

APPENDIX A—Continued

FY 96 Indian HOME Program—Grantee's name and address	Grant amount awarded
Jicarilla-Apache Indian Reservation, Leonard Atole, President, POB 507, Dulce, NM 87528	1,000,000
Tohono O'odham Nation, Edward Manuel, Chairman, POB 837, Sells, AZ 85634	691,495
Pala Band of Mission Indians, Robert Smith, Chairman, POB 43, Pala, CA 92059	347,000
San Carlos Apache Tribe, Raymond Stanley, Chairman, POB "O," San Carlos, AZ 85550	663,000
Cherokee Nation, POB 948, Tahlequah, OK 74465	419,623
Creek Nation, POB 580, Okmulgee, OK 74447	1,035,000
Choctaw Nation, PO Drawer 1210, Durant, OK 74702	1,171,627

[FR Doc. 96-23693 Filed 9-16-96; 8:45 am]

BILLING CODE 4210-33-P

DEPARTMENT OF THE INTERIOR**Office of the Secretary****Request for Nominations****AGENCY:** Office of the Secretary, Interior.**ACTION:** Notice of request for nominations.

SUMMARY: The Exxon Valdez Oil Spill Trustee Council is soliciting nominations for the Public Advisory Group, which advises the Trustee Council on decisions related to the planning, evaluation, and conduct of injury assessment and restoration activities using funds obtained for purposes of restoration as part of the civil settlement pursuant to the T/V Exxon Valdez oil spill of 1989. Public Advisory Group members will be selected to serve a two-year term beginning in October 1996.

DATES: All nominations should be received on or before October 14, 1996.

ADDRESSES: Nominations should be sent to the Exxon Valdez Oil Spill Trustee Council, 645 G Street, Anchorage, Alaska 99501 (fax: 907/276-7178).

FOR FURTHER INFORMATION CONTACT: Douglas Mutter, Designated Federal Officer, Department of the Interior, Office of Environmental Policy and Compliance, 1689 "C" Street, Suite 119, Anchorage, Alaska, 99501, (907) 271-5011; or Cherri Womac, Exxon Valdez Oil Spill Trustee Council, 645 G Street, Anchorage, Alaska, (907) 278-8012 or (800) 478-7745. A copy of the charter for the Public Advisory Group is available upon request.

SUPPLEMENTARY INFORMATION: The Public Advisory Group was created by Paragraph V.A.4 of the Memorandum of Agreement and Consent Decree entered into by the United States of America and the State of Alaska on August 27, 1991 and approved by the United States District Court for the District of Alaska in settlement of *United States of*

America v. State of Alaska, Civil Action No. A91-081 CV. The Public Advisory Group was created to advise the Trustee Council on matters relating to decisions on injury assessment, restoration activities, or other use of natural resource damages recovered by the governments.

The Trustee Council consists of representatives of the State of Alaska Attorney General; Commissioner of the Alaska Department of Fish and Game; Commissioner of the Alaska Department of Environmental Conservation; the Secretary of the Interior; the Secretary of Agriculture; and the Administrator of the National Oceanic and Atmospheric Administration, U.S. Department of Commerce. Appointment to the Public Advisory Group will be made by the Secretary of the Interior with unanimous approval of the other Trustees.

The Public Advisory Group has openings for 17 members, representing the public at large (5 members) and the following special interests: aquaculture, commercial fishing, commercial tourism, forest products, environmental, conservation, local government, Native landowners, recreation users, sport hunting and fishing, subsistence users, and scientists and academics. Two additional ex officio non-voting members are from the Alaska State House of Representatives and the Alaska State Senate.

Parties who wish to make nominations must submit the following information to the Trustee Council:

1. A biographical sketch of the nominee (education, experience, address, telephone, fax);
2. Information about the nominee's knowledge of the region, peoples, or principal economic and social activities of the area affected by the T/V Exxon Valdez oil spill, or expertise in public lands and resource management;
3. Information about the nominee's relationship/involvement (if any) with the principal interest to be represented;
4. A statement explaining any unique contributions the nominee will make to the Public Advisory Group and why the

nominee should be appointed to serve as a member;

5. Any additional relevant information that would assist the Trustee Council in making a recommendation; and

6. Answers to the conflict of interest questions listed below. Public Advisory Group members and their alternates are chosen to represent a broad range of interests. It is possible that action could be taken by the Public Advisory Group when one or more of the members have a direct personal conflict of interest which would prejudice and call into question the entire public process. To avoid this and to enable the Trustee Council to choose appropriate individuals as members and/or alternates to members, it is necessary that each nomination packet provide the following information. If the answer to any of these questions is "yes," please provide a brief explanation. A "yes" will not necessarily preclude any nominee from being appointed to serve on the Public Advisory Group.

a. Do you, your spouse, children, any relative with whom you live, or your employer have, or are you defending, a claim filed before any court or administrative tribunal based upon damages caused by the T/V Exxon Valdez oil spill?

b. Do you, your spouse, children, any relative with whom you live, or your employer own any property or interest in property which has been, or is likely to be, proposed for acquisition by the Trustee Council?

c. Have you, your spouse, children, any relative with whom you live or your employer submitted, or are you likely to submit, a proposal for funding by the Trustee Council; are you or are you likely to be a direct beneficiary of such a proposal?

d. Do you know of any other potential actions of the Trustee Council or the Public Advisory Group that would have a direct bearing on the financial condition of yourself, your spouse,

children, other relative with whom you live, or your employer?

Willie R. Taylor,

Director, Office of Environmental Policy and Compliance.

[FR Doc. 96-23782 Filed 9-16-96; 8:45 am]

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Fish and Wildlife Service

Endangered and Threatened Wildlife and Plants; Extension of Listing Priority Guidance for Fiscal Year 1997

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces that it is extending its listing priority guidance until an appropriations law is approved for the Department of the Interior for fiscal year 1997 (FY 97). The Service also proposes to amend and continue implementation of guidance for assigning relative priorities to listing actions conducted under section 4 of the Endangered Species Act (Act) during FY 97 and seeks public comment on this proposed guidance. The extension is necessary because the Service expects appropriated funds to fall short of those needed to eliminate the existing backlog of proposed listings and complete all listing actions required by the Act in FY 97. Under the proposed guidance, the Service would assign all listing actions to one of four tiers, as distinguished from the three tiers in the current guidance (61 FR 24722).

DATES: The extension of the existing listing priority guidance is effective October 1, 1996 and will remain in effect until the Service can determine the effects of any FY 97 appropriations law and then issue final guidance. Comments on the proposed FY 97 guidance will be accepted until October 17, 1996.

ADDRESSES: Comments on the proposed guidance should be addressed to the Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, 1849 C Street, N.W., Mailstop ARLSQ-452, Washington, D.C., 20240.

FOR FURTHER INFORMATION CONTACT: E. LaVerne Smith, Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, 703-358-2171 (see **ADDRESSES** section).

SUPPLEMENTARY INFORMATION:

Background

The Service adopted guidelines on September 21, 1983 (48 FR 43098-43105) that govern the assignment of

priorities to species under consideration for listing as endangered or threatened under section 4 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). The Service adopted those guidelines to establish a rational system for allocating available appropriations to the highest priority species when adding species to the lists of endangered or threatened wildlife and plants or reclassifying threatened species to endangered status. The system places greatest importance on the immediacy and magnitude of threats, but also factors in the level of taxonomic distinctiveness by assigning priority in descending order to monotypic genera, full species, and subspecies (or equivalently, distinct population segments of vertebrates).

The enactment of Pub. L. 104-6 in April, 1995 rescinded \$1.5 million from the Service's budget for carrying out listing activities through the remainder of fiscal year 1995. Public Law 104-6 also contained a prohibition on the expenditure of the remaining appropriated funds for final determinations to list species or designate critical habitat which, in effect, placed a moratorium on those activities.

From October 1, 1995 through April 26, 1996, funding for the Service's endangered species programs, including listing of endangered and threatened species, was provided through a series of continuing resolutions, each of which maintained in force the moratorium against issuing final listings or critical habitat designations. The continuing resolutions also severely reduced or eliminated the funding available for the Service's listing program. Consequently, the Service reassigned listing program personnel to other duties. The net effect of the moratorium and reductions in funding was that the Service's listing program was essentially shut down.

The moratorium on final listings and the budget constraints remained in effect until April 26, 1996, when President Clinton approved the Omnibus Budget Reconciliation Act of 1996 and exercised the authority that Act gave him to waive the moratorium. At that time, the Service had accrued a backlog of proposed listings for 243 species. Moreover, although the moratorium imposed by Pub. L. 104-6 did not specifically extend to petition processing or the development of new proposed listings, the extremely limited funding available to the Service for listing activities generally precluded these actions from October 1, 1995 through April 26, 1996. The Service continued to receive new petitions and accrued a backlog of petitions that

request the listing or delisting of 57 species under section 4(b)(3) of the Act. The Service has historically attempted to strike a balance among the various listing activities required by the Act, but as appropriations have not kept pace with the Service's workload, an increased backlog of listing actions has developed.

In anticipation of receiving a listing appropriation for the remainder of FY 96, the Service issued and requested comment on interim listing priority guidance on March 11, 1996 (61 FR 9651). On May 16, 1996, the Service addressed all public comments received on the interim guidance and published final listing priority guidance for fiscal year 1996 activities (61 FR 24722). It is this guidance that is now extended until the Service can prepare final guidance based on the terms of a FY 97 appropriations law.

When the moratorium was lifted and funds were appropriated for the administration of a listing program, the Service faced the considerable task of allocating the available resources to the significant backlog of listing activities. Over the past four months, the Service has focussed its resources on processing existing proposals and has issued final rules listing five species.¹ The relatively low number of final rules issued during this period resulted primarily from the time needed to restart the listing program from a total shutdown and the need to consider factual developments related to proposed listing packages (e.g., changes in known distribution, status, or threats) that took place during the year-long moratorium.

Although progress has been made with regard to proposed rules, the Service also needs to make expeditious progress on determining the conservation status of the 183² species designated by the Service as candidates for listing in the most recent Candidate Notice of Review (61 FR 7596; February 28, 1996; see 16 U.S.C.

§ 1533(b)(3)(B)(iii)(II)). The Service is also subject to extensive litigation that could require it to process a variety of actions under section 4 of the Act.

Furthermore, it now appears that Congress will probably appropriate only about two-thirds of the amount the President's FY 97 budget requested for the listing program. The President's budget for FY 97 requested \$7.483 million for the listing program, but appropriations bills passed by the

¹ Final rules listing the red-legged frog, wahane (Hawaiian plant), and 3 plants from the Island of Nihoa, Hawaii.

² Effective August 26, 1996, the U.S. population of the short-tailed albatross (*Diomedea albatrus*) was designated a candidate species.