

the OMB Desk Officer designated at the following address: OMB Human Resources and Housing Branch, Attention: Allison Eydt, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: January 30, 2001.

**John P. Burke III,**

*HCFA Reports Clearance Officer, HCFA, Office of Information Services, Security and Standards Group, Division of HCFA Enterprise Standards.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration

[Document Identifier: HCFA-R-228]

#### Agency Information Collection Activities: Submission for OMB Review; Comment Request

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Health Care Financing Administration (HCFA), Department of Health and Human Services, has submitted to the Office of Management and Budget (OMB) the following proposal for the collection of information. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

*Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Managed Care Adjusted Community Rate (ACR) Proposal and Supporting Regulations in 42 CFR 422.300-422.312; *Form No.:* HCFA-R-0228 (OMB# 0938-0742); *Use:*

This collection effort will be used to price the M+C plan offered to Medicare beneficiaries by an M+C organization. Organizations submitting the Adjusted Community Rate form would include all M+C organizations plus any organization intending to contract with HCFA as a M+C organization. These current M+C organization contractors will be required to submit this form no later than May 1, 1999 for the calendar year 2000.; *Frequency:* Annually; *Affected Public:* Businesses or other for profit, Not-for-profit institutions.; *Number of Respondents:* 400; *Total Annual Responses:* 400; *Total Annual Hours Requested:* 40,000.

To obtain copies of the supporting statement for the proposed paperwork collections referenced above, access HCFA's WEB SITE ADDRESS at <http://www.hcfa.gov/regs/prdact95.htm>, or E-mail your request, including your address and phone number, to [Paperwork@hcfa.gov](mailto:Paperwork@hcfa.gov), or call the Reports Clearance Office on (410) 786-1326. Written comments and recommendations for the proposed information collections must be mailed within 30 days of this notice directly to the OMB Desk Officer designated at the following address: OMB Human Resources and Housing Branch, Attention: Allison Eydt, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: January 30, 2001.

**John P. Burke III,**

*HCFA Reports Clearance Officer, HCFA, Office of Information Services, Security and Standards Group, Division of HCFA Enterprise Standards.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Substance Abuse and Mental Health Services Administration

#### Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with Section 3506(c)(2)(A) of the Paperwork

Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, the Substance Abuse and Mental Health Services Administration will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the information collection plans, call the SAMHSA Reports Clearance Officer on (301) 443-7978.

Comments are invited on: (a) Whether the proposed collections of information are necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

*Proposed Project: 2002 National Household Survey on Drug Abuse—*(OMB Number 0930-0110, Revision)—The National Household Survey on Drug Abuse (NHSDA) is a survey of the civilian, noninstitutionalized population of the United States 12 years old and older. The data are used to determine the prevalence of use of tobacco products, alcohol, illicit substances, and illicit use of prescription drugs. The results are used by SAMHSA, ONDCP, Federal government agencies, and other organizations and researchers to establish policy, direct program activities, and better allocate resources.

For the 2002 NHSDA, the modular components of the NHSDA questionnaire will remain essentially unchanged except for minor modifications to wording. As with all NHSDA surveys conducted since 1999, the sample size of the survey for 2002 will be sufficient to permit prevalence estimates for each of the fifty states and the District of Columbia. The total annual burden estimate is 85,400 hours as shown below:

|                              | Number of respondents | Responses/ respondent | Average burden response (hrs.) | Total burden hours |
|------------------------------|-----------------------|-----------------------|--------------------------------|--------------------|
| Household Screening .....    | 202,500               | 1                     | 0.083                          | 16,808             |
| NHSDA Interview .....        | 67,500                | 1                     | 1.000                          | 67,500             |
| Screening Verification ..... | 6,176                 | 1                     | 0.067                          | 414                |
| Interview Verification ..... | 10,125                | 1                     | 0.067                          | 678                |
| Total .....                  |                       |                       |                                | 85,400             |

Please send comments to Nancy Pearce, SAMHSA Reports Clearance Officer, Parklawn Building, 5600 Fishers Lane, Room 16-105, Rockville, Maryland 20857. Written comments should be received within 60 days of this notice.

Dated: March 19, 2001.

**Richard Kopanda,**

*Executive Officer, SAMHSA.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Paskenta Band of Nomlaki Indians Liquor Control Ordinance

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

**ACTION:** Notice.

**SUMMARY:** This notice publishes the Paskenta Band of Nomlaki Indians Liquor Control Ordinance. The Ordinance regulates the control of, the possession of, and the sale of liquor on the Paskenta Indian trust lands, and is in conformity with the laws of the State of California, where applicable and necessary. Although the Ordinance was adopted on April 19, 2000, it does not become effective until published in the **Federal Register** because the failure to comply with the ordinance may result in criminal charges.

**DATES:** This Ordinance is effective on March 26, 2001.

**FOR FURTHER INFORMATION CONTACT:**

Kaye Armstrong, Office of Tribal Services, 1849 C Street, NW., MS 4631-MIB, Washington, DC 20240-4001; telephone (202) 208-4400.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Act of August 15, 1953, Public Law 83-277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transaction in Indian country. The Paskenta Band of Nomlaki Indians Liquor Control Ordinance No. 2000-419B, as authorized by Resolution No. 4-19-00, was duly adopted by the Paskenta Band Tribal Council on April 19, 2000. The Paskenta Band, in furtherance of its economic and social goals, has taken positive steps to regulate retail sales of alcohol and use revenues to combat alcohol abuse and its debilitating effects among

individuals and family members within the Paskenta Band of Nomlaki Indians.

This notice is being published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 Departmental Manual 8.1.

I certify that by Resolution No. 4-19-00, the Paskenta Band of Nomlaki Indians Liquor Control Ordinance No. 2000-419B was duly adopted by the Paskenta Band Tribal Council on April 19, 2000.

Dated: March 19, 2001.

**James H. McDivitt,**

*Deputy Assistant Secretary—Indian Affairs (Management).*

The Paskenta Band of Nomlaki Indians Liquor Control Ordinance No. 2000-419B reads as follows:

#### **Liquor Control Ordinance 2000-419B**

**Article 1. Name.** This statute shall be known as the Paskenta Liquor Control Ordinance.

**Article 2. Authority.** This statute is enacted pursuant to the Act of August 15, 1953, (Public Law 83-277, 67 Stat. 586, 18 U.S.C. § 1161) and Article VI of the Constitution of the Tribe.

**Article 3. Purpose.** The purpose of this statute is to regulate and control the possession and sale of liquor on the Paskenta Nomlaki Indian Reservation, and to permit alcohol sales by tribally owned and operated enterprises, and at tribally approved special events, for the purpose of the economic development of the Tribe. The enactment of a tribal statute governing liquor possession and sales on the Paskenta Nomlaki Indian Reservation will increase the ability of tribal government to control Reservation liquor distribution and possession, and will provide an important source of revenue for the continued operation and strengthening of the tribal government, the economic viability of tribal enterprises, and the delivery of tribal government services. This Liquor Control Ordinance is in conformity with the laws of the State of California as required by 18 U.S.C. § 1161, and with all applicable federal laws.

**Article 4. Effective Date.** This statute shall be effective as of the date of its publication in the **Federal Register**.

**Article 5. Possession of Alcohol.** The introduction or possession of alcoholic beverages shall be lawful within the exterior boundaries of the Paskenta Nomlaki Indian Reservation; provided that such introduction or possession is in conformity with the laws of the State of California.

**Article 6. Sales of Alcohol.**

(a) The sale of alcoholic beverages by business enterprises owned by and

subject to the control of the Tribe shall be lawful within the exterior boundaries of the Paskenta Nomlaki Indian Reservation; provided that such sales are in conformity with the laws of the State of California.

(b) The sale of alcoholic beverages by the drink at special events authorized by the Tribe shall be lawful within the exterior boundaries of the Paskenta Nomlaki Indian Reservation; provided that such sales are in conformity with the laws of the State of California and with prior approval by the Tribe.

**Article 7. Age Limits.** The drinking age within the Paskenta Nomlaki Indian Reservation shall be the same as that of the State of California, which is currently 21 years. No person under the age 21 years shall purchase, possess or consume any alcoholic beverage. At such time, if any, as California business and Profession Code § 25658, which sets the drinking age for the State of California, is repealed or amended to raise or lower the drinking age within California, this Article shall automatically become null and void, and the Tribal Council shall be empowered to amend this Article to match the age limit imposed by state law, such amendment to become effective upon publication in the **Federal Register** by the Secretary of the Interior.

**Article 8. Civil Penalties.** The Tribe, through its Tribal Council and duly authorized security personnel, shall have the authority to enforce this statute by confiscating any liquor sold, possessed or introduced in violation hereof. The Tribal Council shall be empowered to sell such confiscated liquor for the benefit of the Tribe and to develop and approve such regulation as may become necessary for enforcement of this ordinance.

**Article 9. Prior Inconsistent Enactments.** Any prior tribal laws, resolutions, or statutes, which are inconsistent with this statute, are hereby repealed to the extent they are inconsistent with this statute.

**Article 10. Sovereign Immunity.** Nothing contained in this statute is intended to, nor does in any way, limit, alter, restrict, or waive the sovereign immunity of the Tribe or any of its agencies from unconsented suit or action of any kind.

**Article 11. Severability.** If any provision of this statute is found by any agency or court of competent jurisdiction to be unenforceable, the remaining provisions shall be unaffected thereby.

**Article 12. Amendment.** This statute may be amended by majority vote of the Tribal Council of the Tribe at a duly