

Community Development Financial Institutions Fund

Bank Enterprise Award Program

2005 Application

*Application Approval Number pending from the
Office of Management and Budget.
Application is considered DRAFT until this
number is assigned.*

Community Development Financial Institutions Fund

Bank Enterprise Award Program

2005 Application

OMB Approval No.

***Application Approval Number pending from the Office of Management and Budget.
Application is considered DRAFT until this number is assigned.***

Paperwork Reduction Act Notice

This submission requirements package is provided to Applicants for awards under the Bank Enterprise Award Program. The Estimated average burden associated with this collection of information is 15 hours per respondent, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Department of the Treasury, Community Development Financial Institutions Fund, 601 Thirteenth Street, N.W., Suite 200-South, Washington, DC 20005.

Capitalized terms not otherwise defined herein are defined in the BEA Program Regulations (12 CFR §§1806, *et seq.*), the Notice of Funds Availability, or the CDFI Program Regulations (12 CFR §§1805, *et seq.*). All materials are available on the CDFI Fund Website: www.cdfifund.gov.

Catalog of Federal Domestic Assistance Number:

21.021

TABLE OF CONTENTS

ELIGIBILITY AND APPLICATION SUBMISSION REQUIREMENTS	2
ELIGIBILITY	2
OTHER REQUIREMENTS	2
DEADLINES	2
REGISTERING ON THE MYCDFIFUND ONLINE SYSTEM	2
APPLICATION MATERIALS	3
SUBMITTING THE APPLICATION	3
SUBMITTING THE REPORT OF TRANSACTIONS	4
INCOMPLETE APPLICATIONS	4
AWARD AGREEMENT	4
CONTACTING THE FUND	4
PART I. APPLICANT INFORMATION AND CERTIFICATION	5
PART II. DOCUMENTATION AND OTHER REQUIREMENTS	6
DISTRESSED COMMUNITY DESIGNATION	6
Definition of a Distressed Community:	6
Documenting a Distressed Community:	6
GENERAL INFORMATION	6
CDFI RELATED ACTIVITIES	7
Eligible CDFI Related Activities:	7
Reporting CDFI Related Activities:	7
Documenting CDFI Related Activities:	7
DISTRESSED COMMUNITY FINANCING ACTIVITIES	8
Eligible Distressed Community Financing Activities:	8
Reporting Distressed Community Financing Activities:	8
Documenting Distressed Community Financing Activities:	8
SERVICE ACTIVITIES	8
Reporting and Documenting Deposit Liabilities:	8
Reporting and Documenting Community Services:	9
Reporting and Documenting All Other Service Activities:	9
PART III. WORKSHEET 1: FINAL BEA RATING AND CALCULATIONS	10
PART IV. REPORT OF TRANSACTIONS	11
PART V. CDFI PARTNER DOCUMENTATION	12
ELIGIBLE CDFI PARTNERS	12
REQUIRED DOCUMENTATION	12
CDFI PARTNERS IN HOT ZONES	12
STATEMENT OF INTEGRAL INVOLVEMENT	12
PART VI. CERTIFICATION 1: ETA AND FIRST ACCOUNT PROVIDERS	13
PART VI. CERTIFICATION 2: OPENING RETAIL BRANCHES	14
PART VI. CERTIFICATION 3: SAME DISTRESSED COMMUNITY AS CDFI PARTNER	15
PART VI. CERTIFICATION 4. CERTIFICATION OF DISBURSEMENT	16
PART VII. OTHER REQUIRED MATERIALS: ENVIRONMENTAL REVIEW	17
PART VII. OTHER REQUIRED MATERIALS: ASSURANCES AND CERTIFICATIONS	18

ELIGIBILITY AND APPLICATION SUBMISSION REQUIREMENTS

ELIGIBILITY

Through the Bank Enterprise Award (“BEA”) Program as well as the Community Development Financial Institutions (“CDFI”) Program and the New Markets Tax Credit (“NMTC”) Program, the CDFI Fund supports financial institutions around the country that are dedicated to financing and supporting community and economic development activities.

The BEA Program complements the community development activities of insured depository institutions (i.e., banks and thrifts) by providing financial incentives to expand investments in CDFIs and to increase lending, investment, and service activities within economically Distressed Communities. Providing monetary awards for increasing community development activities leverages the Fund's dollars and puts more capital to work in Distressed Communities throughout the nation.

In addition to this application and the Supplemental Guidance for Applicants, the BEA Program regulations (12 C.F.R. Part 1806) and the FY 2005 – 2006 Notice of Funding Availability (NOFA) (69 Fed. Reg. 54718) outline all program requirements and guidelines. The Fund strongly encourages applicants to read these materials.

The legislation that authorizes the BEA Program specifies that eligible Applicants for the BEA Program must be Insured Depository Institutions, as defined in 12 U.S.C. §1813(c)(2). As set forth in the NOFA, an Applicant must be FDIC-insured by December 31, 2004 for the FY 2005 funding round and by December 31, 2005 for the FY 2006 funding round to be eligible for consideration for a BEA Program award.

The FY 2005 – FY 2006 NOFA contains new eligibility requirements for the BEA Program. These new eligibility requirements (which are found under section III of the NOFA) generally apply to Applicants that are prior awardees and/or allocatees under any Fund program. Such applicants are advised to: (i) comply with requirements specified in assistance, award and/or allocation agreement(s), and (ii) contact the Fund to ensure that all necessary actions are underway for the disbursement of any outstanding balance of a prior award(s).

OTHER REQUIREMENTS

Please note that pursuant to OMB guidance (68 Federal Register 38402), each Applicant must provide, as part of its application submission, a Dun and Bradstreet Data Universal Numbering System (DUNS) number. In addition, each application must include a valid and current Employer Identification Number (EIN), with a letter or other documentation from the Internal Revenue Service (IRS) confirming the Applicant's EIN. **Applications missing either of these numbers will be rejected and returned to the sender.**

DEADLINES

Please note that the NOFA covers two funding rounds: FY 2005 and FY 2006. This application is for the FY 2005 funding round. The deadline for receipt of applications for the **FY 2005** funding round is **5:00 p.m. ET on February 14, 2005**. Applications and other required documents and attachments received after 5:00 p.m. ET at the Bureau of Public Debt (BPD) address listed below on February 14, 2005 will be returned to the sender and not be considered for an award.

Please note that the document submission deadlines in this NOFA and/or the funding application are strictly enforced. The Fund will not grant exceptions or waivers for late delivery of documents including, but not limited to, late delivery that is caused by third parties such as the United States Postal Service, couriers, or overnight delivery services. Nor will the Fund afford Applicants the opportunity to provide missing documentation after said deadlines.

The Fund will not accept applications sent via fax, electronic transmission, or e-mail – except as provided below for the Report of Transactions.

REGISTERING ON THE MYCDFIFUND ONLINE SYSTEM

Applicants will submit the electronic portion of the application (i.e., the Report of Transactions) through myCDFIFund. MyCDFIFund is a Web-based, “one-stop-shop” interface for all Applicant and Allocation/Award-related needs. Its purpose is to provide a place to update organization, award or user information; communicate with the Fund and/or map geographies served. There are two different types of myCDFIFund accounts, with different types of access privileges: User Accounts and Organization Accounts. Users must obtain the permission of the Account Administrator for the Organization Account that they wish to access. Instructions on how to access an Organization Account are available on the Help menu of myCDFIFund (accessible through the Fund's Website home page). Instructions for registering with myCDFIFund are available on the Fund's website.

APPLICATION MATERIALS

Applicants must complete and submit applications in such a manner as to comply with all requirements of the BEA Program Regulations. Applicants must submit all materials described in and required by the application by the applicable deadlines. The BEA page of the Fund's website (www.cdfifund.gov) contains the application in PDF as well as templates for the Applicant Information form, Worksheet 1, CDFI Partner Statement of Integral Involvement, and Certifications.

Each application must contain the following materials:

- Part I. Applicant Information and Certification**
(must have the original (i.e., not a copy or fax) signature of the Authorized Representative identified on the form)
- Part II. Documentation and Other Requirements (as necessary)**
Including:
 - Distressed Community Designation Materials for Financing Activities Applicants
 - Documentation of Qualified Activities
- Part III. Worksheet 1: Final BEA Rating and Calculations**
- Part IV. Report of Transactions (paper copy and electronically via myCDFIFund)**
- Part V. CDFI Partner Documentation (as required)**
 - Worksheet of Eligible Census Tracts and Map of Distressed Community
 - CDFI Partner Statement of Integral Involvement
 - CDFI Partner Eligibility Materials
- Part VI. Certifications (as applicable)**
 - Certification 1: For ETA and First Account Providers
 - Certification 2: Certification for Opening Retail Branches
 - Certification 3: Certification for Same Distressed Community Designation
 - Certification 4: Certification of Disbursement
- Part VII. Other Required Materials**
 - Environmental Review
 - Assurances and Certifications

Applicants will not be afforded an opportunity to provide any missing materials or documentation after submitting application.

SUBMITTING THE APPLICATION

Applicants shall send the following materials to the BPD address designated below:

1. One (1) unbound original of all application materials listed above (except as provided below for the electronic version of the Report of Transactions, which must be submitted through myCDFIFund (defined below)). Copies of required transaction documentation are acceptable.
2. One (1) copy of all such materials in a 3-ring binder (tabs, staples, and other forms of binding are acceptable).

At least one version of the application materials described above must include an Applicant Information and Certification with the original (i.e., not a copy or fax) signature of the Authorized Representative identified on the form.

Send all application materials (including the paper copy of the Report of Transactions) to:

CDFI Fund Grants Manager
BEA Program
Bureau of Public Debt
200 Third Street, PCB, Room 10
Parkersburg, WV 26101-5312
(304) 480-5449

Applications sent to the CDFI Fund's Washington DC office will be rejected and returned to the sender regardless of when they are received.

SUBMITTING THE REPORT OF TRANSACTIONS

In order to expedite application review, Applicants must submit the Report of Transactions in paper (see page ii) as well as electronically (via myCDFIFund) per the instructions provided on the Fund's website, by 5:00 p.m. ET on February 14, 2005. Applicants will be unable to submit Reports of Transactions after said dates and times. Nor will Applicants have an opportunity to submit corrected Reports of Transactions after said dates and times.

Applicants must: (1) register as a BEA Program Applicant using myCDFIFund accessed through the Fund's website; and (2) follow the directions contained in myCDFIFund for completing the Report of Transactions. When completing the Report of Transactions, read and follow the directions carefully. Do not modify the formatting in any way as this will prevent the Fund from reading the file. Failure to provide the appropriately formatted electronic version of the Report of Transactions via myCDFIFund may, in the Fund's sole discretion, result in rejection of the application from consideration for a BEA Program award.

INCOMPLETE APPLICATIONS

Applications missing any of the items listed below will be considered substantially incomplete, rejected from consideration for a BEA Program award, and returned:

- An Applicant Information and Certification form with the original (i.e., not a copy or fax) signature of the Authorized Representative identified on the form
- Substantially Completed Worksheet 1
- Report of Transactions via myCDFIFund
- EIN or DUNS

AWARD AGREEMENT

The CDFI Fund will provide the Award Agreement only to Applicants selected as Awardees. The CDFI Fund will send two copies of the Award Agreement and two copies of the Notice of Award along with the letter informing the Applicant that it has been selected as an Awardee. The Awardee's Authorized Representative must sign all copies of both documents and return one copy of each (the Award Agreement and the Notice of Award) to the CDFI Fund within five business days from the date of the award letter. Awardees should retain one copy of both the Notice of the Award and the Award Agreement for its files.

CONTACTING THE FUND

Main Phone Number:	(202) 622-8662		
Main Fax Number:	(202) 622-7754		
Website:	www.cdfifund.gov		
Program Support:	(202) 622-6355	cdfihelp@cdfi.treas.gov	Assistance with programmatic questions such as eligibility of specific transactions or CDFI Partner, documenting Qualified Activities, completing Worksheet 1, completing the Report of Transactions
Grants Management Support	(202) 622-8226	gmc@cdfi.treas.gov	Assistance with questions such as application deadlines, application submission requirements, completing the Applicant Information Form, Environmental Review Form, Questions regarding EIN Documentation and DUNS information, and Disbursements
Compliance and Monitoring Support	(202) 622-8226	gmc@cdfi.treas.gov	Assistance with questions regarding status of compliance with other awards including outstanding reports
IT Support	(202) 622-2455	ithelpdesk@cdfi.treas.gov	Assistance with myCDFIFund, uploading the Report of Transactions
Legal Counsel Support	If you have any questions or matters that you believe require response by the Fund's Office of Legal Counsel, please refer to the document titled "How to Request a Legal Review", found on the Fund's web site at www.cdfifund.gov		

- The Fund will respond to questions and provide support concerning the application between the hours of 9:00 a.m. and 5:00 p.m. ET, starting September 9, 2004 through close of business February 10, 2005 for the FY 2005 funding round (2 business days before the application deadline) and through close of business February 10, 2006 for the FY 2006 funding round (2 business days before the application deadline).
- The Fund will not respond to questions or provide support concerning the application after 5:00 p.m. ET on February 10, 2005 for the FY 2005 funding round, until after the application deadline of February 14, 2005. The Fund will not respond to questions or provide support concerning the application after 5:00 p.m. ET on February 10, 2006 for the FY 2006 funding round, until after the application deadline of February 14, 2006.

PART I. APPLICANT INFORMATION AND CERTIFICATION

APPLICANT INFORMATION			
Applicant Organization Name:		Application Control Number: (for Fund use only)	
Applicant Mailing Address: Provide physical address for overnight deliveries. Provide nine-digit zip code.			
Congressional District: (Applicant's Headquarters)	Taxpayer/Employer Identification Number (EIN):	Dun and Bradstreet Number:	FDIC Certificate Number:
AUTHORIZED REPRESENTATIVE INFORMATION			
Authorized Representative (Name and Title):		Telephone Number: Fax Number: E-mail Address:	
Authorized Representative Mailing Address: Provide physical address for overnight deliveries (if different from mailing address). Provide nine-digit zip code.			
CONTACT PERSON INFORMATION (<input type="checkbox"/> CHECK IF SAME AS AUTHORIZED REPRESENTATIVE)			
Contact Person (Name and Title):		Telephone Number: Fax Number: E-mail Address:	
Contact Person Mailing Address: Provide physical address for overnight deliveries (if different from mailing address). Provide nine-digit zip code.			
APPLICANT CHARACTERISTICS			
Applicant's Total Assets as reported on the 12/31/2004 Call Report or TFR (FY 2005 Round) or the 12/31/2005 Call Report or TFR (FY 2006). Report Total Assets in thousands (000's):			\$
Indicate whether any of the following apply to your institution (check all that apply):			
<input type="checkbox"/> Minority Bank. An institution in which minorities have at least 51% ownership, the majority of Board Directors or account holders are minority, or the community that the institution services is predominantly minority. Minorities include: African-Americans, Native Americans, Native Alaskans, Native Hawaiians, Hispanic Americans, Asian Americans, or women.			
<input type="checkbox"/> Community Bank. Any institution that identifies itself as a "community bank" should check this item.			
<input type="checkbox"/> Certified CDFI. An institution certified as a CDFI by the Fund as of 12/31/2004 (FY 2005 Round) or 12/31/2005 (FY 2006).			
Type of Charter:			
<input type="checkbox"/> National Bank <input type="checkbox"/> State Chartered Bank <input type="checkbox"/> Federal Savings Association or Savings Bank			
State in which the Applicant's headquarters is physically located:			
List all states within your institution's service area:			
APPLICANT CERTIFICATION			
The Applicant, by its undersigned Authorized Representative, hereby certifies that: (i) all information in this application is true, accurate, and complete; (ii) the governing body of the Applicant has duly authorized this document, and (iii) the Applicant will comply with the Assurances and Certifications contained in the application if a BEA Program award is made.			
Signature of Applicant's Authorized Representative (required):		Date Signed:	
How many hours did it take you to complete this application?			

PART II. DOCUMENTATION AND OTHER REQUIREMENTS

The following details the requirements for reporting and documenting Qualified Activities. Applicants should use this guidance in conjunction with the instructions for each worksheet as well as the BEA Program Regulations, FY 2005-FY2006 NOFA, and the Supplemental Guidance for Applicants (all available on the Fund's website).

DISTRESSED COMMUNITY DESIGNATION

DEFINITION OF A DISTRESSED COMMUNITY:

- A Distressed Community, defined in 12 CFR Part 1806.103(r), and as more fully described in 12 CFR 1806.200, consists of a geographic area with continuous boundaries that is located within the boundaries of one Unit Of General Local Government that meets certain minimum population, poverty, and unemployment requirements. The Glossary (available on the BEA Page of the Fund's website) describes the specific characteristics of a Distressed Community.
- An Applicant may designate an area as a Distressed Community by selecting a Geographic Unit(s) that individually meets the minimum population, poverty, and unemployment requirements. An Applicant may also designate a Distressed Community by selecting two or more *contiguous* Geographic Units that, in the aggregate, meet the geographic, population, poverty, and unemployment requirements -- provided that no designated Geographic Unit within the Distressed Community has a poverty rate of less than 20 percent.
- The CDFI Partner's designated Distressed Community must meet the requirements of the BEA Program. A Distressed Community as defined by the BEA Program is not the same as an Investment Area as defined by the CDFI Program (i.e., Core and SECA).

DOCUMENTING A DISTRESSED COMMUNITY:

- An **Applicant** must designate one or more Distressed Communities if it is proposing to: (i) carry out Distressed Community Financing Activities and/or Services Activities, and/or (ii) engage in CDFI Support Activities.
- Each **CDFI Partner** that will be the recipient of CDFI Support Activities from an Applicant must also designate a Distressed Community in which it is Integrally Involved.
- An Applicant and/or CDFI Partner designates a Distressed Community by submitting: (1) a List of Eligible Census Tracts, and (2) a map. Both of these items are available on the CDFI Fund's Online Help Desk at www.cdfifundhelp.gov or through the Fund's main website at www.cdfifund.gov. The Help Desk contains step-by-step instructions on how to create and print a Distressed Community List of Eligible Census Tracts and a corresponding map at your desk.
- An Applicant may designate the same Distressed Community, as the recipient of CDFI Support Activities. This option applies **ONLY** to Applicants whose proposed activities are limited to CDFI Support Activities and is **NOT** available to Applicants proposing Distressed Community Financing Activities and/or Service activities. If this option is chosen, the Applicant must submit a signed Certification 3: Certification for Same Distressed Community Designation.

GENERAL INFORMATION

Activities of the Applicant: To be eligible for BEA Program consideration, the Applicant or a Subsidiary of the Applicant must originate all Qualified Activities. Transactions carried out by Affiliates are not eligible. Loans brokered through another institution or loans purchased by the Applicant from another institution are not eligible for BEA Program consideration. If you are unsure of the eligibility of any Subsidiary or Affiliate, contact the Fund for clarification.

Arms-length transactions: To be considered an eligible Qualified Activity, each loan and investment must be an arms-length transaction with a third party that is not an Affiliate of the Applicant.

What to Report: All reported amounts should be rounded to the nearest dollar. For both the Baseline Period and the Assessment Period, report all Qualified Activities that were closed during the applicable period. To be considered Closed:

1. The transaction must have been executed on a date within the applicable Baseline Period or Assessment Period; and
2. The Applicant and the borrower or investee must have entered into a legally binding agreement that specifies the final terms and conditions of the transaction; and
3. An initial cash disbursement of loan or investment proceeds must have occurred in a manner that is consistent with customary business practices and is reasonable given the nature of the transaction (as determined by the Fund). If it is normal business practice to make no initial disbursement at closing (as is typical for lines of credit or construction loans), the Applicant must provide a brief narrative stating such and demonstrating that the borrower had access to the proceeds, subject to reasonable conditions (such as meeting certain project milestones), beginning at closing.

Face value: For term loans, each transaction must be reported at the total principal dollar amount of the closed loan or investment, subject to the dollar amount and time limitations imposed by the Fund, and as set forth in the applicable NOFA. For lines of credit (including construction lines of credit), each transaction should be reported at the maximum amount of credit available through the instrument, subject to dollar amount and time limitations imposed by the Fund. For transactions that are not fully disbursed as of the end of the Assessment Period, the amount reported should only reflect the amount expected to be disbursed within 12 months of the end of the applicable Assessment Period (December 31, 2005 for the FY 2005 round and December 31, 2006 for the FY 2006 round), subject to dollar amount limitations imposed by the Fund, and as set forth in the applicable NOFA.

Cap on Qualified Activity Amount: In calculating award amounts, the Fund will count only the amount an Applicant reasonably expects to disburse on a transaction within 12 months from the end of the Assessment Period, but in no event shall the value of a Qualified Activity for purposes of determining a BEA Program Award exceed \$10 million in the case of Commercial Real Estate Loans or any CDFI Related Activities (i.e., the total principal amount of the transaction must be \$10 million or less to be considered a Qualified Activity).

Low-Income Housing Tax Credits; New Markets Tax Credits: Investments for which the Applicant receives federal Low-Income Housing Tax Credits or New Markets Tax Credits as an investor are not considered Qualified Activities. If an Applicant is providing a loan or an investment for a project in which Low-Income Housing Tax Credits or New Markets Tax Credits are a part of the financing package, the activity will be considered a Qualified Activity -- provided that the Applicant and/or any of its Affiliates do not have a ownership stake in the subject project and have not received Low-Income Housing Tax Credits or New Markets Tax Credits in exchange for the investment.

CDFI RELATED ACTIVITIES

ELIGIBLE CDFI RELATED ACTIVITIES:

CDFI Related Activities consists of Equity Investments, Equity Like Loans, and CDFI Support Activities. The BEA Program regulations, the applicable NOFA, and the Supplemental Guidance for Applicants contain definitions of these Qualified Activities.

REPORTING CDFI RELATED ACTIVITIES:

On Worksheet 1: Applicant must report the total dollar value of all qualified CDFI Related Activities closed during the Baseline Period and the Assessment Period. Calculate the total dollar value of each category by summing the total principal amount of each grant, investment, deposit, or loan closed during the applicable period. Calculate the dollar amount of Technical Assistance provided to a CDFI Partner during the applicable period by summing the administrative costs of providing such services.

- ✓ For the purpose of reporting an Applicant's Baseline Period activities on Worksheet 1, the Applicant must report all CDFI Related Activities that it engaged in with any certified CDFI that would have qualified as an eligible CDFI Partner according to the BEA Program regulations and applicable NOFA during the Baseline Period -- not just new activities engaged in with specific CDFIs during the Assessment Period.

On the Report of Transactions: Applicants report the dollar value of each *individual* transaction. For Technical Assistance to a CDFI Partner, list the dollar value of each unit of Technical Assistance of according to each CDFI Partner recipient. See instructions for Report of Transactions for additional required information.

DOCUMENTING CDFI RELATED ACTIVITIES:

Closing Documents: For all CDFI Related Activities (except Technical Assistance provided to CDFIs), provide documentation demonstrating that the transaction closed during the Assessment Period. Such documentation must include a legally binding agreement between the Applicant and the CDFI Partner (e.g., loan agreement, promissory note, investment agreement, or stock purchase agreement). Document Technical Assistance provided to CDFIs by providing an itemized list of the administrative costs of providing such services.

Disbursement Documents: For all CDFI Related Activities (except Technical Assistance provided to CDFIs), provide documentation demonstrating that an initial disbursement occurred during the Assessment Period in a manner consistent with customary business practices and that was reasonable given the nature of the transaction. Acceptable documentation includes copies of checks, wire transfer receipts, and credit/debit slips from the general ledger. Internal requests for wire transfers or account print screens are acceptable documentation if accompanied by a signed Certification of Disbursement. If the Applicant has not made a disbursement on a transaction closed within the Assessment Period, provide a narrative describing: (1) why making no initial disbursement was customary business practice and reasonable given the nature of the transaction, and (2) that funds were available at the CDFI Partner's discretion, subject to reasonable conditions (such as meeting certain project milestones), beginning at closing.

DISTRESSED COMMUNITY FINANCING ACTIVITIES

ELIGIBLE DISTRESSED COMMUNITY FINANCING ACTIVITIES:

Affordable Housing Loans; Affordable Housing Development Loans and related Project Investments; Education Loans; Home Improvement Loans; Commercial Real Estate Loans and related Project Investments; and Small Business Loans and related Project Investments.

Affordable Housing Development Loans and related Project Investments: In order to be considered Qualified Activities, Affordable Housing Development Loans and Related Project Investments must be loans or investments to finance the acquisition, construction, and/or development of single- or multi-family residential real property, where at least 60 percent of the units in such property are affordable to Low- and Moderate-Income individuals. For purposes of this application, affordable is defined as a unit that is or will be sold or rented to a Low- and Moderate-Income Individual.

Affordable Housing Mortgage Loans: In order to be considered a Qualified Activity, an Affordable Housing Mortgage Loan must be made to a Low- and Moderate-Income Resident. An Applicant may determine the total dollar value of such loans closed during the Baseline Period and the Assessment Period using one of the following methods (an Applicant may use different methods for the Baseline and Assessment Periods):

- **Exact Count Method:** Collect income data on each mortgage borrower. Use this data to determine which mortgage borrowers are Low- and Moderate-Income Residents. Count only those mortgage loans where the borrower is a Low- and Moderate-Income Resident.
- **Certification Method:** Count the number of mortgage borrowers that the applicant reasonably believes are Low- and Moderate-Income Residents. Provide a brief analytical narrative with information describing how this determination was made (e.g., all borrowers for a certain mortgage loan must pre-qualify as Low-Income).

REPORTING DISTRESSED COMMUNITY FINANCING ACTIVITIES:

On Worksheet 1: An Applicant must report the total dollar value of all qualified Distressed Community Financing Activities closed during the Baseline Period and the Assessment Period. Calculate the total dollar value of each category by summing the total principal amount of each transaction closed during the applicable period. Report the total dollar value of each category on the applicable line of Worksheet 1.

- If the Applicant does not engage in a particular type of activity check the appropriate box in Column A.

On the Report of Transactions: an Applicant must report the total dollar value of *each* individual loan or investment. See instructions for Report of Transactions for additional required information.

DOCUMENTING DISTRESSED COMMUNITY FINANCING ACTIVITIES:

Closing Documents: For transactions with a principal value of greater than or equal to \$250,000, the Applicant shall provide documentation showing that the transaction closed during the Assessment Period. Such documentation must consist of a legally binding agreement between the Applicant and the borrower/investee/recipient (e.g., loan agreement, promissory note, investment agreement, or stock purchase agreement).

Disbursement Documents: For transactions with a principal value of greater than or equal to \$250,000, the Applicant shall provide documentation showing that an initial disbursement occurred during the Assessment Period in a manner that was consistent with customary business practices and reasonable given the nature of the transaction. Acceptable documentation includes copies of checks, wire transfer receipts, and credit/debit slips from the general ledger. Internal requests for wire transfers or account print screens are acceptable if accompanied by a signed Certification of Disbursement.

SERVICE ACTIVITIES

Service Activities include the following: Deposit Liabilities; Financial Services; Community Services; Targeted Financial Services; and Targeted Retail Savings/Investment Products. The BEA Program regulations, the applicable NOFA, and the Supplemental Guidance for Applicants contain definitions of these Qualified Activities. An Applicant may only include Financial Services, Targeted Financial Services, and Targeted Retail Savings/Investment Products provided to Low- and Moderate-Income Residents.

REPORTING AND DOCUMENTING DEPOSIT LIABILITIES:

- Use the Deposit Liabilities Calculation Worksheet from the BEA Page of the Fund's website to calculate the net change in the amount of eligible Deposit Liabilities within the Baseline Period and within the Assessment Period.
- Report the dollar value of the net change in Deposit Liabilities for each period in the appropriate column on Worksheet 1, Line 12 and on the Report of Transactions. *Do not* report the total dollar value of Deposit Liabilities as of the last

day of each applicable period – instead calculate the net change over the course of the applicable period. *Do not* report each individual depositor on the Report of Transactions – only report the net change for each period from the Deposit Liabilities Calculation Worksheet.

- Submit the Deposit Liabilities Calculation Worksheet with the application.
- Attach a narrative explaining the methodology used to determine that: (1) account holders are Residents; and (2) Deposit Liabilities were accepted at a location in the Distressed Community.

REPORTING AND DOCUMENTING COMMUNITY SERVICES:

- Calculate the total dollar value of providing the Community Service by determining the administrative cost of providing the activity. For staff time, use the number of hours contributed times the staff person's hourly salary. For other administrative costs, the Applicant should report the actual cost.
- Report the total dollar value of all Community Service Activities for each period on Worksheet 1, Line 13. Report the dollar value of each individual Community Service Activity on the Report of Transactions.
- Submit a narrative describing the methodology used to: (1) derive the value (including an itemized list of costs), and (2) determine that the Applicant provided the Community Service to Low- and Moderate-Income Residents, newly-formed small businesses, Low- and Moderate-Income homeowners, or homeowners in the Distressed Community.

REPORTING AND DOCUMENTING ALL OTHER SERVICE ACTIVITIES:

- Determine the total dollar value of Financial Services, Targeted Financial Services, and Targeted Retail Savings/Investment Products provided to Low- and Moderate-Income Residents during the Baseline Period and Assessment Period using one of the following methods:
 - ✓ **Exact Count Method:** Collect income data on each recipient of the specified activity. Use this data to determine which recipients are Low- and Moderate-Income Residents. Multiply this number by (i) the per unit value specified in the NOFA, or (ii) if the activity is not specified in the NOFA, by the Applicant's estimate of the per unit value.
 - ✓ **Certification Method:** Take the number of recipients that the applicant reasonably believes are Low- and Moderate-Income Residents and multiply it by (i) the per unit value specified in the NOFA, or (ii) if the activity is not specified in the NOFA, by the Applicant's estimate of the per unit value. The Applicant must provide a brief analytical narrative with information describing how this determination was made.
- Report the combined total dollar value of Financial Services, Targeted Financial Services, and Targeted Retail Savings/Investment Products on the applicable line of Worksheet 1 and on the Report of Transactions. Do not report the value of each individual service activity separately on the Report of Transactions (i.e., do not list each check cashed or new account opened separately on its own line on the Report of Transaction). In the first column, indicate the transaction according to the type (e.g., "checks cashed" or "new accounts opened").
- For Financial Services, if using a per unit value not prescribed in the NOFA, describe the methodology used to derive the value. The Fund will determine if this value is acceptable.
- An Applicant seeking an award for providing Targeted Financial Services must complete and submit Certification 1: For ETA and First Account Providers. An Applicant seeking an award for opening a new retail branch must sign and submit Certification 2: Certification for Opening Retail Branches.

PART III. WORKSHEET 1: FINAL BEA RATING AND CALCULATIONS

Worksheet 1 is available in Excel on the BEA page of the Fund's website.

If the Applicant has carried out no activity in a category during the Baseline Period and/or Assessment Period, write "0" in the applicable columns and check the box in Column A.

CDFI RELATED ACTIVITIES:

Line 1:	List the dollar value of Equity Investments / Equity-Like Loans for the Baseline Period (Column B) and Assessment Period (Column C). Subtract the value in Column B from the value in Column C and list the result in Column D to yield the change in Qualified Activities. Multiply the amount in Column D by 15% and list the product in Column F to yield the Estimated Award Amount for Equity Investments / Equity-Like Loans.
Line 2:	List the dollar value of CDFI Support Activities for the Baseline Period (Column B) and Assessment Period (Column C). Subtract the value in Column B from the value in Column C and list the result in Column D to yield the change in Qualified Activities. Multiply the amount in Column D by the applicable award percentage in Column E (18% if the Applicant is a CDFI or 6% if the Applicant is not a CDFI) and list the product in Column F to yield the Estimated Award Amount for CDFI Support Activities.
Line 3:	Add the values listed on lines 1 and 2 of Column F to yield the Estimated Award Amount for CDFI Related Activities.

DISTRESSED COMMUNITY FINANCING ACTIVITIES:

Lines 4-9:	List the dollar value of each sub-category of Distressed Community Financing Activities for the Baseline Period in Column B and for the Assessment Period in Column C. Subtract the value in Column B from the value in Column C for each sub-category of activity and list the result in Column D to yield the change in Qualified Activities. Multiply the amount in Column D for each line by the corresponding Priority Factor in Column E to yield a weighted value. List the weighted value of each sub-category of activity in Column F.
Line 10:	Add the values listed on lines 4 to 9 of Column F to yield a Total Score. List the Total Score in Column F, Line 10.
Line 11:	Multiply the Total Score (Column F, line 10) by the applicable award percentage in Column E to yield an Estimated Award Amount for Distressed Community Financing Activities. List the Estimated Award Amount in Column F, Line 11

SERVICE ACTIVITIES:

Lines 12-16:	List the dollar value of each sub-category of Service Activity for the Baseline Period in Column B and for the Assessment Period in Column C. Subtract the value in Column B from the value in Column C for each sub-category of activity and list the result in Column D to yield the change in Qualified Activities. Multiply the amount in Column D for each line by the corresponding Priority Factor in Column E to yield a weighted value. List the weighted value of each sub-category of activity in Column F.
Line 17:	Add the values listed on lines 12 to 16 of Column F to yield a Total Score. List the Total Score in Column F, Line 17.
Line 18:	Multiply the Total Score (Column F, Line 17) by the applicable award percentage in Column E to yield an Estimated Award Amount for Service Activities. List the Estimated Award Amount in Column F, Line 18.

PART IV. REPORT OF TRANSACTIONS

An Excel template for the Report of Transactions is available on the Fund's website

- The Report of Transactions is submitted via myCDFIFund. In order to submit the Report, you must register on myCDFIFund (accessed through the Fund's website: www.cdfifund.gov and click on "New User?" under the myCDFI Fund log on).
- Complete and submit the Report of Transactions as instructed on myCDFIFund by the applicable deadline:
 - ✓ 5:00 p.m. ET on February 14, 2005 for the FY 2005 funding round
 - ✓ 5:00 p.m. ET on February 14, 2006 for the FY 2006 funding round
- Submit paper copy of the report with the application materials sent to the BPD office specified in the Requirements section.
- Complete the columns as follows:

Column A:	Transaction Number (For Fund Use Only)
Column B: Service Provided/ Borrower/Investee	For Service Activities, report each activity or transaction carried out during the Assessment Period by the service provided. For all other types of activities, report each activity by the borrower, investee, grantee, CDFI, or other recipient.
Column C: Total Dollar Value	For Service Activities, report the grand total of each category of activity. For all other types of activities, report the total original dollar amount of each transaction.
Column D: Amount Disbursed to Date	List the total dollar amount disbursed on each transaction by the end of the Assessment Period. For Service Activities, TA provided to CDFIs, and Distressed Community Financing Activities of less than \$250,000: record the same dollar figure as reported in Column B.
Column E: Census Tract	For CDFI Related Activities, leave this column blank. For all other types of activities, list in the census tract (including the state and county code) where the activity occurred or the borrower, investee, grantee, or other recipient is located.
Column F: Date of Execution	List the date the activity occurred or the transaction was closed.
Column G: Date of Initial Disbursement	List the date the Applicant made the initial disbursement. Leave blank if no initial disbursement has been made.
Column H: Date of Final Disbursement	List the date the Applicant made the final disbursement. Leave blank if the transaction is not fully disbursed.
Column I: Type of Activity	For all activities, list the type of activity using the abbreviations provided below:
	<u>CDFI Related Activities:</u>
	CDFI Equity Investments / Equity-Like Loans CEI
	CDFI Equity Like Loans ELL
	CDFI Grants CG
	CDFI Loans LNS
	CDFI Deposits / Shares DS
	TA provided to CDFIs TAC
	<u>Distressed Community Financing Activities:</u>
	Affordable Housing Mortgage Loans AHM
	Affordable Housing Development Loans and Project Investments AHD
	Commercial Real Estate Loans and Project Investments CRE
	Education Loans EDU
	Home Improvement Loans HIL
	Small Business Loans and Project Investments SBL
	<u>Service Activities:</u>
	Deposit Liabilities D
	Financial Services FS
	Targeted Financial Services TFS
	Targeted Savings Products TSP
	Community Services CS
Column J: Impact (For Informational Purposes Only)	For Distressed Community Financing Activities, provide the number of the appropriate measure for each transaction: <ul style="list-style-type: none"> ▪ Affordable Housing Mortgages: Number of homebuyers. ▪ Affordable Housing Development: Number of units developed or rehabilitated. ▪ Small Business: Number of full-time equivalent jobs created or maintained by borrower/investee. ▪ Commercial Real Estate: Square footage of commercial real estate. For Financial Services and Targeted Financial Services: Number of accounts opened, checks cashed, etc.. For Targeted Savings/Investment Products: Number of Products sold. For Community Services: Number of individuals who received the identified service.

Failure to provide the electronic version of the Report of Transactions via myCDFIFund will result in rejection of the application

PART V. CDFI PARTNER DOCUMENTATION

ELIGIBLE CDFI PARTNERS

For the FY 2005-2006 NOFA, an eligible CDFI Partner is a CDFI whose certification is current and valid as of the end of the applicable Assessment Period, and is:

- ✓ An Insured Depository Institution or Depository Holding Company that has up to \$500 million in total assets as of its most recently completed fiscal year; or
- ✓ An Insured Credit Union that has up to \$25 million in total assets as of its most recently completed fiscal year; or
- ✓ Not an Insured Credit Union, Insured Depository Institution, Or Depository Holding Company, and that has up to \$25 million in total assets as of its most recently completed fiscal year; or
- ✓ Is proposing a new level or type of activity in a CDFI Program Hot Zone.

REQUIRED DOCUMENTATION

To demonstrate eligibility, CDFI Partners must submit the following materials (as necessary):

- CDFI Partners in the CDFI Support category must submit: (1) a list of Eligible Census Tracts, (2) a map of the designated Distressed Community; and (3) a Statement of Integral Involvement (see below for additional information on fulfilling this requirement).
- All CDFI Partners must submit a copy of the Balance Sheet or other appropriate financial statement from the CDFI Partner's most recently completed fiscal year demonstrating that it meets asset limitations, or information demonstrating that the CDFI Partner is proposing a new level or type of activity in a Hot Zone (see below for additional information on fulfilling this requirement).

CDFI PARTNERS IN HOT ZONES

To demonstrate that a CDFI Partner is proposing a new level or type of activity in a CDFI Program-qualified Hot Zone, the CDFI Partner must submit: (1) a Map and Worksheet from the CDFI Program Online Help Desk designating an area that qualifies as a Hot Zone under the CDFI Program NOFA; and (2) a narrative describing the activity, whether it is a new activity for the designated area or an increase in activity, and how the increase in activity or the new activity will benefit the designated Hot Zone. The CDFI Program Online Help Desk can be accessed through the CDFI Fund website.

STATEMENT OF INTEGRAL INVOLVEMENT

CDFI Partners that receive CDFI Support Activities must also demonstrate that they are Integrally Involved in a BEA-eligible Distressed Community by (1) designating a Distressed Community; and (2) providing a Statement of Integral Involvement. (See 12 CFR 1805.104(s)) The Applicant must submit these materials for each CDFI Partner to which it has provided CDFI Support Activities with its application. CDFI Partners that are the recipient of Equity Investments / Equity-Like Loans need not provide this information.

Statement of Integral Involvement is available in Excel on the BEA page of the Fund's website.

A CDFI Partner will be found to be "Integrally Involved in a Distressed Community" if it demonstrates, to the satisfaction of the Fund, that:

- At least five percent of its financial transactions or dollars transacted (e.g., loans or equity investments as defined in 12 CFR 1805.104(s)), or five percent of Development Service activities, were made in the Distressed Community identified by the Applicant or the CDFI Partner, as applicable, in each of the three calendar years preceding September 9, 2004, or
- At least ten percent of the CDFI Partner's financial transactions (e.g., loans or equity investments) were made in said Distressed Community in at least one of the three calendar years preceding September 9, 2004, or
- Attained at least five percent of market share for a particular product in said Distressed Community (e.g., it originated five percent of all home mortgages originated in the Distressed Community) in at least one of the three calendar years preceding September 9, 2004.

PART VI. CERTIFICATION 1: ETA AND FIRST ACCOUNT PROVIDERS

To receive consideration for the provision of Electronic Transfer Accounts (ETAs) and First Accounts you must certify by checking the applicable boxes that the respective accounts will have the appropriate characteristics.

Yes, the Applicant is providing ETAs

The Applicant, by its undersigned Authorized Representative, does hereby certify that (i) the Applicant has entered into, and is in compliance with, the Financial Agency Agreement with the Treasury Department; and (ii) each Electronic Transfer Account for which the Applicant is seeking a BEA award possesses, ALL of the characteristics checked below:

- Is an individually owned account at a Federally-insured financial institution;
- Permits a minimum of four cash withdrawals and four balance inquiries per month, which are included in the monthly fee, through any combination of proprietary ATM transactions and/or over-the-counter transactions;
- Allows access to the insured depository institution's on-line point-of-sale network (if any);
- Requires no minimum balance except as required by Federal or state law;
- Provides a monthly statement;
- Provides the same consumer protections that are available to other account holders at the financial institution;
- Is offered only to individuals receiving Federal benefit, wage, salary, or retirement payments;
- Allows set-off only for fees directly related to the account; and
- Is subject to a maximum monthly account-servicing fee of \$3.00.
- Is in compliance with its Financial Agency Agreement with the U.S. Department of Treasury.

Yes, the Applicant is providing First Accounts

The Applicant, by its undersigned Authorized Representative, does hereby certify that each First Account for which the Applicant is seeking consideration possess all of the characteristics checked below:

- Is an individually owned account at a Federally-insured financial institution held by an individual(s) who has had no prior relationship with a federally insured financial institution;
- Permits a minimum of four cash withdrawals and four balance inquiries per month, which are included in the monthly fee, through any combination of proprietary automated teller machine (ATM) transactions and/or over-the-counter transactions;
- Allows access to the insured depository institution's on-line point-of-sale network (if any);
- Requires no minimum balance except as required by Federal or state law;
- Provides a monthly statement; and
- Provides the same consumer protections that are available to other account holders at the financial institution.

I hereby certify, on behalf of _____, that all the foregoing information is true, accurate and complete.

Applicant (legal name)

By:

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

PART VI. CERTIFICATION 2: OPENING RETAIL BRANCHES

The Applicant, by its undersigned Authorized Representative, does hereby certify that:

On _____ (enter date branch opened for business), the Applicant opened a new branch office located at:

The Applicant has not operated a retail branch office in the same census tract in which it is opening such new branch office within the three years prior to opening said branch on the aforementioned date; and

Such new branch office will remain in operation for at least the next five years

Applicant (legal name)	
<u>By:</u>	
Signature of Authorized Representative	Date
Print Name and Title of Authorized Representative	

PART VI. CERTIFICATION 3: SAME DISTRESSED COMMUNITY AS CDFI PARTNER

The Applicant, by its undersigned Authorized Representative, does hereby certify that the Applicant is designating the same Distressed Community as _____ (the CDFI Partner).

Applicant (legal name)

By:

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

PART VII. OTHER REQUIRED MATERIALS: ASSURANCES AND CERTIFICATIONS

Signing the certification on the Applicant Information Form certifies that the Applicant will comply with the Assurances and Certifications listed below if a BEA Program award is made. Applicants may not modify any of the Assurances and Certifications. It is not necessary to submit a copy of these Assurances and Certifications with the application.

A. OMB Standard Form 424B: Assurances -- Non-Construction Programs

As the duly authorized representative of the Applicant, I certify that the Applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work (activities in application) within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specifies in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L.88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C.1681-1683, 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C.794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C.6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L.91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C.3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statutes which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C.1501-1508 & 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L.91-190) and Executive Order 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State

- management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451et seq.); (f) conformity of Federal actions to State Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L.93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L.93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

B. Additional Certifications

In addition to the assurances and certifications provided by the Applicant pursuant to OMB Standard Form 424B, the Applicant hereby assures and certifies that:

1. It is duly organized and validly existing under the laws of the jurisdiction in which it was incorporated or otherwise established, and is (or within 30 days will be) authorized to do business in any jurisdiction in which it proposes to undertake activities specified in this application;
2. Its Board of Directors (or similar governing body) has by proper resolution or similar action authorized the filing of this application, including all understandings and assurances contained herein, and directed and authorized the person identified as the authorized representative of the Applicant to act in connection with this application and to provide such additional information as may be required;
3. It will comply with all applicable requirements of the Community Development Banking and Financial Institutions Act of 1994 (the Act) [12 U.S.C. 4701 et seq.], regulations implementing the Act and all other applicable Department of the Treasury regulations and implementing procedures (and any regulations or procedures which are later promulgated to supplement or replace them);
4. It will comply, as applicable and appropriate, with the requirements of OMB Circulars (e.g., A-110 and A-133) and any regulations and circulars which are later promulgated to supplement or replace them, including standards for fund control and accountability;
5. It has not knowingly and willfully made or used a document or writing containing any false, fictitious or fraudulent statement or entry as part of this application or any related document, correspondence or communication. (The Applicant and its authorized representative should be aware that, under 18 U.S.C. 1001, whoever knowingly and willfully makes or uses such document or writing shall be fined or imprisoned for not more than five years, or both); and
6. The information in this application, and in these assurances and certifications in support of the application, is true and correct to the best of the Applicant's knowledge and belief and the filing of this application has been duly authorized.

C. Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions:

Instructions for Certification

1. By signing and submitting this application, the prospective primary participant (the Applicant) is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in the denial of participation in this covered transaction. The prospective Applicant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the Fund's determination whether to enter into this transaction (approval and funding of the application). However, failure of the Applicant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
 3. This certification is a material representation of fact upon which reliance is placed when the Fund determines to enter into this transaction. If it is later determined that the Applicant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Fund may terminate this transaction for cause or default.
 4. The Applicant shall provide immediate written notice to the Fund if at any time the Applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
 5. The terms "covered transactions," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal", and "voluntarily excluded," as used in this clause (certification), have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the Fund for assistance in obtaining a copy of those regulations (31 CFR part 19).
 6. The Applicant agrees by submitting this application that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Fund.
 7. The Applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," to be provided by the Fund, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions (see 31 CFR part 19, Appendix B).
 8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
 9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
 10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the Fund may terminate this transaction for cause or default.
- D. Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions**
1. The prospective primary participant (the Applicant) certifies to the best of its knowledge and belief, that it and its principals:
 - (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State or local) terminated for cause or default.
 2. Where the Applicant is unable to certify to any of the statements in this certification, such Applicant shall attach an explanation to this proposal.
- E. Certification Regarding Drug-Free Workplace Requirements**
1. The Applicant certifies that it will provide a drug-free workplace by:
 - (e) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employee for violations of such prohibition;
 - (f) establishing a drug-free awareness program to inform employees about:
 - (i) the dangers of drug abuse in the workplace;
 - (ii) the Applicant's policy of maintaining a drug-free workplace;
 - (iii) any available drug counseling, rehabilitation, and employee assistance program; and
 - (iv) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace
 - (g) making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by subparagraph (a);
 - (h) notifying the employee in the statement required by subparagraph (a) that, as a condition of employment in such grant, the employee will:
 - (i) abide by the terms of the statement; and
 - (ii) notify the employer of any criminal drug use statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction;
 - (i) notifying the granting agency in writing, within ten calendar days after receiving notice of a conviction under subparagraph (d) (ii) from an employee or otherwise receiving actual notice of such conviction;
 - (j) taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(ii), with respect to any employee who is so convicted:
 - (i) taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (ii) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and
 - (k) making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (a), (b), (c), (d), (e), and (f).
 2. The Applicant may insert in the space provided below the site(s) for the performance of work (activities carried out by the Applicant) to be done in connection with the award (Place of Performance (Street Address, City, County, State and zip Code)):

Not Applicable for BEA Program Applicants

F. Certification Regarding Lobbying

1. The Applicant certifies, to the best of its knowledge and belief, that:
 - (a) 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, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
 - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this application, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
 - (c) The Applicant shall require that the language of this certification be included in the award documents for all subawards of all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
2. This certification is a material representation of fact upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.