

**DEPARTMENT OF AGRICULTURE****Rural Utilities Service****Announcement of Solicitation of Applications and Grant Application Deadlines**

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

**ACTION:** Notice of Solicitation of Applications.

**SUMMARY:** The Rural Utilities Service (RUS), an agency of the United States Department of Agriculture (USDA), announces its Distance Learning and Telemedicine (DLT) grant program application window for Fiscal Year (FY) 2011 subject to the availability of funding. This notice is being issued prior to passage of a final appropriations act to allow potential applicants time to submit proposals and give the Agency time to process applications within the current fiscal year. RUS will publish a subsequent notice identifying the amount received in the final appropriations act, if any. Expenses incurred in developing applications will be at the applicant's risk. For FY 2010, Congress appropriated approximately \$30 million. In addition to announcing the application window, RUS announces the minimum and maximum amounts for DLT grants applicable for the fiscal year and a change in scoring necessitated by changes in the Empowerment Zone (EZ), Enterprise Community (EC) and Champion Community (CC) designations. Finally, the Agency notes that the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-234) expressly added the category of libraries under Sec. 2333 (c)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. Sec. 950aaa-2(a)(1)) in order to clearly establish that libraries are eligible to be recipients of DLT Loans and Grants. This confirms the longstanding Agency policy of considering libraries to be eligible entities under the DLT Program. The regulation for the DLT Grant Program can be found at 7 CFR part 1703, subpart E.

**DATES:** You may submit completed applications for grants on paper or electronically in accordance with the following deadlines:

- *Paper submissions:* Paper copies must be postmarked and mailed, shipped, or sent overnight *no later* than April 25, 2011 to be eligible for FY 2011 grant funding. Late or incomplete applications will not be eligible for FY 2011 grant funding.
- *Electronic submissions:* Electronic copies must be received by April 25,

2011 to be eligible for FY 2011 grant funding. Late or incomplete applications will not be eligible for FY 2011 grant funding.

**ADDRESSES:** Copies of the FY 2011 Application Guides and materials for the DLT grant program may be obtained at the following sources:

(1) The DLT Web site: [http://www.rurdev.usda.gov/UTP\\_DLTResources.html](http://www.rurdev.usda.gov/UTP_DLTResources.html) and

(2) You may also request application guides and materials from RUS by contacting the DLT Program at 202-720-0413.

*Completed applications may be submitted in the following ways:*

(1) *Paper:* Paper applications are to be submitted to the Rural Utilities Service, Telecommunications Program, 1400 Independence Ave., SW., Room 2845, STOP 1550, Washington, DC 20250-1550. Applications should be marked "Attention: Acting Director, Advanced Services Division."

(2) *Electronic:* Electronic applications may be submitted through Grants.gov. Information on how to submit applications electronically is available on the Grants.gov Web site (<http://www.grants.gov>). Applicants must successfully pre-register with Grants.gov to use the electronic applications option. Application information may be downloaded from Grants.gov without preregistration.

**FOR FURTHER INFORMATION CONTACT:**

Acting Director, Advanced Services Division, Telecommunications Programs, Rural Utilities Service. Telephone: 202-720-0413, fax: 202-720-1051.

**SUPPLEMENTARY INFORMATION:****Overview**

*Federal Agency:* Rural Utilities Service (RUS).

*Funding Opportunity Title:* Distance Learning and Telemedicine Grants.

*Announcement Type:* Notice of Funds Availability.

Catalog of Federal Domestic Assistance (CFDA) Number: 10.855.

**DATES:** You may submit completed applications for grants on paper or electronically according to the following deadlines:

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Electronic copies must be received by April 25, 2011 to be eligible for FY 2011 grant funding. Late or incomplete applications are not eligible for FY 2011 grant funding.

**Items in Supplementary Information**

- I. Funding Opportunity: Brief introduction to the DLT program.
- II. Minimum and Maximum Application Amounts: Projected Available Funding.
- III. Eligibility Information: Who is eligible, what kinds of projects are eligible, what criteria determine basic eligibility.
- IV. Application and Submission Information: Where to get application materials, what constitutes a completed application, how and where to submit applications, deadlines, items that are eligible.
- V. Application Review Information: Considerations and preferences, scoring criteria, review standards, selection information.
- VI. Award Administration Information: Award notice information, award recipient reporting requirements.
- VII. Agency Contacts: Web, phone, fax, e-mail, contact name.

**I. Funding Opportunity**

Distance learning and telemedicine grants are specifically designed to provide access to education, training and health care resources for people in rural America.

The Distance Learning and Telemedicine (DLT) Program provides financial assistance to encourage and improve telemedicine services and distance learning services in rural areas through the use of telecommunications, computer networks, and related advanced technologies to be used by students, teachers, medical professionals, and rural residents.

The grants, which are awarded through a competitive process, may be used to fund telecommunications-enabled information, audio and video equipment and related advanced technologies which extend educational and medical applications into rural locations. Grants are made for projects where the benefit is primarily delivered to end users that are not at the same location as the source of the education or health care service.

As in years past, the FY 2011 DLT Grant Application Guide has been updated based on Program experience. Details of changes from the FY 2010 Application Guide are highlighted throughout this Notice and are described in full in the FY 2011 Application Guide. All applicants must carefully review and *exactly* follow the FY 2011 Application Guide and sample materials when compiling a DLT grant application.

**II. Maximum and Minimum Amount of Applications**

Under 7 CFR 1703.124, the Administrator has determined the maximum amount of a grant to be made available to an application in FY 2011

is \$500,000, and the minimum amount of a grant is \$50,000.

The Agency will make awards and execute documents appropriate to the project prior to any advance of funds to successful applicants.

DLT grants cannot be renewed. Award documents specify the term of each award. The Agency will make awards and execute documents appropriate to the project prior to any advance of funds to successful applicants. Applications from existing DLT awardees are acceptable (grant applications must be submitted during the application window) and will be evaluated as new applications.

**III. Eligibility Information**

*A. Who is eligible for a grant ? (See 7 CFR 1703.103.)*

1. Only entities legally organized as one of the following are eligible for DLT financial assistance:

- a. An incorporated organization or partnership,
- b. An Indian Tribe or Tribal organization, as defined in 25 USC 450b (b) and (c),
- c. A State or local unit of government,
- d. A consortium, as defined in 7 CFR 1703.102, or
- e. Other legal entity, including a private corporation organized on a for-profit or not-for-profit basis.

2. Individuals are not eligible for DLT program financial assistance directly.

3. Electric and telecommunications borrowers under the Rural

Electrification Act of 1936 (7 U.S.C. 950aaa *et seq.*) are not eligible for grants.

*B. What are the basic eligibility requirements for a project?*

1. Required matching contributions for grants: See 7 CFR 1703.125(g) and the FY 2011 Application Guide for information on required matching contributions.

a. Grant applicants must demonstrate matching contributions, in cash or in kind (new, non-depreciated items), of at least fifteen (15) percent of the total amount of financial assistance requested. Matching contributions *must* be used for eligible purposes of DLT grant assistance (see 7 CFR 1703.121, paragraphs IV.H.1.b of this Notice and the FY 2011 Application Guide).

b. Greater amounts of eligible matching contributions may increase an applicant's score (see 7 CFR 1703.126(b)(4), paragraph V.B.2.c of this notice, and the FY 2011 Application Guide).

c. Applications that do not provide evidence of the required fifteen percent match will be declared ineligible and returned. See paragraphs IV.H.1.c and V.B.2.c of this Notice, and the FY 2011 Application Guide for specific information on documentation of matching contributions.

d. Applications that do not document all matching contributions in form and substance satisfactory to the Agency as described in the Application Guide are subject to budgetary adjustment by the

Agency, which may result in rejection of an application as ineligible due to insufficient match.

2. The DLT grant program is designed to bring the benefits of distance learning and telemedicine to residents of rural America (see 7 CFR 1703.103(a)(2)). Therefore, in order to be eligible, applicants must:

a. Operate a rural community facility; or

b. Deliver distance learning or telemedicine services to entities that operate a rural community facility or to residents of rural areas, at rates calculated to ensure that the benefit of the financial assistance is passed through to such entities or to residents of rural areas.

3. Rurality.

a. All projects proposed for DLT grant assistance must meet a minimum rurality threshold, to ensure that benefits from the projects flow to rural residents. The minimum eligibility score is 20 points. Please see Section IV of this notice, 7 CFR 1703.126(a)(2), and the FY 2011 Application Guide for an explanation of the rurality scoring and eligibility criterion.

b. Each application must apply the following criteria to each of its end-user sites, and hubs that are also proposed as end-user sites, in order to determine a rurality score. The rurality score is the average of all end-user sites' rurality scores.

Criterion	Character	Population	DLT points
Exceptionally Rural Area .....	Area not within an Urbanized Area or Urban Cluster.	≤ 5,000 .....	45
Rural Area .....	Area in an Urban Cluster .....	> 5,000 and ≤ 10,000 .....	30
Mid-Rural Area .....	Area in an Urban Cluster .....	>10,000 and ≤ 20,000 .....	15
Urban Area .....	Area in an Urbanized Area or Urban Cluster ..	> 20,000 .....	0

c. The rurality score is one of the competitive scoring criteria applied to grant applications.

4. Projects located in areas covered by the Coastal Barrier Resources Act (16 U.S.C. 3501 *et seq.*) are not eligible for financial assistance from the DLT Program. Please see 7 CFR 1703.123(a)(11), 7 CFR 1703.132(a)(5), and 7 CFR 1703.142(b)(3).

*C. Where To Find Full Discussion of a Complete Application*

See Section IV of this Notice and the FY 2011 Application Guide for a discussion of the items that comprise a complete application. For requirements of completed applications you may also refer to 7 CFR 1703.125 for grant

applications. The FY 2011 Application Guide provides specific, detailed instructions for each item that constitutes a complete application. The Agency strongly emphasizes the importance of *including every required item* (as explained in the FY 2011 Application Guide) and strongly encourages applicants to follow the instructions *carefully*, using the examples and illustrations in the FY 2011 Application Guide. Applications which do not include all items that determine project eligibility and applicant eligibility by the application deadline will be returned as ineligible. Scoring and eligibility information not provided by the application deadline will not be solicited or considered by

the Agency. Applications that do not include all items necessary for scoring will be scored as is. Please see the FY 2011 Application Guide for a full discussion of each required item and for samples and illustrations.

**IV. Application and Submission Information**

*A. Where To get Application Information*

FY 2011 Application Guides, copies of necessary forms and samples, and the DLT Program regulation are available from these sources:

- 1. *The Internet:* [http://www.rurdev.usda.gov/UTP\\_DLTResources.html](http://www.rurdev.usda.gov/UTP_DLTResources.html).

2. *The DLT Program for paper copies of these materials:* 202–720–0413.

*B. New and Emphasized in FY 2011*

1. The USDA designation of Enterprise Community (EC) expired on December 31, 2009. The Champion Community designation ended in FY 2010. The Empowerment Zone designation was extended through December 31, 2011 on December 17, 2010 (*See* Pub. L. 111–312 at Sect. 753). As a consequence, points will be awarded only for sites located in USDA Empowerment Zones. Please refer to the FY 2011 Application Guide for complete details on this change.

2. Applicants are reminded that end user sites are to be rural facilities. *See* 7 CFR 1703.102, Definitions, “End User” and “End User Site.” We have experienced an increase in the number of applications which attempt to include urban educational and medical facilities as end user sites. Urban facilities can serve as hub sites, but not end user sites. For projects with non-fixed end user sites, only those end user sites outside urban areas can be funded. The FY 2011 Application Guide again contains clarifying language to elaborate on this provision of the regulation.

3. If a grant application includes a site that is included in any other DLT grant application for FY 2011, or a site that has been included in any DLT grant funded in FY 2010 or FY 2009, the application should contain a detailed explanation of the related applications or grants. The Agency must make a nonduplication finding for each grant approved, and apparent but unexplained duplication of funding for a site can prevent such a finding.

*C. What constitutes a completed application?*

1. For DLT Grants:

a. Detailed information on each item in the table in paragraph IV.C.1.g. of this Notice can be found in the sections of the DLT Program regulation listed in the table, and the DLT grant Application Guide. Applicants are strongly encouraged to read and apply both the regulation and the Applications Guide, which elaborates and explains the regulation.

(1). When the table refers to a narrative, it means a written statement, description or other written material prepared by the applicant, for which no

form exists. The Agency recognizes that each project is unique and requests narratives to allow applicants to explain their request for financial assistance.

(2). When documentation is requested, it means letters, certifications, legal documents or other third-party documentation that provide evidence that the applicant meets the listed requirement. For example, to confirm rurality scores, applicants use printouts from the official Census Web site. Leveraging documentation generally will be letters of commitment from the funding sources. In-kind matches must be items purchased after the application deadline date that are essential to the project and documentation from the donor must demonstrate the relationship of each item to the project’s function. Evidence of legal existence is sometimes proven by submitting articles of incorporation. The examples here are not intended to limit the types of documentation that must be submitted to fulfill a requirement. DLT Program regulations and the Application Guide provide specific guidance on each of the items in the table.

b. The DLT Application Guide and ancillary materials provide all necessary sample forms and worksheets.

c. While the table in paragraph IV.C.1.g of this Notice includes all items of a completed application, the Agency may ask for additional or clarifying information for applications which, as submitted by the deadline, appear to clearly demonstrate that they meet eligibility requirements. The Agency will not solicit or accept eligibility or scoring information submitted after the application deadline.

d. Submit the required application items in the order provided in the FY 2011 Application Guide. The FY 2011 Application Guide specifies the format and order of all required items. Applications that are not assembled and tabbed in the order specified prevent timely determination of eligibility. Given the high volume of program interest, incorrectly assembled applications, and applications with inconsistency among submitted copies, will be returned as ineligible.

e. DUNS Number. As required by the OMB, all applicants for grants must supply a Dun and Bradstreet Data Universal Numbering System (DUNS) number when applying. The Standard

Form 424 (SF–424) contains a field for you to use when supplying your DUNS number. Obtaining a DUNS number costs nothing and requires a short telephone call to Dun and Bradstreet. Please *see* [http://www.grants.gov/applicants/request\\_duns\\_number.jsp](http://www.grants.gov/applicants/request_duns_number.jsp) for more information on how to obtain a DUNS number or how to verify your organization’s number.

f. Central Contractor Registration (CCR).

(a) In accordance with 2 CFR part 25, applicants, whether applying electronically or by paper, must be registered in the CCR prior to submitting an application. Applicants may register for the CCR at <https://www.uscontractorregistration.com/> or by calling 1–877–252–2700. Completing the CCR registration process takes up to five business days, and applicants are strongly encouraged to begin the process well in advance of the deadline specified in this notice.

(b) The CCR registration must remain active, with current information, at all times during which an entity has an application under consideration by an agency or has an active Federal Award. To remain registered in the CCR database after the initial registration, the applicant is required to review and update, on an annual basis from the date of initial registration or subsequent updates, its information in the CCR database to ensure it is current, accurate and complete.

g. Compliance with other Federal statutes. The applicant must provide evidence of compliance with other Federal statutes and regulations, including, but not limited to the following:

(i) 7 CFR part 15, subpart A—Nondiscrimination in Federally Assisted Programs of the Department of Agriculture—Effectuation of Title VI of the Civil Rights Act of 1964.

(ii) 7 CFR part 3015—Uniform Federal Assistance Regulations.

(iii) 7 CFR part 3017—Government-wide Debarment and Suspension (Non-procurement).

(iv) 7 CFR part 3018—New Restrictions on Lobbying.

(v) 7 CFR part 3021—Government-wide Requirements for Drug-Free Workplace.

h. Table of Required Elements of a Completed Grant Application.

Application item	Required items	
	Grants (7 CFR 1703.125 and 7 CFR 1703.126)	Comment
SF-424 (Application for Federal Assistance form) .....	Yes .....	Completely filled out
Site Worksheet .....	Yes .....	Agency worksheet
Survey on Ensuring Equal Opportunity for Applicants .....	Optional .....	OMB Form
Evidence of Legal Authority to Contract with the Government.	Yes .....	Documentation
Evidence of Legal Existence .....	Yes .....	Documentation
Executive Summary .....	Yes .....	Narrative
Telecommunications System Plan and Scope of Work ...	Yes .....	Narrative & documentation such as maps and diagrams
Budget .....	Yes .....	Agency Worksheets with documentation
Financial Information/Sustainability .....	Yes .....	Narrative
Statement of Experience .....	Yes .....	Narrative 3-page, single-spaced limit
Rurality Worksheet .....	Yes .....	Agency worksheet with documentation
National School Lunch Program (NSLP) Worksheet .....	Yes .....	Agency worksheet with documentation
Leveraging Evidence and Funding Commitments from all Sources.	Yes .....	Agency worksheet and source documentation
Empowerment Zone designation .....	Yes .....	Documentation
Request for Additional NSLP .....	Optional .....	Agency Worksheet and narrative
Need for and Benefits derived from Project .....	Yes .....	Narrative & documentation
Innovativeness of the Project .....	Yes .....	Narrative & documentation
Cost Effectiveness of Project .....	Yes .....	Narrative & documentation
Consultation with the USDA State Director, Rural Development, and evidence that application conforms to State Strategic Plan, if any.	Yes .....	Documentation
Certifications:		
Equal Opportunity and Nondiscrimination .....	Yes .....	Recommend using Agency's sample form
Architectural Barriers .....	Yes .....	Recommend using Agency's sample form
Flood Hazard Area Precautions .....	Yes .....	Recommend using Agency's sample form
Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.	Yes .....	Recommend using Agency's sample form
Drug-Free Workplace .....	Yes .....	Recommend using Agency's sample form
Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions.	Yes .....	Recommend using Agency's sample form
Lobbying for Contracts, Grants, Loans, and Cooperative Agreements.	Yes .....	Recommend using Agency's sample form
Non-Duplication of Services .....	Yes .....	Recommend using Agency's sample form
Environmental Impact/Historic Preservation Certification	Yes .....	Recommend using Agency's sample form

*D. How many copies of an application are required?*

1. Applications submitted on paper.
  - a. Submit the original application and two (2) copies to RUS.
  - b. Submit one (1) additional copy to the State government single point of contact (SPOC) (if one has been designated) at the same time as you submit the application to the Agency. See <http://www.whitehouse.gov/omb/grants/spoc.html> for an updated listing of State government single points of contact.
2. Electronically submitted applications. Grant applications may be submitted electronically. Please carefully read the FY 2011 Application Guide for guidance on submitting an electronic application. In particular, we ask that you identify and number each page in the same way you would a paper application so that we can assemble them as you intended.
  - a. The additional paper copies are not necessary if you submit the application electronically through Grants.gov.
  - b. Submit one (1) copy to the State government single point of contact (if

one has been designated) at the same time as you submit the application to the Agency. See <http://www.whitehouse.gov/omb/grants/spoc.html> for an updated listing of State government single points of contact.

*E. How and Where To Submit an Application*

- Grant applications may be submitted on paper or electronically.
1. Submitting applications on paper.
    - a. Address paper applications to the Telecommunications Program, RUS, United States Department of Agriculture, 1400 Independence Ave., SW., Room 2845, STOP 1550, Washington, DC 20250-1550. Applications should be marked "Attention: Acting Director, Advanced Services Division."
    - b. Paper grant applications must show proof of mailing or shipping by the deadline consisting of one of the following:
      - (i) A legibly dated U.S. Postal Service (USPS) postmark;
      - (ii) A legible mail receipt with the date of mailing stamped by the USPS; or

- (iii) A dated shipping label, invoice, or receipt from a commercial carrier.
- c. Due to screening procedures at the Department of Agriculture, packages arriving via regular mail through the USPS are irradiated, which can damage the contents and delay delivery to the DLT Program. RUS encourages applicants to consider the impact of this procedure in selecting their application delivery method.
  2. Electronically submitted applications.
    - a. Applications will not be accepted via fax or electronic mail.
    - b. Electronic applications for grants will be accepted if submitted through the Federal government's Grants.gov initiative at <http://www.grants.gov>.
    - c. How to use Grants.gov.
      - (i) Grants.gov contains full instructions on all required passwords, credentialing and software.
      - (ii) Central Contractor Registry. Submitting an application through Grants.gov requires that you list your organization in the Central Contractor Registry (CCR). Setting up a CCR listing takes up to five business days, so the

Agency strongly recommends that you obtain your organization's DUNS number and CCR listing well in advance of the deadline specified in this notice.

(iii) Credentialing and authorization of applicants. Grants.gov will also require some credentialing and online authentication procedures. These procedures may take several business days to complete, further emphasizing the need for early action by applicants to complete the sign-up, credentialing and authorization procedures at Grants.gov before you submit an application at that Web site.

(iv) Some or all of the CCR and Grants.gov registration, credentialing and authorizations require updates. If you have previously registered at Grants.gov to submit applications electronically, please ensure that your registration, credentialing and authorizations are up to date well in advance of the grant application deadline.

d. RUS encourages applicants who wish to apply through Grants.gov to submit their applications in advance of the deadlines.

e. If a system problem occurs or you have technical difficulties with an electronic application, please use the customer support resources available at the Grants.gov Web site.

**F. Deadlines**

1. Paper grant applications must be postmarked and mailed, shipped, or sent overnight no later than April 25, 2011 to be eligible for FY 2011 grant funding. Late applications, applications which do not include proof of mailing or shipping as described in paragraph IV.E.1.b., and incomplete applications are not eligible for FY 2011 grant funding.

2. Electronic grant applications must be received by April 25, 2011 to be eligible for FY 2011 funding. Late or incomplete applications will not be eligible for FY 2011 grant funding.

**G. Intergovernmental Review**

The DLT grant program is subject to Executive Order 12372, "Intergovernmental Review of Federal Programs." As stated in paragraph IV.D.1. of this Notice, a copy of a DLT grant application must be submitted to the State single point of contact if one has been designated. Please see <http://www.whitehouse.gov/omb/grants/spoc.html> to determine whether your State has a single point of contact.

**H. Funding Restrictions**

1. Eligible purposes.

a. For grants, rural end-user sites may receive financial assistance; hub sites (rural or non-rural) may also receive financial assistance if they are necessary to provide DLT services to end-user sites. Please see the Application Guide and 7 CFR 1703.101(h).

b. To fulfill the policy goals laid out for the DLT Program in 7 CFR 1703.101, the following table lists purposes for financial assistance and whether each purpose is generally considered to be eligible for the form of financial assistance. Please consult the FY 2011 Application Guide and the regulations (7 CFR 1703.102 for definitions, in combination with the portions of the regulation cited in the table) for detailed requirements for the items in the table. RUS strongly recommends that applicants exclude ineligible items from the grant and match portions of grant application budgets. However, some items ineligible for funding or matching contributions may be vital to the project. RUS encourages applicants to document those costs in the application's budget. Please see the FY 2011 Application Guide for a recommended budget format, and detailed budget compilation instructions.

	Grants
Lease or purchase of new eligible DLT equipment and facilities .....	Yes, equipment only.
Acquire new instructional programming that is capital asset .....	Yes.
Technical assistance, develop instructional programming that is a capital asset, engineering or environmental studies.	Yes, up to 10% of the grant.
Telemedicine or distance learning equipment or facilities necessary to the project .....	Yes.
Vehicles using distance learning or telemedicine technology to deliver services .....	No.
Teacher-student links located at the same facility .....	No.
Links between medical professionals located at the same facility .....	No.
Site development or building alteration .....	No.
Land of building purchase .....	No.
Building Construction .....	No.
Acquiring telecommunications transmission facilities .....	No.
Internet services, telecommunications services or other forms of connectivity .....	No.
Salaries, wages, benefits for medical or educational personnel .....	No.
Salaries or administrative expenses of applicant or project .....	No.
Recurring project costs or operating expenses .....	No, (equipment & facility leases are not recurring project costs).
Internet services, telecom services, and other forms of connectivity .....	No.
Equipment to be owned by the LEC or other telecommunications service provider, if the provider is the applicant.	No.
Duplicative distance learning or telemedicine services .....	No.
Any project that for its success depends on additional DLT financial assistance or other financial assistance that is not assured.	No.
Application Preparation Costs .....	No.
Other project costs not in regulation .....	No.
Cost (amount) of facilities providing distance learning broadcasting .....	No.
Reimburse applicants or others for costs incurred prior to RUS receipt of completed application	No.

c. Discounts. The DLT Program regulation has long stated that manufacturers' and service providers' discounts are not eligible matches. The Agency will not consider as eligible any

proposed match from a vendor, manufacturer, or service provider whose products or services will be used in the DLT project as described in the application. In recent years, the Agency

has noted a trend of vendors, manufacturers and other service providers offering their own products and services as in-kind matches for a project when their products or services

will also be purchased with either grant or cash match funds for that project. Such activity is a discount and is therefore not an eligible match. Similarly, if a vendor, manufacturer or other service provider proposes a cash match (or any in-kind match) when their products or services will be purchased with grant or match funds, such activity is a discount and is not an eligible match. The Agency actively discourages such matching proposals and will adjust budgets as necessary to remove any such matches, which may reduce an application's score or result in the application's ineligibility due to insufficient match.

2. **Eligible Equipment & Facilities.** Please see the FY 2011 Application Guide which supplies a wealth of information and examples of eligible and ineligible items. In addition, see 7 CFR 1703.102 for definitions of eligible equipment, eligible facilities and telecommunications transmission facilities as used in the table above.

3. **Apportioning budget items.** Many DLT applications propose to use items for a blend of specific DLT eligible project purposes and other purposes. RUS will now fund such items, if the applicants attribute the proportion (by percentage of use) of the costs of each item to the project's DLT purpose or to other purposes to enable consideration for a grant of the portion of the item that is for DLT usage. See the FY 2011 Application Guide for detailed information on how to apportion use and apportioning illustrations.

## V. Application Review Information

### A. Special Considerations or Preferences

1. American Samoa, Guam, Virgin Islands, and Northern Mariana Islands applications are exempt from the matching requirement up to a match amount of \$200,000 (see 48 U.S.C. 1469a; 91 Stat. 1164).

2. 7 CFR 1703.112 directs that RUS Telecommunications Borrowers receive expedited consideration of a loan application or advance under the Rural Electrification Act of 1936 (7 U.S.C. 901–950aa, et. seq.) if the loan funds in question are to be used in conjunction with a DLT grant (See 7 CFR 1737 for loans and 7 CFR 1744 for advances).

### B. Criteria

1. Grant application scoring criteria (total possible points: 215). See 7 CFR 1703.125 for the items that will be reviewed during scoring, and 7 CFR 1703.126 for scoring criteria.

2. Grant applications are scored competitively subject to the criteria listed below.

a. *Rurality* category—Rurality of the proposed service area (up to 45 points).

b. *NSLP* category—percentage of students eligible for the NSLP in the proposed service area (objectively demonstrates economic need of the area) (up to 35 points).

c. *Leveraging* category—matching funds above the required matching level (up to 35 points). Please see paragraph III.B of this Notice for a brief explanation of matching contributions.

d. *EZ* category—project overlap with Empowerment Zones (EZ) current as of the application deadline (up to 10 points), April 25, 2011. In the past, an applicant could earn up to 15 points in this category; 10 points for one or more sites located in either an EZ or Enterprise Community and 5 points for one or more sites located in a Champion Community. The USDA designation of Enterprise Community expired in 2009. The Champion Community designation expired in 2010. The Empowerment Zone designation was extended through December 31, 2011 on December 17, 2010. As a consequence, points will be awarded in this category only for sites located in an Empowerment Zone. Other USDA designations such as REAP zones are not eligible for points in this category. Please refer to the FY 2011 Application Guide for complete details on this change.

e. Need for services proposed in the application, and the benefits that will be derived if the application receives a grant (up to 55 points).

(i) *Additional NSLP* category—up to 10 of the possible 55 possible points are to recognize economic need not reflected in the project's National School Lunch Program (NSLP) score, and can be earned only by applications whose overall NSLP eligibility is less than 50%. To be eligible to receive points under this, the application must include an affirmative request for consideration of the possible 10 points, and compelling documentation of reasons why the NSLP eligibility percentage does not represent the economic need of the proposed project beneficiaries.

(ii) *Needs and Benefits* category—up to 45 of the 55 possible points under this criterion are available to all applicants. Points are awarded based on the required narrative crafted by the applicant. RUS encourages applicants to carefully read the cited portions of the Program regulation and the FY 2011 Application Guide for full discussions of this criterion.

f. *Innovativeness* category—level of innovation demonstrated by the project (up to 15 points).

g. *Cost Effectiveness* category—system cost-effectiveness (up to 35 points). As a clear indication of cost-effectiveness, the agency will give significant weight to cooperation and coordination with any of the Beacon Communities, which were established under the Beacon Community Collaborative Program by the Office of the National Coordinator to improve clinical outcomes, population health, and reduce health costs nationwide. Information on the Beacon Communities is available from <http://www.beaconcommunityprogram.com>.

### C. Grant Review Standards

1. In addition to the scoring criteria that rank applications against each other, the Agency evaluates grant applications for possible awards on the following items, according to 7 CFR 1703.127:

a. Financial feasibility.

b. Technical considerations. If the application contains flaws that would prevent the successful implementation, operation or sustainability of a project, the Agency will not award a grant.

c. Other aspects of proposals that contain inadequacies that would undermine the ability of the project to comply with the policies of the DLT Program.

2. Applications which do not include all items that determine project eligibility and applicant eligibility by the application deadline will be returned as ineligible. Applications that do not include all items necessary for scoring will be scored as is. Please see the FY 2011 Application Guide for a full discussion of each required item and for samples and illustrations. The Agency will not solicit or consider eligibility or scoring information submitted after the application deadline.

3. The FY 2011 grant Application Guide specifies the format and order of all required items. Applications that are not assembled and tabbed in the order specified and incorrectly assembled applications will be returned as ineligible.

4. Most DLT grant projects contain numerous project sites. The Agency requires that site information be consistent throughout an application. Sites must be referred to by the same designation throughout all parts of an application. The Agency has provided a site worksheet that requests the necessary information, and can be used as a guide by applicants. RUS strongly recommends that applicants complete the site worksheet, listing all requested information for each site. Applications without consistent site information will be returned as ineligible.

5. DLT grant applications which have non-fixed end-user sites, such as ambulance and home health care services, are now scored using a simplified scoring method that finds the relative rurality of the applicant's entire service area. See the FY 2011 Application Guide for specific guidance on this method of scoring. When an application contains non-fixed sites, it must be scored using the non-fixed site scoring method.

#### D. Selection Process

1. Grants. Applications are ranked by final score, and by application purpose (education or medical). RUS selects applications based on those rankings, subject to the availability of funds. RUS may allocate grant awards between medical and educational purposes, but is not required to do so. In addition, the Agency has the authority to limit the number of applications selected in any one State, or for one project, during a fiscal year. See 7 CFR 1703.127.

### VI. Award Administration Information

#### A. Award Notices

RUS generally notifies by mail applicants whose projects are selected for awards. The Agency follows the award letter with an agreement that contains all the terms and conditions for the grant. A copy of the standard agreement is posted on the RUS Web site at [http://www.rurdev.usda.gov/UTP\\_DLTResources.html](http://www.rurdev.usda.gov/UTP_DLTResources.html). The agreement will be updated for FY 2011 grants to incorporate new regulatory requirements for grant agreements pertaining to Central Contractor Registration and DUNS numbers (2 CFR Subtitle A, chapter 1, and part 25, Financial Assistance Use of Universal Identifier and Central Contractor Registration) and subawards and executive compensation (2 CFR part 170 RIN 0348-AB61, Requirements for Federal Funding Accountability and Transparency Act Implementation). An applicant must execute and return the agreement, accompanied by any additional items required by the agreement, within the number of days shown in the selection notice letter.

#### B. Administrative and National Policy Requirements

The items listed in Section IV of this notice, and the DLT Program regulation, FY 2011 Application Guide and accompanying materials implement the appropriate administrative and national policy requirements.

#### C. Reporting

1. Performance reporting. All recipients of DLT financial assistance

must provide annual performance activity reports to RUS until the project is complete and the funds are expended. A final performance report is also required; the final report may serve as the last annual report. The final report must include an evaluation of the success of the project in meeting DLT Program objectives. See 7 CFR 1703.107.

2. Financial reporting. All recipients of DLT financial assistance must provide an annual audit, beginning with the first year in which a portion of the financial assistance is expended. Audits are governed by United States Department of Agriculture audit regulations. Please see 7 CFR 1703.108.

#### 3. Recipient and Subrecipient Reporting.

The applicant must have the necessary processes and systems in place to comply with the reporting requirements for first-tier sub-awards and executive compensation under the Federal Funding Accountability and Transparency Act of 2006 in the event the applicant receives funding unless such applicant is exempt from such reporting requirements pursuant to 2 CFR part 170, § 170.110(b). The reporting requirements under the Transparency Act pursuant to 2 CFR part 170 are as follows:

a. First Tier Sub-Awards of \$25,000 or more in non-Recovery Act funds (unless they are exempt under 2 CFR part 170) must be reported by the Recipient to <http://www.fsrs.gov> no later than the end of the month following the month the obligation was made.

b. The Total Compensation of the Recipient's Executives (5 most highly compensated executives) must be reported by the Recipient (if the Recipient meets the criteria under 2 CFR part 170) to <http://www.ccr.gov> by the end of the month following the month in which the award was made.

c. The Total Compensation of the Subrecipient's Executives (5 most highly compensated executives) must be reported by the Subrecipient (if the Subrecipient meets the criteria under 2 CFR part 170) to the Recipient by the end of the month following the month in which the subaward was made.

4. Record Keeping and Accounting. The grant contract will contain provisions relating to record keeping and accounting requirements.

### VII. Agency Contacts

A. Web site: [http://www.rurdev.usda.gov/UTP\\_DLT.html](http://www.rurdev.usda.gov/UTP_DLT.html). The DLT Web site maintains up-to-date resources and contact information for DLT programs.

B. Telephone: 202-720-0423.

C. Fax: 202-720-1051.

D. E-mail: [dlinfo@wdc.usda.gov](mailto:dlinfo@wdc.usda.gov).

E. Main point of contact: Acting Director, Advanced Services Division, Telecommunications Program, Rural Utilities Service.

Dated: February 15, 2011.

**Jonathan Adelstein,**

Administrator, Rural Utilities Service.

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 13-2011]

#### Foreign-Trade Zone 182—Fort Wayne, IN, Application for Reorganization Under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the City of Fort Wayne, grantee of FTZ 182, requesting authority to reorganize the zone under the alternative site framework (ASF) adopted by the Board (74 FR 1170, 1/12/09 (correction 74 FR 3987, 1/22/09); 75 FR 71069-71070, 11/22/10). The ASF is an option for grantees for the establishment or reorganization of general-purpose zones and can permit significantly greater flexibility in the designation of new "usage-driven" FTZ sites for operators/users located within a grantee's "service area" in the context of the Board's standard 2,000-acre activation limit for a general-purpose zone project. The application was submitted pursuant to 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 February 18, 2011.

FTZ 182 was approved by the Board on December 23, 1991 (Board Order 549, 57 FR 1450, 1/14/1992) and expanded on October 14, 1997 (Board Order 928, 62 FR 55573, 10/27/1997).

The current zone project includes the following sites: *Site 1* (0.37 acres)—315 E. Wallace Street, Fort Wayne (Allen County); *Site 2* (0.4 acres)—2122 Bremer Road, Fort Wayne (Allen County); *Site 3* (443 acres)—Fort Wayne International Airport, 3801 Ferguson Road, Fort Wayne (Allen County); and, *Site 4* (41 acres)—Riverfork Industrial Park, 1515 Riverfork Drive West, Huntington (Huntington County).

The grantee's proposed service area under the ASF would be Adams, Allen, DeKalb, Huntington, Noble, Wabash, Wells and Whitley Counties, Indiana, as described in the application. If approved, the grantee would be able to serve sites throughout the service area