

by DOL under this announcement is August 20, 2003. Applications must be received by 4:45 p.m. (ET) at the address below. No exceptions to the mailing and hand-delivery conditions set forth in this notice will be granted. Applications that do not meet the conditions set forth in this notice will be considered non-responsive.

**ADDRESSES:** Joint applications shall be mailed to: U.S. Department of Labor, Procurement Services Center, Attention: Cassandra Willis, Reference SGA 03-15, Room N-5416, 200 Constitution Avenue, NW, Washington, DC 20210. Telefacsimile (FAX) applications will not be accepted. Applicants are advised that mail in the Washington area may be delayed due to mail decontamination procedures and may wish to take this information into consideration when preparing to meet the application deadline.

**FOR FURTHER INFORMATION CONTACT:** For information on the DOL Cooperative Agreement and related items contact Cassandra Willis, U.S. Department of Labor, Procurement Services Center, telephone (202) 693-4570 (this is not a toll-free number), prior to the closing deadline. For technical questions relating to the HUD grant contact: John Garrity, U.S. Department of Housing and Urban Development, telephone (202) 708-4300. Persons who are deaf or hard of hearing may contact either Cassandra Willis or John Garrity, via the Federal Relay Service, (800) 877-8339. Please note that registrations for the Solicitation Information Conference Call discussed below must be made by contacting ODEP as indicated in the following section, not Ms. Willis or Mr. Garrity. Applications, announcements, or forms will not be mailed. The **Federal Register** may be obtained from your nearest government office or library. This announcement and the award notifications will also be published on the Internet on the ODEP's online Home Page at: <http://www.dol.gov/odep>. Information will also be posted on the HUD Web site at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm> and on [www.fedgrants.gov](http://www.fedgrants.gov).

**Solicitation Information Conference Call:** A Solicitation Information Conference Call will be held at 2:00 p.m. (ET), Monday, July 28, 2003. The purpose of this conference call is to provide interested parties an overview of this Cooperative Agreement program and an opportunity to ask questions concerning this solicitation. A transcript of the conference will be made available on the ODEP Web site, [www.dol.gov/odep](http://www.dol.gov/odep) shortly following the conference. Individuals who wish to participate in

this conference call must register by contacting ODEP at (202) 693-7880, no later than 4:45 p.m. (ET) on Friday, July 25, 2003. Please ask to register for the Ending Chronic Homelessness SGA Conference Call. Registrations should be made as soon as possible. At the time of registration, call-in information will be provided.

#### **SUPPLEMENTARY INFORMATION:**

##### **Part I. Delivery of Applications**

**Late Applications.** Any application received after the exact date and time specified for receipt at the office designated in this notice will be considered non-responsive, unless it is received before awards are made and it: (a) Is determined that its late receipt was caused by DOL error after timely delivery to the Department of Labor; (b) was sent by U.S. Postal Service registered or certified mail not later than the fifth calendar day before the date specified for receipt of applications (e.g., an application submitted in response to a solicitation requiring receipt of applications by the 20th of the month must have been post marked by the 15th of that month); or (c) was sent by the U.S. Postal Service Express Mail Next Day Service to addressee not later than 5 p.m. at the place of mailing two working days prior to the date specified for receipt of applications. The term "working days" excludes weekends and Federal holidays. "Post marked" means a printed, stamped, or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable, without further action, as having been supplied or affixed on the date of mailing by an employee of the U.S. Postal Service.

**Withdrawal of Applications.** Applications may be withdrawn by written notice or telegram (including mailgram) received at any time before an award is made. Applications may be withdrawn in person by the applicant or by an authorized representative thereof, if the representative's identity is made known and the representative signs a receipt of the proposal.

**Hand-Delivered Proposals.** It is preferred that applications be mailed at least five days prior to the closing date. To be considered for funding, hand-delivered applications must be received by 4:45 p.m. (ET) on August 18, 2003, at the specified address. Failure to adhere to the above instructions will be basis for a determination of non-responsiveness. Overnight express mail from carriers other than the U.S. Postal Service will be considered hand-delivered applications and must be received by the above specified date and time.

##### **Part II. Authorities**

**DOL Cooperative Agreements:** Consolidated Appropriations Resolution, 2003, Pub. L. 108-7, 117 Stat. 11 (2003); Consolidated Appropriations Act, 2001, Pub. L. 106-554, 114 Stat. 2763 (2000); 29 U.S.C. 557b.

**HUD Grants:** McKinney-Vento Homeless Assistance Act, 42 U.S.C. 1130.

The Supportive Housing Program is authorized by Title IV, Subtitle C, of the Stewart B. McKinney-Vento Homeless Assistance Act (McKinney-Vento Act), 42 U.S.C. 11381. Funds made available under this section of the SGA (Solicitation for Grant Applications) for the Supportive Housing Program are subject to the program regulations at 24 CFR part 583. The funds are also subject to the requirements of this SGA.

The Shelter Plus Care program is authorized by Title IV, Subtitle F, of the McKinney-Vento Act, 42 U.S.C. 11403. Funds made available under this section of the SGA for the Shelter Plus Care program are subject to the program regulations at 24 CFR part 582. The funds are also subject to the requirements of this SGA.

##### **Part III. Background**

###### *The Olmstead Decision*

In *Olmstead v. L.C.* ex rel. Zimring, 527 U.S. 58 (1999) (the "Olmstead decision"), the Supreme Court construed Title II of the Americans with Disabilities Act (ADA) to require states to place qualified individuals with mental disabilities in community settings, rather than in institutions whenever treatment professionals determine that such placement is appropriate, the affected persons do not oppose such placement, and the state can reasonably accommodate the placement, taking into account the resources available to the state and the needs of others with disabilities. The Department of Justice regulations implementing Title II of the ADA require public entities to administer their services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities. See 28 CFR 35.130(d).

In *Olmstead*, the Supreme Court stated that institutional placements of people with disabilities who can live in, and benefit from, community settings perpetuates the unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life. The Supreme Court stated that "recognition that unjustified institutional isolation of persons with