

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Submission for OMB Review; Comment Request

October 27, 2009.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) 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; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to

the collection of information unless it displays a currently valid OMB control number.

### Forest Service

*Title:* Application for Permit, Non-Federal Commercial Use of Roads Restricted by Order.

*OMB Control Number:* 0596-0016.

*Summary of Collection:* The Forest Service (FS) transportation system includes approximately 380,000 miles of roads. These roads are grouped into five maintenance levels. Level one includes roads, which are closed and maintained only to protect the environment. Level of maintenance increase to level five, which is maintained for safe passenger car use. The roads usually provide the only access to commercial products including timber and minerals found on both Federal and private lands within and adjacent to National Forests. Annual maintenance not performed becomes a backlog that creates a financial burden for the FS. To remedy the backlog and pay for needed maintenance the FS requires commercial users to apply and pay for a permit to use the FS Road System. Maintenance resulting from commercial use is accomplished through collection of funds or requiring the commercial users to perform the maintenance. The vehicle for this is the Road Use Permit. The authority for the Road Use Permit process comes from 36 CFR 212.5, 36 CFR 212.9 and 36 CFR 261.54 Section 212.9 authorizes the FS to develop a road system with private in holders that is mutually beneficial to both parties.

*Need and Use of the Information:* Persons wishing to haul commercial will use form, FS 7700-40. The form provides identifying information about the applicant such as, the name; address; and telephone number; description of mileage of roads; purpose of use; use schedule; and plans for future use. FS will use the information to prepare the applicant's permit, to identify the road maintenance that is the direct result of the applicant's traffic, to calculate any applicable collections for recovery of past Federal investments in roads and assure that the requirements are met. Without the Road Use Permit, the backlog of maintenance would increase and the FS would have great difficulty providing the transportation system necessary to meet our mission.

*Description of Respondents:* Business or other for-profit; Individuals or households; State, Local or Tribal Government; Not-for-profit institutions.

*Number of Respondents:* 2,000.

*Frequency of Responses: Reporting:* On occasion.

*Total Burden Hours:* 500.

### Forest Service

*Title:* Bid for Advertised Timber.

*OMB Control Number:* 0596-0066.

*Summary of Collection:* Individuals, large and small businesses, and corporations who wish to purchase timber or forest products from the National Forest must enter into a timber sale contract or Forest product contract with the Forest Service (FS). Information must be collected by FS in order to ensure that: National Forest System timber is sold at not less than appraised value; bidders meet specific criteria when submitting a bid; and anti-trust violations do not occur during the bidding process. Several statutes, regulations, and policies impose requirements on the Government and purchasers in the bidding process. The FS will collect information using several forms.

*Need and Use of the Information:* FS will collect information to determine bid responsiveness. The sale officer will ensure: the bidder has signed the bid form; provided a tax identification number; completed the unit rate, weighted average, or total sale value bid; entered the bid guarantee amount, type, and ensure the bid guarantee is enclosed with the bid, the bidder has provided the required information concerning Small Business Administration size and Equal Opportunity compliance on previous sales. The Timber Sale Contracting Officers will use the information to complete the contract prior to award to the highest bidder. Failure to include the required information may result in the bid being declared non-responsive or the Contracting Officer may be unable to make an affirmative finding of purchaser responsibility and not able to award the contract.

*Description of Respondents:* Business or other for-profit; Individuals or households.

*Number of Respondents:* 1,560.

*Frequency of Responses: Reporting:* On occasion.

Total Burden Hours: 135,246.

**Charlene Parker,**

Departmental Information Collection  
Clearance Officer.

[FR Doc. E9-26295 Filed 10-30-09; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Rural Housing Service

#### Notice of Funding Availability for Refinance Assistance Under the American Recovery and Reinvestment Act of 2009—Section 502 Guaranteed Loan Program

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the Agency intent to prioritize \$400 million in funding that was previously made available in the **Federal Register** on July 23, 2009, for the refinance program to achieve the maximum amount of debt relief to existing borrowers and keep the borrowers in their homes, thereby, achieving long-term financial stability consistent with the goals of the Recovery Act. Additional requirements for such refinancing will ensure that existing borrowers are achieving measureable financial savings in refinancing and that Recovery Act funds are spent wisely and have transparent results.

**FOR FURTHER INFORMATION CONTACT:**

Debra Terrell, Senior Loan Specialist, Section 502 Guaranteed Loan Program—STOP 0784 (Room 2250), U.S. Department of Agriculture, Rural Housing Service, 1400 Independence Ave., SW., Washington, DC 20250-0784, telephone number 918-534-3254, or by e-mail at [debra.terrell@wdc.usda.gov](mailto:debra.terrell@wdc.usda.gov).

**SUPPLEMENTARY INFORMATION:**

#### Paperwork Reduction Act

The paperwork burden has been cleared by the Office of Management and Budget (OMB) under OMB control number 0575-0078.

#### Overview

The Rural Housing Service, an agency within the USDA Rural Development mission area, provides housing loan guarantees to lenders of rural residents through its Section 502 Guaranteed Loan Program. USDA Rural Development (hereinafter referred to as the "Agency") offers assistance to refinance existing Section 502 Direct and Guaranteed Loan Program borrowers with Section 502 Guaranteed Loans when restructuring achieves more favorable loan terms.

USDA Rural Development's Section 502 Guaranteed Loan Program is making \$400 million available under the Recovery Act for refinancing Section 502 Direct and Guaranteed Loan Program borrowers with Section 502 Guaranteed Loans. Utilization of funds from the Recovery Act for refinancing existing Section 502 Guaranteed and/or Direct Loan Program borrowers can assist responsible homeowners reduce their overall monthly debt by achieving more favorable affordable terms, increasing household cash flow, lowering the cost of ownership and benefiting the economy by employing mortgage partners associated with the mortgage loan process. These funds will be made available on a first-come-first-served basis for refinance requests meeting the existing application and approval procedures based upon Section 502(h)(14) of the Housing Act of 1949, as amended, with the addition of the policy changes noted in this. Existing procedures include those in 7 CFR part 1980, subpart D. To the extent of any inconsistency, the provisions of this notice will prevail.

USDA Rural Development intends to modify and clarify policy regarding the refinancing of existing Section 502 Direct or Guaranteed Loan Program borrowers (herein referred to as "borrowers") with Recovery Act funds. Refinancing, with Recovery Act funds, is intended to help those borrowers who are seeking to achieve more favorable loan terms by transferring the financing arrangement to another approved guaranteed lender, modifying the loan type, or restructuring the repayment obligation with the present guaranteed lender. Modification and clarification of policy is intended to strengthen and support USDA Rural Development's obligation to protect its existing Section 502 portfolio. The Agency is considering adopting these program improvements in its permanent refinance program (using annual appropriations) to address increased risk and costs to the Government.

Specifically, under this notice the agency will require the interest rate of the new loan to be 100 basis points below the rate of the existing loan to be refinanced. This change will ensure the monetary benefit of refinancing to low or moderate income borrowers served by the program and achieve the investment goals of the Recovery Act. Eligible closing costs and other fees charged by the lender have been identified specifically, rather than relying upon a "reasonable and customary" test. This is intended to reduce excessive closing costs and other fees charged the borrower that can

eliminate the benefit of the refinance. To reduce risk to the Government the streamlined refinance feature has been modified to limit the new financing to the amount of the original loan. Streamlined refinance under this does not require obtaining a new appraisal, so homeowner recovery can begin more quickly as intended by the Recovery Act. This notice also expands upon and clarifies borrower qualification requirements when there is a change of borrower(s) and emphasizes the necessity of responsible homeownership in connection with repayment history. Existing borrowers seeking to refinance their Section 502 mortgage loan under this notice must have demonstrated their ability to meet payment demands by maintaining a current account for the 180 days prior to application.

Only approved lenders, as prescribed in 7 CFR 1980.309 are eligible to participate in the Section 502 Guaranteed Loan Program. Approved lenders may utilize the services of agents for processing refinance loans described in this notice. Approved lenders are responsible for loan underwriting and the action of any agent they may employ or hold a business relationship with. Rural Development will issue the conditional commitment to the approved lender if all eligibility requirements are met.

All funds appropriated in the Recovery Act are available for obligation no later than September 30, 2010. Funding provided through the Recovery Act is one-time funding. Under Section 1604 of the Recovery Act, none of the funds made available under the Recovery Act may be used for any casino or other gambling related establishment, aquarium, zoo, golf course or swimming pool. In implementing this prohibition, the Agency specifically will not finance dwellings with swimming pools.

#### General Description of Assistance

Under the Section 502 Guaranteed Loan Program's Refinance program, an approved lender may refinance an existing Section 502 Direct and/or Guaranteed Loan Program borrower with a Section 502 Guaranteed Loan. A refinance must achieve more favorable loan terms. The intent of the assistance is to give borrowers with satisfactory payment histories the opportunity to benefit from a lower interest rate and increase their ability to be successful homeowners. Two options for refinancing will be offered under this:

1. *Streamlined refinance.* Lenders may offer a streamlined refinance without obtaining a new appraisal. The lender will pay off the principal balance