

a. Perform services for which they volunteered;

b. Do not receive compensation for those services or are paid expenses, reasonable benefits, or a nominal fee for the services; and

c. Are not otherwise employed in the work involved (24 CFR part 70).

3. If other federal programs are used in connection with your HOPE VI activities, labor standards requirements apply to the extent required by the other federal programs on portions of the project that are not subject to Davis-Bacon rates under the 1937 Act.

J. *Executive Order 13202, Preservation of Open Competition and Government Neutrality Toward Government Contractors' Labor Relations on Federal and Federally Funded Construction Contracts.* Compliance with HUD regulations at 24 CFR 5.108 implementing Executive Order 13202 is a condition of receipt of assistance under this NOFA.

K. *Procurement of Recovered Materials.* State agencies and agencies of a political subdivision of the state,

including PHAs, that are using assistance under this NOFA for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. In accordance with Section 6002, these agencies and persons must procure items designated in guidelines of the Environmental Protection Agency at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the quantity acquired in the preceding fiscal year exceeded \$10,000; must procure solid waste management services in a manner that maximizes energy and resource recovery; and must have established an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

XI. Authority

The funding authority for Neighborhood Networks for grantees which were awarded Fiscal Year 2002 HOPE VI Revitalization grants is provided by the Fiscal Year 2002 Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2002 (Pub. L. 107-73, approved on November 26, 2001) (FY 2002 HUD Appropriations Act) under Section 24(d)(1)(G).

The program authority for the HOPE VI Program is section 24 of the 1937 Act (42 U.S.C. 1437v), as added by section 535 of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276, 112 Stat. 2461, approved October 21, 1998).

Date: August 5, 2003.

Paula O. Blunt,

General Deputy, Assistant Secretary for Public and Indian Housing.

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