

submission for Office of Management and Budget approval.

Signed at Washington, DC, on May 3, 2010.

Jonathan W. Coppess,

Administrator, Farm Service Agency, and Executive Vice-President, Commodity Credit Corporation.

[FR Doc. 2010-10914 Filed 5-7-10; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

Information Collection; Guaranteed Loan Making and Servicing

AGENCY: Farm Service Agency, USDA.

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Farm Service Agency (FSA) is seeking comments from all interested individuals and organizations on the revision and extension of a currently approved information collection used to administer the Guaranteed Farm Loan Program.

DATES: We will consider comments that we receive by July 9, 2010.

ADDRESSES: We invite you to submit comments on this notice. In your comments, include date, volume, and page number, the OMB control number, and the title of the information collection of this issue of the **Federal Register**. You may submit comments by any of the following methods:

- **Mail:** Director, Loan Making Division, Farm Service Agency, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Stop 0522, Washington, DC 20250-0522.
- **E-mail:** Trent.Rogers@wdc.usda.gov.
- **Fax:** (202) 720-1657.

You may also send comments to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503. Copies of the information collection may be requested by contacting Trent Rogers at the above address.

FOR FURTHER INFORMATION CONTACT:

Trent Rogers, Senior Loan Officer, Loan Making Division, Farm Service Agency, (202) 720-3889.

SUPPLEMENTARY INFORMATION:

Description of Information Collection

Title: (7 CFR part 762) Guaranteed Farm Loan Program.

OMB Number: 0560-0155.

Expiration Date of Approval: 10/31/2010.

Type of Request: Extension with revision of a currently approved information collection.

Abstract: This information collection is needed to effectively administer the FSA guaranteed farm loan programs. The information is collected by the FSA loan official in consultation with participating commercial lenders. The objective of the guaranteed loan program is to provide credit to applicants who are unable to obtain credit from lending institutions without a guarantee. The reporting requirements imposed on the public by the regulations at 7 CFR part 762 are necessary to administer the guaranteed loan program in accordance with statutory requirements of the Consolidated Farm and Rural Development Act and are consistent with commonly performed lending practices. Collection of information after loans are made is necessary to protect the Government's financial interest.

Type of Respondents: Individuals or households, business or other for-profit and farms.

Estimated Average Time to Respond: .733 hours.

Estimated Number of Respondents: 16,985.

Estimated Number of Reports Filed per Respondent: 13.5.

Estimated Total Annual Number of Responses: 229,443.

Estimated Total Annual Burden on Respondents: 168,387 hours.

We are requesting comments on all aspects of this information collection and to help us to:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility and clarity of the information to be collected;

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission for Office of Management and Budget approval.

Signed at Washington, DC, on May 3, 2010.

Jonathan W. Coppess,

Administrator, Farm Service Agency.

[FR Doc. 2010-10919 Filed 5-7-10; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Rural Housing Service

Notice of Funding Availability of Applications (NOFA) for Section 514 Farm Labor Housing Loans and Section 516 Farm Labor Housing Grants for Off-Farm Housing for Fiscal Year (FY) 2010

AGENCY: Rural Housing Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces the timeframe to submit pre-applications for section 514 Farm Labor Housing (FLH) loans and section 516 FLH grants for the construction of new off-farm FLH units and related facilities for domestic farm laborers. The intended purpose of these loans and grants is to increase the number of available housing units for domestic farm laborers. This notice describes the method used to distribute funds, the application process, and submission requirements.

DATES: The deadline for receipt of all applications in response to this is 5 p.m., local time to the appropriate Rural Development State Office on July 9, 2010. The application closing deadline is firm as to date and hour. Rural Development will not consider any application that is received after the closing deadline unless date and time is extended by another Notice published in the **Federal Register**. Applicants intending to mail applications must provide sufficient time to permit delivery on or before the closing deadline. Acceptance by a post office or private mailer does not constitute delivery. Facsimile (FAX), and postage due applications will not be accepted.

Applicants wishing to apply for assistance must contact the Rural Development State Office serving the State of the proposed off-farm labor housing project in order to receive further information and copies of the application package. Rural Development will date and time stamp incoming applications to evidence timely receipt and, upon request, will provide the applicant with a written acknowledgment of receipt. A listing of Rural Development State Offices, their addresses, telephone numbers, and person to contact is under section VII of this Notice.

FOR FURTHER INFORMATION CONTACT:

Henry Searcy, Finance and Loan Analyst, Multi-Family Housing Preservation and Direct Loan Division, STOP 0781 (Room 1263-S), USDA Rural Development, 1400 Independence Ave. SW., Washington, DC 20250-0781, telephone: (202) 720-1753 (This is not a toll free number.), or via e-mail: Henry.Searcy@wdc.usda.gov. If you have questions regarding Net Zero Energy Consumption and Energy Generation please contact Meghan Walsh, National Office Architect, Program Support Staff at (202) 205-9590 or via e-mail: Meghan.walsh@wdc.usda.gov.

SUPPLEMENTARY INFORMATION:**Paperwork Reduction Act**

The reporting requirements contained in this notice have been approved by the Office of Management and Budget under Control Number 0575-0189.

Overview Information

Federal Agency Name: Rural Development.

Funding Opportunity Title: Notice of Funds Availability (NOFA) for Section 514 Farm Labor Housing Loans and Section 516 Farm Labor Housing Grants for Off-Farm Housing for Fiscal Year 2010.

Announcement Type: Initial Notice inviting applications from qualified applicants for Fiscal Year 2010.

Catalog of Federal Domestic Assistance Numbers (CFDA): 10.405 and 10.427.

DATES: The deadline for receipt of all applications in response to this is 5 p.m., local time to the appropriate Rural Development State Office on July 9, 2010. The application closing deadline is firm as to date and hour. Rural Development will not consider any application that is received after the closing deadline unless date and time is extended by another Notice published in the **Federal Register**. Applicants intending to mail applications must provide sufficient time to permit delivery on or before the closing deadline. Acceptance by a post office or private mailer does not constitute delivery. Facsimile (FAX), and postage due applications will not be accepted.

I. Funding Opportunities Description

The funds available for FY 2010 for Off-Farm Labor Housing are: Section 514 \$22,128,195, Section 516 \$7,552,845 and Rental Assistance \$3,400,000.

II. Award Information

Applications for FY 2010 will only be accepted through the date and time

listed in this Notice. Since USDA Rural Development has the ability to adjust loan and grant levels, final loan and grant levels will fluctuate, and are subject to the availability of funding.

Individual requests may not exceed \$2 million (total loan and grant). No State may receive more than 30 percent of available FLH funding distributed in FY 2010. If there are insufficient applications from around the country to exhaust Section 514-516 funds available, the Agency may then exceed the 30% cap per State. Section 516 off-farm FLH grants may not exceed 90 percent of the total development cost (TDC) of the housing as defined in 7 CFR section 3560.11. Applications that will use leveraged funding must provide written commitments from the funding source at pre-application. If leverage funds are in the form of tax credits, the applicant must document that it has received tax credits or has applied and been approved to receive tax credits.

Rental Assistance and operating assistance will be available for new construction in FY 2010. Operating assistance may be used in lieu of tenant-specific rental assistance (RA) in off-farm labor housing projects that serve migrant farm workers as defined in 7 CFR section 3560.11 that are financed under section 514 or section 516(h) of the Housing Act of 1949, as amended (42 U.S.C. 1484 and 1486(h)) respectively, and otherwise meet the requirements of 7 CFR section 3560.574. Owners of eligible projects may choose tenant-specific RA or operating assistance, or a combination of both; however, any tenant or unit assisted with operating assistance may not also receive RA.

III. Eligibility Information**A. Housing Eligibility**

Housing that is constructed with FLH loans and grants must meet Rural Development's design and construction standards contained in 7 CFR part 1924, subparts A and C. Once constructed, off-farm FLH must be managed in accordance with the program's management regulation, 7 CFR part 3560. In addition, off-farm FLH must be operated on a non-profit basis and tenancy must be open to all qualified domestic farm laborers, regardless at which farm they work. Section 514(f)(3) of the Housing Act of 1949, as amended (42 U.S.C. 1484(f)(3)) defines domestic farm laborers to include any person regardless of the person's source of employment, who receives a substantial portion of his or her income from the primary production of agricultural or aquacultural commodities in the

unprocessed or processed stage, and also includes the person's family.

B. Tenant Eligibility

Tenant eligibility is limited to persons who meet the definition of a "disabled domestic farm laborer", "a domestic farm laborer", "retired domestic farm laborer," as defined in 7 CFR section 3560.11. Farmworkers who are admitted to this country on a temporary basis under the Temporary Agricultural Workers (H-2A Visa) program are not eligible to occupy section 514/516 off-farm FLH.

C. Applicant Eligibility

(1) To be eligible to receive a section 516 grant for off-farm FLH, the applicant must be a broad-based nonprofit organization, a community organization which can include a faith-based organization, a nonprofit organization of farm workers, a federally recognized Indian tribe, an agency or political subdivision of a State or local government, or a public agency (such as a housing authority). The applicant must be able to contribute at least one-tenth of the TDC non-Rural Development resources which can include leveraged funds.

(2) To be eligible to receive a section 514 loan for off-farm FLH, the applicant must be a broad-based nonprofit organization, a community organization which can include a faith-based organization, a nonprofit organization of farm workers, a federally recognized Indian tribe, an agency or political subdivision of a State or local government, a public agency (such as a housing authority), or a limited partnership which has a nonprofit entity as its general partner, and

(i) be unable to provide the necessary housing from its own resources; and

(ii) except for State or local public agencies and Indian tribes, be unable to obtain similar credit elsewhere at rates that would allow for rents within the payment ability of eligible residents.

(iii) broad-based nonprofit organizations must have a membership that reflects a variety of interests in the area where the housing will be located.

IV. Administrative Requirements**A. Cost Sharing or Matching**

Section 516 grants for off-farm FLH may not exceed the lesser of 90 percent of the TDC as provided in 7 CFR 3560.562(c)(1).

B. Other Requirements

The following requirements apply to loans and grants made in response to this notice:

- (1) 7 CFR part 1901, subpart E, regarding equal opportunity requirements;
- (2) 7 CFR parts 3015, 3016 or 3019 (as applicable), which establishes the uniform administrative requirements for grants and cooperative agreements to State and local governments and to nonprofit organizations;
- (3) 7 CFR part 1901, subpart F, regarding historical and archaeological properties;
- (4) 7 CFR part 1940, subpart G, regarding environmental assessments;
- (5) 7 CFR part 3560, subpart L, regarding the loan and grant authorities of the off-farm FLH program;
- (6) 7 CFR part 1924, subpart A, regarding planning and performing construction and other development;
- (7) 7 CFR part 1924, subpart C, regarding the planning and performing of site development work;
- (8) For construction financed with a Section 516 grant, the provisions of the Davis-Bacon Act (40 U.S.C. 276(a)–276(a)–5) and implementing regulations published at 29 CFR parts 1, 3, and 5; and
- (9) All other requirements contained in 7 CFR part 3560, regarding the section 514/516 off-farm FLH program.

V. Application and Submission Information

The application process will be in two phases: the initial pre-application (or proposal) and the submission of a final application. Only those proposals that are selected for funding will be invited to submit final applications. In the event that a proposal is selected for further processing and the applicant declines, the next highest ranked unfunded pre-application may be selected. All pre-applications for sections 514 and 516 funds must be filed with the appropriate Rural Development State Office and must meet the requirements of this notice. Incomplete pre-applications will not be reviewed and will be returned to the applicant. No pre-application will be accepted after 5 p.m., local to the appropriate Rural Development State Office on July 9, 2010 unless date and time is extended by another Notice published in the **Federal Register**.

If a pre-application is accepted for further processing, the applicant must submit a complete, final application, acceptable to Rural Development prior to the obligation of Rural Development funds. If the pre-application is not accepted for further processing the applicant will be notified of appeal rights under 7 CFR part 11.

A. Pre-Application Requirements

- (1) The pre-application must contain the following:
 - (i) A summary page listing the following items. This information should be double-spaced between items and not be in narrative form.
 - (a) Applicant's name.
 - (b) Applicant's Taxpayer Identification Number.
 - (c) Applicant's address.
 - (d) Applicant's telephone number.
 - (e) Name of applicant's contact person, telephone number, and address.
 - (f) Amount of loan and grant requested.
 - (g) For grants, the applicant's Dun and Bradstreet Data Universal Numbering System (DUNS) number. As required by the Office of Management and Budget (OMB), all grant applicants must provide a DUNS number when applying for Federal grants, on or after October 1, 2003. Organizations can receive a DUNS number at no cost by calling the dedicated toll-free number at 1-866-705-5711 or via Internet at <http://www.dnb.com/us/>. Additional information concerning this requirement can be obtained on the Grants.gov Web Site at <http://www.grants.gov>.
 - (ii) A narrative verifying the applicant's ability to meet the eligibility requirements stated earlier in this notice. If an applicant is selected for further processing Rural Development will require additional documentation as set forth in a Conditional Commitment in order to verify the entity has the legal and financial capability to carry out the obligation of the loan.
 - (iii) Standard Form 424, "Application for Federal Assistance" can be obtained at <http://www.grants.gov> or from any Rural Development State Office listed in Section VII of this Notice.
 - (iv) Current (within 6 months) financial statements with the following paragraph certified by the applicant's designated and legally authorized signer:

I/we certify the above is a true and accurate reflection of our financial condition as of the date stated herein. This statement is given for the purpose of inducing the United States of America to make a loan or to enable the United States of America to make a determination of continued eligibility of the applicant for a loan as requested in the loan application of which this statement is a part.
 - (v) Check for \$40 from applicants made out to United States Department of Agriculture. This will be used to pay for credit reports obtained by Rural Development.
 - (vi) Evidence that the applicant is unable to obtain credit from other sources. Letters from credit institutions which normally provide real estate loans in the area should be obtained and these letters should indicate the rates and terms upon which a loan might be provided. (**Note:** Not required from State or local public agencies or Indian tribes.)
 - (vii) If a FLH grant is desired, a statement concerning the need for a FLH grant. The statement should include preliminary estimates of the rents required with and without a grant.
 - (viii) A statement of the applicant's experience in operating labor housing or other rental housing. If the applicant's experience is limited, additional information should be provided to indicate how the applicant plans to compensate for this limited experience (*i.e.*, obtaining assistance and advice of a management firm, non-profit group, public agency, or other organization which is experienced in rental management and will be available on a continuous basis).
 - (ix) A brief statement explaining the applicant's proposed method of operation and management (*i.e.*, on-site manager, contract for management services, *etc.*). As stated earlier in this notice, the housing must be managed in accordance with the program's management regulation, 7 CFR part 3560 and tenancy is limited to "disabled domestic farm laborers," "domestic farm laborers," "retired domestic farm laborers," as defined in 7 CFR section 3560.11.
 - (x) Applicants must also provide:
 - (a) A copy of, or an accurate citation to, the special provisions of State law under which they are organized, a copy of the applicant's charter, Articles of Incorporation, and By-laws;
 - (b) The names, occupations, and addresses of the applicant's members, directors, and officers; and
 - (c) If a member or subsidiary of another organization, the organization's name, address, and nature of business.
 - (xi) A preliminary market survey or market study to identify the supply and demand for labor housing in the market area. The market area must be clearly identified and may include only the area from which tenants can reasonably be drawn for the proposed project. Documentation must be provided to justify a need within the intended market area for the housing of "domestic farm laborers", as defined in 7 CFR 3560.11. The documentation must take into account disabled and retired farm waters. The preliminary survey should address or include the following items:
 - (a) The annual income level of farmworker families in the area and the probable income of the farm workers

who will likely to occupy the proposed housing;

(b) A realistic estimate of the number of farm workers who remain in the area where they harvest and the number of farm workers who normally migrate into the area. Information on migratory workers should indicate the average number of months the migrants reside in the area and an indication of what type of family groups are represented by the migrants (*i.e.*, single individuals as opposed to families);

(c) General information concerning the type of labor intensive crops grown in the area and prospects for continued demand for farm laborers;

(d) The overall occupancy rate for comparable rental units in the area and the rents charged and customary rental practices for these units (*i.e.*, will they rent to large families, do they require annual leases, *etc.*);

(e) The number, condition, adequacy, rental rates and ownership of units currently used or available to farm workers;

(f) A description of the units proposed, including the number, type, size, rental rates, amenities such as carpets and drapes, related facilities such as a laundry room or community room and other facilities providing supportive services in connection with the housing and the needs of the prospective tenants such as a health clinic or day care facility, estimated development timeline, estimated total development cost, and applicant contribution; and

(g) The applicant must also identify all other sources of funds, including the dollar amount, source, and commitment status. (**Note:** A section 516 grant may not exceed 90 percent of the total development cost of the housing.)

(xii) The following forms are required:

(a) A completed Form RD 1940-20, "Request for Environmental Information," and a description of anticipated environmental issues or concerns. The form can be found at <http://forms.sc.egov.usda.gov/efcommon/eFileServices/eForms/RD1940-20.PDF>.

(b) A prepared HUD Form 935.2A, "Affirmative Fair Housing Marketing Plan (AFHM) Multi-family Housing" in accordance with 7 CFR 1901.203(c). The plan will reflect that occupancy is open to all qualified "domestic farm laborers," regardless of which farming operation they work and that they will not discriminate on the basis of race, color, sex, age, disability, marital or familial status or National origin in regard to the occupancy or use of the units. The form can be found at

<http://www.hud.gov/offices/adm/hudclips/forms/files/935-2a.pdf>

(c) A proposed operating budget utilizing Form RD 3560-7, "Multiple Family Housing Project Budget/Utility Allowance," can be found at <http://forms.sc.egov.usda.gov/efcommon/eFileServices/eForms/RD3560-7.PDF>.

(d) An estimate of development cost utilizing Form RD 1924-13, "Estimate and Certificate of Actual Cost," can be found at <http://forms.sc.egov.usda.gov/efcommon/eFileServices/eForms/RD1924-13.PDF>.

(e) Form RD 3560-30, "Certification of no Identity of Interest (IOI)," can be found at <http://forms.sc.egov.usda.gov/efcommon/eFileServices/eForms/RD3560-30.PDF> and Form RD 3560-31, "Identity of Interest Disclosure/Qualification Certification," can be found at <http://forms.sc.egov.usda.gov/efcommon/eFileServices/eForms/RD3560-31.PDF>.

(f) Form HUD 2530, "Previous Participation Certification," can be found at <http://www.hud.gov/offices/adm/hudclips/forms/files/2530.pdf>.

(g) If requesting RA or Operating Assistance, Form RD 3560-25, "Initial Request for Rental Assistance or Operating Assistance," can be found at <http://forms.sc.egov.usda.gov/efcommon/eFileServices/eForms/RD3560-25.PDF>.

(h) Form RD 400-4, "Assurance Agreement," can be found at: <http://forms.sc.egov.usda.gov/efcommon/eFileServices/eForms/RD400-4.PDF>. Applications for revitalization, repair and rehab are to apply through the Multi-Family Housing Revitalization Demonstration Program.

(i) Evidence of compliance with Executive Order 12372. The applicant must send a copy of Form SF-424 to the applicant's state clearinghouse for intergovernmental review. If the applicant is located in a state that does not have a clearing house, the applicant is not required to submit the form.

(xiii) Evidence of site control, such as an option contract or sales contract. In addition, a map and description of the proposed site, including the availability of water, sewer, and utilities and the proximity to community facilities and services such as shopping, schools, transportation, doctors, dentists, and hospitals.

(xiv) Preliminary plans and specifications, including plot plans, building layouts, and type of construction and materials. The housing must meet Rural Development's design and construction standards contained in 7 CFR part 1924, subparts A and C and must also meet all applicable Federal, State, and local accessibility standards.

(xv) A supportive services plan, which describes services that will be provided on-site or made available to tenants through cooperative agreements with service providers in the community, such as a health clinic or day care facility. Off-site services must be accessible and affordable to farm workers and their families. Letters of intent from service providers are acceptable documentation at the pre-application stage.

(xvi) A sources and uses statement which shows all sources of funding included in the proposed project. The terms and schedules of all sources included in the project should be included in the sources and uses statement.

(xvii) A separate one-page information sheet listing each of the "Pre-Application Scoring Criteria" contained in this notice, followed by a reference to the page numbers of all relevant material and documentation that is contained in the proposal that supports the criteria.

(xviii) Applicants are encouraged, but not required, to include a checklist of all of the pre-application requirements and to have their pre-application indexed and tabbed to facilitate the review process;

(xix) Evidence of compliance with the requirements of the applicable State Housing Preservation Office (SHPO). A letter from the SHPO where the off-farm labor housing project is located, signed by their designee will serve as evidence of compliance.

V. Pre-Application Review Information

All applications for sections 514 and 516 funds must be filed with the appropriate Rural Development State Office and must meet the requirements of this notice. The Rural Development State Office will base its determination of completeness of the application and the eligibility of each applicant on the information provided in the pre-application.

A. Selection Criteria. Section 514 loan funds and section 516 grant funds will be distributed to States based on a national competition, as follows:

(1) Rural Development States will accept, review, and score pre-applications in accordance with this notice. The scoring factors are:

(i) The presence of construction cost savings, including donated land and construction leverage assistance, for the units that will serve program-eligible tenants. The savings will be calculated as a percentage of the Rural Development TDC. The percentage calculation excludes any costs prohibited by Rural Development as

loan expenses, such as a developer's fee. Construction cost savings includes, but is not limited to, funds for hard construction costs, and State or Federal funds which are applicable to construction costs. A minimum of ten percent cost savings is required to earn points; however, if the total percentage of cost savings is less than ten percent and the proposal includes donated land, two points will be awarded for the donated land. To count as cost savings for purposes of the selection criteria, a written commitment from the funding source must be submitted with the pre-application. Points will be awarded in accordance with the following table using rounding to the nearest whole number.

Percentage	Points
75 or more	20
70–74	19
65–69	18
60–64	17
50–54	15
45–49	14
40–44	13
35–39	12
30–34	11
25–29	10
20–24	9
10–14	7
5–9	6
0–4	0

Donated land in proposals with less than ten percent total cost savings: 2 points.

(ii) The presence of operational cost savings, such as tax abatements, non-Rural Development tenant subsidies or donated services are calculated on a per-unit cost savings for the sum of the savings. Savings must be available for at least 5 years and documentation must be provided with the application demonstrating the availability of savings for 5 years. To calculate the savings, take the total amount of savings and divide it by the number of units in the project that will benefit from the savings to obtain the per unit cost savings. For non-Rural Development tenant subsidy, if the value changes during the five year calculation, the applicant must use the lower of the non-rural development tenant subsidy to calculate per unit cost savings. For example, a 10 unit property with 100 percent designated farm labor housing units receiving \$20,000 per year non-rural development subsidy yields a cost savings of \$100,000 (\$20,000*5 years); resulting to a \$10,000 per-unit cost savings (\$100,000/10 units).

To determine cost savings in a mixed income complex that will serve other income levels than farm labor housing income-eligible tenants, use only the

number of units that will serve farm labor housing income-eligible tenants. Round percentages to the nearest whole number, rounding up at 0.50 and above and down at 0.49 and below.

Use the following table to apply points.

Per-Unit Cost Savings	Points
\$15,000 and above	20
\$10,001–\$15,000	18
\$7,501–\$10,000	16
\$5,001–\$7,500	12
\$3,501–\$5,000	10
\$2,001–\$3,500	8
\$1,000–\$2,000	5

(iii) Percent of units for seasonal, temporary, migrant housing. (five points for up to and including 50 percent of the units; 10 points for 51 percent or more units used for seasonal, temporary, or migrant housing.)

(iv) Presence of tenant services.

(a) Up to 10 points will be awarded based on the presence of and extent to which a tenant services plan exists that clearly outlines services that will be provided to the residents of the proposed project. These services may include, but are not limited to, transportation related services, on-site English as a Second Language (ESL) classes, move-in funds, emergency assistance funds, homeownership counseling, food pantries, after school tutoring, and computer learning centers.

(b) Two points will be awarded for each resident service included in the tenant services plan up to a maximum of 10 points. Plans must detail how the services are to be administered, who will administer them, and where they will be administered. All tenant service plans must include letters of intent that clearly state the service that will be provided at the project for the benefit of the residents from any party administering each service, including the applicant.

(v) *Net Zero Energy Consumption.* In an effort to implement USDA's nationwide initiative to promote sustainable building development, energy-efficiency and conservation, USDA Rural Development has adopted a goal that all new multi-family housing projects financed in whole or in part by the USDA, will achieve net zero energy consumption—it will consume no more energy than it produces. Program participation points will be awarded as follows:

(a) Participation in a System Third-Party Measured and Verified Sustainable Development and Energy-Efficiency program. The points will be allocated as follows: (maximum 20 points).

(1) Participate in the Department of Energy's Energy Star for Homes program: http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_multifamily_units (1 point);

(2) Participate in the Department of Energy's Builder's Challenge program: <http://www1.eere.energy.gov/buildings/challenge/about.html>. (3 points);

(3) Participation in the following programs will be awarded 3 points for each program with a maximum of 9 points:

- Green Communities program by the Enterprise Community Partners (<http://www.enterprisecommunity.org>);
- LEED for Homes program by the United States Green Building Council (USGBC) (<http://www.usgbc.org>); and
- The National Association of Home Builders (NAHB) ICC 700–2008 National Green Building Standard™ (<http://www.nahb.org>).

(4) Participation in higher certification levels. LEED for Homes and ICC 700–2008 National Green Building Standard™ each have four levels of increasingly challenging certification. For specific information on the different levels for these programs please refer to their websites listed above. Projects will receive an additional (1) point for each higher certification level commitment beyond the baseline of the program. (6 Points maximum)

(5) Participate in local green/energy efficient building standards. Applicants who participate in a city, county or municipality program, will receive an additional (1) point. Points will be awarded only if the applicant is cross-enrolled with a national program described under section VI.A.(1).

The applicant should be aware that most of the following requirements are embedded in the third party programs rating and verification systems; the applicant should look at the requirements for each program for specific details:

- Team of qualified professionals in design and construction of sustainable buildings;
- Initial design meeting, ongoing third party verification and post-construction operations & maintenance education;
- Tight building envelope with indoor air quality assurance;
- Program for education of tenants and property managers in operations and maintenance.

(vi) *Energy Generation.* To reach USDA's goal of net zero energy consumption, it is essential to generate renewable energy on site which will compliment a weather tight, well-insulated building envelope with highly efficient mechanical systems. Possible

renewable energy generation technologies include: Wind turbines and micro-turbines, micro-hydro power, photovoltaics, solar hot water systems, and biomass/biofuel systems that do not use fossil fuels in production. Geo-exchange systems are highly encouraged as they lessen the total demand for energy and, if supplemented with other renewable energy sources, can achieve zero energy consumption more easily. Energy analysis of preliminary building plans using industry recognized simulation software should document the projected energy consumption of the building, the portion of building consumption which will be satisfied through on-site generation, and the building's HERS (Home Energy Rating System) score. In order to receive points under this section the energy analysis will need to be submitted with the application. Points under this section will be awarded as follows:

(a) New multi-family housing projects, whose preliminary building plans project it will consume no more energy than it produces. (10 Points)

(b) Projects whose preliminary building plans project they will have less than a one hundred percent energy generation commitment (where generation is considered to be the total amount of energy needed to be generated on-site to make the building a net-zero consumer of energy), will be awarded points corresponding to their percent of commitment (ex. 80% commitment to energy generation = 8 points or 80 percent of 10 points).

(2) The National Office will rank all pre-applications nationwide and distribute funds to States in rank order, within funding and RA limits. A lottery in accordance with 7 CFR 3560.56(c)(2) will be used for applications with tied point scores when they all cannot be funded. If insufficient funds or RA remain for the next ranked proposal, that applicant will be given a chance to modify their pre-application to bring it within remaining funding levels. This will be repeated for each next ranked eligible proposal until an award can be made or the list is exhausted. Rural Development will notify all applicants whether their applications have been accepted or rejected.

VI. Award Administration Information

1. Award Notices

Loan applicants must submit their initial applications by the due date specified in this Notice. State Offices will review applications and provide a list to the National Office. Once the applications have been scored and ranked by the National Office the

National Office will advise States Offices of the proposals selected for further processing, State Offices will respond to applicants by letter.

If the application is not accepted for further processing, the applicant will be notified of appeal rights under 7 CFR part 11.

2. Administrative and National Policy

All Farm Labor Housing loans and grants are subject to the restrictive-use provisions contained in 7 CFR section 3560.72(a)(2).

3. Reporting

Borrowers must maintain separate financial records for the operation and maintenance of the project and for tenant services. Tenant services will not be funded by Rural Development. Funds allocated to the operation and maintenance of the project may not be used to supplement the cost of tenant services, nor may tenant service funds be used to supplement the project operation and maintenance. Detailed financial reports regarding tenant services will not be required unless specifically requested by Rural Development, and then only to the extent necessary for Rural Development and the borrower to discuss the affordability (and competitiveness) of the service provided to the tenant. The project audit, or verification of accounts on Form RD 3560-10, "Borrower Balance Sheet", together with an accompanying Form RD 3560-7 "Multiple Family Housing Project Budget Utility Allowance" showing actuals, must allocate revenue and expense between project operations and the service component.

VII. Agency Contacts

Note: Telephone numbers listed are not toll-free.

Alabama State Office, Suite 601, Sterling Centre, 4121 Carmichael Road, Montgomery, AL 36106-3683, (334) 279-3618 TDD (334) 279-3495, Van McCloud.

Alaska State Office, 800 West Evergreen, Suite 201, Palmer, AK 99645, (907) 761-7740, TDD (907) 761-8905, Deborah Davis. Arizona State Office, Phoenix Courthouse and Federal Building, 230 North First Ave., Suite 206, Phoenix, AZ 85003-1706, (602) 280-8768, TDD (602) 280-8706, Carol Torres.

Arkansas State Office, 700 W. Capitol Ave., Room 3416, Little Rock, AR 72201-3225, (501) 301-3250, TDD (501) 301-3063, Greg Kemper.

California State Office, 430 G Street, #4169, Davis, CA 95616-4169, (530) 792-5821, TDD (530) 792-5848, Debra Moreton.

Colorado State Office, 655 Parfet Street, Room E100, Lakewood, CO 80215, (720) 544-2923, TDD (800) 659-2656, Mary Summerfield.

Connecticut, Served by Massachusetts State Office.

Delaware and Maryland State Office, 1221 College Park Drive, Suite 200, Dover, DE 19904, (302) 857-3615, TDD (302) 857-3585, Pat Baker.

Florida & Virgin Islands State Office, 4440 NW. 25th Place, Gainesville, FL 32606-6563, (352) 338-3465, TDD (352) 338-3499, Tresca Clemmons.

Georgia State Office, Stephens Federal Building, 355 E. Hancock Avenue, Athens, GA 30601-2768, (706) 546-2164, TDD (706) 546-2034, Wayne Rogers.

Hawaii State Office, (Services all Hawaii, American Samoa Guam, and Western Pacific), Room 311, Federal Building, 154 Waiuanuenue Avenue, Hilo, HI 96720, (808) 933-8305, TDD (808) 933-8321, Donald Estes.

Idaho State Office, Suite A1, 9173 West Barnes Dr., Boise, ID 83709, (208) 378-5630, TDD (208) 378-5644, Roni Atkins.

Illinois State Office, 2118 West Park Court, Suite A, Champaign, IL 61821-2986, (217) 403-6222, TDD (217) 403-6240, Barry L. Ramsey.

Indiana State Office, 5975 Lakeside Boulevard, Indianapolis, IN 46278, (317) 290-3100 (ext. 423), TDD (317) 290-3343, Paul Neumann.

Iowa State Office, 210 Walnut Street Room 873, Des Moines, IA 50309, (515) 284-4493, TDD (515) 284-4858, Heather Honkomp.

Kansas State Office, 1303 SW. First American Place, Suite 100, Topeka, KS 66604-4040, (785) 271-2721, TDD (785) 271-2767, Mike Resnik.

Kentucky State Office, 771 Corporate Drive, Suite 200, Lexington, KY 40503, (859) 224-7325, TDD (859) 224-7422, Paul Higgins.

Louisiana State Office, 3727 Government Street, Alexandria, LA 71302, (318) 473-7962, TDD (318) 473-7655, Yvonne R. Emerson.

Maine State Office, 967 Illinois Ave., Suite 4, PO Box 405, Bangor, ME 04402-0405, (207) 990-9110, TDD (207) 942-7331, Bob Nadeau.

Maryland, Served by Delaware State Office. Massachusetts, Connecticut, & Rhode Island State Office, 451 West Street Amherst, MA 01002, (413) 253-4333, TDD (413) 253-4590, Arlene Nunes.

Michigan State Office, 3001 Coolidge Road, Suite 200, East Lansing, MI 48823, (517) 324-5192, TDD (517) 337-6795, Julie Putnam.

Minnesota State Office, 375 Jackson Street Building, Suite 410, St. Paul, MN 55101-1853, (651) 602-7812, TDD (651) 602-7830, Nancy Schmidt.

Mississippi State Office, Federal Building, Suite 831, 100 W. Capitol Street, Jackson, MS 39269, (601) 965-4325, TDD (601) 965-5850, Darnella Smith-Murray.

Missouri State Office, 601 Business Loop 70 West, Parkade Center, Suite 235, Columbia, MO 65203, (573) 876-0987, TDD (573) 876-9480, Rachelle Long.

Montana State Office, 900 Technology Blvd. Suite B, Bozeman, MT 59718, (406) 585-2515, TDD (406) 585-2562, Deborah Chorlton.

Nebraska State Office, Federal Building, Room 152, 100 Centennial Mall N, Lincoln,

NE 68508, (402) 437-5734, TDD (402) 437-5093, Linda Anders.
 Nevada State Office, 1390 South Curry Street, Carson City, NV 89703-5146, (775) 887-1222 (ext. 25), TDD (775) 885-0633, William Brewer.
 New Hampshire State Office, Concord Center, Suite 218, Box 317, 10 Ferry Street, Concord, NH 03301-5004, (603) 223-6050, TDD (603) 229-0536, Robert McCarthy.
 New Jersey State Office, 5th Floor North Suite 500, 8000 Midlantic Dr., Mt. Laurel, NJ 08054, (856) 787-7740, TDD (856) 787-7784, George Hyatt, Jr.
 New Mexico State Office, 6200 Jefferson St., NE., Room 255, Albuquerque, NM 87109, (505) 761-4944, TDD (505) 761-4938, Susan Gauna.
 New York State Office, The Galleries of Syracuse, 441 S. Salina Street, Suite 357 5th Floor, Syracuse, NY 13202, (315) 477-6421, TDD (315) 477-6421, Michael Bosak.
 North Carolina State Office, 4405 Bland Road, Suite 260, Raleigh, NC 27609, (919) 873-2066, TDD (919) 873-2003, Beverly Casey.
 North Dakota State Office, Federal Building, Room 208, 220 East Rosser, PO Box 1737 Bismarck, ND 58502, (701) 530-2049, TDD (701) 530-2113, Kathy Lake.
 Ohio State Office, Federal Building, Room 507, 200 North High Street, Columbus, OH 43215-2477, (614) 255-2409, TDD (614) 255-2554, Cathy Simmons.
 Oklahoma State Office, 100 USDA, Suite 108, Stillwater, OK 74074-2654, (405) 742-1070, TDD (405) 742-1007, Ivan S. Graves.
 Oregon State Office, 1201 NE Lloyd Blvd., Suite 801, Portland, OR 97232, (503) 414-3325, TDD (503) 414-3387, Sherryl Gleason.
 Pennsylvania State Office, One Credit Union Place, Suite 330, Harrisburg, PA 17110-2996, (717) 237-2281, TDD (717) 237-2261, Martha Eberhart.
 Puerto Rico State Office, 654 Munoz Rivera Avenue, IBM Plaza, Suite 601, Hato Rey, PR 00918, (787) 766-5095 (ext. 249), TDD (787) 766-5332, Lourdes Colon.
 Rhode Island, Served by Massachusetts State Office.
 South Carolina State Office, Strom Thurmond Federal Building, 1835 Assembly Street, Room 1007, Columbia, SC 29201, (803) 253-3432, TDD (803) 765-5697, Larry D. Floyd.
 South Dakota State Office, Federal Building, Room 210, 200 Fourth Street, SW., Huron, SD 57350, (605) 352-1132, TDD (605) 352-1147, Roger Hazuka or Pam Reilly.
 Tennessee State Office, Suite 300, 3322 West End Avenue, Nashville, TN 37203-1084, (615) 783-1375, TDD (615) 783-1397, Don Harris.
 Texas State Office, Federal Building, Suite 102, 101 South Main, Temple, TX 76501, (254) 742-9765, TDD (254) 742-9712, Scooter Brockette.
 Utah State Office, Wallace F. Bennett Federal Building, 125 S. State Street, Room 4311, Salt Lake City, UT 84147-0350, (801) 524-4325, TDD (801) 524-3309, Janice Kocher.
 Vermont State Office, City Center, 3rd Floor, 89 Main Street, Montpelier, VT 05602, (802) 828-6021, TDD (802) 223-6365, Heidi Setien.

Virgin Islands, Served by Florida State Office.
 Virginia State Office, Culpeper Building, Suite 238, 1606 Santa Rosa Road, Richmond, VA 23229, (804) 287-1596, TDD (804) 287-1753, CJ Michels.
 Washington State Office, 1835 Black Lake Blvd., Suite B, Olympia, WA 98512, (360) 704-7730, TDD (360) 704-7760, Susan McKittrick.
 Western Pacific Territories, Served by Hawaii State Office.
 West Virginia State Office, Federal Building, 75 High Street, Room 320, Morgantown, WV 26505-7500, (304) 284-4872, TDD (304) 284-4836, David Cain.
 Wisconsin State Office, 4949 Kirschling Court, Stevens Point, WI 54481, (715) 345-7676, TDD (715) 345-7614, Cheryl Halverson.
 Wyoming State Office, P.O. Box 11005, Casper, WY 82602, (307) 233-6715, TDD (307) 233-6733, Alan Brooks.

VIII. Non-Discrimination Statement

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

May 4, 2010.

Tammye Treviño,

Administrator, Rural Housing Service.

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

Docket 31-2010

Foreign-Trade Zone 26 Atlanta, Georgia, Application for Subzone, Yates Bleachery Company (Textile Fabric Finishing), Flintstone, Georgia

An application has been submitted to the Foreign-Trade Zones Board (the Board) by Georgia Foreign-Trade Zone, Inc., grantee of FTZ 26, requesting special-purpose subzone status for the textile fabric finishing facility of Yates Bleachery Company (YBC) located in Flintstone, Georgia. The application was

submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on May 3, 2010.

The proposed subzone would be comprised of YBC's plant (160 employees/254 acres) located at 503 Flintstone Road in Flintstone, Georgia. The facility is used to finish up to 200 million square yards of foreign-origin, greige fabric annually on a contract basis for the Louisville Bedding Company, which has concurrently submitted an application to the Board for subzone status for its Louisville, Kentucky facility. The application indicates that YBC would clean, bleach, wash, stretch, dry, and sanforize wide-roll (80 inches and wider), high thread count (180 threads per inch and higher) fabrics under FTZ procedures based on a tolling arrangement with Louisville Bedding Company. The finished fabric would be transferred via zone-to-zone transfer to the proposed subzone to be located at the Louisville Bedding Company facility. YBC would not process any other customer-owned fabric under FTZ procedures.

Subzone status would allow for deferral of duties on the customer-owned, foreign fabric while inventoried in the proposed subzone. Subzone status would further allow YBC to realize certain CBP-related logistical benefits. Customs duties could possibly be deferred or reduced on foreign status production equipment. The application indicates that the savings from FTZ procedures would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Pierre Duy of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the following address: Office of the Executive Secretary, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230-0002. The closing period for receipt of comments is July 9, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to July 26, 2010.

A copy of the application will be available for public inspection at the