disclaimers_pr.html), the data contained therein regarding the Marine Protected Areas Inventory does not comply with the Information Quality Act (IQA). The respondent states that in light of the disclaimer language, the public ''has no reason to believe that any of these data are accurate, reliable, and complete or they have any utility.'' If true, dissemination of such information would violate NOAA's Information Quality (IQ) guidelines, published pursuant to the IQA. In support of this assertion, the respondent cites NOAA's IQA guidelines as follows: ''Information quality is composed of three elements: utility, integrity and objectivity. Quality will be ensured and established at levels appropriate to the nature and timeliness of the information to be disseminated. NOAA will conduct a pre-dissemination review of information it disseminates to verify quality. Information quality is an integral part of the pre-dissemination review * * * .''

Response

NOAA's MPA Inventory information is reliable and complies with the NOAA IQ guidelines standards for utility, integrity, and objectivity. The content of the initial Marine Managed Area (MMA) Inventory and its successor Marine Protected Areas Inventory (MPA Inventory) were developed and designed in cooperation with federal, state and territorial agencies and were the subject of public comment under the Paperwork Reduction Act. The definition of ''MPA'' was the subject of **Federal Register** comment processes as part of the inventory development process, and three additional times as part of the development and publication of the *Framework for the National System of Marine Protected Areas of the United States of America.* Data were collected directly from primary sources, and from the Federal, State, or territorial agency programs that designate and manage MPAs. Once initial data were collected, inventory information for each site was sent by the MPA Center to the pertinent MPA management agency for verification prior to posting on the *www.mpa.gov* Web site as part of the quality assurance/quality control process.

In addition, on November 20, 2008 the MPA Center Director sent a letter to MPA program managers providing each with a set of potential nominee sites from the pertinent program. The MPA program managers reviewed and verified the accuracy of the information provided. As a result of these review processes, the agencies believe NOAA's MPA inventory and related information disseminated through the MPA Center Web site meet the applicable NOAA IQ standards.

Regarding the disclaimer language posted on the MPA Center Web site (at: *http://mpa.gov/helpful_resources/disclaimers_pr.html*), the agency has taken the respondent's comments into consideration and will replace the existing disclaimer with more appropriate language regarding limitations on the use of the data contained on the MPA Center Web site.

Comment Category 9: Gap Analysis

Summary

Two respondents noted the importance of the gap analysis described in the Framework document, and urged that the agencies move forward with the gap analysis to identify areas meeting the conservation objectives of the national system in need of additional protection.

Response

The regional gap analysis process described in the Framework will complement the nominations of existing sites to the National System of MPAs by providing information on areas in need of additional protection to MPA management agencies. NOAA and DOI are currently in the design phase of the gap analysis process; information on the process will continue to be posted on *http://www.mpa.gov.*

Dated: April 17, 2009.

John H. Dunnigan,

Assistant Administrator.

[FR Doc. E9–9335 Filed 4–22–09; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Minority Business Development Agency

[Docket No.: 090416673–9681–01]

Solicitation of Applications for the Minority Business Enterprise Center (MBEC) Program

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: In accordance with 15 U.S.C. 1512 and Executive Order 11625, the Minority Business Development Agency (MBDA) is soliciting competitive applications from organizations to operate a Minority Business Enterprise Center (MBEC) in the two locations and geographical service areas specified in this notice. The MBEC operates through the use of business consultants and provides a range of business consulting and technical assistance services directly to eligible minority-owned businesses. Responsibility for ensuring that applications in response to this competitive solicitation are complete and received by MBDA on time is the sole responsibility of the applicant. Applications submitted must be for the operation of a MBEC and to provide business consultation services to eligible clients. Applications that do not meet these requirements will be rejected. This is not a grant program to help start or to further an individual business.

A link to the full text of the Announcement of Federal Funding Opportunity (FFO) for this solicitation may be accessed at: *http://www.Grants.gov, http://www.mbda.gov,* or by contacting the appropriate MBDA representative identified above. The FFO contains a full and complete description of the application and programmatic requirements under the MBEC Program. In order to receive proper consideration, applicants must comply with the requirements contained in the FFO.

DATES: The closing date for receipt of applications is June 4, 2009 at 5 p.m. Eastern Daylight Time (EDT). Completed applications must be received by MBDA at the address below for paper submissions or at *http://www.Grants.gov* for electronic submissions. The due date and time is the same for electronic submissions as it is for paper submissions. The date that applications will be deemed to have been submitted electronically shall be the date and time received at Grants.gov. Applicants should save and print the proof of submission they receive from Grants.gov. Applications received after the closing date and time will not be considered. Anticipated time for processing is seventy-five (75) days from the closing date for receipt of applications. MBDA anticipates that one award under this notice will be made with a start date of September 1, 2009.

Pre-Application Conference: In connection with this solicitation, a pre-application conference is scheduled for May 7, 2009. The time and location of the pre-application conference have yet to be determined. Participants must register at least 24 hours in advance of the conference and may participate in person or by telephone. Please visit the MBDA Internet Portal at *http://www.mbda.gov* (MBDA Portal) or contact an MBDA representative listed below for the specific time and location of the pre-application conference and for registration instructions.

ADDRESSES:

1. *Electronic Submission:* Applicants are highly encouraged to submit their proposal electronically at *http://www.Grants.gov.* Electronic submissions should be made in accordance with the instructions available at Grants.gov (see *http://www.grants.gov/forapplicants* for detailed information). MBDA strongly recommends that applicants not wait until the application deadline date to begin the application process through Grants.gov as, in some cases, the process for completing an online application may require 3–5 working days.

2a. *Paper Submission—If Mailed:* If the application is sent by postal mail or overnight delivery service by the applicant or its representative, one (1) signed original plus two (2) copies of the application must be submitted. Applicants are encouraged to also submit an electronic copy of the proposal, budget and budget narrative on a CD–ROM to facilitate the processing of applications. Complete application packages must be mailed to: Office of Business Development—MBEC Program, Office of Executive Secretariat, HCHB, Room 5063, Minority Business Development Agency, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230.

Applicants are advised that MBDA's receipt of mail sent via the United States Postal Service may be substantially delayed or suspended in delivery due to security measures. Applicants may therefore wish to use a guaranteed overnight delivery service. Department of Commerce delivery policies for overnight delivery services require all packages to be sent to the address above.

2b. *Paper Submission—If Hand-Delivered:* If the application is hand-delivered by the applicant or by its representative, one (1) signed original plus two (2) copies of the application must be delivered. Applicants are encouraged to also submit an electronic copy of the proposal, budget and budget narrative on a CD–ROM to facilitate the processing of applications. Complete application packages must be delivered to: U.S. Department of Commerce, Minority Business Development Agency, Office of Business Development—MBEC Program (extension 1940), HCHB—Room 1874, Entrance #10, 15th Street, NW. (between Pennsylvania and Constitution Avenues), Washington, DC. MBDA will not accept applications that are submitted by the deadline, but that are rejected due to the applicant's failure to adhere to Department of Commerce protocol for hand-deliveries set forth in Section IV.D.2 of the accompanying FFO.

FOR FURTHER INFORMATION CONTACT: For further information or for an application package, please visit MBDA's Minority Business Internet Portal at *http://www.mbda.gov.* Paper applications may also be obtained by contacting the MBDA Office of Business Development or the MBDA National Enterprise Center (NEC) in the region in which the MBEC will be located (see below Agency Contacts). In addition, Standard Forms (SF) may be obtained by accessing *http://www.whitehouse.gov/omb/grants* or *http://www.grants.gov* and Department of Commerce (CD) forms may be accessed at *http://www.doc.gov/forms.*

Agency Contacts:

1. MBDA Office of Business Development, 1401 Constitution Avenue, NW., Room 5075, Washington, DC 20230. Contact: Efrain Gonzalez, Chief, 202–482–1940.

2. MBDA Dallas National Enterprise Center (DNEC), 1100 Commerce Street, Room 726, Dallas, Texas, 75242. This region covers the states of Arkansas, Colorado, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah and Wyoming. Contact: John F. Iglehart, Regional Director, 214–767–8001.

SUPPLEMENTARY INFORMATION:

Background: The MBEC Program is a key component of MBDA's overall minority business development assistance program and promotes the growth and competitiveness of eligible minority-owned businesses. MBEC operators leverage project staff and professional consultants to provide a wide-range of direct business assistance services to eligible minority-owned firms, including but not limited to initial consultations and assessments, business technical assistance, and access to Federal and non-Federal procurement and financing opportunities.

MBDA currently funds a network of thirty MBEC projects located throughout the United States. Pursuant to this notice, and as set forth more fully in the corresponding FFO, competitive applications for new awards are being solicited for the two MBEC projects identified below.

Geographical Service Areas: MBDA is soliciting competitive applications from organizations to operate a MBEC and to provide services in the following geographical service areas:

Name of MBEC	Location of MBEC	MBEC geographical service area*
Houston MBEC	Houston, TX	Houston-Sugar Land-Baytown, TX MSA.**
New Orleans MBEC	New Orleans, LA	New Orleans-Metairie-Kenner, LA MSA.**

** Metropolitan Statistical Area, please see OMB Bulletin No. 09–01, Update of Statistical Area Definitions and Guidance on Their Uses (November 20, 2008) at *http://www.whitehouse.gov/omb/bulletins.*

Electronic Access: Applicants will be able to access, download and submit electronic grant applications for the MBEC Program through *http://www.Grants.gov.* MBDA strongly recommends that applicants not wait until the application deadline date to begin the application process through Grants.gov as in some cases the process for completing an Online application may require additional time (*e.g.,* 3–5 working days). The date that applications will be deemed to have been submitted electronically shall be the date and time received at Grants.gov. Applicants should save and print the proof of submission they receive from Grants.gov. Applications received after the closing date and time will not be considered.

Funding Priorities: Preference may be given during the selection process to applications which address one or more of the following MBDA funding priorities:

(a) Proposals that include performance goals that exceed by 10% or more the minimum performance goal requirements in the FFO;

(b) Applicants who demonstrate an exceptional ability to identify and work towards the elimination of barriers which limit the access of minority businesses to markets and capital;

(c) Applicants who demonstrate an exceptional ability to identify and work with minority firms seeking to obtain large-scale contracts and/or insertion into supply chains with institutional customers;

(d) Proposals that take a regional approach in providing services to eligible clients; or

(e) Proposals from applicants with pre-existing operations in the identified geographic service area.

Funding Availability: A total of $582,000 of FY 2009 funds is available under the Omnibus Appropriations Act, 2009, Public Law 111–8, to fund financial assistance awards for the two (2) MBEC projects referenced in this solicitation. MBDA anticipates that this amount will also be available in each of FYs 2010 and FYs 2011 to provide continuation funding for these projects. The total award period for awards made under this competitive solicitation is anticipated to be three years and all awards are expected to be made with a start date of September 1, 2009. The anticipated amount of the financial assistance award for each MBEC project, including the minimum 20% non-federal cost share is set forth in the below table, although actual award amounts may vary depending on the availability of funds:

Project name	September 1, 2009 through August 31, 2010			September 1, 2010 through August 31, 2011			September 1, 2011 through August 31, 2012		
	Total cost ($)	Federal share ($)	Non-federal share ($) (20% min.)	Total cost ($)	Federal share ($)	Non-federal share ($) (20% min.)	Total cost ($)	Federal share ($)	Non-federal share ($) (10% min.)
Houston MBEC	$363,750	$291,000	$72,500	$363,750	$291,000	$72,500	$363,750	$291,000	$72,500
New Orleans MBEC	363,750	291,000	72,500	363,750	291,000	72,500	363,750	291,000	72,500

Applicants must submit project plans and budgets for each of the three (3) funding periods under this award (September 1, 2009–August 31, 2010, September 1, 2010–August 31, 2011, and September 1, 2011–August 31, 2012). Projects will be funded for no more than one year at a time. Project proposals accepted for funding will not compete for funding in subsequent budget periods within the approved award period. However, operators that fail to achieve a ''satisfactory'' or better performance rating for the preceding program year may be denied second- or third-year funding (as the case may be). Recommendations for second- and third-year funding are generally evaluated by MBDA based on a mid-year performance rating and/or combination of mid-year and cumulative third quarter performance rating. In making such continued funding determinations, MBDA and the Department of Commerce will consider all the facts and circumstances of each case, such as but not limited to market conditions, most recent performance of the operator and other mitigating circumstances.

The funding periods and funding amounts referenced in this solicitation are subject to the availability of funds, as well as to Department of Commerce and MBDA priorities at the time of award. In no event will the Department of Commerce or MBDA be responsible for proposal preparation costs if this program fails to receive funding or is cancelled because of other MBDA or Department of Commerce priorities. Publication of this notice does not obligate the Department of Commerce or MBDA to award any specific cooperative agreement or to obligate all or any part of available funds.

Authority: 15 U.S.C. 1512 and Executive Order 11625.

Catalog of Federal Domestic Assistance (CFDA): 11.800, Minority Business Enterprise Centers.

Eligibility: For-profit entities (including but not limited to sole-proprietorships, partnerships, and corporations), non-profit organizations, State and local government entities, American Indian Tribes, and educational institutions are eligible to operate an MBEC.

Program Description: The MBEC Program requires project staff to provide standardized business assistance services directly to eligible ''minority business enterprises,'' with an emphasis on those firms with $500,000 or more in annual revenues and/or with ''rapid growth potential'' (''Strategic Growth Initiative'' or ''SGI'' firms); develop and maintain a network of strategic partnerships; provide collaborative consulting services with MBDA and other MBDA funded programs and strategic partners; and to provide referral services (as necessary) for client transactions. For this purpose, minority business enterprises are business concerns that are owned or controlled by the following persons or groups of persons: African Americans, Puerto Ricans, Spanish-speaking Americans, Asian and Pacific Islander Americans, Native Americans (including Alaska Natives, Alaska Native Corporations and tribal entities), Eskimos, Aleuts, Asian Indians, and Hasidic Jews. *See* 15 CFR 1400.1 and Executive Order 11625.

The MBEC Program incorporates an entrepreneurial approach to building market stability and improving the quality of client services. This entrepreneurial strategy expands the reach of the MBECs by requiring project operators to develop and build upon strategic alliances with public and private sector partners as a means of serving minority-owned firms within each MBEC's geographical service area. The MBEC Program is also designed to effectively leverage MBDA resources, including but not limited to: MBDA Office of Business Development and MBDA National Enterprise Centers; MBDA's Business Internet Portal; and MBDA's nationwide network of MBECs, Native American Business Enterprise Centers (NABECs) and Minority Business Opportunity Centers (MBOCs). MBEC operators are also required to attend a variety of MBDA training programs designed to increase operational efficiencies and the provision of value-added client services.

MBEC operators are generally required to provide the following four client services: (1) Client Assessment—identifying clients' immediate and long-term needs and establishing projected growth tracks; (2) Strategic Business Consulting—providing intensive business consulting services that can be delivered as personalized consulting or group consulting; (3) Access to Capital—assisting clients with securing necessary financial capital; and (4) Access to Markets—assisting clients to identify and access opportunities for increased sales and revenues.

Please refer to the FFO pertaining to this competitive solicitation for a full and complete description of the application and programmatic requirements under the MBEC Program.

Match Requirements: The MBEC Program requires a minimum non-Federal cost share of 20%, which must be reflected in the proposed project budget. Non-Federal cost share is the portion of the project cost not borne by the Federal Government. Applicants must satisfy the non-Federal cost sharing requirements by one or more of the following four means or any combination thereof: (1) Client fees; (2) applicant cash contributions; (3) applicant in-kind (*i.e.,* non-cash) contributions; or (4) third-party in-kind contributions. The MBEC is required to charge client fees for services rendered

based upon a sliding scale of client revenues as set forth in Section III.B. of the accompanying FFO and such fees must be used by the operator towards meeting the non-federal cost share requirements under the award. Applicants will be awarded up to five (5) bonus points to the extent that the proposed project budget includes a non-Federal cost share contribution, measured as a percentage of the overall project budget, exceeding 20% (see Evaluation Criterion below).

Evaluation Criterion: Proposals will be evaluated and one applicant may be selected based on the below evaluation criterion. The maximum total number of points that an application may receive is 105, including the bonus points for exceeding the minimum required non-Federal cost share, except when oral presentations are made by applicants. If oral presentations are made (see below: Oral Presentation By MBDA Selected Applicants), the maximum total of points that can be earned is 115. The number of points assigned to each evaluation criterion will be determined on a competitive basis by the MBDA review panel based on the quality of the application with respect to each evaluation criterion.

1. Applicant Capability (40 points)

Proposals will be evaluated with respect to the applicant's experience and expertise in providing the work requirements listed. Specifically, proposals will be evaluated as follows:

(a) *Community*—Experience in and knowledge of the minority community, minority business sector, and strategies for enhancing its growth and expansion; particular emphasis shall be on expanding SGI firms. Consideration will be given to whether the applicant has a physical presence in the geographic service area at the time of its application (4 points);

(b) *Business Consulting*—Experience in and knowledge of business consulting with respect to minority firms, with emphasis on SGI firms in the geographic service area (5 points);

(c) *Financing*—Experience in and knowledge of the preparation and formulation of successful financial transactions, with an emphasis on the geographic service area (5 points);

(d) *Procurements and Contracting*—Experience in and knowledge of the public and private sector contracting opportunities for minority businesses, as well as demonstrated expertise in assisting clients into supply chains (5 points);

(e) *Financing Networks*—Resources and professional relationships within the corporate, banking and investment community that may be beneficial to minority-owned firms (5 points);

(f) *Establishment of a Self-Sustainable Service Model*—Summary plan to establish a self-sustainable model for continued services to the MBE communities beyond the MBDA award period (3 points);

(g) *MBE Advocacy*—Experience and expertise in advocating on behalf of minority communities and minority businesses, both as to specific transactions in which a minority business seeks to engage and as to broad market advocacy for the benefit of the minority community at large (3 points); and

(h) *Key Staff*—Assessment of the qualifications, experience and proposed role of staff that will operate the MBEC. In particular, an assessment will be made to determine whether proposed key staff possess the expertise in utilizing information systems and the ability to successfully deliver program services. At a minimum the applicant must identify a proposed project director (10 points).

2. Resources (20 points)

Proposals will be evaluated under this criterion as follows:

(a) *Resources*—Resources (not included as part of the non-federal cost share) that will be used in implementing the program, including but not limited to existing prior and/or current data lists that will serve in fostering immediate success for the MBEC (8 points);

(b) *Location*—Assessment of the applicant's strategic rationale for the proposed physical location of the MBEC. Applicant is encouraged to establish a location for the MBEC that is in a building which is separate and apart from any of the applicant's existing offices in the geographic service area (2 points);

(c) *Partners*—How the applicant plans to establish and maintain the network of strategic partners and the manner in which these partners will support the MBEC in meeting program performance goals (5 points); and

(d) *Equipment*—How the applicant plans to satisfy the MBEC information technology requirements, including computer hardware, software requirements and network map (5 points).

3. Techniques and Methodologies (20 points)

Proposals will be evaluated under this criterion as follows:

(a) *Performance Measures*—For each funding period, the manner in which the applicant relates each performance measure to the financial information and market resources available in the geographic service area (including existing client list); how the applicant will create MBEC brand recognition (marketing plan); and how the applicant will satisfy program performance goals. In particular, emphasis will be placed on the manner in which the applicant matches MBEC performance goals with client service hours and how it accounts for existing market conditions in its strategy to achieve such goals (10 points);

(b) *Start-up Phase*—How the applicant will commence MBEC operations within the initial 30-day period. The MBEC shall have thirty (30) days to become fully operational after an award is made (3 points); and

(c) *Work Requirement Execution Plan*—The applicant will be evaluated on how effectively and efficiently staff time will be used to achieve the MBEC programmatic requirements set forth more fully in the FFO, particularly with respect to periods beyond the start-up phase (7 points).

4. Proposed Budget and Budget Narrative (20 points)

The applicant's proposal will be evaluated as follows:

(a) *Reasonableness, Allowability and Allocability of Proposed Program Costs.* All of the proposed program costs expenditures should be discussed and the budget line-item narrative must match the proposed budget. Fringe benefits and other percentage item calculations should match the proposed budget line-item and narrative (5 points);

(b) *Non-Federal Cost Share.* The required 20% non-Federal share must be adequately addressed and properly documented, including but not limited to how client fees (if proposed) will be used by the applicant in meeting the non-Federal cost-share (5 points); and

(c) *Performance-Based Budgeting.* The extent to which the line-item budget and budget narrative relate to the accomplishment of the MBEC programmatic requirements and performance measures (*i.e.,* performance-based budgeting) (10 points).

5. Bonus Points for Exceeding the Minimum Required Non-Federal Cost Share (5 points)

Proposals with non-Federal cost sharing exceeding 20% of the total project costs will be awarded bonus points on the following scale: more than 20%—less than 25% = 1 point; 25% or more—less than 30% = 2 points; 30% or more—less than 35% = 3 points; 35% or more—less than 40% = 4 points; and

40% or more = 5 points. Non-Federal cost sharing of at least 20% is required under the MBEC Program. Non-Federal cost sharing is the portion of the total project cost not borne by the Federal Government and may be met by the applicant by any one or more of the following four means (or a combination thereof): (1) client fees; (2) cash contributions; (3) non-cash applicant contributions; or, (4) third party in-kind contributions.

6. Oral Presentation by MBDA Selected Applicants (10 points)

Oral presentations are held only when requested by MBDA. This action may be initiated for the top two (2) ranked applications for a project and will be applied on a consistent basis for each project competition. Oral presentations will be used to establish a final evaluation and ranking.

The applicant's presentation will be evaluated as to the extent to which the presentation demonstrates:

(a) How the applicant will effectively and efficiently assist MBDA in the accomplishment of its mission (2 points);

(b) Business operating priorities designed to manage a successful MBEC (2 points);

(c) A management philosophy that achieves an effective balance between micromanagement and complete autonomy for its Project Director (2 points);

(d) Robust search criteria for the identification of a Project Director (1 point);

(e) Effective employee recruitment and retention policies and procedures (1 point); and

(f) A competitive and innovative approach to exceeding performance requirements (2 points).

Review and Selection Process:

1. Initial Screening

Prior to the formal paneling process, each application will receive an initial screening to ensure that the applicant is eligible and the application is complete and that all required forms, signatures and documentation are present. An application will be considered non-responsive and will not be evaluated by the review panel if it is received after the closing date for receipt of applications, the applicant fails to submit an original, signed Form SF–424 by the application closing date (paper applications only), or the application does not provide for the operation of a MBEC. Other deficiencies, while not rendering the application non-responsive, will be considered during panel review and may result in point deductions.

2. Panel Review

Each responsive application will receive an independent, objective review by a panel qualified to evaluate the applications submitted. The review panel will consist of at least 3 persons, all of whom will be full-time federal employees and at least one of whom will be an MBDA employee, who will review the applications for a specified project based on the above evaluation criterion. Each reviewer shall evaluate and provide a score for each proposal. Each project review panel (through the panel Chairperson) shall provide the MBDA National Director (Recommending Official) with a ranking of the applications based on the average of the reviewers' scores and shall also provide a recommendation regarding funding of the highest scoring application.

3. Oral Presentation by MBDA Selected Applicants

MBDA may request that the two (2) top-ranked applicants to develop and make an oral presentation. If an oral presentation is requested, the selected applicants will receive a formal communication (via standard mail, e-mail or fax) from MBDA informing them of the time and date of the oral presentation. In-person presentations are not mandatory but are encouraged; telephonic presentations are acceptable. MBDA will provide the teleconference dial-in number and pass code.

Oral presenters will be required to submit to MBDA, at least 24 hours before the scheduled date and time for the oral presentation, a PowerPoint (or equivalent) presentation that addresses the oral presentation criteria set forth above. The oral presentation will be made to the MBDA National Director (or his/her designee) and up to three senior MBDA staff who did not serve on the original review panel. The oral panel members may ask follow-up questions after the presentation. Each applicant will present to MBDA staff only and applicants will not be permitted to listen to or attend presentations made by other applicants.

All costs pertaining to this presentation shall be borne by the applicant. MBEC award funds may not be used as a reimbursement for this presentation. MBDA will not accept any requests or petitions for reimbursement.

The oral panel members shall score each presentation in accordance with the oral presentation criterion provided above. An average score shall be compiled and added to the score of the original panel review.

4. Final Recommendation

The MBDA National Director makes the final recommendation to the Grants Officer regarding the funding of one application under this competitive solicitation. MBDA expects to recommend for funding the highest ranking application, as evaluated and recommended by the review panel and taking into account oral presentations (as applicable). However, the MBDA National Director may not make any selection, or he/she may select an application out of rank order for either or both of the following reasons:

(a) A determination that a lower ranked application better addresses one or more of the funding priorities for this competition. The National Director (or his/her designee) reserves the right to conduct one or more site visits to better assess an applicant's capability to achieve the program and funding priorities; or

(b) The availability of MBDA funding.

Prior to making a final recommendation to the Grants Officer, MBDA may request that the apparent winner of the competition provide written clarifications (as necessary) regarding its application.

Intergovernmental Review: Applications under this program are not subject to Executive Order 12372, ''Intergovernmental Review of Federal Programs.''

Limitation of Liability: In no event will MBDA or the Department of Commerce be responsible for proposal preparation costs if the MBEC Program fails to receive funding or is cancelled because of Department of Commerce or MBDA priorities. All funding periods under the award are subject to the availability of funds to support the continuation of the project. Publication of this notice does not obligate MBDA or the Department of Commerce to award any specific project or to obligate any available funds.

Universal Identifier: All applicants will be required to provide a Dun and Bradstreet Data Universal Numbering system (DUNS) number during the application process. *See* the June 27, 2003 **Federal Register** notice (68 FR 38402) for additional information. Organizations can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at 1–866–705–5711 or by accessing the Grants.gov Web site at *http://www.Grants.gov.*

Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements: The

Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of February 11, 2008 (73 FR 7696) are applicable to this solicitation.

Paperwork Reduction Act: This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Standard Forms 424, 424A, 424B, SF–LLL, and CD–346 have been approved by OMB under the respective control numbers 0348–0043, 0348–0044, 0348–0040, 0348–0046, and 0605–0001. Notwithstanding any other provisions of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.

Executive Order 12866: This notice has been determined to be not significant for purposes of E.O. 12866.

Administrative Procedure Act/ Regulatory Flexibility Act: Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act for rules concerning public property, loans, grants, benefits, or contracts (5 U.S.C. 533(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 533 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

Dated: April 17, 2009.

Efrain Gonzalez,

Chief, Office of Business Development, Minority Business Development Agency.

[FR Doc. E9–9297 Filed 4–22–09; 8:45 am]

BILLING CODE 3510–21–P

DEPARTMENT OF COMMERCE

Minority Business Development Agency

[Docket No.: 090416670–9679–01]

Solicitation of Applications for the Native American Business Enterprise Center (NABEC) Program

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: In accordance with 15 U.S.C. Section 1512 and Executive Order 11625, the Minority Business Development Agency (MBDA) is soliciting competitive applications from organizations to operate a Native American Business Enterprise Center (NABEC) in the four locations and geographical service areas specified in this notice. The NABEC operates through the use of business consultants and provides a range of business consulting and technical assistance services directly to Native American and other eligible minority-owned businesses. Responsibility for ensuring that applications in response to this competitive solicitation are complete and received by MBDA on time is the sole responsibility of the applicant. Applications submitted must be for the operation of a NABEC and to provide business consultation services to eligible clients. Applications that do not meet these requirements will be rejected. This is not a grant program to help start or to further an individual business.

A link to the full text of the Announcement of Federal Funding Opportunity (FFO) for this solicitation may be accessed at: *http://www.Grants.gov*, *http://www.mbda.gov*, or by contacting the appropriate MBDA representative identified below. The FFO contains a full and complete description of the application and programmatic requirements under the NABEC Program. In order to receive proper consideration, applicants must comply with the requirements contained in the FFO.

DATES: The closing date for receipt of applications is June 4, 2009 at 5 p.m. Eastern Daylight Time (EDT). Completed applications must be received by MBDA at the address below for paper submissions or at *http://www.Grants.gov* for electronic submissions. The due date and time is the same for electronic submissions as it is for paper submissions. The date that applications will be deemed to have been submitted electronically shall be the date and time received at Grants.gov. Applicants should save and print the proof of submission they receive from Grants.gov. Applications received after the closing date and time will not be considered. Anticipated time for processing is seventy-five (75) days from the close of the competition period. MBDA anticipates that awards under this notice will be made with a start date of September 1, 2009.

Pre-Application Conference: In connection with this solicitation, a pre-application teleconference will be held on May 4, 2009 at 1:00 p.m. (EDT). Participants must register at least 24 hours in advance of the teleconference and may participate in person or by telephone. Please visit the MBDA Internet Portal at *http://www.mbda.gov* (MBDA Portal) or contact an MBDA representative listed below for registration instructions.

ADDRESSES: 1. Electronic Submission: Applicants are highly encouraged to submit their proposal electronically at *http://www.Grants.gov.* Electronic submissions should be made in accordance with the instructions available at Grants.gov (see *http://www.grants.gov/forapplicants* for detailed information). MBDA strongly recommends that applicants not wait until the application deadline date to begin the application process through Grants.gov as, in some cases, the process for completing an online application may require 3–5 working days.

2a. Paper Submission—If Mailed: If the application is sent by postal mail or overnight delivery service by the applicant or its representative, one (1) signed original plus two (2) copies of the application must be submitted. Completed application packages must be mailed to: Office of Business Development—NABEC Program, Office of Executive Secretariat, HCHB Room 5063, Minority Business Development Agency, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230.

Applicants are advised that MBDA's receipt of mail sent via the United States Postal Service may be substantially delayed or suspended in delivery due to security measures. Applicants may therefore wish to use a guaranteed overnight delivery service. Department of Commerce delivery policies for overnight delivery services require all packages to be sent to the address above.

2b. Paper Submission—If Hand-Delivered: If the application is hand-delivered by the applicant or by its representative, one (1) signed original plus two (2) copies of the application must be delivered to: U.S. Department of Commerce, Minority Business Development Agency, Office of Business Development—NABEC Program (extension 1940), HCHB—Room 1874, Entrance #10, 15th Street, NW. (between Pennsylvania and Constitution Avenues), Washington, DC. MBDA will not accept applications that are submitted by the deadline, but that are rejected due to the applicant's failure to adhere to Department of Commerce protocol for hand-deliveries set forth in Section IV.D.2. of the accompanying FFO.

FOR FURTHER INFORMATION CONTACT: For further information or for an application package, please visit MBDA's Minority Business Internet Portal at *http://www.mbda.gov.* Paper applications may also be obtained by contacting the