

for the determination. The DoD uses voluntary mediation to resolve most complaints. However, if a case is fully investigated and results in a finding of noncompliance, DoD 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, DoD must secure compliance through the termination of Federal assistance after the DoD recipient has been given an opportunity for an administrative hearing and/or by referring the matter to a DOJ litigation section to seek injunctive relief or pursue other enforcement proceedings. The DoD engages in voluntary compliance efforts and provides technical assistance to recipients at all stages of an investigation. During these efforts, DoD 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, the DoD'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, DoD 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, DoD 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, DoD 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, education, economic status, 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.

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Publication of Housing Price Inflation Adjustment Under 50 U.S.C. App. § 531

**AGENCY:** Office of the Under Secretary for Personnel and Readiness, DoD.

**ACTION:** Notice.

**SUMMARY:** The Servicemembers Civil Relief Act, as codified at 50 U.S.C. App. § 531, prohibits a landlord from evicting a Service member (or the Service member's family) from a residence during a period of military service except by court order. The law as originally passed by Congress applied to dwellings with monthly rents of \$2400 or less. The law requires the Department of Defense to adjust this amount annually to reflect inflation and to publish the new amount in the **Federal Register**. We have applied the inflation index required by the statute. The maximum monthly rental amount for 50 U.S.C. App. § 531 (a)(1)(A)(ii) as of January 1, 2012, will be \$3,047.45.

**DATES:** *Effective Date:* January 1, 2011.

**FOR FURTHER INFORMATION CONTACT:** Major Shawn McKelvy, Office of the Under Secretary of Defense for Personnel and Readiness, (703) 697-3387.

**Patricia Toppings,**

*OSD Federal Register Liaison Officer,  
Department of Defense.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Termination of the Department of Defense Web-Based TRICARE Assistance Program Demonstration

**AGENCY:** Department of Defense, DoD.

**ACTION:** Notice of demonstration termination.

**SUMMARY:** This notice is to advise interested parties of the termination of the Military Health System (MHS) demonstration project, under authority of Title 10, U.S. Code, Section 1092,

entitled Web-Based TRICARE Assistance Program (TRIAP). The demonstration project uses existing health care support contracts (HCSC) to allow web-based behavioral health and related services including non-medical counseling and advice services to active duty service members (ADSM), their families and members and their dependents enrolled in TRICARE Reserve Select, and those eligible for the Transition Assistance Management Program (TAMP) who reside in the continental United States.

**DATES:** The demonstration will terminate on March 31, 2012.

**ADDRESSES:** TRICARE Management Activity (TMA), Health Plan Operations, 5111 Leesburg Pike, Suite 810, Falls Church, VA 22041.

**FOR FURTHER INFORMATION CONTACT:** For questions pertaining to this demonstration project, please contact Mr. Richard Hart at (703) 681-0047.

**SUPPLEMENTARY INFORMATION:** This demonstration was effective August 1, 2009, as referenced in the original **Federal Register** Notice, 74 FR 36676, July 24, 2009. The demonstration was extended to March 31, 2011, as referenced by **Federal Register** Notice, 75 FR 15693, March 30, 2010 and again extended to March 31, 2012 as referenced by **Federal Register** Notice, 76 FR 12073, March 4, 2011. The demonstration provides capability for short-term, problem solving counseling between eligible beneficiaries and licensed counselors utilizing video technology and software such as Skype or iChat. TRIAP services are available 24/7 and ADSMs, their spouses of any age, and other family members 18 years of age or older who reside in the United States are eligible to participate. Enrollees in TRICARE Reserve Select and the Transitional Assistance Management Program may also use the program. TRIAP is based on commercial employee assistance models and provides counseling in a virtual face-to-face environment. There is no diagnosis made, there are no limits to usage, and no notification about those seeking counseling are made to their primary care managers or others, unless required by the counselor's licensure (e.g., spouse abuse). Participant confidentiality is protected, as no medical record entry is made.

Monthly measures of Web-based behavioral health care access were collected and analyzed from each TRICARE region with the intent to inform Department leaders whether this type of program is a valid mechanism to improve access. Only 5109 calls were recorded in the two-year period from

August 2009 through August 2011, with the majority (89%) occurring in the West region. Of these calls, 1888 calls were listed as either "initial" or "intake" with 3098 listed as "follow-up," and 123 calls were not coded for contact type. Thirty-five percent (35%) of callers reported themselves as the sponsor, 62% reported as a dependent, and 3% did not report relationship. These results indicate the demonstration has not been utilized to the extent anticipated. At a cost of approximately \$3 million annually across all three TRICARE regions, the demonstration's goal of improving beneficiary access to behavioral health care by incorporating Web-based video technology has not been realized and thus not viable from a financial perspective.

The termination of TRIAP in March 2012 will not cause a void in the availability of non-medical counseling services for Service members and their families. Military OneSource (MOS) offers a robust and popular Employee Assistance Program model of non-medical counseling service to provide Service members and their families in both the continental United States and overseas with an avenue for private, non-reportable discussion of personal life issues. Issues such as family difficulties and pressures, crisis intervention, anxiety, self-esteem, loneliness, and critical life decisions can be discussed on a one-to-one basis in the context of a confidential relationship with a professional counselor. Telephonic or face-to-face counseling is available 24/7 by contacting the MOS 1-800 call center who maintains a National Network of trained, experienced, and credentialed counselors. In addition, MOS is currently pursuing integration of video technology and software capability such as Skype or iChat to their non-medical counseling service by early 2012. By terminating the TRIAP Demonstration and integrating video technology into the MOS non-medical counseling service, the Department is responsibly managing costs, streamlining and eliminating duplication of services, and making it easier for Service members and their families to find assistance through one convenient toll free number.

The TRICARE Management Activity will work with MOS to develop a communication plan and ensure a seamless transition of Web-based video counseling from TRICARE to MOS.

Dated: February 9, 2012.

**Patricia L. Toppings,**

*OSD Federal Register Liaison Officer,  
Department of Defense.*

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**BILLING CODE 5001-06-P**

## DEPARTMENT OF DEFENSE

### Department of the Air Force

**[Docket No. USAF-2008-0006]**

### Proposed Collection; Comment Request

**AGENCY:** HQ USAFA/RR, DoD.

**ACTION:** Notice.

**SUMMARY:** In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, HQ USAFA/RR announces the a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is 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 information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by March 26, 2012.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, 2nd Floor, East Tower, Suite 02G09, Alexandria, VA 22350-3100.

*Instructions:* All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and

associated collection instruments, please write to: HQ USAFA/RR, 2304 Cadet Drive, Suite 2400, USAF Academy, CO 80840 or call (719) 333-8850.

*Title; Associated Form; and OMB Number:* Nomination For Appointment To The United States Military Academy, Naval Academy or Air Force Academy; DD FORM 1870; OMB Control Number 0701-0026.

*Needs and Uses:* DD FM 1870 is used to implement the provisions of Title X, U.S.C. 4342, 6953 and 32 CFR part 901. Members of Congress, the Vice President and Delegates to Congress and Resident Commissioner of Puerto Rico use this form to nominate constituents to the three DoD Academies, West Point, Annapolis and Air Force. Data required is supplied by the prospective nominees to Members of Congress. Eligibility requirements are outlined in AFI 36-2019, Appointment to the United States Air Force Academy.

*Affected Public:* Applicants to DoD Military Academies.

*Annual Burden Hours:* 2,600.

*Number of Respondents:* 5,200.

*Responses per Respondent:* 1.

*Average Burden per Response:* 30 minutes.

*Frequency:* On occasion.

### SUPPLEMENTARY INFORMATION:

#### Summary of Information Collection

The Department of Defense Form 1870, Nomination for Appointment to the United States Military Academy, Naval Academy and Air Force Academy, is used solely by legal nominating authorities who by Federal law are entitled to make appointments to the three service military academies. The nomination form allows for nominating authorities to select by checking one box as to which academy is being provided with the name of a nomination to be processed. Eligibility information concerning the nominees is information that is also included on the form. The nominating authority identifies himself/herself and must date and sign the form to make it a legally acceptable form. The form includes the three addresses of the service academies in order that the form may be submitted to the proper academy. The form is currently used, full time, by only the United States Military Academy. The United States Air Force Academy uses the form only in rare cases totally no more that 100 forms each year. The United States Naval Academy does not use the form. The reason for this is the United States Naval Academy and the United States Air Force Academy now employ an on-line nomination submissions program in lieu of the DD