

These strict obligation and expenditure requirements demonstrate the financial and construction expediency requirements that the PHAs must meet along with the additional requirement of Buy American and the need for transparency.

The five exception determinations listed above are based on a determination of inconsistency with public interest. The FAR List is based on insufficient and not reasonably available quantities and of a satisfactory quality. At this time, HUD is not adding to the FAR List or creating a HUD list. HUD does not need to provide any additional justification for use of items currently on the FAR List of domestically nonavailable items at 48 CFR 25.104(a). If a PHA wants to use items on the FAR List or to have items added to the FAR List or to a HUD list, the PHA must follow the PIH Buy American Implementation Guidance.

The five national exceptions determined applicable are based on public interest are necessary to: (1) Avoid delay in completion and restoration of housing for low-income families and the achievement of the Recovery Act deadlines; (2) avoid delays in the start of construction and modernization of public housing that will jeopardize jobs; (3) avoid the possibility of additional funding gaps on termination of certain contracts and price differentials cause by procurement of goods and equipment; (4) avoid loss of funding for critical projects; and (5) address current and emerging situations presented by PHAs. The national exception for PHAs where the size of the CFRFC grant is less than \$100,000 will cover 30 percent of the PHAs (often referred to as "small PHAs") and will amount to a relatively small impact (approximately \$52 million of the nearly \$4 billion in grant awards). A determination was made that an exception is also applicable to PHAs where the size of a contract funded with CFRFC grant assistance is less than \$100,000 (which is currently the 24 CFR part 85 simplified acquisition threshold fixed at 41 U.S.C. 403(11)) in part because under 24 CFR 85.36(d)(1), these are small purchase procedures that are relatively simple and informal procurement methods for securing goods. If small purchase procedures are used by a PHA, price or rate quotations are to be obtained from at least three qualified sources.

PHAs have brought to HUD's attention that every public housing development and modernization project involves the use of literally thousands of miscellaneous, generally low-cost components that are essential for but

incidental to the construction and modernization, and are incorporated into the physical structure of the project, such as nails, hinges, other hardware, electrical, plumbing and finishing components. These incidental components are subject to the Buy American requirement, but unlike major components, the country of manufacture and the availability of alternatives are not readily or reasonably identifiable prior to procurement in the normal course of construction and modernization of public housing. Over 2,300 PHAs have less than 250 units in inventory, and many of these PHAs are located in rural areas or small towns. HUD understands that these PHAs in particular often have to search further in order to procure American-made items and find contractors familiar with the Buy American requirement. For these PHAs, it takes additional time to procure, and there are increased costs associated with bringing materials and contractors in from a great distance. Under the requirements of the Recovery Act, HUD is concerned that it could be disproportionate to the costs and time involved for the PHA or their contractor and would not be feasible for PHAs to find alternatives. In an effort to address this concern, HUD sought to identify the scope of these incidental components within the construction and modernization of public housing, consulted with PHAs and PHA trade associations and considered the number of ways and the number of sources of these components.

Recognition of the lack of availability and access to resources as well as relief from administrative burdens are critical to the success of small PHAs and consistent with Recovery Act objectives. As with any new requirement, implementation of the Buy American requirement will take analysis and resources that are not readily available to small PHAs. The need for the expeditious and efficient use of the CFRFC funds balanced with the long established recognition of decreased availability of resources available to small PHAs clearly supports exceptions 3 and 4 above.

Based on the information resulting from this process, the determination was made that these exceptions were appropriate because compliance with the Buy American requirement would be disproportionate to the cost and time involved for PHAs and delay work on critical public housing projects and the jobs associated with those projects. This public-interest justification does not reach the conclusion that the inclusion of iron, steel, and manufactured goods produced in the United States will

automatically increase the cost of the overall project by more than 25 percent. Cost is a factor in all PHA procurements and must be considered in accordance with 24 CFR part 85 and the cost principles at 2 CFR part 225. Cost is in part a factor in all of HUD's public interest national exceptions. HUD has decided that cost-based exceptions must be determined on a case-by-case basis and submitted to HUD for review under the PIH's Buy American Implementation Guidance.

For additional information see <http://www.hud.gov/offices/pih/publications/notices/>.

Dated: September 4, 2009.

**Sandra B. Henriquez,**

*Assistant Secretary for Public and Indian Housing.*

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## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

#### **Request for Comments on the Strategic Plan Framework as Input for Revision and Updating of the Departmental Strategic Plan**

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** The Department of the Interior is seeking public comment as part of its process to revise and update its current strategic plan.

**DATES:** You must submit comments on or before November 10, 2009.

**ADDRESSES:** You may submit comments by any of the following methods:

*E-mail:*

*StratPlancomments@ios.doi.gov.*

*FAX:* 202-208-2619.

*Mail:* U.S. Department of the Interior, Office of the Secretary—Planning and Performance Management, Attention: DOI Strategic Planning Coordinator, 1849 C Street, NW., Mail Stop 5258, Washington, DC 20240-0001.

#### **Public Availability of Comments**

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made public under certain circumstances. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**FOR FURTHER INFORMATION CONTACT:**

LeRon E. Bielak, DOI Strategic Planning Coordinator at (202) 208-5340 or by e-mail at [leron\\_bielak@ios.doi.gov](mailto:leron_bielak@ios.doi.gov).

**SUPPLEMENTARY INFORMATION:**

The Government Performance and Results Act of 1993 (GPRA) requires periodic updating of agency strategic plans. The first Interior GPRA Strategic Plan was published in 1997. Subsequent revisions were published in 2000, 2003 and 2006. In producing the plan published in 2003, Interior took a major departure from its past approaches to GPRA planning. In 2003, Interior reversed an approach of publishing separate strategic plans for each bureau by developing its first unified, Department-wide strategic plan.

The 2003 plan formulated common goals and performance measures among bureaus and placed a greater emphasis on specific results to be achieved. In creating this integrated plan, Interior employed a model in which it committed to outcome goals to be achieved and a supporting set of strategies for helping achieve the desired outcomes. Both outcome goals and strategies have been accompanied by specific performance measures that indicate the progress toward the intended results.

The integrated Departmental plan approach specifies long-term quantitative targets for results to be achieved while annual performance expectations are laid out in Interior's annual Performance Budget. Bureaus and offices are also expected to integrate operational plans into their budgets that link and align directly with the Departmental strategic plan. The operational plans are also used to help confirm the relevance and cost of work conducted and to guide future budget formulation, justifications, and decision making.

The process for revising and updating our plan has been time-intensive as adequate time must be allocated for soliciting and analyzing public comment, providing for consultations and meetings to generate extended conversations about the nature and content of the plan, and progressing through a careful evaluation and approval process prior to publication.

This revision process has been complicated by the transition to a new Administration and the need for new Departmental senior leadership to be appointed and confirmed. Because of the duration of the transition process, and the need to avoid pre-empting decisions that fall to new leadership, preliminary revision work was restricted to analysis of existing

performance metrics, identifying potential gaps or problems in program coverage in the plan, narrative and statistical updates, and preparation of initial options papers and schedules.

Interior Secretary Salazar considers it important to proceed with the revision process and obtain public input that will be instrumental in helping establish a plan that will focus more clearly on areas of critical concern. Secretary Salazar also views this revision as a timely opportunity to emphasize important priorities and commitments of the Administration. Among these priorities are (1) achieving greater energy independence and promoting the development of clean alternative energy sources, (2) protecting treasured landscapes, (3) addressing the issue of global climate change, (4) meeting our commitments to Native Americans and Alaska Natives, (5) addressing critical water issues, (6) creating opportunities for youth in the outdoors, and (7) insuring the integrity of science in support of Interior's decision making.

This is your invitation to present your views on the framework of missions, strategic goals, and performance measures the Department considers for revision and updating of its strategic plan. These include significant structural changes and priorities that are being proposed by the Secretary as well as your views on how to better define the results the Department should achieve and how to effectively measure our progress toward those outcomes. Input will not be sought on specific performance measure targets (also known as performance goals).

There are also several problematic areas for which your ideas are specifically being solicited: (1) Establishing a specific strategic plan goal and performance measure(s) for Indian Self-Government and Self-Determination and for Indian economic development; (2) addressing areas where the Department wants to improve existing measures, particularly metrics relating to wildland fire and endangered species conservation; (3) developing measures for gauging the effectiveness of scientific research; and (4) addressing performance measurement gaps that have been identified (shown with TBD in the measure charts of the proposed framework which can be found at the Interior Web site).

In addition to soliciting written comments, Interior is selecting several locations around the country where open meetings will be held within the next two months to discuss the strategic plan framework for revision of the plan. As with the written comments, input will not be sought on specific

performance measure targets. At each location, one or more separate sessions will be held for the general public, stakeholders, the Tribes, or Interior employees. The probable meeting locations include Anchorage AK, Phoenix AZ, Portland OR, and Washington, DC. Additional Tribal meetings are likely to occur in Minneapolis, MN and Oklahoma City, OK. An additional public stakeholder and employee meeting site may be Denver, CO. Please monitor the **Federal Register** or the Department of the Interior Web site <http://www.doi.gov/strategicplan> for final details in the near future. We also intend to offer an on-line conferencing opportunity for those who cannot attend one of these meetings. Other on-line opportunities are being explored to expand the opportunities for discussion.

There is no prescribed format for submitting written comments, however, it would be very helpful to separate your comments into those that apply to mission, goals, and performance measures versus those that apply to any other plan content (*as described in items #3-5 below*). An optional format for submitting your comments is available on line at the Interior Web site, (<http://www.doi.gov/strategicplan>) as well as other viewable or downloadable files of the proposed framework, the current plan, reference documents such as the GPRA, frequently asked questions and other helpful information. (*These are also available through the contact point listed earlier.*) Comments that may refer to funding, legislation, procedural issues, or other questions more peripheral to the planning effort will receive separate consideration and may not be directly factored into the revised plan.

Although the format for an agency strategic plan is discretionary, you should know that GPRA requires that the following content be included in any such final plan:

- (1) A comprehensive mission statement,
- (2) Goals and objectives for major functions,
- (3) Means and strategies for meeting goals,
- (4) Key factors that could affect results achieved, and
- (5) A listing of program evaluations used in revising the plan.

GPRA also requires that an Agency consult with Congress and obtain the views of affected and interested parties.

Dated: September 8, 2009.

**Rhea Suh,**

*Assistant Secretary—Policy, Management  
and Budget.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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#### **Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Leasing of National System of Public Lands for Geothermal Resource Development in the Haiwee Geothermal Leasing Area Located in Inyo County, CA and To Amend the California Desert Conservation Area Plan of 1980**

**AGENCY:** Bureau of Land Management,  
Interior.

**ACTION:** Notice of Intent.

**SUMMARY:** In compliance with the National Environmental Policy Act of 1976 (NEPA), as amended, and section 202 of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, the Bureau of Land Management (BLM) Ridgecrest Field Office intends to prepare an Environmental Impact Statement (EIS) to analyze the proposed leasing of approximately 22,060 acres of BLM-managed public lands for geothermal exploration, development, and utilization in the Haiwee Geothermal Leasing Area located in Inyo County, California. The leasing of public lands for geothermal resources will require an amendment to the California Desert Conservation Area (CDCA) Plan of 1980. Comments are being solicited to help identify significant issues or concerns related to the proposed action, determine the scope of issues, and identify and refine alternatives to the proposed action. The BLM will also use and coordinate the NEPA commenting process to satisfy the requirements for public involvement in section 106 of the National Historic Preservation Act.

**DATES:** This Notice initiates the public scoping process for the EIS and plan amendment. Comments on issues may be submitted in writing until October 13, 2009. The date(s) and location(s) of the public scoping meetings will be announced at least 15 days in advance through local news media, newspapers and the BLM Web site at: <http://www.blm.gov/ca/st/en.html>. In order to be included in the Draft EIS, all comments must be received prior to the close of the scoping period or 15 days

after the last public meeting, whichever is later. We will provide additional opportunities for public participation upon publication of the Draft EIS.

**ADDRESSES:** You may submit comments related to Geothermal Leasing in the Haiwee Geothermal Leasing Area located in Inyo County, California by any of the following methods:

- *Web site:* <http://www.blm.gov/ca/st/en.html>.

- *E-mail:* [John\\_Dalton@ca.blm.gov](mailto:John_Dalton@ca.blm.gov).

- *Fax:* (951) 697–5299.

- *Mail:* Bureau of Land Management, California Desert District Office, Attn: John Dalton, Haiwee Geothermal Leasing Area Coordinator, 22835 Calle San Juan De Los Lagos, Moreno Valley, California 92553.

**FOR FURTHER INFORMATION CONTACT:** John Dalton at (951) 697–5311, [John\\_Dalton@ca.blm.gov](mailto:John_Dalton@ca.blm.gov).

**SUPPLEMENTARY INFORMATION:** The BLM has received three noncompetitive geothermal lease applications for 4,460 acres of public land within the Haiwee Geothermal Leasing Area in Inyo County, California. In addition, the BLM identified approximately 17,600 acres of public lands, also within the Haiwee Geothermal Leasing Area and adjacent to the three geothermal lease applications, which will be considered for competitive geothermal leasing under 43 CFR 3203.10(e). The proposed action is to amend the CDCA Plan to allocate project area lands as open or closed to consideration for geothermal leasing, with appropriate stipulations necessary to maintain and protect other resource values and uses, and to develop a Reasonably Foreseeable Development Scenario for geothermal resources development under the authority of the FLPMA and the Geothermal Steam Act of 1970, as amended (30 U.S.C. 1001 *et seq.*). Individual lease issuance decisions and parcels to be included in a sale will be considered in a manner consistent with the final plan as amended, as subsequent implementation decisions. The public lands being considered for geothermal leasing in the Haiwee Geothermal Leasing Area are located in sections 11–14, 23–26, 35, and 36 in Township 21 South, Range 37 East, sections 7–10, 15, 17–22, 27–34 in Township 21 South, Range 38 East, in sections 1 and 2 in Township 22 South, Range 37 East, and sections 5–8 in Township 22 South, Range 38 East, all within the San Bernardino and Base Meridian. Total acreage being considered for geothermal leasing is approximately 22,060 acres.

Alternatives thus far identified for evaluation in the EIS will include the following:

1. Proposed action.

2. No action alternative (not leasing the lands for geothermal exploration, development, and utilization).

3. Leasing fewer than the proposed 22,060 acres of public land.

The principal issues identified thus far for consideration in the EIS include Native American concerns; potential land use conflicts including recreation; cumulative impacts considering existing, proposed, and potential geothermal projects in the area; and potential impacts on cultural resources, wildlife, visual resources, and surface and groundwater resources. The EIS will also address other issues such as geology, mining, geothermal resources, vegetation, threatened or endangered species, air quality, noise, transportation, human health and safety, and social and economic issues, as well as any issues raised during the scoping process.

The BLM will identify issues to be addressed in the Plan, and will place them into one of three categories:

1. Issues to be resolved in the plan.

2. Issues to be resolved through policy or administrative action.

3. Issues beyond the scope of this plan.

The BLM will provide an explanation in the plan as to why we placed an issue in category two or three. The public is also encouraged to help identify any management questions and concerns that should be addressed in the Plan. The BLM will work collaboratively with interested parties to identify the management decisions that are best suited to local, regional, and national needs and concerns.

The following Planning Criteria will be utilized during production of this document:

- The plan will be completed in compliance with FLPMA, NEPA, and all other relevant Federal law, Executive Orders, and management policies of the BLM.

- Where existing planning decisions are still valid, those decisions may remain unchanged and be incorporated into the plan amendment.

- The plans will recognize valid existing rights.

- Native American Tribal consultations will be conducted in accordance with policy and Tribal concerns will be given due consideration. The planning process will include the consideration of any impacts on Indian trust assets.