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## ADMINISTRATIVE UPDATES

### **DEADLINE APPROACHING: Information Collection for the Tribal Self-Governance Program**

The Office of Self-Governance is seeking renewal of the approval for information collection Tribal Self-Governance Program, as required by the Paperwork Reduction Act of 1995. The information collected will be used to establish requirements for entry into the pool of qualified applicants for Self-Governance and to meet reporting requirements of the Tribal Self-Governance Act.

The Bureau of Indian Affairs (BIA) requests your comments on this collection concerning: (1) The necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (3) Ways we could enhance the quality, utility, and clarity of the information to be collected; and (4) Ways we could minimize the burden of the collection of the information on the respondents.

Comments close on **Monday, February 29, 2016**. To review the information collection request, [click here](#).

### **Land Buy-Back Program Planning Initiative**

The Land Buy-Back Program has announced more than 40 locations where implementation will begin by the middle of 2017. In November 2015, the Buy-Back Program announced a **Planning Initiative** to assist in the development of its next implementation schedule for 2017 and beyond. The two-pronged Planning Initiative seeks input from Tribal governments and landowners who are interested in participating in the Program.

The Buy-Back Program now invites expressions of interest from eligible Tribes that are not among those scheduled for implementation through mid-2017. The Program recognizes that a number of Tribes have already registered their interest, but have not yet been scheduled for

implementation. Those Tribes which previously submitted written expressions of interest are invited to supplement their initial submissions by the deadline, if necessary.

- The [Instructions for Submitting a Tribal Expression of Interest](#) provides detailed instructions to assist Tribes that are interested in expressing interest in the Buy-Back Program.
- A [Priority Ranking Worksheet](#) may be submitted as part of a Tribal expression of interest.

A formal expression of interest is one factor among others considered in scheduling a location for land consolidation activities. Timely submissions will be utilized by the Program in developing its schedule for 2017 and beyond. **The deadline for providing expressions of interest to the Buy-Back Program is March 11, 2016.**

This will likely be the final opportunity for Tribes to formally express interest in the Buy-Back Program, given the need to plan for allocation of available resources within the 10-year time frame established under the Cobell Settlement.

Additional opportunities to learn about the Program and Planning Initiative are outlined [in this letter](#) sent on January 28, 2016.

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## **TRIBAL CONSULTATION AND COMMENT REQUESTS**

### **Catastrophic Health Emergency Fund Proposed Rule**

On January 26, 2016, the Indian Health Service (IHS) proposed a rule to make changes to the the Catastrophic Health Emergency Fund (CHEF). The proposed rule proposes definitions governing CHEF and establishes that a Service Unit shall not be eligible for reimbursement for the cost of treatment until the episode of care's cost has reached a certain threshold, a procedure for reimbursement for certain services exceeding a threshold cost, a procedure for payment for certain cases and a procedure to ensure payment will not be made from CHEF if other sources of payment (Federal, state, local, private) are available.

Comments on the proposed rule are due on **March 11, 2016**. Comments may be submitted electronically to [www.regulations.gov](http://www.regulations.gov) or postal mail to Betty Gould, Regulations Officer, Indian Health Service, Office of Management Services, Division of Regulatory Affairs, 5600 Fishers Lane, Mailstop: 09E70, Rockville, Maryland 20857.

### **FEMA Proposes to Establish a Deductible for Public Assistance Program**

On January 20, the Federal Emergency Management Agency (FEMA) issued a notice of proposed rulemaking that would establish a disaster deductible, requiring a financial or other commitment from a recipient (a state, tribal, or territorial government, generally) before FEMA would provide assistance under the Public Assistance Program when authorized by a Presidential major disaster declaration. FEMA believes the model will increase stakeholder investment and participation, and is seeking comment on all aspects of the deductible concept. NCAI is in the process of developing comments to the advanced notice of proposed rule which requires meaningful consultation according to FEMA's Tribal Consultation Policy.

To submit comments, use docket ID: FEMA-2016-0003 and follow the steps within the [Federal eRulemaking Portal](#), or mail/hand deliver/courier to: Regulatory Affairs Division, Office of Chief Counsel, Federal Emergency Management Agency, 8NE, 500 C Street SW, Washington, DC 20472-3100. The public comment period closes **March 21, 2016**.

## **EPA Proposed Rule to Establish TAS for Water Restoration**

The Environmental Protection Agency (EPA) has issued regulations establishing a process for Tribes to obtain treatment in a similar manner as states (TAS) for the authority to administer the water quality restoration provisions of the Clean Water Act (CWA) section 303(d), including issuing lists of impaired waters and developing total maximum daily loads (TMDLs) under CWA section 303(d), as states routinely do.

The proposed rule establishes regulatory procedures for eligible Tribes to obtain TAS for the CWA Section 303(d) Impaired Water Listing and TMDL Program. The proposed rule would enable eligible Tribes to obtain authority to identify impaired waters on their reservations and to establish TMDLs, which serve as plans for attaining and maintaining applicable water quality standards (WQS). The proposal is comparable to similar regulations that EPA issued in the 1990s for the CWA Section 303(c) WQS and CWA Section 402 and 404 Permitting Programs, and includes features designed to minimize paperwork and unnecessary reviews.

EPA must receive comments on the [proposed rule](#) on or before **March 21, 2016**.

If you have question please contact Sarah Furtak, Assessment and Watershed Protection Division, Office of Wetlands, Oceans and Watersheds [here](#).

## **NPS Proposes Rule Regarding Subsistence Collections**

The National Park Service (NPS) proposed a rule on January 13, 2016 to allow qualified subsistence users to collect and use nonedible fish and wildlife parts and plant materials for the creation and subsequent disposition (use, barter, or sale) of handicrafts. The rule would also (1) clarify that collecting or possessing living wildlife is generally prohibited and (2) limit the types of bait that may be used to take bears for subsistence uses.

Comments are due April 12, 2015 and may be submitted via [www.regulations.gov](http://www.regulations.gov)

You can review the [proposed rule here](#) and contact Andee Sears, Regional Law Enforcement Specialist, Alaska Regional Office [here](#).

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## **FUNDING OPPORTUNITIES**

### **Encouraging Innovation: Field-Initiated Programs FY 2016 Competitive Grant Announcement**

Bureau of Justice Assistance (BJA) seeks to prevent and reduce crime and enhance the criminal justice system through collaboration with the field to identify, define, and respond to emerging or chronic crime problems and systemic issues through this solicitation. BJA is looking for proposed strategies to address these issues, including trying new approaches, addressing gaps in responses, building or translating research knowledge, or building capacity. Applications under this program should not duplicate other BJA-funded solicitations and should have either a national focus or the potential to broadly benefit the field of criminal justice.

BJA's Field-Initiated Programs solicitation provides opportunities to support a small number of local, state, tribal, and national projects that bring fresh perspectives and ideas to enhance practice and prevent crime in the field.

For more information about this opportunity, [click here](#).

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## UPCOMING EVENTS

### **February 22: IHS Contract Support Cost Listening Session**

9:00-Noon  
Congressional

In conjunction with the National Congress of American Indians' Executive Council Winter Session, the Indian Health Service is hosting a Listening Session to hear from Tribal Leaders regarding their proposed IHS CSC Policy.

### **February 24-25: DOI Listening Sessions**

The Department of the Interior is hosting several Listening Session February 24-25, 2016 in conjunction with the National Congress of American Indians' Executive Council Winter Session. A listing of the Listening Sessions below and [\*\*more information is available here .\*\*](#)

#### **Fee-to-Trust and Rights-of-Way**

February 24, 2016, 1:00-4:00  
Senate Room

#### **Climate Change**

February 24, 2016, 2:00-4:00  
Federal B

#### **BIA Contract Support Cost Policy**

February 25, 2016, 10:00-12:00 (Noon)  
Federal A

#### **Proposed Policy**

#### **Homelessness Among American Indians and Alaska Natives**

February 25, 2016, 1:00-3:00  
Federal B

#### **Sacred Sites**

February 25, 2016, 1:00-3:00  
Federal A

### **March 2-3: 18th U.S. Department of Health and Human Services (HHS) Annual Tribal Budget Consultation (ATBC)**

The U.S. Department of Health and Human Services (HHS) will be conducting the 18th Annual Tribal Budget Consultation in an effort to continue conversation regarding national, regional and Tribal-specific concerns. The consultation session serves as a forum for Tribal leaders to share their views and concerns regarding funding priorities for the Department's FY 2018 budget.

Date: March 2-3, 2016

Time: 9:00 AM - 5:00 PM EST

Location: Great Hall of the Hubert H. Humphrey Building, 200 Independence Ave. SW, Washington, DC

One-on-one meetings with HHS Divisions will be held on Wednesday, March 2, providing an opportunity for Tribes to share specific health and human service issues in a one-on-one format. All requests for meetings must be received by Friday, February 19. Please email your

request to [consultation@hhs.gov](mailto:consultation@hhs.gov) and include the agency or agencies with whom you would like to meet.

The Annual Budget Consultation will take place on Thursday, March 3. [A draft agenda is available here.](#)

For more information, including a planning schedule and Regional Tribal Consultation information, [click here.](#)

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## JOB ANNOUNCEMENT

### Office Manager, National Indian Education Association

The NIEA Office Manager is responsible for all administrative support for staff and board of directors, including the management of the physical office space, equipment, and supplies needed by staff to conduct their work.

To read a detailed description of the position, please [click here.](#)

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