

in which Mr. Yusim alleges that his employer, an entity called Midnight Sun Tours, Inc., and his employer's corporate parents (including Coach America) discriminated against drivers who accurately reported their hours of service. According to Mr. Yusim, these two cases were automatically stayed as a result of the bankruptcy proceedings pursuant to 11 U.S.C. 362. Mr. Yusim requests that the Board disallow the sale of any subsidiaries of Coach America until the Secretary is allowed to hear the two cases. Because we have received a timely comment in opposition to the application, we will not grant tentative authority under 49 CFR 1182.4(b). See 49 CFR 1182.6(a). Instead, we will institute a proceeding to address this matter as well as determine the merits of the application pursuant to 49 U.S.C. 14303. Comments and responses are to be submitted as ordered below. See 49 CFR 1182.5 & 1182.6.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

*It is ordered:*

1. Comments must be filed by August 6, 2012. Applicants may file a reply to any comments by August 21, 2012.

2. This notice will be effective on its date of service.

3. A copy of this notice will be served on: (1) The U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 950 Pennsylvania Avenue NW., Washington, DC 20530; (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590; (4) the Federal Trade Commission, Bureau of Competition, Premerger Notification Office, 600 Pennsylvania Avenue NW., Washington, DC 20580; and (5) Michael Yusim, 7499 Eagle Point Drive, Delray Beach, FL 33446.

Decided: June 18, 2012.

By the Board, Chairman Elliott, Vice Chairman Mulvey, and Commissioner Begeman.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2012-15287 Filed 6-21-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Open Meeting of the President's Advisory Council on Financial Capability

**AGENCY:** Department of the Treasury.

**ACTION:** Notice of meeting.

**SUMMARY:** The President's Advisory Council on Financial Capability ("Council") will convene for an open meeting on July 16, 2012, at the Department of Treasury, 1500 Pennsylvania Avenue NW., Washington DC, beginning at 10 a.m. Eastern Time. The meeting will be open to the public. The Council will: (1) Receive reports from the Council's subcommittees (Underserved and Community Empowerment, Research and Evaluation, Partnerships, and Youth) on their progress; and (2) hear from a panel of experts about research in financial capability.

**DATES:** The meeting will be held on July 16, 2012, at 10 a.m. Eastern Time.

**SUBMISSION OF WRITTEN STATEMENTS:** The public is invited to submit written statements to the Council. Written statements should be sent by any one of the following methods:

#### Electronic Statements

Email: [pacfc@treasury.gov](mailto:pacfc@treasury.gov) or

#### Paper Statements

Send paper statements to the Department of the Treasury, Office of Financial Education, Financial Access, and Consumer Protection, Main Treasury Building, 1500 Pennsylvania Avenue NW., Washington, DC 20220.

In general, the Department will make all statements available in their original format, including any business or personal information provided such as names, addresses, email addresses, or telephone numbers, for public inspection and photocopying in the Department's library, Room 1428, Main Department Building, 1500 Pennsylvania Avenue NW., Washington DC, 20220, on official business days between the hours of 10 a.m. and 5 p.m. You can make an appointment to inspect statements by calling (202) 622-0990. All statements received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. You should only submit information that you wish to make publicly available.

#### FOR FURTHER INFORMATION CONTACT:

Louisa Quittman, Director, Office of Financial Education, Department of the Treasury, 1500 Pennsylvania Avenue NW., Washington, DC 20220, at (202) 622-5770 or [pacfc@treasury.gov](mailto:pacfc@treasury.gov).

**SUPPLEMENTARY INFORMATION:** On January 29, 2010, the President signed Executive Order 13530, creating the Council to assist the American people in understanding financial matters and making informed financial decisions, thereby contributing to financial stability. The Council is composed of two *ex-officio* Federal officials and 15 non-governmental members appointed by the President with relevant backgrounds, such as financial services, consumer protection, financial access, and education. The role of the Council is to advise the President and the Secretary of the Treasury on means to promote and enhance individuals' and families' financial capability. The Council held its first meeting on November 30, 2010. At that meeting, the Chair recommended the establishment of five subcommittees to focus on the following strategic areas: National Strategy, Financial Access, Research and Evaluation, Partnerships, and Youth. The Council met again on April 21, 2011; July 12, 2011; November 8, 2011; January 19, 2012, and April 9, 2012. At the January 19, 2012, meeting, the Council presented an Interim Report to the President, which can be found at: <http://www.treasury.gov/resource-center/financial-education/Documents/PACFC%20Interim%20Report%2001-18-12%20Final.pdf>.

In accordance with section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. 2 and the regulations thereunder, Louisa Quittman, Designated Federal Officer of the Council, has ordered publication of this notice that the Council will convene its seventh meeting on July 16, 2012, at the Department of Treasury, 1500 Pennsylvania Avenue NW., Washington DC, beginning at 10:00 a.m. Eastern Time. The meeting will be open to the public. Members of the public who plan to attend the meeting must RSVP with their name, organization represented (if any), phone number, and email address. To register, please go to [www.treasury.gov](http://www.treasury.gov), click on Resource Center, then Office of Financial Education and Financial Access, and then on the President's Advisory Council on Financial Capability by 5 p.m. Eastern Time on July 10, 2012. For entry into the building on the date of the meeting, attendees must present a government-issued ID, such as a driver's license or passport, which includes a photo. The purpose of the meeting is to receive an update from the Council's subcommittees on their progress. The

Council will also hear from experts on financial capability research.

**Melissa Koide,**

*Deputy Assistant Secretary of Financial Education, Financial Access, and Consumer Protection, U.S. Department of the Treasury.*

[FR Doc. 2012-15312 Filed 6-21-12; 8:45 am]

BILLING CODE 4810-25-P

**DEPARTMENT OF THE TREASURY**

**Community Development Financial Institutions Fund**

*Funding Opportunity Title:* Notice of Funds Availability (NOFA) inviting Applications for the FY 2012 Funding Round of the Bank Enterprise Award (BEA) Program.

*Announcement Type:* Announcement of funding opportunity.

*Catalog of Federal Domestic Assistance (CFDA) Number:* 21.021.

**DATES:** Applications for the FY 2012 funding round of the BEA Program must be received by July 27, 2012.

Applications must meet all eligibility and other requirements and deadlines, as applicable, set forth in this NOFA. Applications received after July 27, 2012 will be rejected.

*Executive Summary:* This NOFA is issued in connection with the FY 2012 funding round of the BEA Program. The BEA Program is administered by the Community Development Financial Institutions (CDFI) Fund, a wholly owned government corporation within the Department of the Treasury. The BEA Program encourages Insured Depository Institutions to increase their levels of loans, investments, services, and technical assistance within Distressed Communities, and financial assistance to CDFIs through grants, stock purchases, loans, deposits, and other forms of financial and technical assistance, during a specified period.

**I. Funding Opportunity Description**

*A. Baseline Period and Assessment Period dates:* A BEA Program Award is based on an Applicant's increases in Qualified Activities from the Baseline Period to the Assessment Period. For the FY 2012 funding round, the Baseline Period is calendar year 2010 (January 1, 2010 through December 31, 2010), and the Assessment Period is calendar year 2011 (January 1, 2011 through December 31, 2011). If Qualified Activities in a specific category results in a decrease in activity from the Baseline Period to the Assessment Period, there is no need to report the activity.

*B. Program regulations:* The regulations governing the BEA Program can be found at 12 CFR part 1806 (the

Interim Rule) and provide guidance on evaluation criteria and other requirements of the BEA Program. The CDFI Fund encourages Applicants to review the Interim Rule. Detailed BEA Program requirements are found in the Application related to this NOFA. Each capitalized term in this NOFA is more fully defined either in the Interim Rule or the Application.

*C. Qualified Activities:* Qualified Activities are defined in the Interim Rule to include CDFI Related Activities, Distressed Community Financing Activities, and Service Activities (12 CFR 1806.103). CDFI Related Activities (12 CFR 1806.103(q)) include Equity Investments, Equity-Like Loans, and CDFI Support Activities). Distressed Community Financing Activities (12 CFR 1806.103(u)) include Affordable Housing Loans, Affordable Housing Development Loans and related Project Investments; Education Loans; Commercial Real Estate Loans and related Project Investments; Home Improvement Loans; and Small Business Loans and related Project Investments. Service Activities (12 CFR 1806.103(nn)) include Deposit Liabilities, Financial Services, Community Services, Targeted Financial Services, and Targeted Retail Savings/Investment Products.

When calculating BEA Program Award amounts, the CDFI Fund will count only the amount that an Applicant reasonably expects to disburse for a Qualified Activity within 12 months from the end of the Assessment Period. Subject to the requirements outlined in Section VII. B.1. of this NOFA, in the case of Commercial Real Estate Loans and related Project Investments, the total principal amount of the transaction must be \$10 million or less to be considered a Qualified Activity. Notwithstanding the foregoing, the CDFI Fund, in its sole discretion, may consider transactions with a total principal value of over \$10 million, subject to review.

Activities funded with prior BEA Award dollars, or funded to satisfy requirements of a BEA Award Agreement from a prior Award shall not constitute a Qualified Activity for the purposes of calculating or receiving an Award.

*D. Designation of Distressed Community:* Each CDFI Partner that is the recipient of CDFI Support Activities from an Applicant must designate a Distressed Community. CDFI Partners that receive Equity Investments are not required to designate Distressed Communities. Applicants applying for a BEA Program Award for carrying out

Distressed Community Financing Activities or Service Activities must verify that addresses of both Baseline and Assessment Period activities are in Distressed Communities when completing their Application. Please note that a Distressed Community as defined by the BEA Program is not necessarily the same as an Investment Area as defined by the CDFI Program or a Low-Income Community as defined by the New Markets Tax Credit (NMTC) Program.

*1. Definition of Distressed Community:* A Distressed Community must meet certain minimum geographic area and distress requirements, which are defined in the Interim Rule at 12 CFR 1806.103(t) and more fully described in 12 CFR 1806.200. For the purpose of this NOFA, Distressed Communities labeled either "Fully Qualified" or "Partially Qualified" in the *CDFI Fund Mapping System (CIMS)* will satisfy the definition of a Distressed Community as long as the poverty rate is not less than 20 percent. Applicants should use CIMS to determine whether a Baseline Period activity or Assessment Period activity is located in a qualifying Distressed Community.

*2. Designation of Distressed Community:* A CDFI Partner (as appropriate) shall designate an area as a Distressed Community by:

(a) Selecting Geographic Units which individually meet the minimum area eligibility requirements; or

(b) Selecting two or more Geographic Units which, in the aggregate, meet the minimum area eligibility requirements set forth in paragraph (1) of this section provided that no Geographic Unit selected by the Applicant within the area has a poverty rate of less than 20 percent.

A CDFI Partner designates a Distressed Community by submitting a map of the Distressed Community as described in the BEA Program Application. CDFI Partners must use CIMS to designate Distressed Communities. CIMS is accessed through *myCDFIFund* and contains step-by-step instructions on how to create and save the aforementioned map of the Distressed Community. *MyCDFIFund* is an electronic interface that is accessed through the CDFI Fund's Web site ([www.cdfifund.gov](http://www.cdfifund.gov)). Instructions for registering with *myCDFIFund* are available on the CDFI Fund's Web site. If you have any questions or problems with registering, please contact the CDFI Fund IT HelpDesk by telephone at (202) 622-2455, or by email to [ITHelpDesk@cdfi.treas.gov](mailto:ITHelpDesk@cdfi.treas.gov).

*3. Persistent Poverty Counties:* The Consolidated Appropriations Act of