Actions

Matt

Nonresponsive

Nonresponsive

Nonresponsive

From: Ammon, Matthew E <Matthew.E.Ammon@hud.gov>
Sent: Wednesday, February 5, 2025 6:08 AM
To: GDAS <GDAS@hud.gov>
Cc: Michalski, Lori A <Lori.A.Michalski@hud.gov>
Subject: Defending Women Guidance and Required Actions

Hi all – As a reminder, the Departmental needs to report to OPM this Friday on all steps taken to implement the attached guidance, including a complete list of actions taken in response to this guidance and *Defending Women*; and any agency plans to fully comply with this guidance and *Defending Women.*

Please send a summary of your office's actions to comply with this guidance to me by COB Thursday, thanks

Excerpt of attached OPM Guidance:

No later than 5:00 p.m. EST on Friday, January 31, 2025

- Send an email to all agency employees announcing that the agency will be complying with *Defending Women* and this guidance.
- Review all agency programs, contracts, and grants, and terminate any that promote or inculcate gender ideology.
- Review all agency position descriptions and send a notification to all employees whose position description involves inculcating or promoting gender ideology that they are being placed on paid

administrative leave effective immediately as the agency takes steps to close/end all initiatives, offices, and programs that inculcate or promote gender ideology.

- Take down all outward facing media (websites, social media accounts, etc.) that inculcate or promote gender ideology.
- Review agency email systems such as Outlook and turn off features that prompt users for their pronouns.
- Withdraw any final or pending documents, directives, orders, regulations, materials, forms, communications, statements, and plans that inculcate or promote gender ideology.
- Cancel any trainings that inculcate or promote gender ideology or have done so in the past.
- Disband or cancel any employee resource groups or special emphasis programs that inculcate or promote gender ideology or have done so in the past.
- Review all agency forms that require entry of an individual's sex and ensure that all list male or female only, and not gender identity.
- Remove requests for "gender" and substitute requests for "sex."
- Ensure that all applicable agency policies and documents, including forms, use the term "sex" and not "gender."
- Ensure that intimate spaces designated for women, girls, or females (or for men, boys, or males) are designated by biological sex and not gender identity.

2. No later than 12:00 p.m. EST on Friday, February 7, 2025, report to OPM on all steps taken to implement this guidance, including a complete list of actions taken in response to this guidance and *Defending Women*; and any agency plans to fully comply with this guidance and *Defending Women*.

_____

Matthew Ammon
Acting Secretary
U.S. Department of Housing and Urban Development

Message

From: Woll, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=386B783CBA8A4CF9AFE7455A55F3A417-68CCBDB8-E7]
Sent: 2/22/2025 2:12:09 AM
To: Hobbs, Benjamin R [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3b352438fff04f3b8cbd3f84e52cd7c7-Hobbs, Benj]
Subject: Fw: Introduction and request
Attachments: FY2025DeptNOFOTemplate-Revised-v4-withinstructions.docx; Eligibility Requirements Addendum_2025update_redline.docx; Eligibility Requirements Addendum_2025update_clean.docx; Administrative Requirements Addendum_2025update_redline.docx; Administrative Requirements Addendum_2025update_clean.docx

FYI

Get Outlook for iOS

From: Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Sent: Thursday, February 20, 2025 5:54:44 PM
To: Darling, Kate <Kate.Darling@hud.gov>; Knittle, Scott A <Scott.Knittle@hud.gov>; Gibbs, John <John.Gibbs@hud.gov>; Woll, David <David.Woll@hud.gov>
Subject: RE: Introduction and request

Greetings all,

Attached are the updated versions of the Draft FY25 NOFO Template, the FY25 Eligibility Requirements and FY25 Administrative Requirements that are included in the NOFO package. Nonresponsive

Nonresponsive

Best regards,
Kim

From: Woll, David <David.Woll@hud.gov>
Sent: Wednesday, February 12, 2025 9:17 PM
To: Darling, Kate <Kate.Darling@hud.gov>; Dennis, Irving <Irving.Dennis@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Subject: Re: Introduction and request

Thanks for including me.

Get Outlook for iOS

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Wednesday, February 12, 2025 8:51:42 PM
To: Woll, David <David.Woll@hud.gov>; Dennis, Irving <Irving.Dennis@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Subject: Re: Introduction and request

Nonresponsive

Get Outlook for iOS

From: Woll, David <David.Woll@hud.gov>
Sent: Wednesday, February 12, 2025 8:14:12 PM
To: Darling, Kate <Kate.Darling@hud.gov>; Dennis, Irving <Irving.Dennis@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>
Subject: Re: Introduction and request

Nonresponsive

Get Outlook for iOS

From: Darling, Kate <Kate.Darling@hud.gov>
Sent: Wednesday, February 12, 2025 2:04:03 PM
To: Dennis, Irving <Irving.Dennis@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>; Woll, David <David.Woll@hud.gov>
Subject: RE: Introduction and request

Thanks Irv.

Nonresponsive

Thank you!
Kate

Kate Darling
Assistant Chief Financial Officer for Systems
Office of the Chief Financial Officer
U.S. Department of Housing and Urban Development

From: Dennis, Irving <Irving.Dennis@hud.gov>
Sent: Wednesday, February 12, 2025 1:09 PM
To: Darling, Kate <Kate.Darling@hud.gov>; Gooding, Kimberly N <Kimberly.N.Gooding@hud.gov>; Woll, David <David.Woll@hud.gov>
Subject: Introduction and request

Hi, Kate and Kim.

Nonresponsive

Please let me know if I can help further.

Thanks to all.

Message

From: Woll, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=386B783CBA8A4CF9AFE7455A55F3A417-68CCBDB8-E7]
Sent: 2/27/2025 10:19:18 PM
To: Demarzo, Benjamin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c2db1a7c22064bd5838d2ef253b11480-76549d3e-cd]
Subject: Fw: Grant Agreement
Attachments: 2024 model Grant Agreement to address EOs. DW edits 2-27-2025 (003).docx

FYI. Could you take a look?

Get Outlook for iOS

From: Knittle, Scott A <Scott.Knittle@hud.gov>
Sent: Thursday, February 27, 2025 2:53:48 PM
To: Woll, David <David.Woll@hud.gov>; Gibbs, John <John.Gibbs@hud.gov>
Subject: RE: Grant Agreement

Here's the updated version with the edits we discussed.

From: Woll, David <David.Woll@hud.gov>
Sent: Thursday, February 27, 2025 11:46 AM
To: Gibbs, John <John.Gibbs@hud.gov>; Knittle, Scott A <Scott.Knittle@hud.gov>
Subject: Grant Agreement

Could you all take a look at this draft? Thanks very much.

David C. Woll, Jr.
Principal Deputy Assistant Secretary
Office of Community Planning and Development
(202) 975-5622

Message

From: Woll, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=386B783CBA8A4CF9AFE7455A55F3A417-68CCBDB8-E7]
Sent: 3/13/2025 4:48:30 PM
To: Myers, Robert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5cd023ea22b9486ebbab32a41f38b9b4-0326f061-3d]; Lovett, Kasey L [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=82bf93b8de1f4ab5b980e986cb26ac87-Lovett, Kas]
Subject: RE: Grant Agreement
Attachments: Finalized Grant Agreement CoC March-7-2025.docx

Here is a clean copy. DPP

From: Myers, Robert <Robert.Myers@hud.gov>
Sent: Thursday, March 13, 2025 12:10 PM
To: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>; Woll, David <David.Woll@hud.gov>
Subject: Re: Grant Agreement

Hi David,

DPP

From: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Date: Wednesday, March 12, 2025 at 6:58 PM
To: Woll, David <David.Woll@hud.gov>, Myers, Robert <Robert.Myers@hud.gov>
Subject: RE: Grant Agreement

Thank you. @Myers, Robert can you screen grab the yellow sections please so we can post with below comment?

DPP

From: Woll, David <David.Woll@hud.gov>
Sent: Wednesday, March 12, 2025 5:55 PM
To: Lovett, Kasey L <Kasey.L.Lovett@hud.gov>
Subject: Grant Agreement

For CoC

See yellow highlights

David C. Woll, Jr.
Principal Deputy Assistant Secretary
Office of Community Planning and Development
(202) 975-5622

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 6/5/2025 4:15:22 PM
To: Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]
CC: Parker, Tennille S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38021d2fe3db4974897dee04cab3155c-Parker, Ten]; CPD Front Office [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f6d1294520bc49db9de9968996898720-CPD Front O]; LaSylvet, Tondachan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=363ea6e2b8cb49e798584248f72562f3-Hatchett, T]; Johnson, Kim A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0519a0466e904eaab132fb474ef10a08-Johnson, Ki]; Hendrix, Elizabeth S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7227e0c8ea884ec5b5ed78fb893a38b6-Hendrix, El]
Subject: FW: COSCDA-NCDA Response Letter
Attachments: HUD Response to COSCDA NCDA _FINAL2.docx; HUD Response to COSCDA NCDA _FINAL2edited.docx; HUD Response to COSCDA NCDA _FINAL2.pdf

Hello Alice,

Thanks! Please consider my last email as void and use the attached pdf with my signature instead. DPP DPP Please work closely with Beth on how to best roll it out, make sure Bryan is aware.

Much appreciated.

Claudette

From: Walkup, Alice <Alice.Walkup@hud.gov>
Sent: Wednesday, June 4, 2025 2:43 PM
To: Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Cc: Parker, Tennille S <Tennille.S.Parker@hud.gov>; CPD Front Office <CPDFrontOffice@hud.gov>; LaSylvet, Tondachan <Tondachan.LaSylvet@hud.gov>; Johnson, Kim A <Kim.A.Johnson@hud.gov>; Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Subject: RE: COSCDA-NCDA Response Letter

Hi all,

I have attached the updated edited letter (first attachment) – DPP

DPP

@Fernandez, Claudette the second attachment is ready for your signature.

Thanks very much for the team's work on this matter!

Alice

Alice Walkup
Supervisory Program Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development
Office: 202-402-8384
Work Cell: 202-717-7847

alice.walkup@hud.gov

From: Walkup, Alice <Alice.Walkup@hud.gov>
Sent: Wednesday, June 4, 2025 2:06 PM
To: Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Cc: Parker, Tennille S <Tennille.S.Parker@hud.gov>; CPD Front Office <CPDFrontOffice@hud.gov>; LaSylvet, Tondachan <Tondachan.LaSylvet@hud.gov>; Johnson, Kim A <Kim.A.Johnson@hud.gov>; Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Subject: RE: COSCDA-NCDA Response Letter

Beth – sure. DPP

Alice Walkup
Supervisory Program Advisor
Office of the Assistant Secretary, Community Planning & Development
U. S. Department of Housing and Urban Development
Office: 202-402-8384
Work Cell: 202-717-7847
alice.walkup@hud.gov

From: Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>
Sent: Wednesday, June 4, 2025 1:53 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Parker, Tennille S <Tennille.S.Parker@hud.gov>; CPD Front Office <CPDFrontOffice@hud.gov>; LaSylvet, Tondachan <Tondachan.LaSylvet@hud.gov>; Johnson, Kim A <Kim.A.Johnson@hud.gov>
Subject: RE: COSCDA-NCDA Response Letter

The updated letter is ready for signature. DPP

DPP

Thanks,
Beth

From: Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>
Sent: Tuesday, June 3, 2025 8:05 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Parker, Tennille S <Tennille.S.Parker@hud.gov>; CPD Front Office <CPDFrontOffice@hud.gov>; LaSylvet, Tondachan <Tondachan.LaSylvet@hud.gov>; Johnson, Kim A <Kim.A.Johnson@hud.gov>
Subject: Re: COSCDA-NCDA Response Letter

Hi All,

DPP

Thanks,
Beth

Get Outlook for iOS

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Tuesday, June 3, 2025 6:09 PM

To: Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Parker, Tennille S <Tennille.S.Parker@hud.gov>; Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>; CPD Front Office <CPDFrontOffice@hud.gov>; LaSylvet, Tondachan <Tondachan.LaSylvet@hud.gov>; Johnson, Kim A <Kim.A.Johnson@hud.gov>
Subject: FW: COSCDA-NCDA Response Letter

Hi Alice, and everyone!

DPP

Best,

Claudette

From: LaSylvet, Tondachan <Tondachan.LaSylvet@hud.gov>
Sent: Tuesday, June 3, 2025 1:59 PM
To: Parker, Tennille S <Tennille.S.Parker@hud.gov>
Cc: Walkup, Alice <Alice.Walkup@hud.gov>; CPD Front Office <CPDFrontOffice@hud.gov>; Johnson, Kim A <Kim.A.Johnson@hud.gov>
Subject: COSCDA-NCDA Response Letter

Good afternoon, Tennille

Please see the attached letter and sign in the absence of Claudette.

No edits are made at the request of Beth.

The National Council of State Community Development Agencies and the National Community Development Association respectfully request additional guidance on Fiscal Year 2025 submissions for the Consolidated Plan and Annual Action Plan.
COSCDA and NCDA represent state and local governments that manage key HUD programs, including the CDBG, HOME, ESG, and CDBG Disaster Recovery CDBG-DR.

The placeholder for the signed letter is here: COSCDA-NCDA Response Letter

Vr

Tondachan 'Tonda' LaSylvet
Management Analyst
U. S. Department of Housing and Urban Development
Office of Community Planning and Development
Office of the Assistant Secretary
451 Seventh Street SW, Washington, DC 20410
Office: 202-402-4797
Mobile: 202-714-9762
Email: Tondachan.LaSylvet@hud.gov

From: Johnson, Urnell <Urnell.Johnson@hud.gov>
Sent: Tuesday, June 3, 2025 1:40 PM
To: LaSylvet, Tondachan <Tondachan.LaSylvet@hud.gov>; Walkup, Alice <Alice.Walkup@hud.gov>; Johnson, Kim A <Kim.A.Johnson@hud.gov>
Cc: Hayes, Leslie <Leslie.Hayes@hud.gov>
Subject: FW: COSCDA-NCDA Response Letter

Afternoon ladies,

This is for GDAS signature. Please use this version per Beth.

Thanks

Mrs. Urnell Johnson-Spears
Supervisory Correspondence Specialist
Resource Management
Administrative Service Division
Phone: 202.402.4376
Cell: 703.868.1260
Email: Urnell.johnson@hud.gov
451 7th Street, SW room 7233
Washington, DC 20410

From: Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>
Sent: Tuesday, June 3, 2025 1:01 PM
To: Johnson, Urnell <Urnell.Johnson@hud.gov>
Cc: Hayes, Leslie <Leslie.Hayes@hud.gov>
Subject: RE: COSCDA-NCDA Response Letter

Signed. Please use this version of the letter. Thanks!

From: Johnson, Urnell <Urnell.Johnson@hud.gov>
Sent: Tuesday, June 3, 2025 9:45 AM
To: Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>
Cc: Hayes, Leslie <Leslie.Hayes@hud.gov>
Subject: FW: COSCDA-NCDA Response Letter

Hi Beth,

Please review before we move to GDAS.

Mrs. Urnell Johnson-Spears
Supervisory Correspondence Specialist
Resource Management
Administrative Service Division
Phone: 202.402.4376
Cell: 703.868.1260
Email: Urnell.johnson@hud.gov
451 7th Street, SW room 7233

Washington, DC 20410

From: Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>
Sent: Monday, June 2, 2025 8:50 AM
To: Johnson, Urnell <Urnell.Johnson@hud.gov>; Hayes, Leslie <Leslie.Hayes@hud.gov>
Subject: COSCDA-NCDA Response Letter

Urnell & Leslie,
The attached letter is ready for signature. I do not have a routing slip. Would you prepare one with me as the author and route from there?
Thanks,
Beth

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

OFFICE OF COMMUNITY PLANNING
AND DEVELOPMENT

Ms. Tess Hembree
Executive Director
Council of State Community Development Agencies
630 I Street, NW
Washington, DC 20001-3736

Ms. Vicki Watson
Executive Director
National Community Development Association (NCDA)
1775 Eye Street NW, Suite 1150
Washington, DC 20006

Dear Ms. Hembree & Ms. Watson:

On behalf of Secretary Scott Turner, thank you for your letter regarding the Department of Housing and Urban Development's (HUD) Office of Community Planning and Development's (CPD) grantee consolidated plan and annual action plan submissions for Fiscal Year (FY) 2025. Your letter states that Council of State Community Development Agencies (COSCDA) and National Community Development Association (NCDA) members are concerned that their submissions may be flagged for noncompliance with the Administration's executive orders. As a result, both agencies are requesting that HUD issue a memorandum like the guidance provided to Community Development Block Grant – Disaster Recovery (CDBG-DR) grantees under the Universal Notice.

CPD administers the CDBG-DR program through *Federal Register* Notice each time it receives a Congressional appropriation. This approach has been taken because the CDBG-DR program does not have its own authorization and corresponding regulations. As a result, CPD must describe the processes, procedures, timelines, waivers, and alternative requirements that HUD intends to implement with each allocation of CDBG-DR funding after a qualifying Presidential disaster declaration. Specifically, following the most recent appropriation of CDBG-DR funds for qualifying disasters, the Department published an Allocation Announcement Notice (AAN) in the *Federal Register* that incorporates, via cross-reference, the waivers and alternative requirements provided in the Universal Notice, as appropriate, along with any other new requirements imposed by the specific appropriation.

In contrast, the consolidated plan and annual action plan submission process for CPD formula grantees is governed by the regulations at 24 CFR Part 91. The January 14, 2025, notice entitled CPD-25-02, Guidance on Submitting Consolidated Plans and Annual Action Plans for FY 2025 remains in effect, including the requirements at 24 CFR 91.500(b) located on page 5. HUD has no plans at this time to update this notice as it continues to accurately document when HUD may disapprove a plan according to the regulations. 24 CFR 91.500(b) states that HUD may disapprove a plan or a portion of a plan if it is inconsistent with the purpose of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12703), if it is substantially incomplete,

or, in the case of a CDBG certification under §91.225(a) and (b) or §91.325(a) and (b), if it is not satisfactory to the Secretary in accordance with §570.304, §570.429(g), or §570.485(c). The following are examples provided in §91.500(b) of substantially incomplete plans:

1. A plan that was developed without the required citizen participation or the required consultation;

2. A plan that fails to satisfy all the required elements in this part; and

3. A plan for which a certification is rejected by HUD as inaccurate, after HUD has inspected the evidence and provided due notice and opportunity to the jurisdiction for comment; and

4. A plan that does not include a description of the manner in which the unit of general local government or state will provide financial or other assistance to a public housing agency if the public housing agency is designated as "troubled" by HUD.

Grantees are also encouraged to review the White House Executive Orders as they develop their consolidated plan and annual action plans. After submission and HUD's review of these plans, the FY2025 grant agreement will also emphasize conformity with applicable Administration priorities and executive orders. Under the FY 2025 grant agreement, conformity means that a grantee:

1. shall not use grant funds to promote "gender ideology," as defined in Executive Order (E.O.) 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government;

2. agrees that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the U.S. Government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code;

3. certifies that it does not operate any programs that violate any applicable Federal anti-discrimination laws, including Title VI of the Civil Rights Act of 1964;

4. shall not use any grant funds to fund or promote elective abortions, as required by E.O. 14182, Enforcing the Hyde Amendment; and that

5. notwithstanding anything in the grant or application, this Grant shall not be governed by Executive Orders revoked by E.O. 14154, including E.O. 14008, or requirements implementing Executive Orders that have been revoked.

6. The Grantee must administer its grant in accordance with all applicable immigration restrictions and requirements, including the eligibility and verification requirements that apply under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601-1646) (PRWORA) and any applicable

requirements that HUD, the Attorney General, or the U.S. Citizenship and Immigration Services may establish from time to time to comply with PRWORA, Executive Order 14218, or other Executive Orders or immigration laws.

7. If applicable, no state or unit of general local government that receives funding under this grant may use that funding in a manner that by design or effect facilitates the subsidization or promotion of illegal immigration or abets policies that seek to shield illegal aliens from deportation.

8. Unless excepted by PRWORA, the Grantee must use SAVE, or an equivalent verification system approved by the Federal government, to prevent any Federal public benefit from being provided to an ineligible alien who entered the United States illegally or is otherwise unlawfully present in the United States.

9. Faith-based organizations may be subrecipients for funds on the same basis as any other organization. Grantees may not, in the selection of subrecipients, discriminate against an organization based on the organization's religious character, affiliation, or exercise.

Grantees should be reminded that they must also continue to use their CPD funding in a manner that complies with applicable statutes, which include:

- Section 109 of the HCDA, 42 U.S.C. 5309;
- Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*;
- Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*;
- Title VIII of the Civil Rights Act of 1968 (The Fair Housing Act), 42 U.S.C. 3601 – 19;
- Section 504 and 508 of the Rehabilitation Act of 1973, 29 U.S.C. 794;
- The Americans with Disabilities Act of 1990,42 U.S.C. 12131 *et seq.*; and
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) (PRWORA).

Your letter also requests a 60-day extension to allow grantees time to comply with any Administration requested changes. Under 24 CFR 91.15, each jurisdiction should submit its consolidated plan to HUD at least 45 days before the start of its program year. The majority of CPD's grantees have a program year start date of July 1st, which means those grantees would submit their plan on or before May 15th. As you are aware, the Department is required to release its formula allocations within 60 days of appropriation. For FY 2025, HUD posted these allocations on May 13, 2025. Given the timing of most annual appropriations, it is not unusual for a grantee to be able to submit its plan as soon as allocations are announced and completes its citizen participation process. We are aware that many grantees begin their planning process well in advance of an allocation announcement and provide guidance on this in CPD Notice 25-02. Additionally, §91.15(a) provides HUD the ability to grant a jurisdiction an extension of the submission deadline for good cause, with the exception of the deadline of August 16. **The Department's failure to receive the plan by August 16, 2025, will automatically result in a loss of CDBG funds for the program year.**

We value our partnership with NCDA and COSCDA and the broader CDBG Coalition's efforts to assist grantees across the nation perform and achieve program outcomes. Thank you for the collaboration in guiding grantees and reminding them of the value of aligning with applicable statutes, regulations, and executive orders in developing and preparing to submit their respective consolidated plan and/or annual action plan. CPD staff, as always, are available to provide technical assistance.

We look forward to continuing our partnership with you. If you should have any questions, please reach out to me via email at Claudette.Fernandez1@hud.gov.

Sincerely,

Claudette Fernandez

Digitally signed by Claudette Fernandez
Date: 2025.06.05 12:13:50 -04'00'

Claudette Fernandez
General Deputy Assistant Secretary

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 3/19/2025 3:44:34 PM
To: Bryon, Jemine A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4b8f61c14ec443fa974af6845600da5a-Bryon, Jemi]
CC: Bynum, Nadab [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=157f7a111aea4766a0b090de20519467-Bynum, Nada]; Herndon, Thomas A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=709677bea02443d8a27d8389c50e3762-Herndon, Th]; Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]
Subject: FW: Final CoC Grant Agreement
Attachments: CoC Grant Agreement FINAL Version Rev. 03-19-2025.docx

Hello Jemine: Please see attached FINAL CoC Grant Agreement template revised and approved as of this week. Per Dave, please immediately work with Nadab's team to issue this revised grant agreement to CoCs today. On the roughly 55 grant agreements that were signed by grantees previously, I am working with Amy to formally ok the approach of "modification" so Field can handle locally. OGC is checking now.

Hi Nadab: Once you've discussed with Jemine and you've directed the Field to start sending revised grant agreement starting today, can you send me a handful of examples? I suspect OGC and CIR will ask for confirmation and evidence that the revised grant agreement has already been sent to CoCs.

Many thanks!

Claudette

From: Fernandez, Claudette
Sent: Wednesday, March 19, 2025 11:28 AM
To: O'kane, Colleen M <Colleen.M.OKane@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: Final CoC Grant Agreement

Hello Colleen,

Per your request, attached is the fully approved revised CoC Grant Agreement Template. Today, I will direct our Field Offices and coordinate roll out to 6K CoCs who are awaiting for this revised version. Let us know if you need anything else?

Much appreciated.

Claudette

From: Fernandez, Claudette
Sent: Wednesday, March 19, 2025 11:24 AM
To: Brown, Amy L <Amy.L.Brown@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: RE: Revised Grant Agreement

Hi Amy,

ACP/DPP

ACP/DPP

Much appreciated!

From: Brown, Amy L Amy.L.Brown@hud.gov
Sent: Tuesday, March 18, 2025 3:59 PM
To: Fernandez, Claudette Claudette.Fernandez1@hud.gov
Cc: Woll, David David.Woll@hud.gov
Subject: RE: Revised Grant Agreement

ACP/DPP

Amy L. Brown
Deputy General Counsel for Housing Programs

The information in this communication may be confidential and privileged, is intended only for the use of the recipient(s) named above, and may be subject to additional legal nondisclosure requirements. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please re-send it to the sender and delete the original message and any copy of it from your computer system. Thank you.

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Tuesday, March 18, 2025 1:46 PM
To: Brown, Amy L <Amy.L.Brown@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: FW: Revised Grant Agreement

Hi Amy,

ACP/DPP

Thank you in advance.

Claudette

From: Woll, David <David.Woll@hud.gov>
Sent: Tuesday, March 18, 2025 1:26 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: FW: Revised Grant Agreement

Could you take a look?

From: Woll, David
Sent: Friday, March 14, 2025 11:11 AM
To: Brown, Amy L <Amy.L.Brown@hud.gov>
Cc: Knittle, Scott A <Scott.Knittle@hud.gov>
Subject: Revised Grant Agreement

ACP/DPP

David C. Woll, Jr.
Principal Deputy Assistant Secretary
Office of Community Planning and Development
(202) 975-5622

Grant Number/FAIN:
Recipient Name:
Tax ID No.:
Unique Entity Identifier (UEI) Number:

CONTINUUM OF CARE PROGRAM (Assistance Listing# 14.267)
GRANT AGREEMENT

This Grant Agreement ("this Agreement") is made by and between the United States Department of Housing and Urban Development ("HUD") and _____ (the "Recipient").

This Agreement, the Recipient's use of funds provided under this Agreement (the "Grant" or "Grant Funds"), and the Recipient's operation of projects assisted with Grant Funds are governed by

1. The Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024);

2. title IV of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11301 et seq. (the "Act");

3. the Continuum of Care Program rule at 24 CFR part 578 (the "Rule"), as amended from time to time;

4. the Notice of Funding Opportunity for FY 2024 and FY 2025 Continuum of Care Competition and Renewal or Replacement of Youth Homeless Demonstration Program (NOFO), except for references in the NOFO to Executive Orders that have since been repealed;

5. all current Executive Orders; and

6. the Recipient's application submissions on the basis of which these Grant Funds were approved by HUD, including the certifications, assurances, technical submission documents, and any information or documentation required to meet any grant award condition (collectively, the "Application").

The Application is incorporated herein as part of this Agreement, except that only the project (those projects) listed below are funded by this Agreement. In the event of any conflict between any application provision and any provision contained in this Agreement, this Agreement shall control. Capitalized terms that are not defined in this agreement shall have the meanings given in the Rule.

(Check one)

☐ The Recipient is a Unified Funding Agency (UFA).

☐ The Recipient is the sole recipient designated by the applicable Continuum of Care.

☐ The Recipient is not the only recipient designated by the applicable Continuum of Care.

If the Recipient is a UFA or sole recipient these provisions apply:

HUD's total funding obligation for this grant is $ _____ allocated as follows:

Period of Performance	**Budget Period**
(start date)- (end date)	(start date)- (end date)
a. Continuum of Care Planning Activities	$_____
b. UFA Costs	$_____
c. Acquisition	$_____
d. Rehabilitation	$_____
e. New construction	$_____
f. Leasing	$_____
g. Rental assistance	$_____
h. Supportive services	$_____
i. Operating costs	$_____
j. Homeless Management Information System	$_____
k. Administrative costs	$_____
l. Relocation costs	$_____
m. VAWA Costs	$_____
n. Rural Costs	$_____
o. HPC homelessness prevention activities:	
Housing relocation and stabilization services	$_____
Short-term and medium-term rental assistance	$_____

The Grant Funds an individual project will receive are as shown in the Application on the final approved Summary Budget for the project. Grant funds are provided for the projects and in the amounts listed below to be used during the budget period stated above.

UFA Renewal projects:

Project No. (# for each project)	**Amount** (insert total $)

UFA New Projects:

Project No. (# for each project)	**Amount** (insert total $)

UFA Cost Project:

Project No.	**Amount**

Any default by Recipient under this Agreement shall constitute a default by Recipient under any other grant agreement executed in accordance with 24 CFR 578.23(b)(2) or (3) by HUD and the Recipient for awards selected in the same fiscal year Continuum of Care program competition.

If the Recipient is not the only Recipient designated by the applicable Continuum of Care, these provisions apply:

HUD's total funding obligation authorized by this grant agreement is $_____, allocated between the project(s) listed below (each identified by a separate grant number) and, within those projects, between budget line items, as shown below. The Grant Funds an individual project will receive are as shown in the Application on the final HUD-approved Summary Budget for the project. Recipient shall use the Grant Funds provided for the projects listed below, during the budget period(s) period stated below.

(Copy entire table as many times as necessary to have a separate table for each project)

Grant No. (FAIN)	**Grant Term**	**Performance Period**	**Budget Period**	**Total Amount**
(insert FAIN)	(insert months)	(start date)- (end date)	(start date)- (end date)	(insert total $)
allocated between budget line items as follows:				
a. Continuum of Care Planning Activities				$_____
b. Acquisition				$_____

c. Rehabilitation	$_____
d. New construction	$_____
e. Leasing	$_____
f. Rental assistance	$_____
g. Supportive services	$_____
h. Operating costs	$_____
i. Homeless Management Information System	$_____
j. Administrative costs	$_____
k. Relocation costs	$_____
l. VAWA Costs	$_____
m. Rural Costs	$_____
n. HPC homelessness prevention activities:	
Housing relocation and stabilization services	$_____
Short-term and medium-term rental assistance	$_____

Pre-award Costs for Continuum of Care Planning

The Recipient may, at its own risk, incur pre-award costs for continuum of care planning awards, after the date of the HUD selection notice and prior to the effective date of this Agreement, if such costs: a) are consistent with 2 CFR 200.458; and b) would be allowable as a post-award cost; and c) do not exceed 10 percent of the total funds obligated to this award. The incurrence of pre-award costs in anticipation of an award imposes no obligation on HUD either to make the award, or to increase the amount of the approved budget, if the award is made for less than the amount anticipated and is inadequate to cover the pre-award costs incurred.

These provisions apply to all Recipients:

The Recipient:

(1) shall not use grant funds to promote "gender ideology," as defined in E.O. 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government;

(2) agrees that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the U.S. Government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code;

(3) certifies that it does not operate any programs that violate any applicable Federal anti-discrimination laws, including Title VI of the Civil Rights Act of 1964;

(4) shall not use any Grant Funds to fund or promote elective abortions, as required by E.O. 14182, Enforcing the Hyde Amendment; and

(5) Notwithstanding anything in the NOFO or Application, this Grant shall not be governed by Executive Orders revoked by E.O. 14154, including E.O. 14008, or NOFO requirements implementing Executive Orders that have been revoked.

The recipient must administer its grant in accordance with all applicable immigration restrictions and requirements, including the eligibility and verification requirements that apply under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601-1646) (PRWORA) and any applicable requirements that HUD, the Attorney General, or the U.S. Center for Immigration Services may establish from time to time to comply with PRWORA, Executive Order 14218, or other Executive Orders or immigration laws.

No state or unit of general local government that receives funding under this grant may use that funding in a manner that by design or effect facilitates the subsidization or promotion of illegal immigration or abets policies that seek to shield illegal aliens from deportation.

Subject to the exceptions provided by PRWORA, the recipient must use SAVE, or an equivalent verification system approved by the Federal government, to prevent any Federal public benefit from being provided to an ineligible alien who entered the United States illegally or is otherwise unlawfully present in the United States.

HUD will not enforce provisions of the Grant Agreement to the extent that they require the project to use a housing first program model.

As stated in Section III.A.2 of the NOFO, Faith-based organizations may be recipients or subrecipients for funds under this agreement on the same basis as any other organization. Recipients may not, in the selection of subrecipients, discriminate against an organization based on the organization's religious character, affiliation, or exercise.

If any new projects funded under this Agreement are for project-based rental assistance for a term of fifteen (15) years, the funding provided under this Agreement is for the performance period stated herein only. Additional funding is subject to the availability of annual appropriations.

The budget period and performance period of renewal projects funded by this Agreement will begin immediately at the end of the budget period and performance period of the grant being renewed. Eligible costs incurred between the end of Recipient's budget period and performance period under the grant being renewed and the date this Agreement is executed by both parties may be reimbursed with Grants Funds from this Agreement. No Grant Funds for renewal projects may be drawn down by Recipient before the end date of the project's budget period and performance period under the grant that has been renewed.

For any transition project funded under this Agreement the budget period and performance period of the transition project(s) will begin immediately at the end of the Recipient's final

operating year under the grant being transitioned. Eligible costs, as defined by the Act and the Rule incurred between the end of Recipient's final operating year under the grant being transitioned and the execution of this Agreement may be paid with funds from the first operating year of this Agreement.

HUD designations of Continuums of Care as High-performing Communities (HPCS) are published on HUD.gov in the appropriate Fiscal Years' CoC Program Competition Funding Availability page. Notwithstanding anything to the contrary in the Application or this Agreement, Recipient may only use grant funds for HPC Homelessness Prevention Activities if the Continuum that designated the Recipient to apply for the grant was designated an HPC for the applicable fiscal year.

The Recipient must use the Grant Funds only for costs (including indirect costs) that meet the applicable requirements in 2 CFR part 200 (including appendices), as may be amended from time to time. The Recipient's indirect cost rate information is as provided in Addendum #1 to this Agreement. The Recipient must immediately notify HUD upon any change in the Recipient's indirect cost rate, so that HUD can amend the Agreement to reflect the change if necessary.

HUD notifications to the Recipient shall be to the address of the Recipient as stated in the Recipient's applicant profile in *e-snaps*. Recipient notifications to HUD shall be to the HUD Field Office executing the Agreement. No right, benefit, or advantage of the Recipient hereunder may be assigned without prior written approval of HUD.

The Recipient must comply with the applicable requirements in 2 CFR part 200, as may be amended from time to time.

Build America, Buy America Act. The Grantee must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Grantee's infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver.

Waste, Fraud, Abuse, and Whistleblower Protections. Any person who becomes aware of the existence or apparent existence of fraud, waste or abuse of any HUD award must report such incidents to both the HUD official responsible for the award and to HUD's Office of Inspector General (OIG). HUD OIG is available to receive allegations of fraud, waste, and abuse related to HUD programs via its hotline number (1-800-347-3735) and its online hotline form. You must comply with 41 U.S.C. § 4712, which includes informing your employees in writing of their rights and remedies, in the predominant native language of the workforce. Under 41 U.S.C. § 4712, employees of a government contractor, subcontractor, grantee, and subgrantee—as well as a personal services contractor—who make a protected disclosure about a Federal grant or contract cannot be discharged, demoted, or otherwise discriminated against as long as they reasonably believe the information they disclose is evidence of:

1. Gross mismanagement of a Federal contract or grant;
2. Waste of Federal funds;
3. Abuse of authority relating to a Federal contract or grant;
4. Substantial and specific danger to public health and safety; or
5. Violations of law, rule, or regulation related to a Federal contract or grant.

HUD may terminate all or a portion of the Grant in accordance with the Act, the Rule, and 2 CFR 200.340. The Agreement constitutes the entire agreement between the parties and may be amended only in writing executed by HUD and the Recipient.

By signing below, Recipients that are states and units of local government certify that they are following a current HUD approved CHAS (Consolidated Plan).

This agreement is hereby executed on behalf of the parties as follows:

UNITED STATES OF AMERICA,
Secretary of Housing and Urban Development

BY: _____
(Signature)

_____
(Typed Name and Title)

_____
(Date/Federal Award Date)

RECIPIENT

_____
(Name of Organization)

BY: _____
(Signature of Authorized Official)

_____
(Typed Name and Title of Authorized Official)

_____
(Date)

Addendum #1 to (insert FAIN)

OMB Number. 2501-0044
Expiration Date: 2/28/2027

Indirect Cost Information for Award Applicant/Recipient

1. Federal Program/Assistance Listing Program Title:
CONTINUUM OF CARE PROGRAM/Assistance Listing# 14.267

2. Legal Name of Applicant/Recipient:

3. Indirect Cost Rate Information for the Applicant/Recipient:
Please check the box that applies to the Applicant/Recipient and complete the table only as provided by the instructions accompanying this form.

☐ The Applicant/Recipient will not charge indirect costs using an indirect cost rate.

☐ The Applicant/Recipient will calculate and charge indirect costs under the award by applying a *de minimis* rate as provided by 2 CFR 200.414(f), as may be amended from time to time.

☐ The Applicant/Recipient will calculate and charge indirect costs under the award using the indirect cost rate(s) in the table below, and each rate in this table is included in an indirect cost rate proposal developed in accordance with the applicable appendix to 2 CFR part 200 and, *if required*, has been approved by the cognizant agency for indirect costs.

Agency/department/major function	Indirect cost rate	Type of Direct Cost Base	Type of Rate
	%		
	%		
	%		

4. Submission Type (check only one):
☐ Initial submission ☐ Update

5. Effective date(s):

6. Certification of Authorized Representative for the Applicant/Recipient:
**Under penalty of perjury, I certify on behalf of the Applicant/Recipient that
(1) all information provided on this form is true, complete, and accurate, and
(2) the Applicant/Recipient will provide HUD with an update to this form immediately upon learning of any change in the information provided on this form, and
(3) I am authorized to speak for the Applicant/Recipient regarding all information provided on this form.

Signature: _____
Date: _____
Name: _____
Title: _____

Warning: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties (18 U.S.C §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. § 3729, 3802; 24 CFR § 28.10(b)(iii)).

Public Reporting Burden Statement: This collection of information is estimated to average 0.25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of the requested information. Comments regarding the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to: U.S. Department of Housing and Urban Development, Office of the Chief Data Officer, R, 451 7th St SW, Room 8210, Washington, DC 20410-5000. Do not send completed forms to this address. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. This agency is authorized to collect this information under Section 102 of the Department of Housing and Urban Development Reform Act of 1989. The information you provide will enable HUD to carry out its responsibilities under this Act and ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. This information is required to obtain the benefit sought in the grant program. Failure to provide any required information may delay the processing of your application and may result in sanctions and penalties including of the administrative and civil money penalties specified under 24 CFR §4.38. This information will not be held confidential and may be made available to the public in accordance with the Freedom of Information Act (5 U.S.C. §552). The information contained on the form is not retrieved by a personal identifier, therefore it does not meet the threshold for a Privacy Act Statement.

OMB Number. 2501-0044
Expiration Date: 2/28/2027

Instructions for Completing the Indirect Cost Information for the Award Applicant/Recipient

Number	Item	Instructions
1	Federal Program/ Assistance Listing Program Title	Enter the title of the program as listed in the applicable funding announcement or notice of funding availability.
2	Legal Name of Applicant/ Recipient	Enter the legal name of the entity that will serve as the recipient of the award from HUD.
3	Indirect Cost Rate Information for the Applicant/ Recipient	Mark the one (and only one) checkbox that best reflects how the indirect costs of the Applicant/Recipient will be calculated and charged under the award. Do not include indirect cost rate information for subrecipients. The table following the third checkbox must be completed only if that checkbox is checked. When listing a rate in the table, enter the percentage amount (for example, "15%"), the type of direct cost base to be used (for example, "MTDC"), and the type of rate ("predetermined," "final," "fixed," or "provisional"). If using the Simplified Allocation Method for indirect costs, enter the applicable indirect cost rate and type of direct cost base in the first row of the table. If using the Multiple Allocation Base Method, enter each major function of the organization for which a rate was developed and will be used under the award, the indirect cost rate applicable to that major function, and the type of direct cost base to which the rate will be applied. If the Applicant/Recipient is a government and more than one agency or department will carry out activities under the award, enter each agency or department that will carry out activities under the award, the indirect cost rate(s) for that agency or department, and the type of direct cost base to which each rate will be applied.
4	Submission Type	Check the appropriate box to identify whether this is the first submission of this form for the award or an update to a previous submission of this form for the award.
5	Effective date(s)	Enter the date(s) for which the information on this form applies.
6	Certification of Authorized Representative for the Applicant/ Recipient	An employee or officer of the Applicant/Recipient with the capacity and authority to make this certification for the Applicant/Recipient must make the certification by signing as provided. They must also provide the date of their signature, full name, and position title.

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 3/27/2025 3:53:49 PM
To: Herndon, Thomas A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=709677bea02443d8a27d8389c50e3762-Herndon, Th]; Hendrix, Elizabeth S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7227e0c8ea884ec5b5ed78fb893a38b6-Hendrix, El]; Bryon, Jemine A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4b8f61c14ec443fa974af6845600da5a-Bryon, Jemi]; Bohnet, Brooke M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c0f67b64b2c1402386ecfad99d2d96d0-Bohnet, Bro]; Bynum, Nadab [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=157f7a111aea4766a0b090de20519467-Bynum, Nada]
CC: Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]
Subject: CPD Grant Agreement Issues
Attachments: CoC Grant Agreement FINAL Version Rev. 03-19-2025.docx

Hello all, just a quick update on grant agreement issues that are currently in OGC's court but needing our collective awareness:

Nonresponsive

- **Programs with remaining old money still needing obligation:** Dave already said for remaining unobligated FY23 CoCs, they need to use the new FY24 CoC grant agreement that is already aligned with Administration's EOs. For all others, need @Herndon, Thomas A help to provide me a complete listing of programs, fiscal year, and amounts. Dave wants to know the full universe. When talking about what's not obligated vs. obligated, we need to align with fund control matrix which for the most part determines point of obligation as when grant agreement is executed. I do understand that this creates inconsistency with other grantees who have already gotten their obligation before Jan. 20, we should be able to flag this as part of Dave's decision-making but know that there's a general stance that all programs being obligated in this Administration must comply with the recent EOs.

Nonresponsive

Nonresponsive

Claudette

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 3/27/2025 8:56:01 PM
To: Herndon, Thomas A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=709677bea02443d8a27d8389c50e3762-Herndon, Th]; Bryon, Jemine A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4b8f61c14ec443fa974af6845600da5a-Bryon, Jemi]
Subject: RE: FY23 CoCs

DPP

Thanks in advance!

Claudette

From: Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Sent: Thursday, March 27, 2025 4:39 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Subject: RE: FY23 CoCs

DPP

Thomas Herndon
Deputy Assistant Secretary for Operations (Acting)
Office of Community Planning and Development
Department of Housing and Urban Development
451 7th Street SW, Washington, DC 20410
202-402-6492 (Office)
202-215-9600 (Cell)

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Thursday, March 27, 2025 4:36 PM
To: Herndon, Thomas A <Thomas.A.Herndon@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Subject: RE: FY23 CoCs

DPP

From: Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Sent: Thursday, March 27, 2025 2:18 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Subject: RE: FY23 CoCs

Claudette,

Confirming that Jemine is correct. DPP

DPP

Hope that helps!

Thanks,

Thomas Herndon
Deputy Assistant Secretary for Operations (Acting)
Office of Community Planning and Development
Department of Housing and Urban Development
451 7th Street SW, Washington, DC 20410
202-402-6492 (Office)
202-215-9600 (Cell)

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Thursday, March 27, 2025 1:46 PM
To: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Cc: Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Subject: RE: FY23 CoCs

Thanks Jemine! Asking Thomas to confirm the point of obligations for your program. DPP

DPP

On grant agreement for HOPWA and all other programs left unobligated with old money, Dave wants to know the universe and have a complete picture. So asking Thomas to provide a report. Ultimately, I'm arguing the use of what was already approved for CoC grant agreement. I think Dave wants to support it, just needs time to understand the complete picture across CPD and then go from there.

From: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Sent: Thursday, March 27, 2025 1:42 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Cc: Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Subject: RE: FY23 CoCs

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Thursday, March 27, 2025 10:55 AM
To: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Cc: Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Subject: RE: FY23 CoCs

Hi Jemine,

DPP

Thanks for flagging and for your patience.

Claudette

From: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Sent: Thursday, March 27, 2025 10:27 AM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Cc: Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Subject: FW: FY23 CoCs

DPP

Thanks.

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Monday, March 24, 2025 4:51 PM
To: Suchar, Norman A <Norman.A.Suchar@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Cc: Bynum, Nadab <nadab.bynum@hud.gov>; Johnson, Lisa A <Lisa.A.Johnson@hud.gov>; Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Subject: FY23 CoCs

Hello Norm and Jemine,

I understand the Field is seeking policy in writing on how to handle the remaining FY23 CoCs that are still not obligated. In discussing with our PDAS, he wants us to use the attached CoC Grant Agreement Template recently approved by him and OGC since the funding will be obligated under this Administration. Please proceed with working with OFO in ensuring that the attached grant agreement is what's being used to obligate the remaining FY23 CoCs (totalling ~$26M).

Let me know if you have any questions or concerns? Appreciate your support. Copying Acting DAS for Field Ops, Lisa Johnson.

Claudette

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 3/3/2025 6:54:50 PM
To: Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]
Subject: RE: Question on FY24 CoC Awards

FYI

From: Fernandez, Claudette
Sent: Monday, March 3, 2025 1:53 PM
To: O'kane, Colleen M <Colleen.M.OKane@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Subject: RE: Question on FY24 CoC Awards

Hi there Colleen, I'm putting Jessie in bcc and copying Jemine instead who oversee the CoC program.

The FY24 CoC Awards were announced by Biden Administration on Jan. 17 but has not been obligated pending alignment with new Trump Administration's executive orders. PDAS David Woll is helping us move the FY24 CoC Awards by partnering with OGC on modifying the grant agreement template to align with the Administration's executive orders and requirements. This is a much streamlined path to get us back on track instead of rescoring or recompeting since there are about 6K+ CoC applicants awaiting their funding.

Once OGC concurs with the grant agreement template, the intention is to immediately send award letters and obligate. Jemine is also cc'd here in case I missed anything.

Thank you for your support.

From: O'kane, Colleen M <Colleen.M.OKane@hud.gov>
Sent: Monday, March 3, 2025 1:41 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Huddleston, Jessie K <Jessie.K.Huddleston@hud.gov>
Cc: Woll, David <David.Woll@hud.gov>
Subject: Question on FY24 CoC Awards

Claudette and Jessie-

Quick question for you – What is HUD's timeline for resuming funding execution for FY24 CoC awards?

Colleen O'Kane
U.S. Department of Housing and Urban Development
(202) 975-4857

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 3/3/2025 6:55:05 PM
To: Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]
Subject: FW: FYI CoC grant agreement
Attachments: 2024 model Grant Agreement to address EOs. DW edits 2-27-2025 (003).docx

FYI

From: Fernandez, Claudette
Sent: Monday, March 3, 2025 1:49 PM
To: Woll, David <David.Woll@hud.gov>
Subject: FW: FYI CoC grant agreement

Hi Dave,

Claudette

From: Fernandez, Claudette
Sent: Thursday, February 27, 2025 6:45 PM
To: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Suchar, Norman A <Norman.A.Suchar@hud.gov>
Cc: Walkup, Alice <Alice.Walkup@hud.gov>
Subject: FW: FYI CoC grant agreement

Hi all,

I could not adjust Dave's link below to give you access so I am sharing the file instead. Per his request, please work with OGC to immediately clear this one. From there, we can start the obligation process. I believe he also wants to review the award letters, so Ill send that to him electronically while you guys are clearing this CoC Grant Agreement Template.

Thanks in advance.

Claudette

From: Woll, David <David.Woll@hud.gov>
Sent: Thursday, February 27, 2025 5:54 PM
To: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: FYI CoC grant agreement

Revised

2024 model Grant Agreement to address EOs. DW edits 2-27-2025 (003).docx

David C. Woll, Jr.
Principal Deputy Assistant Secretary
Office of Community Planning and Development
(202) 975-5622

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 3/6/2025 10:54:50 PM
To: Bryon, Jemine A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4b8f61c14ec443fa974af6845600da5a-Bryon, Jemi]
Subject: RE: CoC Grant Agreement

This is super helpful to explain, thank you! I'm printing and leaving on his chair in case he misses this email. He'll be teleworking tomorrow. I'm supposed to be out, but will be in office in the afternoon. If he calls me, Ill bring it up.

From: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Sent: Thursday, March 6, 2025 5:18 PM
To: Woll, David <David.Woll@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: FW: CoC Grant Agreement

DPP

Are you good with us proceeding with this version?

Thanks.

From: Sanders, Nicola <Nicola.Sanders@hud.gov>
Sent: Thursday, March 6, 2025 5:04 PM
To: Woll, David <David.Woll@hud.gov>
Cc: Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: CoC Grant Agreement

PDAS Woll—

ACP

Thanks!

Nicola Sanders
Assistant General Counsel
Community Development Division

Message

From: Hendrix, Elizabeth S [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7227E0C8EA884EC5B5ED78FB893A38B6-HENDRIX, EL]
Sent: 6/2/2025 12:57:31 PM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]; Parker, Tennille S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38021d2fe3db4974897dee04cab3155c-Parker, Ten]; Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]
Subject: COSCDA-NCDA Response Letter
Attachments: HUD Response to COSCDA NCDA _FINAL.docx; COSCDA_NCDA Action Plan Letter_04.04.25.pdf

The response to COSCDA & NCDA's action plan letter has been reviewed and signed off by OGC leadership. While Urnell & her team route it for GDAS signature, I wanted to share it with you in advance.

Beth Hendrix
Senior Advisor
Office of Community Planning and Development,
Business cell: 202-738- 2311 | Elizabeth.S.Hendrix@hud.gov

COSCDA Council of State Community Development Agencies NCDA

April 3, 2025

The Honorable Scott Turner, Secretary
U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, DC 20410

Dear Secretary Turner,

The National Council of State Community Development Agencies (COSCDA) and the National Community Development Association (NCDA) write to request additional guidance regarding **Consolidated Plan (ConPlan)** and **Annual Action Plan (AAP)** submissions for Fiscal Year 2025. COSCDA and NCDA represent states and local jurisdictions that administer HUD grant programs, including the Community Development Block Grant (CDBG), HOME Investment Partnerships program (HOME), Emergency Solutions Grants (ESG), and CDBG Disaster Recovery (CDBG-DR).

On January 15, HUD's Office of Community Planning and Development issued Notice CPD-25-02. The notice included guidance on ConPlan and AAP submissions for CDBG, HOME, HTF, ESG, and HOPWA (formula) grantees. However, the Notice CPD-25-02 predates the inauguration of President Trump and his subsequent executive orders. COSCDA and NCDA members are concerned that their submissions may be flagged for noncompliance with the executive orders but are unsure of which changes to make to their plans in the absence of updated guidance.

We request additional guidance—similar to the guidance provided to CDBG-DR grantees in Memorandum 2025-02—on how to align ConPlans and AAPs with these and any other applicable executive orders:

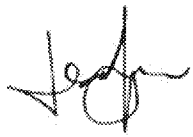
- Memorandum for the Heads of Executive Department and Agencies (90 FR 8245) | "Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis"
- Executive Order 14151 (90 FR 8339) | "Ending Radical and Wasteful Government DEI Programs and Preferencing"
- Executive Order 14173 (90 FR 8633) | "Ending Illegal Discrimination and Resorting Merit-Based Opportunity"
- Executive Order 14224 (90 FR 11363) | "Designating English as the Official Language of the United States"

HUD grantees at the state and local levels are willing and able to comply with additional guidance as it becomes available. **If HUD is unable to provide timely guidance in advance of the first FY25 ConPlan and AAP submissions on July 14 (60 days after the May 14 allocation deadline), then we request a 60-day extension to allow grantees time to comply with any requested changes.** Grant planning is a carefully coordinated process that involves many

community partners and stakeholders. Reacting to changes to the traditional planning process will require a reasonable adjustment period.

Thank you for your consideration. For further discussion of these requests, please reach out to Tess Hembree (thembree@coscda.org), Executive Director, COSCDA and Vicki Waston (vwatson@ncdaonline.org), Executive Director, NCDA.

Sincerely,



Tess Hembree
Executive Director
Council of State Community Development Agencies (COSCDA)

Vicki Watson

Vicki Watson
Executive Director
National Community Development Association (NCDA)

Archived: Wednesday, April 9, 2025 9:25:32 AM
From: Jenna Hampton
Sent: Thu, 3 Apr 2025 19:49:20
To: Secretary Turner ExecSec matthew.ammon@hud.gov
Cc: Tess Hembree watson2163@outlook.com Schwartz, Benjamin C Fernandez, Claudette
Subject: Guidance Request from State and Local HUD Grantees
Importance: Normal
Sensitivity: None
Attachments:
COSCDA-NCDA Joint Letter, FY25 ConPlan and AAP Guidance.pdf

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Good afternoon, Secretary Turner and all,

On behalf of the Council of State Community Development Agencies (COSDCA) and the National Community Development Association (NCDA), please accept the attached request for guidance. COSDCA and NCDA request additional guidance outlining how state and local HUD grantees should align their Consolidated Plans and Annual Action Plans with President Trump's executive orders.

For further discussion, please reach out to Tess Hembree (thembree@coscda.org), Executive Director of COSDCA and Vicki Watson (vwatson@ncdaonline.org), Executive Director of NCDA.

Thank you for your consideration of our joint request.

Sincerely,

COSCDA
Council of State Community Development Agencies

Jenna Hampton
Director, Advocacy and Federal Programs
Council of State Community Development Agencies (COSCDA)
630 I (Eye) Street Northwest | Washington, DC 20001
202.845.8154
jhampton@coscda.org

Message

From: Hendrix, Elizabeth S [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7227E0C8EA884EC5B5ED78FB893A38B6-HENDRIX, EL]
Sent: 5/15/2025 9:58:18 PM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]; Parker, Tennille S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38021d2fe3db4974897dee04cab3155c-Parker, Ten]; Herndon, Thomas A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=709677bea02443d8a27d8389c50e3762-Herndon, Th]; Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]
Subject: Action Plans & Executive Orders
Attachments: CPD Grant Alignment with Executive Orders.docx

OGC has signed off on the attached guidance document for action plan reviewers. It is designed to be an internal document for staff since it has not gone through "full clearance" for public posting/dissemination. That said, we know it will travel. Sharing in advance of next week. Let's discuss at stand up before we send it out to staff.

Beth Hendrix
Deputy Assistant Secretary for Grant Programs (Acting)
Office of Community Planning and Development,
Business cell: 202-738- 2311 | Elizabeth.S.Hendrix@hud.gov

Aligning CPD Action Plans with Executive Orders

CPD staff should strongly encourage grantees to carefully review their action plans for compliance with all statutory and regulatory requirements and applicable executive orders before submitting them to HUD. Grantees should take care not to repeat information and projects previously submitted without reviewing for executive order alignment. Grantees will be required to comply with the following provisions via execution of the grant agreement. In order to fulfill these provisions, the action plan will need to be aligned.

These provisions apply to all Grantees:

The Grantee:

(1) shall not use grant funds to promote "gender ideology," as defined in Executive Order (E.O.) 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government;

(2) agrees that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the U.S. Government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code;

(3) certifies that it does not operate any programs that violate any applicable Federal anti-discrimination laws, including Title VI of the Civil Rights Act of 1964;

(4) shall not use any grant funds to fund or promote elective abortions, as required by E.O. 14182, Enforcing the Hyde Amendment; and that

(5) notwithstanding anything in the NOFO or Application, this Grant shall not be governed by Executive Orders revoked by E.O. 14154, including E.O. 14008, or NOFO requirements implementing Executive Orders that have been revoked.

The Grantee must administer its grant in accordance with all applicable immigration restrictions and requirements, including the eligibility and verification requirements that apply under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601-1646) (PRWORA) and any applicable requirements that HUD, the Attorney General, or the U.S. Citizenship and Immigration Services may establish from time to time to comply with PRWORA, Executive Order 14218, or other Executive Orders or immigration laws.

> No state or unit of general local government that receives funding under this grant may use that funding in a manner that by design or effect facilitates the subsidization or promotion of illegal immigration or abets policies that seek to shield illegal aliens from deportation.
>
> Unless excepted by PRWORA, the Grantee must use SAVE, or an equivalent verification system approved by the Federal government, to prevent any Federal public benefit from being provided to an ineligible alien who entered the United States illegally or is otherwise unlawfully present in the United States.

Grantees should be encouraged to reach out to their CPD representative with any executive order questions. CPD staff should elevate any executive order questions they are unable to answer with their immediate supervisor.

Message

From: Vicki Watson [vwatson@ncdaonline.org]
Sent: 4/24/2025 11:09:34 PM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]
CC: Hendrix, Elizabeth S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7227e0c8ea884ec5b5ed78fb893a38b6-Hendrix, El]
Subject: Re: <External Message> Re: CoC Grant Agreement Template

Thank you

On Thu, Apr 24, 2025 at 6:59 PM Fernandez, Claudette <Claudette.Fernandez1@hud.gov> wrote:

> Expect something similar.
>
> **From:** Vicki Watson <vwatson@ncdaonline.org>
> **Sent:** Thursday, April 24, 2025 6:58 PM
> **To:** Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
> **Cc:** Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>
> **Subject:** <External Message> Re: CoC Grant Agreement Template
>
> **CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you have concerns about the content of the email, please send it to phishing@hud.gov or click the Report Phishing Button on the Outlook ribbon or Phishing option within OWA.
>
> Thanks, Claudette! Will the CDBG and HOME grant agreements use the same DEI, immigration clauses as those that are in the CoC grant agreement?
>
> On Thu, Apr 24, 2025 at 6:23 PM Fernandez, Claudette <Claudette.Fernandez1@hud.gov> wrote:
>
> > Hi Vicki,
> >
> > Attached is a copy of the CoC Grant Agreement Template that were issued to over 6K projects for grant execution. Our Field staff are focused on this right now **Nonresponsive**
> >
> > **Nonresponsive**
> >
> > Thank you for the partnership as always!

Claudette

Message

From: Cooke, Kevin R [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EF2F60E54142403F8FE61875A7B25C3B-COOKE, KEVI]
Sent: 3/18/2025 4:47:14 PM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]
CC: Cooke, Kevin R [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ef2f60e54142403f8fe61875a7b25c3b-Cooke, Kevi]
Subject: RE: Grants TEP

Nonresponsive

Regards,

Kevin R. Cooke, Jr.
General Deputy Assistant Secretary
Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
Office Coordinator: Nancy St Hilaire
nancy.k.sthilaire@hud.gov
202-708-4252
www.hud.gov

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Thursday, February 27, 2025 7:02 PM
To: Cooke, Kevin R <Kevin.R.Cooke@hud.gov>; Blom, Dominique G <Dominique.G.Blom@hud.gov>
Subject: RE: Grants TEP

Hi Kevin,

Nonresponsive

For the ones that have a clear obligation deadline and more urgent – our PDAS is amenable to using "grant agreement" as a method to enforce compliance with the EOs. We're doing this for CoC which must be obligated by mid-March. We're close to the finish line on this grant agreement template. Hopefully if this works, we can also try and complete all others without recompeting. Will see!

Claudette

From: Cooke, Kevin R <Kevin.R.Cooke@hud.gov>
Sent: Thursday, February 27, 2025 4:56 PM
To: Blom, Dominique G <Dominique.G.Blom@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Cc: Cooke, Kevin R <Kevin.R.Cooke@hud.gov>
Subject: Grants TEP

Nonresponsive

Regards,

Kevin R. Cooke, Jr.
General Deputy Assistant Secretary
Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
Office Coordinator: Nancy St Hilaire
nancy.k.sthilaire@hud.gov
202-708-4252
www.hud.gov

Message

From: Bryon, Jemine A [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4B8F61C14EC443FA974AF6845600DA5A-BRYON, JEMI]
Sent: 3/5/2025 7:18:16 PM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]
Subject: FW: FY24 CoC Grant Agreement
Attachments: 2024 model Grant Agreement to address EOs. DW edits 2-27-2025 (from SNAPS).docx

From: Gayles, Ebony N <Ebony.Gayles@hud.gov>
Sent: Wednesday, March 5, 2025 1:35 PM
To: Suchar, Norman A <Norman.A.Suchar@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>
Cc: Sanders, Nicola <Nicola.Sanders@hud.gov>; Drummond, Makani D <Makani.D.Drummond@hud.gov>; Ghassemieh, Kelly L <Kelly.Ghassemieh@hud.gov>; Varrieur, Brian M <Brian.M.Varrieur@hud.gov>
Subject: FY24 CoC Grant Agreement

Hi Jemine and Norm –

ACP

Best,

Ebony Gayles
Attorney-Advisor
Community Development Division
Office of Assisted Housing and Community Development
U.S. Department of Housing and Urban Development
(202) 402-2166

The information in this communication may be confidential and privileged, is intended only for the use of the recipient(s) named above, and may be subject to additional legal nondisclosure requirements. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please re-send it to the sender and delete the original message and any copy of it from your computer system. Thank you.

Message

Sent: 1/30/2025 4:33:59 PM
To: O'Connell, William T [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6d2322a72f544f07a22ee335f8221f51-O'Connell,]
Subject: RE: CPD Leaders: Update to M-25-13 Prohibition on Obligations and Disbursements

Nonresponsive

From: O'Connell, William T <William.T.OConnell@hud.gov>
Sent: Wednesday, January 29, 2025 3:40 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Subject: RE: CPD Leaders: Update to M-25-13 Prohibition on Obligations and Disbursements

Claudette,

Nonresponsive

Bill

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Wednesday, January 29, 2025 3:18 PM
To: Ven Johnson, Savin <Savin.VenJohnson@hud.gov>; Herndon, Thomas A <Thomas.A.Herndon@hud.gov>; Suchar, Norman A <Norman.A.Suchar@hud.gov>; Sardone, Virginia <Virginia.Sardone@hud.gov>; Parker, Tennille S <Tennille.S.Parker@hud.gov>; Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Harcrow, Rita U <Rita.U.Harcrow@hud.gov>; Bynum, Nadab <nadab.bynum@hud.gov>; Burke, Kathleen S <Kathleen.S.Burke@hud.gov>; Khine, Kay T <Kay.T.Khine@hud.gov>; James, Shantel M <Shantel.M.James@hud.gov>; McNamara, Lauren B <Lauren.B.McNamara@hud.gov>; Huber, Peter H <Peter.H.Huber@hud.gov>; Kelly, Holly A <Holly.A.Kelly@hud.gov>; Proctor, Tonya <tonya.proctor@hud.gov>; Hayes, Lauren E <Lauren.E.Hayes@hud.gov>; Pittenger, Katherine D <Katherine.Pittenger2@hud.gov>; Rudy, William G <William.G.Rudy@hud.gov>; Clark, Darrell A <Darrell.A.Clark@hud.gov>; Fields, Adrian M <Adrian.M.Fields@hud.gov>; Ibarra, Leticia <Leticia.Ibarra@hud.gov>; Bohnet, Brooke M <Brooke.Bohnet@hud.gov>; Shivickas, Amy L <Amy.L.Shivickas@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Nash, Kimberly Y <Kimberly.Y.Nash@hud.gov>; Gongora, Alejandro F <Alejandro.F.Gongora@hud.gov>; Schwartz, Benjamin C <Benjamin.C.Schwartz@hud.gov>; Shumeyko, Robert D <robert.d.shumeyko@hud.gov>; O'Connell, William T <William.T.OConnell@hud.gov>; Cursio, Heather D <Heather.D.Cursio@hud.gov>; Johnson, Lisa A <Lisa.A.Johnson@hud.gov>; Bennett, Gerilee W <Gerilee.W.Bennett@hud.gov>; Lamantia, Matthew C <Matthew.C.Lamantia@hud.gov>; Buckner, Dana <Dana.Buckner@hud.gov>; Ghirghi, Noemi <noemi.ghirghi@hud.gov>; Reed, Carma <Carma.Reed@hud.gov>; Washington, Rufus <Rufus.Washington@hud.gov>; Sorbo, Mark F <Mark.F.Sorbo@hud.gov>; Griffin, Amy B <Amy.B.Griffin@hud.gov>; Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Jones, Erica M <Erica.M.Jones@hud.gov>
Subject: RE: CPD Leaders: Update to M-25-13 Prohibition on Obligations and Disbursements

Hello Team,

The only thing I want to flag that is likely still NOT business as usual are policies (HOME Final Rule + Universal Notice) or NOFOs (YHSI, YDHP, SHOP, CoC, Section 4) recently posted that still need to align with Executive Orders such as DEIA, Equity, and EJ. But for the ones already announced pre-Inauguration, it is safe to say that they are business as usual for obligation and disbursement. For CPF, you should be good to go

regardless since these are congressionally driven and there's no discretion for the executive branch to change any of them.

Hope that adds more detail for all of you. Thanks!

Claudette

From: Fernandez, Claudette
Sent: Wednesday, January 29, 2025 1:55 PM
To: Ven Johnson, Savin <Savin.VenJohnson@HUD.GOV>; Herndon, Thomas A <Thomas.A.Herndon@hud.gov>; Suchar, Norman A <Norman.A.Suchar@hud.gov>; Sardone, Virginia <Virginia.Sardone@hud.gov>; Parker, Tennille S <Tennille.S.Parker@hud.gov>; Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Harcrow, Rita U <Rita.U.Harcrow@hud.gov>; Bynum, Nadab <nadab.bynum@hud.gov>; Burke, Kathleen S <Kathleen.S.Burke@hud.gov>; Khine, Kay T <Kay.T.Khine@HUD.GOV>; James, Shantel M <Shantel.M.James@HUD.GOV>; McNamara, Lauren B <Lauren.B.McNamara@hud.gov>; Huber, Peter H <Peter.H.Huber@hud.gov>; Kelly, Holly A <Holly.A.Kelly@hud.gov>; Proctor, Tonya <tonya.proctor@hud.gov>; Hayes, Lauren E <Lauren.E.Hayes@hud.gov>; Pittenger, Katherine D <Katherine.Pittenger2@hud.gov>; Rudy, William G <William.G.Rudy@hud.gov>; Clark, Darrell A <Darrell.A.Clark@hud.gov>; Fields, Adrian M <Adrian.M.Fields@hud.gov>; Ibarra, Leticia <Leticia.Ibarra@hud.gov>; Bohnet, Brooke M <Brooke.Bohnet@HUD.GOV>; Shivickas, Amy L <Amy.L.Shivickas@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Nash, Kimberly Y <Kimberly.Y.Nash@hud.gov>; Gongora, Alejandro F <Alejandro.F.Gongora@hud.gov>; Schwartz, Benjamin C <Benjamin.C.Schwartz@hud.gov>; Shumeyko, Robert D <robert.d.shumeyko@hud.gov>; O'Connell, William T <William.T.OConnell@hud.gov>; Cursio, Heather D <Heather.D.Cursio@HUD.GOV>; Johnson, Lisa A <Lisa.A.Johnson@hud.gov>; Bennett, Gerilee W <Gerilee.W.Bennett@HUD.GOV>; Lamantia, Matthew C <Matthew.C.Lamantia@hud.gov>; Buckner, Dana <Dana.Buckner@hud.gov>; Ghirghi, Noemi <noemi.ghirghi@hud.gov>; Reed, Carma <Carma.Reed@hud.gov>; Washington, Rufus <Rufus.Washington@hud.gov>; Sorbo, Mark F <Mark.F.Sorbo@hud.gov>; Griffin, Amy B <Amy.B.Griffin@hud.gov>; Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Jones, Erica M <Erica.M.Jones@hud.gov>
Subject: RE: CPD Leaders: Update to M-25-13 Prohibition on Obligations and Disbursements

DPP

From: Ven Johnson, Savin <Savin.VenJohnson@hud.gov>
Sent: Wednesday, January 29, 2025 1:53 PM
To: Herndon, Thomas A <Thomas.A.Herndon@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Suchar, Norman A <Norman.A.Suchar@hud.gov>; Sardone, Virginia <Virginia.Sardone@hud.gov>; Parker, Tennille S <Tennille.S.Parker@hud.gov>; Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Harcrow, Rita U <Rita.U.Harcrow@hud.gov>; Bynum, Nadab <nadab.bynum@hud.gov>; Burke, Kathleen S <Kathleen.S.Burke@hud.gov>; Khine, Kay T <Kay.T.Khine@hud.gov>; James, Shantel M <Shantel.M.James@hud.gov>; McNamara, Lauren B <Lauren.B.McNamara@hud.gov>; Huber, Peter H <Peter.H.Huber@hud.gov>; Kelly, Holly A <Holly.A.Kelly@hud.gov>; Proctor, Tonya <tonya.proctor@hud.gov>; Hayes, Lauren E <Lauren.E.Hayes@hud.gov>; Pittenger, Katherine D <Katherine.Pittenger2@hud.gov>; Rudy, William G <William.G.Rudy@hud.gov>; Clark, Darrell A <Darrell.A.Clark@hud.gov>; Fields, Adrian M <Adrian.M.Fields@hud.gov>; Ibarra, Leticia <Leticia.Ibarra@hud.gov>; Bohnet, Brooke M <Brooke.Bohnet@hud.gov>; Shivickas, Amy L <Amy.L.Shivickas@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Nash, Kimberly Y <Kimberly.Y.Nash@hud.gov>; Gongora, Alejandro F <Alejandro.F.Gongora@hud.gov>; Schwartz, Benjamin C <Benjamin.C.Schwartz@hud.gov>; Shumeyko, Robert D <robert.d.shumeyko@hud.gov>; O'Connell, William T <William.T.OConnell@hud.gov>; Cursio, Heather D <Heather.D.Cursio@hud.gov>; Johnson, Lisa A <Lisa.A.Johnson@hud.gov>; Bennett, Gerilee W <Gerilee.W.Bennett@hud.gov>; Lamantia, Matthew C <Matthew.C.Lamantia@hud.gov>; Buckner, Dana <Dana.Buckner@hud.gov>; Ghirghi, Noemi <noemi.ghirghi@hud.gov>; Reed, Carma <Carma.Reed@hud.gov>; Washington, Rufus <Rufus.Washington@hud.gov>; Sorbo, Mark F

<Mark.F.Sorbo@hud.gov>; Griffin, Amy B <Amy.B.Griffin@hud.gov>; Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Jones, Erica M <Erica.M.Jones@hud.gov>
Subject: RE: CPD Leaders: Update to M-25-13 Prohibition on Obligations and Disbursements

DPP

From: Herndon, Thomas A <Thomas.A.Herndon@hud.gov>
Sent: Wednesday, January 29, 2025 12:39 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>; Suchar, Norman A <Norman.A.Suchar@hud.gov>; Sardone, Virginia <Virginia.Sardone@hud.gov>; Parker, Tennille S <Tennille.S.Parker@hud.gov>; Hendrix, Elizabeth S <Elizabeth.S.Hendrix@hud.gov>; Bryon, Jemine A <Jemine.A.Bryon@hud.gov>; Harcrow, Rita U <Rita.U.Harcrow@hud.gov>; Bynum, Nadab <nadab.bynum@hud.gov>; Burke, Kathleen S <Kathleen.S.Burke@hud.gov>; Khine, Kay T <Kay.T.Khine@hud.gov>; James, Shantel M <Shantel.M.James@hud.gov>; McNamara, Lauren B <Lauren.B.McNamara@hud.gov>; Ven Johnson, Savin <Savin.VenJohnson@hud.gov>; Huber, Peter H <Peter.H.Huber@hud.gov>; Kelly, Holly A <Holly.A.Kelly@hud.gov>; Proctor, Tonya <tonya.proctor@hud.gov>; Hayes, Lauren E <Lauren.E.Hayes@hud.gov>; Pittenger, Katherine D <Katherine.Pittenger2@hud.gov>; Rudy, William G <William.G.Rudy@hud.gov>; Clark, Darrell A <Darrell.A.Clark@hud.gov>; Fields, Adrian M <Adrian.M.Fields@hud.gov>; Ibarra, Leticia <Leticia.Ibarra@hud.gov>; Bohnet, Brooke M <Brooke.Bohnet@hud.gov>; Shivickas, Amy L <Amy.L.Shivickas@hud.gov>; Patrick, Ninette W <Ninette.W.Patrick@hud.gov>; Nash, Kimberly Y <Kimberly.Y.Nash@hud.gov>; Gongora, Alejandro F <Alejandro.F.Gongora@hud.gov>; Schwartz, Benjamin C <Benjamin.C.Schwartz@hud.gov>; Shumeyko, Robert D <robert.d.shumeyko@hud.gov>; O'Connell, William T <William.T.OConnell@hud.gov>; Cursio, Heather D <Heather.D.Cursio@hud.gov>; Johnson, Lisa A <Lisa.A.Johnson@hud.gov>; Bennett, Gerilee W <Gerilee.W.Bennett@hud.gov>; Lamantia, Matthew C <Matthew.C.Lamantia@hud.gov>; Buckner, Dana <Dana.Buckner@hud.gov>; Ghirghi, Noemi <noemi.ghirghi@hud.gov>; Reed, Carma <Carma.Reed@hud.gov>; Washington, Rufus <Rufus.Washington@hud.gov>; Sorbo, Mark F <Mark.F.Sorbo@hud.gov>; Griffin, Amy B <Amy.B.Griffin@hud.gov>; Walkup, Alice <Alice.Walkup@hud.gov>
Cc: Jones, Erica M <Erica.M.Jones@hud.gov>
Subject: CPD Leaders: Update to M-25-13 Prohibition on Obligations and Disbursements
Importance: High

Good afternoon CPD Leadership,

I wanted to pass along an update to yesterday's memo prohibiting obligations or disbursements of Federal Financial Aid. Per the attached Memo, OMB-25-13 has been rescinded. I've attached communication from CFO on the subject for your awareness. I will loop you in on any further communications we receive on the topic.

Note: LOCCS is up and running and CFO is working on processing payments that were held at Treasury yesterday.

If you have any questions, please let me know.

Thomas Herndon
Director, Office of Budget & Compliance
Office of Community Planning and Development
Department of Housing and Urban Development
451 7th Street SW, Washington, DC 20410
202-402-6492 (Office)
202-215-9600 (Cell)

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 2/5/2025 6:01:39 PM
To: Bryon, Jemine A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4b8f61c14ec443fa974af6845600da5a-Bryon, Jemi]; Clark, Darrell A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0f6910aa24f4112ba1e4f92ca584d05-Clark, Darr]; Bynum, Nadab [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=157f7a111aea4766a0b090de20519467-Bynum, Nada]; Burke, Kathleen S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ad13ac178c1e4f3ea9265c3142e726f6-Burke, Kath]; Jones, Erica M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65c881e0ab5a48fc807d1084c33daf7b-Jones, Eric]; Hendrix, Elizabeth S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7227e0c8ea884ec5b5ed78fb893a38b6-Hendrix, El]; Bohnet, Brooke M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c0f67b64b2c1402386ecfad99d2d96d0-Bohnet, Bro]; Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]
CC: Woll, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=386b783cba8a4cf9afe7455a55f3a417-68ccbdb8-e7]
Subject: ACTION: Gender Ideology
Attachments: OPM Memo Initial Guidance Regarding Trump Executive Order Defending Women 1-29-2025 FINAL (1).pdf

Hello DAS/ADAS'es/Alice,

In alignment with the attached gender guidance, I've taken the first shot at drafting a response. Please review as soon as you can and let's get aligned on needed or actions underway by COB tomorrow if possible, Feb 6: CPD Activities to Align with Gender Memo DRAFT 02-05-25.docx. Alice will consolidate and finalize. I will need to report all steps taken by end of week up the chain.

Thank you for your cooperation and assistance.

Claudette

From: Ammon, Matthew E Matthew.E.Ammon@hud.gov
Sent: Wednesday, February 5, 2025 6:08 AM
To: GDAS GDAS@hud.gov
Cc: Michalski, Lori A Lori.A.Michalski@hud.gov
Subject: Defending Women Guidance and Required Actions

Hi all – As a reminder, the Departmental needs to report to OPM this Friday on all steps taken to implement the attached guidance, including a complete list of actions taken in response to this guidance and *Defending Women*; and any agency plans to fully comply with this guidance and *Defending Women.*

Please send a summary of your office's actions to comply with this guidance to me by COB Thursday, thanks

Excerpt of attached OPM Guidance:

No later than 5:00 p.m. EST on Friday, January 31, 2025

- Send an email to all agency employees announcing that the agency will be complying with *Defending Women* and this guidance.
- Review all agency programs, contracts, and grants, and terminate any that promote or inculcate gender ideology.
- Review all agency position descriptions and send a notification to all employees whose position description involves inculcating or promoting gender ideology that they are being placed on paid administrative leave effective immediately as the agency takes steps to close/end all initiatives, offices, and programs that inculcate or promote gender ideology.
- Take down all outward facing media (websites, social media accounts, etc.) that inculcate or promote gender ideology.
- Review agency email systems such as Outlook and turn off features that prompt users for their pronouns.
- Withdraw any final or pending documents, directives, orders, regulations, materials, forms, communications, statements, and plans that inculcate or promote gender ideology.
- Cancel any trainings that inculcate or promote gender ideology or have done so in the past.
- Disband or cancel any employee resource groups or special emphasis programs that inculcate or promote gender ideology or have done so in the past.
- Review all agency forms that require entry of an individual's sex and ensure that all list male or female only, and not gender identity.
- Remove requests for "gender" and substitute requests for "sex."
- Ensure that all applicable agency policies and documents, including forms, use the term "sex" and not "gender."
- Ensure that intimate spaces designated for women, girls, or females (or for men, boys, or males) are designated by biological sex and not gender identity.

2. No later than 12:00 p.m. EST on Friday, February 7, 2025, report to OPM on all steps taken to implement this guidance, including a complete list of actions taken in response to this guidance and *Defending Women*; and any agency plans to fully comply with this guidance and *Defending Women*.

_____

Matthew Ammon
Acting Secretary
U.S. Department of Housing and Urban Development

Message

From: Bryon, Jemine A [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4B8F61C14EC443FA974AF6845600DA5A-BRYON, JEMI]
Sent: 2/24/2025 7:53:02 PM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]
CC: Walkup, Alice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=352aadb3cfbe486fa4d942a46ae6a9fd-Walkup, Ali]; Suchar, Norman A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d5f0b2aea87d46aba183d49512b892b2-Suchar, Nor]
Subject: RE: 2024 CoC Grant Agreements
Attachments: FY 2024 CoC Award Letter Template.docx edits.docx

Following obligation of funds and prior to execution of grant agreements (which could be many months after obligation of funds), the next step in the process is to issue award letters to the grantees under signature of the PDAS. **Nonresponsive**

Nonresponsive

Please advise. Thanks.

From: Bryon, Jemine A
Sent: Friday, February 21, 2025 1:35 PM
To: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Cc: Walkup, Alice <Alice.Walkup@hud.gov>; Suchar, Norman A <Norman.A.Suchar@hud.gov>
Subject: 2024 CoC Grant Agreements

Attached you will find the proposed 2024 CoC Grant agreement which incorporates leadership's request to address specific Executive Orders, Housing First and Faith – Based organizations. This proposed grant agreement does not make any changes to BABA due to OGC's review of our authority to do so (email from OGC was forwarded to you on 2/20/25). This model grant agreement and the new subject provisions were drafted in consultation with, and has been cleared for legal sufficiency, by OGC Program Counsel.

We are seeking approval from the PDAS/leadership to proceed with obligation of funding and grant executions utilizing this grant as the template for all 2024 CoC Competition awards (those announced previously and for those delayed due to disaster and are pending announcement).

Please let me know if any additional information is needed. Thank you.

Message

From: Fernandez, Claudette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=433442C4E01E4C8AA80431F60146680B-FERNANDEZ,]
Sent: 1/22/2025 4:00:46 PM
To: Hendrix, Elizabeth S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7227e0c8ea884ec5b5ed78fb893a38b6-Hendrix, El]; Bohnet, Brooke M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c0f67b64b2c1402386ecfad99d2d96d0-Bohnet, Bro]; Bynum, Nadab [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=157f7a111aea4766a0b090de20519467-Bynum, Nada]; Bryon, Jemine A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4b8f61c14ec443fa974af6845600da5a-Bryon, Jemi]; Clark, Darrell A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0f6910aa24f4112ba1e4f92ca584d05-Clark, Darr]
Subject: OPM Guidances - Hiring Freeze, Probationary, and DEIA
Attachments: OMB-OPM Hiring Freeze 01 20 2025 1201pm.pdf; OPM Memo Initial Guidance Regarding DEIA Executive Orders.pdf; Guidance on Admin Leave and Probationary Periods 1-20-2025.pdf

Hello DASes,

As I understand it, our employees are getting all sorts of information and direction from the Union in light of recent executive orders. As I mentioned the other day, nobody should be activating on any of those executive orders pending official implementation guidance from the Department. Darrell and I are actively coordinating with OCHCO and various parts of the Department on various data calls.

Darrell is meeting with OCHCO at 12pm, GDASes are meeting at 4pm. As soon as I know more, I will send an email or pull us together to discuss. In the interim, I want to at least share the attached publicly-available materials from OPM sent to agency heads, acting agency heads, and CHCOs. Based on these, the Department is assessing how to implement including soliciting information on any exemptions.

More soon.

Claudette

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

MEMORANDUM

TO: Heads and Acting Heads of Departments and Agencies

FROM: Charles Ezell, Acting Director, U.S. Office of Personnel Management

DATE: January 21, 2025

RE: Initial Guidance Regarding DEIA Executive Orders

Pursuant to its authority under 5 U.S.C. § 1103(a)(1) and (a)(5), the U.S. Office of Personnel Management ("***OPM***") is providing the following initial guidance to agencies regarding the President's executive orders titled *Ending Radical and Wasteful Government DEI Programs and Preferencing* and *Initial Rescissions of Harmful Executive Orders and Actions*, which repeals Executive Order 14035, *Diversity, Equity, Inclusion and Accessibility in the Federal Workforce*.

Steps to Close Agency DEIA Offices: In light of the above Executive Orders, each should take prompt actions regarding the offices and agency sub-units focusing exclusively on DEIA initiatives and programs (the "***DEIA offices***"). Specifically, agency heads should take the following steps:

1. No later than **5:00 pm EST on Wednesday, January 22, 2025**

    a. Send an agency-wide notice to employees informing them of the closure and asking employees if they know of any efforts to disguise these programs by using coded or imprecise language a template agency-wide notice is attached as Appendix 1.

    b. Send a notification to all employees of DEIA offices that they are being placed on paid administrative leave effective immediately as the agency takes steps to close/end all DEIA initiatives, offices and programs.[1] A template employee letter is attached as Appendix 2.

    c. Take down all outward facing media (websites, social media accounts, etc.) of DEIA offices.

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[1] The authority for placing these employees on paid administrative leave is set forth in the OPM memorandum entitled "Guidance on Probationary Periods, Administrative Leave and Details" issued January 20, 2025.

d. Withdraw any final or pending documents, directives, orders, materials, and equity plans issued by the agency in response to now-repealed Executive Order 14035, *Diversity, Equity, Inclusion and Accessibility (DEIA) in the Federal Workforce* (June 25, 2021).

e. Cancel any DEIA-related trainings, and terminate any DEIA-related contractors.

2. No later than **12:00 pm EST on Thursday, January 23, 2025**, report to OPM on all steps taken to implement this memorandum, including:

   a. a complete list of DEIA offices and any employees who in those offices **as of November 5, 2024**,

   b. a complete list of all DEIA-related agency contracts **as of November 5, 2024**, and

   c. any agency plans to fully comply with the above Executive Orders and this memorandum.

3. No later than **5:00 pm EST on Friday, January 31, 2025**, submit to OPM:

   a. a written plan for executing a reduction-in-force action regarding the employees who work in a DEIA office. Agencies should coordinate with OPM in preparing these plans,

   b. a list of all contract descriptions or personnel position descriptions that were changed since November 5, 2024 to obscure their connection to DEIA programs.

Please contact Amanda Scales at amanda.scales@opm.gov if you have any questions regarding this memorandum. Please send any reports requested by this guidance memo to DEIAreports@opm.gov, with a copy to amanda.scales@opm.gov.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, Human Resources Directors, and Chiefs of Staff

Appendix 1

Template Email - Agency Head to Employees

Dear agency employees,

We are taking steps to close all agency DEIA offices and end all DEIA-related contracts in accordance with President Trump's executive orders titled *Ending Radical and Wasteful Government DEI Programs and Preferencing* and *Initial Rescissions of Harmful Executive Orders and Actions*.

These programs divided Americans by race, wasted taxpayer dollars, and resulted in shameful discrimination.

We are aware of efforts by some in government to disguise these programs by using coded or imprecise language. If you are aware of a change in any contract description or personnel position description since November 5, 2024 to obscure the connection between the contract and DEIA or similar ideologies, please report all facts and circumstances to DEIAtruth@opm.gov within 10 days.

There will be no adverse consequences for timely reporting this information. However, failure to report this information within 10 days may result in adverse consequences.

Thank you for your attention to this important matter.

Appendix 2

Template Email - Administrative Leave Notice (Sent to Employees)

Dear [Employee],

This email provides important information regarding your employment status. Effective January 2[_], 2025 at [__] [_]m EST, all employees within [ODEIA] will be placed on administrative leave with full pay and benefits. This administrative leave is not being done for any disciplinary purpose.

Please note the following:

- **Pay and Benefits:** You will continue to receive your full salary and benefits during the entirety of this administrative leave period.
- **Work Responsibilities:** You are not required or expected to perform any work-related tasks during this period of administrative leave.
- **Office Attendance:** You are not required or expected to come to the office during this time.
- **Email Access:** Your email access will be suspended. Please make sure that your address of record and contact information are current with your agency.

We will provide you with updates as soon as they are available. We appreciate your patience and cooperation.

If you have any concerns or questions, please contact [Designated Contact Person] at [Email].

Respectfully,

[Name/Title of Authorizing Official]

[Office/Agency]

Message

From: Blom, Dominique G [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C8A696378634AA9889C47C6E0465601-BLOM, DOMIN]
Sent: 2/28/2025 12:06:12 AM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]; Cooke, Kevin R [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ef2f60e54142403f8fe61875a7b25c3b-Cooke, Kevi]
Subject: Re: Grants TEP

Thanks for that suggestion, Claudette. That's a great idea.

Get Outlook for iOS

From: Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Sent: Thursday, February 27, 2025 7:01:37 PM
To: Cooke, Kevin R <Kevin.R.Cooke@hud.gov>; Blom, Dominique G <Dominique.G.Blom@hud.gov>
Subject: RE: Grants TEP

Hi Kevin,

Nonresponsive

For the ones that have a clear obligation deadline and more urgent – our PDAS is amenable to using "grant agreement" as a method to enforce compliance with the EOs. We're doing this for CoC which must be obligated by mid-March. We're close to the finish line on this grant agreement template. Hopefully if this works, we can also try and complete all others without recompeting. Will see!

Claudette

From: Cooke, Kevin R <Kevin.R.Cooke@hud.gov>
Sent: Thursday, February 27, 2025 4:56 PM
To: Blom, Dominique G <Dominique.G.Blom@hud.gov>; Fernandez, Claudette <Claudette.Fernandez1@hud.gov>
Cc: Cooke, Kevin R <Kevin.R.Cooke@hud.gov>
Subject: Grants TEP

Nonresponsive

Regards,

Kevin R. Cooke, Jr.
General Deputy Assistant Secretary
Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
Office Coordinator: Nancy St Hilaire
nancy.k.sthilaire@hud.gov
202-708-4252

www.hud.gov

Message

From: Brown, Amy L [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C427E41F9E734245B4638DE45F3CC125-BROWN, AMY]
Sent: 1/30/2025 6:19:58 PM
To: Fernandez, Claudette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=433442c4e01e4c8aa80431f60146680b-Fernandez,]
Subject: New guidance issued 1/29
Attachments: OPM Memo Initial Guidance Regarding Trump Executive Order Defending Women 1-29-2025 FINAL.pdf

Amy L. Brown
Deputy General Counsel for Housing Programs

The information in this communication may be confidential and privileged, is intended only for the use of the recipient(s) named above, and may be subject to additional legal nondisclosure requirements. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please re-send it to the sender and delete the original message and any copy of it from your computer system. Thank you.

Message

From: Huth, Virginia A [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=04D3E88EEE934D41B50A93CF693C530F-A1290ABF-AC]
Sent: 1/30/2025 8:16:28 PM
To: GDAS [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2c350459972464d97185acc09724293-GDAS]
Subject: FW: New Executive Order
Attachments: OPM Memo Initial Guidance Regarding Trump Executive Order Defending Women 1-29-2025 FINAL.pdf

From: Ammon, Matthew E <Matthew.E.Ammon@hud.gov>
Sent: Thursday, January 30, 2025 12:03 PM
To: Michalski, Lori A <Lori.A.Michalski@hud.gov>; Huth, Virginia A <Virginia.A.Huth@hud.gov>
Cc: Banks, Antoinette P <Antoinette.P.Banks@hud.gov>; Robinson, Jozetta R <Jozetta.R.Robinson@hud.gov>; Williams, Wayne A <Wayne.A.Williams@hud.gov>
Subject: New Executive Order

We need to discuss at GDAS meeting…Sairah is already aware…but CPO, OPA, and other are not.

Pursuant to its authority under 5 U.S.C. § 1103(a)(1) and (a)(5), the U.S. Office of Personnel Management (OPM) is providing the following initial guidance to agencies regarding the President's Executive Order entitled Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government (Defending Women).

Steps to End Federal Funding of Gender Ideology:

In light of Defending Women, each agency should take prompt actions to end all agency programs that use taxpayer money to promote or reflect gender ideology as defined in Section 2(f) of Defending Women.

Specifically, agency heads should take the following steps:

1. No later than 5:00 p.m. EST on Friday, January 31, 2025

a. Send an email to all agency employees announcing that the agency will be complying with Defending Women and this guidance.

b. Review all agency programs, contracts, and grants, and terminate any that promote or inculcate gender ideology.

c. Review all agency position descriptions and send a notification to all employees whose position description involves inculcating or promoting gender ideology that they are being placed on paid administrative leave effective immediately as the agency takes steps to close/end all initiatives, offices, and programs that inculcate or promote gender ideology.

d. Take down all outward facing media (websites, social media accounts, etc.) that inculcate or promote gender ideology.

e. Review agency email systems such as Outlook and turn off features that prompt users for their pronouns.

f. Withdraw any final or pending documents, directives, orders, regulations, materials, forms, communications, statements, and plans that inculcate or promote gender ideology.

g. Cancel any trainings that inculcate or promote gender ideology or have done so in the past.

h. Disband or cancel any employee resource groups or special emphasis programs that inculcate or promote gender ideology or have done so in the past.

i. Review all agency forms that require entry of an individual's sex and ensure that all list male or female only, and not gender identity. Remove requests for "gender" and substitute requests for "sex."

j. Ensure that all applicable agency policies and documents, including forms, use the term "sex" and not "gender."

k. Ensure that intimate spaces designated for women, girls, or females (or for men, boys, or males) are designated by biological sex and not gender identity.

_____

Matthew Ammon
Acting Secretary
U.S. Department of Housing and Urban Development

Message

From: Hendrix, Elizabeth S [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7227E0C8EA884EC5B5ED78FB893A38B6-HENDRIX, EL]
Sent: 6/2/2025 9:32:17 PM
To: Armstrong, Wesley R [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=400e65bf642444848f9b9f6d0340469f-78e9acbc-22]; Horn, Bryan W [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=80bf0b06ce6c43a589879aeb22f789ba-e98a51fe-bf]
Subject: COSCDA-NCDA Response Letter
Attachments: HUD Response to COSCDA NCDA _FINAL.docx; COSCDA_NCDA Action Plan Letter_04.04.25.pdf

The response to COSCDA & NCDA's action plan letter has been reviewed and signed off by OGC leadership. While Urnell & her team route it for GDAS signature, I wanted to share it with you in advance for any talking points.

Thanks,
Beth

Beth Hendrix
Senior Advisor
Office of Community Planning and Development,
Business cell: 202-738- 2311 | Elizabeth.S.Hendrix@hud.gov

Message

From: Hendrix, Elizabeth S [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7227E0C8EA884EC5B5ED78FB893A38B6-HENDRIX, EL]
Sent: 6/5/2025 4:48:07 PM
To: Horn, Bryan W [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=80bf0b06ce6c43a589879aeb22f789ba-e98a51fe-bf]
Subject: COSCDA-NCDA Action Plan Letter
Attachments: HUD Response to COSCDA NCDA _FINAL2.pdf; COSCDA_NCDA Action Plan Letter_04.04.25.pdf

For your files. COSCDA-NCDA letter and HUD response. Alice will be sending this out tomorrow.

Beth Hendrix
Senior Advisor
Office of Community Planning and Development,
Business cell: 202-738- 2311 | Elizabeth.S.Hendrix@hud.gov

U.S. Department of Housing and Urban Development

Community Planning and Development

FY 2024 and FY 2025 Continuum of Care Competition and Renewal or Replacement of Youth Homeless Demonstration Program Grants
FR-6800-N-25
08/29/2025

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Community Planning and Development
FY 2024 and FY 2025 Continuum of Care Competition and Renewal or Replacement of Youth Homeless Demonstration Program Grants

Funding Opportunity Number:
FR-6800-N-25

Assistance Listing Number (formerly CFDA Number):
14.267

Due Date for Applications:
08/29/2025

The U.S. Department of Housing and Urban Development (HUD) issues this Notice of Funding Opportunity (NOFO) to invite applications from eligible applicants for the program and purpose described within this NOFO. You, as a prospective applicant, should carefully read all instructions in all sections to avoid sending an incomplete or ineligible application. HUD funding is highly competitive. Failure to respond accurately to any submission requirement could result in an incomplete or noncompetitive proposal.

In accordance with Title 24 part 4, subpart B of the Code of Federal Regulations (CFR), during the selection process (which includes HUD's NOFO development and publication and concludes with the award of assistance), HUD is prohibited from disclosing covered selection information. Examples of impermissible disclosures include: 1) information regarding any applicant's relative standing; 2) the amount of assistance requested by any applicant; and 3) any information

contained in the application. Prior to the application deadline, HUD may not disclose the identity of any applicant or the number of applicants who have applied for assistance.

For further information regarding this NOFO, direct questions regarding the specific requirements of this NOFO to the agency contact identified in Section VIII.

Paperwork Reduction Act Statement. The information collection requirements in this notice were approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. §§ 3501- 3520) (PRA). In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to a collection of information unless the collection displays a valid OMB control number. This NOFO identifies the applicable OMB control number, unless the collection of information is excluded from these requirements under 5 CFR part 1320.

OMB Control Number(s):
2506-0112

I. FUNDING OPPORTUNITY DESCRIPTION

A. Program Description

The Continuum of Care (CoC) Program is designed to promote a community-wide commitment to the goal of ending homelessness; to provide funding for efforts by nonprofit providers, States, Indian Tribes or Tribally Designated Housing Entities [as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103) (TDHEs)], and local governments to quickly rehouse individuals and families experiencing homelessness, persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, and stalking, and youth experiencing homelessness while minimizing the trauma and dislocation caused by homelessness; to promote access to and effective utilization of mainstream programs by homeless individuals and families, and to optimize self-sufficiency among those experiencing homelessness.

The goal of the Youth Homelessness Demonstration Program (YHDP) is to support the development and implementation of a coordinated community approach to preventing and ending youth homelessness and sharing that experience with and mobilizing communities around the country toward the same end. The population to be served by the demonstration program is youth ages 24 and younger who are experiencing homelessness, including unaccompanied and pregnant or parenting youth.

1. Authority

The CoC Program is authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, (42 U.S.C. 11381–11389) (the Act), and the CoC Program rule found in 24 CFR part 578 (the Rule).

The FY 2024 funds are authorized by the Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024). Available funds also include amounts made available pursuant to Section 231 of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94, division H, title II, section 231; 42 USC 11364a). The noncompetitive or competitive renewal or replacement of YHDP grants under the CoC program, and HUD's authority to issue a

2-year NOFO are authorized by the Consolidated Appropriations Act, 2024 and any FY 2025 funding will be authorized by a FY 2025 Congressional Appropriation.

2. Deadline.

This NOFO establishes two deadlines for submitting applications to HUD for the FY 2024 - FY 2025 CoC Program Competition and the Renewal and Replacement of YHDP grants. The deadline to submit CoC Consolidated applications and project applications for FY 2024 funds is 8:00 PM EDT on October 30, 2024. Applicants must complete and submit their applications in *e-snaps* at **https://esnaps.hud.gov/**. See Sections IV.F and G of this NOFO for application submission and timely receipt requirements.

CoC and YHDP Renewal grants that do not meet the renewal eligibility requirements for FY 2024 funding but are eligible for renewal when FY 2025 Congressional Appropriations are made available, must submit applications for FY 2025 funding by the application submission deadline of 8:00 PM EDT on August 29, 2025. Applicants with CoC projects that wish to reallocate eligible renewal projects and create new projects in the FY 2025 funding process must also submit those applications for reallocation by the application submission deadline of 8:00 PM EDT on August 29, 2025. Applicants with YHDP Projects that expire in CY 2025 may non-competitively renew or replace those projects and must submit an application by 8:00 PM EDT on August 29, 2025.

HUD may also amend this NOFO if necessary to make additional funds available.

3. Changes from Previous NOFO

a. Changes to Tiering. Tier 1 is set at 90 percent of the CoC's Annual Renewal Demand (ARD).

b. 2-Year NOFO. The Consolidated Appropriations Act, 2024 authorizes HUD to issue a single 2-year NOFO for fiscal years 2024 and 2025.

The application and selection process for the FY 2024 funds awarded through this NOFO (the FY 2024 CoC Program and YHDP funds) will proceed much like it has in prior-year competitions. However, CoCs are only required to submit one CoC application that will be applicable to the FY 2024 and FY 2025 funds. HUD reserves the right to award available FY 2025 funds (the FY 2025 CoC program and YHDP funds) based on this NOFO competition. Projects that are awarded FY 2024 funds may be eligible for award of FY 2025 funds using their FY 2024 application submission and are not required to apply for renewal for FY 2025 funds. CoC and YHDP renewal projects expiring in CY 2025 (January 1, 2025, and ending December 31, 2025) are eligible to be renewed with FY 2024 CoC and YHDP funds. Projects that will be eligible for renewal with FY 2025 CoC Program and YHDP funds must have an expiration date in CY 2026 (January 1, 2026, and ending December 31, 2026). Should there not be sufficient appropriated amounts to fully fund all FY 2025 renewal grants, grant amounts may be reduced proportionately. If new competitive funding becomes available for FY 2025, this NOFO may be amended and the FY 2024 - 2025 CoC Application and score may be used for the FY 2025 application selection process. Applications for FY 2025 eligible CoC and/or YHDP renewal projects and new projects created through CoC and/or DV reallocation or YHDP replacement, must be submitted in e-snaps by the application submission deadline for FY 2025 CoC and YHDP funds on August 29, 2025. HUD also reserves the right to modify this NOFO or issue a

supplemental FY 2025 CoC and YHDP NOFO if necessary (e.g., to accommodate a new CoC or YHDP priority or new funding source).

c. Funding for Specific Subpopulations. The House and Senate Committees on Appropriations expressed that for projects awarded for specific subpopulations (e.g., homeless youth or survivors of domestic violence, dating violence, sexual assault or stalking), before funding for such projects may be reallocated to other populations, HUD must consult with relevant stakeholders. For the FY 2024 funds, HUD requires funding reallocated from projects previously funded with YHDP or DV Bonus funding to be used for projects serving the same subpopulation. Therefore, prior to executing the reallocation of any project, HUD strongly recommends reviewing the Grant Inventory Worksheets (GIWs) published on the CoC Program Competitions page on the HUD.gov website to determine the type of new projects that can be created with reallocated funding intended for the specific subpopulations.

d. DV Reallocation and YHDP Replacement. In this NOFO, HUD has expanded reallocation to include DV Reallocation and has expanded the definition of YHDP Replacement to include YHDP Reallocation. HUD establishes these terms to distinguish between funding sources that must continue to serve the same populations of the projects being reallocated or, in the case of YHDP, replaced.

(1) ***DV Reallocation Applications.*** HUD is establishing a definition of DV reallocation to implement a congressional directive that requires projects previously funded using DV Bonus funds to continue to serve the same population, even when projects are reallocated. CoCs may reallocate eligible Renewal projects that were previously funded, in whole or in part, with DV Bonus funding to create DV Reallocation projects that are dedicated to serving the same population. New DV Reallocation projects must be 100 percent dedicated to serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking who qualify under paragraphs (1) or (4) of the definition of homeless at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act [see sections I.B.2.b.(24) and III.B.4.a.(4) of this NOFO for more information].

(2)*YHDP Replacement definition changes.* Language allowing HUD to competitively or noncompetitively renew or replace YHDP projects allows for reallocation of YHDP projects. HUD is allowing YHDP recipients to reallocate YHDP grants to increase the flexibility of the YHDP program. In this NOFO, CoCs may now submit applications for YHDP Replacement projects by:

(a) reallocating a YHDP Renewal project with a new YHDP Replacement project that has the same recipient (in this NOFO this is referred to as a YHDP Replacement project);

(b) reallocating YHDP Renewal project(s) to create one or more YHDP Reallocation projects with a new recipient, so long as the YHDP renewal project(s) being reallocated have already renewed in a prior CoC Program competition. In this NOFO, this is referred to as YHDP Reallocation projects [See sections I.B.2.b.(32), and III.B.4.a.(5) of this NOFO for more information]; and

(c) reallocating YHDP Renewal project(s) to create YHDP Expansion applications through the YHDP Replacement process.

e. Special YHDP Activities. In the FY 2024 – 2025 CoC NOFO, YHDP Renewal projects and YHDP Replacement projects (including YHDP Reallocation) may include requests to include special YHDP activities, subject to the requirements in section III.B.4.b.(5) of this NOFO.

f. Cost of Living Adjustments for Conditionally Selected Grants. The Consolidated Appropriations Act, 2024 authorizes HUD to make reasonable cost of living adjustments to renewal amounts to help afford increasing cost of operations due to inflation. See section V.D below.

4. HUD's Strategic Planning Goals and Homelessness Policy Priorities

a. HUD Strategic and Other Goals

HUD's Strategic Plan sets the direction and focus of our programs and staff to create strong, sustainable, inclusive communities and quality, affordable homes for all. This NOFO supports HUD's Strategic Plan for Fiscal Years (FY) 2022-2026 to accomplish HUD's mission and vision. Each of the five goals in the Strategic Plan includes what HUD hopes to accomplish, the strategies to accomplish those objectives, and the indicators of success.

HUD will pursue two overarching priorities focused on increasing equity and improving customer experience across all HUD programs. Five strategic goals and several objectives undergird the Plan; however, the following goals are applicable to this NOFO:

Applicable Goals and Objectives from HUD's Strategic Plan
Strategic Goal 1: Support Underserved Communities
Fortify support for underserved communities and support equitable community development for all people.

1A: Advance Housing Justice
Fortify support for vulnerable populations, underserved communities, and Fair Housing enforcement.

1B: Reduce Homelessness
Strengthen Federal, State, Tribal, and community implementation of the Housing First approach to reducing the prevalence of homelessness, with the ultimate goal of ending homelessness.

1C: Invest in the Success of Communities
Promote equitable community development that generates wealth-building for underserved communities, particularly for communities of color.

Strategic Goal 2: Ensure Access to and Increase the Production of Affordable Housing
Ensure housing demand is matched by adequate production of new homes and equitable access to housing opportunities for all people.

2A: Increase the Supply of Housing
Enhance HUD's programs that increase the production and supply of housing across the country.

2B: Improve Rental Assistance
Improve rental assistance to address the need for affordable housing.

Strategic Goal 3: Promote Homeownership
Promote homeownership opportunities, equitable access to credit for purchase and improvements, and wealth-building in underserved communities.

3A: Advance Sustainable Homeownership
Advance the deployment of tools and capital that put sustainable homeownership within reach.

3A – Major Initiative: Expand Homeownership Opportunities
Promote financing for innovative ownership models to increase the availability of affordable housing.

3B: Create a More Accessible and Inclusive Housing Finance System
Advance new policy, programs, and modernization initiatives that support a more equitable housing finance system. Promote the preservation and creation of affordable housing stock.

Strategic Goal 4: Advance Sustainable Communities
Advance sustainable communities by strengthening climate resilience and energy efficiency, promoting environmental justice, and recognizing housing's role as essential to health.

4A: Guide Investment in Climate Resilience
Invest in climate resilience, energy efficiency, and renewable energy across HUD programs.

4B: Strengthen Environmental Justice
Reduce exposure to health risks, environmental hazards, and substandard housing, especially for low-income households and communities of color.

4C: Integrate Health and Housing
Advance policies that recognize housing's role as essential to health.

You are expected to align your application to the applicable strategic goals and objectives below. Use the information in this section to describe in your application the specific goals, objectives, and measures that your project is expected to help accomplish. If your project is selected for funding, you are also expected to establish a plan to track progress related to those goals, objectives, and measures. HUD will monitor compliance with the goals, objectives, and measures in your project.

b. HUD Homeless Policy Priorities

This section provides additional context regarding the selection criteria found in section V.B. of this NOFO and is included here to help applicants better understand how the selection criteria support the goal of ending homelessness:

> **(1)** ***Ending homelessness for all persons.*** In 2023, the United States Interagency Council on Homelessness (USICH) presented All In: The Federal Strategic Plan to Prevent and End Homelessness to the President and Congress. The plan is built around six pillars: three foundations — equity, data and evidence, and collaboration — and three solutions — housing and supports, crisis response, and prevention. The work funded through this NOFO will support the actions and strategies proposed within the pillars. To end homelessness, CoCs should identify, engage, and effectively serve all persons experiencing homelessness. CoCs should measure their performance based on local data that consider the challenges faced by all subpopulations experiencing homelessness in the geographic area (e.g., veterans, youth, families, older adults, those experiencing chronic homelessness, and people with disabilities, including those living with HIV/AIDS). CoCs should partner with housing, health care, and supportive services providers and agencies to expand housing options, such as permanent supportive housing, housing subsidies, and rapid rehousing. Additionally,

CoCs should use local data to determine the characteristics of individuals and families with the highest needs and longest periods experiencing homelessness to develop housing and supportive services tailored to their needs.

(2) ***Use a Housing First approach*****.** Housing First prioritizes rapid placement and stabilization in permanent housing and utilizes housing as a platform for providing supportive services that improve a person's health and well-being. CoC Program funded projects should help individuals and families move quickly into permanent housing without preconditions and ensure that participants can choose the services they need to improve their health and well-being and remain in their housing. Additionally, CoCs should engage landlords and property owners to identify housing units available for rapid rehousing and permanent supportive housing participants, remove barriers to entry, and adopt client-centered service practices. HUD encourages CoCs to assess how well Housing First approaches are being implemented in their communities.

(3) ***Reducing Unsheltered Homelessness*****.** In recent years, the number of people experiencing unsheltered homelessness has risen significantly, including a rising number of encampments in many communities across the country. People living unsheltered have high rates of physical and mental health challenges, including substance use disorders. CoCs should explore all available resources, including CoC and ESG funded assistance, housing subsidies, health care programs, and other supportive services to help improve unsheltered people's well-being and help them move as quickly as possible to permanent housing. CoCs should work with law enforcement and their state and local governments to enlist their support for housing people residing in encampments, and to avoid practices that criminalize homelessness. Criminalization of homelessness risks the health of people living unsheltered and makes it more difficult for them to move into permanent housing. Additionally, CoCs should use their Coordinated Entry process to promote participant choice, coordinate homeless assistance and mainstream housing and services, and ensure people experiencing homelessness receive assistance quickly.

(4) ***Improving System Performance*****.** CoCs should be assessing the performance of all homelessness projects using system performance measures (e.g., average length of homeless episodes, rates of return to homelessness, rates of exit to permanent housing destinations). CoCs should review all projects eligible for renewal under this FY 2024 – 2025 CoC NOFO to determine their effectiveness in serving people experiencing homelessness, including their cost-effectiveness. The CoC Competition includes several options to help CoCs improve their effectiveness, including reallocation, expansion, and transition grants, and CoC's should take advantage of these options to improve their overall performance. CoCs should also look for opportunities to implement continuous quality improvement and other process improvement strategies.

(5) ***Partnering with Housing, Health, and Service Agencies.*** Using cost performance and outcome data, CoCs should improve how all available resources are utilized to end homelessness. HUD encourages CoCs to maximize the use of mainstream and other community-based resources when serving persons experiencing homelessness and should:

(a) Work closely with health care systems and agencies and assist program participants to obtain health care and supportive services, including behavioral health services, including those covered and financed by Medicaid. In addition, CoCs should develop

close partnerships with public health agencies to analyze data and design approaches that reduce homelessness, improve the health of people experiencing homelessness, and prevent and address disease outbreaks, including HIV/AIDS.

(b) Partner closely with PHAs and state and local housing organizations to utilize coordinated entry, develop housing units, and provide housing assistance to people experiencing homelessness. These partnerships can also help CoC Program participants exit permanent supportive housing through Housing Choice Vouchers and other available housing options. CoCs and PHAs should especially work together to implement targeted programs such as HUD-VASH, Mainstream Vouchers, Family Unification Program (FUP) Vouchers, Fostering Youth Independence (FYI) Vouchers, and other housing voucher programs targeted to people experiencing homelessness. CoCs should coordinate with their state and local housing agencies on the utilization of new program resources provided through the Homelessness Assistance and Supportive Services Program (HOME-ARP) that was created through the American Rescue Plan. CoCs should also work with organizations administering other housing assistance, such as assistance provided through HUD's Section 202 and 811 programs, HUD's Project Based Rental Assistance, and U.S. Department of Agriculture's housing assistance programs.

(c) Partner with local workforce development centers to improve employment opportunities.

(d) Work with Tribal organizations to ensure that Tribal members can access CoC-funded assistance when a CoC's geographic area borders a Tribal area.

(6) ***Racial Equity.*** In nearly every community, Black, Indigenous, and other people of color are substantially over-represented in the homeless population. In this NOFO, HUD is emphasizing system and program changes to address racial equity within CoCs and projects. Responses to preventing and ending homelessness should address racial inequities to ensure successful outcomes for all persons experiencing homelessness using proven approaches, such as: partnering with a racially diverse set of community partners and people experiencing homelessness and partnering with organizations with experience serving underserved populations. CoCs should review local data, policies, procedures, and processes to identify barriers that result in racial disparities and take steps to eliminate barriers to improve racial equity and to address disparities.

(7) ***Improving Assistance to LGBTQ+ Individuals.*** Discrimination on the basis of gender identity or sexual orientation manifests differently for different individuals and often overlaps with other forms of prohibited discrimination. CoCs should address the needs of LGBTQ+, transgender, gender non-conforming, and non-binary individuals and families in their planning processes. Additionally, when considering which projects to select in their local competition to be included in their application to HUD, CoCs should ensure that all projects provide privacy, respect, safety, and access regardless of gender identity or sexual orientation. CoCs should also partner with organizations with expertise in serving LGBTQ+ populations.

(8) ***Persons with Lived Experience/Expertise.*** The people who know best what solutions will effectively end homelessness are those who are experiencing homelessness. HUD

expects CoCs to include people with lived homeless expertise and experience in their local planning and decision-making processes. People with lived experience/expertise should determine how local policies may need to be revised and updated to improve the effectiveness of homelessness assistance programs, including participating in planning and oversight activities, developing local competition processes, monitoring and evaluation. CoC leaders and community partners should prioritize hiring people who have experienced homelessness in areas where their expertise is needed.

(9) ***Building an Effective Workforce*****.** Homeless assistance providers need effective, well-supported staff to provide high quality assistance. Unfortunately, recruiting and retaining qualified staff for programs to assist persons experiencing homelessness has proven difficult due to low pay and the challenging nature of the work. To address this issue, HUD is applying cost of living adjustments to supportive service activities and other staffing-focused budget lines to allow CoC budgets to better keep up with rising costs. HUD also encourages CoCs to work with their funders and other community stakeholders to improve pay and support for people who work in the homelessness sector.

(10) ***Increasing Affordable Housing Supply*****.** The lack of affordable housing is the main driver of homelessness. CoCs play a critical role in educating local leaders and stakeholders about the importance of increasing the supply of affordable housing and the specific consequences of the continued lack of affordable housing. CoCs should be communicating with jurisdiction leaders, including for the development of Consolidated Plans, about the harmful effects of the lack of affordable housing, and they should engage local leaders about steps such as zoning and land use reform that would increase the supply of affordable housing. This NOFO awards points to CoCs that take steps to engage local leaders about increasing affordable and accessible housing supply.

B. Definitions and CoC Program Concepts

1. Standard Definitions

Affirmatively Furthering Fair Housing (AFFH) means taking meaningful actions, in addition to combating discrimination, to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunities, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all program participant's activities and programs relating to housing and urban development. See 24 CFR 578.93(c) for specific Affirmatively Furthering Fair Housing requirements that apply to the CoC program.

Assistance Listing Number refers to the unique number assigned to each Federal assistance program publicly available in the Assistance Listing, which is managed and administered by the General Services Administration. The Assistance Listing number was formerly known as the Catalog of Federal Domestic Assistance (CFDA) number.

Deficiency, with respect to the making of an application for funding, is information missing or omitted within a submitted application. Examples of deficiencies include missing documents,

missing or incomplete information on a form, or some other type of unsatisfied information requirement. Depending on specific criteria, a deficiency may be either Curable or Non-Curable.

(1) A Curable Deficiency is missing or incomplete application information that may be corrected by the applicant with timely action. To be curable, the deficiency must:

- not be a threshold requirement, except for documentation of applicant eligibility;
- not influence how an applicant is ranked or scored versus other applicants; and
- be remedied within the time frame specified in the notice of deficiency.

(2) A Non-Curable Deficiency is missing or incomplete application information that cannot be corrected by an applicant after the submission deadline. A non-curable deficiency is a deficiency that is a threshold requirement, or a deficiency that, if corrected, would change an applicant's score or rank versus other applicants. If an application includes a non-curable deficiency, the application may receive an ineligible determination, or the non-curable deficiency may otherwise adversely affect the application's score and final funding determination.

Eligibility requirements are mandatory requirements for an application to be eligible for funding.

Environmental Justice means investing in environmental improvements, remedying past environmental inequities, and otherwise developing, implementing, and enforcing environmental laws and policies in a manner that advances equity and provides meaningful involvement for people and communities that have been environmentally underserved or overburdened, such as Black and Brown communities, indigenous groups, and individuals with disabilities. This definition does not alter the requirements under HUD's regulations at 24 CFR 58.5(j) and 24 CFR 50.4(l) implementing Executive Order 12898. E.O. 12898 requires consideration of how Federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and/or low-income populations. For additional information on environmental review compliance, refer to: https://www.hud.gov/program_offices/comm_planning/environment_energy/regulations.

Equity has the meaning given to that term in Section 2(a) of Executive Order 13985 and means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

Federal award has the meaning, depending on the context, in either paragraphs (1) or (2) of this definition:

(1)

(a) The Federal financial assistance that a recipient receives directly from a Federal awarding agency or indirectly from a pass-through entity, as described in 2 CFR 200.101; or

(b) The cost-reimbursement contract under the Federal Acquisition Regulations that a non- Federal entity receives directly from a Federal awarding agency or indirectly from a pass- through entity, as described in 2 CFR 200.101.

(2) The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (2) of the definitions of Federal financial assistance in 2 CFR 200.1, and this NOFO, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.

(3) Federal award does not include other contracts that a Federal agency uses to buy goods or services from a contractor or a contract to operate Federal Government owned, contractor operated facilities (GOCOs).

(4) See also definitions of Federal financial assistance, grant agreement, and cooperative agreement in 2 CFR 200.1.

Federal financial assistance has the same meaning defined at 2 CFR 200.1.

Grants.gov is the website serving as the Federal government's central portal for searching and applying for Federal financial assistance throughout the Federal government. Although the CoC Program NOFO is officially posted on Grants.gov, registration on Grants.gov is not required for submission of applications for this NOFO. This program only accepts applications submitted in *e-snaps*, an electronic application system.

Primary Point of Contact (PPOC) is the person who has the authority to submit the CoC Registration and the CoC's Consolidated Application on behalf of the CoC.

Racial Equity is the elimination of racial disparities, and is achieved when race can no longer predict opportunities, distribution of resources, or outcomes – particularly for Black and Brown persons, which includes Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other persons of color.

System for Award Management (SAM) is the Federal Repository into which an entity must provide information required for the conduct of business as a recipient. Registration with SAM is required for submission of applications via *e-snaps*. You can access the website at https://www.sam.gov/SAM/. There is no cost to use SAM.

Threshold Requirements are eligibility and quality requirements that must be met for an application to be reviewed, rated, and ranked. Threshold requirements are not curable, except for documentation of applicant eligibility and are listed in Section III.C.4. Similarly, there are eligibility requirements under Section III.A.

Underserved Communities has the meaning given to that term in Section 2(b) of Executive Order 13985 and refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the definition of "equity" above.

Unique Entity Identifier (UEI) means the identifier assigned by SAM to uniquely identify business entities. As of April 4, 2022, the Federal government has transitioned from the use of the DUNS Number to the use of UEI, as the primary means of entity identification for Federal awards government-wide.

2. Program-Specific Definitions and Concepts

Regulatory citations are provided below so applicants can refer to specific areas of the Rule. Projects awarded CoC Program funds are subject to the program regulations as they may be amended from time to time. However, YHDP Renewal and YHDP Replacement projects and awards are subject to CoC Program regulations except as otherwise provided in this NOFO [see section I.B.3.e].

The definitions and concepts contained in this section include terms that are important for all applicants to understand in order to complete all parts of the FY 2024 - 2025 CoC Consolidated Application in e-snaps on behalf of the CoC.

a. Definitions from 24 CFR 578.3. The following terms are defined in 24 CFR 578.3. Applicants must refer to the Rule for the definitions contained in this section.

(1) Annual Renewal Amount (ARA)
(2) Applicant
(3) Centralized or Coordinated Assessment System
(4) Chronically Homeless
(5) Collaborative Applicant
(6) Continuum of Care
(7) Consolidated Plan
(8) High Performing Community (HPC)
(9) Homeless Management Information System (HMIS)
(10) HMIS Lead
(11) Homeless. - Although not reflected in the regulation, section 605 of Violence Against Women Act Reauthorization Act of 2022 amended Section 103(b) of the Act and requires HUD to consider certain individuals and families as homeless. This amendment took effect on October 1, 2022. Notwithstanding anything to the contrary contained elsewhere in this NOFO, where 578.3 paragraph (4) is referenced, applicants may apply to serve the population as defined in Section 103(b) of the Act.
(12) Permanent Housing
(13) Permanent Supportive Housing
(14) Private Nonprofit Organization
(15) Program Participant
(16) Project
(17) Recipient
(18) Subrecipient
(19) Transitional Housing
(20) Unified Funding Agency
(21) Victim Service Provider

b. CoC Program NOFO Concepts. The following terms are not found in 24 CFR 578.3 but are used in other areas of the Rule or are used in this NOFO to define concepts that pertain specifically to the FY 2024 - 2025 CoC Consolidated Application.

(1) ***Annual Renewal Demand (ARD) (24 CFR 578.17(b)(2)).*** The total amount of all the CoC's projects that will be eligible for renewal in the CoC Program Competition, before any required adjustments to funding for leasing, rental assistance, and operating Budget Line

Items (BLIs) based on FMR changes. HUD will calculate the ARD by combining the total amount of funds requested by eligible renewal projects in each FY funding opportunity, including:

(a) renewal projects approved and ranked on the Renewal Project Listing;

(b) renewal project amount(s) that were reallocated as recorded on the reduced or eliminated reallocation forms of the CoC Priority Listing;

(c) YHDP renewal projects on the YHDP Renewal Project Listing; and

(d) YHDP Replacement projects, including YHDP Reallocation projects, on the YHDP Reallocation and Replacement Project Listing. YHDP Replacement projects are eligible for funding through the replacement of YHDP Renewal projects. The YHDP Replacement application must request the same amount of funding that is eligible for YHDP Renewal.

(2) ***Beds Dedicated to Chronically Homeless Individuals and Families.*** A permanent supportive housing bed that is dedicated specifically for use by individuals and families experiencing chronic homelessness [see 24 CFR 578.3 definition of Chronically Homeless] within a CoC's geographic area, as reported in the CoC's housing inventory count (HIC) and permanent housing (PH) project applications. When a program participant exits the project, the bed must be filled by another participant who is experiencing chronic homelessness unless there are no persons experiencing chronic homelessness within the CoC's geographic area. This concept only applies to PSH projects.

(3) ***CoC Bonus Project.*** The CoC Bonus allows CoCs to use up to 12 percent of their Final Pro Rata Need (FPRN) to create one or more new project applications. New projects created through the CoC Bonus must meet the project eligibility and project quality threshold requirements established by HUD in sections III.C.4.a. and b. of this NOFO. To be eligible to receive a CoC Bonus project, the Collaborative Applicant must demonstrate its CoC evaluates and ranks projects based on how they improve system performance as outlined in section V.B.2.b of this NOFO.

(4) ***CoC Merger.*** The CoC merger is a process where two or more CoCs voluntarily agree to merge the entire geographic areas of all CoCs into one larger CoC. HUD strongly encourages CoCs that struggle with capacity to merge with a neighboring CoC or Balance of State CoC during each fiscal year's CoC Program Registration process. To encourage CoC mergers and mitigate the potential adverse scoring implications that may occur when a high performing CoC merges with one or more lower-performing CoC(s), HUD will award up to 25 bonus points to the FY 2024 - 2025 CoC Application Score for CoCs that registered as a merged CoC during the FY 2024 CoC Program Registration process. The minimum number of points awarded will be 5 with the maximum points awarded up to 25.

To be eligible for these points, the merged CoC must include all the geographic areas previously included in two or more CoCs that received funding in the FY 2023 CoC Program Competition. Points will be awarded as follows:

(a) 5 bonus points to CoCs that merged;

(b) 10 bonus points to CoCs where one or more of the merging CoCs had a CoC Application score of 140 points or lower in either the FY 2022 or FY 2023 CoC Program Competitions; and

(c) 10 bonus points to CoCs that demonstrate that the results of their Point-in-Time counts were affected by the changes in methodology that resulted from the merger in a way that would affect their CoC score.

(5) ***DedicatedPLUS Project.*** A PSH project where 100 percent of the beds are dedicated to serve individuals, households with children, and unaccompanied youth (including pregnant and parenting youth) that at intake meet one of the following categories:

(a) experiencing chronic homelessness, meaning they qualify as "chronically homeless" as defined in 24 CFR 578.3;

(b) residing in a TH project that will be eliminated and meets the definition of chronically homeless in effect at the time in which the individual or family entered the TH project;

(c) residing in a place not meant for human habitation, emergency shelter, or Safe Haven and had been admitted and enrolled in a PH project within the last year but were unable to maintain a housing placement and met the definition of chronically homeless as defined by 24 CFR 578.3 prior to entering the project;

(d) residing in transitional housing funded by a Joint TH/PH-RRH component project and who were experiencing chronic homelessness as defined by 24 CFR 578.3;

(e) residing and has resided in a place not meant for human habitation, Safe Haven, or emergency shelter for at least 12 months in the last three years, but has not done so on four separate occasions and the individual or head of household meet the definition of 'homeless individual with a disability; or

(f) receiving assistance through a Department of Veterans Affairs (VA)-funded homeless assistance program and met one of the above criteria at initial intake to the VA's homeless assistance system.

A renewal project where 100 percent of the beds were dedicated to individuals and families experiencing chronic homelessness, as described in section I.B.2.b.(2), under the grant that is being renewed may either be reallocated as a DedicatedPLUS project or may continue as a renewal dedicating 100 percent of its beds to individuals and families experiencing chronic homelessness. If the project is reallocated as a DedicatedPLUS project, the project must adhere to all fair housing requirements at 24 CFR 578.93.

Projects HUD awarded as DedicatedPLUS in a previous CoC Program Competition must continue to include households with children to qualify as a DedicatedPLUS project in the FY 2024 - 2025 CoC Program Competition.

(6) ***Domestic Violence, Dating Violence, Sexual Assault, and Stalking Bonus (DV Bonus).*** A new project that is dedicated to individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking who qualify under the paragraphs (1) or (4) of definition of homeless at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance

Act. As described in paragraph (13) below, survivors of human trafficking may qualify as homeless under paragraph (4) of the homeless definition at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act because they are often also victims of domestic violence, dating violence, sexual assault, or stalking, however, a DV Bonus project may not exclusively serve people fleeing or attempting to flee human trafficking. New DV Bonus projects are subject to the limitation on new projects in section I.B.3.a.(1) of this NOFO. CoCs may apply for DV Bonus projects where the total amount for one year of funding for all DV Bonus applications is up to 15 percent of its Preliminary Pro Rata Need (PPRN); however, this amount is limited to:

(a) a minimum of $50,000 if 15 percent of the CoC's PPRN is less than $50,000; or

(b) a maximum of $5 million if 15 percent of the CoC's PPRN is more than $5 million.

See sections I.B.3.j and I.B.2.b.(6) of this NOFO for project application requirements and how DV Bonus projects will be reviewed and selected.

(see definition of PPRN in section I.B.3.u. below)

(7) ***Domestic Violence, Dating Violence, Sexual Assault, and Stalking Renewal Projects (DV Renewal Projects)***. Are eligible renewal projects that were originally funded with DV Bonus funding or were at some point expanded using DV Bonus funding and continue to serve the same population.

(8) ***Eligible Renewal Project.*** Consists of YHDP, CoC and DV projects eligible to renew under this NOFO. An eligible FY 2024 renewal project must have an expiration date in CY 2025 (between January 1, 2025 and December 31, 2025) and eligible FY 2025 renewal projects must have an expiration date in CY 2026 (between January 1, 2026, and December 31, 2026). Renewal project applications must be submitted by the same recipient operating the project. See section III.B.4.c for more information on renewal projects.

In cases where an expiring grant agreement is amended to have a new recipient after a renewal application is submitted, the new recipient will be eligible to receive the renewal award (Section VI.A.4).

(9) ***Expansion.*** The process used by eligible renewal project applicants to add funds to an existing CoC Renewal, DV Renewal or YHDP Renewal project to expand its current operations either through reallocation, DV Bonus or a CoC Bonus project application. Project applicants may expand their current project by adding units, beds, persons served, services provided to existing program participants, or in the case of HMIS, increase the current HMIS activities within the CoC's geographic area. Applications to expand YHDP Renewal projects through the YHDP Replacement process can only be funded with funding reallocated from another YHDP Renewal project. For more information on expansion applications see section III.B.4.a(6) of this NOFO.

(10) ***Final Pro Rata Need (FPRN) (24 CFR 578.17(b)(3)).*** The higher of PPRN or ARD for the Continuum of Care is the FPRN, which is the base for the maximum award amount for projects within the CoC.

(11) ***Formula Area.*** Defined in the Indian Housing Block Grant Program at 24 CFR 1000.302.

(12) ***Grant Consolidation.*** The process by which two or more projects eligible for renewal under this NOFO apply for funding and are combined into a single renewal project upon award. See sections I.B.3.d and III.B.4.a.(7) of this NOFO for additional information.

(13) ***Homelessness and Human Trafficking.*** HUD is clarifying that persons who are fleeing or attempting to flee human trafficking may qualify as homeless under paragraph (4) of the homeless definition at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act and may be eligible for certain forms of homeless assistance under the CoC Program, subject to other restrictions that may apply. HUD considers human trafficking, including sex trafficking, to be "other dangerous or life-threatening conditions that relate to violence against the individual or family member" under paragraphs (1) and (4) of the definition of homeless at 24 CFR 578.3 and "other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation" under section 103(b) of the McKinney-Vento Homeless Assistance Act.

(14) ***Host Home and Kinship Care*****.** Host Home and Kinship Care is limited to YHDP Renewal and replacement grants. This is a model of housing where a family agrees to permit a youth program participant to reside with them. Recognizing the addition of another person in the home may increase costs to the family, HUD will consider YHDP Replacement project applications that propose to house youth with families and subsidize the additional costs attributable to housing the youth, including recruitment of hosts. An example of eligible costs would be additional food or transportation costs, which are eligible supportive services under 24 CFR 578.53(e)(7) or 24 CFR 578.53(e)(15). Recipients must keep records related to this determination for HUD review upon request. The residence is in a community-based setting and the family may be related to youth program participants with a time-limited or unlimited length of stay.

(15) ***Housing First.*** A model of housing assistance that prioritizes rapid placement and stability in permanent housing in which admission does not have preconditions (such as sobriety or a minimum income threshold) and in which housing assistance is not conditioned upon participation in services. Transitional Housing and Supportive Services Only projects are considered to be using a Housing First model for the purposes of this NOFO if they operate with low barriers; work to quickly move people into permanent housing; do not require participation in supportive services for continued tenancy, occupancy, or participation in the project; and, for Transitional Housing projects, do not require preconditions for moving into the transitional housing (e.g., sobriety or minimum income threshold) but do provide or assist with access to such supportive services. Additional information regarding Housing First is in section I.A.4.b.(2) of this NOFO.

(16) ***Housing Inventory Count (HIC).*** A complete listing of the CoC's HUD and non-HUD funded beds dedicated to individuals and families experiencing homelessness in the CoC's geographic area.

(17) ***Indian Tribe.*** A federally recognized Tribe or a State recognized Tribe as defined in Section 4 of NAHASDA (25 U.S.C. 4103).

(18) ***Joint TH/PH-RRH Component Project****.* The Joint TH/PH-RRH component project combines two existing program components – Transitional Housing and Permanent Housing-

Rapid Rehousing – in a single project to serve individuals and families experiencing homelessness. The recipient must adopt a Housing First approach [see sections I.A.4.b.(2) and I.B.2.b.(15) of this NOFO] across the entire project and program participants may only receive up to 24-months of total assistance. For more information about Joint TH/PH-RRH component project quality threshold requirements, see section III.C.4.b. of this NOFO.

If funded, HUD will limit eligible costs as follows, in addition to other limitations found in the Rule:

(a) leasing of a structure or units, and operating costs to provide transitional housing;

(b) short- or medium-term tenant-based rental assistance on behalf of program participants to pay for the RRH portion of the project;

(c) supportive services;

(d) costs of contributing data to the HMIS; and

(e) project administrative costs.

Project applicants must provide details in the project description of how TH and PH-RRH assistance will be provided. Additionally, if CoC Program funds are not being requested for both TH and PH-RRH units, the project application must describe and include the number of the project's TH and PH-RRH units that will be paid for from another funding source. Applicants may only use CoC Program Leasing funds or non-CoC Program Funds to house program participants enrolled in the TH portion of the project.

When a program participant is enrolled in a Joint TH/PH-RRH component project, the recipient or subrecipient must be able to provide both components, including the units supported by the TH component and the tenant-based rental assistance and services provided through the PH-RRH component, to all participants. A program participant may choose to receive only the assistance provided through the TH portion of the project or the assistance provided through the PH-RRH component, but the recipient or subrecipient must make both types of assistance available.

(19) ***Non-Dedicated Permanent Supportive Housing Beds.*** Permanent Supportive Housing beds within a CoC's geographic area that are not currently classified as dedicated for use by chronically homeless individuals and families or as DedicatedPLUS.

(20) ***Project Applicants.*** Eligible project applicants for the CoC Program are identified in section III.A.4 of this NOFO. For-profit entities are ineligible. HUD will not review applications submitted by ineligible entities.

(21) ***Preliminary Pro Rata Need (PPRN).*** The amount of funds a CoC could receive based upon the geographic areas included by the CoC as part of their geography and reviewed by HUD during the CoC Program Registration process. To determine the amount of funding available for each geographic area, HUD will use the formula defined in section IV.B.7 of CPD-22-02: CoC Program Registration Notice.

(22) ***Racial Disparities.*** Racial disparities are differences in the population of persons experiencing homelessness based on race or ethnicity, which includes individuals who are Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other persons of

color relative to the general population or differences in the provision or outcomes of homelessness assistance based on race or ethnicity.

(23) ***Rapid Rehousing (RRH).*** A type of permanent housing meeting the requirements of 24 CFR 578.37(a)(1)(ii).

(24) ***Reallocation.*** Reallocation is a process CoCs use to shift funds in whole or in part from existing eligible renewal projects to create one or more new projects without decreasing the CoC's ARD. New projects created through reallocation must meet the requirements in sections I.B.3.a, III.B.4.a.(3), (4) and (5), and the project eligibility and project quality thresholds established in sections III.C.4.a. and b. of this NOFO. CoCs may only reallocate eligible renewal projects so long as the renewal project being reduced or eliminated has a current grant agreement and has renewed under the CoC Program at least once. First time renewals are not eligible for reallocation.

(a) The House and Senate Committees on Appropriations expressed that for projects awarded for specific subpopulations (e.g., youth experiencing homelessness or survivors of domestic violence, dating violence, sexual assault or stalking), before funding for such projects may be reallocated to other populations, HUD must consult with relevant stakeholders. For the FY 2024 Funding Opportunity, HUD requires funding reallocated from projects previously funded with YHDP or DV Bonus funding must be used for projects serving the same subpopulation. Therefore, prior to executing the reallocation of any project, HUD strongly recommends reviewing the Grant Inventory Worksheets (GIWs) published on the CoC Program Competitions page on the HUD.gov website to determine the type of new projects that can be created with reallocated funding intended for the specific subpopulations.

(b) DV Reallocation. DV Reallocation Projects are projects created from the reallocation of eligible DV Renewal projects [I.B.2.b.(7)]. CoCs may reallocate eligible DV Renewal projects to create new DV Reallocation projects, so long as 100 percent of the population served by the new DV Reallocation project are individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking who qualify under paragraphs (1) or (4) of the definition of homeless at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act.

When reallocating DV Renewal project(s), the new project(s), including new expansion projects created with reallocation DV Renewal funding, in their entirety must meet all the same requirements of a DV Bonus project (see section III.B.4.a.(4)) and the sum of all DV Reallocation applications must be for the same amount of funding made available from the DV Renewal funding being reallocated. If a CoC reallocates funding from a DV Renewal grant and does not earmark those funds for new project(s) that are 100 percent dedicated to that subpopulation, HUD may condition the project applications to ensure the projects are serving the required subpopulation. If an applicant does not resolve the condition placed on the project, HUD will reject the project application. To avoid any potential delays in funding or a loss in ARD, CoC should review the GIWs published on the CoC Program Competitions page on the HUD.gov to determine which renewal projects were previously awarded DV Bonus funds, including CoC projects that were previously expanded and partially includes DV Bonus funding.

The following restrictions also apply:

(i.) DV Renewal projects that have an SSO-CE component cannot be reallocated.
(ii.) Reallocated DV Renewal funding cannot be used to expand a CoC Renewal grant.

(c) In addition to reallocations that occur using FY 2024 funding, subject to the language in the FY 2025 HUD Appropriation, CoCs may reallocate eligible FY 2025 renewal grants, including grants awarded FY 2024 funding, to create new grants for FY 2025 CoC and YHDP Funding. However, YHDP projects that have not been renewed in a prior CoC program competition may not be reallocated.

(d) To create a Transition Grant through the reallocation process, the CoC must wholly eliminate one or more projects and use those funds to create the single, new transition grant [see section I.B.2.b.(30) of this NOFO].

(e) For information on reallocating YHDP projects through the replacement process, see sections I.B.2.b.(32), I.B.3.e and III.B.4.a.(5) of this NOFO.

(25) ***Reservation*****.** For purposes of this Notice, reservations are a type of formula area as specifically delineated under HUD's IHBG program at 24 CFR 1000.302.

(26) ***Rural Area.*** For this competition a rural area is a county which:

(a) has no part of it within an area designated as a standard metropolitan statistical area by the Office of Management and Budget;
(b) is within an area designated as a metropolitan statistical area or considered as part of a metropolitan statistical area and at least 75 percent of its population is local on U.S. Census blocks classified as non-urban; or
(c) is located in a state that has a population density of less than 30 persons per square mile (as reported in the most recent decennial census), and of which at least 1.25 percent of the total acreage of such State is under Federal jurisdiction, provided that no metropolitan city in such State is the sole beneficiary of the grant amounts awarded under this NOFO. A metropolitan city means a city that was classified as a metropolitan city under section 102(a) of the Housing and Community Development Act of 1974 (42. U.S.C. 5302(a)) for the fiscal year immediately preceding the fiscal year for which Emergency Solutions Grants program funds are made available.

(27) ***Shared Housing*****.** YHDP Renewal and replacement grants may provide rental assistance for shared housing where youth may reside with family or another unrelated person. The youth leases from the property owner and shares the unit with the family or unrelated person. The unit may be a house or an apartment.

(a) YHDP rental assistance cannot be provided to a youth to reside in a unit occupied by an immediate family member. For this NOFO "immediate family member" includes parents, grandparents, and legal guardians.

(b) YHDP rental assistance cannot be provided to a youth in a shared housing unit if the landlord is an immediate family member of the youth.

(c) YHDP rental assistance may only be provided to a youth if the youth can enter into a valid, binding, and enforceable lease under applicable state or local law. This includes a

legally appointed guardian executing a lease on behalf of a youth or an emancipated youth entering into a lease.

(d) YHDP Renewal and replacement grants may provide a shared housing option for youth program participants who are not part of a household but are interested in sharing a housing unit with a roommate unrelated to the program participant.

(28) ***Solo Applicants*****.** Per the Act, "A solo applicant may submit an application to the Secretary for a grant under subsection (a) and be awarded such grant on the same basis as such grants are awarded to other applicants based on the criteria described in section 427 [42 U.S.C. 11386a], but only if the Secretary determines that the solo applicant has attempted to participate in the continuum of care process but was not permitted to participate in a reasonable manner. The Secretary may award such grants directly to such applicants in a manner determined to be appropriate by the Secretary." A solo applicant must submit a solo applicant project application in e-snaps prior to the application deadline of 8:00 PM EDT on October 30, 2024, for FY 2024 CoC and YHDP Funding., or 8:00 PM EDT on August 29, 2025 if Congressional Appropriations authorize HUD to solicit applications for new FY 2025 CoC and YHDP Funding. Additionally, for HUD to consider its solo application, a solo applicant must also meet all the requirements outlined in section VII.C of this NOFO.

(29) ***Tribally Designated Housing Entity*****.** For purposes of this Notice, this term has the same meaning as in Section 4 of NAHASDA (25 U.S.C. 4103).

(30) ***Transition Grant.*** A grant to fund a new CoC project through the reallocation process to transition an eligible renewal project from one program component to another eligible new component over a 1-year period. The renewal project transitioning to a new component must be fully eliminated through reallocation. Transition grants in this Competition may apply to renew in subsequent fiscal year competitions for eligible activities of the new component. Prior to applying for a transition grant, the current recipient must have the consent of its Continuum of Care; and the new project application must meet project eligibility and project quality thresholds established by HUD in sections III.C.4.a. and b. of this NOFO.

Transition grants HUD conditionally awards in the CoC Program Competition have 1 year to fully transition from the original component to the new component. The transition grant's operating start date will be the day after the end of the previous grant term for the expiring component. For transition grants reallocated from more than one project, the operating start date of the transition grant will be the day after the end of the earliest expiring grant term. The grant term may be extended consistent with 2 CFR 200.308 and 2 CFR 200.309. After the first operating year for which FY 2024 funds are awarded, the transition grant must be fully operating under the new component and will be eligible for renewal in the FY 2025 Operating year under the component to which it transitioned subject to the language in the FY 2025 HUD Appropriation. Projects seeking to renew with FY 2025 funds (including grants that renewed with FY 2024 funds) may submit a transition grant application for FY 2025 funds. Subject to the language in the FY 2025 HUD Appropriation, transition grant applications awarded FY 2025 funds must fully transition to the new component by the end of the 1-year grant term and must apply for renewal in the next CoC Program Competition under the component to which it transitioned.

For a new project to be considered a transition grant, the new project applicant must be the recipient listed on the current grant agreement for the eligible renewal grant(s) being eliminated and must include the grant number(s) of the project(s) being eliminated to create the new project and attach a copy of the most recently awarded project application. For example, expiring FY 2023 grants applying to transition to a new component during the FY 2024 funding process will attach a copy of the FY 2023 CoC Program Competition project application.

(a) If the project application identifies the project as a transition project and the CoC ranks the new transition grant project on the New Project Listing in the CoC Priority Listing, HUD will consider this as CoC consent.

(b) If HUD determines a new project submitted as a transition grant does not qualify, but meets all other new project requirements, HUD may award the project as a new non-transition grant project. If this occurs, the new project operating start date will be reflected in the grant agreement .

(c) YHDP Renewal grants are not eligible to use the transition grant process. YHDP Renewal grants must submit a YHDP Replacement application to change component types.

(d) Grants with DV Renewal funding are not eligible to use the transition grant process.

(31) ***Trust Land.*** For purposes of this Notice, trust lands are a type of formula area as delineated under HUD's IHBG program at 24 CFR 1000.302.

(32) ***YHDP Replacement Process.*** The Consolidated Appropriations Act, 2024, permits the replacement of renewing YHDP projects under the CoC Program. The YHDP Replacement process occurs when: (1) a CoC reallocates a YHDP Renewal project to create one or more new YHDP project(s) that has the same recipient referred to as YHDP Replacement in this NOFO; (2) a CoC is reallocating a YHDP Renewal project to create one or more new projects with a new recipient referred to as YHDP Reallocation in this NOFO; or (3) a CoC is reallocating YHDP Renewal project(s) to create YHDP Expansion applications through the YHDP Replacement process. For more information on YHDP Reallocation, see sections I.B.3.e and III.B.4.a.(5) of this NOFO.

c. FY 2024 - FY 2025 CoC Program Competition NOFO Requirements. All requirements for submitting applications for projects eligible for FY 2024 CoC and YHDP funding, including requirements for the entire Consolidated Application, are contained in this NOFO. This NOFO also includes requirements for submitting applications for FY 2025 funding, including FY 2025 reallocation project applications. Subject to the FY 2025 HUD Appropriation, HUD may amend this NOFO if FY 2025 appropriations authorize HUD to solicit applications for funding not currently covered under this NOFO.

Applicants should read this information carefully and respond to all submission requirements and deadlines as described.

The 8:00 PM EDT application submission deadline on October 30, 2024, applies to the following (see Section IV.G of this NOFO for more information):

- FY 2024 - 2025 CoC Application;

- FY 2024 Project Applications; and
- FY 2024 Priority Listing, including a signed HUD-2991.

Collaborative Applicants complete one CoC Application for the FY 2024 and FY 2025 funding, and it must be submitted in e-snaps by the 8:00 PM EDT Application Submission deadline on October 30, 2024. CoC Applications will not be accepted during the FY 2025 Application submission phase, but the Collaborative Applicant must still submit an application for FY 2025 funding. Applicants that are designated Unified Funding Agencies (UFAs) or High Performing Communities (HPCs) by HUD during the FY 2024 CoC Program Registration process will maintain their UFA and/or HPC designation for the FY 2025 Funding Process.

Collaborative Applicants and UFAs with CoC (including DV Renewal) and YHDP Renewal grants with an expiration date in CY 2026, that were not awarded FY 2024 CoC and YHDP funding and applications for new grants created through CoC Reallocation, or DV Reallocation, or YHDP Replacements which includes YHDP Reallocation must submit their applications for FY 2025 funding no later than 8:00 PM EDT on August 29, 2025. Projects that are awarded FY 2024 funds may be eligible for award of FY 2025 funds using their FY 2024 application submission and are not required to apply for renewal for FY 2025 funds.

Collaborative Applicants and UFAs will be required, at a minimum, to submit the following as part of their application to apply for FY 2025 funding:

- FY 2025 Renewal project applications for grants that were not funded in FY 2024 that have an expiration date in CY 2026 (between January 1, 2026, and December 31, 2026).
- Applications for projects created through the reallocation of eligible CoC renewal (including DV Renewal) grants and through the replacement of eligible YHDP renewal grants which also includes YHDP Reallocation;
- FY 2025 Project Listing that includes all projects approved by the CoC to apply for FY 2025 funding; and,
- A signed HUD-2991. This form will be included as part of the FY 2024 - FY 2025 Consolidated Application and is not required to include projects that were awarded FY 2024 funding and are continuing in FY 2025.

Collaborative Applicants, and project applicants should read this NOFO in its entirety in conjunction with the Rule to ensure a comprehensive understanding of and compliance with all CoC Program requirements. This NOFO frequently references citations from the Rule.

(1) CoCs should consider the policy priorities established in this NOFO in conjunction with local priorities to determine the ranking of new and renewal project application requests. See section I.A.4 of this NOFO for more information on HUD's homelessness policy priorities and program highlights.

(2) HUD will conduct threshold reviews of project applicants, subrecipients, and project applications for all CoC Consolidated Applications submitted by the FY 2024 and FY 2025 application submission deadlines as described in section IV.G.

(3) HUD may issue more than one conditional funding announcement, including for instances where a CoC has been affected by a disaster and for which HUD has extended the deadline for application submission.

(4) HUD will score the FY 2024 - 2025 CoC Application portion of the Consolidated Application in accordance with the criteria set forth in section V.B of this NOFO.

(5) CoC Planning and UFA Costs project applications are not ranked and will be selected, provided they pass project eligibility and project quality threshold review.

(6) HUD selects the following projects that pass project eligibility, project quality threshold, and if applicable, project renewal threshold, using the Tier 1 and Tier 2 ranking process described in sections I.B.3.h of this NOFO for FY 2024 funding.

(a) CoC Bonus projects.
(b) CoC Renewal projects (including DV Renewal projects).
(c) New CoC Reallocation projects.
(d) New DV Reallocation projects.

Projects with a ranked position in Tier 1 will be selected based on requirements in section I.B.3.h.(1) of this NOFO and Projects with a ranked position in Tier 2 will be selected based on the CoC Application score and the project application score outlined in section I.B.3.h.(2) of this NOFO.

(7) YHDP Renewal projects and YHDP Replacement projects including YHDP Reallocation projects are non-competitive YHDP projects and must not be ranked by CoCs. HUD will select YHDP projects for funding if they pass project eligibility and project quality threshold review, and for YHDP project renewal threshold; as explained in section III.C.4.c. of this NOFO. HUD will not reject YHDP Replacement project applications which includes YHDP Reallocation projects during quality threshold review; however, HUD may require YHDP Replacement grant recipients to correct or revise information submitted after the final CoC Program Competition award announcement.

(8) HUD may select new DV Bonus project applications that pass project eligibility and project quality threshold with:

(a) DV Bonus funds based on the CoC Application score, how the CoC collaborates with victim service providers, the need for the project, and how the provider will involve survivors with lived experience/expertise in the policy and program development [section I.B.3.j of this NOFO]. HUD will remove DV Bonus project applications selected with DV Bonus funds from the Tier 1 and Tier 2 ranking process; or

(b) CoC Bonus or reallocated funds where the project application retains its ranked position in Tier 1 or Tier 2 and may be selected by HUD as outlined in sections I.B.3.h.(1) or (2) of this NOFO.

(9) DV Reallocation Projects submitted for FY 2024 CoC and YHDP funding must be ranked in either Tier 1 or Tier 2 and may be selected for award as outlined in sections I.B.3.h.(1) or (2) of this NOFO.

c. Establishing and Operating the CoC. 24 CFR 578.5 and 24 CFR 578.7 detail the requirements for the establishment of a CoC and its responsibilities.

d. CoC Geographic Area. 24 CFR 578.5 requires representatives from relevant organizations within a geographic area to establish a CoC to carry out the duties within the geographic area. The boundaries of identified CoC geographic areas cannot overlap, and any overlapping

geographies are considered Competing CoCs. HUD follows the process at 24 CFR 578.35(d) to determine which CoC HUD will fund in the case of CoC geographic areas that overlap.

e. Planning Duties of the CoC. Planning duties for CoCs are detailed in 24 CFR 578.7.

f. Centralized or Coordinated Assessment System (Coordinated Entry). In general, 24 CFR 578.23(c)(9) and (11) requires all CoC program recipients and subrecipients to use the centralized or coordinated assessment system established by CoCs. The definition of Centralized or Coordinated Assessment (also known as Coordinated Entry) is found at 24 CFR 578.3. 24 CFR 578.7(a)(8) details the responsibilities of the CoC to establish and operate this required system. In addition to the definition and responsibilities established in the Rule, HUD posted on its website, CPD-17-01: *Notice Establishing Additional Requirements for a Continuum of Care Centralized or Coordinated Assessment System*, establishing additional requirements related to the development and use of a centralized or coordinated entry assessment system. These systems help communities assess the needs of program participants and effectively match individuals and families experiencing homelessness with the most appropriate resources available to address their supportive service and housing needs. CoCs may use planning costs to design and plan for the implementation of a Coordinated Entry system; however, once the system is established and operating, the costs of operating it are not eligible planning costs. CoCs must operate the system with CoC Program funds, other funds, or a combination of the two. Section 578.23(c)(9) of the CoC Program Rule exempts victim service providers from using the CoC's coordinated entry process if victim service providers use a coordinated entry process that otherwise meets HUD's requirements.

g. CoC Program Components. 24 CFR 578.37 states CoC funds may be used to create and operate projects under five program components: PH (including PSH and RRH); TH; SSO; HMIS; and in some cases, homelessness prevention. Only CoCs designated by HUD as HPCs during the CoC Registration process may carry out homelessness prevention activities through the CoC Program. In the FY 2017 CoC Program Competition and Registration Notice, HUD introduced a new Joint TH and PH-RRH component type that CoCs could apply for. The only types of projects that will be funded in the FY 2024 – FY 2025 CoC Program Competition are:

(1) PH (PSH and RRH);
(2) TH;
(3) Joint TH and PH-RRH;
(4) SSO; and
(5) HMIS.

h. Collaborative Applicant. The Collaborative Applicant is the single applicant designated by the CoC to compile all parts of the FY 2024 - 2025 CoC Consolidated Application, including the CoC Application, the CoC Priority Listing, and all project applications that the CoC has recommended for funding within the geographic area (24 CFR 578.9(a)(3)). HUD will only review CoC Consolidated Applications submitted by the CoC designated Collaborative Applicant. When FY 2025 funds become available, the FY 2025 CoC Priority Listing and FY 2025 project applications submitted by the CoC become part of the FY 2024 - 2025 CoC Consolidated Application.

Additionally, the Collaborative Applicant is the only entity eligible to apply to HUD for CoC Planning costs and if designated as a UFA by HUD, for UFA Costs (24 CFR 578.3).

3. CoC Program Provisions.

The following list highlights important information that applicants should consider as they are preparing the FY 2024 - 2025 CoC Application and project applications(s). This is not an exhaustive list of considerations or requirements; therefore, all applicants should carefully review the Rule for comprehensive information.

a. Performance-Based Decisions. Consistent with the requirements of the Consolidated Appropriations Act, 2024:

(1) Requests for new CoC project applications , except for new projects created through reallocation, are not allowed, unless the CoC evaluates and competitively ranks projects based on how they improve the CoC's system performance as outlined in section V.B.2.b of this NOFO; and

(2) HUD will prioritize funding for CoCs that have demonstrated the capacity to reallocate funding from lower to higher performing projects.

b. Indian Tribes or Tribally Designated Housing Entities (TDHEs). The Consolidated Appropriations Act, 2021 amended Title IV of the Act by adding Section 435 so designated Indian Tribes or TDHEs (as defined in Section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103) may:

(1) create a CoC;
(2) be a Collaborative Applicant;
(3) be an eligible project applicant; or
(4) receive grant amounts from another entity that receives a grant directly from HUD (i.e. be a CoC grant subrecipient).

However, under 42 U.S.C. 11383(g) only States, Units of General Local Government, nonprofit organizations, and Public Housing Agencies may administer permanent housing rental assistance.

c. Coordination with Housing and Healthcare. The Consolidated Appropriations Act, 2024 directs HUD to provide incentives to create projects that coordinate with housing providers and healthcare organizations to provide permanent supportive housing and rapid rehousing services. In the FY 2024 - 2025 CoC Program Competition, CoCs may receive up to 14 points on the CoC Application if the FY 2024 CoC Priority Listing includes new project applications created through reallocation or the CoC Bonus that utilizes housing vouchers and healthcare provided through an array of healthcare services providers. See section V.B.6 of this NOFO for additional details.

d. Consolidation Project. Project applicants can consolidate two but no more than ten eligible renewal projects during the application process. The projects being combined during a grant consolidation will continue uninterrupted. To be eligible for consolidation, the projects must have the same recipient (as evidenced by recipient's Unique Entity Identifier) and be for the same component. Additionally, YHDP projects cannot consolidate with non-YHDP projects. See section III.B.4.a.(7) of this NOFO for additional information.

e. Youth Homeless Demonstration Program (YHDP). Consistent with the requirements of the Consolidated Appropriations Act, 2024, funding for the CoC Program may be used to competitively or non-competitively renew or replace grants for YHDP projects.

HUD will non-competitively renew and replace YHDP projects which includes new YHPD projects created from the reallocation of YHDP renewal grants; however, these project applications will be reviewed for compliance with project eligibility, project quality, and if applicable, project renewal thresholds. See sections III.B.4.a.(5), III.B.4.b.(5) and I.B.2.k.(4) of this NOFO for additional information.

While YHDP projects can use the replacement process to consolidate projects as outlined in section III.B.4.a.(7) of this NOFO, these projects cannot consolidate with non-YHDP projects. YHDP Renewal projects may also apply to expand its current project through the YHDP Replacement process. See section III.B.4.a.(6)(c) for more information. Unified Funding Agencies (UFAs) are prohibited from moving funds out of or into YHDP-funded projects and mix funding from any other non-YHDP funded project. UFAs may replace eligible YHDP renewal projects.

All YHDP Renewal, YHDP Replacement and YHDP Reallocation projects are subject to the following provisions of the Rule, as may be amended from time to time, except where they conflict with the NOFO requirements, with the special YHDP activities identified in section III.B.4.b.(5) of this NOFO, or the requirement that grant funds may only be used to serve homeless youth, age 24 and younger: 24 CFR 578.3, 578.15, 578.23(a), 578.25, 578.27, 578.29, 578.37, 578.43, 578.45, 578.47, 578.49, 578.51, 578.53, 578.55, 578.57, 578.59, 578.61, 578.63, 578.73(c), 578.75, 578.77, 578.79, 578.81, 578.83, 578.85, 578.87, 578.89, 578.89, 578.91, 578.93, 578.95, 578.97, 578.99, 578.103(a)(3) - (18) and (b) – (e), 578.105, 578.107 and 578.109. The requirements of 2 CFR 200.306, as may be amended from time to time, with the exception of 200.306(b)(5) apply. All YHDP Renewal, YHDP Replacement and new YHDP Reallocation projects must comply with 24 CFR 578.93, except that in 578.93(c)(2), recipients must provide such information to the jurisdiction in which the project is located. Federal fair housing and nondiscrimination requirements cannot be waived.

YHDP projects eligible to renew in the CoC Program Competition for the first time in FY 2025 must submit their renewal or replacement application by August 29, 2025 and will be selected by HUD non-competitively for a grant term of 1 year, subject to the FY 2025 HUD Appropriations. YHDP projects renewing in FY 2025 for the first time may not be reallocated.

f. Adjustments for Ineligible Projects. If an ineligible renewal project is submitted in this Competition or used in the reallocation process; or an ineligible YHDP Renewal or YHDP Replacement project is submitted, HUD will remove the ineligible project when calculating the final ARD amount for the CoC. To be eligible for renewal, reallocation, or replacement in the FY 2024 CoC and YHDP Funding Process, a project must have an expiration date in Calendar Year (CY) 2025 (between January 1, 2025, and December 31, 2025). Subject to the FY 2025 HUD Appropriation, to be eligible for renewal, reallocation, or replacement in the FY 2025 CoC and YHDP Funding Process, a project must have an expiration date in Calendar Year (CY) 2026 (between January 1, 2026, and December 31, 2026).

g. Homeless Management Information System (HMIS). As directed by Congress, HUD must provide an annual estimate of all individuals and families experiencing homelessness nationwide

and within the territories. Therefore, all CoCs must have an HMIS that has the capacity to collect un-duplicated counts of individuals and families experiencing homelessness and provide information to project subrecipients and applicants for needs analysis and funding priorities. Additionally, CoC and Emergency Solutions Grants (ESG) Program recipients must participate in the local HMIS; unless a recipient is a victim service provider or legal service provider, in which case these recipients must use a comparable database and provide de-identified information to the CoC. For many communities, the inclusion of ESG recipients and subrecipients and other HUD federal partners (e.g., the Department of Health and Human Services and Department of Veterans Affairs) that require their programs to use the CoC's HMIS, results in an increase in users that the HMIS must be able to accommodate. HUD expects communities to be able to use the HMIS information as well as aggregate data from comparable databases to review performance for the entire CoC geographic area, not just at the project level. The HMIS Lead should continue to consider any unique needs that the HMIS might be required to address to accommodate emergency shelter, street outreach, homelessness prevention, and other federal programs.

h. HUD Funding Process. CoCs and applicants should ensure there is a thorough understanding of the information provided in this NOFO. HUD has a two-tier funding selection process for FY 2024 funding. HUD will establish Tier 1 and Tier 2 amounts for each CoC, based on each CoC's Annual Renewal Demand. HUD will post a report that lists the available amounts for each CoC's PPRN, estimated ARD, Tier 1, CoC Planning, estimated CoC Bonus amounts, and estimated DV Bonus amounts on HUD's website. The GIWs are also posted on HUD's website.

Applications for YHDP Renewal, YHDP Replacement, CoC Planning, and if applicable, UFA Costs projects are not competitively ranked, and therefore must be excluded from CoC ranking. These non-competitive applications are also excluded from the Tier 1 and Tier 2 selection process.

The selection process described in this section of the NOFO will also be used for CoC Collaborative Applicants designated as UFAs. Section V. of this NOFO provides additional information regarding project selection.

Note that Tier 1 and Tier 2 selection process takes place after the initial DV Bonus selection process has occurred.

(1) ***Tier 1.*** Tier 1 is equal to 90 percent of the CoC's Annual Renewal Demand (ARD) as described in section I.B.2.b.(1) of this NOFO minus the sum of all ARAs of non-competitive YHDP Renewal and YHDP Replacement projects. HUD will conditionally select project applications in Tier 1 from the highest scoring CoC application to the lowest scoring CoC application and according to the rank assigned by the CoC on the CoC Priority listing, provided the project applications pass both project eligibility and project quality threshold review, and if applicable, project renewal threshold.

The following project applications can be placed in Tier 1:

(a) new CoC projects created through CoC Reallocation;
(b) new CoC Bonus projects;
(c) new DV Bonus projects;
(d) new DV Reallocation projects created through the reallocation of a DV Renewal

grant;

(e) CoC Renewal projects (including DV Renewal projects)

If a DV Bonus project ranked in Tier 1 is selected with DV Bonus funds, HUD will remove the project from the FY 2024 Priority Listing and move the projects below it up one rank position. However, if HUD does not select a new DV Bonus project in the initial DV Bonus selection, the project will retain its ranked position in the Tier 1 selection process. If the DV Bonus project is not selected through the initial DV Bonus selection process but is selected as a Tier 1 or Tier 2 project, it will be funded using CoC funds and not the funds set aside for "new rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities that the Secretary determines to be critical in order to assist individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking." Reallocated DV projects must follow the same requirements as DV Bonus projects; however, reallocated DV projects are only selected in the Tier 1 and Tier 2 selection process. For more on the initial DV Bonus selection process, see [I.B.3.j].

In the event insufficient funding is available to award all Tier 1 projects, Tier 1 will be reduced proportionately, which could result in some Tier 1 projects falling into Tier 2. Therefore, CoCs should carefully determine the priority and ranking for all project applications in Tier 1 as well as Tier 2, which is described below.

(2) ***Tier 2*****.** Tier 2 is the difference between Tier 1 and the maximum amount of CoC Renewal (including DV Renewal), CoC Reallocation, DV Bonus, DV Reallocation, and CoC Bonus funds that a CoC applies for.

If HUD selected a DV Bonus project during the initial DV Bonus selection process, HUD will remove that project from the CoC's Priority Listing ranking and move the projects below it up in rank position. See section I.B.3.j of this NOFO. HUD will assess project applications placed in Tier 2 for project eligibility and project quality threshold requirements and project renewal threshold requirements, if applicable; and HUD will determine funding using the CoC Application score as well as the factors listed in section I.B.3.h of this NOFO.

HUD will award a point value to each ranked new and renewal project application that is in Tier 2 using a 100-point scale, and conditionally select applications in Tier 2 using this point value from the highest scoring project application to the lowest:

(a) CoC Score. Up to 50 points in direct proportion to the score received on the CoC Application, e.g., if a CoC received 100 out of 200 points on the CoC Application, the project application would receive 25 out of 50 points for this criterion.

(b) CoC Project Ranking. Up to 40 points for the CoC's ranking of the project application(s). To consider the CoCs ranking of projects, HUD will assign point values directly related to the CoCs' ranking of project applications. The calculation of point values will be 40 times the quantity (1-x) where x is the ratio of the cumulative funding requests for all projects or portions of projects ranked higher by the CoC in Tier 2 plus one half of the funding of the project of interest to the total amount of funding available in Tier 2 for the CoC. For example, if a CoC is eligible to apply for projects totaling $500,000 in Tier 2 and applies for 5 projects ranked in Tier 2 of $100,000 each: the

highest-ranked project would receive 36 points, and then the subsequently ranked projects would receive 28, 20, 12, and 4 points.

(c) Commitment to Housing First. Up to 10 points based on the project application's commitment to follow a Housing First approach as defined in section I.B.2.b.(15) of this NOFO. Dedicated HMIS projects and supportive service only for coordinated entry (SSO-CE) projects will automatically receive 10 points.

(3) ***Projects Straddling Tiers.*** If a project application straddles the Tier 1 and Tier 2 funding line, HUD will conditionally select the project up to the amount of funding that falls within Tier 1. Using the CoC score, and other factors described in section I.B.3.h of this NOFO, HUD may fund the Tier 2 portion of the project. If HUD does not fund the Tier 2 portion of the project, HUD may award the project at the reduced amount based on the amount of funding that falls within Tier 1, provided the project is still feasible with the reduced funding (e.g., is able to continue serving homeless program participants effectively).

i. CoC Planning and UFA Costs Projects. CoCs may only submit one project application for CoC Planning costs and, if applicable, one project application for UFA Costs. The Collaborative Applicant listed on the CoC Applicant Profile in e-snaps is the only eligible applicant that may apply for CoC Planning and UFA Costs projects. Collaborative Applicants are not required to submit applications for FY 2025 CoC Planning and UFA Costs projects. HUD will award FY 2025 CoC Planning and UFA Costs projects using FY 2024 application submissions.

j. Domestic Violence, Dating Violence, Sexual Assault, and Stalking Bonus (DV Bonus). The Consolidated Appropriations Act, 2024 provides $52 million for "new rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities that the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, sexual assault, or stalking." See section I.B.2.b.(6) of this NOFO for additional information.

CoCs must rank all new DV Bonus project applications on the New Project Listing of the CoC Priority Listing with a unique number ranking and when the project is part of an expansion, the corresponding renewal project application must be on the Renewal Project Listing with a unique rank number. HUD will only select a new DV Bonus project that expands an existing renewal project if HUD conditionally selects the renewal project in Tier 1 or 2. If HUD selects the renewal project application for conditional award with CoC Program funds and the new DV Bonus expansion project is approved for selection, HUD will select the new DV Bonus project with DV Bonus funds and remove the new DV Bonus project from the New Project Listing. All subsequent project applications ranked below the new DV Bonus project application will move up one rank position.

In cases where a new DV Bonus project is selected using the selection process noted in this section, it will be funded from funds made available for "new rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities that the Secretary determines to be critical in order to assist individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking." To be eligible to receive a new DV Bonus project, the CoC must demonstrate it ranks projects based on how they improve system performance as outlined in section V.B.2.b of this NOFO. Additionally, to be eligible to receive a DV Bonus

project for PH-RRH or Joint TH/PH-RRH component, all projects funded through the DV Bonus must adopt a Housing First approach.

Each CoC may only submit one new SSO-CE DV Bonus project; however, there is no limit on the number of PH-RRH and Joint TH/PH-RRH DV Bonus projects CoCs may submit, provided that each application is for at least $50,000. A project applicant may also apply to expand an existing renewal project, including one that was previously awarded with DV Bonus funding, in accordance with section I.B.2.b.(6) of this NOFO; however, only the new project application for the expansion will be considered for DV Bonus funds through this process. DV Bonus funding may be used to expand an existing renewal project that is not dedicated to serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking who qualify as homeless under paragraphs (1) or (4) of the definition of homeless at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act [see section III.B.4.a.(6)], so long as the DV Bonus funds for expansion are solely for additional units, beds, or services dedicated to persons eligible to be served with DV Bonus funding.

For new projects the CoC requests to be considered as part of the DV Bonus, HUD will award a point value to each project application using the following 100-point scale, including points based on FY 2024 - 2025 CoC Application score and responses to the domestic violence bonus specific questions in the FY 2024 - 2025 CoC Application [see (1), (2) and (3) below]:

(1) Rapid Rehousing (PH-RRH) and Joint Transitional Housing and Permanent Housing-Rapid Rehousing (Joint TH/PH-RRH) component projects:

(a) CoC Score. Up to 50 points in direct proportion to the score received on the CoC Application.

(b) CoC Collaboration with Victim Service Providers. Up to 10 points in direct proportion to the score received on the following rating factors in the CoC application: section V.B.1.e, section V.B.2.c, and section V.B.3.b.

(c) Need for the Project. Up to 10 points based on the extent the CoC quantifies the need for the project in its portfolio, the extent of need, and how the project will fill that gap.

(d) Quality of the Project Applicant Experience. Up to 15 points based on the previous performance of the applicant in serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking, and their ability to house survivors and meet safety outcomes.

(e) Demonstration of inclusion of victim-centered practices. Up to 8 points based on the quality of the project's plan to address the housing and safety needs of survivors by adopting victim-centered practices (e.g., Housing First, Trauma-Informed Care, Confidentiality) in operating their project. Full points will be awarded to project applicants that can demonstrate they are already adopting victim-centered practices.

(f) Demonstration of plan to include survivors with lived expertise. Up to 7 points based on the project's ability to demonstrate its plan to involve survivors in policy and program development throughout the project's operation.

(2) PH-RRH and Joint TH/PH-RRH component projects must follow a housing-first approach.

(3) Supportive Services Only Coordinated Entry (SSO-CE) to implement policies, procedures, and practices that equip the CoC's coordinated entry to better meet the needs of people experiencing homelessness who are experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking (e.g., to implement policies and procedures that are trauma-informed, client-centered or to better coordinate referrals between the CoC's coordinated entry and the victim service providers coordinated entry system where they are different):

(a) CoC Score. Up to 50 points in direct proportion to the score received on the CoC Application.

(b) CoC Collaboration with Victim Service Providers. Up to 10 points in direct proportion to the score received on the following rating factors in the CoC application: section V.B.1.e, section V.B.2.c, and section V.B.3.b.

(c) Need for the Project. Up to 25 points based on the extent to which the CoC demonstrates the need for a coordinated entry system that better meets the needs of individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking, and how the project will fill this need.

(d) Demonstration of plan to include survivors with lived expertise. Up to 15 points based on the project's ability to demonstrate its plan to involve survivors in policy and program development throughout the project's operation.

k. Participant Eligibility. Projects funded through this NOFO must have the following eligibility criteria for program participants. All references to paragraphs of the definition of homeless that are found throughout this NOFO refer to the paragraphs listed under the definition of "homeless" in 24 CFR 578.3 and include the definition of "homeless" under section 103(b) of the McKinney-Vento Homeless Assistance Act, even if section 103(b) is not explicitly referenced. All specific references to the definition of "homeless" under paragraph (4) of 24 CFR 578.3 that are found throughout this NOFO also include the definition of "homeless" under section 103(b) of the McKinney-Vento Homeless Assistance Act, even if section 103(b) is not explicitly referenced. All projects must participate in coordinated entry, and the selection of program participants must be consistent with the CoC's coordinated entry process. As provided by the Consolidated Appropriations Act, 2024, youth aged 24 and under must not be required to provide third-party documentation that they meet the homeless definition in 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act as a condition for receiving services funded under this NOFO. Additionally, any youth-serving provider funded under this NOFO may serve unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations. HUD interprets "youth-serving provider" as a private nonprofit organization whose primary mission is to provide services to youth aged 24 and under and families headed by youth aged 24 and under. HUD interprets "living in unsafe situations" as having an unsafe primary nighttime residence and no safe alternative to that residence. These youth-related requirements supersede any conflicting requirements under this NOFO or the Rule.

CoC, DV and YHDP Renewal projects must serve the same population of individuals or families as indicated in the expiring grant agreement.

Participants eligible to be served by New Projects, are as follows:

(1) New PH-PSH projects awarded CoC funds must serve one of the following:

(a) persons eligible to be served by DedicatedPLUS projects as described in section I.B.2.b.(5) of this NOFO in which case all units funded by the project must be used to serve program participants who meet the qualifications for DedicatedPLUS; or

(b) persons who are experiencing chronic homelessness [see 24 CFR 578.3 definition of Chronically Homeless] at the time they initially enroll in the project.

(2) New PH-RRH, Joint TH/PH-RRH, and SSO-CE projects awarded CoC funds must serve persons who qualify as homeless under paragraphs (1), (2), or (4) of 24 CFR 578.3, Section 103(b) of the McKinney-Vento Homeless Assistance Act, or persons who qualify as homeless under paragraph (3) of 24 CFR 578.3 if the CoC is approved to serve persons in paragraph (3).

(3) New DV Bonus and DV Reallocation projects (RRH, Joint TH/PH-RRH, and SSO-CE) must serve individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, and stalking who qualify as homeless under paragraphs (1) or (4) of the definition of homeless at 24 CFR 578.3 or Section 103(b) of the McKinney-Vento Homeless Assistance Act. Additionally, these projects may serve individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, and stalking who qualify as homeless under paragraph (3) of 24 CFR 578.3 if the CoC is approved to serve persons in paragraph (3).

(4) New YHDP Replacement projects including YHDP Reallocation must serve youth aged 24 or younger, including unaccompanied and pregnant or parenting youth who:

(a) qualify as homeless under paragraphs (1), (2), or (4) of the homeless definition in 24 CFR 578.3 or Section 103(b) of the McKinney-Vento Homeless Assistance Act;

(b) have an unsafe primary nighttime residence and no safe alternative to that residence; or

(c) qualify as homeless under paragraph (3) of 24 CFR 578.3 if the CoC is approved to serve persons in paragraph (3).

II. AWARD INFORMATION

A. Available Funds

Funding of approximately $3,524,000,000 is available through this NOFO. Subject to appropriations, HUD reserves the right to award fiscal year 2025 funds based on this NOFO competition.

Additional funds may become available for award under this NOFO consistent with Section VI.A.2.e., Adjustments to Funding. Use of these funds is subject to statutory constraints. All awards are subject to the funding restrictions contained in this NOFO.

HUD is also making available up to $93,000,000 in recaptured amounts that are available for additional Continuum of Care awards pursuant to section 231 of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94, division H, title II, section 231; 42 USC 11364a).

Funding includes approximately $188,000,000 for the non-competitive renewal and replacement of expiring YHDP grants. $52,000,000 is available for Domestic Violence, Dating Violence, Sexual Assault, and Stalking Bonus (DV Bonus) projects, described in sections I.B.3.j and I.B.2.b.(6) of this NOFO.

III. ELIGIBILITY INFORMATION

A. Eligible Applicants

1. HUD does not award grants to individuals. HUD will also not evaluate applications from ineligible applicants.

2. Faith-based organizations

a. Faith-based organizations may apply for this award on the same basis as any other organization, as set forth at 24 CFR 5.109, and subject to the protections and requirements of 42 U.S.C. § 2000bb et seq. HUD will not, in the selection of recipients, discriminate against an organization based on the organization's religious character, affiliation, or exercise.

b. A faith-based organization that participates in this program will retain its independence and may continue to carry out its mission consistent with religious freedom and conscience protections in Federal law, including the Free Speech and Free Exercise Clauses of the Constitution, 42 U.S.C. § 2000bb et seq., 42 U.S.C. § 238n, 42 U.S.C. § 18113, 42 U.S.C. §§ 2000e-1(a) and 2000e-2(e), 42 U.S.C. § 12113(d), and the Weldon Amendment, among others. Religious accommodations may also be sought under many of these religious freedom and conscience protection laws, particularly under the Religious Freedom Restoration Act.

c. A faith-based organization may not use direct financial assistance from HUD to support or engage in any explicitly religious activities except where consistent with the Establishment Clause and any other applicable requirements. Such an organization also may not, in providing services funded by HUD, discriminate against a beneficiary or prospective program beneficiary on the basis of religion, religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

3. Cost Sharing or Matching

This Program requires cost sharing or matching as described below.

24 CFR 578.73 of the Rule requires that recipients must match all grant funds, except for leasing funds, with no less than 25 percent of funds or in-kind contributions from other sources. 24 CFR 578.73.

Project applicants that intend to use program income as a match must provide an estimate of how much program income will be used for the match. HUD will not require YHDP Renewal or replacement projects to meet the 25 percent match requirement if the applicant is able to demonstrate it has taken reasonable steps to maximize resources available for youth experiencing homelessness.

4. Eligible Project Applicants (McKinney-Vento Act, 24 CFR 578.15, 24 CFR 5.100)

Eligible project applicants for the CoC Program Competition are found at 24 CFR 578.15 and in the Act and include nonprofit organizations, states, local governments, instrumentalities of state and local governments, Indian Tribes and TDHE [as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103) (TDHEs)]. Public housing agencies, as such term is defined in 24 CFR 5.100, are eligible without limitation or exclusion. For-profit entities are ineligible to apply for grants and are prohibited from being subrecipients of CoC Program grant funds.

5. Indian Tribes and Tribally Designated Housing Entities (TDHE)

The Consolidated Appropriations Act, 2021 (Public Law 116-260, approved December 27, 2020) amended Title IV to add Section 435 of the Act to allow Indian Tribes and Tribally Designated Housing Entities (TDHE) to be Collaborative Applicants, eligible entities, or subrecipients of the CoC Program in addition to amending Title IV Section 401 to add the terms “Formula Area” and “Indian Tribe.” These amendments mean that not only may Tribes and TDHEs apply for grants through other CoCs, but that formula areas, as that term is defined in the Indian Housing Block Grant program at 24 CFR 1000.302, are eligible to be added to the geographic areas of existing CoCs or may be included in newly formed CoCs through the CoC registration process (see Notice CPD-22-02).

Any applicant that is not a Tribe or TDHE proposing to site a project on a reservation or trust land must include a Tribal resolution from the Tribe authorizing the applicant to do so or a letter from an official or principal of the Indian Tribe or TDHE who is authorized to act on behalf of the Indian Tribe or TDHE. Tribes do not need to include a Tribal resolution to site a project on their own reservation or trust land.

6. Collaborative Applicants

Only CoCs with a valid e-snaps registration for the FY 2024 – FY 2025 CoC Program and YHDP Competition will have access to the FY 2024 – FY 2025 CoC Consolidated Application in e-snaps, which includes the CoC Application, CoC Priority Listing, and the project application(s). CoCs should not attempt to change Collaborative Applicants during the FY 2024 – FY 2025 CoC Program and YHDP Competition without prior HUD approval unless HUD replaces the CoC's designated Collaborative Applicant under the authority of Section 402(c) of the Act. HUD will approve Collaborative Applicant changes outside the annual CoC Program Registration process under the following circumstances:

a. the Collaborative Applicant made an error when entering the Collaborative Applicant name in the CoC Applicant Profile;
b. the CoC-designated Collaborative Applicant is no longer in business;
c. the CoC designates a new Collaborative Applicant; or
d. HUD designated a new Collaborative Applicant as a remedial action under Section 402(c) of the Act.

In cases where the CoC changes its designated Collaborative Applicant during the CoC Program Registration process, the CoC must notify the local HUD CPD field office, in writing, stating the reason for the Collaborative Applicant change. The notice to HUD must provide documentation of the CoC's approval of the change (e.g., a copy of the meeting minutes to include the date and attendees).

B. Rules and Regulations Applicable to HUD NOFOs

Applicants must comply with these rules to apply.

1. Eligibility Requirements for Applicants of HUD's Financial Assistance Programs

The following requirements affect applicant eligibility. Detailed information on each requirement is found in the "Eligibility Requirements for Applicants of HUD's Competitive Programs" document on HUD's Funding Opportunities page. Applicants who fail to meet any of these eligibility requirements are deemed ineligible to receive HUD funding.

1. Universal Identifier and System for Award Management (SAM.gov) Requirements
2. Outstanding Delinquent Federal Debts
3. Debarments or Suspensions, or both
4. Mandatory Disclosure Requirement
5. Pre-selection Review of Performance
6. Sufficiency of Financial Management System
7. False Statements
8. Failure to conducting Business in Accordance with Ethical Standards/Code of Conduct
9. Prohibition Against Lobbying Activities

In addition, each applicant under this NOFO must have the necessary processes and systems in place to comply with the Award Term in Appendix A of 24 CFR part 170 if the applicant receives an award, unless an exception applies as provided in 2 CFR170.110.

2. Resolution of Civil Rights Matters

Applicants who fail to meet any of the following threshold eligibility requirements are deemed ineligible. Applications from ineligible applicants are not rated or ranked and will not receive HUD funding.

Outstanding civil rights matters must be resolved before the application submission deadline. Project applicants, who after review are confirmed to have civil rights matters unresolved at the application submission deadline, will be deemed ineligible. Their applications will receive no further review, will not be rated and ranked, and will not receive funding.

a. An applicant is ineligible for funding if the applicant has any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that are not resolved to HUD's satisfaction before or on the application deadline date for this NOFO.

(1) Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex (including sexual orientation and gender identity), national origin, disability or familial status;

(2) Status as a defendant in a Fair Housing Act lawsuit filed by the United States alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. § 3614(a);

(3) Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest,

alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act, Violence Against Women Act, or a claim under the False Claims Act related to fair housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;

(4) Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; Violence Against Women Act; or the Americans with Disabilities Act; or

(5) Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.

b. HUD will determine whether actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the application deadline date will resolve the matter. Examples of actions that may be sufficient to resolve the matter include, but are not limited to:

(1) Current compliance with a voluntary compliance agreement signed by all the parties;

(2) Current compliance with a HUD-approved conciliation agreement signed by all the parties;

(3) Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;

(4) Current compliance with a consent order or consent decree;

(5) Current compliance with a final judicial ruling or administrative ruling or decision; or

(6) Dismissal of charges.

3. Program-Specific Requirements

a. **Advancing Racial Equity**. In accordance with Executive Order 13985, Executive Order 14091, *Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, and Federal fair housing and civil rights laws, HUD is emphasizing rating factors regarding CoC evaluation of racial disparities as well as system and program changes to address racial equity within CoCs. Responses to preventing and ending homelessness should address racial inequities to ensure successful outcomes for all persons experiencing homelessness using proven approaches, such as: developing a coordinated community response created in partnership with a racially diverse set of stakeholders and people experiencing homelessness and partnering with organizations with experience serving underserved populations. CoCs should review local policies, procedures, and processes with attention to identifying barriers that result in racial disparities, and taking steps to eliminate barriers to improve racial equity and to address disparities. Note that any actions taken in furtherance of this section must be consistent with Federal nondiscrimination requirements.

In Rating Factors V.B.1.p. and V.B.2.e, Collaborative Applicants must demonstrate how the CoC addresses racial inequities, including identifying and eliminating barriers that result in racial

disparities. In particular, Collaborative Applicants must demonstrate how the CoC's project selection will address racial inequities.

b. **Affirmative Marketing and Outreach**. You must submit a narrative demonstrating that the housing, services, outreach, or other benefits provided under this grant will be affirmatively conducted broadly throughout the local area and nearby areas and targeted to reach any eligible persons in demographic groups that would be unlikely or least likely to be aware of the benefits of a HUD award absent such efforts, or entities that serve such groups. Such demographic groups may include, for example, Black and Brown persons or communities, individuals with limited English proficiency, individuals with disabilities, or families with children. Strategies for affirmative marketing or outreach include outreach through community contacts or service providers or at community centers serving the target population; and marketing on websites, social media channels, television, radio, and print media serving local members of the targeted group. You must describe the affirmative marketing/outreach activities that will be conducted if you are selected for a HUD award.

Collaborative Applicants must demonstrate via narrative response to rating factor V.B.1.j that the housing, services, outreach, or other benefits provided by the CoC are affirmatively conducted broadly throughout the local area and nearby areas and targeted to reach any eligible persons in demographic groups that would be unlikely or least likely to be aware of the benefits of a HUD award absent such efforts. At minimum, the narrative response must demonstrate: (1) how your CoC's street outreach efforts, including the methods it uses to ensure all persons experiencing unsheltered homelessness are identified and engaged; (2) how your CoC tailored its street outreach to persons experiencing homelessness who are least likely to request assistance; (3) that your CoC conducts street outreach throughout their entire geographic areas in a way that allows for quick identification and engagement of people experiencing unsheltered homelessness; (4) your CoC's street outreach methods provide effective communications for persons with disabilities including large print, sign-language interpreters, Braille, and other formats; and (5) how your CoC's street outreach methods provide access for persons with limited English proficiency. 2,500 character maximum.

c. **Experience Promoting Racial Equity**

In accordance with Executive Order 13985, Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Executive Order 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, and Federal fair housing and civil rights law, your application must demonstrate that you have the experience and the resources to effectively address the needs of underserved communities, particularly Black and Brown communities, who are substantially overrepresented in the homeless population. This may include experience successfully working directly with such groups, experience designing or operating programs that equitably benefit such groups, or experience successfully advancing racial equity in other ways. This may also include experience soliciting, obtaining, and applying input from such groups when designing, planning, or implementing programs and activities.

Collaborative Applicants must provide a narrative response, in the CoC Application, which addresses the requirement outlined in the paragraph above. This narrative will be evaluated for sufficiency. If the narrative is deemed insufficient, it will be a "Curable Deficiency" that will be communicated to the Collaborative Applicant for correction. 2,500 character maximum.

d. **Affirmatively Furthering Fair Housing**

With some exceptions for Federally recognized Indian tribes and their instrumentalities, the application must discuss how the applicant will carry out the proposed activities in a manner that affirmatively furthers fair housing in compliance with the Fair Housing Act and its implementing regulations, and how applicants will meet the requirements of the definition of AFFH at 24 CFR 5.151. Applicants may propose activities that are consistent with their jurisdiction's Analysis of Impediments (AI), an Assessment of Fair Housing (AFH), or other means of fair housing planning that meaningfully supports their AFFH certification.

If the applicant will carry out proposed activities in a jurisdiction with an AFH, the proposed activities should be consistent with the AFH's fair housing goals and with fair housing strategies specified in the jurisdiction's Consolidated Plan or Public Housing Agency Plan.

In response to Rating Factor V.B.1.o, Collaborative Applicants must describe how their proposed NOFO activities, including selection of projects, are aligned with AFFH requirements, as specified at 24 CFR 578.93(c) of the Rule.

4. Criteria for Applicants

a. Eligible Project Applications. In addition to eligible renewal project applications, the following types of project applications will be eligible for completion and submission under this NOFO. Ineligible project applications will not be reviewed.

(1) ***CoC Planning projects.*** All Collaborative Applicants are eligible and encouraged to apply for CoC Planning funds which they may use according to 24 CFR 578.39. CoC Planning project applications must be submitted by the CoC-designated Collaborative Applicant and the Collaborative Applicant organization must match the organization listed as the Collaborative Applicant in the CoC Applicant Profile in e-snaps. Collaborative Applicants must not rank Planning project applications in the FY 2024 - 2025 CoC Program Competition. Planning projects will not affect a CoC's available amount for new and renewal project applications because it is not included in the CoC's ARD calculation.

(2) ***UFA Costs projects*****.** Only those CoC-designated Collaborative Applicants approved for UFA designation by HUD are eligible to apply for UFA Costs project funds as described in 24 CFR 578.41. UFA Costs project application must be submitted by the CoC-designated Collaborative Applicant and the Collaborative Applicant organization must match the organization listed as the Collaborative Applicant in the CoC Applicant Profile in e-snaps. Collaborative Applicants must not rank UFA Costs projects in the FY 2024 - 2025 CoC Program Competition. UFA Costs projects will not affect a CoC's available amount for new and renewal project applications as it is not included in the CoC's ARD calculation.

(3) ***New Projects Created Through the CoC Reallocation or CoC Bonus processes***. CoCs may apply for the following types of new CoC projects through reallocation or the CoC Bonus process:

(a) PH-PSH projects.

(b) PH-RRH projects.

(c) Joint TH/PH-RRH component projects.

(d) Dedicated HMIS project for the costs at 24 CFR 578.37(a)(4) that may only be carried out by the HMIS Lead, which is the recipient or subrecipient of an HMIS grant and is listed on the HMIS Lead form in the CoC Applicant Profile in e-snaps. Additionally, if the CoC has organizations within its geographic area that are victim service providers, the HMIS Lead, or subrecipient, may request HMIS funds for a comparable database. Victim service providers may also request HMIS funds in their project application budgets to enter data into a comparable database.

(e) SSO-CE project to develop or operate a Coordinated Entry system.

Prior to completing a new project application created through the reallocation process or Bonus processes, project applicants should consult with the CoC to determine which of these options will be available in the local CoC competition.

If HUD determines that a CoC Bonus or CoC Reallocation project applicant or a Collaborative Applicant incorrectly classified one or more new projects as reallocation or CoC Bonus, HUD may reclassify the project(s) as either reallocation or CoC Bonus if the CoC exceeded either its reallocation or CoC Bonus amounts. For example, if a project applicant or the Collaborative Applicant classified a new project application as reallocation but did not reallocate funds in whole or part from an eligible renewal project, and there are CoC Bonus funds available, HUD may reclassify the new project application as CoC Bonus during its review. If a project applicant uses both reallocation and CoC Bonus amounts to create a single new project but did not have enough available from either source, HUD will reduce the project to the amount available, if any.

A new CoC project may only use reallocated funds from eligible CoC renewal project(s) that have previously been renewed under the CoC Program and have a current grant agreement.

For new projects created through the CoC Bonus process, HUD must determine the CoC has demonstrated that the projects are evaluated and ranked based on the degree to which they improve the CoC's system performance.

(4) ***New Projects Created Through DV Bonus or DV Reallocation processes.*** To be considered for DV Bonus or DV Reallocation, new projects must be:

(a) PH-RRH projects dedicated to serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking that are defined as homeless under 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act;

(b) Joint TH/PH-RRH component projects defined in section I.B.2.b.(18) of this NOFO dedicated to serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking who are defined as homeless under 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act; or

(c) SSO-CE project to implement policies, procedures, and practices that equip the CoC's coordinated entry to better meet the needs of individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking.

Where a new project may be eligible for the DV Bonus, CoC Bonus or reallocation process, if HUD determines that a project applicant incorrectly classified one or more new projects as a DV Bonus or DV Reallocation, HUD may reclassify the project(s). For example, if the proposed project does not propose it is dedicated to serve individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, and stalking, HUD may condition the project to ensure the required population is served or HUD may reclassify the project(s) as either CoC reallocation or CoC Bonus if the project(s) are eligible. If a project does not have enough funding available from CoC Bonus or reallocation sources, HUD will reduce the project to the amount available, if any, and determine if the project is feasible at the reduced rate.

For new projects created through DV Bonus, HUD must determine if the CoC has demonstrated that projects are evaluated and ranked based on the degree to which they improve the CoC's system performance.

(5) ***New YHDP Projects Created through YHDP Replacement processes.*** In general, CoCs may replace renewing YHDP project(s) to create one or more new YHDP Replacement projects. The YHDP Replacement process occurs when: (1) a CoC replaces a YHDP Renewal project to create one or more new YHDP project(s) that has the same recipient (referred to as YHDP Replacement in this NOFO); (2) a CoC is reallocating a YHDP Renewal project to create one or more new projects with a new recipient (referred to as YHDP Reallocation in this NOFO).); or (3) a CoC is reallocating YHDP Renewal project(s) to create YHDP Expansion applications through the YHDP Replacement process.

(a) YHDP Renewal project applicants may submit renewal applications [see section III.B.4.c)] for minor changes to a project, including adding or modifying select Special YHDP Activities under section III.B.4.b.(5); however, if a renewing YHDP project applicant chooses to modify the current project in a way that does not meet the definition of renewal project found at III.B.4.c of this NOFO, it must submit a YHDP Replacement project application.

(b) A YHDP Renewal project applicant may apply to expand its current project through the YHDP Replacement process. See section III.B.4.a.(6)(c) for more information.

(c) If an eligible YHDP Renewal project applicant submits a YHDP Replacement project application instead of submitting a renewal project application, it must:

(i.) include the grant number from the YHDP Renewal project(s) being replaced with the YHDP Replacement project application. The CoC's Collaborative Applicant is responsible for ensuring that only a renewal YHDP or replacement YHDP project application is submitted through the CoC Priority Listing. If the Collaborative Applicant submits both a renewal and replacement YHDP project application for the same project, HUD will only select the renewal YHDP project application;

(ii.) include a letter of support from the Youth Action Board; and

(iii.) show that the project is consistent with the CoC's most recent Coordinated Community Plan.

(d) HUD will only fund new YHDP Replacement projects which includes YHDP Reallocation projects as described below and in sections I.B.3.e and III.B.4.b.(5) of this NOFO:

(i.) Permanent Housing, including PH-PSH and PH-RRH projects.

(ii.) Joint TH/PH-RRH Component.

(iii.) TH or Crisis Residential Transitional Housing which is a form of transitional housing that is short-term, low-barrier, using a congregate living setting, and provides access to the following supportive services in particular: family engagement and unification, case management, emergency triage services and other supportive services whose purpose is to move youth rapidly into stable housing.

(iv.) SSO, including, but not limited to, housing search and placement services, case management, drop-in centers which are a physical location that offers a variety of services to individuals and families experiencing homelessness that can be funded through the drop-in center grant or through another grant, legal services, or street outreach.

(v.) SSO-CE.

(vi.) SSO - Host Home and Kinship Care. A model in which a family agrees to permit a youth to reside with them. Recognizing that the addition of another person in the home may increase costs to the family, HUD will entertain applications that propose to house youth with families and to subsidize the additional costs attributable to housing the youth. The residence is in a community-based setting. The family could be related to the youth and the length of stay may be time-limited or without time limits. YHDP funds may be used to subsidize the increased costs to the family that are attributable to housing the youth. An example of eligible costs would be additional food or transportation costs, which are eligible supportive services under 24 CFR 578.53(e)(7) or 24 CFR 578.53(e)(15). Recipients must keep records related to this determination by the recipient for HUD review upon request.
(vii.) HMIS.

(viii.) The inclusion of TH and SSO that are not SSO-CE are only available to YHDP Replacement project applications which includes YHDP Reallocation projects. No other project applicant is allowed to submit new project applications with these components; and if received, will be rejected.

(ix.) HUD will review new YHDP Reallocation and YHDP Replacement project applications to ensure the activities requested are eligible and the amounts requested do not exceed the amounts available for YHDP reallocation or, in the case of YHDP Replacements, the ARA of the renewal project(s) being replaced. HUD will not reject YHDP projects applications; however, HUD may require YHDP grant recipients to correct or revise information submitted after the final award announcement, prior to executing the grant agreement.

(x.) New YHDP Reallocation projects or projects created through the YHDP Replacement processes must include at least as many housing units and at least as much funding for the combination of Rental Assistance, Operating Costs, and

Leasing as the grant being reallocated or replaced unless the YHDP Community demonstrates that a majority of their YHDP funding is being used for the combination of Rental Assistance, Operating Costs, and Leasing.

(6) ***Expansion Project.*** HUD will allow project applicants to apply for new expansion projects to expand existing projects to increase the number of units, persons served, services provided to existing program participants, or to add additional activities to HMIS and SSO-CE projects. [see section I.B.2.b.(9) of this NOFO]

CoC Bonus, DV Bonus, CoC Reallocation, and DV Reallocation funds may only be used to expand eligible CoC and DV Renewal projects. Applications to expand YHDP Renewal projects through the YHDP Replacement process can only be funded with funding reallocated from another YHDP Renewal project.

The new expansion project applications must meet the project eligibility and project quality thresholds in sections III.C.4.a. and b. of this NOFO and must be for the same component as the project being expanded. If the new expansion project exceeds the amount of funding available under the reallocation or Bonus processes, HUD will reduce the funding request to the available amount, which could affect the activities of the new expansion project. If both the new expansion project and the renewal project it expands are conditionally selected for funding, one grant agreement incorporating both approved project applications will be executed. To apply for an expansion grant with CoC Bonus, DV Bonus, DV Reallocation, or CoC Reallocation funding, project applicants must submit separate new and renewal project applications and both projects must be ranked by the CoC with unique rank numbers. In the case of YHDP Replacement applications to expand existing YHDP Renewal projects, applicants must submit a YHDP Replacement and a YHDP Reallocation application separately and each project must be included in the CoC's Priority Listing; however, these projects must not be ranked.

If a project application does not meet the following requirements, or if the renewal project the new project application is proposing to expand is not selected for award, HUD will review the new project and will consider it as a standalone project during the selection process provided that the project is feasible on its own with its requested funding and provided it passes project eligibility and project quality threshold requirements.

(a) The following limitations apply to expansion grant applications:

(i.) HUD will not fund expansion applications that include requests for capital costs (i.e., new constructions, rehabilitation, or acquisition) and will only allow 1-year funding requests.

(ii.) CoC Bonus, CoC Reallocation, DV Bonus or DV Reallocation funding cannot be used to expand a YHDP renewal project.

(iii.) If CoC Bonus, DV Bonus or CoC Reallocation funding is used to expand a DV Renewal project, the entire expanded project must be 100 percent dedicated to serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking who qualify under paragraph (1) or (4) of the definition of

homeless at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act.

(iv.) When DV Reallocation funding is used to expand another project, the entire expansion project must meet all the requirements of a DV Bonus project.

(v.) New YHDP projects created with reallocated YHDP funding may be used to expand an existing YHDP renewal project through the YHDP Replacement process. The expansion YHDP project must meet the requirements of a new YHDP Replacement application.

(b) Project applicants expanding an eligible CoC Renewal, or DV Renewal project must:

(i.) submit the renewal project application that will be expanded and a new project application with expansion information;

(ii.) in the new project application, enter the grant number of the eligible renewal project proposed for expansion;

(iii.) indicate how the new project application will expand units, beds, services, persons served, or services provided to existing program participants, or in the case of HMIS or SSO-CE projects, how the current activities will be expanded for the CoC's geographic area;

(iv.) ensure the funding request for the expansion grant is within the funding parameters allowed under CoC Reallocation, CoC Bonus, DV Bonus, or DV Reallocation amounts available.

(c) Project applicants expanding an eligible YHDP Renewal project through the YHDP Replacement process must:

(i.) submit a YHDP Renewal project application and a new YHDP Reallocation project application with the expansion information through the YHDP Replacement process, including the grant number of the YHDP Renewal project being expanded.

(ii.) indicate how the expansion project application will expand units, beds, services, persons served, or services provided to existing program participants

(iii.) ensure the funding request for the YHDP Reallocation application to expand the YHDP Renewal project is within the funding parameters allowed under the YHDP Reallocation amount available.

(iv.) ensure the YHDP Renewal and YHDP Reallocation project applications meet the requirements in sections I.B.3.e and III.B.4.b.(5) of this NOFO

(d) DV Bonus and DV Reallocation Expansion Applications.

(i.) DV Bonus and DV Reallocation funds can only be used for an application to expand an existing renewal project if the new expansion project is dedicated to individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking who qualify under paragraphs (1) or (4) of the definition of homeless at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act.

(ii.) Project applicants may use DV Bonus funds to expand an existing renewal project that is not currently dedicated to serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking to dedicate additional beds, units, persons served, or services provided to existing program participants of this population; however, only the new project application for the expansion will be considered for DV Bonus funds. Only the new project application for the expansion will be considered for DV Bonus funds and HUD will use the DV Bonus selection process described in I.B.3.j.

(iii.) If an applicant proposes to use DV Reallocation funds to expand an existing renewal project that is not currently dedicated to serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking to dedicate additional beds, units, persons served, or services provided to existing program participants of this population, the entire project, including the renewal project being expanded, must serve 100 percent individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking who qualify under paragraphs (1) or (4) of the definition of homeless at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act. In the case of DV Reallocation Projects, HUD will use the Tier 1 and Tier 2 selection process described in section I.B.3.h of this NOFO.

(iv.) For expansion applications created with new DV Bonus or DV Reallocation funds, if the application does not meet the above requirements for an expansion project or the renewal portion is not selected, HUD will review the new project and will consider it as a standalone DV Bonus or DV Reallocation project during the selection process provided that the project is feasible on its own with its requested funding and provided it passes project eligibility and project quality threshold requirements.

(7) ***Consolidation Project.*** Applicants intending to use the consolidation process to combine two or more, but no more than 10, eligible renewal projects (including renewing YHDP projects), may do so through the renewal project application.

(a) For renewal projects consolidating during the FY 2024 Funding Process, the current period of performance and budget period must have end dates in CY 2025. For renewal projects consolidating during the FY 2025 Funding Process, the period of performance and budget period of the expiring grant must have end dates in CY 2026. Applicants intending to use the consolidation process must ensure:

(i.) Budget Line Items (BLIs) for the consolidated project application submitted, exactly match the sum of the BLIs for each of the individual projects as they appear on the grant agreement, or the grant agreement as amended;

(ii.) inclusion of the expiring grant numbers with period of performance and budget period start and end dates for the projects that are consolidating;

(iii.) are in good standing with HUD, meaning none of the projects have:

i. outstanding audit or monitoring findings,
ii. outstanding obligation to HUD that is in arrears,
iii. unresolved construction delays,
iv. a history of poor financial management/drawdown issues,
v. history of low occupancy levels, or lack experience in administering the project type, or
vi. other capacity issues.

(iv.) the projects have the same recipient and are for the same component.

(b) YHDP Renewal projects that wish to consolidate may establish a single YHDP Replacement grant to replace multiple YHDP Renewal grants.

(c) The following projects cannot be consolidated and if a project application meeting these characteristics attempts to consolidate, HUD will not consider the consolidation, but rather select the projects individually in their ranked position (if applicable) provided they pass project eligibility and project quality threshold requirements:

(i.) a DV Renewal project cannot consolidate with a CoC Renewal project (a project not dedicated to serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking who qualify under paragraphs (1) or (4) of the definition of homeless at 24 CFR 578.3 or section 103(b) of the McKinney-Vento Homeless Assistance Act) or a YHDP Renewal project;

(ii.) a YHDP Renewal project cannot consolidate with a CoC Renewal project or a DV Renewal project;

(iii.) a TH and a PH project cannot consolidate to form a Joint TH/PH-RRH component project; and

(iv.) transition grants cannot consolidate with any other project.

(d) To request the consolidation of eligible renewal projects, project applicants must submit renewal projects for the individual projects to be included in the consolidation and each project application must identify the grant number that will survive which must be the grant number with the earliest start date in CY 2025 for FY 2024 consolidations or CY 2026 for consolidations that occur during the FY 2025 Funding process. Project applications for the grants that are proposed to be part of the consolidation must be ranked with a unique rank number for each project, and if all those grants are selected, HUD will conditionally award the single surviving grant based on its ranked position to include the amount of funding of all grants included in the consolidation. All other project applications included in the surviving grant will be removed from the CoC's ranking resulting in project applications below to slide up one ranked position. Project applicants must not submit a consolidated project application that contains two different components (e.g., PH and TH).

(e) The start date for the consolidated grant, if conditionally awarded, will be the day after the expiration date of the eligible renewal project with the earliest expiration date. HUD will calculate the expiration date for the consolidated grant by averaging the expiration dates for all expiring grants included in the consolidated grant weighted by the

size of each expiring grant. If that date falls on the first through the fifteenth of a month, then the expiration date will be the last day of the previous month. If the date falls on the sixteenth through the end of the month, then the expiration date will be the last day of the month.

HUD will calculate the expiration date for the consolidated grant as follows: It will be 'X' months after the end of the 12th month after the start date for the consolidated grant with 'X' determined by calculating the sum for all grants of the total award times the number of months after the expiration of the first expiring grant that the grant expires and dividing that sum by the total award for the consolidated grant. If the calculation of 'X' results in a partial month, if it is less than 0.5, then the consolidated grant will expire on the last day of the previous month, and if it is 0.5 or more, then the consolidated grant will expire on the last day of the calculated month.

(f) Collaborative Applicants designated by HUD as UFAs have more flexibility in how they manage their CoC Program-funded projects, making the consolidation of projects during the CoC Program competition unnecessary. A Collaborative Applicant with UFA designation can consolidate projects during the grant term, so long as the consolidations are not combining different component types and the projects are funded under the same grant (e.g., projects are currently funded under the same renewal grant). If a UFA-designated Collaborative Applicant consolidates projects during the grant term, it can apply to renew them during the CoC Program Competition as consolidated projects.

b. Eligible Costs. Except as otherwise stated below, 24 CFR 578.37 through 578.63 identify the eligible costs that applicants may request under the CoC Program.

(1) Eligible costs for YHDP projects originally funded under the YHDP Competition are also eligible YHDP Renewal project costs under this NOFO. Additionally, YHDP Renewal projects may include the YHDP Special Activities described in section III.B.4.b.(5) subject to requirements in sections III.B.4.c. including III.B.4.c.(7)(b) of this NOFO. YHDP Replacement project applications under this NOFO may include requests for eligible CoC Program Costs, the YHDP activities described in section III.B.4.a.(5) and the YHDP Special Activities in section III.B.4.s.(6) of this NOFO. HUD will reject any requests for ineligible costs, except as otherwise provided in this NOFO.

(2) Section 605(a)(2) of VAWA 2022 amended section 423(a) of the McKinney-Vento Homeless Assistance Act to add the following eligible activity to the CoC program: "Facilitating and coordinating activities to ensure compliance with the emergency transfer plan requirement in [34 U.S.C. 12491(e)] and monitoring compliance with the confidentiality protections in [34 U.S.C. 12491(c)(4)]."

HUD has determined that eligible activities paid for under the VAWA costs category are not subject to the CoC program's spending caps on administrative costs under section 423(a)(10), (11), and (12). This activity may be included in new project applications, added to eligible renewal projects through expansion or added to eligible renewal projects by shifting up to 10 percent of funds from one eligible activity to the VAWA costs line item.

(a) Examples of eligible costs for emergency transfer facilitation include the costs of assessing, coordinating, approving, denying and implementing a survivor's emergency transfer which includes:

(i.) Assistance with moving costs. Reasonable moving costs to move survivors for an emergency transfer.

(ii.) Assistance with travel costs. Reasonable travel costs for survivors and their families to travel for an emergency transfer.

(iii.) Security Deposits. Grant funds can be used to pay for security deposits of the safe units the survivor is transferring to via an emergency transfer.

(iv.) Utilities. Grant funds can be used to pay for costs of establishing utility assistance in the safe unit the survivor is transferring to.

(v.) Housing Fees. Fees associated with getting survivor into a safe unit via emergency transfer, includes but not limited to application fees, broker fees, holding fees, trash fees, pet fees where the person believes they need their pet to be safe, etc.

(vi.) Case management. Grant funds can be used to pay staff time necessary to assess, coordinate and implement emergency transfers.

(vii.) Housing navigation. Grant funds can be used to pay staff time necessary to identify safe units and facilitate moves into housing for survivors through emergency transfers.

(viii.) Technology to make an available unit safe. Grant funds can be used to pay for technology that the individual believes is needed to make the unit safe, including but not limited to doorbell cameras, security systems, phone and internet service when necessary to support security systems for the unit, etc.

(b) Examples of eligible costs for monitoring compliance with the VAWA confidentiality requirements include the costs of ensuring compliance with the VAWA confidentiality requirements which includes:

(i.) Monitoring and evaluating compliance with VAWA confidentiality requirements.

(ii.) Developing and implementing strategies for corrective actions and remedies.

(iii.) Program evaluation of confidentiality policies, practices and procedures.

(iv.) Training on compliance with VAWA confidentiality requirements.

(v.) Reporting to Collaborative Applicant, HUD and other interested parties on compliance with VAWA confidentiality requirements.

(vi.) Costs for establishing methodology to protect survivor information.

(vii.) Staff time associated with maintaining adherence to confidentiality requirements.

(3) Section 5707 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (PL 117-263, December 23, 2022, 136 Stat 2395) amended section 423(a) of the McKinney-Vento Homeless Assistance Act to allow projects in rural areas [as defined in section I.B.2.b.(26) of this NOFO] to use program funds to pay for the following eligible Continuum of Care Program activities:

(a) Payment of short-term emergency lodging, including in motels or shelters, directly or through vouchers.

(b) Repairs to units in which individuals and families experiencing homelessness will be housed; or are currently not fit for human habitation.

(c) Staff training, professional development, skill development, and staff retention activities.

HUD has determined that eligible activities paid for under the Rural costs category may be included in new project applications or added to eligible renewal projects through expansion.

HUD will publish a list of CoCs located in rural areas as defined in section I.B.2.b.(26) of this NOFO.

(4) ***Indirect Costs.*** Indirect cost rules under 2 CFR part 200, as may be amended from time to time, apply. Project applicants that intend to charge indirect costs to the award must clearly state in the project application(s) the rate and distribution base the recipient intends to use, and if applicable, the rate and distribution base to be used by any subrecipient(s). If the rate is a Federally negotiated indirect cost rate, the project application must include the corresponding negotiated indirect cost rate agreement signed by the cognizant agency. A government department or agency unit that receives no more than $35 million in direct federal funding per year and has developed and maintains an indirect cost rate proposal and supporting documentation in accordance with 2 CFR part 200, appendix VII, may use the rate and distribution base specified in that indirect cost rate proposal, unless the cognizant agency requires the proposal to be submitted for negotiation.

For each applicant or intended subrecipient that meets the conditions for using the de minimis rate under 2 CFR 200.414(f) and will use that rate to charge indirect costs, the project application must clearly state the intended use of the de minimis rate. As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but must not be double charged or inconsistently charged as both. Once an organization elects to use the de minimis rate, the organization must apply this methodology consistently for all Federal awards until the organization chooses to negotiate for a rate, which the organization may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

(5) ***Special YHDP Activities.*** YHDP Renewal and YHDP Replacement including YHDP Reallocation projects may submit applications that include the following special YHDP activities, which are ineligible under the CoC Program, subject to the conditions specified in this section:

(a) Recipients may carry out the activities below with written notice to the Deputy Assistant Secretary for Special Needs, subject to the requirements governing grant agreement amendments at 24 CFR 578.105. HUD will consider the inclusion of these activities in the project application as notification to the Deputy Assistance Secretary for Special Needs.

(i.) Housing projects may have leases for a minimum term of 1 month plus 1 day under rental assistance budget line items.

(ii.) Projects may use leasing, sponsor-based rental assistance, and project-based rental assistance in RRH projects.

(iii.) In addition to the eligible costs listed in 24 CFR 578.59(a), recipients may use project administration funds to support costs of involving youth with lived experience in project implementation, execution, and improvement.

(iv.) Recipient may use project administrative funds to attend conferences and trainings that are not HUD-sponsored or HUD-approved, provided that the subject matter is relevant to youth homelessness.

(v.) Projects may employ youth who are receiving services, or housing assistance, from the recipient organization. Recipients that use this special YHDP activity must maintain documentation that discloses the nature of work that the youth performs, and that the youth is not in a position that creates a conflict of interest.

(vi.) Projects may use habitability standards in 24 CFR 576.403(c) rather than Housing Quality Standards in 24 CFR 578.75 for short- or medium-term (up to 24 months) housing assistance. Recipients implementing this special YHDP activity must keep documentation of which standards they apply to the units and proof that the units complied with standards before assistance is provided for every unit funded.

(vii.) Recipients may provide moving expenses to a program participant more than once.

(viii.) Recipients may provide payments of up to $500 per month for families that provide housing under a host home and kinship care model to offset the increased costs associated with having youth housed in the unit.

(ix.) YHDP recipients may continue providing supportive services to program participants for up to 12 months after the program participant exits homelessness, transitional housing or after the end of housing assistance.

(x.) Recipients may use grant funds for the following if they are necessary to assist program participants to obtain and maintain housing. Recipients and subrecipients must maintain records establishing how it was determined that paying the costs was necessary for the program participant to obtain and retain housing and must also conduct an annual assessment of the needs of the program participants and adjust costs accordingly:

i. Security deposits for units in an amount not to exceed 2 months of rent.

ii. The costs to pay for any damage to housing due to the action of program participants, which may be paid while the youth continues to reside in the unit. The total costs paid for damage per program participant may not exceed the cost of 2 months' rent.

iii. The costs of providing household cleaning supplies to program participants.

iv. Housing start-up expenses for program participants, including furniture, pots and pans, linens, toiletries, and other household goods, not to exceed $300 in value per program participant.

v. The one-time cost of purchasing a cellular phone and service for program participant use, provided access to a cellular phone is necessary to obtain or maintain housing and the costs of the phone and services are reasonable per 2 CFR 200.404.

vi. The cost of internet in program participants' units if the costs of the service is reasonable per 2 CFR 200.404.

vii. Payment of rental arrears consisting of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears.

viii. Payment of utility arrears of up to 6 months per utility.

ix. Up to 3 months of utilities for a program participant, based on the utility costs schedule for the unit size and location.

x. In addition to transportation costs eligible in 24 CFR 578.53(e)(15), recipients may pay gas and mileage costs for a program participant's personal vehicle for trips to and from medical care, employment, childcare, or other services eligible under this section.

xi. Legal fees, including court fees, bail bonds, and required courses and equipment.

xii. Program participant's past driving fines and fees that are blocking a young person from being able to obtain or renew a driver's license and impacting their ability to obtain or maintain housing. Additionally, recipients may pay for program participants' costs for insurance and registration for personal vehicles, if the personal vehicle is necessary to reach medical care, employment, childcare, or other services eligible under this section.

(b) Under the conditions specified below, recipients may make use of the following built-in exceptions to this NOFO's requirements, subject to approval by the Deputy Assistance Secretary for Special Needs and requirements governing grant agreement amendments at 24 CFR 578.105. To expedite grant agreement processing, applicants should include as much information as possible as part of their project application to demonstrate they meet the conditions specified below.

(i.) Projects may provide up to 36 months of RRH rental assistance to program participants if the recipient demonstrates: (1) the method it will use to determine which youth need rental assistance beyond 24 months and (2) the services and resources that will be offered to ensure youth are able to sustain their housing at the end of the 36 months of assistance.

(ii.) Projects may continue providing supportive services to program participants for up to 24 months after a program participant exits homelessness, transitional housing or after the end of housing assistance if the recipient demonstrates: (1) the proposed length of extended services to be provided; (2) the method it will use to determine whether services are still necessary; and (3) how those services will result in self-sufficiency and ensure stable housing for program participants.

(iii.) Projects may continue providing supportive services to program participants for up to 36 months after program participants exit homelessness, if the services are in connection with housing assistance, such as the Foster Youth to Independence initiative, or if the recipient can demonstrate that extended supportive services ensures continuity of caseworkers for program participants.

(iv.) Rental assistance may be combined with leasing or operating funds in the same unit, provided that the recipient submits a project plan that includes safeguards to ensure that no part of the project would receive a double subsidy.

(v.) Projects may provide payments of up to $1,000 per month for families that provide housing under a host home and kinship care model, provided that the recipient can show that the additional cost is necessary to recruit hosts to the program.

(vi.) YHDP recipients may pay for short-term (up to three months) emergency lodging in motels or shelters as the transitional housing component in a Joint transitional housing-rapid rehousing (TH-RRH) project, provided that the recipient can demonstrate that use of the hotel or motel room is accessible to supportive services.

(c) In addition to the specific activities authorized above or in 24 CFR part 578, other **innovative activities** to reduce youth homelessness may be carried out in a YHDP project, subject to approval by the Deputy Assistant Secretary for Special Needs and requirements governing grant agreement amendments at 24 CFR 578.105. Requests to carry out YHDP innovative activities are permitted to be requested in any YHDP application. YHDP Replacement applicant must demonstrate to HUD that the activity meets the following criteria; and to expedite grant agreement processing, must include as much information as possible as part of their project application.

(d) YHDP Renewal or YHDP Replacement applications requesting to carryout Special YHDP Activities must demonstrate the following:

(i.) The activity is approved by both the Youth Action Board (YAB) which is a group of at least 4 youth with voting power on policy decisions of the CoC, particularly on policies that relate to preventing and ending youth homelessness. Each YAB member must be age 24 or younger, and at least two-thirds of the YAB members must have lived experience/expertise of homelessness and should be representative of the youth and young adult population experiencing homelessness in the community, and must be a formal committee within the CoC, as evidenced by letters of support from each organization;

(ii.) That activity will be testing or likely to achieve a positive outcome in at least one of the four core outcomes for youth experiencing homelessness (stable housing, permanent connections, education/employment, and well-being);

(iii.) The activity is cost-effective; and

(iv.) The activity is not in conflict with fair housing, civil rights, or environmental regulations.

c. Renewal Project Requirements. As set forth in 24 CFR 578.33, projects may renew under the FY 2024 – FY 2025 CoC Program Competition NOFO to continue ongoing leasing, operating, supportive services, rental assistance, HMIS, and project administrative costs.

Awards HUD made under the CoC Program and YHDP are eligible for renewal with FY 2024 CoC Program funds if they are currently operating and have an expiration date in CY 2025 (the period from January 1, 2025, through December 31, 2025). Therefore, project applications for grants previously awarded 1 year of funding, including projects awarded funding under the FY 2023 CoC Program Competition NOFO, are renewable for the FY 2024 CoC Program funding opportunity if they are currently operating and have an expiration date in CY 2025.
Awards made under the CoC Program and YHDP will be eligible for renewal with FY 2025 CoC Program funding subject to the FY 2025 HUD Appropriation and if they have a signed grant agreement with HUD that will expire in CY 2026 (January 1, 2026, and ending December 31, 2026). For awards made in FY 2024, HUD will make FY 2025 awards using the FY 2024 application, subject to any FMR and Cost of Living adjustments and FY 2025 appropriations. Projects that did not meet the eligibility criteria to renew in FY 2024 but are eligible for FY 2025 renewal funding must submit a renewal application by the FY 2025 application submission deadline established in this NOFO.

(1) Renewal project applications must be submitted by the same recipient that signed the executed grant agreement for the grant being renewed, or entity that became the recipient through a grant agreement transfer amendment. To be eligible as a renewal project, the application must (1) be for the same amount of funding before any adjustments described in this NOFO (e.g. FMR adjustments), or the amount reduced due to reallocation ; (2) be for the same program component; (3) in the case of CoC renewal projects, must continue to serve program participants who are enrolled in the project under the project's current grant agreement; and (4) in the case of DV Bonus renewal projects and YHDP Renewal projects, must continue to serve the same subpopulation.

(2) If HUD conditionally selects a renewal grant during the FY 2024 or FY 2025 funding process that does not have an expiration date that meets the renewal eligibility requirements prescribed by this NOFO, HUD will withdraw any funds conditionally selected for award.

(3) Projects that were eligible under predecessor programs, specifically Safe Haven projects, will continue to be eligible under the CoC Program and will continue to be eligible for renewal of leasing, operating, supportive services, rental assistance, HMIS, and project administrative costs under 24 CFR 578.33(d)(1) so long as the project continues to serve the same population and the same number of program participants or units in the same type of housing as identified in their most recent grant agreement, amended grant agreement, signed before August 31, 2012. No new Safe Haven projects will be funded; however, existing Safe Haven projects may be renewed to continue to carry out activities that are eligible costs under Subpart D of the Rule.

(4) The total request for each renewing project, including non-competitive YHDP Renewal and YHDP Replacement projects, is limited to a project's ARA. Additionally, where two or more eligible projects are being consolidated through the project application, the total ARA of the consolidation project must be equal to or less than the sum of the original renewal projects before consolidation. Because funds for acquisition, new construction, and rehabilitation are not renewable, grants being renewed whose original expiring award

included acquisition, new construction, and rehabilitation funds may only renew leasing, supportive services, rental assistance, operating, and HMIS costs and must not exceed 10 percent in administrative costs.

(5) HUD will recapture grant funds remaining unspent at the end of the previous grant period when it renews a grant.

(6) HUD encourages the consolidation of eligible renewal grants as provided in section I.B.3.d of this NOFO. This does not apply to CoCs that HUD designates as UFAs, because UFAs enter into a single renewal grant agreement with HUD for the CoC's entire geographic area. If applicable, HUD issues a separate UFA grant agreement that only includes YHDP grants.

(7) Subject to HUD approval and the terms of the NOFO, the following requests may be included in a renewal application:

(a) CoC renewal project applications may include non-significant changes including shifting up to 10 percent of funds from one approved eligible activity to another.

(b) YHDP Renewal project applications from any round may include non-significant changes including adding select Special YHDP Activities in section III.B.4.b.(5) and shifting up to 10 percent of funds from one approved eligible activity to another.

(c) DV Renewal project applications may include non-significant changes including shifting up to 10 percent of funds from one approved eligible activity to another.

Renewing DV Bonus projects must continue to serve individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, and stalking who qualify as homeless under paragraphs (1) or (4) of the definition of homeless at 24 CFR 578.3 or Section 103(b) of the McKinney-Vento Homeless Assistance Act. YHDP renewal projects must serve youth, age 24 or younger, who qualify as homeless under paragraph (1), (2), and (4) of 578.3, including unaccompanied, pregnant and parenting youth, where no member of the household is older than 24. Additionally, these projects may serve youth aged 24 and under who qualify as homeless under paragraph (3) of 24 CFR 578.3 if the CoC is approved to serve persons in paragraph (3).

(d) Renewal applications that include requests to shift more than 10 percent of funds from one approved eligible activity to another and other significant changes as defined at 24 CFR 578.105 will not be considered during the CoC Program Competition by HUD. If an application includes a budget shift that exceeds 10 percent, HUD will correct the project budget to reflect the previously awarded budget amounts.

(e) CoC renewal project applicants may also apply to transition an eligible renewal project from one program component to another eligible new component through reallocation and use those funds to create a single, new transition grant [see section I.B.2.b.(30) of this NOFO]. YHDP Renewal project applicants are not permitted to utilize the transition grant application process. YHDP applicants must submit a YHDP Replacement application to change program components.

(f) YHDP Replacement projects cannot request capital costs (i.e., new construction, acquisition, or rehabilitation).

(8) ***Actual Per Unit Cost – Renewal Grants.*** Applicants requesting renewal of grants for rental assistance may request a per-unit amount less than the Fair Market Rent (FMR) if the actual rent per unit under lease is less than the FMR. This will help reduce the number of projects receiving rental assistance that have large balances of unspent funds remaining at the end of the operating year. Renewal project applicants must ensure the amount requested will be sufficient to cover all eligible costs as HUD cannot provide funds beyond the amount awarded through the FY 2024 – 2025 CoC Program Competition. Project applications for rental assistance cannot request more than 100 percent of the published FMR. **New project applications must adhere to 24 CFR 578.51(f) and must request the full FMR amount per unit.** See section V.D of this NOFO for additional information regarding FMR adjustments for projects receiving funds for rental assistance.

(9) ***Renewal and Replacement Grant Terms.*** CoC Program renewal, YHDP Renewal, and YHDP Replacement project applications submitted during the FY 2024 and FY 2025 CoC and YHDP Funding Processes are limited to a 1-year grant term with 1 year of funding. HUD may extend the grant term consistent with 2 CFR 200.308 and 2 CFR 200.309.

Any renewal PH project that receives project-based rental assistance or operating costs may request up to a 15-year grant term; however, project applicants may only request 1 year of funding. HUD may extend the grant term consistent with 2 CFR 200.308 and 2 CFR 200.309. Project applicants must apply for the additional funds as a renewal project application prior to the anniversary of the first expenditure of grant funds by which date grant funds should have been expended; or, if HUD extends the date that funds must be expended, the date the extension expires. HUD does not guarantee CoC Program funds past the 1 year of renewal funding.

The first year of funding for YHDP Replacement projects will be based on the 1-year renewal amount of the current YHDP project being replaced. The YHDP Replacement project's operating start date will be the day after the end of the previous grant term for the project being replaced.

d. New Project Requirements. CoCs may submit new projects created through DV Bonus, CoC Bonus, CoC Reallocation, DV Reallocation, YHDP Replacement including YHDP Reallocation, or a combination of reallocation and CoC Bonus. A CoC designated Collaborative Applicant may submit a new CoC Planning project application, and if applicable, a UFA Costs project application.

To expend funds within statutorily required deadlines, applicants funded for sponsor-based and project-based rental assistance must execute the grant agreement and begin providing rental assistance within 2 years. However, HUD strongly encourages all rental assistance to begin within 12 months of award. Applicants that are unable to begin rental assistance within the 12-month period should consult with the local HUD CPD field office.

(1) HUD will review project subrecipient eligibility as part of the project quality threshold review process. Project applicants must submit documentation of the subrecipient's eligibility with the project application.

(2) Any youth-serving provider funded under this NOFO may serve unaccompanied youth aged 24 and under (or families headed by youth aged 24 and under, including pregnant or parenting youth) who have an unsafe primary nighttime residence and no safe alternative to that residence.

(3) Per the Consolidated Appropriations Act, 2024, to receive funding for a new CoC project, except those created through reallocation, HUD must determine the CoC has demonstrated that projects are evaluated and ranked based on the degree to which they improve the CoC's system performance [See more information on System Performance in sections I.A.4.b.(4) and V.B.2.b of this NOFO].

(4) ***New Project Grant Terms.*** The initial grant term for new project applications may be 1-year, 2-years, 3-years, 4-years, 5-years, or 15-years. HUD may extend the grant consistent with 2 CFR 200.308 and 2 CFR 200.309. New projects awarded 1-year grants under the FY 2024 funding process will be eligible for renewal with FY 2025 CoC Program funds if they have a signed grant agreement with HUD that will expire in CY 2026 (January 1, 2026, and ending December 31, 2026). HUD will make FY 2025 awards using the FY 2024 application, subject to any FMR adjustments and FY 2025 appropriations. If a HUD conditionally selects a FY 2024 grant for renewal in FY 2025 that does not have an expiration date in CY 2026, HUD will withdraw any award conditionally selected for FY 2025 renewal funding. The following exceptions apply:

(a) HUD will allow new projects to request 1 year of funding with a longer initial grant term not to exceed 18 months. HUD has determined that most new projects requesting 1 year of funding normally take approximately 3 to 6 months to begin fully operating the new project (e.g., hiring staff, developing partnerships with landowners if leasing or renting). Therefore, a new project requesting 1 year of funding may request a grant term of 12 months to 18 months that will allow for the additional start-up process. Any new projects requesting capital costs (i.e., new construction, acquisition, or rehabilitation) are not eligible for 1-year funding requests. See (g) below for more information on new projects requesting capital costs. Transition grant applications cannot request 18-month grant terms.

(b) Any new expansion project submitted to expand an eligible renewal CoC Program-funded project may only request a 1-year grant term, regardless of the project type.

(c) Any new project that requests tenant-based rental assistance may request a 1-year, 2-year, 3-year, 4-year, or 5-year grant term.

(d) Any new project that requests leasing costs - either leasing costs only or leasing costs plus other costs (e.g., supportive services, HMIS) - may request up to a 3-year grant term.

(e) Any new project that requests project-based rental assistance or sponsor-based rental assistance, or operating costs may request up to a 15-year grant term; however, the project applicant may only request up to 5 years of funds. Funding for the remainder of the term is subject to availability. Applicants must apply for additional funds through a renewal project application in the competition held in the calendar year prior to the anniversary of the first expenditure of grant funds, or if HUD has extended the grant

term, the date the extension expires. HUD does not guarantee CoC Program funds past the initial 5-year grant term, if conditionally awarded.

(f) Any new project that requests operating costs, supportive services only, HMIS, and project administrative costs may request 1-year, 2-year, 3-year, 4-year, or 5-year grant terms with funding for the same number of years.

(g) Any new project conditionally selected by HUD that requests new construction, acquisition, or rehabilitation costs (capital costs) must request a minimum of a 3-year grant term and may request up to a 5-year grant term. Any new projects requesting capital costs are not eligible for 1-year funding requests. If a new project requests 1 year of funding with capital costs, HUD will increase the grant term to 3-years and the new project must spend the funds requested over a 3-year period.

If an applicant requests funds for new construction, acquisition, or rehabilitation in addition to requesting funds for operating, supportive services, or HMIS, the funding will be for the 3-years to 5-years requested, and the grant term will be 3-years to 5-years plus the time necessary to acquire the property, complete construction, and begin operating the project. HUD will require recordation of a HUD-approved use and repayment covenant before funds can be drawn down (the form can be obtained from the local HUD CPD field office) for all grants of funds for new construction, acquisition, and rehabilitation. (24 CFR 578.81) HUD Field Office Counsel must approve the use and repayment covenants in advance of their being recorded, and proof of recording must be submitted to HUD Field Office Counsel before HUD will release grant funds, other than acquisition funds.

(h) All new CoC Planning or UFA Costs project applications are limited to 1-year grant terms and 1 year of funding.

(i.) The maximum amount for one year of funding to spend on administrative costs associated with the CoC planning activities listed at 24 CFR 578.39 is 5 percent of FPRN, up to a maximum of $1,500,000, or $50,000 whichever is greater.

(ii.) The maximum amount for one year of funding to spend on administrative costs associated with the UFA costs described at 42 USC 11360(g) is up to 3 percent of FPRN or $1,250,000 per fiscal year; whichever is less.

(iii.) CoC Planning and UFA Costs grants are not renewable; however, if a FY 2024 CoC Planning or UFA Costs application is selected for award, HUD will fund a FY 2025 CoC Planning and, if applicable, a UFA Costs grant based on the FY 2024 application and subject to FY 2025 appropriations.

(i) Any new project that is requesting consideration under the DV Bonus or DV Reallocation processes [see sections I.B.3.j, I.A.3.c and I.B.2.b.(6) of this NOFO] may only request 1 year of funding, but may request a longer initial grant term not to exceed 18 months regardless of project application component type.

C. Rules that Affect How HUD Evaluates Applications

1. Assessing Applicant Risk

In evaluating risks posed by applicants, HUD may use a risk-based approach and may consider any items such as the following:

a. Financial stability;

b. Quality of management systems and ability to meet the management standards prescribed in 2 CFR part 200;

c. History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, failing to make significant progress in a timely manner, failing to meet planned activities in a timely manner, conformance to the terms and conditions of previous Federal awards, and, if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;

d. Reports and findings from audits performed under Subpart F—Audit Requirements of 2 CFR part 200 or the reports and findings of any other available audits; and

e. The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

2. Past Performance

In evaluating applications for funding, HUD will consider an applicant’s past performance in managing funds. Items HUD will consider include, but are not limited to:

The ability to account for funds in compliance with applicable reporting and record keeping requirements

Timely use of funds received from HUD

Timely submission and quality of reports submitted to HUD

Meeting program requirements

Meeting performance targets as established in the grant agreement

The applicant’s organizational capacity, including staffing structures and capabilities

Timely completion of activities and receipt and expenditure of promised matching or leveraged funds

The number of persons served or targeted for assistance

Promoting self-sufficiency and economic independence

Producing positive outcomes and results

OMB-designated repositories of government-wide data, as noted in 2 CFR 200.206(a)

HUD may reduce cores based on the past performance review, as specified under Section V.A. Review Criteria. Whenever possible, HUD will obtain and review past performance information. If this review results in an adverse finding related to integrity of performance, HUD reserves the right to take any of the remedies provided in the Pre-Selection Review of Performance section of the *Eligibility Requirements for Applicants of HUD Financial Assistance Programs*.

3. Statutory and Regulatory Requirements

To be eligible for funding under the FY 2024 - 2025 CoC Program and YHDP Competition NOFO, project applicants must meet all statutory and regulatory requirements in the Act and the Rule. The non-competitive renewal and replacement of YHDP grants are administered under the Consolidated Appropriations Act, 2024 which permits YHDP projects to be renewed or replaced competitively or non-competitively through the CoC Program [see section I.B.3.e of this NOFO]. The Consolidated Appropriations Act, 2024 provides that none of the FY 2024 funds made available under this NOFO shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance.

Project applicants can obtain a copy of the Act and the Rule on HUD's website or by contacting the NOFO Information Center at 1-800-483-8929. Individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities may visit https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs for more information on how to make an accessible telephone call to HUD.

4. Threshold Requirements

Applicants who fail to meet any of the following threshold eligibility requirements are deemed ineligible. Applications from ineligible applicants are not rated or ranked and will not receive HUD funding.

a. Project Eligibility Threshold. HUD will review all projects to determine if they meet the following project eligibility threshold requirements on a pass/fail standard. If HUD determines the applicable standards are not met for a project, HUD will reject the project. HUD will consider any project requesting renewal funding as having met these requirements through its previously approved grant application unless HUD receives information to the contrary (e.g., monitoring findings, results from investigations by HUD's Office of Inspector General, the recipient routinely does not draw down funds from eLOCCS at least once per quarter, consistently late Annual Performance Report (APR) submissions). Approval of new and renewal projects is not a determination by HUD that a recipient is compliant with applicable fair housing and civil rights requirements.

(1) Project applicants and potential subrecipients must meet the eligibility requirements of the CoC Program as described in the Act and the Rule and provide evidence of eligibility required in the application (e.g., nonprofit documentation).
(2) Project applicants and subrecipients must demonstrate the financial and management capacity and experience to carry out the project as detailed in the project application and the capacity to administer federal funds. Demonstrating capacity may include a description of the applicant and subrecipient experience with similar projects and with successful administration of SHP, S+C, or CoC Program funds or other federal funds.
(3) Project applicants must submit the required certifications specified in this NOFO.
(4) The population to be served must meet program eligibility requirements as described in the Act, the Rule, and section I.B.3.k of this NOFO.
(5) Project applicants, except Collaborative Applicants that only receive awards for CoC Planning costs and, if applicable, UFA Costs, must agree to participate in a local HMIS system. However, in accordance with Section 407 of the Act, any victim service provider

that is a recipient or subrecipient must not disclose, for purposes of HMIS, any personally identifying information about any client. Victim service providers must use a comparable database that meets the needs of the local HMIS.

b. Project Quality Threshold.

HUD will review all new project applications to determine if they meet the following project quality threshold requirements. HUD will not award funds to a new project unless the project was created through reallocation, or the CoC has demonstrated to HUD's satisfaction that projects are evaluated and ranked based on the degree to which they improve the CoC's system performance. HUD will consider any project requesting renewal funding, including renewing YHDP, as having met project quality threshold requirements through its previously approved grant application unless HUD receives information to the contrary (e.g., monitoring findings, results from investigations by HUD's Office of Inspector General, the recipient routinely does not draw down funds from eLOCCS at least once per quarter, consistently late APR submissions) and/or if the renewal project has compliance issues which results in the project not operating in accordance with the Rule. If awarded, a recipient must meet all the criteria listed in the criteria column for its component. Additionally, the housing and services proposed must be appropriate to the needs of the program participants and the community. A determination that a project meets the project quality threshold is not a determination by HUD that a recipient is compliant with applicable fair housing and civil rights requirements.

HUD will consider YHDP Replacement project applications including applications for new YHDP projects created through YHDP reallocation as having met project quality threshold requirements if the project application activities and costs are eligible under this NOFO. If a YHDP Replacement (including YHDP Reallocation) project application is not for activities and costs that are eligible under this NOFO, HUD will not reject the project under this project quality threshold, but HUD will require the project applicant to correct or revise information submitted after the final CoC Program award announcement but before executing the grant agreement.

Permanent Housing: Permanent Supportive Housing or Rapid Rehousing		
New Project Application Rating Factors	**Points Available**	**Criteria**
New Permanent Housing projects must receive at least 4 out of the 5 points available for	1	The type of housing proposed, including the number and configuration of units, will fit the needs of the program participants.
	1	The type of supportive services that will be offered to program participants will ensure successful retention in or help to obtain permanent housing, including all supportive services regardless of funding source.

this project type. New Permanent Housing projects that do not receive at least 4 points will be rejected.	1	The proposed project has a specific plan for ensuring program participants will be individually assisted to obtain the benefits of mainstream health, social, and employment programs for which they are eligible to apply meets the needs of program participants (e.g., Medicare, Medicaid, SSI, Food Stamps, local Workforce office, early childhood education).
	1	Program participants are assisted to obtain and remain in permanent housing in a manner that fits their needs (e.g., provides the participant with some type of transportation to access needed services, safety planning, case management, additional assistance to ensure retention of permanent housing).
	1	The average cost per household served is reasonable, meaning that the costs for housing and services provided by the project are consistent with the population the project plans to serve.
Joint TH/PH-RRH		
New Project Application Rating Factors	**Points Available**	**Criteria**
New Joint TH/PH-RRH component project applications must receive at least 6 out of 8 points available for this project type. New Joint TH/PH-RRH component projects that do not receive at least 6 points	1	The type of housing proposed, including the number and configuration of units, will fit the needs of the program participants (e.g., two or more bedrooms for families.)
	2	The proposed project will provide enough rapid rehousing assistance to ensure that at any given time a program participant may move from transitional housing to permanent housing. This may be demonstrated by identifying a budget that has twice as many resources for the RRH portion of the project than the TH portion, by having twice as many PH-RRH units at a point in time as TH units, or by demonstrating that the budget and units are appropriate for the population being served by the project.
	1	The type of supportive services that will be offered to program participants will ensure successful retention or help to obtain permanent housing,

will be rejected.		including all supportive services regardless of funding source.
	1	The proposed project has a specific plan for ensuring program participants will be individually assisted to obtain the benefits of mainstream health, social, and employment programs for which they are eligible to apply, and which meets the needs of program participants (e.g., Medicare, Medicaid, SSI, Food Stamps, local Workforce office, early childhood education).
	1	Program participants are assisted to obtain and remain in permanent housing in a manner that fits their needs (e.g., provides the participant with some type of transportation to access needed services, safety planning, case management, additional assistance to ensure retention of permanent housing).
	1	The project adheres to a Housing First model as defined in section I.B.2.b.(15) of this NOFO.
	1	The average cost per household served is reasonable, meaning that the costs for housing and services provided by the project are consistent with the population the project plans to serve.
SSO-Coordinated Entry		
New Project Application Rating Factors	**Points Available**	**Criteria**
New SSO-CE project applications (also known as centralized or coordinated assessment) must receive at least 2 out of the 4 points available for this project type. New	1	The Coordinated Entry system is easily available/reachable for all persons within the CoC's geographic area who are seeking homelessness assistance. The system must also be accessible for persons with disabilities within the CoC's geographic area.
	1	There is a strategy for advertising that is designed specifically to reach households experiencing homelessness with the highest needs and who are disproportionately represented within the CoC's homelessness response system.
	1	There is a standardized assessment process.
	1	Ensures program participants, taking into account those who are from historically underserved

SSO-CE projects that do not receive at least 2 points will be rejected.		population through the CoC's prioritization process, are directed to appropriate housing and services that fit their needs.
HMIS		
New Project Application Rating Factors	**Points Available**	**Criteria**
New HMIS project applications must receive at least 3 out of the 4 points available for this project type. New HMIS projects that do not receive at least 3 points will be rejected.	1	How the HMIS funds will be expended in a way that is consistent with the CoC's funding strategy for the HMIS and furthers the CoC's HMIS implementation.
	1	The HMIS collects all Universal Data Elements as set forth in the HMIS Data Standards.
	1	The ability of the HMIS to un-duplicate client records.
	1	The HMIS produces all HUD-required reports and provides data as needed for HUD reporting (e.g., APR, quarterly reports, data for CAPER/ESG reporting) and other reports required by other federal partners.
CoC Planning – Collaborative Applicants Only		
New Project Application Rating Factors	**Points Available**	**Criteria**
New CoC Planning projects, submitted only by the CoC's designated Collaborative Applicant,	1	Governance and Operations-The CoC conducts meetings of the entire CoC membership that are inclusive and open to members and demonstrates the CoC has a written governance charter in place that includes CoC policies.
	1	CoC Committees-The CoC has CoC-wide planning committees, subcommittees, or workgroups to address the needs of persons experiencing homelessness in the CoC's

must receive at least 3 out of the 5 points available for this project type. CoC Planning projects that do not receive at least 3 points will be rejected.		geographic area that recommends and sets policy priorities for the CoC.
	2	The proposed planning project that will be carried out by the CoC with Planning grant funds are compliant with the provisions of 24 CFR 578.7.
	1	The funds requested will improve the CoC's ability to evaluate the outcome of both CoC Program-funded and ESG-funded projects.

HUD will review the UFA Costs submitted by the UFA designated Collaborative Applicant to ensure appropriate match and eligibility of costs requested. HUD will also assess all new project applications (i.e. reallocations, DV Bonus, CoC Bonus, and YHDP replacement projects) for the following minimum project eligibility, capacity, timeliness, and performance standards. For HUD to consider projects as meeting project quality threshold, all new projects must meet all the following criteria:

(1) project applicants and potential subrecipients must have satisfactory capacity, drawdowns, and performance for existing grant(s) funded under the CoC Program, as evidenced by timely reimbursement of subrecipients, regular drawdowns, and timely resolution of any monitoring findings; however, this does not apply to project applicants who have never received a CoC Program funded project;

(2) for expansion project applications, project applicants must describe the part of the project that is being expanded and demonstrate the project is not replacing other funding sources; and

(3) project applicants must demonstrate their ability to meet all timeliness standards per 24 CFR 578.85. Project applicants with existing projects must demonstrate they met all renewal project threshold requirements of this NOFO. HUD reserves the right to deny a funding request for a new project, if the request is made by an existing recipient that HUD finds to have significant issues related to capacity, performance, unresolved audit, or monitoring findings related to one or more existing grants; or does not routinely draw down funds from eLOCCS at least once per quarter. HUD also reserves the right to withdraw funds if no APR is submitted on the prior grant.

c. Project Renewal Threshold.

CoCs must consider the need to continue funding for projects expiring in CY 2025 (January 1, 2025 to December 31, 2025) when applying for FY 2024 CoC and YHDP funding and CY 2026 (January 1, 2026 to December 31, 2026) when applying for FY 2025 CoC and YHDP funding.

Renewal projects must meet the minimum project eligibility, capacity, timeliness, and performance standards identified in this NOFO or they will be rejected from consideration for funding:

(1) When considering renewal projects for award; HUD will review information in eLOCCS, APRs, and information provided from the local HUD CPD field office; including monitoring reports and audit reports as applicable, and performance standards on prior grants, and will assess projects using the following criteria on a pass/fail basis:

(a) whether the project applicant's performance met the plans and goals established in the initial application, or grant as amended;

(b) whether the project applicant demonstrated all timeliness standards for grants being renewed have been met, including those standards for the expenditure of grant funds;

(c) the project applicant's performance in assisting program participants to achieve and maintain independent living and records of success, except dedicated HMIS projects are not required to meet this standard; and

(d) evidence of unwillingness of project applicants to accept technical assistance, a history of inadequate financial accounting practices, indications of project mismanagement, a drastic reduction in the population served, program changes have been made without prior HUD approval, or the loss of project site control.

(2) HUD reserves the right to reduce or reject a project application submitted during the CoC Program Competition for the following reasons:

(a) outstanding obligation to HUD that is in arrears or for which a payment schedule has not been agreed upon;

(b) audit finding(s) for which a response is overdue or unsatisfactory;

(c) history of inadequate financial management accounting practices;

(d) evidence of untimely expenditures on prior award;

(e) history of other major capacity issues that have significantly affected the operation of the project and its performance;

(f) history of not reimbursing subrecipients for eligible costs in a timely manner, or at least quarterly; and

(g) history of serving ineligible program participants, expending funds on ineligible costs, or failing to expend funds within statutorily established timeframes.

5. Certification of Consistency with the Consolidated Plan.

Each project applicant must submit a certification by the jurisdiction in which the proposed project(s) will be located that the applicant's project application for funding is consistent with the jurisdiction's HUD-approved consolidated plan. The certification must be made in accordance with the provisions of the consolidated plan regulations at 24 CFR part 91, subpart F. Form HUD-2991 must be completed and dated between May 1, 2024 and August 29, 2025. Additionally, applicants that propose to locate a project on a reservation or trust land must include a tribal resolution from the tribe authorizing the applicant to do so or a letter from an official or principal of the Indian Tribe or TDHE who is authorized to act on behalf of the Indian Tribe or TDHE. Tribes do not need to include a tribal resolution to site a project on their own reservation or trust land. A tribal resolution is the formal manner in which the tribal government expresses its legislative will in accordance with its organic documents. In the absence of such organic documents, a written expression adopted pursuant to tribal practices will be acceptable.

For project applications submitted for FY 2024 funding, the Certification of Consistency with the Consolidated Plan Form HUD-2991 must be completed and dated between May 1, 2024 and October 30, 2024.

If project applicants are eligible to apply for FY 2025 funding, but aren't included on the HUD-2991 submitted during the FY 2024 funding process, the CoC must submit a certification by the jurisdiction in which the proposed project(s) will be located and the certification must be made in accordance with the provisions of the consolidated plan regulations at 24 CFR part 91, subpart F. The FY 2025 Form HUD-2991 must be completed and dated between November 1, 2024 and August 29, 2025.

All project applications submitted and listed on the CoC Project Listings by Collaborative Applicants must be included in the certification either by submitting one correctly signed and dated HUD-2991 from the appropriate jurisdiction that includes an attachment listing of all submitted project applications, or a single signed and dated HUD-2991 for each individual project application from the appropriate jurisdiction. See section IV.F.3.e for more information.

6. Participative Planning and Implementation.

Applicants must identify the steps they will take to ensure that traditionally underserved populations (such as Black, Latino, and Indigenous and Native American persons; Asian American persons, Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons who live in rural areas, persons with disabilities, and others adversely affected by persistent poverty or inequality) will be able to meaningfully participate in the planning process. The applicant must identify the specific populations that it will include, identify community organizations that represent these populations, and describe how these populations will be included in the planning process. For capital investment projects, recipients should commit to and demonstrate plans to employ low- and very low-income persons and/or use Section 3 businesses at levels beyond those required by Section 3.

In accordance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C.§ 794) and HUD's implementing regulations at 24 CFR Part 8, and Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12134) and the implementing regulation at 28 CFR Part 35, the programs services, and activities funded through this NOFO must be accessible to and usable by persons

with disabilities. Applicants and recipients must ensure meetings are held in facilities that are physically accessible to persons with disabilities and ensure effective communication for individuals with disabilities. Auxiliary aids or services and reasonable accommodations must be provided, when necessary, to ensure equal participation by individuals with disabilities.

In addition, applicants and recipients must take reasonable steps to ensure meaningful language access for persons with limited English proficiency (LEP) pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d and Executive Order 13166. For assistance in ensuring meaningful access for individuals with limited English proficiency, recipients and subrecipients should consult HUD's Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (HUD's LEP Guidance) published in the Federal Register on January 22, 2007 (72 Fed. Reg. 2732).

IV. APPLICATION AND SUBMISSION INFORMATION

A. Application Package

1. Authoritative Versions of HUD NOFOs. The version of these NOFOs as posted on Grants.gov are the official documents HUD uses to solicit applications. While the CoC Program NOFO is officially posted on Grants.gov, this program uses *e-snaps*, an electronic application system. HUD does not accept faxed applications or supportive documents.

2. Exemptions. Parties that believe the requirements of the NOFO would impose a substantial burden on the exercise of their religion should seek an exemption under the Religious Freedom Restoration Act (RFRA).

B. System for Award Management (SAM) and Unique Entity Identifier (UEI)

1. SAM Registration Requirement

You must register with www.sam.gov/ before submitting your application. You must maintain current information in SAM on immediate and highest-level owners and subsidiaries, as well as on all predecessors that have been awarded a federal contract or grant within the last three years, if applicable. Information in SAM must be current for all times during which you have an active Federal award or an application or plan under consideration by HUD.

2. UEI Requirement

All entities doing business with the Federal government must use the UEI created in SAM.gov. Your application must include a valid UEI that is registered and active at www.sam.gov.

For projects conditionally selected for award, HUD verifies that your organization has an active SAM registration prior to release of awarded funds and will withhold processing funds if your organization's SAM registration has expired or isn't consistent with the information provided on the SAM.gov website. A UEI discrepancy may also occur if HUD approves a grant to be amended to a new recipient (see section VI.4 of this NOFO).

UEI discrepancies are a curable deficiency that may be corrected by the applicant with timely action. If a UEI discrepancy isn't resolved within the timeframe prescribed by the Notification of Curable Deficiency the applicant receives from HUD, HUD may reject the project and award funds to project(s) on the CoC's Priority Listing that were reduced due to insufficient funding

availability; or HUD may select another eligible project(s) according to the project's rank on the CoC's Priority Listing.

C. Other Guidance and Notifications

1. Federalism.

E.O. 13132 prohibits, to the extent practicable and permitted by law, an agency from promulgating policies that have federalism implications and either impose substantial direct compliance costs on state and local governments and are not required by statute, or preempt state law, unless the relevant requirements of Section 6 of the executive order are met. This notice does not have federalism implications and does not impose substantial direct compliance costs on state and local governments or preempt state law within the meaning of the executive order.

2. Section 102 of the HUD Reform Act.

Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act) (42 U.S.C. 3545) and the regulations codified at 24 CFR 4, subpart A, contain several requirements that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992, HUD published a notice that also provides information on the implementation of Section 102 (57 FR 1942). The documentation, public access, and disclosure requirements of Section 102 applies to assistance awarded under NOFOs published as described below:

a. Documentation, Public Access, and Disclosure Requirements. HUD will ensure that documentation and other information regarding each application submitted pursuant to a FY 2024 - 2025 CoC and YHDP NOFO are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the FOIA and HUD's implementing regulations at 24 CFR 15.

b. Form HUD 2880, "Applicant/Recipient Disclosure/Update Report". HUD will also make available to the public for a period of 5 years all applicant disclosure reports (form HUD 2880) submitted in connection with a FY 2024 - 2025 CoC and YHDP NOFO. Updated reports (also reported on form HUD 2880) will be made available along with the applicant disclosure reports, but in no case for a period of less than 3 years. All reports will be made available in accordance with the FOIA and HUD's implementing regulations.

c. Publication of Recipients of Funding. HUD's regulations at 24 CFR part 4 provide that HUD will publish a notice in the Federal Register to notify the public of all funding decisions made by HUD to provide:

(1) Assistance subject to Section 102(a) of the HUD Reform Act; and
(2) Assistance provided through grants or cooperative agreements on a discretionary (non-formula, non-demand) non-competitive basis.

3. Section 103 of the HUD Reform Act.

Section 103 of the HUD Reform Act, codified at 24 CFR part 4, subpart B, applies to this funding competition until the announcement of selection of successful applicants. HUD's employees involved in the review of applications and in the making of funding decisions are

prohibited by the regulations from providing advance information to any person (other than an authorized HUD employee) concerning funding decisions or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance must confine their inquiries to the subject areas HUD's employees are permitted to answer under 24 CFR part 4. Applicants who have ethics-related questions may contact HUD's Ethics Law Division at 202-708-3815 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.

4. Digital Signatures and Recordkeeping.

HUD is increasing electronic recordkeeping where feasible. HUD plans to use digital signatures on grant award and modification documents to expedite awards and modification. HUD will manage email records in an electronic format. Recipients need not print emails and file them if their email system and procedures meet records management and litigation requirements (e.g., identifying, retrieving, and retaining the records for as long as they are needed).

D. Application Verification

Applicants should compare their application submission with the requirements in the CoC Program NOFO. The FY 2024 – 2025 CoC Program Competition NOFO located on Grants.gov is HUD's official NOFO. If a discrepancy in the CoC Program NOFO posted on Grants.gov or other information provided in any other version or supporting documentation is found, please, notify HUD immediately as indicated in section VIII of this NOFO. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.

HUD will post any corrections or amendments to a CoC Program NOFO on Grants.gov.

E. Content and Form of Application Submission

1. CoC Registration.

HUD required Collaborative Applicants to complete the CoC Program Registration in accordance with Notice CPD-22-02: Continuum of Care Program Registration. If a Collaborative Applicant did not complete the CoC Program Registration, HUD moved the previous year's registration forward with no changes. Collaborative Applicants and UFAs that completed their CoC Program Registration by March 7, 2024 are not required to reapply during the FY 2025 funding year. If changes to a CoC's Registration information is required during the FY 2025 funding year, CoCs must follow the Registration submission requirements in Notice CPD-22-02: Continuum of Care Program Registration for FY 2025.

2. CoC Project Review and Ranking.

The CoC must review each project application submitted to the CoC for inclusion on the FY 2024 CoC Priority Listing as part of the CoC Consolidated Application and either approve and rank or reject project application submissions. All project applications approved by the CoC must be listed on the CoC Priority Listing in rank order. YHDP Renewal, and YHDP

Replacement projects which includes YHDP Reallocation projects are not competitively awarded and must not be ranked.

Higher ranked projects will be assigned to Tier 1 and lower ranked projects will be assigned to Tier 2 as described in sections I.B.3.h.(1) and (2) of this NOFO. This two-tiered approach for CoCs notifies HUD which projects are prioritized for funding based on local needs and gaps.

3. CoC Consolidated Application Submission.

Collaborative Applicants, including any HUD-designated UFAs, must submit the CoC Consolidated Application in e-snaps on behalf of the CoC. For more information on the CoC Consolidated Application, see section IV.F of this NOFO. The CoC Consolidated Application for funds under this NOFO includes the following:

a. FY 2024 - 2025 CoC Application. The Collaborative Applicant must provide information about the CoC planning body, governance structure, overall performance, and the strategic planning process. The CoC Application describes the CoC's plan for ending homelessness, its system-level performance, and addresses the selection criteria specified in section V of this NOFO. HUD scores this part of the application with all charts and narratives completed (as applicable) and all required attachments to determine the order in which competitively ranked CoC projects are funded.

b. Project Applications. Project applications must include the population(s) and subpopulation(s) they will serve, the type of housing and services they will provide, and the budget activities they are requesting. Collaborative Applicants applying for CoC Planning and UFA Costs (if designated as a UFA by HUD) must provide a description of the activities that will be carried out with CoC Program grant funds. For more information on project applications, see section IV.F.2 of this NOFO. Additionally, all project applicants must ensure their organization has a Code of Conduct that complies with the requirements of 2 CFR part 200, as may be amended from time to time, and is included on HUD’s website. If the organization's Code of Conduct does not appear on HUD's website, the project applicant must attach its Code of Conduct that includes all required information to its Project Applicant Profile in e-snaps.

c. FY 2024 and FY 2025 CoC Priority Listings. The CoC Priority Listing in e-snaps must include the following completed forms, certifications and attachment (see section IV.F.3):

(1) ***Project Reallocation Form (if applicable).*** Indicates the eligible renewal projects that are being reallocated in whole or part to create new project applications;

(2) ***CoC New Project Listing (including DV Reallocation and DV Bonus projects);***

(3) ***CoC Renewal Project Listing (including DV Renewal projects);***

(4) ***UFA Costs Project Listing;***

(5) ***CoC Planning Project Listing;***

(6) ***YHDP Renewal Project Listing;***

(7) ***YHDP Reallocation and YHDP Replacement Project Listing; and***

(8) ***Form HUD-2991, Certification of Consistency with the Consolidated Plan.***

CoCs are required to submit a FY 2025 CoC Priority Listing by August 29, 2025 if they are submitting applications for eligible CoC or YHDP renewal projects that were not awarded FY 2024 funding or new projects created through CoC, DV Reallocation, or YHDP Reallocation under YHDP Replacement.

Funding for FY 2025 awards are subject to FY 2025 HUD Appropriations and HUD reserves the right to amend this NOFO if additional funding is made available.

4. CoC Review of Project Applications Prior to Submission to HUD.

HUD expects CoCs to implement a thorough review and oversight process at the local level for both new and renewal project applications to be submitted to HUD in the FY 2024 – 2025 CoC Program Competition. HUD's experience is that many project applications contain information resulting in conditions on the grant; or for more serious infractions, HUD rejecting a project application. Deficient project applications prolong HUD's review process, which results in delayed funding announcements, lost funding for CoCs due to HUD rejecting projects, and delays accessing project funds to house and assist individuals and families experiencing homelessness. HUD expects CoCs to closely review the information provided in each project application, including Renewal, Replacement, or Reallocation projects, to ensure:

a. all proposed program participants will be eligible for the program component type selected;

b. the information provided in the project application and proposed activities are:

(1) eligible and consistent with program requirements in the Rule;

(2) eligible and consistent with DV Renewal, DV Reallocation and DV Bonus requirements in sections I.B.3.j and III.B.4.a.(4) of this NOFO; or

(3) eligible and consistent with YHDP Renewal and YHDP Replacement project requirements which includes YHDP Reallocation provided in sections I.B.3.e and III.B.4.b.(5) of this NOFO;

c. each project narrative is fully responsive to the question being asked and that it meets all the criteria for that question as required by this NOFO;

d. the data provided in various parts of the project application are consistent; and

e. all required attachments correspond to the list of attachments in e-snaps, must contain accurate and complete information and must be dated between May 1, 2024 and October 30, 2024 for FY 2024 applications and November 1, 2024 and August 29, 2025 for FY 2025 applications.

5. Electronic Submission in e-snaps.

The submission summary in e-snaps provides the list of elements required to complete each type of project application. Collaborative Applicants will not be able to submit their Consolidated Application to HUD until all required parts are completed, including the project-level review and either accepting and ranking or rejecting the project applications. Once available, the CoC Application, Project Application, and CoC Priority Listing can be accessed at https://esnaps.hud.gov/.

6. Timely Submission of Applications

Applications submitted after the deadline stated within this NOFO that do not meet the requirements of the grace period policy are marked late. Late applications are ineligible and are not considered for funding. See Section IV.G., Submission Dates and Times.

Applicants should review and follow the steps as outlined below to ensure applications are complete and submitted by the deadlines established in this NOFO. Documents referenced in this section can be found on the CoC Program page of HUD's website: https://www.hud.gov/program_offices/comm_planning/coc.

F. CoC Consolidated Application

The CoC-designated Collaborative Applicant, including any HUD-designated UFAs, must submit the CoC Consolidated Application in e-snaps on behalf of their CoC. The Consolidated Application includes the parts listed below (for more information see the e-snaps Navigational Guides and the project application, CoC Application, and CoC Priority Listing detailed instructions located on HUD's website).

1. The FY 2024 – 2025 CoC Application includes the following:

a. CoC Review, Score, and Ranking Procedures. The CoC's written procedures that are publicly posted for all interested stakeholders and applicants that clearly describe the project-level review and ranking process that is used by the CoC to determine how CoC Program project applications submitted to the CoC are reviewed, scored, and ranked.

b. CoC Public Notice. A screenshot(s) from the CoC's, or a partner website, that includes the date the CoC notified the public of its local competition process, the due date for project applications, and the full CoC Application and CoC Priority Listing that includes all Project Listings of project applications submitted to HUD as accepted (in the case of non-competitive CoC Planning, UFA Costs and YHDP projects), approved and ranked or rejected.

c. CoC Review and Ranking Process. Documents the process used by the CoC in the local competition to review, assess, and score new and renewal project applications, a copy of one scored project application form used by most renewal project applicants that includes the objective criteria and system performance criteria and their respective maximum point values and the actual points your CoC awarded to the project applicant; and the local competition selection results for new and renewal project applications.

d. Notification to Project Applicants of projects rejected or reduced. The notification of the action (rejection or reduction) that must be sent to the project applicant at least 15-days prior to the HUD application submission deadline, if a new or renewal project application was submitted to the CoC in the local competition and the CoC rejected it or reduced its funding request as part of the CoC's local process.

e. Public Notification of Ranked Project Applications. The notification of action that all project applicants who submitted new and renewal project applications in the local CoC competition are notified at least 15-days prior to the HUD application submission deadline of the CoC's acceptance that includes the ranked position of the project applications. This notification may be posted publicly or sent via email to individual project applicants.

f. PHA Administrative Plan. If the CoC is seeking points under section V.B.1.g of this NOFO, a copy or the relevant excerpt from the local PHA(s) administrative planning document(s), or

other written policy developed between the CoC and the PHA(s) that describes the PHA(s) preference for persons experiencing homelessness. Instead of a relevant excerpt from the written plan, a letter from the PHA(s) that describes the PHA(s) preference for persons experiencing homelessness may be attached.

g. Lived Experience Support Letter Comprised of Persons with Lived Experience of Homelessness. The letter must be signed by either (1) at least three members involved in the working group (e.g., advisory committee, subcommittee) comprised of individuals with lived experience or (2) an authorized representative of the workgroup (e.g., a working chair) along with evidence that the person is authorized to represent the group, **or** (3) individual letters signed by three individuals who are involved on different committees; and the letter must demonstrate support of the priorities for serving individuals and families experiencing homelessness with severe service needs in the CoC's geographic area. Persons with lived experience may sign letters using pseudonyms to protect their privacy.

h. Leveraging Housing Resources. A written commitment, contract, or other formal written documents that demonstrate the number of subsidies or units being provided.

i. Leveraging Healthcare Resources. A written commitment from a health care organization with the value of the commitment and the date(s) healthcare resources will be provided.

j. Housing First Evaluation. An example of an actual evaluation of at least one project, conducted outside of your CoC local competition process.

k. Projects to Serve Persons Defined as Homeless under paragraph (3) of 24 CFR 578.3. If the CoC is seeking to serve persons defined as homeless under paragraph (3) of the homeless definition, a list of projects that will serve persons defined as homeless under paragraph (3) of the homeless definition.

l. The FY 2024 HDX Competition Report. The FY 2024 HDX Competition Report contains data submitted to HUD via HUD's Homelessness Data Exchange (HDX), including HIC, PIT count, and system performance data.

2. Project Application(s), including for each project application:

a. Charts, narrative responses, and attachments.

b. Documentation of Applicant and Subrecipient Eligibility. All nonprofit project applicants must attach eligibility documentation to the Project Applicant Profile. If nonprofit subrecipients are included in a project application, subrecipient eligibility documentation must be attached to the project application.

c. HUD required forms. The following HUD required forms are built into e-snaps and must be fully completed and electronically signed before project applicants have access to the project application:

(1) SF-424 Application for Federal Assistance (OMB Number: 4040-0004);

(2) Form HUD-2880, Applicant/Recipient Update/Disclosure (OMB Number: 2501-0017);

(3) Form HUD-424-B, HUD Applicant and Recipient Assurances and Certifications (OMB Number: 2501-0017);

(4) SF-LLL, Disclosure of Lobbying Activities (if applicable) (OMB Number: 4040-0013);

(5) Form HUD-50070, Certification for Drug-Free Workplace;

(6) SF-424B*: Assurances for Non-Construction Programs (OMB Number: 4040-0007);

*The SF-424B form must be completed as part of your SAM.gov registration. If an applicant fails to complete the SF-424B during their sam.gov registration or renewal, we will issue a curable deficiency notice.

3. The CoC Priority Listing, including:

a. Project Reallocation Form. Reallocation forms allow CoCs to indicate which eligible renewal projects, if any, will be reduced or eliminated through the reallocation process.

b. CoC Project Listings. CoC Project listing forms require all the following project applications to be ranked, with unique numbers, in order of priority and any project applications the CoC rejected must be identified:

(1) CoC New project applications (including CoC Reallocation, DV Reallocation, CoC Bonus, and DV Bonus applications), and

(2) CoC Renewal project applications (including DV Renewal Projects).

c. YHDP Project Listings. YHDP Project listing forms include the following non-ranked YHDP project applications:

(1) YHDP Renewal project applications, and

(2) YHDP Replacement project applications which includes YHDP Reallocation.

d. CoC Planning and UFA Costs Project Listings. These project listing forms include the following non-ranked project applications:

(1) CoC Planning project applications, and

(2) UFA Costs project applications (if applicable).

Collaborative Applicants must ensure the CoC only submits one project application for CoC Planning, and if the CoC's Collaborative Applicant is a HUD-designated UFA, one UFA Costs project application.

e. Certification of Consistency with the Consolidated Plan Form HUD-2991.

(1) For project applications submitted for FY 2024 funding, the Certification of Consistency with the Consolidated Plan Form HUD-2991 must be completed and dated between May 1, 2024 and October 30, 2024. This FY 2024 HUD-2991 submission certifies that projects awarded in FY 2024 and subsequently renewed in FY 2025 are consistent with the jurisdiction’s HUD-approved consolidated plan.

(2) If a CoC includes any new or renewal projects on the FY 2025 CoC project listing that were not included on the FY 2024 HUD-2991 submission, CoCs must submit a new HUD-2991 that includes the FY 2025 new and renewal project applications to certify consistency with the jurisdiction’s HUD-approved consolidated plan. The FY 2025 Form HUD-2991 must be completed and dated between November 1, 2024 and August 29, 2025.

(3) CoCs that propose to locate a project on a reservation or trust land were required to obtain authorization from the Tribe or TDHE, documented by a Tribal resolution or a letter from an official or principal of the Indian Tribe or TDHE who is authorized to act on behalf of the Indian Tribe or TDHE. CoCs were required to attach Tribal Resolutions or approval letters to the CoC's Registration submission in March. Tribes were not required to include a Tribal resolution or a letter from an official of the Indian Tribe or TDHE to site a project on their own reservation or trust land. A Tribal resolution is the formal manner in which the Tribal government expresses its legislative will in accordance with its organic documents. In the absence of such organic documents, a written expression adopted pursuant to Tribal practices is acceptable.

(4) Collaborative Applicants must certify there is a demonstrated need for all ranked (PH) renewal projects and these projects comply with program requirements and appropriate standards of housing quality and habitability on the Renewal Project Listing.

4. Solo Applicants.

Eligible project applicants that attempted to participate in the CoC planning process in the geographic area in which they operate, that believe they were denied the right to participate in a reasonable manner, may submit a solo project application to HUD by following the procedure found in 24 CFR 578.35. If HUD finds in favor of the solo applicant, HUD may award grant funds. Solo applicants requesting FY 2024 funding must submit their solo project application in e-snaps to HUD by 8:00 PM EDT, on October 30, 2024. If Congressional Appropriations authorize HUD to solicit applications for new FY 2025 CoC and YHDP Funding, solo applicants requesting FY 2025 funding must submit their solo project application in e-snaps to HUD by 8:00 PM EDT, on August 29, 2025. See section VII.C of this NOFO for additional information regarding the Solo Applicant appeal process.

G. Submission Dates and Times

1. Completed applications for FY 2024 CoC and YHDP funding must be submitted to HUD on or before October 30, 2024, by 8:00 PM EDT. Applications for new and renewal projects applying for FY 2025 CoC and YHDP funding must be submitted by the application submission deadline at 8:00 PM EDT on August 29, 2025.

2. 24 CFR 578.9 requires CoCs to design, operate, and follow a collaborative process for the development of an application in response to a NOFO issued by HUD (which, under this NOFO includes applications for non-competitive YHDP Renewal and YHDP Replacement projects). As part of this collaborative process, CoCs must implement internal competition deadlines to ensure transparency and fairness at the local level. The implementation of deadlines that meet the standards outlined below for FY 2024 and FY 2025 CoC Program project applications are part of the scoring criteria as detailed in section V.B.2.g of this NOFO.

a. Project Application. All project applications must be submitted to the CoC no later than 30 days before HUD's CoC Program application submission deadline of 8:00 PM EDT on October 30, 2024 for FY 2024 CoC and YHDP funding and 8:00 PM EDT on August 29, 2025 for FY 2025 CoC and YHDP funding. CoCs that fail to establish this deadline for local project application(s) will receive 0 points under section V.B.2.g of this NOFO.

b. CoC Notification to Project Applicants. The CoC is required to notify, in writing outside of e-snaps, all project applicants who submitted their project applications to the CoC by the local CoC-established deadline whether their project application(s) will be accepted and ranked on the CoC Priority Listing, rejected, or reduced by the CoC no later than 15 days of the CoC Program application submission deadline of each FY funding opportunity.

Where a project application is being rejected or reduced, the CoC must provide the project applicant with the reason(s) for the rejection or reduction. CoCs failing to provide this information to a project applicant that submits its project application by the local competition deadline will receive 0 points under section V.B.2.g of this NOFO.

3. For the FY 2024 CoC and YHDP funding, HUD will consider the CoC Consolidated Application properly submitted for review when the Collaborative Applicant submits the FY 2024 – FY 2025 CoC Application, the FY 2024 CoC Priority Listing, and all FY 2024 project applications on behalf of the CoC by the FY 2024 Application Submission deadline. The "Submit" button will not be available on the Submission Summary of the FY 2024 – FY 2025 CoC Application and FY 2024 CoC Priority Listing until all required sections of the application and all parts of the listings, including accepting and ranking with a unique rank number or rejecting project applications have been completed. Collaborative Applicants should review the Submission Summary form carefully to ensure no sections state "Please Complete."

The FY 2024 - FY 2025 CoC Application and the FY 2024 CoC Priority Listing are separate submissions in e-snaps; therefore, Collaborative Applicants must ensure both the CoC Application and the CoC Priority Listing, that includes all project applications either approved and ranked or rejected, are submitted in e-snaps prior to the CoC Program application submission deadline.

The CoC Consolidated Application is considered complete at the FY 2025 Application Submission deadline. If a CoC has projects eligible to apply for renewal in FY 2025 that were not awarded FY 2024 funding; or the CoC is submitting applications for new grants through reallocation or the availability of new Congressional Appropriations in FY 2025, the Collaborative Applicant must submit a FY 2025 CoC Priority Listing and all FY 2025 project applications on behalf of the CoC to be included as part of the CoC Consolidated Application by the FY 2025 Application Submission deadline. If a CoC is not submitting applications for FY 2025 CoC and YHDP funding, the CoC is not required to submit a FY 2025 CoC Priority Listing.

4. Collaborative Applicants should export a PDF copy of the Submission Summary form from the FY 2024 – FY 2025 CoC Application and the FY 2024 CoC Priority Listing after they have been submitted to HUD and before closing their internet browser. This is the Collaborative Applicant's receipt of submission and proof of compliance with the FY 2024 application deadline. CoCs that are submitting new and renewal applications for FY 2025 CoC and YHDP funding should also print the Submission Summary form for the FY 2025 CoC Priority Listing for proof of compliance with the FY 2025 application deadline. HUD will not give funding consideration to any Collaborative Applicant whose FY 2024 – FY 2025 CoC Application or CoC Priority Listings are determined to be late and are unable to provide HUD with a record of submission that verifies the CoC Consolidated Application was submitted prior to the application deadlines date and time.

5. HUD strongly suggests that applicants use the "Export to PDF" functionality in e-snaps to save a hard copy of all submission documents for their records. This can be completed prior to or after submission.

6. As stated in section IV.G.1 of this NOFO, it is imperative that all Collaborative Applicants meet the FY 2024 and FY 2025 application submission deadlines. HUD will not fund applications that are not received on time. Also, failure to submit a complete CoC Consolidated Application may result in HUD finding that the CoC does not meet the requirements of the Act or its implementing regulations under 24 CFR 578.13. If the Secretary makes that finding, HUD may take remedial action to ensure fair distribution of grant funds to eligible entities within the CoC's geographic area, which includes the possibility that HUD will designate another eligible applicant to be the Collaborative Applicant for the CoC. In addition to the remedial actions listed in 24 CFR 578.13(a), HUD may also impose another remedial action, such as requiring the CoC to create new policies and procedures to ensure that the Collaborative Applicant performs its duties.

7. CoC and project applicants experiencing technical difficulty with any part of the Consolidated Application should notify HUD immediately for assistance and document all attempts to obtain assistance. Notification of technical difficulties are to be sent to CoCNOFO@hud.gov. HUD will not provide assistance directly related to content, only to troubleshoot submission issues.

8. If after notice and reasonable opportunity to be heard, HUD finds pursuant to 24 CFR 578.13, that one or more CoCs have failed to comply with the requirements of the Act and the Rule, HUD may, solely at its discretion and only if sufficient funds become available by recapture, publish a new NOFO for eligible applicants in CoCs that HUD determined do not meet the requirements of the Act and program regulations.

H. Intergovernmental Review

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

I. Funding Restrictions

Not Applicable.

J. Other Submission Requirements

1. Standard Application, Assurances, Certifications and Disclosures

a. Standard Form 424 (SF-424) Application for Federal Assistance. The SF-424 is the government-wide form required to apply for Federal assistance programs, discretionary Federal grants, and other forms of financial assistance programs. You must complete and submit the form with the other required forms and information as directed in this NOFO.

By signing the forms in the SF-424 either through electronic submission or in paper copy submission (for those granted a waiver), you and the signing authorized organization representative affirm that you both have reviewed the certifications and assurances associated with the application for Federal assistance and (1) are aware the submission of the SF-424 is an assertion that the relevant certifications and assurances are established and (2) acknowledge that the truthfulness of the certifications and assurances are material representations upon which HUD will rely when making an award to the applicant. If it is later determined the signing

authorized organization representative to the application made a false certification or assurance, caused the submission of a false certification or assurance, or did not have the authority to make a legally binding commitment for the applicant, the applicant and the individual who signed the application may be subject to administrative, civil, or criminal action. Additionally, HUD may terminate the award to the applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to Federally recognized Indian tribes, or Alaskan native villages and those applicable to applicants other than Federally recognized Indian tribes, or Alaskan native villages.

b. Assurances (HUD 424-B). By submitting your application, you provide assurances that, if selected to receive an award, you will comply with U.S. statutory and other requirements, including, but not limited to civil rights requirements. All recipients and subrecipients of the award are required to submit assurances of compliance with federal civil rights requirements. *See, e.g.,* Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, Violence Against Women Act, and the Age Discrimination Act of 1975; *see also* 24 C.F.R. §§ 1.5; 3.115; 8.50; and 146.25. HUD accepts these assurances in the form of the HUD 424-B, which also require compliance with HUD Reform Act requirements and all general federal nondiscrimination requirements in the administration of the federal assistance award.

c. Applicant Disclosure Report Form 2880 (HUD 2880). The form HUD 2880 is required if you are applying for assistance within the jurisdiction of HUD to any project subject to Section 102(d) of the HUD Reform Act. Assistance is provided directly by HUD to any person or entity, but not to subrecipients. It includes assistance for the acquisition, rehabilitation, operation, conversion, modernization, renovation, or demolition of any property containing five or more dwelling units that is to be used primarily for residential purposes. It includes assistance to independent group residences, board and care facilities, group homes and transitional housing but does not include primarily nonresidential facilities such as intermediate care facilities, nursing homes and hospitals. It also includes any change requested by a recipient in the amount of assistance previously provided, except changes resulting from annual adjustments in Section 8 rents under Section 8(c)(2)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f). See HUD Reform Act regulation for additional information.

d. Code of Conduct. Both you, as the award recipient, and all subrecipients must have a code of conduct (or written standards of conduct). The code of conduct must comply with the requirements included in the "Conducting Business in Accordance with Ethical Standards" section of the Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards--2024, as well as any program-specific requirements. These requirements include ethical standards related to conflicts of interest for procurements in 2 CFR 200.318(c) and 2 CFR 200.317, as well as HUD-specific conflict of interest standards. HUD maintains a list of organizations that have previously submitted written standards of conduct on its Code of Conduct for HUD Grant Programs webpage. But it is your responsibility to ensure that the standards are compliant with the noted requirements and that HUD has the latest version of the written standards. Updated written standards should be submitted with the application. Any updates to your written standards, after the application period, should be submitted as directed by the HUD program contact for this NOFO.

e. Lobbying Activities

Applicants are subject to the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment), and 24 CFR part 87, which prohibit recipients of federal awards from using appropriated funds for lobbying the executive or legislative branches of the Federal government in connection with a Federal award. All applicants must submit with their application the signed certification regarding lobbying included in the Application download from Grants.gov. In addition, applicants must disclose, using Standard Form LLL (SF-LLL), "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific awards. Federally recognized Indian tribes and tribally designated housing entities (TDHEs) established by Federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law shall comply with this requirement.

f. False Statements

Applicant understands that providing false or misleading information during any part of the application, award, or performance phase of an award may result in criminal, civil or administrative sanctions, including but not limited to: fines, restitution, and/or imprisonment under 18 USC 1001, 18 USC 1012, or 18 USC 287; treble damages and civil penalties under the False Claims Act, 31 USC 3729 et seq.; double damages and civil penalties under the Program Fraud Civil Remedies Act, 31 USC 3801 et seq.; civil recovery of award funds; suspension and/or debarment from all federal procurement and non-procurement transactions, FAR part 9.4 or 2 CFR part 180; and other remedies including termination of active HUD award.

2. Other Program-Specific Requirements

Waiver of Electronic Submission Requirements.

The regulatory framework of HUD's electronic submission requirement is the final rule established in 24 CFR 5.1005. CoCs seeking a waiver of the electronic submission requirement must request a waiver in accordance with 24 CFR 5.1005. HUD regulations allow for a waiver of the electronic submission requirement for good cause. For this NOFO, HUD defines good cause as:

a. there are no computers that could be used by applicants or the Collaborative Applicant that are newer than 5 years old anywhere within the CoC's geographic area; or

b. there are no computers that could be used by applicants or the Collaborative Applicant anywhere within the CoC's geographic area; or

c. there is no internet access that could be used by applicants or the Collaborative Applicant anywhere within the CoC's geographic area.

HUD will grant waivers only at the CoC level and not at the individual project applicant level, and only to CoCs that were approved by HUD during the required CoC Registration process.

If HUD grants the waiver, the Office of Special Needs Assistance Programs' response will include instructions on how many copies of the paper application must be submitted, as well as where to submit them. If HUD grants CoCs a waiver of the electronic submission requirement,

such CoCs will not receive additional time to submit their applications. Therefore, Collaborative Applicants seeking a waiver of the electronic submission requirement on behalf of the CoC must submit their waiver request with sufficient time to allow HUD to process and respond to the request. Collaborative Applicants should also allow themselves sufficient time to submit the application on behalf of the CoC so that HUD receives the application by the established CoC Program Application submission deadline date. For this reason, if a Collaborative Applicant finds it cannot submit its application electronically and must seek a waiver of the electronic grant submission requirement, its request must be postmarked no later than 60 days after the publication date of this NOFO. To expedite the receipt and review of each request, Collaborative Applicants may email their written requests to Norm Suchar, Director, Office of Special Needs Assistance Program at CoCNOFO@hud.gov. If HUD does not have sufficient time to process the waiver request, HUD will not grant a waiver. HUD will not consider paper applications received without a prior approved waiver or after the established deadline.

V. APPLICATION REVIEW INFORMATION

HUD encourages activities in support of the Secretary's Initiatives for any of the policy preferences: Climate Change, Environmental Justice, Promise Zones, Historically Black Colleges and Universities (HBCU), Minority-Serving Institutions, and Rural Partners Network Community Networks; however, this NOFO does not include preference points. Rather, Section V.B.6 provides the information and points associated with the Consolidated Appropriations Act, 2024 and the requirement to provide incentives to create projects that coordinate housing providers and healthcare organizations to provide permanent supportive housing and rapid rehousing services.

A. Criteria

HUD will assess CoC Consolidated Applications on a 200-point scale. No Collaborative Applicants have exercised the authority under 422(j) of the Act; therefore, no selection criteria based on section 427(b)(1)(A)(viii) is included in this NOFO. Additionally, for purposes of the requirements of section 427 (b)(1)(B)(iv)(I) of the Act. HUD considers "all relevant subpopulations" to mean families with children, youth, veterans, persons fleeing domestic violence, dating violence, sexual assault, and stalking, persons who are unsheltered, and individuals and families experiencing chronic homelessness.

1. Major Disaster Areas.

If a major disaster impacts a CoC's geographic area, as declared by the President under the Stafford Act, during the CoC Program application process that will impact local competition deadlines as outlined in section IV.G.2 of this NOFO, the CoC's Collaborative Applicant must send written notification to Norm Suchar, Director, Office of Special Needs Assistance Program at CoCDisaster@hud.gov. The email must include:

a. the nature of the disaster, date(s) the major disaster occurred, how the major disaster affected the Collaborative Applicant, the CoC, or its project(s);
b. the duration, and the impact on the Collaborative Applicant, the project applicants, or the CoC to meet the local competition deadline; and

c. the anticipated amount of time the CoC is requesting for an extension (e.g., number of days, weeks, or months). This does not mean HUD will allow the full amount of time requested.

Based on the timing and the extent of the major disaster, HUD may extend the application deadline for the affected CoC(s). All requests received will be confirmed via the Federal Emergency Management Agency (FEMA) website, https://www.fema.gov/disasters.

2. Housing Inventory Count (HIC) and Point-in-Time (PIT) Count Data.

CoCs were required to submit the 2024 HIC and PIT count data directly to the HUD HDX 2.0 website by May 10, 2024 by 8:00 PM EDT. CoCs that did not meet the established deadline for HIC and PIT count data submission and did not receive an extension from HUD will not receive the maximum number of points available as described in sections V.B.3 and V.B.4 of this NOFO.

3. Capital Costs.

For a CoC to receive maximum points if a project applicant(s) requests CoC Program funds for construction or rehabilitation, it must include information describing the actions that will be taken by project applicants to comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) and HUD's implementing rules at 24 CFR part 75 to provide employment and training opportunities for low- and very low-income persons, as well as contracting and other economic opportunities for business that provide economic opportunities to low- and very low-income persons. This does not affect applicants' existing responsibilities to provide training, employment, and other economic opportunities pursuant to Section 3 that result from their receipt of other HUD funding. YHDP Replacement project applications cannot include capital costs. Grants to Indian Tribes are subject to Indian Preference under Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307(b)) and are not subject to Section 3 requirements.

Any project that requests funding for capital costs (acquisition, new construction, or rehabilitation costs) must comply with the accessibility and civil rights requirements in Section 24 CFR 578.93(d) of the Rule.

B. CoC Application Scoring

The following chart describes the CoC Application criteria that will be used to establish CoC scores:

1. CoC Coordination and Engagement. HUD will award up to 84 points to CoCs that demonstrate coordination with other systems of care that serve homeless individuals and families, including sources of funding other than the CoC Program; an inclusive and outcome-oriented community process, including an organization structure(s) and decision-making process for developing and implementing a CoC strategy that is inclusive of representatives from both the private and public sectors, has a fair and impartial project review and selection process; and has created, maintained, and built upon a community-wide inventory of housing for homeless individuals and families.

Rating Factor	Maximum Points	To Receive Maximum Points

a. Inclusive Structure and Participation.		
(1) Has an inclusive membership of a variety of stakeholders within the geographic area.	**2**	Collaborative Applicants must demonstrate their CoC has participation from a broad array of stakeholders, not limited to organizations listed in 24 CFR 578.5(a), within the geographic area, including at a minimum: • victim service organizations (e.g. organizations that serve survivors of domestic and intimate partner violence, sexual assault, and human trafficking). • youth service providers; • individuals who are experiencing homelessness or were formerly experiencing homelessness; • organizations led by and serving culturally specific communities experiencing homelessness in the geographic area to address equity (e.g., Black, Latino, Indigenous, LGBTQ+, or persons with disabilities); and • Tribal organizations for CoCs where a Tribal organization is present.
(2) Has an invitation process for new members to join.	**1**	Collaborative Applicants must demonstrate: • their CoC's transparent, accessible process (e.g., communicated to the public on the CoC's website) is in place to invite new members to join and includes an invitation process for new members to join that is publicly available within the geographic area at least annually; and • how their CoC invites organizations serving culturally specific communities experiencing homelessness in the geographic area to addresses equity (e.g., Black, Latino, Indigenous, LGBTQ+, and persons with disabilities).
(3) Solicits and considers opinions from knowledgeable individuals and organizations.	**1**	Collaborative Applicants must demonstrate their CoC has a transparent, accessible process (e.g., communicated in a public manner on the CoC's website) in place to solicit and consider opinions from individuals and organizations with knowledge of homelessness in the

		geographic area or an interest in preventing or ending homelessness in the geographic area.
(4) Accepts and considers proposals from organizations that have not previously received CoC Program funding.	**1**	Collaborative Applicants must demonstrate their CoC has a transparent and accessible process (e.g., communicated in a public manner on the CoC's website) in place to accept and consider proposals from organizations that have not previously received CoC Program funding.
b. Coordination with Federal, State, Local, Private, and Other Organizations. Coordinates with other organizations that serve individuals, families, unaccompanied youth, and persons fleeing domestic violence, dating violence, sexual assault, or stalking who are experiencing or at risk of homelessness.	**2**	Collaborative Applicants must indicate their CoCs: • coordinate with other federal, state, and local governments, private, and other organizations that are included in the planning or operation of projects; • consult with ESG recipients within the CoC's geographic area in the planning and allocation of ESG funds; • participate in the Consolidated Plan jurisdictions' process(s) by providing PIT and HIC data; • ensure local homelessness information is communicated and addressed in the Consolidated Plan updates; and • coordinate with ESG recipients in reporting on and evaluating the performance of ESG recipients and subrecipients.
c. Ensuring Families are not Separated. Ensure projects do not deny admission to or separate family members.	**2**	Collaborative Applicants must indicate that emergency shelters, TH projects, and PH projects within their CoC do not deny admission to or separate family members when they enter shelter or housing, including serving all family members together and in accordance with each family member's self-reported sexual orientation and gender identity.
d. CoC Collaboration Related to Children and Youth. Demonstrate the CoC coordinates to provide education services to families with children between the ages of 0-5; and	**3**	Collaborative Applicants must: • indicate written agreements are in place between their CoC or its HUD-funded projects and educational supports and services for children ages 0-5, such as Public Pre-K, Head Start, Child Care (Child Care and Development Fund), and

collaborates with education providers, local educational authorities, and school districts.		home visiting (including Maternal, Infant and Early Childhood Home and Visiting or MIECHV); • identify the formal partnerships their CoC has with youth education providers, local educational authorities, or school districts; and • describe policies and procedures their CoC adopted to inform individuals and families who have recently begun experiencing homelessness of their eligibility for educational services.
e. Addressing the Needs of Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking. Addressing the Needs of Survivors of Domestic Violence, Dating Violence, Sexual Assault, and Stalking. Coordinate with survivors and people with lived experience, victim service providers, and operators of coordinated entry to address the unique needs for housing and safety that prioritize housing defined as safe by survivors. The CoC must identify the current efforts to increase access to housing and services defined as safe by survivors of domestic violence, dating violence, sexual assault, and stalking, adopting survivor-centered practices that maximum client choice while	**5**	Collaborative Applicants must demonstrate their CoC: • regularly collaborates with victim service providers, state domestic violence coalitions, state sexual assault coalitions, anti-trafficking service providers and other organizations who help provide housing and services to individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, and stalking including those funded by HUD's CoC and ESG Programs, U.S. Department of Justice, and U.S. Department of Health and Human Services to update CoC-wide policies and ensure all housing and services provided in the CoC are trauma-informed and able to meet the needs of survivors; • implemented safety planning and confidentiality protocols in its coordinated assessment and provides annual training to CoC providers and operators of Coordinated Entry that addresses best practices in serving survivors of domestic violence, dating violence, sexual assault, and stalking; • implemented policies and procedures that ensure all individuals and families receiving and seeking CoC Program assistance are made aware of the CoC's

maintaining safety and confidentiality.		emergency transfer plan, the process for requesting an emergency transfer and the CoCs plan for responding to an emergency transfer once a survivor requests it; • ensures individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking have access to all housing and services available within the CoC's geographic area; • reviews the CoC's systems to proactively identify and remove barriers specific to survivors to ensure safe access to all CoC Programs/services;
f. Addressing the Needs of LGBTQ+ Individuals. Demonstrates efforts to address the needs of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) individuals and their families experiencing homelessness.	**6**	Collaborative Applicants must demonstrate their CoC: • includes LGBTQ+ serving organizations or advocacy groups in the CoC membership; • annually conducts training to providers about how to effectively implement the Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Rule, and the Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs Rule; • implemented and trained providers on a CoC-wide, anti-discrimination policy ensuring that LGBTQ+ individuals and families receive supportive services, shelter, and housing free from discrimination; • regularly collaborates with LGBTQ+ and other organizations to update their CoC-wide, anti-discrimination policy, as necessary to ensure all housing and services provided in the CoC are trauma-informed and able to meet the needs of LGBTQ+ individuals and families;

		• assisted providers in developing project level anti-discrimination policies that are consistent with the CoC-wide anti-discrimination policy; and • has a process for evaluating compliance with their CoC's anti-discrimination policies and addresses any non-compliance with those policies.
g. Public Housing Agencies. Coordinates with the Public Housing Agencies (PHAs) located in their geographic area that resulted in admission preferences for households experiencing homelessness, including move-on strategy-which is a partnership between the CoC and one or more PHAs who have an admission preference for program participants in PH-PSH who are able and want to move out of supportive housing with a rental subsidy.	**10**	Collaborative Applicants must demonstrate how their CoC works with the PHA(s) in their CoC's geographic area to: • coordinate with a PHA to apply for or implement Housing Choice Voucher funding that is statutorily dedicated to people experiencing homelessness (e.g. Emergency Housing Vouchers) • coordinate with a PHA to apply for or implement existing funding (e.g. Mainstream vouchers, FUP, or other programs) for people experiencing homelessness (coordination must have occurred within the past 3 years); • establish PHA(s) admission preferences for households experiencing homelessness which may include a preference for households who previously experienced homelessness residing in units of housing for persons experiencing homelessness (e.g., Move-on Program), or project-basing vouchers for households experiencing homelessness; • ensure at least 20 percent of new PHA admissions were individuals or families experiencing homelessness at admission; and • include PHA(s)-funded units described above in the CoC's coordinated entry system.
h. Preventing People Transitioning from Public Systems from Experiencing Homelessness. Coordinates with and	**2**	Collaborative Applicants must indicate their CoC coordinates with state or local planning efforts to prevent homelessness among people transitioning from public systems (prisons, jails,

assists in state or local planning efforts to prevent people transitioning from public systems (e.g., reentry from prisons and jails, health care or residential care, and foster care) from experiencing homelessness.		health care facilities, residential care facilities, and foster care.). This may include: • Supporting state and local efforts to identify people who are at-risk of experiencing homelessness from these settings and to assist them to secure stable, accessible, and affordable housing (including reunifying with family members where appropriate); • Data and information sharing, education and training on such areas as assess housing needs and homelessness risk, housing problem-solving, family reunification, housing navigation and landlord engagement, housing quality, and housing case management; and • Encouraging state and local partners to leverage mainstream health care, corrections, child welfare, and other resources to meet housing needs where possible.
i. Housing First. Projects in the CoC use a Housing First approach and the CoC assesses fidelity to the Housing First approach. Any housing project application that is awarded FY 2024 or FY 2025 CoC Program funding that indicates it will use a Housing First approach, will be required to do so.	**10**	Collaborative Applicants must: • Demonstrate at least 75 percent of all project applications that include housing activities (e.g., permanent housing, safe haven) their CoC submitted under this NOFO are using the Housing First approach by providing low barrier projects that do not require preconditions to accessing housing nor participation in supportive services for continued tenancy, occupancy, or participation in the project, and prioritize rapid placement and stabilization in permanent housing. This means the projects allow entry to program participants regardless of their income, current or past substance use, history of victimization (e.g., domestic violence, sexual assault, childhood abuse), and criminal record–except restrictions

		imposed by federal, state, or local law or ordinance (e.g., restrictions on serving people who are listed on sex offender registries). • Describe tools and methods their CoC used outside of the local CoC competition rating and ranking process to regularly evaluate and ensure all projects that commit to following a Housing First approach in their project applications are maintaining fidelity to a Housing First approach in project implementation. Collaborative Applicants must attach an example of such an evaluation. • Describe the steps their CoC is taking to improve fidelity to Housing First approaches in the projects that the CoC identifies as using a Housing First model during and outside of the CoC Program competition.
j. Street Outreach. Has implemented outreach procedures to ensure all persons experiencing homelessness are aware of the housing and services providers within the CoC's geographic area.	**3**	Collaborative Applicants must: • demonstrate that between FY 2022 and FY 2023 their CoC increased the rate at which persons exiting street outreach projects exit to positive housing destinations as reported in HDX (1 of 3 points); and • describe how street outreach is tailored to reach those that are least likely to request assistance (2 of 3 points).
k. Criminalization. Implement specific strategies to prevent the criminalization of homelessness within the CoC's geographic area.	**2**	Collaborative Applicants must indicate their CoC's specific strategies to: (1) increase utilization of co-responder responses or social services-led responses over law enforcement responses to people experiencing homelessness, (2) minimize use of law enforcement to enforce bans on public sleeping, public camping, or carrying out basic life functions in public places, and (3) avoid the imposition of criminal sanctions, including fines, fees, and carceral punishment for public sleeping,

		public camping, and carrying out basic life functions in public places. This can include the adoption and implementation of community-wide laws or ordinances, policies, and practices for addressing unsheltered homelessness that prioritize the health, safety, and civil rights of unsheltered people.
l. Rapid Rehousing. Demonstrate an increase, in the number of rapid rehousing beds available as recorded on the 2024 HIC data submitted to HUD, or that an increase is not needed.	**9**	Collaborative Applicants must demonstrate an increase in the number of rapid rehousing beds in their CoC's geographic area as reported in the 2024 HIC submitted in HDX 2.0; **OR** clearly demonstrate the number of rapid rehousing beds in the CoC's geographic area sufficiently meeting the needs for this type of housing, which will be verified against information in the most recent PIT and HIC data reported in HDX 2.0; **OR** demonstrate using Annual Performance Report or other longitudinal data from HMIS or a comparable database that more households entered permanent housing through RRH programs (including have a recorded move-in date for the RRH program) in the most recent 12-month period covered by the Annual Performance Reports or other longitudinal data from HMIS compared to the previous 12-month period.
m. Mainstream Benefits and Other Assistance. The CoC provides information and training to CoC Program-funded projects to supplement CoC Program funds with resources from other public and private	**2**	Collaborative Applicants must demonstrate: • that at least once a year, their CoC provides training to program staff and trains program staff regarding the following mainstream resources available for program participants within the geographic area:

sources, including programs that assist program participants in applying for and receiving mainstream benefits or gaining employment.		○ Food Stamps ○ SSI ○ SSDI ○ TANF ○ Substance Use Disorder Programs ○ Employment Assistance Programs • how their CoC works with projects to collaborate with healthcare organizations, including those that provide substance use disorder treatment and mental health treatment, to assist program participants with receiving healthcare services, including Medicaid; and • how their CoC promotes SOAR certification among program staff, unless the CoC is in a U.S. Territory where SSI/SSDI benefits are federally prohibited.
n. Partnerships with Public Health Agencies. The CoC coordinates with state and local public health agencies to respond to and prevent infectious disease outbreaks among people experiencing homelessness.	**5**	Collaborative Applicants must demonstrate their CoC: • effectively collaborates with state and local public health agencies to develop CoC-wide policies and procedures to respond to and prevent infectious disease outbreaks among people experiencing homelessness; and • effectively shares information related to public health measures and homelessness; and • facilitates communication between public health agencies and homeless service providers to ensure street outreach providers and shelter and housing providers are equipped to prevent or limit infectious disease outbreaks among program participants.
o. Coordinated Entry System and Affirmatively Furthering Fair Housing (AFFH). The CoC has an effective coordinated entry system	**6**	Collaborative Applicants must demonstrate their CoCs' coordinated entry system: • can serve everybody in the CoC's geographic area regardless of where they are located;

and has implemented affirmative marketing procedures to ensure all persons seeking assistance are informed of their rights and remedies under federal, state, and local fair housing and civil rights laws.		• affirmatively markets housing and services available within the CoC's geographic area and ensures it reaches all persons experiencing homelessness and specifically seeking out historically underserved populations; • reaches people who are least likely to apply in the absence of special outreach; • informs each program participant of their rights and remedies available under federal, State and local fair housing and civil rights laws. • reports any conditions or actions that impede fair housing choice for current or prospective program participants to the jurisdiction that provided the Certification of Consistency with the Consolidated Plan; • uses a standardized assessment process and assessment tool and collects personal information in a trauma informed way; • prioritizes persons most in need of assistance and ensures that permanent housing is rapidly obtained consistent with participants' needs and preferences; • takes steps to reduce burdens on people utilizing coordinated entry, including any invasive questions or complexity in the assessment processes; • engages with a broad range of organizations (e.g., local government, law enforcement, CDBG/HOME/ESG entitlement jurisdictions, affordable housing developers, early childhood programs, education authorities, mental health organizations.) that participate in the coordinated entry system and provide data or guidance for the community's chosen prioritization process; and • is updated at least annually using feedback received from participating projects and households that participated in coordinated entry.
p. Advancing Racial Equity in Homelessness.	**6**	Collaborative Applicants must describe:

The CoC has assessed racial disparities in the provision or outcome of homeless assistance and taken the necessary steps to address such disparities.		• how their CoC analyzed data to determine whether any racial disparities are present in the provision or outcomes of homeless assistance; • the data (qualitative or quantitative) their CoC used to analyze whether any racial disparities are present in the provision or outcomes of homeless assistance; • their CoC's targeted strategies and resources identified in the provision or outcomes of homeless assistance; • their CoC's plans for ongoing evaluation of system-level processes, policies, and procedures; and • their CoC's plan for continuous evaluation of racial disparities to effectively track progress on preventing or eliminating disparities in the provision or outcomes of homeless assistance. Any actions taken must be consistent with federal nondiscrimination requirements
q. Involving Individuals with Lived Experience of Homelessness in Service Delivery and Decision-Making and Provide Professional Development and Employment Opportunities. The CoC has included persons with lived experience are of homelessness in the CoC's decision-making process, and the CoC encourages CoC members to provide professional development and employment opportunities to people experiencing homelessness.	**5**	Collaborative Applicants must demonstrate: • their CoC's outreach efforts (e.g., social media announcements, targeted outreach) to engage those with lived experience of homelessness in leadership roles and decision-making processes; • individuals with lived experience of homelessness participate in their CoC's committees, subcommittees, or workgroups; • individuals with lived experience of homelessness are routinely included in decision-making processes of their CoC related to addressing homelessness (e.g. minutes from CoC or CoC Subcommittee meetings show people with lived experience are involved in decision-making); • individuals with lived experience of homelessness are included in the

		development, or revision, of their CoC's local competition rating factors; • individuals with lived experience of homelessness are included in the development of their CoC's coordinated entry process. • professional development (e.g. internships, continuing education, skill-based training) and employment opportunities are provided to individuals with lived experience of homelessness either within their CoC or by CoC's membership organizations; • feedback is routinely gathered from people experiencing homelessness and people who have received assistance through their CoC or ESG program on their experience receiving assistance and the steps their CoC takes to address challenges raised by people with lived experience of homelessness. • a lived experience support letter signed by either (1) at least three members involved in a working group (e.g., advisory committee, subcommittee) comprised of individuals with lived experience **or** (2) an authorized representative of the workgroup (e.g., a working chair) along with evidence that the person is authorized to represent the group, **or** (3) individual letters signed by three individuals who are involved on different committees; and the letter must demonstrate support of the priorities for serving individuals and families experiencing homelessness with severe service needs in the CoC's geographic area—persons with lived experience may sign letters using pseudonyms to protect their privacy; and • persons with lived experience must have current knowledge of homeless crisis response systems (this can be experience and/or professional understanding).

		Full points are available if there is more than one person with lived experience of homelessness engaged in local CoC planning and at least one person with lived experience came from an unsheltered situation.
r. Section 3 Requirements for CoCs. CoCs submitting new project applications that include funding requests for new construction or rehabilitation activities must complete a series of questions that address the actions taken by project applicants to comply with Section 3 as described in the "To Receive Maximum Points" column. HUD will deduct 2 points from a CoC's overall score if the information provided is insufficient to meet the required criteria. If a CoC does not have new project applications that include new construction or rehabilitation, these criteria do not apply. Grants to Indian Tribes are subject to Indian Preference under Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307(b)) and are not subject to Section 3 requirements.	**-2**	For project applicants that plan to use funding for construction or rehabilitation, HUD will deduct 2 points from the CoC's overall score, unless the Collaborative Applicant includes information that describes the actions that will be taken by project applicants that receive CoC Program funding to comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) and HUD's implementing rules at 24 CFR part 75 to: • provide employment opportunities for low- and very low-income persons (Section 3 residents); • training opportunities for low- and very low-income persons (Section 3 residents); and • and to award contracts to businesses that are owned by or substantially employ those persons (Section 3 businesses). Self-certified Section 3 businesses in your locality may be found at www.hud.gov/sec3biz. This does not affect the applicants' existing responsibilities to provide training, employment, and other economic opportunities pursuant to Section 3 that result from their receipt of other HUD funding.
s. Increasing Affordable Housing Supply. The	**1**	Collaborative Applicants must describe at least two steps their CoC has taken in the past 12

CoC has taken steps to work with jurisdictions within their geographic area to reduce barriers to housing development and increase the supply of affordable housing.		months to engage city, county, or state governments within their geographic area regarding: • reforming zoning and land use policies to permit more housing development; or • reducing regulatory barriers to housing development.

2. Project Capacity, Review, and Ranking. HUD will award up to 28 points to CoCs that demonstrate the existence of a single coordinated, inclusive, and outcome-oriented community process for the solicitation, objective review, ranking, and selection of project applications, that includes reviewing and a process by which renewal projects, except expiring YHDP Renewals and YHDP Replacements, are reviewed for performance and compliance with 24 CFR part 578. HUD will award maximum points for the Ranking and Selection Process in this section to CoCs with the project(s) that have been covered by a major disaster, as declared by the President under Title IV of the Robert T. Stafford Act, that occurred in the 12 months prior to the application deadline for the FY 2024 – FY 2025 CoC Consolidated Application. To receive consideration for such a major disaster, the Collaborative Applicant must notify HUD in writing before the application deadline and must include information about how the disaster affected the Collaborative Applicant's ability to meet the criteria in 2.g below. The notification must be sent to Norm Suchar, Director, Office of Special Needs Assistance Programs, at CoCDisaster@hud.gov.

Rating Factor	Maximum Points	To Receive Maximum Points
a. Objective Criteria. Demonstrate the use of objective criteria to review project applications requesting CoC Program funding.	**4**	Collaborative Applicants must demonstrate their CoC publicly notified applicants in advance and used objective criteria to evaluate applications in the local competition: • up to 1 of the 4 points for attaching their CoC's local scoring and rating criteria, including point values, that was publicly posted at the time the CoC notified the public it was accepting applications. • up to 1 of the 4 points based on their CoC's use of objective criteria (e.g., cost-effectiveness, type of population served, type of housing proposed; commitment to Housing First); • up to 1 of the 4 points where their CoC used objective criteria that accounted for at least 33 percent of the total points available for project applications; and

		• up to 1 of the 4 points for use of more than one objective criterion. CoCs may receive full points for this criterion if they only use system performance measures to meet the objective criteria for rating, selection, and ranking project applications provided it accounts for 33 percent of the total points available for project applications.
b. Using System Performance Measures. Demonstrate the use of CoC Program required system performance measures to review project applications requesting CoC Program funding.	**9**	Collaborative Applicants must demonstrate their CoC publicly notified applicants in advance of the local competition and used criteria based on system performance measures: • up to 2 of the 9 points for attaching their CoCs' local scoring and rating criteria, including point values, that included outcome measures related to CoC system performance measures; • up to 3 of the 9 points based on their CoC's use of system performance measures s (e.g., returns to homelessness, jobs and income growth, etc.) in their local review, selection, rating process; • up to 2 of the 9 points where their CoC used system performance measures to account for at least 20 percent of the total points available for project applications; and • up to 2 of the 9 points if their CoCs used more than one system performance measure.
c. Comparable Databases to Evaluate Domestic Violence Providers. Victim service providers are required to use comparable databases in lieu of HMIS to collect the required Universal Data Elements and CoC Program system performance measures.	**1**	Collaborative Applicants must demonstrate their CoC requires organizations serving individuals and families of persons experiencing trauma or a lack of safety related to fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking to submit performance data, including comparable database data if the provider is a victim service provider.

d. Rapid Return to Permanent Housing and Severity of Barriers Experienced by Program Participants. The CoC collects and analyzes data on program participants in permanent housing and uses data on the severity of barriers experienced by a project's program participants when ranking project performance related to obtaining and maintaining permanent housing.	**4**	Collaborative Applicants must: • explain how their CoC collects and analyzes data regarding each project that has successfully housed program participants in permanent housing; • explain how their CoC analyzes data regarding how long it takes to house people in permanent housing; • explain how their CoC considers the severity of barriers (e.g., substance use, history of domestic violence, criminal history), experienced by program participants preventing rapid placement in permanent housing or the ability to maintain permanent housing when rating, selecting, and ranking projects; and • list the severe barriers their CoCs considered.
e. Advance Racial Equity in the local CoC Process. Demonstrate how the CoC is advancing racial equity when reviewing applications. Any actions taken must be consistent with federal nondiscrimination requirements.	**4**	Collaborative Applicants must demonstrate their CoC's: • efforts to obtain input and include persons of different races and ethnicities, particularly those over-represented in the local homelessness population, have impacted how their CoC has determined the rating factors used to review project applications; • inclusion of persons of different races and ethnicities, particularly those over-represented in the local homelessness population, in the review, selection, and ranking process; and • process for rating and ranking projects based on the degree the projects identified any barriers to participation (e.g., lack of outreach) faced by persons of different races and ethnicities, particularly those over-represented in the local homelessness population, and has taken or will take steps to eliminate the identified barriers.

f. Reallocating Projects. Demonstrate that the CoC either reallocates funding from lower performing projects to create new higher performing projects or has a process to review the performance of existing projects and reallocate funding from lower performing projects to higher performing projects.	**3**	Collaborative Applicants must demonstrate: • their CoC actively reviews the performance of existing CoC Program-funded projects and have a standard process for reallocating funding from lower performing projects to create new high performing projects; **OR** • they have cumulatively reallocated at least 20 percent of their CoC's ARD between the FY 2019 and FY 2024 CoC Program Competitions.
g. Ranking and Selection Process. Demonstrate the use of an objective ranking and selection process for project applications that is publicly announced by the CoC.	**3**	Collaborative Applicants must: • demonstrate a post to their CoC's websites or a CoC member organization's website of the 30-day deadline for project applications that is no later than 30 days before the FY 2024 CoC Program Funding Opportunity submission deadline of October 30, 2024—the posting and the deadline(s) must be on a landing page; • attach a listing of all projects submitted to HUD from their CoC's local competition that includes all projects their CoC considered during their local competition: (1) the final score, (2) project rank, (3) accepted or rejected status, (4) funding amounts, (5) reallocated funds added to or subtracted from projects listed; • demonstrate it sent email notifications outside of ***e-snaps***, to project applicants that submitted their project applications to their CoC by the CoC-established deadline, whether their project application(s) will be accepted and ranked, rejected, or reduced on the CoC Priority Listing no later than 15 days before the FY 2024 CoC Program Funding Opportunity application submission deadline, and where a project

		application is being rejected or reduced, the CoC must indicate the reason(s) for the rejection or reduction; and • demonstrate a post on their CoC's website, or a CoC member organization's website, at least 2 days before the FY 2024 CoC Program Funding Opportunity application submission deadline, the CoC Application, including the attachments, and the Priority Listings, and • demonstrate it sent email notifications to CoC's members and key stakeholders that the CoC Consolidated Application is available—the evidence submitted must include a visible list of all CoC members and stakeholders the email is sent to.

3. Homeless Management Information System. HUD will award up to 9 points to CoCs that demonstrate the existence of a functioning HMIS, and that victim service providers use comparable databases, that facilitate the collection of information on homelessness using residential and other homeless services and stores that data in an electronic format. Collaborative Applicants must attach their CoC's FY 2024 HDX Competition Report as evidence of when they submitted data in HDX and what data was submitted. HUD will rely on data in HDX to validate those responses and data.

Rating Factor	Maximum Points	To Receive Maximum Points
a. Housing Inventory Count (HIC). Submit complete HIC data in a timely manner.	**1**	Submitted 2024 HIC data in HDX 2.0 by the submission deadline of 8:00 PM EDT on May 10, 2024 or an alternate date approved by HUD.
b. Comparable Database for DV Providers. Have in place, developing, or coordinating a comparable database with victim service providers to collect required data elements for reporting de-identified information to the CoC.	**2**	Collaborative Applicants must demonstrate the actions their CoC and HMIS Lead are taking to directly support victim service providers to collect data in a database that meets HUD's comparable database requirements, including the FY 2024 HMIS Data Standards.
c. Bed Coverage. The bed coverage rate for the housing types within the	**4**	Collaborative Applicants must demonstrate at least 85 percent of the beds in their CoC's geographic area are covered in HMIS and

CoC that includes emergency shelter, Safe Haven, transitional housing, rapid rehousing, and permanent supportive housing.		comparable databases. The bed coverage rate is the number of HMIS and comparable database participating beds divided by the number of year-round beds dedicated to persons experiencing homelessness in the geographic area covered by the CoC. To receive partial credit, if the bed coverage rate is below 85 percent, Collaborative Applicants must provide clear steps on how their CoC intends to increase this percentage over the next 12 months. CoCs that merged between the FY 2023 CoC Program Registration process and the FY 2024 CoC Program Registration process will have their bed coverage rates calculated based on the higher of: the bed coverage rate reported by the combined, newly merged CoC in the 2023 or 2024 HIC; **OR** the highest bed coverage rate reported by one of the merged CoCs as constituted before the merger in the FY 2023 CoC Program Competition. To receive consideration as a merged CoC, new CoCs must contain all the geographic area of at least two CoCs that were awarded funds under the FY 2022 CoC Program Competition and submitted separate applications in the FY 2023 CoC Program Competition.
d. Longitudinal Systems Analysis (LSA) Submission. Submit usable 2023 LSA data in a complete and timely manner.	**2**	Collaborative Applicants must demonstrate their CoC submitted their LSA data in HDX 2.0 by the submission deadline of January 24, 2024, 11:59 PM EST, or an alternate date approved by HUD; and HUD determined that there were at least 2 usable files.

4. Point-in-Time Count. HUD will award up to 5 points to CoCs that collect, use, and submit data from the 2024 PIT count. Collaborative Applicants must attach their CoC's FY 2024 HDX Competition Report as evidence of when they submitted data in HDX and what data was submitted. HUD will rely on data in HDX to validate those responses and data.

Rating Factor	Maximum Points	To Receive Maximum Points
a. PIT Count and Data Submission. Conduct a PIT count and report the data in HDX.	**3**	Collaborative Applicants must demonstrate their CoCs conducted a sheltered and unsheltered PIT counts during the last 10 days in January 2024, or if an exception was provided by HUD, during the time period agreed upon by the CoC and HUD; and Submitted the 2024 PIT count data in HDX 2.0 by May 10, 2024, 8:00 PM EDT, or an alternate date approved by HUD.
b. Effectively Count Youth. Implement specific measures to identify youth in the CoC's PIT count.	**2**	Collaborative Applicants must demonstrate that during the planning process for the 2024 PIT count, their CoC: • Engaged stakeholders that serve youth experiencing homelessness (including unaccompanied youth); • involved youth experiencing homelessness in the actual count; and • worked with stakeholders to select locations where youth experiencing homelessness are most likely to be identified.

5. System Performance. HUD will award up to 60 points to CoCs for system-wide performance related to reducing homelessness. Collaborative Applicants must attach their CoC's FY 2024 HDX Competition Report as evidence of when they submitted data in HDX and what data was submitted. HUD will rely on data in HDX to validate those responses and data.

Rating Factor	Maximum Points	To Receive Maximum Points
a. Reducing the Number of Homeless Individuals and Families. Up to 1 point to CoCs that demonstrate an overall reduction of at least 5	**12**	• Up to 2 of the 12 points for demonstrating a decrease of at least 5 percent in the number of sheltered homeless individuals and families in the 2024 PIT count compared to the 2023 PIT count as recorded in HDX, excluding

percent in the number of individuals and families who experience homelessness.		emergency shelter beds added for a Presidentially declared disaster and recorded as such in HDX; • Up to 7 of the 12 points for demonstrating a decrease of at least 5 percent in the number of unsheltered homeless individuals and families in the 2024 PIT compared to the 2023 PIT count (or most recent unsheltered PIT count submitted) as recorded in HDX; and • Up to 3 of the 12 points for demonstrating a decrease of at least 5 percent in the combined number of sheltered and unsheltered homeless individuals and families in the 2024 PIT compared to the 2023 PIT count (or most recent PIT count submitted with both sheltered and unsheltered data) as recorded in HDX. HUD will consider the impact of persons displaced by natural disasters (including displaced in the CoC's geographic area) and displaced persons seeking short-term shelter or housing assistance who recently arrived in your CoCs' geographic area <u>if the CoC demonstrates that those factors affected their performance on this rating factor.</u>
b. Reduction in the Number of First-Time Homeless. Demonstrate how the CoC works to reduce the number of individuals and families who become homeless for the first time.	**3**	Collaborative Applicants must demonstrate that between FY 2022 and FY 2023 their CoC reduced the number of first-time homeless as reported in HDX (1 of the 3 points); HUD will consider the impact of persons displaced by natural disasters (including displaced in the CoC's geographic area) and displaced persons seeking short-term shelter or housing assistance who recently arrived in your CoCs' geographic area if the CoC demonstrates that those factors affected their performance on this rating factor. Collaborative Applicants must:

		• identify the process by which risk factors are identified in its community for becoming homeless for the first time; • describe the strategies in place to address individuals and families at risk of becoming homeless; and • identify the organization or position that is responsible for overseeing the CoC strategy to reduce or end the number of people experiencing homelessness for the first time.
c. Length of Time Homeless. Reduce the length of time individuals and families remain homeless and describe how they will reduce the length of time individuals and families remain homeless in the future.	**13**	Collaborative Applicants must: • demonstrate that between FY 2022 and FY 2023 their CoC reduced the average length of time individuals and families remained homeless in their CoC's geographic area of at least 5 percent or that the CoC's average length of time homeless was 90 days or less as reported in HDX (8 of 13 points); • describe their CoC's strategy to reduce the length of time individuals and families remain homeless; • describe how their CoC identifies and houses individuals and families with the longest length of time homeless; and • identify the organization or position that is responsible for overseeing their CoC's strategy to reduce the length of time individuals and families remain homeless.
d. Successful Permanent Housing Placement or Retention. Demonstrate an increase in the rate in which individuals and families move to permanent housing destinations or continue to reside in PH projects and describe how the CoC will improve their rate of	**13**	Collaborative Applicants must: • demonstrate that between FY 2022 and FY 2023 their CoC increased the rate at which persons exiting emergency shelter, TH, Safe Haven, and RRH projects exit to permanent housing destinations by at least 2 percentage points (e.g. from 36% to 38%) or that the rate of exits to permanent housing destinations was 50

permanent housing placement.		percent or higher as reported in HDX (up to 6 of the 13 points); • demonstrate that between FY 2022 and FY 2023 their CoC increased the rate at which persons residing in permanent supportive housing or other permanent housing, excluding rapid rehousing, exited to permanent housing destinations by at least 1 percentage point (e.g. from 92% to 93%) or that rate of retention of or exits to permanent housing destinations was 96 percent or higher as reported in HDX (up to 3 of the 13 points); • describe the strategy their CoC is taking to improve permanent housing placement and retention; and • identify the organization or position that is responsible for overseeing their CoC's strategy to increase permanent housing placements or retain housing for individuals and families residing in permanent housing.
e. Returns to Homelessness. Reduce the extent to which individuals and families leaving homelessness experience additional spells of homelessness and describe how the number of individuals and families who return to homelessness will be reduced in the community.	**8**	Collaborative Applicants must: • demonstrate that between FY 2022 and FY 2023 their CoC reduced the rate at which persons who exited to permanent housing destinations experienced additional spells of homelessness within 6 months of exit by at least 1 percentage point (e.g., from 10% to 9%) or that the CoC's rate of return in 6 months was 5 percent or less as reported in HDX (up to 3 of the 8 points): • demonstrate that between FY 2022 and FY 2023 their CoC reduced the rate at which persons who exited to permanent housing destinations experienced additional spells of homelessness within 12 months by at least 1 percentage point (e.g., from 15% to 14%) or that the CoC's rate of return in 12 months was 10 percent or less as reported in HDX (up to 3 of the 8 points):

		• describe the strategy their CoC implemented to identify individuals and families who return to homelessness; • describe the strategy that will reduce returns to homelessness; and • identify the organization or position that is responsible for overseeing the CoC's strategy to reduce returns to homelessness.
f. Jobs and Income Growth. Increase program participants' incomes from employment and non-employment cash sources and describe specific strategies to assist program participants' incomes.	**7**	Collaborative Applicants must: • demonstrate that between FY 2022 and FY 2023 their CoC increased the percentage of CoC Program participants who had an increase in income from employment or that the rate of income from employment in the CoC was 20 percent or higher as reported in HDX (2 of the 7 points); • demonstrate that between FY 2022 and FY 2023 their CoC increased the percentage of CoC Program participants who had increased income from non-employment cash sources for persons served in CoC Program-funded projects or that the rate of income from non-employment cash sources in the CoC was 50 percent or higher as reported in HDX (2 of the 7 points); • describe the strategy their CoCs implemented to access employment and non-employment cash sources; • describe how their CoCs are working with mainstream employment organizations to help individuals and families experiencing homelessness increase their cash income; and • identify the organization or position that is responsible for overseeing their CoC's strategy to increase jobs and income growth from employment and non-employment cash sources, including mainstream employment organizations.

g. HMIS Performance Measures. Submit data quality report that describes the data quality for system performance	**4**	Collaborative Applicants must demonstrate their CoC submitted FY 2023 System Performance Measures data in HDX 2.0 by the submission deadline of 6:00 PM EDT on March 13, 2024, or an alternate date approved by HUD.

6. Coordination with Housing and Healthcare. As stated in section I.B.3.c of this NOFO, HUD will award up to 14 points to CoCs that submit new PSH and RRH project applications demonstrating coordination with housing providers and healthcare organizations.

Rating Factor	Maximum Points	To Receive Maximum Points
a. Leveraging Housing Resources. These points are available for CoCs that apply for at least one new PSH or RRH project that utilizes housing subsidies or subsidized housing units not funded through the CoC or ESG programs. Housing subsidies or subsidized housing units may be funded through any of the following sources: • Private organizations; • State or local government, including through the use of HOME funding provided through the American Rescue Plan; • Public Housing Agencies, including through the use of a general or limited preference; • Faith-based organizations; or	**7**	CoC's will receive full points by demonstrating that they have applied for at least one PSH or RRH project that utilizes housing subsidies or subsidized housing units not funded through the CoC or ESG programs. Collaborative Applicants must demonstrate that these housing units will: 1. in the case of a PSH project, provide at least 25 percent of the units included in the project; or 2. in the case of a RRH project, serve at least 25 percent of the program participants anticipated to be served by the project. CoCs must attach letters of commitment, contracts, or other formal written documents that demonstrate the number of subsidies or units being provided to support the project. CoCs can receive less than full points for demonstrating commitments less than the threshold described above.

Federal programs other than the CoC or ESG programs.		
b. Leveraging Healthcare Resources. These points are available for CoCs that apply for at least one PSH or RRH project that utilizes healthcare resources to help individuals and families experiencing homelessness. Sources of health care resources include: • Direct contributions from a public or private health insurance provider to the project (e.g., Medicaid), and • Provision of health care services by a private or public organization (e.g., Ryan White funded organization) tailored to the program participants of the project. Eligibility for the project must comply with HUD program and fair housing requirements. Eligibility criteria cannot be restricted by the eligibility requirements of the health care service provider.	**7**	Collaborative Applicants must demonstrate through a written commitment from a health care organization that: 1. in the case of a substance use disorder treatment or recovery provider, it will provide access to treatment or recovery services for all program participants who quality and choose those services; or 2. the value of assistance being provided is at least an amount that is equivalent to 25 percent of the funding being requested for the project, which will be covered by the healthcare organization. Acceptable forms of commitment are formal written agreements and must include: • value of the commitment, and • dates the healthcare resources will be provided. In-kind resources must be valued at the local rates consistent with the amount paid for services not supported by grant funds. CoCs can receive less than full points for demonstrating commitments less than the threshold described above.

7. CoC Merger Bonus Points. As stated in section I.B.2.b.(4) of this NOFO, HUD will award up to a possible 25 bonus points to CoCs that merged in the period between FY 2023 and FY 2024 CoC Program Registration deadlines based on the following structure. The minimum number of bonus points a merged CoC may receive is 5 with the maximum number of points available at 25.

Rating Factor	Maximum Points	To Receive Maximum Points
a. Merged CoCs between FY 2023 CoC Program Registration and FY 2024 CoC Program Registration.	**5**	Merged CoCs - all CoCs that merged will receive this minimum number of points.
b. CoC Application score in FY 2022 or FY 2023.	**10**	One or more of the merged CoCs had a CoC Application score of 140 points or below in the FY 2022 or FY 2023 CoC Program Competitions. HUD will review the FY 2022 and FY 2023 CoC Applications and award 10 bonus points if at least one of the merged CoCs meet this criterion.
c. Point in Time Counts	**10**	Collaborative Applicants must demonstrate that the results of their Point-in-Time counts reported in the Homelessness Data Exchange (HDX) were affected by changes in methodology that resulted from the merger in a way that would affect their CoC score. To receive these bonus points for mergers, the CoC will need to demonstrate that the merger impacted the CoC's methodology or PIT count implementation.

C. Project Review and Selection Process

In addition to the selection criteria rating for the overall CoC Application, described in section V.B. of this NOFO, HUD will conduct a project eligibility and project quality threshold review for FY 2024 and FY 2025 project applicants and project applications. Funding for FY 2025 awards are subject to FY 2025 HUD Appropriations and HUD reserves the right to amend this NOFO to revise the selection and review criteria for FY 2025 funding. For new project applications, HUD will consider project applicant and subrecipient eligibility and capacity, project eligibility, and project quality as part of the threshold review, see sections III.C.4.a. and b. of this NOFO. HUD's renewal project application threshold review will consider project applicant and subrecipient capacity and eligibility as explained in section III.C.4.c of this NOFO. Section III of this NOFO covers eligible project applicants and section IV covers eligible project applications.

HUD may employ rating panels to review and rate all or part of the CoC Applications according to the rating criteria in section V of this NOFO.

1. Threshold Review. Project applicant and subrecipient eligibility, capacity, and quality. HUD will review project applications to determine whether project applicants and subrecipients meet the applicant eligibility in section III.A.4, and whether the project applications meet the project eligibility and project quality thresholds detailed in sections III.C.4.a. and b. of this NOFO. HUD

will review renewal projects to determine if project applicants and subrecipients meet the project quality threshold requirements detailed in section III.C.4.c of this NOFO. If HUD determines these standards are not met, HUD will reject the project application, unless otherwise provided in this NOFO. If a new project application passes the project eligibility threshold review in section III.C.4.a. and receives enough points to pass the project quality threshold review in section III.C.4.a. of this NOFO but does not receive all the points available for its project type, HUD may place conditions on the grant award that must be satisfied before HUD will execute a grant agreement with the applicant for the project. If an applicant is unable to satisfy the condition(s) within the timeframe specified by HUD, HUD reserves the right to withdraw the conditionally awarded funds.

2. Conditional Selection and Adjustments to Funding. HUD Headquarters will conditionally select project applications for funding using the following process:

a. As authorized under the Consolidated Appropriations Act, 2017 (Public Law 115-31; 131 Stat. 135) for fiscal year 2017 and hereafter, HUD will conditionally select a renewal grant that exceeds $10 million that was originally awarded pursuant to the matter under the heading "Department of Housing and Urban Development–Permanent Supportive Housing" in chapter 6 of title III of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 122 Stat. 2351).

b. ***CoC Planning projects.*** HUD will conditionally select every CoC Planning project that passes project eligibility and project quality threshold review. Only one CoC Planning project application can be submitted per CoC.

c. *UFA Costs projects.* HUD will conditionally select every UFA Costs project submitted by UFA-designated Collaborative Applicants that pass project eligibility and project quality threshold review. Only one UFA Costs project application may be submitted per UFA-designated Collaborative Applicant.

d. YHDP Renewal projects, and YHDP Replacement projects including YHDP projects created through YHDP Reallocation. HUD will conditionally select all renewal, and replacement YHDP projects (including those projects created through reallocation) that pass project eligibility and project quality threshold review. YHDP projects that do not meet quality threshold will be conditionally selected with conditions that the recipient correct any project quality threshold failures prior to executing a grant agreement.

e. *DV Bonus.* HUD will conditionally select new DV Bonus projects (including new DV Bonus projects that are part of an expansion) that pass project eligibility and project quality threshold in accordance with the criteria established in this NOFO [see section I.B.3.j of this NOFO].

f. *Project applications fully in Tier 1.* HUD will conditionally select CoC Renewal, CoC Reallocation, DV Renewal, DV Reallocation, and CoC Bonus project applications that are fully within Tier 1 and pass project eligibility, project quality, and if applicable, project renewal threshold review. HUD will select projects based on CoC score, beginning with the highest scoring CoC to the lowest scoring CoC. As stated in section I.B.3.h.(1) of this NOFO, if the available funding under this NOFO is reduced, a reduction will be made to all CoCs' Tier 1 amount proportionately which would result in lower ranked Tier 1 project applications falling into Tier 2.

g. *Projects in Tier 2.* HUD will conditionally select CoC Renewal, CoC Reallocation, DV Renewal, DV Reallocation, and CoC Bonus project applications that pass project eligibility, project quality, and if applicable, project renewal threshold review in Tier 2 using the criteria in section I.B.3.h.(2) of this NOFO. HUD will select projects in order of point value until there are no more funds available. In the case of a tie, HUD will fund the projects in the order of CoC application score. In case there is still a tie, HUD will select the project from the CoC that has the highest score on the rating factors described in section I.B.3.h.(2) of this NOFO.

h. *Projects that are partially in Tier 1.* If a project application straddles the Tier 1 and Tier 2 funding line, HUD will conditionally select the project application up to the amount of funding that falls within Tier 1. Using the CoC score, and other factors described in section I.B.3.h of this NOFO, HUD may then fund the Tier 2 portion of the project. If HUD does not fund the Tier 2 portion of the project, HUD may award the project at the reduced amount, provided the project is still feasible with the reduced funding (e.g., is able to continue serving homeless program participants effectively).

i. *Funding Additional Projects.* Funding for FY 2025 awards are subject to FY 2025 HUD Appropriations and HUD reserves the right to amend this NOFO if additional funding is made available.

3. Environmental Justice. HUD may consider environmental justice in evaluating applications. Under E.O.12898, each Federal agency is directed to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Click here to view E.O. 12898.

4. Conflict of Interest of Consultants or Technical Experts Assisting HUD. Consultants and technical experts who assist HUD in rating and ranking applications for funding under published FY 2024 Program NOFOs are subject to 18 U.S.C. 208, the Federal criminal conflict-of-interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR 2635. Therefore, consultants and technical experts who have assisted or plan to assist applicants with preparing applications for FY 2024 Program NOFOs are prohibited from serving on a selection panel or serving as a technical advisor to HUD. Anyone involved in rating and ranking FY 2024 Program NOFO applications, including departmental staff, experts, and consultants, must avoid conflicts of interest or the appearance of such conflicts. These individuals must also disclose to HUD's Office of General Counsel Ethics Law Division the following information, if applicable:

a. How the selection or non-selection of any applicant under a FY Program NOFO will affect the individual's financial interests, as provided in 18 U.S.C. 208, or

b. How the application process involves a party with whom the individual has a covered relationship under 5 CFR 2635.502.

The consultant or technical expert assisting HUD must disclose this information before participating in any matter regarding a program NOFO. Applicants with questions regarding these provisions or concerning a conflict of interest should call the Office of General Counsel Ethics Law Division, at (202)708-3815 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible

telephone call, please visit https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.

D. Adjustments to Projects

HUD may adjust the selection of competitive projects as follows:

1. CoC Maximum Award and FMR Adjustments. The process for determining a CoC's maximum award amount is detailed in 24 CFR 578.17(b). HUD must adjust awards for leasing, operating, and rental assistance BLIs based on changes to the Fair Market Rents (FMR). HUD will make all adjustments for each fiscal year appropriation prior to award announcement. HUD will make these adjustments as follows:

a. Funds awarded for rental assistance will be adjusted in one of two ways:

(1) Funds awarded for rental assistance in all new and renewal projects requesting the FMR will be adjusted by applying the FMR in effect at the time of application submission to HUD, including instances where the FMR for a specific area has decreased from the previous year.

(2) Funds awarded for rental assistance for renewal projects that request less than FMR, that is, a per-unit amount based on the actual rent costs per unit (section III.4.c.(7)), will be increased based on the average increase in FMR amounts within the CoC's geographic area, weighted for population density. If the FMR for a specific area decreased from the previous year, the award will not exceed the FMR after adjustment. If the FMR for the project applicant's entire area decreased from the previous year, the project will be awarded the lesser amount of the per-unit amount requested by the project applicant, based on the actual rent costs per unit, or the FMR after adjustment.

b. HUD will increase funds awarded for operating and leasing in PH projects based on the average increase in FMR amounts within the CoC's geographic area, weighted for population density. Because leasing and operating costs do not decrease relative to rent amounts for specific units (e.g., operating costs for 10 units that have rents of $500 are likely the same as for 10 units that have rents that are $450) HUD will not decrease leasing and operating BLIs if FMRs decrease in the geographic area. The operating and leasing BLIs in these projects will remain the same as in the most recent grant agreement or grant agreement amendment.

2. Cost of Living Adjustment Factor. HUD will adjust amounts for the supportive services and HMIS Costs budget lines for renewing projects by the following factor:

Most recent three-year average of changes in State Quarterly Census of Employment and Wages (QCEW) for the category Social Assistance (NAICS 624). Data can be found at: https://www.bls.gov/cew/data.htm

3. Geographic Diversity. HUD has determined that geographic diversity is an appropriate consideration in selecting homeless assistance projects in the CoC Program Competition. HUD believes that geographic diversity can be achieved best by awarding grants to as many CoCs as possible. To this end, in instances where any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa do not have at least one funded CoC, HUD reserves the right to fund eligible project(s) with the highest total score in the CoC.

4. Funding Diversity. HUD reserves the right to reduce the amount of a grant, if necessary, to ensure that no more than 10 percent of assistance made available under this NOFO will be awarded for projects located within any one unit of general local government or within the geographic area covered by any one CoC.

5. Tie-breaking Rules. In the case of a tie, HUD will fund the projects in the order of CoC Application score. In case there is still a tie, HUD will select the project from the CoC that has the highest score on the rating factors described in section V.B.1 of this NOFO. If HUD exercises a right it has reserved under this NOFO, that right will be exercised uniformly across all applications received in response to this NOFO.

E. Corrections to Deficient Applications

Deficiency is information missing or omitted within a submitted application. Deficiencies typically involve missing documents, information on a form, or some other type of unsatisfied information requirement (e.g., an unsigned form, unchecked box, expansion grant application errors, etc.). As described in section I.B.1 of this NOFO, deficiencies may be either curable or non-curable. Correction of technical deficiencies must be received by HUD within 7 calendar days after notification is received by the applicant from HUD via email. The start of the cure period will be the date stamp on the email HUD sends to the authorized representative as noted in the Project Applicant Profile in *e-snaps*; therefore, it is critical the project applicant's authorized representative's information is accurate. Additionally, HUD reserves the right to respond to unanticipated system defects, ambiguities, and technical difficulties in application submissions in *e-snaps* through a flexible implementation of its authority to cure application deficiencies through written inquires seeking clarification and additional information (also known as callbacks). Upon proper publication in the Federal Register, HUD reserves the right to extend the Competition deadline for good cause.

F. Other Federal Statutes

CoCs may request approval, in the FY 2024 - 2025 CoC Application, for up to 10 percent of funding for each fiscal year awarded under this NOFO, to serve homeless households with children and youth defined as homeless under other federal statutes who are unstably housed (paragraph 3 of the definition of homeless found at 24 CFR 578.3). Approved CoCs are limited to using only up to 10 percent of the total amount awarded for each fiscal year appropriation to the CoC to serve this population and must determine which project(s) HUD will allow to use some or all their funding for this purpose. The only project types that will be funded in this Competition to serve this population are Transitional Housing, Supportive Services Only, and the Joint TH/PH-RRH component projects.

To be approved to serve this population, CoCs making this request must demonstrate serving this population is of equal or greater priority, which means that it is equally or more cost-effective in meeting the overall goals and objectives of the plan submitted under Section 427(b)(1)(B) of the Act, especially with respect to children and unaccompanied youth, than serving the homeless as defined under paragraphs (1), (2), and (4) of the definition of homeless in 24 CFR 578.3. CoCs must thoroughly describe how the requirements described in Section 427(b)(1)(F) of the Act will be met. Some examples of how a CoC can demonstrate that serving this population is of equal or

greater priority than serving those defined as homeless under paragraphs (1), (2), and (4) of the definition of homeless in 24 CFR 578.3 include:

- Evidence that the CoC has adequate resources to house all individuals and families defined as homeless under paragraphs (1) and (4) at 578.3 in their geographic area.
- An analysis that demonstrates that the net public cost (including mainstream resources, resources dedicated to preventing and ending homelessness, such as CoC Program funds, and other municipal funds, such as public works) is reduced if the CoC is able to use CoC Program funds to provide housing and supportive services to those individuals defined as homeless under paragraph (3) at 578.3.
- Evidence that the length of time individuals and families in the CoC's geographic area is low (e.g., less than 30 days) and the CoC has adequate resources to house all people who experience homelessness under paragraphs (1) and (4) at 578.3 within 30 days.

CoCs must identify the specific project(s) that will use funding for this purpose (up to 10 percent of the CoC's total award) by submitting an attachment to the CoC Application in *e-snaps* that must include the following:

- project name(s) as listed on the CoC Priority Listing; and
- amount of funding in the project or per project that will be used for this purpose.

See 24 CFR 578.89 for more information about this limitation.

VI. AWARD ADMINISTRATION INFORMATION

A. Award Notices

Following the evaluation process, HUD will notify successful applicants of their selection for funding. HUD will also notify other applicants whose applications were received by the deadline but were not chosen for award. Notifications will be sent by email to the person listed as the Authorized Organizational Representative (AOR) in the applicant profile in *e-snaps*.

1. Final Award

After HUD has made selections, HUD will finalize specific terms of the award and budget in consultation with the conditionally selected applicant. HUD may subsequently request conditionally selected applications to submit additional project information which may include documentation to show the project is financially feasible; documentation of firm commitments for match; documentation showing site control; information necessary for HUD to perform an environmental review, where HUD determines to do so in accordance with 24 CFR 58.11(d); a copy of the organization's Code of Conduct; and such other documentation as specified by HUD in writing that confirms or clarifies information provided in the application. HUD will require the submission of the additional project information no later than 30 days after the date of the letter, except as otherwise provided in 24 CFR 578.21(c). If HUD and the conditionally selected applicant do not finalize the terms and conditions of the award in a timely manner, or the conditionally selected applicant fails to provide the requested information within 90 days, an award will not be made to that applicant. In this case, HUD Headquarters may select another eligible applicant. HUD may also impose specific conditions on an award as provided under 2 CFR 200.208.

- Based on HUD's review of the applicant's risk under 2 CFR 200.206;

- When the applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal award;
- When the applicant or recipient fails to meet expected performance goals contained in a Federal award; or
- When the applicant or recipient is not otherwise responsible.

2. Adjustments to Funding

To ensure fair distribution of funds and enable the purposes or requirements of a specific program to be met, HUD reserves the right to fund less than the amount requested in an application.

a. HUD will fund no portion of an application that:

   (1) Is ineligible for funding under applicable statutory or regulatory requirements;

   (2) Fails, in whole or in part, to meet the requirements of this notice; or

   (3) Duplicates activities funded by other Federal awards.

b. HUD may adjust the funding for an application to ensure funding diversity, geographic diversity, and alignment with HUD administrative priorities.
c. If an applicant turns down an award offer, or if HUD and an applicant do not finalize the terms and conditions of the award in a timely manner, HUD Headquarters may withdraw the award offer and make an offer of funding to another eligible application.
d. If funds remain after all selections have been made, remaining funds may be made available within the current FY for other competitions within the program area, or be held for future competitions (if allowable in accordance with the applicable appropriation or authorizing statute), or be used as otherwise provided by authorizing statute or appropriation.
e. If, after announcement of awards made under the current NOFO, additional funds become available either through the current appropriations, a supplemental appropriation, other appropriations, or recapture of funds, HUD may, in accordance with the appropriation, use the additional funds to provide additional funding to an applicant awarded less than the requested amount of funds to make the full (or nearer to full) award, and/or to fund additional applicants that were eligible to receive an award but for which there were no funds available.
f. If funds are available after funding the highest-ranking application, HUD Headquarters may fund all or part of another eligible fundable application.

3. Funding Errors

If HUD commits an error that, when corrected, would cause selection of an applicant during the funding round of a Program NOFO, HUD may select that applicant for funding, subject to the availability of funds. If funding is not available to award in the current fiscal year, HUD may make an award to this applicant during the next fiscal year if funding is available.

4. Approval from HUD Headquarters is required before a grant awarded under this NOFO may be transferred.

Under this NOFO, HUD will treat the change of project applicant as a curable deficiency. This occurs when a Recipient of a FY 2023 CoC grant award applies to renew their award under this NOFO and during the period between applying and before HUD announces awards, with HUD approval a grant transfer of the FY 2023 grant is executed with a New Recipient. This grant transfer results in a FY 2024 CoC renewal application that does not reflect the New Recipient as the applicant. In this type of situation, HUD will treat the change of project applicant as a curable deficiency.

B. Administrative, National and Departmental Policy Requirements and Terms for HUD's Financial Assistance Programs

Unless otherwise specified, the following requirements apply and are detailed on HUD's Funding Opportunity page in the document titled, "Administrative, National & Departmental Policy Requirements and Terms for HUD Financial Assistance – 2024." You must review each requirement to ensure compliance is considered when preparing your application materials (staff, budget, timeline). Failure to comply with these requirements may impact your ability to receive or retain a financial assistance award from HUD.

1. Compliance with The Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations at 24 CFR part 100 et seq

2. Compliance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-2000d-4)(Nondiscrimination in Federally Assisted Programs) and implementing regulations at 24 CFR part 1

3. Compliance with the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and implementing regulations at 24 CFR part 146

4. Compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8

5. Compliance with the Americans with Disabilities Act, 42 U.S.C. 12101 et seq

6. Compliance with Affirmatively Furthering Fair Housing (AFFH) requirements, including 24 CFR 5.150 et seq

7. Compliance with Economic Opportunities for Low-and Very Low-income Persons (12 U.S.C. 1701u) requirements, including those listed at 24 CFR part 75

8. Compliance with Improving Access to Services for Persons with Limited English Proficiency (LEP) requirements, including those listed within Federal Register Notice, FR-4878-N-02 (also see HUD's webpage)

9. Compliance with Accessible Technology requirements, including those listed in HUD's Policy on Section 508 of the Rehabilitation Act and Accessible Technology

10. Compliance with Equal Access Requirements (e.g., 24 CFR 5.105(a)(2) and 5.106)

11. Compliance with Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business requirements at 2 CFR 200.321

12. Compliance with Energy Efficient and Sustainable by Design

13. Compliance with Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 USC 4601 et seq.) (URA) requirements, 49 CFR part 24, and applicable program regulations

14. Compliance with Participation in HUD-Sponsored Program Evaluation

15. Compliance with OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200). Awards made from this NOFO will conform with the updated 2 CFR 200 regulations that go into effect on October 1, 2024.

16. Compliance with Drug-Free Workplace requirements (2 CFR part 2429)

17. Compliance with the requirements related to safeguarding resident/client files (e.g., 2 CFR 200.303(e))

18. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (2 CFR part 170) (FFATA), as amended

19. Compliance with Eminent Domain

20. Compliance with Accessibility for Persons with Disabilities requirements, including 24 CFR parts 8 and 100; 28 CFR part 35

21. Compliance with applicable Violence Against Women Act requirements in the Housing Chapter of VAWA, 34 U.S.C. 12491-12496, 24 CFR part 5, subpart L, and program-specific regulations, if applicable

22. Compliance with Conducting Business in Accordance with Ethical Standards/Code of Conduct, including 2 CFR 200.317, 2 CFR 200.318(c) and other applicable conflicts of interest requirements

23. Compliance with the Build America, Buy America (BABA) Act procurement requirements

24. Compliance with System for Award Management and Universal Identifier Requirements at 2 CFR part 25

25. Compliance with section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)) and implementing regulations at 2 CFR part 175 (Award Term for Trafficking in Persons)

26. Compliance with Award Term and Condition for Recipient Integrity and Performance Matters (see Appendix XII to 2 CFR part 200)

27. Compliance with Suspension and Debarment regulations (2 CFR part 2424 and 2 CFR part 180)

28. Compliance with environmental justice requirements that apply in accordance with Executive Orders 12898 and 14008, and OMB Memorandum M-21-28, which implements the *Justice40 Initiative*, section 223 of Executive Order 14008.

29. Compliance with HUD Secretary Fudge's April 12, 2022 memorandum "Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participation in HUD Programs"

30. Compliance with equity requirements, including racial equity and underserved communities and LGBTQ+ requirements that apply in accordance with Executive Orders 13985, 13988, and 14091.

31. Compliance with 41 U.S.C. § 4712, which includes informing your employees in writing of their rights and remedies, in the predominant native language of the workforce. Under 41 U.S.C. § 4712, employees of a contractor, subcontractor, grantee, subgrantee, and personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant. (See Federal Contractor or Grantee Protections | Office of Inspector General, Department of Housing and Urban Development (hudoig.gov).

32. Compliance with 2 CFR 200.216, Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment and Executive Orders 14091 and 14110, which include prohibition on the use of HUD funds to purchase or fund any form of facial or biometric recognition technology for the purpose of surveillance or any other use that may adversely impact equitable access to housing.

C. Environmental Review

Notwithstanding 24 CFR 578.31 and 24 CFR 578.99(a) of the Rule, and in accordance with Section 100261(3) of MAP-21 (Pub. L. 112-141, 126 Stat. 405), activities under this NOFO are subject to environmental review by a responsible entity under HUD regulations at 24 CFR part 58.

1. All HUD assisted activities, even projects that only involve exempt activities, require some level of environmental review. Two types of projects are Categorically Excluded from review under the National Environmental Policy Act (NEPA) and not subject to compliance with the laws and authorities listed under 24 CFR 58.5 (CENST): All scattered-site projects where program participants choose their own unit and are not restricted to units within a pre-determined specific project site or sites are categorized in 24 CFR 58.35(b)(1) as CENST. This includes both tenant-based rental assistance and tenant-based leasing projects where program participants choose their own unit and do not involve any physical work or impacts beyond routine maintenance as defined by Notice CPD-16-02: Guidance for Categorizing an Activity as Maintenance for Compliance with HUD Environmental Regulations. The Exempt/CENST environmental review form is only required for each project, not every unit.

2. For activities under a grant to a recipient other than a state or unit of general local government that generally would be subject to review under 24 CFR part 58, HUD may make a finding in accordance with 24 CFR 58.11(d) and may itself perform the environmental review under the provisions of 24 CFR part 50 if the recipient objects in writing to the responsible entity's performing the review under part 24 CFR part 58.

3. Irrespective of whether the responsible entity in accordance with 24 CFR part 58 (or HUD in accordance with 24 CFR part 50) performs the environmental review, the

recipient must supply all available, relevant information necessary for the responsible entity (or HUD, if applicable) to perform for each property any required environmental review. The recipient also must carry out mitigating measures required by the responsible entity (or HUD, if applicable) or select alternative property.

4. The recipient, its project partners, and their contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project under this NOFO, or commit or expend HUD or non-HUD funds for such eligible activities under this NOFO, until the responsible entity (as defined by 24 CFR 58.2(a)(7)) has completed the environmental review procedures required by 24 CFR part 58 and the environmental certification and Request for Release of Funds (RROF) have been approved or HUD has performed an environmental review under 24 CFR part 50 and the recipient has received HUD approval of the project. HUD will not release grant funds if the recipient or any other party commits grant funds (i.e., incurs any costs or expenditures to be paid or reimbursed with such funds) before the recipient submits and HUD approves its RROF (where such submission is required).

D. Lead-Based Paint Requirements

When providing housing assistance funding for purchase, lease, support services, operation, or work that may disturb painted surfaces of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead-based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)); and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

E. Remedies for Noncompliance

HUD may apply the remedies at 2 CFR 200.339 or impose additional conditions to remedy noncompliance with any Federal, State, or local statutes, regulations, or terms and conditions of the financial assistance award. If noncompliance cannot be remedied, HUD may terminate a Federal award, in whole or in part, for any of the reasons specified in 2 CFR 200.340, Termination.

For more information on CoC Program sanctions and remedies for noncompliance see 24 CFR 578.107.

F. Reporting

HUD requires recipients to submit performance and financial reports under OMB guidance and program instructions.

1. Recipient Integrity and Performance Matters

Applicants should be aware that if the total Federal share of their Federal award includes more than $500,000 over the period of performance, the award will be subject to post award reporting requirements reflected in Appendix XII to 2 CFR part 200, Award Terms and Conditions for Recipient Integrity and Performance Matters.

2. Race, Ethnicity and Other Data Reporting

HUD requires recipients that provide HUD-funded program benefits to individuals or families to report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of HUD programs in order to carry out the Department's responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987. These authorities prohibit discrimination in housing and in programs receiving financial assistance from the Department and direct the Secretary to administer the Department's programs and activities in a manner affirmatively to further these policies and to collect certain data to assess the extent of compliance with these policies. Each recipient shall keep such records and submit to the Department timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the Department may determine to be necessary to enable it to ascertain whether the recipient has complied or is complying with 24 CFR parts 1 and 121. In general, recipients should have available for the Department data showing the demographics of beneficiaries of Federally-assisted programs.

3. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) as amended (FFATA)

FFATA requires information on Federal awards be made available to the public via a single, searchable website, which is www.USASpending.gov. Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to 2 CFR part 170, "REPORTINGSUBAWARD AND EXECUTIVE COMPENSATION INFORMATION," unless the Federal funding for the award (including funding that may be added through amendments) is not expected to equal or exceed $30,000. Requirements under this Award Term include filing subaward information in the Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the month in which the recipient awards any sub-award equal to or greater than $30,000.

4. Program-Specific Reporting Requirements

a. In accordance with program regulations at 24 CFR 578.103, project recipients must maintain records within the timeframe required, make any reports, including those pertaining to race, ethnicity, gender, and disability status that HUD may require. Project recipients may report the data as part of their APR submission to HUD. Also, project recipients who expend $750,000 or more in 1 year in federal awards must have a single or program-specific audit for that year in accordance with the provisions of 2 CFR part 200, subpart F.

b. Section 3 Reporting Regulations. Recipients are required to report their Section 3 activities per 24 CFR 75.25 if funds were awarded for housing rehabilitation, housing construction, and other public constructions. See HUD's Section 3 website for additional information including annual reporting requirements.

c. Award notices may also include requirements for sub-award reporting in compliance with the requirements of the Federal Financial Assistance Accountability and Transparency Act of 2006 (Pub. L. 109-282) (FFATA) and Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417), referred to as "Section 872." See the General Section for further information.

d. An estimate of the reporting and recordkeeping burden of the CoC Program can be found in the Federal Register Publication of the Rule.

G. Debriefing

For a period of at least 120 calendar days, beginning 30 calendar days after the final public announcement of awards under this NOFO, if requested, HUD will provide the Collaborative Applicants a debriefing related to their application. A request for debriefing must be submitted via mail or email by the person listed as the AOR in the Collaborative Applicant Profile in *e-snaps* or by his or her successor in office and be submitted to the POC in Section VIII Agency Contact(s) of this NOFO. Information provided during a debriefing may include the Collaborative Applicant's final score for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which funding was approved or denied.

H. Administrative and Other Program Requirements.

Federal agencies are required to measure the performance of their programs. HUD captures this information not only from monitoring visits and APRs, but also from the data gathered in annual Competitions. HUD's homeless assistance programs are being measured in FY 2024 by the objective to reduce the overall number of people experiencing homelessness and reduce the length of time homeless; measured based on system performance and the ability of CoCs that have the capacity to reallocate funds from lower performing projects to higher performing projects.

I. Timeliness Standards.

All conditional funds awarded under the FY 2024 CoC Program Funding Opportunity must be obligated by HUD by September 30, 2026 and the obligation deadline for any FY 2025 funds is expected to be September 30, 2027. FY 2024 obligated funds remain available for expenditure until September 30, 2031 and the expenditure deadline for any FY 2025 funds is expected to be September 30, 2032. HUD reserves the right to require an earlier expenditure deadline under a grant agreement. The project applicant is expected to initiate the approved projects promptly in accordance with the requirements of this section of this NOFO. Grant terms, and associated grant operations, may not extend beyond the availability of funds. Project applicants must plan accordingly and only submit project applications that can start operations in a timely manner with sufficient time to complete the post award process within the awarded grant term. Additionally, HUD will take action if the recipient fails to satisfy the timeliness standards found in 24 CFR 578.85.

VII. APPEALS

A. Description

24 CFR 578.35 provides the appeal process options. Sections 578.35(b)(3), (b)(4), (c)(1), and (d)(2) authorize HUD to establish requirements for the form and manner of submissions for appeals by Solo Applicants, applicants with denied or decreased funding, and from competing CoCs. For HUD to consider an appeal under 24 CFR 578.35(b) or (c), the solo project applicant

must follow the applicable application process set forth in this NOFO. This NOFO also provides guidance to CoCs and applicants regarding appeals of a jurisdiction's refusal to sign the Consolidated Plan certification for a project under 24 CFR 578.35(c).

Additionally, HUD is clarifying the impact that Solo Applicant appeals will have on HUD signing grant agreements for funds awarded under this NOFO. If HUD receives one or more Solo Applicant appeals from a CoC, HUD will determine the amount of funding the Solo Applicant(s) have requested which may delay signing grant agreements for the awarded project(s) listed at the bottom of the CoC's Priority Listing that has requested funding under this NOFO equal to double the amount requested by the Solo Applicant(s). Refer to the Solo Applicant appeal process in section VII.C of this NOFO for additional information about the Solo Application appeal process.

Finally, for the purposes of the appeals identified in this NOFO where 24 CFR 578.35 requires that all evidence be sent to the CoC and that the CoC respond to evidence, this means that correspondence to the CoC should be addressed to the CoC-designated Collaborative Applicant and all correspondence to HUD from the CoC should be addressed from the CoC's designated Collaborative Applicant. If the CoC has authorized another entity other than the Collaborative Applicant to respond to the appeals identified in this NOFO on its behalf, it should notify HUD by sending an email to snapsappeals@hud.gov.

B. Types of Appeals

The provision at 24 CFR part 578 set forth the following types of appeals:

1. Solo Applicants. A process for eligible project applicants that attempted to participate in their CoC planning process and believe they were denied the right to participate in a reasonable manner.

2. Denied or Decreased Funding. A process for eligible applicants that are denied funds by HUD or that requested more funds than HUD awarded to them.

3. Consolidated Plan Certification. A process for eligible applicants whose jurisdiction refused to provide a Certification of Consistency with the Consolidated Plan (form HUD-2990).

4. Competing CoCs. A process when more than one CoC selects the same geographic area, for eligible applicants of lower-scoring CoCs, to appeal to HUD's decision to fund the competing CoC. Should two or more CoCs select the same geographic codes associated with formula areas during the CoC Program Registration process, HUD will use the competing CoC process provided by 24 CFR 578.35(d).

C. Solo Applicant

Per the Act, "A solo applicant may submit an application to the Secretary for a grant under subsection (a) and be awarded such grant on the same basis as such grants are awarded to other applicants based on the criteria described in section 427, but only if the Secretary determines that

the solo applicant has attempted to participate in the continuum of care process but was not permitted to participate in a reasonable manner. The Secretary may award such grants directly to such applicants in a manner determined to be appropriate by the Secretary."

To apply as a solo applicant, the project applicant must submit a Solo Applicant Project Application in *e-snaps* by the application submission deadline of October 30, 2024 at 8:00 PM EDT. Additionally, the solo applicant, Collaborative Applicant, and HUD must take the following steps (See 24 CFR 578.35 for more information):

1. Written Notice of Intent to Appeal. The solo applicant must submit a written notice of intent to appeal, with a copy to the CoC, with their funding application.

2. No later than 30 days after the date that HUD announces the awards, the solo applicant shall submit in writing, with a copy to the Collaborative Applicant, all relevant evidence supporting its claim. The submission shall be emailed to snapsappeals@hud.gov.

3. The CoC has 30 days from the date of its receipt of the solo applicant's evidence to respond to HUD in writing, with a copy to the solo applicant. The submission must be emailed to snapsappeals@hud.gov.

4. HUD will notify the solo applicant and the CoC of its decision within 60 days of receipt of the CoC's response.

5. If HUD finds that the solo applicant was not permitted to participate in the Continuum of Care planning process in a reasonable manner, then HUD may award a grant to the solo applicant when funds next become available and may direct the Continuum of Care to take remedial steps to ensure reasonable participation in the future. HUD may also reduce the award to the Continuum's applicant(s).

D. Denied or Decreased Funding

Eligible applicants, including project applicants and Collaborative Applicants, that submitted an application to HUD in response to this NOFO, that were either not awarded funds by HUD, or that requested more funds than HUD awarded, may appeal HUD's decision within 45 days after the final funding announcement. HUD will only consider for funding or additional funding applicants the CoC ranked within the CoC's maximum amount available. Collaborative Applicants that submitted CoC planning, and if applicable, UFA Costs project applications can appeal decreased funding if they can demonstrate HUD decreased the submitted project application's funding request to less than 5 percent of the CoC's FPRN or $1,250,000; whichever is less. To appeal HUD's decision, the applicant must submit a written appeal to HUD, with a copy to the authorized representative from the CoC's designated Collaborative Applicant. The written appeal must include evidence demonstrating HUD error and follow the instructions in this section.

The applicant must submit its written appeal by email to snapsappeals@hud.gov, from the organization's email address on the organization's letterhead and signed by the authorized representative–electronic signatures are acceptable.

1. Denied Funding. To appeal HUD's decision, the applicant must submit a written appeal to HUD using the process outlined in Section VII.F of this NOFO within 45 days of the date of the

funding announcement of the conditional awards from HUD, with a copy to the authorized representative from the CoC's designated Collaborative Applicant.

a. Projects, including projects for CoC Planning funds and Unified Funding Agency (UFA) costs, could have been rejected by HUD because:

(1) the individual project application failed to meet project eligibility, project quality, and project renewal thresholds set forth in this NOFO;

(2) the individual project application met project eligibility, project quality, and project renewal thresholds set forth in this NOFO, but was ranked in a position where a portion of the grant funds was outside the CoC's maximum award amount, and after HUD reduced its funding to fit within the CoC's maximum award amount, HUD determined that the project was no longer feasible; or

(3) HUD did not have sufficient funding to fund all eligible projects ranked within the CoC's maximum award amount.

b. For applicants that were fully denied funding for a grant, the applicant must provide evidence that demonstrates HUD error in not awarding the grant. Documentation submitted by the applicant must include:

(1) documentation that the project was ranked within the maximum award amount available to the CoC;

(2) evidence from the project application supporting the applicant's claim that the project application met project eligibility, project quality, and project renewal thresholds set forth in this NOFO; and

(3) evidence that the applicant believes HUD failed to follow its selection priorities set forth in this NOFO which resulted in the project not being funded (e.g., selecting a lower-scored project within the CoC or a similar project from another CoC).

c. For applicants that were denied funding due to the individual project's funding being decreased to such a level that the project was no longer feasible, documentation submitted by the applicant must include:

(1) documentation that the project was ranked within the maximum award amount available to the CoC;

(2) evidence from the project application supporting the applicant's claim that the project application met project eligibility and project quality thresholds set forth in this NOFO;

(3) evidence that the applicant believes HUD failed to follow its selection priorities set forth in this NOFO which resulted in the project not being funded (e.g., selecting a lower-scored project within the CoC or a similar project from another CoC); and

(4) the evidence in section IV.E.4 of this NOFO as well as evidence for decreased funding in section VII.D.2 of this NOFO.

d. For CoCs that were denied funding due to the score of the CoC Application or the score of the project application not being high enough to result in the funding of project(s) within the CoC, and the lower score for one or both application types was the result of HUD error, the CoC may

appeal the CoC or project application score and request funding for affected projects. Documentation submitted by the Collaborative Applicant on behalf of the CoC must include evidence of HUD error when calculating the CoC Application or project application score.

Note: HUD can only consider information submitted with the CoC Application. HUD will not consider additional information in support of the CoC Application.

2. Decreased Funding. To appeal HUD's decision, the applicant must submit a written appeal to HUD using the process outlined in section VII.F of this NOFO within 45 days of the date of the final funding announcement of the conditional awards from HUD, with a copy to the authorized representative of the CoC's designated Collaborative Applicant.
Documentation submitted by the applicant must include evidence of the HUD error the applicant believes was made.

3. HUD Decision and Notification of Decision. Where HUD determines that HUD error occurred, and the applicant should have been awarded additional funding, HUD will provide funding from the next available funds and make necessary adjustments by amending the award. HUD will reverse a decision only when the applicant can show that HUD error caused the denial or decrease.

E. Consolidated Plan Certification

An applicant may appeal to HUD a jurisdiction's refusal to provide a certification of consistency with the Consolidated Plan. The appeals process is as follows:

1. Written Appeal. With the project application that is submitted by the application deadline, the applicant must submit a written appeal. Project applicants may submit its appeal in e-snaps with its project application. When submitted with the project application in e-snaps, the applicant must also email a copy of this appeal to the jurisdiction that denied the Certification of Consistency with the Consolidated Plan and should send a copy to the authorized representative from the CoC's designated Collaborative Applicant, unless it is the Collaborative Applicant that is filing the appeal. Otherwise, the project applicant or Collaborative Applicant may submit the appeal to HUD using one of the methods in section VII.F of this NOFO. The written appeal must include the following information:

a. a copy of the applicant's request to the jurisdiction for the Certification of Consistency with the Consolidated Plan;

b. a copy of the jurisdiction's response stating the reasons for denial, including the reasons the proposed project is not consistent with the jurisdiction's Consolidated Plan in accordance with 24 CFR 91.510(c); and

c. a statement of the reasons why the applicant believes its project is consistent with the jurisdiction's Consolidated Plan.

The appeal may include additional information the applicant believes supports its appeal, including:

(1) any additional communication between the applicant and the jurisdiction regarding the request for certification of consistency; and

(2) documentation that identifies to whom within the jurisdiction the evidence was sent and the date on which it was sent.

2. Jurisdiction Response. The jurisdiction will have 10 days after the receipt of the applicant's written appeal to submit a written response to HUD. The response must be sent by email to snapsappeals@hud.gov on the organization's letterhead, with a copy to the project applicant and the authorized representative of the CoC's designated Collaborative Applicant. The response must include the following information:

a. an explanation of the reasons originally given for refusing to provide the Certification of Consistency with the Consolidated Plan; and

b. written rebuttal to any claims made by the applicant in the written appeal.

3. HUD Decision and Notification of Decision.

a. HUD will review the submissions and will provide written notification, by email, of its decision to the applicant and the jurisdiction, with a copy to the authorized representative from the CoC's designated Collaborative Applicant within 45 days of the date of the receipt of the jurisdiction's response. In making its decision, HUD will consider whether the applicant submitted the request to the appropriate certifying jurisdiction and the reasonableness of the jurisdiction's refusal to provide the certificate.

b. If HUD finds that the certifying jurisdiction's refusal to provide a certification of consistency with the Consolidated Plan was reasonable, then HUD will automatically reject the project application. If HUD finds that the certifying jurisdiction's refusal to provide a certification of consistency with the Consolidated Plan was not reasonable, then HUD will consider the project application for funding in the respective FY CoC Program Competition in accordance with the review standards set forth in this NOFO.

c. If the jurisdiction failed to provide written reasons for refusal, including the reasons why the project is not consistent with the jurisdiction's Consolidated Plan in its initial response to the applicant's request for a certification, HUD will find for the applicant without further inquiry or response from the political jurisdiction.

d. HUD will provide written notification of its decision within 45 days of the date of HUD's receipt of the jurisdiction's response. Where the jurisdiction failed to provide a written response, HUD will provide written notification of its decision within 55 days of the date of HUD's receipt of the project applicant's response.

F. Appeals Submission

1. Submission of Appeals by Email. Appeals must be submitted via email to snapsappeals@hud.gov. The subject line of your email must include the CoC Number, "Appeal Notice," and type of appeal, i.e., Participation, HUD Error, or Consolidated Plan Certification. A sample email Subject Line is, Subject: XX-500 – Appeal Notice–Consolidated Plan Certification.

2. HUD Response. HUD will respond to all appeals via email. HUD will not consider any requests to reconsider funding except for those appeals outlined in this NOFO.

VIII. AGENCY CONTACT

A. For Further Information

Recipients and individuals can use the locator on HUD's website to find contact information for the local HUD CPD Field Office serving the CoC's geographic area. Individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities may use any relay service to reach the local HUD CPD Field Office. To learn more about how to make an accessible telephone call, visit the webpage for the Federal Communications Commission. Note that HUD staff cannot assist applicants in preparing their applications.

B. For Technical Assistance

HUD will make appropriate resources available for technical assistance related to *e-snaps*, the electronic CoC program application and grants management system. Local HUD CPD Field Office staff will also be available to help citizens identify organizations in the community that are involved in developing the CoC system. All of HUD's responses to *e-snaps* technical assistance and other questions received will be made publicly available for review by any applicant or potential applicant. HUD staff and HUD contractors are prohibited from providing CoCs, Collaborative Applicants, and project applicants with guidance that will result in a competitive advantage for any CoC or project application.

Following conditional selection of applications, HUD staff will be available to assist conditionally awarded applicants in clarifying or confirming information that is a prerequisite to the offer of a grant agreement by HUD. However, between the application deadline and the announcement of conditional selections, HUD is prohibited from and will not accept any information that would improve the substantive quality of a CoC's application pertinent to HUD's funding decision.

C. General Clarification.

HUD staff will be available to provide general clarification on the content of this NOFO; however, HUD staff are prohibited from assisting any applicant in preparing the application(s) in *e-snaps*.

1. Local HUD Community Planning Development (CPD) Office. Questions regarding specific program requirements should be directed to the local HUD CPD field office, a directory of which can be found at https://www.hud.gov/program_offices/field_policy_mgt/localoffices.

2. Training and Resources. Collaborative Applicants and project applicants that need assistance completing the applications in *e-snaps* or understanding the program requirements under the CoC Program may access the Rule, training materials, and program resources via https://www.hud.gov/program_offices/comm_planning/coc.

3. Questions. CoCs, Collaborative Applicants, and project applicants that require information and technical support concerning this NOFO and the application in *e-snaps* may submit an inquiry to CoCNOFO@hud.gov. Starting 2 days prior to the application deadline, this email address will respond only to emergency technical support questions up to the deadline of 8:00 PM EDT on October 30, 2024. Applicants experiencing technical difficulty should contact

CoCNOFO@hud.gov immediately for assistance and document their attempts to obtain assistance.

IX. OTHER INFORMATION

1. Compliance of this NOFO with the National Environmental Policy Act (NEPA)

A Finding of No Significant Impact (FONSI) with respect to the environment has been made for this NOFO in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C.4332(2)(C)). The FONSI is available for inspection at HUD's Funding Opportunities web page.

2. Web Resources

- **Affirmatively Furthering Fair Housing (See 24 CFR 578.93(c) for specific Affirmatively Furthering Fair Housing requirements that apply to the CoC program.)**
- **Assistance Listing(formerly CFDA)**
- **Climate Action Plan**
- **Climate and Economic Justice Screening Tool (CEJST)**
- **Code of Conduct Requirements and E-Library**
- **Environmental Review**
- **Equal Participation of Faith-Based Organizations**
- **Fair Housing Rights and Obligations**
- **Federal Awardee Performance and Integrity Information System**
- **Federal Funding Accountability and Transparency Act (FFATA) Subaward Reporting System**
- **Grants.gov**
- **Healthy Homes Strategic Plan**
- **Healthy Housing Reference Manual**
- **Historically Black Colleges and Universities (HBCUs)**
- **HUD Grants**
- **HUD Reform Act**
- **HUD Reform Act: HUD Implementing Regulations**
- **HUD's Disability Overview**
- **HUD's Strategic Plan**
- **Limited English Proficiency (LEP)**
- **NOFO Webcasts**
- **Procurement of Recovered Materials**
- **Promise Zones**
- **Real Estate Acquisition and Relocation**
- **Section 3**
- **State Point of Contact List**
- **System for Award Management (SAM)**
- **Unique Entity Identifier**

- **USA Spending**

Appendix

Presidential Documents

Executive Order 14151 of January 20, 2025

Ending Radical and Wasteful Government DEI Programs and Preferencing

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose and Policy.* The Biden Administration forced illegal and immoral discrimination programs, going by the name ''diversity, equity, and inclusion'' (DEI), into virtually all aspects of the Federal Government, in areas ranging from airline safety to the military. This was a concerted effort stemming from President Biden's first day in office, when he issued Executive Order 13985, ''Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.''

Pursuant to Executive Order 13985 and follow-on orders, nearly every Federal agency and entity submitted ''Equity Action Plans'' to detail the ways that they have furthered DEIs infiltration of the Federal Government. The public release of these plans demonstrated immense public waste and shameful discrimination. That ends today. Americans deserve a government committed to serving every person with equal dignity and respect, and to expending precious taxpayer resources only on making America great.

Sec. 2. *Implementation.* (a) The Director of the Office of Management and Budget (OMB), assisted by the Attorney General and the Director of the Office of Personnel Management (OPM), shall coordinate the termination of all discriminatory programs, including illegal DEI and ''diversity, equity, inclusion, and accessibility'' (DEIA) mandates, policies, programs, preferences, and activities in the Federal Government, under whatever name they appear. To carry out this directive, the Director of OPM, with the assistance of the Attorney General as requested, shall review and revise, as appropriate, all existing Federal employment practices, union contracts, and training policies or programs to comply with this order. Federal employment practices, including Federal employee performance reviews, shall reward individual initiative, skills, performance, and hard work and shall not under any circumstances consider DEI or DEIA factors, goals, policies, mandates, or requirements.

(b) Each agency, department, or commission head, in consultation with the Attorney General, the Director of OMB, and the Director of OPM, as appropriate, shall take the following actions within sixty days of this order:

(i) terminate, to the maximum extent allowed by law, all DEI, DEIA, and ''environmental justice'' offices and positions (including but not limited to ''Chief Diversity Officer'' positions); all ''equity action plans,'' ''equity'' actions, initiatives, or programs, ''equity-related'' grants or contracts; and all DEI or DEIA performance requirements for employees, contractors, or grantees.

(ii) provide the Director of the OMB with a list of all:

(A) agency or department DEI, DEIA, or ''environmental justice'' positions, committees, programs, services, activities, budgets, and expenditures in existence on November 4, 2024, and an assessment of whether these positions, committees, programs, services, activities, budgets, and expenditures have been misleadingly relabeled in an attempt to preserve their pre-November 4, 2024 function;

(B) Federal contractors who have provided DEI training or DEI training materials to agency or department employees; and

(C) Federal grantees who received Federal funding to provide or advance DEI, DEIA, or ''environmental justice'' programs, services, or activities since January 20, 2021.

(iii) direct the deputy agency or department head to:

(A) assess the operational impact (e.g., the number of new DEI hires) and cost of the prior administration's DEI, DEIA, and ''environmental justice'' programs and policies; and

(B) recommend actions, such as Congressional notifications under 28 U.S.C. 530D, to align agency or department programs, activities, policies, regulations, guidance, employment practices, enforcement activities, contracts (including set-asides), grants, consent orders, and litigating positions with the policy of equal dignity and respect identified in section 1 of this order. The agency or department head and the Director of OMB shall jointly ensure that the deputy agency or department head has the authority and resources needed to carry out this directive.

(c) To inform and advise the President, so that he may formulate appropriate and effective civil-rights policies for the Executive Branch, the Assistant to the President for Domestic Policy shall convene a monthly meeting attended by the Director of OMB, the Director of OPM, and each deputy agency or department head to:

(i) hear reports on the prevalence and the economic and social costs of DEI, DEIA, and ''environmental justice'' in agency or department programs, activities, policies, regulations, guidance, employment practices, enforcement activities, contracts (including set-asides), grants, consent orders, and litigating positions;

(ii) discuss any barriers to measures to comply with this order; and

(iii) monitor and track agency and department progress and identify potential areas for additional Presidential or legislative action to advance the policy of equal dignity and respect.

Sec. 3. *Severability.* If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected.

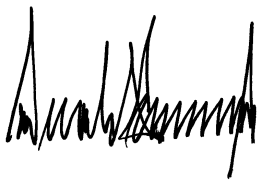
Sec. 4. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
January 20, 2025.

[FR Doc. 2025–01953
Filed 1–28–25; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14168 of January 20, 2025

Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7301 of title 5, United States Code, it is hereby ordered:

Section 1. *Purpose.* Across the country, ideologues who deny the biological reality of sex have increasingly used legal and other socially coercive means to permit men to self-identify as women and gain access to intimate single-sex spaces and activities designed for women, from women's domestic abuse shelters to women's workplace showers. This is wrong. Efforts to eradicate the biological reality of sex fundamentally attack women by depriving them of their dignity, safety, and well-being. The erasure of sex in language and policy has a corrosive impact not just on women but on the validity of the entire American system. Basing Federal policy on truth is critical to scientific inquiry, public safety, morale, and trust in government itself.

This unhealthy road is paved by an ongoing and purposeful attack against the ordinary and longstanding use and understanding of biological and scientific terms, replacing the immutable biological reality of sex with an internal, fluid, and subjective sense of self unmoored from biological facts. Invalidating the true and biological category of ''woman'' improperly transforms laws and policies designed to protect sex-based opportunities into laws and policies that undermine them, replacing longstanding, cherished legal rights and values with an identity-based, inchoate social concept.

Accordingly, my Administration will defend women's rights and protect freedom of conscience by using clear and accurate language and policies that recognize women are biologically female, and men are biologically male.

Sec. 2. *Policy and Definitions.* It is the policy of the United States to recognize two sexes, male and female. These sexes are not changeable and are grounded in fundamental and incontrovertible reality. Under my direction, the Executive Branch will enforce all sex-protective laws to promote this reality, and the following definitions shall govern all Executive interpretation of and application of Federal law and administration policy:

(a) ''Sex'' shall refer to an individual's immutable biological classification as either male or female. ''Sex'' is not a synonym for and does not include the concept of ''gender identity.''

(b) ''Women'' or ''woman'' and ''girls'' or ''girl'' shall mean adult and juvenile human females, respectively.

(c) ''Men'' or ''man'' and ''boys'' or ''boy'' shall mean adult and juvenile human males, respectively.

(d) ''Female'' means a person belonging, at conception, to the sex that produces the large reproductive cell.

(e) ''Male'' means a person belonging, at conception, to the sex that produces the small reproductive cell.

(f) ''Gender ideology'' replaces the biological category of sex with an ever-shifting concept of self-assessed gender identity, permitting the false claim that males can identify as and thus become women and vice versa, and requiring all institutions of society to regard this false claim as true.

Gender ideology includes the idea that there is a vast spectrum of genders that are disconnected from one's sex. Gender ideology is internally inconsistent, in that it diminishes sex as an identifiable or useful category but nevertheless maintains that it is possible for a person to be born in the wrong sexed body.

(g) ''Gender identity'' reflects a fully internal and subjective sense of self, disconnected from biological reality and sex and existing on an infinite continuum, that does not provide a meaningful basis for identification and cannot be recognized as a replacement for sex.

Sec. 3. *Recognizing Women Are Biologically Distinct From Men.* (a) Within 30 days of the date of this order, the Secretary of Health and Human Services shall provide to the U.S. Government, external partners, and the public clear guidance expanding on the sex-based definitions set forth in this order.

(b) Each agency and all Federal employees shall enforce laws governing sex-based rights, protections, opportunities, and accommodations to protect men and women as biologically distinct sexes. Each agency should therefore give the terms ''sex'', ''male'', ''female'', ''men'', ''women'', ''boys'' and ''girls'' the meanings set forth in section 2 of this order when interpreting or applying statutes, regulations, or guidance and in all other official agency business, documents, and communications.

(c) When administering or enforcing sex-based distinctions, every agency and all Federal employees acting in an official capacity on behalf of their agency shall use the term ''sex'' and not ''gender'' in all applicable Federal policies and documents.

(d) The Secretaries of State and Homeland Security, and the Director of the Office of Personnel Management, shall implement changes to require that government-issued identification documents, including passports, visas, and Global Entry cards, accurately reflect the holder's sex, as defined under section 2 of this order; and the Director of the Office of Personnel Management shall ensure that applicable personnel records accurately report Federal employees' sex, as defined by section 2 of this order.

(e) Agencies shall remove all statements, policies, regulations, forms, communications, or other internal and external messages that promote or otherwise inculcate gender ideology, and shall cease issuing such statements, policies, regulations, forms, communications or other messages. Agency forms that require an individual's sex shall list male or female, and shall not request gender identity. Agencies shall take all necessary steps, as permitted by law, to end the Federal funding of gender ideology.

(f) The prior Administration argued that the Supreme Court's decision in *Bostock* v. *Clayton County* (2020), which addressed Title VII of the Civil Rights Act of 1964, requires gender identity-based access to single-sex spaces under, for example, Title IX of the Educational Amendments Act. This position is legally untenable and has harmed women. The Attorney General shall therefore immediately issue guidance to agencies to correct the misapplication of the Supreme Court's decision in *Bostock* v. *Clayton County* (2020) to sex-based distinctions in agency activities. In addition, the Attorney General shall issue guidance and assist agencies in protecting sex-based distinctions, which are explicitly permitted under Constitutional and statutory precedent.

(g) Federal funds shall not be used to promote gender ideology. Each agency shall assess grant conditions and grantee preferences and ensure grant funds do not promote gender ideology.

Sec. 4. *Privacy in Intimate Spaces.* (a) The Attorney General and Secretary of Homeland Security shall ensure that males are not detained in women's prisons or housed in women's detention centers, including through amendment, as necessary, of Part 115.41 of title 28, Code of Federal Regulations and interpretation guidance regarding the Americans with Disabilities Act.

(b) The Secretary of Housing and Urban Development shall prepare and submit for notice and comment rulemaking a policy to rescind the final rule entitled ''Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs'' of September 21, 2016, 81 FR 64763, and shall submit for public comment a policy protecting women seeking single-sex rape shelters.

(c) The Attorney General shall ensure that the Bureau of Prisons revises its policies concerning medical care to be consistent with this order, and shall ensure that no Federal funds are expended for any medical procedure, treatment, or drug for the purpose of conforming an inmate's appearance to that of the opposite sex.

(d) Agencies shall effectuate this policy by taking appropriate action to ensure that intimate spaces designated for women, girls, or females (or for men, boys, or males) are designated by sex and not identity.

Sec. 5. *Protecting Rights.* The Attorney General shall issue guidance to ensure the freedom to express the binary nature of sex and the right to single-sex spaces in workplaces and federally funded entities covered by the Civil Rights Act of 1964. In accordance with that guidance, the Attorney General, the Secretary of Labor, the General Counsel and Chair of the Equal Employment Opportunity Commission, and each other agency head with enforcement responsibilities under the Civil Rights Act shall prioritize investigations and litigation to enforce the rights and freedoms identified.

Sec. 6. *Bill Text.* Within 30 days of the date of this order, the Assistant to the President for Legislative Affairs shall present to the President proposed bill text to codify the definitions in this order.

Sec. 7. *Agency Implementation and Reporting.* (a) Within 120 days of the date of this order, each agency head shall submit an update on implementation of this order to the President, through the Director of the Office of Management and Budget. That update shall address:

(i) changes to agency documents, including regulations, guidance, forms, and communications, made to comply with this order; and

(ii) agency-imposed requirements on federally funded entities, including contractors, to achieve the policy of this order.

(b) The requirements of this order supersede conflicting provisions in any previous Executive Orders or Presidential Memoranda, including but not limited to Executive Orders 13988 of January 20, 2021, 14004 of January 25, 2021, 14020 and 14021 of March 8, 2021, and 14075 of June 15, 2022. These Executive Orders are hereby rescinded, and the White House Gender Policy Council established by Executive Order 14020 is dissolved.

(c) Each agency head shall promptly rescind all guidance documents inconsistent with the requirements of this order or the Attorney General's guidance issued pursuant to this order, or rescind such parts of such documents that are inconsistent in such manner. Such documents include, but are not limited to:

(i) ''The White House Toolkit on Transgender Equality'';

(ii) the Department of Education's guidance documents including:

(A) ''2024 Title IX Regulations: Pointers for Implementation'' (July 2024);

(B) ''U.S. Department of Education Toolkit: Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students'';

(C) ''U.S. Department of Education Supporting LGBTQI+ Youth and Families in School'' (June 21, 2023);

(D) ''Departamento de Educación de EE.UU. Apoyar a los jóvenes y familias LGBTQI+ en la escuela'' (June 21, 2023);

(E) ''Supporting Intersex Students: A Resource for Students, Families, and Educators'' (October 2021);

(F) ''Supporting Transgender Youth in School'' (June 2021);

(G) ''Letter to Educators on Title IX's 49th Anniversary'' (June 23, 2021);

(H) ''Confronting Anti-LGBTQI+ Harassment in Schools: A Resource for Students and Families'' (June 2021);

(I) ''Enforcement of Title IX of the Education Amendments of 1972 With Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton County'' (June 22, 2021);

(J) ''Education in a Pandemic: The Disparate Impacts of COVID–19 on America's Students'' (June 9, 2021); and

(K) ''Back-to-School Message for Transgender Students from the U.S. Depts of Justice, Education, and HHS'' (Aug. 17, 2021);

(iii) the Attorney General's Memorandum of March 26, 2021 entitled ''Application of *Bostock* v. *Clayton County* to Title IX of the Education Amendments of 1972''; and

(iv) the Equal Employment Opportunity Commission's ''Enforcement Guidance on Harassment in the Workplace'' (April 29, 2024).

Sec. 8. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

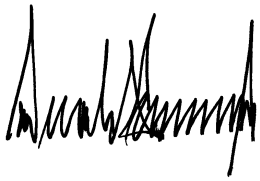
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.



THE WHITE HOUSE,
January 20, 2025.

[FR Doc. 2025–02090
Filed 1–29–25; 11:15 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14173 of January 21, 2025

Ending Illegal Discrimination and Restoring Merit-Based Opportunity

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose.* Longstanding Federal civil-rights laws protect individual Americans from discrimination based on race, color, religion, sex, or national origin. These civil-rights protections serve as a bedrock supporting equality of opportunity for all Americans. As President, I have a solemn duty to ensure that these laws are enforced for the benefit of all Americans.

Yet today, roughly 60 years after the passage of the Civil Rights Act of 1964, critical and influential institutions of American society, including the Federal Government, major corporations, financial institutions, the medical industry, large commercial airlines, law enforcement agencies, and institutions of higher education have adopted and actively use dangerous, demeaning, and immoral race- and sex-based preferences under the guise of so-called ''diversity, equity, and inclusion'' (DEI) or ''diversity, equity, inclusion, and accessibility'' (DEIA) that can violate the civil-rights laws of this Nation.

Illegal DEI and DEIA policies not only violate the text and spirit of our longstanding Federal civil-rights laws, they also undermine our national unity, as they deny, discredit, and undermine the traditional American values of hard work, excellence, and individual achievement in favor of an unlawful, corrosive, and pernicious identity-based spoils system. Hard-working Americans who deserve a shot at the American Dream should not be stigmatized, demeaned, or shut out of opportunities because of their race or sex.

These illegal DEI and DEIA policies also threaten the safety of American men, women, and children across the Nation by diminishing the importance of individual merit, aptitude, hard work, and determination when selecting people for jobs and services in key sectors of American society, including all levels of government, and the medical, aviation, and law-enforcement communities. Yet in case after tragic case, the American people have witnessed first-hand the disastrous consequences of illegal, pernicious discrimination that has prioritized how people were born instead of what they were capable of doing.

The Federal Government is charged with enforcing our civil-rights laws. The purpose of this order is to ensure that it does so by ending illegal preferences and discrimination.

Sec. 2. *Policy.* It is the policy of the United States to protect the civil rights of all Americans and to promote individual initiative, excellence, and hard work. I therefore order all executive departments and agencies (agencies) to terminate all discriminatory and illegal preferences, mandates, policies, programs, activities, guidance, regulations, enforcement actions, consent orders, and requirements. I further order all agencies to enforce our longstanding civil-rights laws and to combat illegal private-sector DEI preferences, mandates, policies, programs, and activities.

Sec. 3. *Terminating Illegal Discrimination in the Federal Government.* (a) The following executive actions are hereby revoked:

(i) Executive Order 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations);

(ii) Executive Order 13583 of August 18, 2011 (Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce);

(iii) Executive Order 13672 of July 21, 2014 (Further Amendments to Executive Order 11478, Equal Employment Opportunity in the Federal Government, and Executive Order 11246, Equal Employment Opportunity); and

(iv) The Presidential Memorandum of October 5, 2016 (Promoting Diversity and Inclusion in the National Security Workforce).

(b) The Federal contracting process shall be streamlined to enhance speed and efficiency, reduce costs, and require Federal contractors and subcontractors to comply with our civil-rights laws. Accordingly:

(i) Executive Order 11246 of September 24, 1965 (Equal Employment Opportunity), is hereby revoked. For 90 days from the date of this order, Federal contractors may continue to comply with the regulatory scheme in effect on January 20, 2025.

(ii) The Office of Federal Contract Compliance Programs within the Department of Labor shall immediately cease:

(A) Promoting ''diversity'';

(B) Holding Federal contractors and subcontractors responsible for taking ''affirmative action''; and

(C) Allowing or encouraging Federal contractors and subcontractors to engage in workforce balancing based on race, color, sex, sexual preference, religion, or national origin.

(iii) In accordance with Executive Order 13279 of December 12, 2002 (Equal Protection of the Laws for Faith-Based and Community Organizations), the employment, procurement, and contracting practices of Federal contractors and subcontractors shall not consider race, color, sex, sexual preference, religion, or national origin in ways that violate the Nation's civil rights laws.

(iv) The head of each agency shall include in every contract or grant award:

(A) A term requiring the contractual counterparty or grant recipient to agree that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code; and

(B) A term requiring such counterparty or recipient to certify that it does not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws.

(c) The Director of the Office of Management and Budget (OMB), with the assistance of the Attorney General as requested, shall:

(i) Review and revise, as appropriate, all Government-wide processes, directives, and guidance;

(ii) Excise references to DEI and DEIA principles, under whatever name they may appear, from Federal acquisition, contracting, grants, and financial assistance procedures to streamline those procedures, improve speed and efficiency, lower costs, and comply with civil-rights laws; and

(iii) Terminate all ''diversity,'' ''equity,'' ''equitable decision-making,'' ''equitable deployment of financial and technical assistance,'' ''advancing equity,'' and like mandates, requirements, programs, or activities, as appropriate.

Sec. 4. *Encouraging the Private Sector to End Illegal DEI Discrimination and Preferences.* (a) The heads of all agencies, with the assistance of the

Attorney General, shall take all appropriate action with respect to the operations of their agencies to advance in the private sector the policy of individual initiative, excellence, and hard work identified in section 2 of this order.

(b) To further inform and advise me so that my Administration may formulate appropriate and effective civil-rights policy, the Attorney General, within 120 days of this order, in consultation with the heads of relevant agencies and in coordination with the Director of OMB, shall submit a report to the Assistant to the President for Domestic Policy containing recommendations for enforcing Federal civil-rights laws and taking other appropriate measures to encourage the private sector to end illegal discrimination and preferences, including DEI. The report shall contain a proposed strategic enforcement plan identifying:

(i) Key sectors of concern within each agency's jurisdiction;

(ii) The most egregious and discriminatory DEI practitioners in each sector of concern;

(iii) A plan of specific steps or measures to deter DEI programs or principles (whether specifically denominated ''DEI'' or otherwise) that constitute illegal discrimination or preferences. As a part of this plan, each agency shall identify up to nine potential civil compliance investigations of publicly traded corporations, large non-profit corporations or associations, foundations with assets of 500 million dollars or more, State and local bar and medical associations, and institutions of higher education with endowments over 1 billion dollars;

(iv) Other strategies to encourage the private sector to end illegal DEI discrimination and preferences and comply with all Federal civil-rights laws;

(v) Litigation that would be potentially appropriate for Federal lawsuits, intervention, or statements of interest; and

(vi) Potential regulatory action and sub-regulatory guidance.

Sec. 5. *Other Actions.* Within 120 days of this order, the Attorney General and the Secretary of Education shall jointly issue guidance to all State and local educational agencies that receive Federal funds, as well as all institutions of higher education that receive Federal grants or participate in the Federal student loan assistance program under Title IV of the Higher Education Act, 20 U.S.C. 1070 *et seq.,* regarding the measures and practices required to comply with *Students for Fair Admissions, Inc.* v. *President and Fellows of Harvard College,* 600 U.S. 181 (2023).

Sec. 6. *Severability.* If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.

Sec. 7. *Scope.* (a) This order does not apply to lawful Federal or private-sector employment and contracting preferences for veterans of the U.S. armed forces or persons protected by the Randolph-Sheppard Act, 20 U.S.C. 107 *et seq.*

(b) This order does not prevent State or local governments, Federal contractors, or Federally-funded State and local educational agencies or institutions of higher education from engaging in First Amendment-protected speech.

(c) This order does not prohibit persons teaching at a Federally funded institution of higher education as part of a larger course of academic instruction from advocating for, endorsing, or promoting the unlawful employment or contracting practices prohibited by this order.

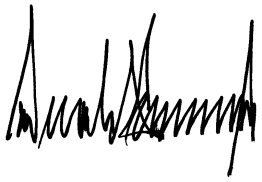
Sec. 8. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to and does not create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
January 21, 2025.

[FR Doc. 2025–02097
Filed 1–30–25; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14182 of January 24, 2025

Enforcing the Hyde Amendment

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose and Policy.* For nearly five decades, the Congress has annually enacted the Hyde Amendment and similar laws that prevent Federal funding of elective abortion, reflecting a longstanding consensus that American taxpayers should not be forced to pay for that practice. However, the previous administration disregarded this established, commonsense policy by embedding forced taxpayer funding of elective abortions in a wide variety of Federal programs.

It is the policy of the United States, consistent with the Hyde Amendment, to end the forced use of Federal taxpayer dollars to fund or promote elective abortion.

Sec. 2. *Revocation of Orders and Actions.* The following Executive Orders are hereby revoked:

(a) Executive Order 14076 of July 8, 2022; and

(b) Executive Order 14079 of August 3, 2022.

Sec. 3. *Implementation.* The Director of the Office of Management and Budget shall promulgate guidance to the heads of executive departments and agencies related to implementation of sections 1 and 2 of this order.

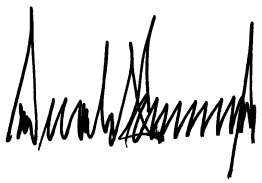
Sec. 4. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
January 24, 2025.

[FR Doc. 2025–02175
Filed 1–30–25; 11:15 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14190 of January 29, 2025

Ending Radical Indoctrination in K–12 Schooling

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose and Policy.* Parents trust America's schools to provide their children with a rigorous education and to instill a patriotic admiration for our incredible Nation and the values for which we stand.

In recent years, however, parents have witnessed schools indoctrinate their children in radical, anti-American ideologies while deliberately blocking parental oversight. Such an environment operates as an echo chamber, in which students are forced to accept these ideologies without question or critical examination. In many cases, innocent children are compelled to adopt identities as either victims or oppressors solely based on their skin color and other immutable characteristics. In other instances, young men and women are made to question whether they were born in the wrong body and whether to view their parents and their reality as enemies to be blamed. These practices not only erode critical thinking but also sow division, confusion, and distrust, which undermine the very foundations of personal identity and family unity.

Imprinting anti-American, subversive, harmful, and false ideologies on our Nation's children not only violates longstanding anti-discrimination civil rights law in many cases, but usurps basic parental authority. For example, steering students toward surgical and chemical mutilation without parental consent or involvement or allowing males access to private spaces designated for females may contravene Federal laws that protect parental rights, including the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA), and sex-based equality and opportunity, including Title IX of the Education Amendments of 1972 (Title IX). Similarly, demanding acquiescence to ''White Privilege'' or ''unconscious bias,'' actually promotes racial discrimination and undermines national unity.

My Administration will enforce the law to ensure that recipients of Federal funds providing K–12 education comply with all applicable laws prohibiting discrimination in various contexts and protecting parental rights, including Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. 2000d *et seq.;* Title IX, 20 U.S.C. 1681 *et seq.;* FERPA, 20 U.S.C. 1232g; and the PPRA, 20 U.S.C. 1232h.

Sec. 2. *Definitions.* As used herein:

(a) The definitions in the Executive Order ''Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government'' (January 20, 2025) shall apply to this order.

(b) ''Discriminatory equity ideology'' means an ideology that treats individuals as members of preferred or disfavored groups, rather than as individuals, and minimizes agency, merit, and capability in favor of immoral generalizations, including that:

(i) Members of one race, color, sex, or national origin are morally or inherently superior to members of another race, color, sex, or national origin;

(ii) An individual, by virtue of the individual's race, color, sex, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(iii) An individual's moral character or status as privileged, oppressing, or oppressed is primarily determined by the individual's race, color, sex, or national origin;

(iv) Members of one race, color, sex, or national origin cannot and should not attempt to treat others without respect to their race, color, sex, or national origin;

(v) An individual, by virtue of the individual's race, color, sex, or national origin, bears responsibility for, should feel guilt, anguish, or other forms of psychological distress because of, should be discriminated against, blamed, or stereotyped for, or should receive adverse treatment because of actions committed in the past by other members of the same race, color, sex, or national origin, in which the individual played no part;

(vi) An individual, by virtue of the individual's race, color, sex, or national origin, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion;

(vii) Virtues such as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race, color, sex, or national origin to oppress members of another race, color, sex, or national origin; or

(viii) the United States is fundamentally racist, sexist, or otherwise discriminatory.

(c) ''Educational service agency'' (ESA) has the meaning given in 20 U.S.C. 1401(5), and the terms ''elementary school,'' ''local educational agency'' (LEA), ''secondary school,'' and ''state educational agency'' (SEA) have the meanings given in 34 CFR 77.1(c).

(d) ''Patriotic education'' means a presentation of the history of America grounded in:

(i) an accurate, honest, unifying, inspiring, and ennobling characterization of America's founding and foundational principles;

(ii) a clear examination of how the United States has admirably grown closer to its noble principles throughout its history;

(iii) the concept that commitment to America's aspirations is beneficial and justified; and

(iv) the concept that celebration of America's greatness and history is proper.

(e) ''Social transition'' means the process of adopting a ''gender identity'' or ''gender marker'' that differs from a person's sex. This process can include psychological or psychiatric counseling or treatment by a school counselor or other provider; modifying a person's name (e.g., ''Jane'' to ''James'') or pronouns (e.g., ''him'' to ''her''); calling a child ''nonbinary''; use of intimate facilities and accommodations such as bathrooms or locker rooms specifically designated for persons of the opposite sex; and participating in school athletic competitions or other extracurricular activities specifically designated for persons of the opposite sex. ''Social transition'' does not include chemical or surgical mutilation.

Sec. 3. *Ending Indoctrination Strategy.* (a) Within 90 days of the date of this order, to advise the President in formulating future policy, the Secretary of Education, the Secretary of Defense, and the Secretary of Health and Human Services, in consultation with the Attorney General, shall provide an Ending Indoctrination Strategy to the President, through the Assistant to the President for Domestic Policy, containing recommendations and a plan for:

(i) eliminating Federal funding or support for illegal and discriminatory treatment and indoctrination in K–12 schools, including based on gender ideology and discriminatory equity ideology; and

(ii) protecting parental rights, pursuant to FERPA, 20 U.S.C. 1232g, and the PPRA, 20 U.S.C. 1232h, with respect to any K–12 policies or conduct implicated by the purpose and policy of this order.

(b) The Ending Indoctrination Strategy submitted under subsection (a) of this section shall contain a summary and analysis of the following:

(i) All Federal funding sources and streams, including grants or contracts, that directly or indirectly support or subsidize the instruction, advancement, or promotion of gender ideology or discriminatory equity ideology:

(A) in K–12 curriculum, instruction, programs, or activities; or

(B) in K–12 teacher education, certification, licensing, employment, or training;

(ii) Each agency's process to prevent or rescind Federal funds, to the maximum extent consistent with applicable law, from being used by an ESA, SEA, LEA, elementary school, or secondary school to directly or indirectly support or subsidize the instruction, advancement, or promotion of gender ideology or discriminatory equity ideology in:

(A) K–12 curriculum, instruction, programs, or activities; or

(B) K–12 teacher certification, licensing, employment, or training;

(iii) Each agency's process to prevent or rescind Federal funds, to the maximum extent consistent with applicable law, from being used by an ESA, SEA, LEA, elementary school, or secondary school to directly or indirectly support or subsidize the social transition of a minor student, including through school staff or teachers or through deliberately concealing the minor's social transition from the minor's parents.

(iv) Each agency's process to prevent or rescind Federal funds, to the maximum extent consistent with applicable law, from being used by an ESA, SEA, LEA, elementary school, or secondary school to directly or indirectly support or subsidize:

(A) interference with a parent's Federal statutory right to information regarding school curriculum, records, physical examinations, surveys, and other matters under the PPRA or FERPA; or

(B) a violation of Title VI or Title IX; and

(v) A summary and analysis of all relevant agency enforcement tools to advance the policies of this order.

(c) The Attorney General shall coordinate with State attorneys general and local district attorneys in their efforts to enforce the law and file appropriate actions against K–12 teachers and school officials who violate the law by:

(i) sexually exploiting minors;

(ii) unlawfully practicing medicine by offering diagnoses and treatment without the requisite license; or

(iii) otherwise unlawfully facilitating the social transition of a minor student.

(d) The Assistant to the President for Domestic Policy shall regularly convene the heads of the agencies tasked with submitting the Ending Indoctrination Strategy under subsection (a) of this section to confer regarding their findings, areas for additional investigation, the modification or implementation of their respective recommendations, and such other policy initiatives or matters as the President may direct.

Sec. 4. *Reestablishing the President's Advisory 1776 Commission and Promoting Patriotic Education.* (a) The President's Advisory 1776 Commission (''1776 Commission''), which was created by Executive Order 13958 of November 2, 2020, to promote patriotic education, but was terminated by President Biden in Executive Order 13985 of January 20, 2021, is hereby reestablished. The purpose of the 1776 Commission is to promote patriotic education and advance the purposes stated in section 1 of Executive Order 13958, as well as to advise and promote the work of the White House Task Force on Celebrating America's 250th Birthday (''Task Force 250'') and the United States Semiquincentennial Commission in their efforts to

provide a grand celebration worthy of the momentous occasion of the 250th anniversary of American Independence on July 4, 2026.

(b) Within 120 days of the date of this order, the Secretary of Education shall establish the 1776 Commission in the Department of Education.

(c) The 1776 Commission shall be composed of not more than 20 members, who shall be appointed by the President for a term of 2 years. The 1776 Commission shall be made up of individuals from outside the Federal Government with relevant experience or subject-matter expertise.

(d) The 1776 Commission shall have a Chair or Co-Chairs, at the President's discretion, and a Vice Chair, who shall be designated by the President from among the Commission's members. An Executive Director, designated by the Secretary of Education in consultation with the Assistant to the President for Domestic Policy, shall coordinate the work of the 1776 Commission. The Chair (or Co-Chairs) and Vice Chair shall work with the Executive Director to convene regular meetings of the 1776 Commission, determine its agenda, and direct its work, consistent with this order.

(e) The 1776 Commission shall:

(i) facilitate the development and implementation of a ''Presidential 1776 Award'' to recognize student knowledge of the American founding, including knowledge about the Founders, the Declaration of Independence, the Constitutional Convention, and the great soldiers and battles of the American Revolutionary War;

(ii) in coordination with the White House Office of Public Liaison, coordinate bi-weekly lectures regarding the 250th anniversary of American Independence that are grounded in patriotic education principles, which shall be broadcast to the Nation throughout calendar year 2026;

(iii) upon request, advise executive departments and agencies regarding their efforts to ensure patriotic education is appropriately provided to the public at national parks, battlefields, monuments, museums, installations, landmarks, cemeteries, and other places important to the American founding and American history, as appropriate and consistent with applicable law;

(iv) upon request, offer advice and recommendations to, and support the work of Task Force 250 and the United States Semiquincentennial Commission regarding their plans to celebrate the 250th anniversary of American Independence; and

(v) facilitate, advise upon, and promote private and civic activities nationwide to increase public knowledge of and support patriotic education surrounding the 250th anniversary of American Independence, as appropriate and consistent with applicable law.

(f) The Department of Education shall provide funding and administrative support for the 1776 Commission, to the extent permitted by law and subject to the availability of appropriations.

(g) Members of the 1776 Commission shall serve without compensation but, as approved by the Department of Education, shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701–5707).

(h) Insofar as chapter 10 of title 5, United States Code (commonly known as the Federal Advisory Committee Act), may apply to the 1776 Commission, any functions of the President under that Act, except that of reporting to the Congress, shall be performed by the Secretary of Education, in accordance with the guidelines issued by the Administrator of General Services.

(i) The 1776 Commission shall terminate 2 years from the date of this order, unless extended by the President.

Sec. 5. *Additional Patriotic Education Measures.* (a) All relevant agencies shall monitor compliance with section 111(b) of title I of Division J of

Public Law 108–447, which provides that ''[e]ach educational institution that receives Federal funds for a fiscal year shall hold an educational program on the United States Constitution on September 17 of such year for the students served by the educational institution,'' including by verifying compliance with each educational institution that receives Federal funds. All relevant agencies shall take action, as appropriate, to enhance compliance with that law.

(b) All relevant agencies shall prioritize Federal resources, consistent with applicable law, to promote patriotic education, including through the following programs:

(i) the Department of Education's American History and Civics Academies and American History and Civics Education-National Activities programs;

(ii) the Department of Defense's National Defense Education Program and Pilot Program on Enhanced Civics Education; and

(iii) the Department of State's Bureau of Educational and Cultural Affairs and Fulbright, U.S. Speaker, and International Visitor Leadership programs, as well as the American Spaces network.

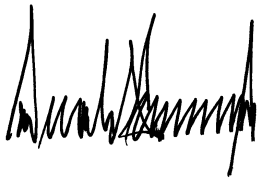
Sec. 6. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,

January 29, 2025.

[FR Doc. 2025–02232

Filed 1–31–25; 11:15 am]

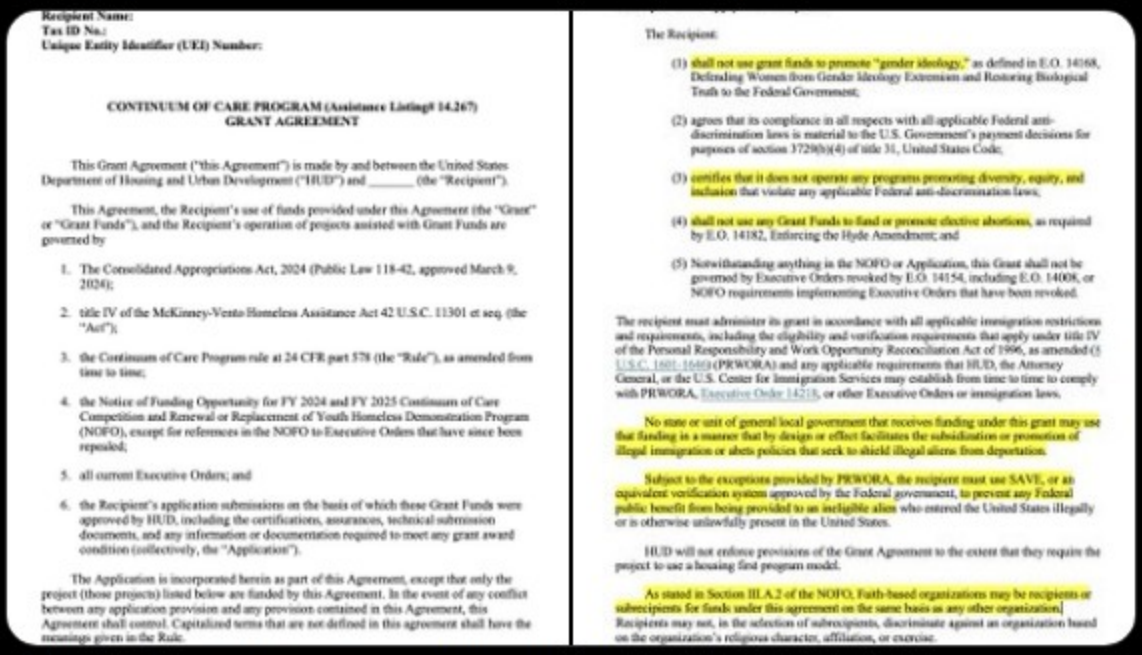
Billing code 3395–F4–P

Scott Turner
@SecretaryTurner

HUD's Continuum of Care Program was meant to provide funds to end homelessness, unfortunately it was used as a tool by the left to push a woke agenda at the expense of people in need.

COC funds will now be used for their intended purpose — they will not promote DEI, enforce "gender ideology," support abortion, subsidize illegal immigration, and discriminate against faith-based groups.

HUD will use all available resources to fight homelessness.



Recipient Name:
Tax ID No.:
Unique Entity Identifier (UEI) Number:

CONTINUUM OF CARE PROGRAM (Assistance Listing# 14.267)
GRANT AGREEMENT

This Grant Agreement ("this Agreement") is made by and between the United States Department of Housing and Urban Development ("HUD") and _____ (the "Recipient").

This Agreement, the Recipient's use of funds provided under this Agreement (the "Grant" or "Grant Funds"), and the Recipient's operation of projects assisted with Grant Funds are governed by

1. The Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024);
2. title IV of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11301 et seq. (the "Act");
3. the Continuum of Care Program rule at 24 CFR part 578 (the "Rule"), as amended from time to time;
4. the Notice of Funding Opportunity for FY 2024 and FY 2025 Continuum of Care Competition and Renewal or Replacement of Youth Homeless Demonstration Program (NOFO), except for references in the NOFO to Executive Orders that have since been repealed;
5. all current Executive Orders; and
6. the Recipient's application submissions on the basis of which these Grant Funds were approved by HUD, including the certifications, assurances, technical submission documents, and any information or documentation required to meet any grant award condition (collectively, the "Application").

The Application is incorporated herein as part of this Agreement, except that only the project (those projects) listed below are funded by this Agreement. In the event of any conflict between any application provision and any provision contained in this Agreement, this Agreement shall control. Capitalized terms that are not defined in this agreement shall have the meanings given in the Rule.

The Recipient:

(1) shall not use grant funds to promote "gender ideology," as defined in E.O. 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government;

(2) agrees that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the U.S. Government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code;

(3) certifies that it does not operate any programs promoting diversity, equity, and inclusion that violate any applicable Federal anti-discrimination laws;

(4) shall not use any Grant Funds to fund or promote elective abortions, as required by E.O. 14182, Enforcing the Hyde Amendment; and

(5) Notwithstanding anything in the NOFO or Application, this Grant shall not be governed by Executive Orders revoked by E.O. 14154, including E.O. 14008, or NOFO requirements implementing Executive Orders that have been revoked.

The recipient must administer its grant in accordance with all applicable immigration restrictions and requirements, including the eligibility and verification requirements that apply under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601-1646) (PRWORA) and any applicable requirements that HUD, the Attorney General, or the U.S. Center for Immigration Services may establish from time to time to comply with PRWORA, Executive Order 14218, or other Executive Orders or immigration laws.

No state or unit of general local government that receives funding under this grant may use that funding in a manner that by design or effect facilitates the subsidization or promotion of illegal immigration or abets policies that seek to shield illegal aliens from deportation.

Subject to the exceptions provided by PRWORA, the recipient must use SAVE, or an equivalent verification system approved by the Federal government, to prevent any Federal public benefit from being provided to an ineligible alien who entered the United States illegally or is otherwise unlawfully present in the United States.

HUD will not enforce provisions of the Grant Agreement to the extent that they require the project to use a housing first program model.

As stated in Section III.A.2 of the NOFO, Faith-based organizations may be recipients or subrecipients for funds under this agreement on the same basis as any other organization. Recipients may not, in the selection of subrecipients, discriminate against an organization based on the organization's religious character, affiliation, or exercise.

Department of Housing and Urban Development

2:47 PM · Mar 13, 2025 · **29.4K** Views

106 384 1.2K 43

Grant Number/FAIN:
Recipient Name:
Tax ID No.:
Unique Entity Identifier (UEI) Number:

CONTINUUM OF CARE PROGRAM (Assistance Listing# 14.267)
GRANT AGREEMENT

This Grant Agreement ("this Agreement") is made by and between the United States Department of Housing and Urban Development ("HUD") and _____ (the "Recipient").

This Agreement, the Recipient's use of funds provided under this Agreement (the "Grant" or "Grant Funds"), and the Recipient's operation of projects assisted with Grant Funds are governed by

1. The Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024);

2. title IV of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11301 et seq. (the "Act");

3. the Continuum of Care Program rule at 24 CFR part 578 (the "Rule"), as amended from time to time;

4. the Notice of Funding Opportunity for FY 2024 and FY 2025 Continuum of Care Competition and Renewal or Replacement of Youth Homeless Demonstration Program (NOFO), except for references in the NOFO to Executive Orders that have since been repealed;

5. all current Executive Orders; and

6. the Recipient's application submissions on the basis of which these Grant Funds were approved by HUD, including the certifications, assurances, technical submission documents, and any information or documentation required to meet any grant award condition (collectively, the "Application").

The Application is incorporated herein as part of this Agreement, except that only the project (those projects) listed below are funded by this Agreement. In the event of any conflict between any application provision and any provision contained in this Agreement, this Agreement shall control. Capitalized terms that are not defined in this agreement shall have the meanings given in the Rule.

These provisions apply to all Recipients:

The Recipient:

(1) shall not use grant funds to promote "gender ideology," as defined in E.O. 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government;

(2) agrees that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the U.S. Government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code;

(3) certifies that it does not operate any programs promoting diversity, equity, and inclusion that violate any applicable Federal anti-discrimination laws;

(4) shall not use any Grant Funds to fund or promote elective abortions, as required by E.O. 14182, Enforcing the Hyde Amendment; and

(5) Notwithstanding anything in the NOFO or Application, this Grant shall not be governed by Executive Orders revoked by E.O. 14154, including E.O. 14008, or NOFO requirements implementing Executive Orders that have been revoked.

The recipient must administer its grant in accordance with all applicable immigration restrictions and requirements, including the eligibility and verification requirements that apply under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601-1646) (PRWORA) and any applicable requirements that HUD, the Attorney General, or the U.S. Center for Immigration Services may establish from time to time to comply with PRWORA, Executive Order 14218, or other Executive Orders or immigration laws.

No state or unit of general local government that receives funding under this grant may use that funding in a manner that by design or effect facilitates the subsidization or promotion of illegal immigration or abets policies that seek to shield illegal aliens from deportation.

Subject to the exceptions provided by PRWORA, the recipient must use SAVE, or an equivalent verification system approved by the Federal government, to prevent any Federal public benefit from being provided to an ineligible alien who entered the United States illegally or is otherwise unlawfully present in the United States.

HUD will not enforce provisions of the Grant Agreement to the extent that they require the project to use a housing first program model.

As stated in Section III.A.2 of the NOFO, Faith-based organizations may be recipients or subrecipients for funds under this agreement on the same basis as any other organization. Recipients may not, in the selection of subrecipients, discriminate against an organization based on the organization's religious character, affiliation, or exercise.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

PRINCIPAL DEPUTY ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

March 20, 2025

Congratulations! I am delighted to inform you of the funding for your project(s) under the Department of Housing and Urban Development's (HUD) Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2024 Continuum of Care (CoC) Competition and Renewal or Replacement of Youth Homeless Demonstration Program Grants for a total of $.

The CoC Program is an important part of HUD's mission. CoCs around the country will continue to improve the lives of people experiencing homelessness through their local planning efforts and through the direct housing and service programs funded under the FY 2024 CoC Program Competition. Projects like those of your organization, funded through the CoC program, continue to demonstrate their value by improving accountability and performance every year.

The enclosure provides details about your organization's award(s) including: the name(s) of the individual project(s); the project number(s); and the specific amount(s) for each project. The Department's field office staff will notify you when they are available to process grant agreements; once all conditions are satisfied and the grant agreement is executed, your organization can expend the funds.

HUD commends your organization's work and encourages it to continue to strive for excellence in the fight to end homelessness.

Sincerely,

David C. Woll Jr.
Principal Deputy Assistant Secretary

Enclosure

Total Amount:

Office of the Attorney General
Washington, D. C. 20530

March 21, 2025

MEMORANDUM FOR ALL FEDERAL AGENCIES

FROM: THE ATTORNEY GENERAL

SUBJECT: IMPLEMENTATION OF EXECUTIVE ORDERS 14151 AND 14173: ELIMINATING UNLAWFUL DEI PROGRAMS IN FEDERAL OPERATIONS

I. INTRODUCTION

This memorandum provides guidance to all federal agencies regarding compliance with Executive Order 14151 of January 20, 2025 (Ending Radical and Wasteful Government DEI Programs and Preferencing) and Executive Order 14173 of January 21, 2025 (Ending Illegal Discrimination and Restoring Merit-Based Opportunity). In those Executive Orders, President Trump directed the immediate termination of race- and sex-based preference programs operating under the banner of "diversity, equity, and inclusion" (DEI) throughout the federal government. As the President explained, "dangerous, demeaning, and immoral race- and sex-based preferences under the guise of so-called 'diversity, equity, and inclusion'" violate the civil rights laws of this country and will no longer be tolerated—least of all within our own government. Executive Order 14173 § 1.

This memorandum sets forth core legal principles that must guide agency compliance efforts to dismantle unlawful DEI initiatives, with more specific implementation instructions to follow.

II. LEGAL FRAMEWORK

A. Constitutional Imperatives

The Equal Protection Clause of the Constitution establishes the foundational principle that government may never discriminate based on protected characteristics, including race, except in rare circumstances. As the Supreme Court articulated in *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College* ("*SFFA*"), 600 U.S. 181, 206 (2023), the "core purpose" of the Equal Protection Clause is to "do away with all governmentally imposed discrimination based on race." The Court further emphasized that "eliminating racial discrimination means eliminating *all* of it." *Id.* (emphasis added). The Supreme Court has accordingly "forcefully rejected the notion that government actors may intentionally allocate

preference to those who may have little in common with one another but the color of their skin." *Id.* at 220.

Sex-based classifications similarly trigger heightened constitutional scrutiny and cannot stand unless they survive intermediate scrutiny. *See United States v. Virginia*, 518 U.S. 515, 531-33 (1996).

B. Statutory Prohibitions

Title VII of the Civil Rights Act of 1964 reinforces these constitutional principles by prohibiting employment discrimination. It applies not only to certain private employers and state and local governments, 42 U.S.C. § 2000e-2, but also the federal government. With regard to the federal government, it provides that "[a]ll personnel actions affecting employees or applicants for employment" in Executive Branch agencies "shall be made free from any discrimination based on race, color, religion, sex, or national origin." 42 U.S.C. § 2000e-16(a).

Under Title VII, discrimination includes any employment-related action motivated, even in part, by a protected characteristic. 42 U.S.C. § 2000e-2(m); *see also Price Waterhouse v. Hopkins*, 490 U.S. 228, 252 (1989) (plurality op.). Employment-related actions include actions that affect the terms and conditions of employment, such as hiring, firing, promotion, demotion, selection for interviews, training opportunities, and work assignments.

Congress has enacted similar prohibitions on discrimination across various contexts, including public accommodations (42 U.S.C. § 2000a *et seq.*), education (42 U.S.C. § 2000c *et seq.*), and the receipt of federal funds (42 U.S.C. § 2000d *et seq.*).

III. PROHIBITED DEI PRACTICES

The following practices violate federal law and must therefore be eliminated immediately:

A. Direct Preferences Based on Protected Characteristics

Federal policies that give preference to job applicants, employees, or contractors based on race or sex trigger heightened scrutiny under the Constitution's equal protection guarantees and can only survive in rare circumstances.

After *SFFA*, the Supreme Court has recognized only two narrow interests that could potentially justify racial classifications: "remediating specific, identified instances of past discrimination that violated the Constitution or a statute," and "avoiding imminent and serious risks to human safety in prisons." *SFFA*, 600 U.S. at 207. Even in these limited contexts, the means chosen to rectify past wrongs or mitigate prison risks must "fit th[e] compelling goal so closely that there is little or no possibility that the motive for the classification was illegitimate racial prejudice or stereotype." *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469, 493 (1989).

Those prohibitions apply regardless of which demographic group is favored or disfavored. The Supreme Court has clearly established that "the standard of review under the Equal Protection Clause is not dependent on the race of those burdened or benefited by a particular classification." *Adarand Constructors, Inc. v. Pena*, 515 U.S. 200, 222 (1995). Title VII likewise protects all individuals from discrimination based on a protected characteristic. *See McDonald v. Santa Fe Trail Transp. Co.*, 427 U.S. 273, 280 (1976).

B. Indirect or Ostensibly Neutral Preferences

Agencies may not circumvent those prohibitions through policies that, while facially neutral, are designed or targeted to favor particular demographic groups. As the Supreme Court has emphasized, "'[t]he Constitution deals with substance, not shadows,' and the prohibition against racial discrimination is 'levelled at the thing, not the name.'" *SFFA*, 600 U.S. at 230. So that which is directly proscribed cannot be achieved indirectly. *Id.*

For example, a federal agency may operate a genuinely race-neutral program that privileges first-generation professionals or individuals from diverse geographic backgrounds. But such a policy may not be designed or implemented with the goal of covertly giving preference to individuals of a particular race or sex. The use of ostensibly neutral criteria—such as promoting "socially disadvantaged groups"—cannot salvage a policy that, in practice and intent, uses race or sex as a proxy for those criteria.

C. Inducing or Requiring Private Parties to Discriminate

The federal government may not "induce, encourage or promote" private entities to adopt discriminatory policies that the government itself is constitutionally forbidden from adopting. *Norwood v. Harrison*, 413 U.S. 455, 465 (1973). What the Constitution forbids, the government "may not simply establish" through "other means." *SFFA*, 600 U.S. at 230.

Accordingly, federal agencies may not:

- require contractors or grantees to adopt racial or sex-based preferences in hiring, promotion, or staffing;
- encourage contractors or grantees to adopt such policies;
- penalize contractors or grantees that refuse to implement such policies; or
- create financial incentives for contractors or grantees to favor or disfavor groups or individuals on the basis of race, sex, or other protected characteristics.

As the Supreme Court held in *Adarand*, 515 U.S. at 204, even "giving general contractors a financial incentive to hire subcontractors" based in part on "race-based" considerations constitutes a racial classification subject to strict scrutiny.

IV. IMMEDIATE COMPLIANCE ACTIONS

All federal agencies must take the following steps to ensure compliance with Executive Orders 14151 and 14173 and federal law:

1. **Eliminate Numerical Goals or Targets**: Discontinue any policies that establish numerical goals, targets, or quotas based on race or sex.
2. **Review Hiring and Promotion Criteria**: Ensure all hiring, promotion, and advancement decisions are based solely on merit, qualifications, and job-related criteria, and not race or sex.
3. **Examine Contract and Funding Requirements and Guidance**: Remove any contracting or funding requirement or guidance that induces, requires, or encourages private parties to adopt discriminatory practices.

V. CONCLUSION

As Justice Thomas observed, "The Constitution abhors classifications based on race" because "every time the government places citizens on racial register and makes race relevant to the provision of burdens or benefits, it demeans us all." *Grutter v. Bollinger*, 539 U.S. 306, 353 (2003) (Thomas, J., concurring in part and dissenting in part). The federal government, as the President has directed, must lead by example in faithfully adhering to the constitutional principle of equal treatment under the law.

The Department of Justice stands ready to assist agencies in complying with these legal requirements. Additional guidance on specific implementation issues will be forthcoming.

Questions about this guidance should be directed to Michael Gates, Deputy Assistant Attorney General, Civil Rights Division (michael.gates2@usdoj.gov).

Note: Yellow Highlighted Language is only included as relevant to the grantee.

DATE

Name, Title
Office/Department
Grantee Name (enter here and it will auto-fill throughout)
Address
City/State/Zip Code

SUBJECT: Fiscal Year 2024 Continuum of Care (CoC) Program Grant Agreement Transmittal

Dear Name:

The Department of Housing and Urban Development (HUD) would like to thank you for your continued collaboration as we strive to ensure that the investment of housing and supportive services effectively contributes to improved housing stability and health outcomes for people experiencing homelessness.

The following Grant Agreement(s) is/are attached for each program awarded as follows:

[Grant Number] [Grantee Name]	[Grant Amount]
Total FY 2024 Award	**[Total Amount of all Grants]**

Federal Award Agreement

You are reminded that you, as a grantee, are responsible for ensuring that all grant funds are used in accordance with all program requirements and your approved application. By executing the Federal Award Agreement, you are entering into a legally binding agreement with HUD to use the awarded funds and carry out the funded activities in accordance with all Federal statutes, regulations, Federal Register notices, and award terms and conditions that apply to those funds and activities. Please carefully note the addenda that are part of the agreement.

HUD recognizes that federal courts including the U.S. District Court of Rhode Island in ., 1:25-cv-00342 (D.R.I.) have issued injunction orders which now impact all CPD Federal Award Agreements and grantees. To preserve all legal rights and defenses, the enclosed agreement contains the same conditions at issue in those orders. For grantees who are plaintiffs covered by those orders or for non-plaintiff grantees who are otherwise covered by those orders, be advised that HUD will comply with all applicable injunction orders and will not implement or enforce the challenged conditions consistent with those orders while those orders are in effect. This will

include HUD disregarding any "certifications" or "compliance" statements as covered by those orders. Accordingly, kindly return an executed copy of the Federal Award Agreement, as discussed below, and HUD will make grant funds at issue in your agreement available. Please be further advised that should the injunction order that currently prohibits HUD from enforcing the challenged conditions as to your grant or award be stayed, dissolved, or reversed, the agreement, with the challenged conditions, will become effective.

Executing the Agreement

The authorized official **must** complete Addendum 1. Indirect Cost Rate Schedule, even if no indirect costs will be charged under the grant. Please mark one (and only one) checkbox to reflect how indirect costs will be calculated and charged under the grant. Please note that the Office of Management and Budget (OMB) issued revised Guidance and the indirect cost rate increased from 10 percent to up to 15 percent of Modified Total Direct Costs.

After certifying Addendum 1., the authorized official must input their full name and title, and then execute the agreement, with a signature, and date. No other additions other than those described here should be made to the grant agreement without prior written approval. Please ensure the authorized official signs the agreement.

You must return the entire Federal Award Agreement, including all addenda, to this office via the Field Office General Email Inbox: [GENERAL FIELD OFFICE INBOX].

HUD congratulates [GRANTEE NAME] on your grant award(s), and we look forward to assisting you in accomplishing your program goals. If you have any questions or need further information or assistance, please contact your assigned Field Office representative or email our Office at [GENERAL FIELD OFFICE INBOX].

Sincerely,

[CPD DIRECTOR NAME]
CPD Director
Office of Community Planning and Development

Enclosure(s)

Applicant and Recipient Assurances and Certifications

U.S. Department of Housing and Urban Development

OMB Number: 2501-0044
Expiration Date: 02/28/2027

Instructions for the HUD-424-B Assurances and Certifications

As part of your application for HUD funding, you, as the official authorized to sign on behalf of your organization or as an individual, must provide the following assurances and certifications, which replace any requirement to submit an SF-424-B or SF-424-D. The Responsible Civil Rights Official has specified this form for use for purposes of general compliance with 24 CFR §§ 1.5, 3.115, 8.50, and 146.25, as applicable. The Responsible Civil Rights Official may require specific civil rights assurances to be furnished consistent with those authorities and will specify the form on which such assurances must be made. A failure to furnish or comply with the civil rights assurances contained in this form may result in the procedures to effect compliance at 24 CFR §§ 1.8, 3.115, 8.57, or 146.39.

By submitting this form, you are stating that all assertions made in this form are true, accurate, and correct.

As the duly representative of the applicant, I certify that the applicant:

*Authorized Representative Name:

Prefix:

*First Name:

Middle Name:

*Last Name:

Suffix:

*Title:

*Applicant Organization:

1. Has the legal authority to apply for Federal assistance, has the institutional, managerial and financial capability (including funds to pay the non-Federal share of program costs) to plan, manage and complete the program as described in the application and the governing body has duly authorized the submission of the application, including these assurances and certifications, and authorized me as the official representative of the application to act in connection with the application and to provide any additional information as may be required.

2. Will administer the grant in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C 2000(d)) and implementing regulations (24 CFR part 1), which provide that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity that receives Federal financial assistance OR if the applicant is a Federally recognized Indian tribe or its tribally designated housing entity, is subject to the Indian Civil Rights Act (25 U.S.C. 1301-1303).

3. Will administer the grant in compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended, and implementing regulations at 24 CFR part 8, the American Disabilities Act (42 U.S.C. §§ 12101 et.seq.), and implementing regulations at 28 CFR part 35 or 36, as applicable, and the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) as amended, and implementing regulations at 24 CFR part 146 which together provide that no person in the United States shall, on the grounds of disability or age, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance; except if the grant program authorizes or limits participation to designated populations, then the applicant will comply with the nondiscrimination requirements within the designated population.

4. Will comply with the Fair Housing Act (42 U.S.C. 3601-19), as amended, and the implementing regulations at 24 CFR part 100, which prohibit discrimination in housing on the basis of race, color, religion, sex, disability, familial status, or national origin and will affirmatively further fair housing; except an applicant which is an Indian tribe or its instrumentality which is excluded by statute from coverage does not make this certification; and further except if the grant program authorizes or limits participation to designated populations, then the applicant will comply with the nondiscrimination requirements within the designated population.

5. Will comply with all applicable Federal nondiscrimination requirements, including those listed at 24 CFR §§ 5.105(a) and 5.106 as applicable.

6. Will not use Federal funding to promote diversity, equity, and inclusion (DEI) mandates, policies, programs, or activities that violate any applicable Federal anti-discrimination laws.

7. Will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601) and implementing regulations at 49 CFR part 24 and, as applicable, Section 104(d) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(d)) and implementing regulations at 24 CFR part 42, subpart A.

8. Will comply with the environmental requirements of the National Environmental Policy Act (42 U.S.C. 4321 et.seq.) and related Federal authorities prior to the commitment or expenditure of funds for property.

9. That no Federal appropriated funds have been paid, or will be paid, by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of this Federal grant or its extension, renewal, amendment or modification. If funds other than Federal appropriated funds have or will be paid for influencing or attempting to influence the persons listed above, I shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying. I certify that I shall require all subawards at all tiers (including sub-grants and contracts) to similarly certify and disclose accordingly. Federally recognized Indian Tribes and tribally designated housing entities (TDHEs) established by Federally-recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage by the Byrd Amendment, but State-recognized Indian tribes and TDHEs established under State law are not excluded from the statute's coverage.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true, accurate, and correct.

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802; 24 CFR §28.10(b)(1)(iii)).

*Signature:	Completed Upon Submission to Grants.gov	*Date:	Completed Upon Submission to Grants.gov