

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Center for Research Resources; Notice of Closed Meeting

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Center for Research Resources Special Emphasis Panel; Biotechnology SEP.

*Date:* February 23, 2006.

*Time:* 2 p.m. to 4 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, One Democracy Plaza, 6701 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

*Contact Person:* Guo Zhang, PhD, MPH, Scientific Review Administrator, Office of Review, National Center for Research Resources, National Institutes of Health, 6701 Democracy Blvd., Suite 1064, Bethesda, MD 20892-796. 301-435-0812. zhanggu@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research; 93.371, Biomedical Technology; 93.389, Research Infrastructure; 93.306, 93.333, National Institutes of Health, HHS)

Dated: January 26, 2006.

**Anna Snouffer,**

*Acting Director, Office of Federal Advisory Committee Policy.*

[FR Doc. 06-977 Filed 2-1-06; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Customs and Border Protection

#### Agency Information Collection Activities; Extension of Existing Information Collection; Comment Request

**ACTION:** 30-Day Notice of Information Collection Under Review: Screening

Requirements of Carriers; OMB Control No. 1651-0122.

The Department of Homeland Security, U.S. Customs and Border Protection (CBP) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on September 30, 2005, at 70 FR 57305. The notice provided for an emergency request for approval by OMB and allowed for a 60-day public comment period. No comments were received on this information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until March 6, 2006. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Department of Homeland Security (DHS), USCIS, Director, Regulatory Management Division, Clearance Office, 111 Massachusetts Avenue, 3rd floor, Washington, DC 20529. Comments may also be submitted to DHS via facsimile to 202-272-8352 or via e-mail at [rfs.regs@dhs.gov](mailto:rfs.regs@dhs.gov). When submitting comments by e-mail please make sure to add OMB Control Number 1651-0122 in the subject box. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

## Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Screening Requirements of Carriers.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* No Agency Form Number; U.S. Customs and Border Protection (CBP).

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. The evidence collected is used by DHS to determine whether sufficient steps were taken by a carrier demonstrating improvement in the screening of its passengers in order for the carrier to be eligible for automatic fines mitigation.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 65 responses at 100 hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 6,500 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Mr. Richard A. Sloan, 202-272-8354, U.S. Citizenship and Immigration Services, Director, Regulatory Management Division, 111 Massachusetts Avenue, 3rd Floor., Washington, DC 20529. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

Dated: January 31, 2006.

**Stephen Tarragon,**

*Deputy Director, Regulatory Management, Division, U.S. Citizenship and Immigration Services.*

[FR Doc. 06-1010 Filed 1-31-06; 1:14 pm]

BILLING CODE 4410-10-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Guidance for Distributing Fiscal Year 2006 Contract Support Funds and Indian Self-Determination Funds

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of methodology for distribution and use of FY 2006

Contract Support Funds and Indian Self-Determination Funds.

**SUMMARY:** The Bureau of Indian Affairs (Bureau) is publishing this notice to inform the public, the tribes, and Federal staff of the methodology that will be used for the distribution of Contract Support Funds (CSF) and Indian-Self Determination Funds (ISDF) for FY 2006. These funds are distributed as authorized by the Indian Self-Determination and Education Assistance Act of 1975, as amended, and financed with funds appropriated under the Snyder Act. This distribution methodology is published to ensure eligible recipients and responsible federal employees are aware of program operations for this fiscal year. This is a guidance document, it is not establishing regulations.

**DATES:** The "FY 2006 CSF Needs Report" is due June 30, 2006. Final distribution of CSF will be made on a pro-rata basis on or about July 15, 2006. FY 2006 ISDF will be distributed on a first come, first served basis, until funds are depleted.

**ADDRESSES:** Submit the "FY 2006 CSF Needs Report" to: Harry Rainbolt, Bureau of Indian Affairs, Office of Tribal Services, 1951 Constitution Avenue NW, Mail Stop 320-SIB, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Harry Rainbolt, (202) 513-7630.

**SUPPLEMENTARY INFORMATION:** Title I and title IV of Public Law 93-638, the Indian Self-Determination and Education Assistance Act of 1975, as amended, authorizes the Bureau to annually distribute CSF and ISDF. In making these distributions for FY 2006, the Bureau will follow the procedures in this notice.

The request for FY 2006 ISDF for new and expanded contracts and self-governance funding agreements may be submitted to the Bureau throughout the year as the need arises. Approved requests will be funded until the ISDF is depleted.

## Part 1—Contract Support Funds

### 1.1 What Is the Purpose of Contract Support Funds (CSF)?

The Bureau provides CSF to meet the indirect cost need identified for ongoing/existing self-determination contracts and self-governance compacts that are financed with funds appropriated pursuant to the Snyder Act (25 U.S.C. 13). [Note that 25 U.S.C. 450j-3, restricts the use of CSF for only self-determination contracts and self-governance compacts. Congress directed in the FY 2006 appropriations bill,

however, that the Secretary continue to distribute indirect and administrative cost funds to tribes and tribal organizations that received such funds in FY 2003 or FY 2004.]

### 1.2 How Does BIA Determine Eligibility for CSF?

All self-determination contractors and self-governance tribes/consortia with either an approved indirect cost rate, a current indirect cost proposal on file with the National Business Center (NBC), or an approved current lump sum agreement are eligible to receive CSF.

### 1.3 How Does the Bureau Determine Indirect Cost Need and CSF Amounts for Contracts and Annual Funding Agreements?

The methodology used to determine indirect cost amount and CSF need is as follows:

- (1) Total current year Program fund amount;
- (2) Less exclusions; exclusions are determined as follows:
  - (a) For Construction under Public Law 93-638, as amended, title I, section 106(h), the amount of construction funding provided for the actual "on-the-ground" construction activities is an exclusion.
  - (b) For a Direct Cost Base consisting of Salaries and Wages, all costs except "Salaries and Wages" are exclusions.
  - (c) For a Direct Cost Base consisting of "total direct costs less capital expenditures and pass-through, such as those items requiring minimal administrative effort," capital expenditures and pass-through items are considered exclusions.

**Capital Expenditure:** The acquisition of items of personal property with an individual value of \$5,000 or more, and real property acquisition, renovation or repair with a value of \$5,000 or more.

**Pass-Through:** Those program expenditures for items requiring minimal level of effort to be performed by tribal administrative personnel, such as: grants to individuals (*i.e.*, scholarship grants, general assistance grants, etc.); leases; subcontracts; management and/or professional agreements; etc.

- (3) Direct Cost Base amount;
- (4) Times indirect cost rate;
- (5) Indirect cost amount;
- (6) Times current CSF funding percentage; and
- (7) CSF amount.

### 1.4 What Is Designated as an Ongoing/Existing Contract or Funding Agreement?

An ongoing/existing contract or annual funding agreement is a Bureau

program operated under a self-determination contract or a self-governance compact on an ongoing basis, which was entered into before the current fiscal year. Examples:

(1) All contracted or compacted programs, functions, services, activities or those included in annual funding agreements in the previous fiscal year and continued in the current fiscal year that are financed with funds appropriated to the Bureau;

(2) Direct funding increases for programs financed with funds appropriated to the Bureau; and

(3) Programs, functions, services, or activities started or expanded in the current fiscal year that are a result of a change in priorities from other already contracted, annual funding agreement programs, functions, services, or activities financed with funds appropriated to the Bureau.

### 1.5 Does an Increase or Decrease in the Level of Funding From Year to Year Affect the Designation of a Contract or Annual Funding Agreement?

No.

### 1.6 Can I Use Current Fiscal Year CSF to Pay a Prior Year Indirect Cost Shortfall?

No. The use of current year CSF to pay prior year indirect cost shortfall is not authorized.

### 1.7 Are There Any Restrictions on Distributing CSF for Indirect Cost?

Yes. The following conditions must be met before the Bureau distributes CSF to pay indirect cost:

(1) Programs, functions, services, activities, or portions thereof, must be financed with funds appropriated under the Snyder Act (25 U.S.C. 13); and

(2) Programs, functions, services, activities, or portions thereof, must be included in a Bureau self-determination contract or a self-governance funding agreement.

### 1.8 Is There Any Other Exclusion?

Yes. Self-determination contracts or self-governance agreements that receive appropriated funds from other Department of the Interior bureaus, offices, or other sources are not eligible to receive CSF.

### 1.9 How Can Tribes or Tribal Organizations Find Funding to Pay for Their Indirect Cost Needs for Programs That Are Excluded From Receiving CSF?

Those programs that are not eligible to receive CSF or ISDF to cover indirect cost needs must contact the specific program funding source to determine the methodology for covering the

indirect cost need for those programs. This may entail using funds provided for the contracted services to cover the indirect cost need. For example, funding for Indian Reservation Roads construction is transferred to the Bureau from the Federal Highway Trust Fund by the Department of Transportation. Therefore, this program is excluded

from receiving CSF to cover the indirect cost need and must use funds provided for the construction activity to cover their indirect cost needs.

*1.10 How Does the Bureau Determine the Amount of CSF a Tribe or Tribal Organization Is Eligible To Receive?*

See the computation methodology in section 1.3 of this notice.

*1.11 How Does the Bureau Decide What Direct Cost Base To Use To Determine CSF Need?*

BIA will use the following procedures to determine the direct cost base:

If a tribe's direct cost base is	Then BIA will make the following adjustments
(1) Total direct cost, less capital expenditures and pass-through .....	(1) Total direct cost, minus exclusions = direct cost base amount. (Exclusions will be on-the-ground construction costs, capital expenditures and pass-through.)
(2) Total salaries and wages .....	(2) Look at program budget and identify amount for salaries and wages. (The exclusions will be funding amounts for everything except salaries and wages.)
(3) A negotiated Lump Sum Agreement direct cost base is the total current year program funds, less amount for on-the-ground construction costs, capital expenditures and pass-through.	(3) The exclusions will be amounts for on-the-ground construction costs, capital expenditures and pass-through funds.

*1.12 How Does the Bureau Determine What Indirect Cost Rate To Use When Calculating the Amount of CSF Eligible Tribes or Tribal Organizations Will Receive?*

will receive, BIA follows the following procedures:

When calculating the amount of CSF eligible tribes or tribal organizations

If	Then
(1) The tribe or tribal organization has an approved indirect cost rate negotiated with the National Business Center (NBC) or an indirect cost proposal currently under consideration by the NBC.	(1) The Regional Director or Office of Self-Governance Director must use the tribe's or tribal organization's current rate, if approved, or, if not approved, the proposed indirect cost rate currently under consideration.
(2) The tribe or tribal organization proposes to use the prior-year approved rate*.	(2) The most current rate must be used.*
(3) A tribe or tribal organization that can document that they are unable to negotiate an indirect cost rate because of circumstances beyond their control may request negotiation of a lump sum amount**.	(2) The Awarding Official may negotiate a reasonable lump sum amount (not to exceed 15%) with the tribe or tribal organization for FY 2005.**

\*This rate is temporary and subject to finalization through negotiation with NBC, and may result in actual over or under recovery of indirect cost.

\*\*Beginning in FY 2004, a reasonable lump sum amount must not exceed 15 percent of total current year program funds, less capital expenditure and pass-through.

*1.13 What Happens if the Amount Identified in the "FY 2006 CSF Needs Report" Exceeds the Available FY 2006 CSF Amount?*

The CSF distribution will be made on a pro rata basis so that all eligible tribes and tribal organizations receive the same percentage of their reported need. For example, if the pro rata amount is 92 percent, each tribe or tribal organization will receive 92 percent of their identified indirect cost need.

*1.14 Who Is Responsible for Submitting the "CSF Needs Report" to the Bureau?*

Each regional office and the Office of Self-Governance must submit a "CSF Needs Report" for ongoing/existing contracts and funding agreements.

*1.15 How Does the Bureau Distribute CSF to Tribes and Tribal Organizations?*

(1) In the initial distribution of CSF, the Bureau will distribute to each regional office and the Office of Self-Governance 85 percent of the total amount of CSF provided in the previous fiscal year. From this 85 percent, the regional office will award 75 percent of the CSF need identified for each contract or annual funding agreement that meets the established criteria.

(2) In the second or final allotment of CSF, all tribal contractors and self-governance tribes/consortia will receive a pro-rated share of the CSF, based on the program funds in the contract or annual funding agreement at that time.

*1.16 What Can I Do To Cover My Total CSF Needs if the CSF Provided Is Insufficient?*

If your CSF funds are insufficient, you may reprogram funds provided for the operation of programs to make up deficiencies to recover your full indirect cost need. This reprogramming authority is limited to funds in the Tribal Priority Allocation (TPA) portion of the Bureau budget, or annual funding agreement.

*1.17 Can Funds From Other Bureau Programs That Are Not in the TPA Be Used To Meet CSF Shortfall?*

No. Congressional appropriation language does not provide authority for the Bureau to reprogram funds from other Bureau programs to meet any CSF shortfall.

*1.18 What Are the Definitions of the Terms “New Contract or Annual Funding Agreement” and “Expanded Contract or Annual Funding Agreement”?*

(a) A new contract or annual funding agreement is defined as the initial transfer of a program, function, service, or activity previously operated by the Bureau to a tribe, tribal organization or consortium.

(b) An expanded contract or annual funding agreement is defined as a contract or annual funding agreement which has become enlarged, during the current fiscal year through the assumption of additional programs, functions, services, or activities (or portion thereof) previously operated by the Bureau.

**Part 2—Indian Self-Determination Funds**

*2.1 How Are Indian Self-Determination Funds (ISDF) Distributed?*

The Bureau provides ISDF on a “first-come, first-served” basis. The Bureau

will fund requests at 100 percent of the “identified and approved need” until the ISDF is depleted.

*2.2 How Does the Bureau Distribute ISDF For a New and Expanded Contract or Annual Funding Agreement?*

Each regional office or the Office of Self-Governance must submit an “ISDF Needs Request” to the Office of Tribal Services when a new contract or annual funding agreement is awarded, or existing contracts or annual funding agreements are expanded.

*2.3 What Must a Complete “ISDF Request Package” for New and Expanded Contracts/Annual Funding Agreements Contain?*

A complete request package for new/expanded contracts or annual funding agreement must contain:

- (1) Indirect cost needs; and
- (2) Startup cost needs.

*2.4 What Happens if Requests Are Received After the ISDF Have Been Depleted?*

The ISDF request will not be funded for the fiscal year. However, requests received after the ISDF have been depleted will be considered first for ISDF funding in the following fiscal year.

*2.5 How Does the Bureau Compute the Indirect Cost Need?*

We compute the indirect cost need following the indirect cost computation methodology provided in this announcement at section 1.3.

*2.6 How Does BIA Determine What Indirect Cost Rate To Use When Calculating the Amount of ISDF Eligible Tribes or Tribal Organizations Will Receive?*

When calculating the amount of ISDF eligible tribes or tribal organizations will receive, the Bureau follows the following procedures:

If	Then
(1) The tribe or tribal organization has an approved indirect cost rate negotiated with the National Business Center (NBC) or an indirect cost proposal currently under consideration by the NBC.	(1) The Regional Director or Office of Self-Governance Director must use the tribe's or tribal organization's current rate, if approved, or, if not approved, the proposed indirect cost rate currently under consideration.
(2) The tribe or tribal organization proposes to use the prior-year approved NBC rate*.	(2) The most current NBC rate must be used.*
(3) A tribe or tribal organization that can document that they are unable to negotiate an indirect cost rate because of circumstances beyond their control may request negotiation of a lump sum amount**.	(3) The Awarding Official may negotiate a reasonable lump sum amount (not to exceed 15 percent) with the tribe or tribal organization for FY 2004.**

\*This rate is temporary and subject to finalization through negotiation with NBC, and may result in actual over or under recovery of indirect cost.

\*\*Beginning in FY 2004, a reasonable lump sum amount must not exceed 15 percent of total current year program funds, less capital expenditure and pass-through.

*2.7 What Is Considered “Startup Cost” Need?*

Startup costs are direct costs for items that are identified in the program operational budget for the new or expanded contract/annual funding agreements. These costs must be allowable costs, allocable to the new or expanded program, and reasonable within the context of the operational budget.

*2.8 What Information for a “Startup Cost” Request Must I Include in the ISDF Request Package?*

The request must contain:

(1) A copy of the program operational budget for the new or expanded contract/annual funding agreement activity, with the startup cost items identified;

(2) A copy of the program operational budget narrative; and

(3) Documentation of the provision of technical assistance and negotiation in regard to the startup cost items.

*2.9 Will the Bureau Consider Funding Requests That Do Not Meet the Requirement of Section 2.8?*

No. The Bureau will not consider funding ISDF requests that do not contain the items in section 2.8 of this notice.

*2.10 Are There Any Contracts or Agreements That Cannot Receive ISDF?*

Yes. Self-determination contracts or self-governance agreements that receive appropriated funds from other Department of the Interior bureaus, offices, or other sources are not eligible to receive ISDF.

*2.11 Are There Any Guidelines That Can Be Used To Help Provide Technical Assistance?*

Yes. Use the “Guidance for Contract Support Costs” handbook to assist in the negotiation and providing technical assistance for startup cost. You may obtain a copy of this handbook by calling the telephone number provided in the **FOR FURTHER INFORMATION CONTACT** section.

*2.12 What Happens to an Incomplete ISDF Request?*

The request will be returned to the office of origin for proper completion and resubmission.

Dated: January 18, 2006.

**Michael D. Olsen,**  
Acting Principal Deputy Assistant Secretary—  
Indian Affairs.

[FR Doc. E6-1393 Filed 2-1-06; 8:45 am]

**BILLING CODE 4310-4J-P**