

Information Management and Security Staff, Attention: Department Clearance Office, Suite 850, 1001 G Street, NW., Washington, DC 20530. Additionally, comments may be submitted to DOJ via facsimile to (202) 514-1534.

The information collection is listed below:

(1) Type of information collection. Notice of Reinstatement, without change, of a previously approved collection for which approval has expired.

(2) The title of the form/collection. Nondiscrimination on the Basis of Disability in State and Local Government Services (Certification).

(3) The agency form number and applicable component of the Department sponsoring the collection. None.

(4) Affected public who will be asked to respond, as well as a brief abstract: Primary: State, Local or Tribal Government. Under title III of the Americans with Disabilities Act, on the application of a State or local government, the Assistant Attorney General for Civil Rights (or his or her designee) may certify that a State or local building code or similar ordinance that establishes accessibility requirements (Code) meets or exceeds the minimum requirements of the ADA for accessibility and usability of "places of public accommodation" and "commercial facilities."

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: 10 respondents per year at 32 hours per certification.

(6) An estimate of the total public burden (in hours) associated with the collection: 320 hours annual burden.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW., Washington, DC 20530.

Dated: September 9, 1997.

**Robert B. Briggs,**

*Department Clearance Officer.*

[FR Doc. 97-24326 Filed 9-12-97; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Disability Rights Section, Civil Rights Division; Agency Information Collection Activities Under Review

**ACTION:** Notice of reinstatement, without change, of a previously approved collection for which approval has

expired. Nondiscrimination on the basis of disability in state and local government services (self-evaluation).

**PURPOSE:** The information collection extension is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** on June 16, 1997 at 62 FR 32654, allowing for a 60-day public comment period. No comments were received by the Disability Rights Section.

The purpose of this notice is to allow an additional 30 day for public comment. Comments are encouraged and will be accepted until October 15, 1997.

Written comments and/or suggestions are requested from the public and affected agencies concerning the extension of a currently approved collection of information. Your comments should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the collection of information;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses).

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time should be directed to the Office of Management and Budget (OMB), Office of Regulatory Affairs, Attention: Department of Justice Desk Office, Washington, DC 20530. Additionally, comments may be submitted to OMB via facsimile to (202) 395-7285. Comments may also be submitted to the Department of Justice (DOJ), Justice Management Division, Information Management and Security Staff, Attention: Department Clearance Office, Suite 850, 1001 G Street, NW., Washington, DC 20530. Additionally, comments may be submitted to DOJ via facsimile to (202) 514-1534.

The information collection is listed below:

(1) Type of information collection. Notice of Reinstatement, without change, of a previously approved collection for which approval has expired.

(2) The title of the form/collection. Nondiscrimination on the Basis of Disability in State and Local Government Services (Self-Evaluation).

(3) The agency form number and applicable component of the Department sponsoring the collection. None.

(4) Affected public who will be asked to respond, as well as a brief abstract: Primary: State, Local or Tribal Government. Under title II of the Americans with Disabilities Act, State and local governments are required to evaluate their current services, policies, and practices for compliance with the ADA. Under certain circumstances, such entities must also maintain the results of such self-evaluation of file for public review.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: 15,000 respondents at 6 hours per self-evaluation.

(6) An estimate of the total public burden (in hours) associated with the collection: 90,000 hours and annual burden.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW., Washington, DC 20530.

Dated: September 9, 1997.

**Robert B. Briggs,**

*Department Clearance Officer.*

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## DEPARTMENT OF JUSTICE

### Disability Rights Section, Civil Rights Division; Agency Information Collection Activities Under Review

**ACTION:** Notice of new information collection. Title II of the Americans With Disabilities Act of 1990/section 504 of the Rehabilitation Act of 1973 Discrimination Complaint Form.

**PURPOSE:** The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** on June 16, 1997 at 62 FR 32655, allowing for a 60-day public comment period. No comments

were received by the Disability Rights Section.

The purpose of this notice is to allow an additional 30 days for public comment. Comments are encouraged and will be accepted until October 15, 1997.

Written comments and/or suggestions are requested from the public and affected agencies concerning the proposed collection of information. Your comments should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the collection of information;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses).

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time should be directed to the Office of Management and Budget (OMB), Office of Regulatory Affairs, Attention: Department of Justice Desk Office, Washington, DC 20530. Additionally, comments may be submitted to OMB via facsimile to (202) 395-7285. Comments may also be submitted to the Department of Justice (DOJ), Justice Management Division, Information Management and Security Staff, Attention: Department Clearance Office, Suite 850, 1001 G Street, NW., Washington, DC 20530. Additionally, comments may be submitted to DOJ via facsimile to (202) 514-1534.

The information collection is listed below:

(1) Type of information collection. New Collection.

(2) The title of the form/collection. Title II of the Americans with Disabilities Act/Section 504 of the Rehabilitation Act of 1973 Discrimination Complaint Form.

(3) The agency form number and applicable component of the Department sponsoring the collection. No form number. Disability Rights Section, Civil Rights Division, U.S. Department of Justice.

(4) Affected public who will be asked to respond, as well as a brief abstract: Primary: Individuals alleging discrimination by public entities based on disability. Under title II of the Americans with Disabilities Act, an individual who believes that he or she has been subjected to discrimination on the basis of disability by a public entity may, by himself or herself or by an authorized representative, file a complaint. Any Federal agency that receives a complaint of discrimination by public entity is required to review the complaint to determine whether it has jurisdiction under section 504. If the agency does not have jurisdiction, it must determine whether it is the designated agency responsible for complaints filed against that public entity. If the agency does not have jurisdiction under section 504 and is not the designated agency, it must refer the complaint to the Department of Justice. The Department of Justice then must refer the complaint to the appropriate agency.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: 5,000 respondents per year at 0.75 hours per complaint form.

(6) An estimate of the total public burden (in hours) associated with the collection: 3,750 hours annual burden.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW., Washington, DC 20530.

Dated: September 9, 1997.

**Robert B. Briggs,**

*Department Clearance Officer.*

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## DEPARTMENT OF JUSTICE

[AG Order No. 2115-97]

### Request for Comments on the Attorney General's Specification of Community Programs Necessary for the Protection of Life or Safety Under the Welfare Reform Act

**AGENCY:** Department of Justice.

**ACTION:** Notice with request for comments.

**SUMMARY:** The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 vests in the Attorney General the authority to specify non-means-tested, government-funded

community programs, services, or assistance that are necessary for the protection of life or safety and for which all aliens remain eligible. On August 23, 1996, the Attorney General issued an Order implementing that authority, and making a "provisional specification." Before the provisional specification is finalized, the Department is publishing this Notice to solicit the input of federal, state, and local agencies operating programs or providing services or assistance that may be covered by that Order.

**DATES:** Comments must be received by November 14, 1997.

**ADDRESSES:** Address all comments to Wendy L. Patten, Counsel, Office of Policy Development, Department of Justice, 950 Pennsylvania Avenue, NW., Washington, DC, 20530.

**FOR FURTHER INFORMATION CONTACT:** Wendy L. Patten, Counsel, Office of Policy Development, Department of Justice, 950 Pennsylvania Avenue, NW., Washington, DC, 20530, (202) 514-5482.

**SUPPLEMENTARY INFORMATION:** On August 22, 1996, the President signed the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the Act), which vests in the Attorney General the authority to specify non-means-tested, government-funded community programs, services, or assistance that are necessary for the protection of life or safety and for which all aliens remain eligible. Pursuant to the Act, on August 23, 1996, the Attorney General issued an Order (AG Order No. 2049-96) (Order) implementing that authority, and making a "provisional specification" of such programs. This Order was published on August 30, 1996 at 61 FR 45985.

Under §§ 401 and 411 of the Act, aliens who are not "qualified aliens" (as defined in § 431 of the Act are ineligible for federal, state, and local public benefits.<sup>1</sup> However, there are a number of specified exceptions to these restrictions.<sup>2</sup> Included within this list of

<sup>1</sup> The term "federal public benefit" is defined to include "any grant, contract, loan, professional license, or commercial license provided by an agency of the United States or by appropriated funds of the United States." (Section 401(c)(1)(A)). The definition of state public benefit is identical to the federal benefit definition except that it refers to benefits provided by agencies of state or local governments or by appropriated funds of state or local governments. (Section 411(c)(1)(A)).

<sup>2</sup> In addition to the exception that is the subject of the Attorney General Order of August 23, 1996, there are a number of other categories of federal, state, and local public benefits that Congress expressly made available to other non-qualified aliens. These public benefits include specified types of emergency medical treatment and emergency disaster relief, along with other benefits