

### § 30.3

### 28 CFR Ch. I (7-1-08 Edition)

#### **§ 30.3 What programs and activities of the Department are subject to these regulations?**

The Attorney General publishes in the FEDERAL REGISTER a list of the Department's programs and activities that are subject to these regulations and identifies which of these are subject to the requirements of section 204 of the Demonstration Cities and Metropolitan Development Act.

#### **§ 30.4 What are the Attorney General's general responsibilities under the Order?**

(a) The Attorney General provides opportunities for consultation by elected officials of those state and local governments that would provide the non-federal funds for, or that would be directly affected by, proposed federal financial assistance from, or direct federal development by, the Department.

(b) If a state adopts a process under the Order to review and coordinate proposed federal financial assistance and direct federal development, the Attorney General, to the extent permitted by law:

(1) Uses the state process to determine official views of state and local elected officials;

(2) Communicates with state and local elected officials as early in a program planning cycle as is reasonably feasible to explain specific plans and actions;

(3) Makes efforts to accommodate state and local elected officials' concerns with proposed federal financial assistance and direct federal development that are communicated through the state process;

(4) Allows the states to simplify and consolidate existing federally required state plan submissions;

(5) Where state planning and budgeting systems are sufficient and where permitted by law, encourages the substitution of state plans for federally required state plans;

(6) Seeks the coordination of views of affected state and local elected officials in one state with those of another state when proposed federal financial assistance or direct federal development has an impact on interstate metropolitan urban centers or other interstate areas; and

(7) Support state and local governments by discouraging the reauthorization or creations of any planning organization which is federally-funded, which has a limited purpose, and which is not adequately representative of, or accountable to, state or local elected officials.

(c) In considering comments received under these regulations, the Attorney General considers the objectives set forth in 31 U.S.C. 6506(b).

#### **§ 30.5 What is the Attorney General's obligation with respect to Federal interagency coordination?**

The Attorney General, to the extent practicable, consults with and seeks advice from all other substantially affected federal departments and agencies in an effort to assure full coordination between such agencies and the Department regarding programs and activities covered under these regulations.

#### **§ 30.6 What procedures apply to the selection of programs and activities under these regulations?**

(a) A state may select any program or activity published in the FEDERAL REGISTER in accordance with § 30.3 of this part for intergovernmental review under these regulations. Each state, before selecting programs and activities, shall consult with local elected officials.

(b) Each state that adopts a process shall notify the Attorney General of the Department's programs and activities selected for that process.

(c) A state may notify the Attorney General of changes in its selections at any time. For each change, the state shall submit to the Attorney General an assurance that the state has consulted with local elected officials regarding the change. The Department may establish deadlines by which states are required to inform the Attorney General of changes in their program selections.

(d) The Attorney General uses a State's process as soon as feasible, depending on individual programs and activities, after the Attorney General is notified of its selections.