

approved for funding under this announcement. The NoA will be signed by the Grants Management Officer and this is the authorizing document for which funds are dispersed to the approved entities. The NoA will serve as the official notification of the grant award and will reflect the amount of Federal funds awarded, the purpose of the grant, the terms and conditions of the award, the effective date of the award, and the budget/project period. The NoA is the legally binding document. Applicants who are approved but unfunded or disapproved based on their Objective Review score will receive a copy of the Final Executive Summary which identifies the weaknesses and strengths of the application submitted. Any correspondence other than the NoA announcing to the Project Director that an application was selected is not an authorization to begin performance.

2. Administrative Requirements:

Grants are administrated in accordance with the following documents:

- This Program Announcement.
- 45 CFR part 92, "Uniform

Administrative Requirements for Grants and Cooperative Agreements to State, Local and Tribal Governments," or 45 CFR part 74, "Uniform Administrative Requirements for Awards to Institutions of Higher Education, Hospitals, Other Non Profit Organizations, and Commercial Organizations."

- Grants Policy Guidance: HHS

Grants Policy Statement, January 2007.

- Cost Principles: OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments" (Title 2 Part 225).

- Administrative Requirements: OMB Circular A-122, "Non-Profit Organizations" (Title 2 Part 230).

- Audit Requirements: OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

3. Indirect Costs:

This section applies to all grant recipients that request reimbursement of indirect costs in their grant application. In accordance with the HHS Grants Policy Statement, Part II-27, IHS requires applicants to have a current indirect cost rate agreement in place prior to award. The rate agreement must be prepared in accordance with the applicable cost principles and guidance as provided by the cognizant agency or office. A current rate means the rate covering the applicable activities and the award budget period. If the current rate is not on file with the DGM at the time of award, the indirect cost portion of the budget will be restricted and not

available to the recipient until the current rate is provided to the DGM.

Generally, indirect costs rates for IHS grantees are negotiated with the Division of Cost Allocation (<http://rates.psc.gov/>) and the Department of the Interior National Business Center (1849 C St. NW., Washington, DC 20240) <http://www.nbc.gov/acquisition/ics/icshome.html>. If your organization has questions regarding the indirect cost policy, please contact the DGM at (301) 443-5204.

4. Reporting:

A. Progress Report. Program progress reports are required semi-annually. These reports must be submitted within 30 days of the end of the half year and will include a brief comparison of actual accomplishments to the goals established for the period, or, if applicable, provide sound justification for the lack of progress, and other pertinent information as required. A final report must be submitted within 90 days of expiration of the budget/project period.

B. Financial Status Report. Semi-annual financial status reports must be submitted within 30 days of the end of the half year. Final financial status reports are due within 90 days of expiration of the budget/project period. Standard Form 269 (long form) will be used for financial reporting. The final SF-269 must be verified from the grantee's records on how the value was derived. Grantees must submit the reports consistent with the applicable deadlines.

Failure to submit required reports within the time allowed may result in suspension or termination of an active grant, withholding of additional awards for the project, or other enforcement actions such as withholding of payments or converting to the reimbursement method of payment. Continued failure to submit required reports may result in one or both of the following: (1) The imposition of special award provisions; and (2) the non-funding or non-award of other eligible projects or activities. This applies whether the delinquency is attributable to the failure of the grantee organization or the individual responsible for preparation of the reports.

5. Telecommunication for the hearing impaired is available at: TTY (301) 443-6394.

VII. IHS Agency Contact(s)

1. Questions on the programmatic issues may be directed to: Matt Johnson, Policy Analyst, Office of Tribal Self-Governance, *Telephone No.:* (301) 443-7821, *Fax No.:* (301) 443-1050, *E-mail:* matthew.johnson@ihs.gov.

2. Questions on grants management and fiscal matters may be directed to: John Hoffman, Grants Management Specialist, Division of Grants Management, *Telephone No.:* (301) 443-5204, *Fax No.:* (301) 443-9602, *E-mail:* john.hoffman2@ihs.gov.

VIII. Other Information

The Public Health Service (PHS) strongly encourages all cooperative agreement and contract recipients to provide a smoke-free workplace and promote the non-use of all tobacco products. In addition, Public Law 103-227, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of the facility) in which regular or routine education, library, day care, health care or early childhood development services are provided to children. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

Dated: May 20, 2009.

Randy Grinnell,

Deputy Director, Management Operations, Indian Health Service.

[FR Doc. E9-12316 Filed 5-26-09; 8:45 am]

BILLING CODE 4165-16-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Tribal Self-Governance Program; Negotiation Cooperative Agreement

Announcement Type: New Funding.
Announcement Number: HHS-2009-IHS-TSGN-0001.

Catalog of Federal Domestic Assistance Number: 93.444.

Key Dates:

Application Deadline Date: June 22, 2009.

Review Date: July 6-7, 2009.

Anticipated Start Date: August 3, 2009.

I. Funding Opportunity Description

The purpose of the Negotiation Cooperative Agreement is to provide resources to Tribes interested in participating in the Tribal Self-Governance Program (TSGP), as authorized by Public Law (Pub. L.) 106-260, the Tribal Self-Governance Amendments of 2000, Title V of the Indian Self-Determination and Education Assistance Act, Public Law 93-638, as amended (Title V) (25 U.S.C. 458aaa-2(e)). There is limited competition under this announcement because the authorizing legislation restricts eligibility to Tribes that meet

specific criteria (Refer to Section III.1.A., ELIGIBLE APPLICANTS in this announcement). The TSGP is designed to promote Self-Determination by enabling Tribes to assume control of Indian Health Service (IHS) programs, services, functions, and activities, or portions thereof (PSFAs), through compacts negotiated with the IHS. The Negotiation Cooperative Agreement provides a Tribe with funds to help cover the expenses involved in preparing for and negotiating a compact with the IHS. This program is described at 93.444 in the Catalog of Federal Domestic Assistance (CFDA).

The Negotiation Cooperative Agreement provides resources to assist Indian Tribes with negotiation activities that include but are not limited to:

1. Determine what PSFAs will be negotiated.
2. Identification of Tribal funding shares that will be included in the funding agreement (FA).
3. Development of the terms and conditions that will be set forth in the FA.

Indian Tribes that have completed comparable health planning activities in previous years using Tribal resources but have not received a self-governance planning cooperative agreement award are eligible to apply for a Negotiation Cooperative Agreement. The award of a Negotiation Cooperative Agreement is not a prerequisite to enter the TSGP.

II. Award Information

Type of Awards: Cooperative Agreement.

Estimated Funds Available: The total amount identified for Fiscal Year (FY) 2009 is \$240,000 for approximately eight Tribes. Awards under this announcement are subject to the availability of funds.

Anticipated Number of Awards: The estimated number of awards under the program to be funded is approximately eight.

Project Period: 12 months.

Award Amount: \$ 30,000 per year.

Programmatic Involvement: Self-Governance Negotiation Cooperative Agreements entail substantial IHS programmatic involvement to establish a process through which Tribes can effectively approach the IHS to identify PSFAs and associated funding that could be incorporated into their programs.

The IHS roles and responsibilities will include:

- Providing a description of PSFAs and associated funding at all levels, including funding formulas and methodologies related to determining Tribal shares.

- Identification of IHS staff that will consult with applicants on methods currently used to manage and deliver health care.

- Provide applicants with statutes, regulations, and policies that provide authority for administering IHS programs, including contract support costs criteria for new or expanded programs.

The Grantee's roles and responsibilities are essential to the overall success of the project. Therefore the grantee must:

- Determine the PSFAs and associated funding the Tribe may elect to assume.
- Prepare to discuss each PSFA in comparison to the current level of services provided, so that an informed decision can be made on new program assumption.
- Develop a compact and FA to submit to the Agency Lead Negotiator prior to negotiations. The Agency Lead Negotiator is the Federal official with the delegated authority of the IHS Director to negotiate compacts and funding agreements on behalf of the IHS.

III. Eligibility Information

1. Eligible Applicants

To be eligible for a Negotiation Cooperative Agreement under this announcement, an applicant must:

A. Be a Federally-recognized Tribe as defined in 25 U.S.C. 450b(e). However, Alaska Native Villages or Alaska Native Village Corporations are not eligible if they are located within the area served by an Alaska Native regional health entity already participating in the Alaska Tribal Health Compact. Those Tribes not represented by a self-governance Tribal consortium funding agreement within their area may still be considered to participate in the TSGP.

B. Submit a resolution or official action from the appropriate governing body authorizing the submission of the Negotiation Cooperative Agreement application. An Indian Tribe that is proposing a Negotiation Cooperative Agreement affecting another Indian Tribe must include resolutions from all affected Tribes to be served. For Tribal consortia applying for a Negotiation Cooperative Agreement, individual Tribal Council Resolutions from all individual Tribes whose PSFAs will be compacted must be submitted.

Draft resolutions are acceptable in lieu of an official resolution to submit with the application. However, an official signed Tribal resolution must be received by the Division of Grants Management (DGM), *Attn:* John

Hoffman, 801 Thompson Avenue, TMP, Suite 360, Rockville, MD 20852, prior to the evaluation on July 6, 2009. If an official signed resolution is not submitted by July 6, 2009, the application will be considered incomplete and will be returned to the applicant without further consideration.

*It is highly recommended that the Tribal resolution be sent by a delivery method that includes proof of receipt.

C. Demonstrate, for three fiscal years, financial stability and financial management capability, which is defined as no uncorrected significant and material audit exceptions in the required annual audit of the Indian Tribe's self-determination contracts or self-governance funding agreements with any Federal agency. Grantees are required to submit annual audit reports for the three years prior to the year in which the application will be submitted. The applicants may scan the documents and attach them to the electronic application. If the applicant determines that the audit reports are too lengthy, the applicants may submit them separately via regular mail by the due date, June 22, 2009. Applicants sending in audit reports via regular mail must submit two copies of the audits for the three previous fiscal years under separate cover directly to the DGM, *Attn:* John Hoffman, 801 Thompson Avenue, TMP, Suite 360, Rockville, MD 20852, referencing the Funding Opportunity Number, HHS-2009-IHS-TSGN-0001, as prescribed by Public Law 98-502, the Single Audit Act, as amended (*see* OMB Circular A-133, revised June 24, 1997, Audits of States, Local Governments, and Non-Profit Organizations). If this documentation is not submitted with the application by the application receipt date, June 22, 2009, the application will be considered incomplete and will be returned to the applicant without further consideration. Applicants must include the grant tracking number assigned to their electronic submission by Grants.gov and the date submitted via Grants.gov in their cover letter transmitting the required audits for the previous three fiscal years.

2. Cost Sharing or Matching

The Negotiation Cooperative Agreement does not require matching funds or cost sharing to participate in the competitive grant process.

3. Other Requirements

A. This program is described at 93.444 in the CFDA.

B. If the application budget exceeds the stated dollar amount that is outlined

within this announcement, the application will be returned to the applicant without further consideration.

IV. Application and Submission Information

1. Applicant package may be found through Grants.gov (<http://www.Grants.gov>) or at: http://www.ihs.gov/NonMedicalPrograms/gogp/index.cfm?module=gogp_funding.

Information regarding this announcement may also be found on the Office of Tribal Self-Governance Web site at: http://www.ihs.gov/NonMedicalProgramsv/SelfGovernance/index.cfm?module=planning_negotiation.

2. Content and Form of Application Submission:

A. The application must contain the following:

- (1) Table of Contents.
- (2) Abstract (one page) summarizing the project.
- (3) Narrative (no more than seven pages) providing:
 - (a) Background information on the Tribe.
 - (b) Proposed scope of work, objectives, and activities that provide a description of what will be accomplished including a one-page Time Frame Chart.
 - (4) Budget narrative and justification.
 - (5) Tribal Resolution (or official action).
 - (6) Appendices:
 - (a) Work plan for proposed objectives.
 - (b) Resumes or position descriptions of key staff.
 - (c) Contractor/Consultant resumes or qualifications and scope of work.
 - (d) Current Indirect Cost Agreement.
 - (e) Organizational Chart (optional).
 - (f) Audits.

B. The project and budget narratives must:

- (1) Be single spaced.
- (2) Be typewritten.
- (3) Have consecutively numbered pages.
- (4) Use black type not smaller than 12 characters per one inch.
- (5) Be printed on one side only of standard size 8½" x 11" paper.

C. The seven page limit for the narrative does not include the work plan, standard forms, Tribal resolutions or letters of support, table of contents, budget, budget justifications, narratives, and/or other appendix items.

Public Policy Requirements: All Federal-wide public policies apply to IHS grants with the exception of the Lobbying and Discrimination public policy.

3. Submission Dates and Times:

Applications must be submitted electronically through Grants.gov by 12

midnight Eastern Standard Time (EST) on the deadline date. If technical challenges arise and the applicant is unable to successfully complete the electronic application process, the grantee must submit a request, in writing (e-mails are acceptable), to Michelle Bulls, DGM, at Michelle.Bulls@ihs.gov, to obtain approval to submit a paper application. The request must be submitted at least 15 days prior to the application deadline and should include a justification for the need to deviate from the standard electronic submission process. Upon receipt of approval, a hard-copy application package must be downloaded by the applicant from Grants.gov and sent directly to John Hoffman, Division of Grants Management, 801 Thompson Avenue, TMP, Suite 360, Rockville, MD 20852 by the due date, June 22, 2009. Applications not submitted through Grants.gov, without an approved waiver, may be returned to the applicant without review or consideration. Late applications will not be accepted for processing nor considered for funding and will be returned to the applicant. IHS will not acknowledge receipt of applications.

4. Intergovernmental Review:

Executive Order 12372 requiring intergovernmental review is not applicable to this program.

5. Funding Restrictions:

A. Each negotiation cooperative agreement shall not exceed \$30,000.

B. The available funds are inclusive of direct and appropriate indirect costs.

C. Only one Negotiation Cooperative Agreement will be awarded per applicant.

Electronic Submission—The preferred method for receipt of applications is electronic submission through Grants.gov. However, should any technical challenges arise regarding the submission, please contact Grants.gov Customer Support at 1-800-518-4726 or support@grants.gov. The Contact Center hours of operation are Monday–Friday from 7 a.m. to 9 p.m. EST. If you require additional assistance please call the DGM at (301) 443-6290 and identify the need for assistance regarding your Grants.gov application. Your call will be transferred to the appropriate grants staff member. The applicant must seek assistance at least fifteen days prior to the application deadline. Applicants that do not adhere to the timelines for Central Contractor Registration (CCR) and/or Grants.gov registration and/or requesting timely assistance with technical issues will not be a candidate for paper applications. CCR is the primary registrant database for the

Federal Government and collects, validates, stores, and disseminates data in support of agency acquisition missions.

To submit an application electronically, please go to <http://www.Grants.gov> and select the “Apply for Grants” link on the home page. Download a copy of the application package on the Grants.gov website, complete it offline and then upload and submit the application via the Grants.gov site. You may not e-mail an electronic copy of a grant application to IHS.

Please be reminded of the following:

- Under the new IHS application submission requirements, paper applications are not the preferred method. However, if you have technical problems submitting your application on-line, please contact Grants.gov Customer Support at: <http://www.grants.gov/CustomerSupport>

- Upon contacting Grants.gov obtain a tracking number as proof of contact. The tracking number is helpful if there are technical issues that cannot be resolved and a waiver request from the DGM must be obtained.

- Upon entering the Grants.gov site, there are application instructions available to applicants under this announcement that outline the requirements of the Grants.gov submission process, as well as the hours of operation. We strongly encourage all applicants not to wait until the deadline date to begin the application process through Grants.gov as the registration process for CCR and Grants.gov could take up to fifteen working days.

- To use Grants.gov, you, as the applicant, must have a Data Universal Number System (DUNS) number and register in the CCR. You should allow a minimum of ten days working days to complete CCR registration. See below on how to apply.

- You must submit all documents electronically, including all information typically included on the SF-424 and all necessary assurances and certifications.

- Please use the optional attachment feature in Grants.gov to attach additional documentation that may be requested by IHS.

- Your application must comply with any page limitation requirements described in the program announcement.

- After you electronically submit your application, you will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. The IHS DGM will retrieve your application from Grants.gov. The DGM will not notify

applicants that the application has been received.

- You may access the electronic application for this program on <http://www.Grants.gov>.
- You may search for the downloadable application package either by the CFDA number or the Funding Opportunity Number. Both numbers are identified in the heading of this announcement.
- The applicant must provide the Funding Opportunity Number: HHS–2009–IHS–TSGN–0001.
- If submission of a paper application is requested and approved, the original and two copies must be sent to the appropriate grants contact listed in Section IV.3.
- E-mail applications will not be accepted under this announcement.

DUNS Number

Applicants are required to obtain a DUNS number from Dun and Bradstreet to apply for a grant or cooperative agreement from the Federal Government. The DUNS number is a nine-digit identification number, which uniquely identifies business entities. Obtaining a DUNS number is easy and there is no charge. To obtain a DUNS number, access <http://www.dunandbradstreet.com> or call 1–866–705–5711. Interested parties may wish to obtain their DUNS number by phone to expedite the process.

Applications submitted electronically must also be registered with the CCR. A DUNS number is required before CCR registration can be completed. Many organizations may already have a DUNS number. Please use the number listed above to investigate whether or not your organization has a DUNS number. Registration with the CCR is free of charge.

Applicants may register by calling 1–888–227–2423. Please review and complete the CCR Registration Worksheet located on <http://www.grants.gov/CCRRegister>.

More detailed information regarding these registration processes can be found at <http://www.grants.gov>.

V. Application Review Information

1. Criteria

A. Demonstration of Previous Planning Activities (30 points)

Has the Indian Tribe determined the PSFAs it will assume? Has the Indian Tribe determined it has the administrative infrastructure to support the assumption of the PSFAs? Are the results of what was learned or is being learned during the planning process clearly stated?

B. Thoroughness of Approach (25 points)

Is a specific narrative provided regarding the direction the Indian Tribe plans to take in the TSGP? How will the Tribe demonstrate improved health and services to the community it serves? Are proposed time lines for negotiations indicated?

C. Project Outcome (25 points)

What beneficial contributions are expected or anticipated for the Tribe? Is information provided on the services that will be assumed? What improvements will be made to manage the health care system? Are Tribal needs discussed in relation to the proposed programmatic alternatives and outcomes which will serve the Tribal community?

D. Administrative Capabilities (20 points)

Does the Indian Tribe clearly demonstrate knowledge and experience in the operation and management of health programs? Is the internal management and administrative infrastructure of the applicant described?

2. Review and Selection Process

In addition to the criteria in Section V.1., applications are considered according to the following:

A. Application Submission

- (1) The applicant and proposed project type is eligible in accordance with this announcement.
- (2) The application is not a duplication of a previously funded project.
- (3) The application narrative, forms, and materials submitted meet the requirements of the announcement allowing the review panel to undertake an in-depth evaluation.
- (4) Applicants must not have previously received a Negotiation Cooperative Agreement award.

B. Competitive Review of Eligible Applications

Applications meeting eligibility requirements that are complete, responsive, and conform to this program announcement will be reviewed for merit by the Objective Review Committee (ORC) appointed by the IHS to review and make recommendations on these applications. The review will be conducted in accordance with the IHS Objective Review Guidelines. The technical review process ensures selection of quality projects in a national competition for limited funding. Applications will be evaluated and rated on the basis of the evaluation

criteria listed in Section V.1. The ORC uses the criteria to evaluate the quality of a proposed project, determine the likelihood of success, and assign a numerical score to each application. The scoring of approved applications will assist the IHS in determining which proposals will be funded if the amount of TSGP funding is not sufficient to support all approved applications. Applications scored by the ORC at 60 points and above will be recommended for approval and forwarded to the DGM for cost analysis and further recommendation. The program official will forward the approval list to the IHS Director for final review and approval. Applications scoring below 60 points will be disapproved.

Note: In making final selections, the IHS Director will consider the ranking factors and the status of the applicant's single audit reports. The comments from the ORC will be advisory only. The IHS Director will make the final decision on awards.

IV. Award Administration Information

1. Award Notices

The Notice of Award (NoA) will be initiated by the DGM and will be mailed via postal mail to each entity that is approved for funding under this announcement. The NoA will be signed by the Grants Management Officer and this is the authorizing document under which funds are dispersed to the approved entities. The NoA will serve as the official notification of the grant award and will reflect the amount of Federal funds awarded, the purpose of the grant, the terms and conditions of the award, the effective date of the award, and the budget/project period. The NoA is the legally binding document. Applicants who are approved but unfunded or disapproved based on their Objective Review score will receive a copy of the Final Executive Summary which identifies the weaknesses and strengths of the application submitted. Any correspondence other than the NoA announcing to the Project Director that an application was selected is not an authorization to begin performance.

2. Administrative Requirements

Cooperative Agreements are administered in accordance with the following documents:

- This Program Announcement.
- Program Regulations, 42 CFR Part 136.101 *et seq.*
- 45 CFR Part 92, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Tribal Governments," or 45 CFR Part 74, "Uniform Administrative

Requirements for Awards to Institutions of Higher Education, Hospitals, Other Non Profit Organizations, and Commercial Organizations.”

- *Grants Policy Guidance*: HHS Grants Policy Statement, January 2007.
- *Cost Principles*: OMB Circular A-87, “Cost Principles for State, Local, and Indian Tribal Governments” (Title 2 Part 225).
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Dated: May 20, 2009.

Randy Grinnell,

Deputy Director, Management Operations, Indian Health Service.

[FR Doc. E9-12314 Filed 5-26-09; 8:45 am]

BILLING CODE 4165-16-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Agency Information Collection Activities: Lien Notice

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security

ACTION: 30-Day Notice and request for comments; Extension of an existing information collection: 1651-0012

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Lien Notice. This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with no change to the burden hours. This document is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** (74 FR 11126) on March 16, 2009, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10.

DATES: Written comments should be received on or before June 26, 2009.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to oir_submission@omb.eop.gov or faxed to (202) 395-6974.

SUPPLEMENTARY INFORMATION: U.S. Customs and Border Protection (CBP) encourages the general public and affected Federal agencies to submit written comments and suggestions on proposed and/or continuing information collection requests pursuant to the Paperwork Reduction Act (Pub. L. 104-