

PROGRAM GUIDANCE

PROGRAM: Indian Housing Block Grant (IHBG)

FOR: Tribal Government Leaders and Tribally Designated Housing Entities

T.B.A.

FROM: Rodger J. Boyd, Deputy Assistant Secretary, PN

TOPIC: Transmittal of Final Rule (24 CFR Part 5, subpart K) Implementing the Requirement in HUD Programs for Use of Data Universal Numbering System (DUNS) Identifier

Purpose: The purpose of this Guidance is to transmit the Department's Final Rule requiring the use of Data Universal Numbering System (DUNS) numbers.

Background: On Friday, March 26, 2004, the Department published an interim rule in the Federal Register implementing the requirement of the use of Data Universal Numbering System (DUNS) identifiers in all HUD programs and invited public comments on that rule. The interim rule added a new Subpart K to 24 CFR 5 addressing the requirement for DUNS numbers to be submitted to the Department with applications for federal grants.

No public comments were received on the interim rule. On Tuesday, November 9, 2004, the Department published a notice in the Federal Register adopting the interim rule without change as the final rule.

Reference Documents:

- Federal Register Notice, Implementation of Requirement in HUD Programs for Use of Data Universal Numbering System (DUNS) Identifier, Final Rule, published Tuesday, November 9, 2004;
- Federal Register Notice, Implementation of Requirement in HUD Programs for Use of Data Universal Numbering System (DUNS) Identifier, Interim Rule, published Friday, March 26, 2004;
- Program Guidance 2003-11, All Programs: E-Grants Use of DUNS Number.

Final Rule: 24 CFR 5, Subpart K--Application submission requirements

5.1001 Applicability.

5.1003 Use of a universal identifier for organizations applying for HUD grants.

Subpart K--Application Submission Requirements

Sec. 5.1001 Applicability.

This subpart applies to all applicants for HUD grants, cooperative agreements, capital fund or operating fund subsidy, capital advance, or other assistance under HUD programs, including grant programs that are classified by OMB as including formula grant programs or activities, but excluding FHA insurance and loan guarantees that are not associated with a grant program or grant award.

Sec. 5.1003 Use of a universal identifier for organizations applying for HUD grants.

(a) Every application for a new or renewal of a grant, cooperative agreement, capital fund or operating fund subsidy, capital advance, or other assistance, including an application or plan under a grant program that is classified by OMB as including formula grant programs, must include a Data Universal Numbering System (DUNS) number for the applicant.

(b) (1) Applicants or groups of applicants under a consortium arrangement must have a DUNS number for the organization that is submitting the application for federal assistance as the lead applicant on behalf of the other applicants. If each organization is submitting a separate application as part of a group of applications, then each organization must include its DUNS number with its application submission.

(2) If an organization is submitting an application as a sponsor or on behalf of other applicants, and the other entities will be receiving funds directly from HUD, then the applicant or sponsor must submit an application for funding that includes the DUNS number of each applicant that would receive funds directly from HUD.

(3) If an organization is managing funds for a group of organizations, a DUNS number must be submitted for the managing organization, if it is drawing down funds directly from HUD.

(4) If an organization is drawing down funds directly from HUD and subsequently turning the funds over to a management organization, then the management organization must obtain a DUNS number and submit the number to HUD.

(c) Individuals who would personally receive a grant or other assistance from HUD, independent from any business or nonprofit organization with which they may operate or participate, are exempt from this requirement.

(d) In cases where individuals apply for funding, but the funding will be awarded to an institution or other entity on the individual's behalf, the institution or entity must obtain a DUNS number and the individual must submit the institution's DUNS number with the application.

(e) Unless an exemption is granted by OMB, HUD will not consider an application as complete until a valid DUNS number is provided by the applicant. For classes of grants and grantees subject to this part, exceptions to this rule must be submitted to OMB for approval in accordance with procedures prescribed by the Department.

If you have any questions, please contact your local Area Office of Native American Programs.

Attachment