

**DEPARTMENT OF AGRICULTURE****Rural Housing Service****Request for Proposals: The National Emergency or Disaster Grants To Assist Low-Income Migrant and Seasonal Farmworkers**

*Announcement Type:* Initial Notice of Funds Available (NOFA) inviting proposals from qualified applicants.

Catalog of Federal Domestic Assistance Number (CFDA): 10.405

**SUMMARY:** The Rural Housing Service (RHS) announces the availability of funds and the timeframe to submit applications for grants to provide emergency services to areas where the Secretary of Agriculture determines that a local, state, or national emergency or disaster has caused low-income migrant or seasonal farmworkers to lose income, be unable to work, or to stay at home or return home in anticipation of work shortages. For purposes of this NOFA, emergency services include any service that can be provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Pub. L. 93–288), as amended (Stafford Act), that also meets the requirements of 42 U.S.C. 5177a. For instance the Stafford Act and 41 U.S.C. 5177a would permit the following services:

- Activities to support state and local emergency assistance;
- Coordination of disaster relief provided by federal and non-federal organizations;
- Technical and advisory assistance to state and local governments;
- Emergency assistance through federal agencies;
- Debris removal through grants to state and local governments;
- Grants to individuals and households for temporary housing and uninsured personal needs; and
- Distribution of medicine, food and consumables.

Additionally, for this NOFA, the types of services could include, but are not limited to, assistance in meeting rent or mortgage payments, utility bills, child care, transportation, school supplies, food, repair or rehabilitation of farmworker housing, facilities related to farmworker housing such as an infirmary for emergency care of a child care facility, and the rehabilitation of existing farmworker housing units.

Please go to <http://www.rurdev.usda.gov/rd/disasters> to determine if your area has been identified by the Secretary of Agriculture as a national emergency or disaster area or contact your local Rural Development office.

**DATES:** The deadline for receipt of all applications in response to this NOFA is 5 p.m., Eastern Time, on April 4, 2008. The application closing deadline is firm as to date and hour. The Agency will not consider any application that is received after the closing deadline. 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.

**ADDRESSES:** Applications should be submitted to USDA Rural Housing Service; Attention: Henry Searcy, Jr., Senior Loan Specialist, Multi-Family Housing Processing Division STOP 0781 (Room 1263–S), or Bonnie Edwards-Jackson, Senior Loan Specialist, Multi-Family Housing Processing Division, STOP 0781 (Room 1239–S), U.S. Department of Agriculture, Rural Housing Service, 1400 Independence Ave., SW., Washington, DC 20250–0781.

**FOR FURTHER INFORMATION CONTACT:** Henry Searcy by telephone at (202) 720–1753 or Bonnie Edwards-Jackson at (202) 690–0759 or via e-mail at [Henry.Searcy@wdc.usda.gov](mailto:Henry.Searcy@wdc.usda.gov) or [Bonnie.Edwards@wdc.usda.gov](mailto:Bonnie.Edwards@wdc.usda.gov). (Please note the phone numbers are not toll-free numbers.)

**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 0575–0045.

**Overview**

Public Law 110–28 appropriated \$16,000,000 to provide emergency grants to assist low-income migrant and seasonal farmworkers to carryout section 2281 of the Food, Agriculture, Conservation and Trade Act of 1990 (42 U.S.C. 5177a). Section 2281 of the above act allows the Secretary of Agriculture to provide emergency grants to assist low-income migrant and seasonal farmworkers.

**Program Administration****I. Funding Opportunities Description**

This NOFA requests applications for the purpose of providing emergency services to low-income migrant and seasonal farmworkers. Eligibility for grants for emergency services is limited to public agencies or private organizations with tax exempt status under section 501(c)(3) of Title 26 United States Code that have experience in providing emergency services to low-

income migrant and seasonal farmworkers. These funds are to be administered in areas where the Secretary of Agriculture determines that a local, state, or national emergency or disaster has occurred.

This NOFA will fund service providers to administer all services permitted under the Stafford Act and 42 U.S.C. 5177a. These services could include, but are not limited to, providing assistance in meeting rent or mortgage payments, paying utility bills, child care, transportation, school supplies or food; repair or rehabilitation of farmworker housing or facilities related to farmworker housing such as an infirmary for emergency care or a child care facility.

The term “low-income migrant or seasonal farmworker” means an individual (1) who has, during any consecutive 12 month period within the preceding 24 month period, performed farm work for wages, (2) who has received not less than one-half of such individual’s total income, or been employed at least one-half of total work time in farm work, (3) whose annual family income within the 12 month period referred to in paragraph (1) does not exceed the higher of the poverty level or 70 percent of the lower living standard income level, (4) is a person lawfully admitted for permanent residence.

The “lower living standard income level” referred to in paragraph (3) is defined under section 101(24) of the Workforce Investment Act (Pub. L. 105–220). This act is administered by the Department of Labor. Tables designating the “lower living standard income level” are published in the **Federal Register** by Health and Human Services. The most recent publication can be found in the **Federal Register** on June 24, 2007 at 72 FR 15.

**II. Award Information**

The U.S. Troop Readiness, Veterans’ Care, Katrina Recovery and Iraq Accountability Appropriations Act 2007 Public Law 110–28, made available \$16,000,000 to provide emergency services to low-income migrant and seasonal farmworkers where the Secretary of Agriculture determines that a local, state, or national emergency or disaster has caused low-income migrant or seasonal farmworkers to lose income, be unable to work, or to stay at home or return home in anticipation of work shortages.

**III. Eligibility Information**

The applicant must:

- (1) Be eligible to receive a grant for the above assistance the applicant must

be a broad-based nonprofit organization (which may include faith-based organizations), a nonprofit organization of farmworkers, a community organization, a federally recognized Indian tribe, or an agency or political subdivision of a State or local government, or a public agency (such as a housing authority).

(2) Be unable to provide the necessary services from its own resources.

(3) Possess the legal and actual capacity, ability, and experience to incur and carry out the undertakings and obligations incurred.

(4) Legally obligate itself not to divert income to any other business, enterprise, or purpose.

(5) Have experience in providing emergency services to low-income migrant and seasonal farmworkers.

(6) Be either a public agency or private organization with tax exempt status under section 501(c)(3) of Title 26 United States Code.

(7) Not be debarred or suspended.

#### **IV. Equal Opportunity and Nondiscrimination Requirements**

(1) In accordance with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, the Equal Credit Opportunity Act, the Age Discrimination Act of 1975, Executive Order 12898, the Americans with Disabilities Act, and section 504 of the Rehabilitation Act of 1973, neither the Grantor nor the Agency will discriminate against any employee, proposed intermediary or proposed ultimate recipient on the basis of sex, marital status, race, color, religion, national origin, age, sexual orientation, physical or mental disability (provided the proposed intermediary or proposed ultimate recipient has the capacity to contract), because all or part of the proposed intermediary's or proposed ultimate recipient's income is derived from public assistance of any kind, or because the proposed intermediary or proposed ultimate recipient has in good faith exercised any right under the Consumer Credit Protection Act, with respect to any aspect of a credit transaction anytime Agency loan funds are involved.

(2) The policies and regulations contained in 7 CFR part 1901, subpart E apply to this program.

(3) The Rural Housing Service Administrator will assure that equal opportunity and nondiscrimination requirements are met in accordance with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, the Equal Credit Opportunity Act, the Age Discrimination Act of 1975, Executive Order 12898, the Americans with

Disabilities Act, and section 504 of the Rehabilitation Act of 1973.

(4) All housing must meet the accessibility requirements found at 7 CFR 3560.60(d).

#### **V. Application and Submission Information**

The application process will be the submission of an application. In the event that a proposal is selected for further processing and the applicant declines, the next highest ranked unfunded application may be selected. At the time of final grant approval, the Agency and grant recipients shall enter into an Agency approved grant agreement.

##### *Application Requirements*

The application must contain the following:

Experience of applicant providing emergency services. Greater than 10 years experience providing emergency services (15 points). Between 6 years and 10 years experience providing emergency services (10 points). Less than 5 years (1) 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 grant requested.  
(g) The applicant's Dun and Bradstreet Data Universal Numbering System (DUNS) number. As required by the Office of Management and Budget (OMB), all non-individual 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 DUNS Number request line at 1-866-705-5711. Additional information concerning this requirement is provided in a policy directive issued by OMB and published in the **Federal Register** on June 27, 2003 (68 FR 38402-38405).

(2) A narrative describing the applicant's ability to meet the eligibility requirements stated in this NOFA.

(3) A detailed Statement of Work.

(4) A current, dated, financial statement signed by a certified public accountant showing the applicant's assets and liabilities with information on the repayment schedule and status of all debts.

(5) An organizational plan that includes a staffing chart complete with

employee names, job titles, salaries, hours, timelines, and duties to achieve the objective of the grant program.

(6) A detailed budget plan projecting the applicant's monthly and annual income and expenses the grantee will incur. Costs will be limited to those that are allowed under 7 CFR part 3015, and 7 CFR part 3016 or 3019 as applicable.

(7) A narrative describing the applicant's knowledge, demonstrated ability and practical experience in delivering direct emergency assistance to low-income migrant and seasonal farmworkers. In addition, to ensure the funds are equitably distributed, and that there is no duplication of efforts, applicants must clearly identify the geographic area that they intend to serve and provide documentation that they have the experience and ability to service those areas.

#### **VI. Application Review Information**

All applications will be evaluated by a grant committee. The grant committee will make recommendations to the Agency Administrator concerning eligibility determinations and the selection of applications based on the selection criteria contained in this NOFA and the availability of funds. The Administrator will inform applicants of the status of their application within 30 days of the closing date of the NOFA.

Applications for grants to provide emergency services to low-income migrant and seasonal farmworkers will be evaluated by the types of assistance to be provided. Because the types of assistance may differ depending on the geographic area the committee will recommend to the Administrator three Technical Assistance (TA) providers. Each TA provider would be responsible for a region (western, central and eastern region).

##### *Selection Criteria*

Applications to provide emergency services to low-income migrant and seasonal farmworkers will be scored on the following basis:

(1) The number of low-income migrant and seasonal farmworkers to be assisted by the proposal. Greater than 100 farmworkers—not counting non-farmworker family members (25 points). Between 50 and 100 farmworkers—not counting non-farmworker family members (15 points). Less than 50 farmworkers but more than 25—not counting non-farmworker family members (5 points).

(2) Economic and social benefits to low-income migrant and seasonal farmworkers and their families from the services to be provided. Providing rental and mortgage assistance (10 points).

Providing other authorized services (10 points).

## VII. Appeal Process

All adverse determinations regarding applicant eligibility and the awarding of points as part of the selection process are appealable. Instructions on the appeal process will be provided at the time an applicant is notified of the adverse action.

USDA is an equal opportunity provider, employer and lender. To file a complaint of discrimination write 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).

Dated: January 24, 2008.

**Russell T. Davis,**

*Administrator, Rural Housing Service.*

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BILLING CODE 3410-XV-P

## DEPARTMENT OF AGRICULTURE

### Rural Housing Service

#### Notice for Request for Proposals for Guaranteed Loans Under the Section 538 Guaranteed Rural Rental Housing Program (GRRHP) for Fiscal Year 2008

**AGENCY:** Rural Housing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** This is a request for proposals for guaranteed loans under the section 538 Guaranteed Rural Rental Housing Program (GRRHP) pursuant to 7 CFR 3565.4 for Fiscal Year (FY) 2008 subject to the availability of funding. FY 2008 funding for the section 538 program is \$129,090,000. Applicants will submit proposals in the form of "RESPONSES." The commitment of program dollars will be made to applicants of selected responses that have fulfilled the necessary requirements for obligation. Expenses incurred in developing applications will be at the applicant's risk. The following paragraphs outline the timeframes, eligibility requirements, lender responsibilities, and the overall response and application processes.

The GRRHP operates under 7 CFR part 3565. The GRRHP Origination and Servicing Handbook (HB-1-3565) is available to provide lenders and the general public with guidance on program administration. HB-1-3565, which contains a copy of 7 CFR part 3565 in Appendix 1, can be found at the Agency's Instructions Web site address <http://www.rurdev.usda.gov/regs/hblist.html#hb6>.

Eligible lenders are invited to submit responses for the new construction of affordable rural rental housing, the acquisition with rehabilitation of affordable rural rental housing, the revitalization, repair, and transfer (as stipulated in 7 CFR 3560.406) of existing direct section 515 housing (transfer costs are subject to Agency approval and must be an eligible use of loan proceeds as listed in 7 CFR 3565.205), and properties involved in the Agency's multi-family preservation and revitalization program (MPR). Equity payments, as stipulated in 7 CFR 3560.406, in connection with the transfer of existing direct section 515 housing, are an eligible use of loan proceeds. In order to be considered, direct section 515 housing and MPR projects must need repairs and undergo revitalization of a minimum of \$6,500 per unit.

The Agency will review responses submitted by eligible lenders, on the lender's letterhead, and signed by both the prospective borrower and lender. Although a complete application is not required in response to this Notice of request for proposals, eligible lenders may submit a complete application concurrently with the response. However, submitting a complete application will not have an effect on the respondent's score.

**DATES:** As long as funds remain available, eligible responses to this notice will be accepted and eligible requests will be obligated per this guidance until September 26, 2008, 12 P.M. Eastern Time. Complete applications that are received by the Agency prior to April 25, 2008 will be given priority ranking and scoring. A notice will be placed in the **Federal Register** if all FY 2008 funds are committed prior to September 26, 2008. Selected responses that develop into complete applications and meet all Federal environmental requirements will receive commitments to the extent an appropriation act provides funding for GRRHP for FY 2008 until all funds are expended.

The Agency will select the responses that meet eligibility criteria and invite lenders to submit complete applications to the Agency. Those responses that are selected that subsequently submit complete applications that meet all program requirements and are received prior to or on April 25, 2008, but score less than 25 points, or score 25 points or more, but have a development cost ratio equal to or greater than 70 percent, may be selected for obligation after April 25, 2008, with the highest scoring responses receiving priority subject to

availability of funds. After April 25, 2008, responses that develop into complete applications that meet all program requirements will be selected for further processing regardless of score, subject to the availability of funding.

The USDA Rural Development will prioritize the obligation requests received after April 25, 2008, using the highest score and the procedures outlined as follows. Once a complete application is received and approved by the State Office, an obligation request for 2008 funds will be submitted [via fax] by the State Office to the National Office. Obligation requests submitted to the National Office will be accumulated, but not obligated, throughout the week until the weekly obligation request submission deadline of midnight Eastern Time every Thursday. To the extent that funds remain available, the National Office will obligate the requests accumulated through the weekly request submission deadline of the previous week by the following Tuesday (i.e., requests received from Friday, May 16, 2008, to Thursday, May 22, 2008, will be obligated by Tuesday, May 27, 2008). However, requests received prior to April 25, 2008, that are not eligible for obligation until after April 25, 2008, will be obligated no earlier than Tuesday, April 29, 2008. Funds will be allocated in scoring order, with the highest scoring requests being obligated first, until all funds are exhausted. In the event of a tie, priority will be given to the request for the project that: 1st—has the highest percentage of leveraging (lowest Loan to Cost); 2nd—is in the smaller rural community. Eligible responses to this Notice received before the September 26, 2008, deadline, or before FY 2008 funds are exhausted (whichever occurs first) will be processed to the point of a complete application, and if approved, will be scored in the 2009 funding cycle provided there are no significant program changes.

Eligible lenders mailing a response or application must provide sufficient time to permit delivery to the *Submission Address* on or before the closing deadline date and time. Acceptance by a U.S. Post Office or private mailer does not constitute delivery. Postage due responses and applications will not be accepted.

**Submission Address:** Eligible lenders will send responses to the contact person in the State Office where the project will be located. The lender will also send a copy of its response (copies of "Lender Certification" letter and "Project Specific Data" sheets only; do not include any application supporting