

**DEPARTMENT OF AGRICULTURE****Commodity Credit Corporation****Interim Guidelines and Funds Availability for Projects Involving the Local and Regional Procurement of Food Aid**

**AGENCY:** Foreign Agricultural Service and Commodity Credit Corporation, USDA.

**ACTION:** Notice of Availability and request for comments.

**SUMMARY:** This notice announces that the Foreign Agricultural Service (FAS), on behalf of the Commodity Credit Corporation (CCC), is issuing a set of guidelines for the administration and implementation of Local and Regional Food Aid Procurement Pilot Project (PPP) authorized under the Food, Conservation, and Energy Act of 2008. FAS will provide CCC funds in the form of grants to qualified organizations during FY 2009 through FY 2011 for the implementation of field-based projects under the PPP to meet the food needs of targeted vulnerable groups. The "Interim Guidelines for the Local and Regional Food Aid Procurement Project" can be found at <http://www.fas.usda.gov/food-aid.asp>. The Interim Guidelines are intended to guide the application and implementation of field projects in developing countries that involve the local and regional procurement of food aid. Field projects will be funded primarily to expedite the provision of food aid to vulnerable populations affected by food crises and disasters. A secondary purpose will be to provide development assistance that will enhance the food consumption security of such populations. The Interim Guidelines inform prospective participants about the qualification criteria and application process, as well as procedures and requirements for project implementation, monitoring and reporting. This notice formally requests public review of and comments on the Interim Guidelines.

**DATES:** The Interim Guidelines will be effective immediately upon publication of this notice in the **Federal Register**. Eligible organizations may submit applications for qualification and funding for field-based projects following the date of publication. Members of the public must submit comments on the Interim Guidelines on or before October 21, 2009. FAS will consider comments received by this date and then issue final guidelines for the Local and Regional Procurement Pilot Project.

**ADDRESSES:** Comments may be submitted by any of the following methods:

- *E-Mail to:* [LRP@fas.usda.gov](mailto:LRP@fas.usda.gov) or [Jamie.Fisher@fas.usda.gov](mailto:Jamie.Fisher@fas.usda.gov);
- *Fax:* (202) 690-0251;
- *U.S. Postal Delivery:* Jamie Fisher, Food Assistance Division, Foreign Agricultural Service, U.S. Department of Agriculture, Stop 1034, 1400 Independence Avenue, SW., Washington, DC 20250-1034; and
- *Hand Delivery or Courier:* Jamie Fisher, Food Assistance Division, Foreign Agricultural Service, U.S. Department of Agriculture, 1250 Maryland Avenue, SW., Suite 400, Washington, DC 20024.

For comments on the Interim Guidelines, please include the volume, date, and page number of this **Federal Register** notice. Comments may be inspected in the Office of the Director, Food Assistance Division, Foreign Agricultural Service, U.S. Department of Agriculture, 1250 Maryland Avenue, SW., Washington, DC 20250 between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

**FOR FURTHER INFORMATION CONTACT:** Jamie Fisher, Program Analyst, Food Assistance Division, Foreign Agricultural Service, U.S. Department of Agriculture, Stop 1034, 1400 Independence Avenue, SW., Washington, DC 20250-1034; phone (202) 720-5620; by fax: (202) 690-0251; or by e-mail: [Jamie.Fisher@fas.usda.gov](mailto:Jamie.Fisher@fas.usda.gov).

FAS intends to hold information and feedback sessions pertaining to the Interim Guidelines shortly after their issuance. Interested organizations should immediately consult <http://www.fas.usda.gov/food-aid.asp> after the issuance of the Interim Guidelines for specific information about the date, time, and location of these information sessions. Other announcements regarding the PPP will be posted at this address over the life of the Project.

The USDA prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, marital, or familial status. Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-5881 (voice) or (202) 720-7808 (TDD).

**SUPPLEMENTARY INFORMATION:**

The Interim Guidelines for the PPP are intended to accomplish the following objectives:

1. Set forth the criteria for eligible organizations to apply to become qualified to submit applications for funding of a field-based project.

2. Inform qualified organizations about the requirements for the submission of applications for funding field-based emergency response projects, development assistance projects, or both.

3. Set forth the implementation guidelines and performance and reporting requirements.

4. Establish minimum quality standards for eligible commodities.

5. Allow for sufficient flexibility for participants to expedite the provision of food assistance to populations affected by food crises and disasters and to facilitate the recovery of market systems that directly affect food consumption.

6. Provide guidance to ensure that local and regional purchases:

- Expedite the provision of food to vulnerable populations;
- Do not increase the price of food for low-income consumers;
- Do not disrupt global agricultural commodity markets;
- Do not disrupt normal patterns of commercial trade; and
- Do not serve as a disincentive that substantially undermines the agricultural production levels of farmers in the recipient country or in a neighboring country in the region.

7. Identify the types of data and information that implementing organizations must collect for the independent evaluation of the PPP.

Dated: August 24, 2009.

**Michael V. Michener,**

*Administrator, Foreign Agricultural Service, and Vice President, Commodity Credit Corporation.*

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**BILLING CODE 3410-10-P**

**DEPARTMENT OF AGRICULTURE****Forest Service****Notice of Resource Advisory Committee Meeting**

**AGENCY:** Lassen Resource Advisory Committee, Susanville, CA, USDA Forest Service.

**ACTION:** Notice of meetings.

**SUMMARY:** Pursuant to the authorities in the Federal Advisory Committees Act (Pub. L. 92-463) and under the Secure Rural Schools and Community Self-Determination Act of 2000 (Pub. L. 110-343) the Lassen County Resource Advisory Committee will meet October 8, 2009 in Susanville, California for a business meeting. The meeting is open to the public.

**SUPPLEMENTARY INFORMATION:** The business meeting on October 8, 2009

will begin at 9 a.m., at the Lassen National Forest Headquarters Office, Caribou Conference Room, 2550 Riverside Drive, Susanville, CA 96130. This meeting will be dedicated to review the process for 2009 funding cycle, discuss project review with monthly monitoring reports and the future monitoring process, and report out on summer field trips to projects.

**FOR FURTHER INFORMATION CONTACT:** Contact Tern Frolli, Designated Federal Official, at (530) 257-4188; or Public Affairs Officer, Heidi Perry, at (530) 252-6604.

**Lorene T. Guffey,**

*Acting Forest Supervisor.*

[FR Doc. E9-22574 Filed 9-18-09; 8:45 am]

**BILLING CODE M**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Determination under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR Agreement)

September 16, 2009.

**AGENCY:** The Committee for the Implementation of Textile Agreements.

**ACTION:** Determination to add a product in unrestricted quantities to Annex 3.25 of the CAFTA-DR Agreement.

**DATES:** *Effective Date:* **September 21, 2009.**

**SUMMARY:** The Committee for the Implementation of Textile Agreements ("CITA") has determined that certain cotton/polyester three thread circular knit fleece fabric, as specified below, is not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

**FOR FURTHER INFORMATION CONTACT:** Maria Dybczak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3651.

**FOR FURTHER INFORMATION ON-LINE:** <http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf>, under "Approved Requests," reference number: 128.2009.08.07.Fabric.ST&Rfor Intradeco

### SUPPLEMENTARY INFORMATION:

**Authority:** The CAFTA-DR Agreement; Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act ("CAFTA-

DR Implementation Act"), Public Law 109-53; the Statement of Administrative Action (SAA), accompanying the CAFTA-DR Implementation Act; and Presidential Proclamations 7987 (February 28, 2006) and 7996 (March 31, 2006); Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement, 73 FR 53200 (September 15, 2008).

### BACKGROUND:

The CAFTA-DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA-DR Agreement have determined are not available in commercial quantities in a timely manner in the territory of any Party. The CAFTA-DR Agreement provides that this list may be modified pursuant to Article 3.25(4)-(5), when the President of the United States determines that a fabric, yarn, or fiber is not available in commercial quantities in a timely manner in the territory of any Party. See Annex 3.25 of the CAFTA-DR Agreement; see also Section 203(o)(4)(C) of the CAFTA-DR Implementation Act.

The CAFTA-DR Implementation Act requires the President to establish procedures governing the submission of a request and providing opportunity for interested entities to submit comments and supporting evidence before a commercial availability determination is made. In Presidential Proclamations 7987 and 7996, the President delegated to CITA the authority under section 203(o)(4) of CAFTA-DR Implementation Act for modifying the Annex 3.25 list. On September 15, 2008, CITA published modified procedures it would follow in considering requests to modify the Annex 3.25 list of products determined to be not commercially available in the territory of any Party to CAFTA-DR (Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement, 73 FR 53200) ("procedures").

On August 7, 2009, the Chairman of CITA received a request for a commercial availability determination ("Request") from Sandler, Travis & Rosenberg, P.A. on behalf of Intradeco Apparel, Inc. ("Intradeco"), for certain cotton/polyester three thread circular knit fleece fabrics. On August 11, 2009, in accordance with CITA's procedures, CITA notified interested parties of the Request, which was posted on the dedicated *website* for CAFTA-DR Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply

("Response") must be submitted by August 21, 2009, and any Rebuttal Comments to a Response ("Rebuttal") must be submitted by August 27, 2009. On August 24, 2009, CITA announced that, in accordance with Section 6(a) and 7(a) of its procedures, it found sufficient good cause to extend the deadlines for Responses to August 24, 2009, and deadlines for Rebuttals to August 28, 2009. On August 24, 2009, Hylos y Telas s.a. ("HyT") submitted a Response to the Request. On August 28, 2009, Intradeco submitted a Rebuttal to the Response.

In its Request, Intradeco stated that it had conducted due diligence to source the fabric from CAFTA-DR suppliers, including HyT. Intradeco reported that it had engaged in a dialogue with HyT over the course of several weeks, during which time it requested information about HyT's capacity and asked that HyT confirm its interest in supplying the subject fabric. The requestor asserted that HyT did not provide detailed information about its production capability and capacity to produce the subject fabric. As a result, Intradeco claimed that HyT did not demonstrate that it is able supply the fabric in question in commercial quantities in a timely manner.

In the Response submitted by HyT, the supplier stated that it had been in contact with Intradeco in the course of its due diligence efforts, and had offered to supply the subject fabric. In the Confidential version of its Response, HyT provided information regarding its production capabilities, including quantities of past production of other fabrics, and an inventory of its manufacturing equipment. HyT also stated that it had developed a new fabric in response to Intradeco's inquiries, and had sent a sample to Intradeco on August 8, 2009. With its sample, HyT also sent a lab report reflecting the specifications of the fabric, known as a "specification sheet." HyT asserted that it had provided Intradeco with the same specification sheet it included as an attachment in the Confidential version of its Response. In its Response, HyT stated that, while there were some variations in the specifications of the fabric it had developed and the required specifications of the subject fabric, "such differences (were) not an obstacle to fulfill the requirements of the final product."

Section 203(o)(4)(C) of the CAFTA-DR Implementation Act provides that after receiving a Request, CITA will make a determination as to whether the subject product is available in commercial quantities in a timely manner in the CAFTA-DR countries. In