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January 20, 2012

GENERAL MEMORANDUM 12-011

Administration for Children and Families Tribal Consultations

The Administration for Children and Families (ACF), an agency in the Department of Health and Human Services (HHS), has recently posted notices regarding two upcoming consultations with tribes.¹

Consultation on Title IV-E² (Foster Care and Adoption Assistance) Statewide Automated Child Welfare Information Systems (SACWIS). Under current law state Title IV-E programs are not required to have a statewide automated child welfare information system (SACWIS), but the ACF will fund part of the cost if the state develops such a system. These systems are designed to track and manage child protection, foster care and adoption assistance activities. SACWIS regulations were implemented in 1993, long before the Title IV-E statute was changed to authorize tribes to directly administer this program.³ As ACF explains in the attached January 5, 2012, FEDERAL REGISTER notice, the regulations do not reflect the current day status of tribes with regard to the IV-E program, are "state-centric" and may not meet tribal needs.

The ACF will hold two teleconferences to provide information on the SACWIS regulations and to consult with tribes about changes that may be needed to incentivize the development of tribal systems. The attached notice provides call-in information. The teleconference times are:

- February 15, from 1-3 p.m. EST – this teleconference is for tribal leaders
- February 16, from 1-3 p.m. EST – this teleconference is for tribal representatives

Written comments are due April 6, 2012.

Consultation on Administration for Children and Families Programs and Tribal Priorities. The ACF published the attached January 19, 2012, FEDERAL REGISTER notice regarding its upcoming tribal consultation session in March.

¹ The ACF issued its tribal consultation policy in August 2011. (See our General Memorandum 11-105 of September 1, 2011.)

² Title IV-E of the Social Security Act.

³ The Fostering Connections to Success and Increasing Adoptions Act of 2008, Public Law 110-351, authorizes tribes to apply to administer the Title IV-E program. (See our General Memorandum 08-124 of October 17, 2008).

The consultation session will be held *March 5-6, 2012*, at the Renaissance Hotel in Washington, DC. On the morning of March 5 there will be a training and information session about ACF programs and its Integration and Interoperability Initiative. Written testimony is to be submitted to Administration for Native Americans Commissioner Lillian Sparks by *February 24, 2012*. The attached notice contains additional information on submitting testimony and testifying in person.

A number of programs of importance to tribes are under the Administration for Children and Families: Temporary Assistance for Needy Families; Child Care and Development Block Grant; Child Support Enforcement; Head Start; Foster Care and Adoption Assistance; Promoting Safe and Stable Families; Child Welfare Services; Administration for Native Americans; and Low Income Energy Assistance.

HHS Tribal Budget Consultation. We will report in a separate memorandum on the HHS tribal budget consultation session scheduled for March 8-9, 2012, in Washington, DC. HHS has designated March 7 as "resource day" and will provide an overview of its programs and other resources available to tribes.

Please let us know if we may provide additional information or assistance regarding the Administration for Children and Families tribal consultations.

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Inquires may be directed to:
Karen Funk (kfunk@hobbsstrauss.com)

(1) What is the extent of the problem and its consequences.

(2) What are the differences in youth violence prevalence among subgroups and communities and how might they inform prevention approaches.

(3) What is the availability and adaptability of evidence-based prevention programs.

Purpose of Notice: The purpose of this notice is to provide individuals and organizations the opportunity to identify issues and areas of need for consideration as we gather information to inform the Surgeon General's document on youth violence. All comments will receive careful consideration.

Dated: January 5, 2012.

Tanja Popovic,

Deputy Associate Director for Science, Centers for Disease Control and Prevention.

[FR Doc. 2012-918 Filed 1-18-12; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Tribal Consultation; Notice of Meeting

AGENCY: Administration for Children and Families, Department of Health and Human Services.

ACTION: Notice of Tribal Consultation.

SUMMARY: The Department of Health and Human Services (HHS), Administration for Children and Families (ACF) will host a Tribal Consultation to consult on ACF programs and tribal priorities.

DATES: March 5-6, 2012.

ADDRESSES: Renaissance Hotel, 999 9th Street NW., Washington, DC 20001.

FOR FURTHER INFORMATION CONTACT:

Lillian A. Sparks, Commissioner, Administration for Native Americans at (202) 401-5590, by email at Lillian.sparks@acf.hhs.gov, or by mail at 370 L'Enfant Promenade SW., 2 West, Washington, DC 20447.

SUPPLEMENTARY INFORMATION: On November 5, 2009, President Obama signed the "Memorandum for the Heads of Executive Departments and Agencies on Tribal Consultation." The President stated that his Administration is committed to regular and meaningful consultation and collaboration with tribal officials in policy decisions that have tribal implications, including, as an initial step, through complete and consistent implementation of Executive Order 13175.

The United States has a unique legal and political relationship with Indian

tribal governments, established through and confirmed by the Constitution of the United States, treaties, statutes, executive orders, and judicial decisions. In recognition of that special relationship, pursuant to Executive Order 13175 of November 6, 2000, executive departments and agencies are charged with engaging in regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, and are responsible for strengthening the government-to-government relationship between the United States and Indian tribes.

HHS has taken its responsibility to comply with Executive Order 13175 very seriously over the past decade, including the initial implementation of a Department-wide policy on tribal consultation and coordination in 1997, and through multiple evaluations and revisions of that policy, most recently in 2008. Many HHS agencies have already developed their own agency-specific consultation policies that complement the Department-wide efforts.

In August 2011, ACF issued its Consultation Policy in partnership with tribes. This policy will help our program offices and program office regional presence to better engage Federally Recognized Indian Tribes in the development or revision of policies, regulations, and proposed legislation that impact American Indians. ACF firmly believes that in order to create a good working relationship with tribes, it starts with requesting and receiving input from the tribes to ensure that we are meeting their needs and to establish a partnership that can carry us into the future.

Testimonies may be submitted no later than February 24, 2012, to: Lillian Sparks, Commissioner, Administration for Native Americans, 370 L'Enfant Promenade SW., Washington, DC 20447. anacommissioner@acf.hhs.gov.

However, this deadline does not preclude anyone from providing testimony at the session and we will, to the extent that time allows, hear your testimony. If you plan on attending to present your testimony, please provide the name, title, and tribe of the individual who will be presenting to Kimberly Romine. Ms. Romine may be reached at Kimberly.romine@acf.hhs.gov or by phone at (202) 205-5603. In order to facilitate the discussion, we ask that presenters provide a brief overview of the testimony and include the specific issues to be addressed at the session. For any tribe unable to attend to present testimony, please be aware that ACF will keep the testimony record open for

30 days after the date of the consultation. After 30 days, ACF will provide written responses to all testimonies received, including those that were presented in person. To register for the consultation, please submit your name, tribe or organization, phone, and email address to Ms. Romine.

In addition to the Tribal Consultation session, ACF will be hosting a half day Tribal Training and Technical Assistance session to provide information about ACF programs, and ACF's Integration and Interoperability Initiative. The Tribal Training and Technical Assistance session will be held the morning of March 5, 2012, in the same room as the Tribal Consultation session.

Dated: January 11, 2012.

George H. Sheldon,

Acting Assistant Secretary for Children and Families.

[FR Doc. 2012-1009 Filed 1-18-12; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Health Resources and Services Administration (HRSA) publishes abstracts of information collection requests under review by the Office of Management and Budget (OMB), in compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35). To request a copy of the clearance requests submitted to OMB for review, email paperwork@hrsa.gov or call the HRSA Reports Clearance Office on (301) 443-1129.

The following request has been submitted to the Office of Management and Budget for review under the Paperwork Reduction Act of 1995:

Proposed Project: Data System for Organ Procurement and Transplantation Network and Associated Forms (OMB No. 0915-0157)—Extension

Section 372 of the Public Health Service (PHS) Act requires that the Secretary, by contract, provide for the establishment and operation of an Organ Procurement and Transplantation Network (OPTN). The OPTN, among other responsibilities, operates and maintains a national waiting list of

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order (EO) 12898 (59 FR 7629 (Feb. 16, 1994)) establishes Federal executive policy on environmental justice. Its main provision directs Federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

EPA has determined that this proposed rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because it does not affect the level of protection provided to human health or the environment. These amendments would not relax the control measures on sources regulated by the RFS regulations and therefore would not cause emissions increases from these sources.

VII. Statutory Provisions and Legal Authority

Statutory authority for the rule finalized today can be found in section 211 of the Clean Air Act, 42 U.S.C. 7545. Additional support for the procedural and compliance related aspects of today's rule, including the recordkeeping requirements, come from Sections 114, 208, and 301(a) of the Clean Air Act, 42 U.S.C. 7414, 7542, and 7601(a).

List of Subjects in 40 CFR Part 80

Environmental protection, Administrative practice and procedure, Agriculture, Air pollution control, Confidential business information, Diesel Fuel, Energy, Forest and Forest Products, Fuel additives, Gasoline, Imports, Labeling, Motor vehicle pollution, Penalties, Petroleum, Reporting and recordkeeping requirements.

Dated: November 30, 2011.

Lisa P. Jackson,
Administrator.

[FR Doc. 2011-31577 Filed 1-4-12; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 1355

Notice of Tribal Consultation Meetings Regarding How the Current SACWIS Regulations Affect Tribes Administering a Title IV-E Program

AGENCY: Children's Bureau, ACYF, ACF, HHS.

ACTION: Notice of Tribal Consultation.

SUMMARY: Title IV-E rules provide Federal Financial Participation (FFP) through a beneficial cost allocation methodology if a State or Tribe implements a comprehensive Statewide Automated Child Welfare Information System (SACWIS) to track and manage child protection, foster care and adoption assistance activities. With the continuing implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Pub. L. 110-351) we wish to analyze the impact of the State-centric SACWIS rules on Tribes and Tribal child welfare agencies, to determine if Tribes have sufficient flexibility and latitude to build information systems that will meet their business needs.

The Children's Bureau's (CB) Division of State Systems (DSS) has been assigned responsibility to undertake consultation with Tribes in this area. To offer Tribes the opportunity for informed comment on the implications that the State-centric rules have on their ability to build and operate information systems that will support their title IV-E programs, we will provide an education session on the SACWIS regulations. This will be followed by a consultation to listen to the concerns and ideas from Tribal leaders and their representatives about the existing SACWIS rules and how CB can support title IV-E Tribal agencies in building information systems that will meet their business needs. We propose two such combined meetings via teleconferences to reach a broad audience of interested parties. The teleconference on February 15, 2012, is intended for consultation with Tribal leaders; the teleconference on February 16, 2012, is intended to engage in consultation with their representatives.

DATES: The meeting dates and times for teleconferences are:

- February 15, from 1-3 p.m. EST.
- February 16, from 3-5 p.m. EST.

Access information for these teleconferences is in the Supplementary Information section.

Written comments must be submitted to the office listed in the **ADDRESSES** section below on or before April 6, 2012.

ADDRESSES: You may submit written comments about this topic by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* DSSComments@acf.hhs.gov. Please include "Comments on Tribal Consultation" in the subject line of the message.

- *Mail or Courier Delivery:* Terry Watt, Director, Division of State Systems, Children's Bureau, Administration on Children, Youth and Families, Administration for Children and Families, 1250 Maryland Avenue SW., 8th Floor, Washington, DC 20024.

If you choose to use an express, overnight, or other special delivery method, please verify first that they are able to deliver to the above address during the normal workweek. We encourage you to submit comments electronically so that they are received in a timely manner. All comments received will be posted without change to <http://www.regulations.gov> including any personal information provided. Written comments and comments provided during consultation will receive equal consideration by CB.

FOR FURTHER INFORMATION CONTACT: If you have questions about this process, or want further information about current Federal regulations governing child welfare automation, please contact Mr. Peter Howe, John F. Kennedy Federal Building, Room 2000 West, 15 New Sudbury Street, Boston, MA 02203; voice: (617) 565-1515; by email at: peter.howe@acf.hhs.gov.

SUPPLEMENTARY INFORMATION:

Teleconferences: The teleconference on February 15, 2012 at 1 p.m. EST is reserved for Tribal leaders; the teleconference on February 16, 2012 at 3 p.m. EST is intended for their representatives. Access information for these teleconferences is as follows:
February 15 call in: (888) 989-8183; Password: 368-9268.
February 16 call in: (888) 673-9785; Password: 621-8061.

The teleconferences will be recorded, and a summary of the content will be published within 45 days of the February 16, 2012 call.

SACWIS Background: Sections 474(a)(3)(C) and (D) of the Social Security Act (the Act) provide States,

and now Tribes, with the opportunity to access additional funding through title IV–E to plan, design, develop, implement, and operate a SACWIS. The regulations at 45 CFR 1355.50–1355.57 were established in response to implementing legislation and were issued on December 22, 1993, and did not consider the program needs of Tribal title IV–E agencies.

SACWIS systems are described in detail in program instructions issued by CB. A general program description, and links to statutes, regulations, and other program guidance related to SACWIS can be found at: <http://www.acf.hhs.gov/programs/cb/systems/sacwis/federal.htm>. Two Action Transmittals that can be found there are of particular interest in understanding SACWIS rules. They are:

- ACF–OISM–001, issued on February 24, 1995, provided the CB’s initial guidance and policy on SACWIS planning, designing, development and implementation.
- ACF–OSS–05, issued on August 21, 1998, provides additional guidance on the implementation and operation of a SACWIS, and supersedes some sections of AT–ACF–OISM–001.

Program Instructions (PI) whose topics may be directly relevant to Tribes include:

- ACYF–CB–PI–09–11, issued on September 17, 2009, describes the Federal Advance Planning Document (APD) regulations that Tribes have to comply with to claim title IV–B and/or title IV–E FFP for child welfare information technology projects, equipment and services.
- ACYF–CB–PI–11–07, issued on July 5, 2011, describes for States and Tribes the changes to the regulations at 45 CFR Part 95 related to the APD process used to obtain approval of FFP for acquiring automated data processing equipment and services.
- ACYF–CB–PI–11–08, issued on July 7, 2011, describes changes regarding the APD waiver process within the Federal regulations at 45 CFR part 95, and offers guidance when requesting a waiver to use a commercial-off-the-shelf (COTS) software product designed for the title IV–E or title IV–B programs.

Review of these Action Transmittals and PI may help participants pinpoint questions for Federal participants in the education portion of the teleconference. Since the SACWIS regulations were issued 18 years ago, Federal child welfare laws have reflected changes associated with the enactment of several major child welfare legislative initiatives. The Fostering Connections to Success and Increasing Adoptions Act of 2008 Public Law 110–351 enabled

Tribal self-governance in child welfare, permitting Tribes to access title IV–E reimbursement directly from the Federal government, rather than working through a State’s IV–E program. As Tribes were awarded title IV–E development grants, staff from their Child Welfare programs expressed interest in acquiring automated technology. It became evident to CB that the SACWIS model might not meet the needs of Tribes.

Our desire to hold a consultation reflects our growing familiarity with the automation needs and preferences of Tribes and our desire to seek ideas about how CB can support title IV–E Tribal agencies build information systems that will support their business needs. CB invites Tribal leaders and their representatives to join in a consultation via teleconference to provide input on the following questions:

Questions: Please identify the question to which you are responding. If you have additional comments about SACWIS, please identify them by citing the related section of regulations or program guidance.

(1) What are the obstacles for your Tribe in building a child welfare information system in general and a SACWIS-type system specifically?

(2) What information do you consider critical to managing your child welfare program?

(3) Is there any special information that Tribes need or will need in order to operate child welfare programs funded with title IV–E dollars?

Tribes may also provide written comments through the methods cited in the **ADDRESSES** section, regardless of participation in the teleconference for consultation. Please note that Federal representatives attending the consultation teleconferences will not be able to respond directly during the consultations to questions raised by the participants.

Authority: HHS ACF Tribal Consultation Policy.

Dated: December 22, 2011.

Bryan Samuels,

Commissioner, Administration on Children, Youth and Families.

[FR Doc. 2011–33336 Filed 1–4–12; 8:45 am]

BILLING CODE 4184–25–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[MB Docket No. 11–131; DA 11–2025]

Revision of the Commission’s Program Carriage Rules

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of reply comment period.

SUMMARY: The Media Bureau extends the deadline for filing reply comments on the Notice of Proposed Rulemaking (“NPRM”) in this proceeding which was published in the **Federal Register** on September 29, 2011. The extension will enable commenters to adequately review and respond to the comments filed in response to the NPRM.

DATES: The reply comment period for the proposed rule published September 29, 2011 (76 FR 60675) is extended. Submit reply comments on or before January 11, 2012.

ADDRESSES: You may submit reply comments, identified by MB Docket No. 11–131, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Federal Communications Commission’s Electronic Comment Filing System (ECFS) Web site:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- *Mail:* Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- *People With Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: FCC504@fcc.gov or phone: (202) 418–0530 or TTY: (202) 418–0432.

For detailed instructions on submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of the NPRM.

FOR FURTHER INFORMATION CONTACT: David Konczal, David.Konczal@fcc.gov, of the Media Bureau, Policy Division, (202) 418–2120.

SUPPLEMENTARY INFORMATION: This is a summary of the Order in MB Docket No. 11–131, DA 11–2025, adopted and released on December 15, 2011, which