

- Whether staff knows and understands the LEP plan and how to implement it.

- Whether identified sources for assistance are still available and viable.

In addition to these five elements, effective plans set clear goals, management accountability, and opportunities for community input and planning throughout the process.

### VIII. Voluntary Compliance Effort

The goal for Title VI and Title VI regulatory enforcement is to achieve voluntary compliance. The requirement to provide meaningful access to LEP persons is enforced and implemented by DHS through the procedures identified in the Title VI regulations. These procedures include complaint investigations, compliance reviews, efforts to secure voluntary compliance, and technical assistance.

The Title VI regulations provide that DHS will investigate when it receives a complaint, report, or other information that alleges or indicates possible noncompliance with Title VI or its regulations. If the investigation results in a finding of compliance, DHS will inform the recipient in writing of this determination, including the basis for the determination. DHS uses voluntary mediation to resolve most complaints. However, if a complaint is fully investigated and results in a finding of noncompliance, DHS must inform the recipient of the noncompliance through a Letter of Findings that sets out the areas of noncompliance and the steps that must be taken to correct the noncompliance. It must attempt to secure voluntary compliance through informal means. If the matter cannot be resolved informally, DHS must secure compliance through the termination of Federal assistance after the DHS recipients have been given an opportunity for an administrative hearing and/or by referring the matter to the Department of Justice Civil Rights Division to seek injunctive relief or other enforcement proceedings. DHS engages in voluntary compliance efforts and provides technical assistance to recipients at all stages of an investigation. During these efforts, DHS proposes reasonable timetables for achieving compliance and consults with and assists recipients in exploring cost-effective ways of coming into compliance. In determining a recipient's compliance with the Title VI regulations, DHS's primary concern is to ensure that the recipient's policies and procedures provide meaningful access for LEP persons to the recipient's programs and activities.

While all recipients must work toward building systems that will ensure access for LEP individuals, DHS acknowledges that the implementation of a comprehensive system to serve LEP individuals is a process and that a system will evolve over time as it is implemented and periodically reevaluated. As recipients take reasonable steps to provide meaningful access to Federally assisted programs and activities for LEP persons, DHS will look favorably on intermediate steps recipients take that are consistent with this Guidance, and that, as part of a broader implementation plan or schedule, move their service delivery system toward providing full access to LEP persons. This does not excuse noncompliance but instead recognizes that full compliance in all areas of a recipient's activities and for all potential language minority groups may reasonably require a series of implementing actions over a period of time. However, in developing any phased implementation schedule, DHS recipients should ensure that the provision of appropriate assistance for significant LEP populations or with respect to activities having a significant impact on the health, safety, legal rights, or livelihood of beneficiaries is addressed first. Recipients are encouraged to document their efforts to provide LEP persons with meaningful access to Federally assisted programs and activities.

### IX. Application to Specific Types of Recipients

This Guidance is issued for recipients that receive Federal funds from the Department of Homeland Security. There may be cases in which entities receive Federal funds from other Federal agencies as well as from DHS. Entities that receive funding from other Federal agencies may also look to the LEP guidance issued by those agencies, which are consistent with the DHS Guidance. Other Federal agencies that have issued similar guidance with regard to limited English proficient persons include the Departments of Commerce, Education, Health and Human Services, Energy, Housing and Urban Development, Labor, Interior, State Transportation, Treasury, and Veterans Affairs, and the Environmental Protection Agency. An up-to-date listing of Federal agencies that have published LEP Guidance can be found at <http://www.lep.gov/>. The Department of Justice LEP Recipient Guidance in particular provides many helpful examples of how to apply the four-factor analysis when making decisions about the need for translating documents,

obtaining interpreter, and hiring bilingual staff. See 65 FR 50123 Part IX (August 16, 2000). These examples are incorporated by reference herein.

As explained in this Guidance, all recipients of Federal financial assistance from DHS must meet the obligation to take reasonable steps to ensure access to programs and activities by LEP persons. This Guidance clarifies the Title VI regulatory obligation to address the language needs of LEP persons, in appropriate circumstances and in a reasonable manner by applying the four-factor analysis. In the context of emergency planning and response, health and safety, immigration and other detention, and law enforcement operations, where the potential for greater consequences are at issue, DHS will look for strong evidence that recipients have taken reasonable steps to ensure access to services to LEP persons. The lessons learned from natural disasters, for example, underscore the need to provide meaningful access to LEP persons who are otherwise eligible in all aspects of Federally assisted programs that serve the public.

**Margo Schlanger,**

*Officer for Civil Rights and Civil Liberties.*

[FR Doc. 2010-14630 Filed 6-16-10; 8:45 am]

**BILLING CODE 9110-9B-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-1881-DR; Docket ID FEMA-2010-0002]

### West Virginia; Amendment No. 1 to Notice of a Major Disaster Declaration

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster declaration for the State of West Virginia (FEMA-1881-DR), dated March 2, 2010, and related determinations.

**DATES:** *Effective Date:* June 10, 2010.

**FOR FURTHER INFORMATION CONTACT:** Peggy Miller, Recovery Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3886.

**SUPPLEMENTARY INFORMATION:** The notice of a major disaster declaration for the State of West Virginia is hereby amended to include the following areas among those areas determined to have been adversely affected by the event

declared a major disaster by the President in his declaration of March 2, 2010.

Jefferson, Mercer, and Randolph Counties for Public Assistance.

Jefferson, Mercer, and Randolph Counties for emergency protective measures (Category B), including snow assistance, under the Public Assistance program for any continuous 48-hour period during or proximate to the incident period.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

**W. Craig Fugate,**

*Administrator, Federal Emergency Management Agency.*

[FR Doc. 2010-14554 Filed 6-16-10; 8:45 am]

**BILLING CODE 9111-23-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

[Internal Agency Docket No. FEMA-1902-DR; Docket ID FEMA-2010-0002]

**Nebraska; Amendment No. 1 to Notice of a Major Disaster Declaration**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster declaration for the State of Nebraska (FEMA-1902-DR), dated April 21, 2010, and related determinations.

**DATES:** *Effective Date:* June 10, 2010.

**FOR FURTHER INFORMATION CONTACT:** Peggy Miller, Recovery Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3886.

**SUPPLEMENTARY INFORMATION:** The notice of a major disaster declaration for the State of Nebraska is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of April 21, 2010.

Dixon and Sherman Counties for Public Assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

**W. Craig Fugate,**

*Administrator, Federal Emergency Management Agency.*

[FR Doc. 2010-14556 Filed 6-16-10; 8:45 am]

**BILLING CODE 9111-23-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Reclamation**

**Glen Canyon Dam Adaptive Management Work Group**

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of charter renewal.

**SUMMARY:** This notice is published in accordance with Section 9(a)(2) of the Federal Advisory Committee Act of 1972 (Pub. L. 92-463, as amended). Following consultation with the General Services Administration, notice is hereby given that the Secretary of the Interior (Secretary) is renewing the charter for the Glen Canyon Dam Adaptive Management Work Group. The purpose of the Adaptive Management Work Group is to advise and to provide recommendations to the Secretary with respect to the operation of Glen Canyon Dam and the exercise of other authorities pursuant to applicable Federal law.

**FOR FURTHER INFORMATION CONTACT:** Linda Whetton, 801-524-3880.

The certification of renewal is published below.

**Certification**

I hereby certify that Charter renewal of the Glen Canyon Dam Adaptive Management Work Group is in the public interest in connection with the

performance of duties imposed on the Department of the Interior.

**Ken Salazar,**

*Secretary of the Interior.*

[FR Doc. 2010-14627 Filed 6-16-10; 8:45 am]

**BILLING CODE 4310-MN-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R4-ES-2010-N102; 40120-1112-0000-F2]

**Draft Supplemental Environmental Impact Statement for Incidental Take and Wetland Fill Permits for Two Condominium Developments on the Fort Morgan Peninsula, Baldwin County, AL**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice: receipt of applications for incidental take permits (ITPs) for Habitat Conservation Plan (HCP); availability of proposed HCP and draft Supplemental Environmental Impact Statement (dSEIS); request for comment.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces the availability of a proposed HCP, accompanying ITP applications, and a dSEIS related to two proposed developments that would take the Alabama beach mouse (*Peromyscus polionotus ammobates*) and place fill in wetlands on the Fort Morgan peninsula, Baldwin County, Alabama. The HCP analyzes the take of the Federally endangered Alabama beach mouse and fill in wetlands incidental to construction and occupation of adjacent residential and recreational condominium developments: Beach Club West and Gulf Highlands Condominiums (collectively BCWGH) projects. Fort Morgan Paradise Joint Venture and Gulf Highlands Condominiums, LLC (applicants) request ITPs under the Endangered Species Act of 1973, as amended, (Act) as well as permits from the Department of the Army, Corps of Engineers (Corps) for placing fill in wetlands under jurisdiction of the Clean Water Act. The Applicants' HCP describes the minimization and mitigation measures proposed to address the effects to the species and to wetlands.

**DATES:** We must receive any written comments on the ITP applications, joint HCP, and dSEIS at our Regional Office (see ADDRESSES) on or before September 15, 2010.

**ADDRESSES:** Documents will be available for public inspection by appointment