

a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, W. Montague Winfield, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Tennessee have been designated as adversely affected by this major disaster:

Dyer, Lake, Obion, Shelby, and Stewart Counties for Individual Assistance.

Benton, Carroll, Crockett, Dyer, Gibson, Henderson, Henry, Houston, Lake, Lauderdale, Madison, Montgomery, Obion, Shelby, and Stewart Counties for Public Assistance, including direct Federal assistance.

All counties within the State of Tennessee are eligible to apply for assistance under the Hazard Mitigation Grant Program.

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.*

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

[CBP Dec. 11-14]

#### **Western Hemisphere Travel Initiative: Designation of an Approved Native American Tribal Card Issued by the Pascua Yaqui Tribe as an Acceptable Document To Denote Identity and Citizenship**

**AGENCY:** U.S. Customs and Border Protection, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice announces that the Commissioner of U.S. Customs and Border Protection is designating an approved Native American Tribal Card

issued by the Pascua Yaqui Tribe to U.S. citizens as an acceptable travel document for purposes of the Western Hemisphere Travel Initiative. The approved card may be used to denote identity and U.S. citizenship of Pascua Yaqui members entering the United States from contiguous territory or adjacent islands at land and sea ports of entry.

**DATES:** This designation will become effective on June 9, 2011.

**FOR FURTHER INFORMATION CONTACT:** Colleen Manaher, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW., Washington, DC 20229, 202-344-3003.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

##### *The Western Hemisphere Travel Initiative*

Section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), Public Law 108-458, as amended, required the Secretary of Homeland Security (Secretary), in consultation with the Secretary of State, to develop and implement a plan to require U.S. citizens and Bermudian, Canadian, and Mexican nationals to present a passport or other document or combination of documents as the Secretary deems sufficient to denote identity and citizenship for all travel into the United States. *See* 8 U.S.C. 1185 note. On April 3, 2008, the Department of Homeland Security (DHS) and the Department of State promulgated a joint final rule, effective on June 1, 2009, that implemented the plan known as the Western Hemisphere Travel Initiative (WHTI) at U.S. land and sea ports of entry. *See* 73 FR 18384 (the WHTI land and sea final rule). It amended, among other sections of the Code of Federal Regulations (CFR), 8 CFR 212.0, 212.1, and 235.1. The WHTI land and sea final rule specifies the documents that U.S. citizens and nonimmigrant aliens from Canada, Bermuda, and Mexico are required to present when entering the United States at land and sea ports of entry.

Under the WHTI land and sea final rule, one type of citizenship and identity document that may be presented upon entry to the United States at land and sea ports of entry from contiguous territory or adjacent islands<sup>1</sup> is a Native American Tribal Card that has been designated as an acceptable document to denote identity

and citizenship by the Secretary, pursuant to section 7209 of IRTPA. Specifically, 8 CFR 235.1(e), as amended by the WHTI land and sea final rule, states:

Upon designation by the Secretary of Homeland Security of a United States qualifying Tribal entity document as an acceptable document to denote identity and citizenship for the purposes of entering the United States, Native Americans may be permitted to present Tribal cards upon entering or seeking admission to the United States according to the terms of the voluntary agreement entered between the Secretary of Homeland Security and the Tribe. The Secretary of Homeland Security will announce, by publication of a notice in the **Federal Register**, documents designated under this paragraph. A list of the documents designated under this paragraph will also be made available to the public.

A “United States qualifying Tribal entity” is defined as a “Tribe, band, or other group of Native Americans formally recognized by the United States Government which agrees to meet WHTI document standards.”<sup>2</sup> Native American Tribal cards are also referenced in 8 CFR 235.1(b) which lists the documents U.S. citizens may use to establish identity and citizenship when entering the United States. *See* 8 CFR 235.1(b)(7).

The Secretary has delegated to the Commissioner of CBP the authority to designate certain documents as acceptable border crossing documents for persons arriving in the United States by land or sea from within the Western Hemisphere, including certain United States Native American Tribal cards. *See* DHS Delegation Number 7105 (Revision 00), dated January 16, 2009.

##### *Tribal Card Program*

The WHTI land and sea final rule allowed U.S. Federally recognized Native American Tribes to work with CBP to enter into agreements to develop Tribal ID cards that can be designated as acceptable to establish identity and citizenship when entering the United States at land and sea ports of entry from contiguous territory or adjacent islands. CBP has been working with various U.S. Federally recognized Native American Tribes to facilitate the development of such cards.<sup>3</sup> As part of the process, CBP will enter into one or more agreements with a U.S. Federally recognized Tribe that specify the requirements for developing and issuing WHTI-compliant Tribal cards, including

<sup>2</sup> *See* 8 CFR 212.0. This definition applies to 8 CFR 212.1 and 235.1.

<sup>3</sup> The Native American Tribal cards qualifying to be a WHTI-compliant document for border crossing purposes are commonly referred to as “Enhanced Tribal Cards” or “ETCs.”

<sup>1</sup> “Adjacent islands” is defined in 8 CFR 212.0 as “Bermuda and the islands located in the Caribbean Sea, except Cuba.” This definition applies to 8 CFR 212.1 and 235.1.

a testing and auditing process to ensure that the cards are produced and issued in accordance with the terms of the agreements.

After production of the cards in accordance with the specified requirements, and successful testing and auditing by CBP of the cards and program, the Secretary of DHS or the Commissioner of CBP may designate the Tribal card as an acceptable WHTI-compliant document for the purpose of establishing identity and citizenship when entering the United States by land or sea from contiguous territory or adjacent islands. Such designation will be announced by publication of a notice in the **Federal Register**. A list of entities issuing WHTI-compliant documents and the kind of documents issued is available at <http://www.getyouhome.gov>.

#### *Pascua Yaqui WHTI-Compliant Tribal Card Program*

The Pascua Yaqui Tribe of Arizona (Pascua Yaqui Tribe) has voluntarily established a program to develop a WHTI-compliant Tribal card that denotes identity and U.S. citizenship. On May 27, 2009, CBP and the Pascua Yaqui Tribe signed a Memorandum of Agreement (MOA) to develop, issue, test, and evaluate Tribal cards to be used for border crossing purposes. Pursuant to this MOA, the cards are issued to members of the Pascua Yaqui Tribe who can establish identity, Tribal membership, and U.S. citizenship. The cards incorporate physical security features acceptable to CBP as well as facilitative technology allowing for electronic validation of identity, citizenship, and Tribal membership. In 2010, CBP and the Pascua Yaqui Tribe entered into two related agreements, a March 18, 2010, security agreement and an April 1, 2010, service level agreement. The former addresses confidentiality and information sharing, and the latter memorializes the technical specifications for the production, issuance and use of the card.

CBP has tested the cards developed by the Pascua Yaqui Tribe pursuant to the above agreements and has performed an audit of the Tribe's card program. On the basis of these tests and audit, CBP has determined that the cards meet the requirements of section 7209 of the IRTPA and are acceptable documents to denote identity and U.S. citizenship for purposes of entering the United States at land and sea ports of entry from contiguous territory or adjacent islands. CBP's continued acceptance of the Tribal card as a WHTI-compliant document is conditional on compliance

with the MOA and all related agreements.

Acceptance and use of the WHTI-compliant Tribal card is voluntary for Tribe members. If an individual is denied a WHTI-compliant Tribal card, he or she may still apply for a passport or other WHTI-compliant document.

#### *Designation*

This notice announces that the Commissioner of CBP designates the Tribal card issued by the Pascua Yaqui Tribe in accordance with the MOA and all related agreements between the Tribe and CBP as an acceptable WHTI-compliant document pursuant to section 7209 of the IRTPA and 8 CFR 235.1(e). In accordance with these provisions, the approved card, if valid and lawfully obtained, may be used to denote identity and U.S. citizenship of Pascua Yaqui members who are entering the United States from contiguous territory or adjacent islands at land and sea ports of entry.

Dated: June 3, 2011.

**Alan D. Bersin,**

*Commissioner, U.S. Customs and Border Protection.*

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## **DEPARTMENT OF THE INTERIOR**

### **Fish and Wildlife Service**

**[FWS-R5-R-2011-N043; BAC-4311-K9-S3]**

#### **Stewart B. McKinney National Wildlife Refuge, Middlesex County, CT; Comprehensive Conservation Plan and Environmental Assessment**

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

**ACTION:** Notice of intent; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service) intend to prepare a comprehensive conservation plan (CCP) for Stewart B. McKinney National Wildlife Refuge (NWR). An environmental assessment (EA) evaluating effects of various CCP alternatives will also be prepared. We provide this notice in compliance with our policy to advise other Federal and State agencies, Tribes, and the public of our intentions, and to obtain suggestions and information on the scope of issues to consider in the planning process. We are also announcing public meetings and requesting public comments.

**DATES:** We will hold public meetings to begin the CCP planning process; see Public Meetings under **SUPPLEMENTARY**

**INFORMATION** for dates, times, and locations. We will announce opportunities for public input in local news media throughout the CCP process.

**ADDRESSES:** Send your comments or requests for more information by any of the following methods:

*E-mail:* [northeastplanning@fws.gov](mailto:northeastplanning@fws.gov). Include "Stewart B. McKinney NWR" in the subject line of the message.

*Fax:* Attention: Bill Perry, 413-253-8468.

*U.S. Mail:* Bill Perry, Refuge Planner, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, MA 01035.

*In-Person Drop-off:* You may drop off comments during regular business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Bill Perry, 413-253-8688 (phone), [Bill\\_Perry@fws.gov](mailto:Bill_Perry@fws.gov) (e-mail).

#### **SUPPLEMENTARY INFORMATION**

##### **Introduction**

With this notice, we initiate our process for developing the CCP for Stewart B. McKinney NWR, with headquarters located in Middlesex County, CT. This notice complies with our CCP policy to: (1) Advise other Federal and State agencies, Tribes, and the public of our intention to conduct detailed planning on this refuge; and (2) obtain suggestions and information on the scope of issues to consider in the environmental document and during development of the CCP.

##### **Background**

###### *The CCP Process*

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) (Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System (NWRS), consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years