

- Are guidelines above and beyond those provided pursuant to the ICWA needed to execute the transfer of placement and care responsibility of a title IV–E Indian child to a Tribe operating a title IV–E plan? If, so please provide suggestions.

- What specific information pertaining to title IV–E and title XIX Medicaid should a State make available to a Tribe that seeks to gain placement and care responsibility over an Indian child?

- Should the third-party sources and in-kind limits on Tribal administrative and training costs remain consistent with section 479B(c)(1)(D) of the Act? Please provide a rationale for this response.

Any other comments regarding the development of an interim final rule per section 301(e) of Public Law 110–351 are welcome. Please note, however, that this request is limited in scope and is not intended to solicit comments on the remaining provisions of Public Law 110–351.

#### Tribal Consultation

We invite Tribal leaders and/or the representatives of Federally recognized Tribes to attend consultation meetings that will be held across the United States to provide their input on the issues subject to regulations as explained below. Tribal leaders and/or their representatives who choose to attend a consultation session must register at least one week in advance of the meeting date by contacting the applicable Children's Bureau (CB) Regional Program Manager. Registered participants for the consultation session may submit written remarks in advance, or present them in oral or written form at the consultation session. Tribal leaders and/or their representatives, regardless of whether they participate in the consultation session, may provide written comments as noted in the **ADDRESSES** section. Finally, please note that Federal representatives attending the consultation sessions will not be able to respond directly during the session to the concerns or questions raised by participants. The consultation sessions and contact information are listed below:

#### Thursday, March 26, 2009—Region V

Park Plaza Bloomington Hotel, 4460 West 78th Street Circle, Bloomington, MN 55435.

Region includes: Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin.

Contact: Carolyn Wilson-Hurey, CB Regional Program Manager, phone (312)

353–4237 or e-mail [carolyn.wilson-hurey@acf.hhs.gov](mailto:carolyn.wilson-hurey@acf.hhs.gov).

#### Friday, March 27, 2009—Region VII

Federal Office Building, 601 E 12th Street, Kansas City, MO 64106.

Region includes: Iowa, Kansas, Missouri and Nebraska.

Contact: Rosalyn Wilson, CB Regional Program Manager, phone (816) 426–2262 or e-mail [rosalyn.wilson@acf.hhs.gov](mailto:rosalyn.wilson@acf.hhs.gov).

#### Thursday, April 9, 2009—Region X

2201 Sixth Avenue, Seattle, WA 98121–1827.

Region includes: Alaska, Idaho, Oregon and Washington.

Contact: John Henderson, CB Regional Program Manager, phone (206) 615–2482 or e-mail [john.henderson@acf.hhs.gov](mailto:john.henderson@acf.hhs.gov).

#### Friday, April 17, 2009—Region VIII

Byron Rogers Federal Building, 1961 Stout Street, Denver, CO 80294.

Region includes: Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Contact: Marilyn Kennerson, CB Regional Program Manager, phone (303) 844–3100 or e-mail [marilyn.kennerson@acf.hhs.gov](mailto:marilyn.kennerson@acf.hhs.gov).

#### Monday, April 27, 2009—Region IX

90 7th Street—Conf. Rm. B040 and B020, San Francisco, CA 94103.

Region includes: Arizona, California, Hawaii, Nevada, Outer Pacific—American Samoa, Commonwealth of the Northern Marianas, Federated States of Micronesia (Chuuk, Pohnpei, Yap), Guam, Marshall Islands and Palau.

Contact: Sally Flanzer, CB Regional Program Manager, phone (415) 437–8400 or e-mail [sally.flanzer@acf.hhs.gov](mailto:sally.flanzer@acf.hhs.gov).

#### Thursday, April 30, 2009—Region VI

1301 Young Street, Room 1119, Dallas, TX 75202.

Region includes: Arkansas, Louisiana, New Mexico, Oklahoma and Texas.

Contact: June Lloyd, CB Regional Program Manager, phone (214) 767–8466 or e-mail [june.lloyd@acf.hhs.gov](mailto:june.lloyd@acf.hhs.gov).

#### Wednesday, May 13, 2009—Regions I, II & IV

Semi-Annual meeting of the United Southern and Eastern Tribes.

Paragon Casino Resort Hotel, 711 Paragon Place, Marksville, LA 71351.

Region I includes: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Contact: Bob Cavanaugh, CB Regional Program Manager, phone (617) 565–1020 or e-mail [bob.cavanaugh@acf.hhs.gov](mailto:bob.cavanaugh@acf.hhs.gov).

Region II includes: New Jersey, New York, Puerto Rico and the Virgin Islands.

Contact: Junius Scott, CB Regional Program Manager, phone (212) 264–2890 or e-mail [junius.scott@acf.hhs.gov](mailto:junius.scott@acf.hhs.gov).

Region IV includes: Alabama, Mississippi, Florida, North Carolina, Georgia, South Carolina, Kentucky and Tennessee.

Contact: Ruth Walker, CB Regional Program Manager, phone (404) 562–2901 or e-mail [ruth.walker@acf.hhs.gov](mailto:ruth.walker@acf.hhs.gov).

Dated: March 9, 2009.

**Curtis Coy,**

*Acting Assistant Secretary for Administration.*

[FR Doc. E9–5505 Filed 3–12–09; 8:45 am]

BILLING CODE 4184–01–P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### State Median Income Estimate for a Four-Person Family: Notice of the Federal Fiscal Year (FFY) 2010 State Median Income Estimates for Use Under the Low Income Home Energy Assistance Program (LIHEAP) (Catalog of Federal Domestic Assistance Number 93.568) Administered by the U.S. Department of Health and Human Services (HHS), Administration for Children and Families, Office of Community Services, Division of Energy Assistance

**AGENCY:** Administration for Children and Families, Office of Community Services, Division of Energy Assistance, HHS.

**ACTION:** Notice of State median income estimates for FFY 2010.

**SUMMARY:** This notice announces to LIHEAP grantees the estimated median income of four-person families in each State and the District of Columbia for FFY 2010 (October 1, 2009, to September 30, 2010). LIHEAP grantees that choose to base their income eligibility criteria on these State median income estimates may adopt these estimates (up to 60 percent) on the estimates' date of publication in the **Federal Register** or on a later date as discussed below. This enables these grantees to implement this notice during the period between the heating and cooling seasons.

However, by October 1, 2009, or the beginning of the grantees' fiscal years, whichever is later, these grantees must adjust their income eligibility criteria so that such criteria are in accord with the

FFY 2010 State median income estimates.

This listing of 60 percent of estimated State median incomes provides one of the maximum income criteria that LIHEAP grantees may use in determining a household's income eligibility for LIHEAP.

**DATES: Effective Date:** For each LIHEAP grantee, these estimates become effective at any time between their date of publication in the **Federal Register** and the later of October 1, 2009, or the beginning of that grantee's fiscal year.

**FOR FURTHER INFORMATION CONTACT:** Peter Edelman, Office of Community Services, Division of Energy Assistance, 5th Floor West, 370 L'Enfant Promenade, SW., Washington, DC 20447, Telephone: (202) 401-5292, E-Mail: [peter.edelman@acf.hhs.gov](mailto:peter.edelman@acf.hhs.gov).

**SUPPLEMENTARY INFORMATION:** Under the provisions of section 2603(11) of Title XXVI of the Omnibus Budget Reconciliation Act of 1981, Public Law (Pub. L.) 97-35, as amended, HHS announces the estimated median income of four-person families for each State, the District of Columbia, and the United States for FFY 2010 (October 1, 2009, through September 30, 2010).

Section 2605(b)(2)(B)(ii) of this Act provides that 60 percent of the median income for each State and the District of Columbia (State median income, or SMI), as annually established by the Secretary of Health and Human Services, is one of the income criteria that LIHEAP grantees may use in

determining a household's eligibility for LIHEAP.

LIHEAP was last authorized by the Energy Policy Act of 2005, Public Law 109-58, which was enacted on August 8, 2005. This authorization expired on September 30, 2007, and reauthorization remains pending.

The SMI estimates that HHS publishes in this notice are three-year estimates derived from the American Community Survey (ACS) conducted by the U.S. Census Bureau, U.S. Department of Commerce (Census Bureau). HHS obtained these estimates directly from the Census Bureau. For additional information about the ACS State median income estimates, see <http://www.census.gov/hhes/www/income/medincsizeandstate.html>. For additional information about the ACS in general, see <http://www.census.gov/acs/www/> or contact the Census Bureau's Housing and Household Economic Statistics Division at (301) 763-3243.

Under the advice of the Census Bureau, HHS switched to three-year estimates rather than single-year estimates to reduce the large year-to-year fluctuations that the single-year estimates tend to generate for certain States and the District of Columbia. The change from the single-year to three-year estimates caused the FFY 2010 estimates to drop by about two percent on average. HHS plans to use the Census Bureau's ACS-derived SMI three-year estimates for all fiscal years after 2010. For further information about ACS one-year and three-year estimates,

see [http://factfinder.census.gov/jsp/saff/SAFFInfo.jsp?\\_content=acs\\_guidance.html](http://factfinder.census.gov/jsp/saff/SAFFInfo.jsp?_content=acs_guidance.html).

The State median income estimates, like those derived from any survey, are subject to two types of errors: (1) Nonsampling Error, which consists of random errors that increase the variability of the data and non-random errors that consistently direct the data into a specific direction; and (2) Sampling Error, which consists of the error that arises from the use of probability sampling to create the sample. For additional information about the accuracy of the ACS State median income estimates, see <http://www.census.gov/acs/www/Downloads/ACS/accuracy2005-2007.pdf>.

A State-by-State listing of SMI and 60 percent of SMI for a four-person family for FFY 2010 follows. The listing describes the method for adjusting SMI for families of different sizes as specified in regulations applicable to LIHEAP, at 45 CFR 96.85(b), which were published in the **Federal Register** on March 3, 1988, at 53 FR 6824 and amended on October 15, 1999, at 64 FR 55858.

Dated: March 5, 2009.

**Yolanda J. Butler, PhD,**  
Acting Director, Office of Community Services.

**Estimated State Median Income for a Four-Person Family, by State, for Federal Fiscal Year (FFY) 2010, for Use in the Low Income Home Energy Assistance Program (LIHEAP)**

States	Estimated state median income for a four-person family <sup>1</sup>	60 Percent of estimated state median income for a four-person family <sup>2 3</sup>
Alabama .....	\$60,382	\$36,229
Alaska .....	79,770	47,862
Arizona .....	66,839	40,103
Arkansas .....	54,662	32,797
California .....	76,388	45,833
Colorado .....	76,200	45,720
Connecticut .....	97,708	58,625
Delaware .....	79,709	47,825
District of Columbia .....	64,678	38,807
Florida .....	67,014	40,208
Georgia .....	68,776	41,266
Hawaii .....	84,438	50,663
Idaho .....	60,560	36,336
Illinois .....	77,813	46,688
Indiana .....	68,410	41,046
Iowa .....	70,967	42,580
Kansas .....	69,863	41,918
Kentucky .....	61,207	36,724
Louisiana .....	61,438	36,863
Maine .....	66,948	40,169
Maryland .....	96,952	58,171
Massachusetts .....	93,351	56,011
Michigan .....	75,149	45,089
Minnesota .....	83,444	50,066
Mississippi .....	52,870	31,722

States	Estimated state median income for a four-person family <sup>1</sup>	60 Percent of estimated state median income for a four-person family <sup>2 3</sup>
Missouri .....	66,939	40,163
Montana .....	62,353	37,412
Nebraska .....	69,854	41,912
Nevada .....	68,646	41,188
New Hampshire .....	88,625	53,175
New Jersey .....	97,326	58,396
New Mexico .....	53,041	31,825
New York .....	78,061	46,837
North Carolina .....	64,591	38,755
North Dakota .....	67,183	40,310
Ohio .....	71,063	42,638
Oklahoma .....	57,247	34,348
Oregon .....	67,605	40,563
Pennsylvania .....	75,161	45,097
Rhode Island .....	83,241	49,945
South Carolina .....	61,494	36,896
South Dakota .....	64,930	38,958
Tennessee .....	61,581	36,949
Texas .....	62,358	37,415
Utah .....	65,460	39,276
Vermont .....	73,550	44,130
Virginia .....	81,919	49,151
Washington .....	77,676	46,606
West Virginia .....	56,430	33,858
Wisconsin .....	75,111	45,067
Wyoming .....	72,788	43,673

Note: FFY 2010 covers the period of October 1, 2009, through September 30, 2010. The estimated median income for a four-person family living in the United States for this period is \$72,336. These estimates become effective for LIHEAP at any time between the date of this publication and October 1, 2009, or the beginning of a LIHEAP grantee's fiscal year, whichever is later.

<sup>1</sup> Prepared by the U.S. Census Bureau, U.S. Department of Commerce (Census Bureau), from an average of data from the 2005, 2006 and 2007 American Community Surveys (ACSs). These estimates, like those derived from any survey, are subject to two types of errors: (1) Non-sampling Error, which consists of random errors that increase the variability of the data and non-random errors that consistently direct the data into a specific direction; and (2) Sampling Error, which consists of the error that arises from the use of probability sampling to create the sample.

<sup>2</sup> These figures were calculated by the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Community Services, Division of Energy Assistance (DEA) by multiplying the estimated State median income for a four-person family for each State by 60 percent.

<sup>3</sup> To adjust for different sizes of family, 45 CFR 96.85 calls for multiplying 60 percent of a State's estimated median income for a four-person family by the following percentages: 52 percent for one person, 68 percent for two persons, 84 percent for three persons, 100 percent for four persons, 116 percent for five persons, and 132 percent for six persons. For each additional family member above six persons, 45 CFR 96.85 calls for adding 3 percentage points to the percentage for a six-person family (132 percent) and multiply the new percentage by 60 percent of a State's estimated median income for a four-person family.

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. FDA-2008-N-0633]

#### Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Postmarketing Adverse Drug Experience Reporting

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget

(OMB) for review and clearance under the Paperwork Reduction Act of 1995.

**DATES:** Fax written comments on the collection of information by April 13, 2009.

**ADDRESSES:** To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202-395-6974, or e-mailed to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov). All comments should be identified with the OMB control number 0910-0230. Also include the FDA docket number found in brackets in the heading of this document.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Barbakos, Office of Information Management (HFA-710), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-796-3792.

**SUPPLEMENTARY INFORMATION:** In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

#### Postmarketing Adverse Drug Experience Reporting (OMB Control Number 0910-0230—Extension)

Sections 201, 502, 505, and 701 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 321, 352, 355, and 371) require that marketed drugs be safe and effective. In order to know whether drugs that are not safe and effective are on the market, FDA must be promptly informed of adverse experiences occasioned by the use of marketed drugs. In order to help ensure this, FDA issued regulations at §§ 310.305 and 314.80 (21 CFR 310.305 and 314.80) to impose reporting and recordkeeping requirements on the drug industry that would enable FDA to take the action