

adjustment to the threshold is based on the Consumer Price Index for All Urban Consumers published annually by the U. S. Department of Labor. For disasters declared on January 1, 2002 through December 31, 2002, the qualifying threshold is \$102 per capita of State population.

We base the adjustment on an increase in the Consumer Price Index for All Urban Consumers of 1.6 percent for the 12-month period ended in December 2001. The Bureau of Labor Statistics of the U.S. Department of Labor released the information on January 16, 2002.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program.).

**Joe M. Allbaugh,**

*Director.*

[FR Doc. 02-2564 Filed 2-1-02; 8:45 am]

**BILLING CODE 6718-02-P**

## FEDERAL TRADE COMMISSION

### Revised Jurisdictional Thresholds for Section 8 of the Clayton Act

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The Federal Trade Commission announces the revised thresholds for interlocking directorates required by the 1990 amendment of Section 8 of the Clayton Act. Section 8 prohibits, with certain exceptions, one person from serving as a director or officer of two competing corporations if two thresholds are met. Competitor corporations are covered by Section 8 if each one has capital, surplus, and undivided profits aggregating more than \$10,000,000, with the exception that no corporation is covered if the competitive sales of either corporation are less than \$1,000,000. Section 8(a)(5) requires the Federal Trade Commission to revise those thresholds annually, based on the change in gross national product. The new thresholds, which take effect immediately, are \$18,193,000 for section 8(a)(1), and \$1,819,300 for Section 8(a)(2)(A).

**EFFECTIVE DATE:** February 4, 2002.

**FOR FURTHER INFORMATION CONTACT:** H. Gabriel Dagen, Bureau of Competition, Office of Accounting and Financial Analysis, (202) 326-2573.

**Authority:** 15 U.S.C. 19(a)(5).

## ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
ACF-4125 .....	52	1	264	13,746

*Estimated Total Annual Burden Hours:* 13,746.

**Additional Information:** Copies of the proposed collection may be obtained by writing to The Administration for Children and Families, Office of Information Services, 370 L'Enfant Promenade, SW, Washington, DC 20447, Attn: ACF Reports Clearance Officer.

**OMB Comment:** OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork

Reduction Project, 725 17th Street, NW, Washington, DC 20503, Attn: Desk Officer for ACF.

Dated: January 28, 2002.

**Bob Sargis,**

*Reports Clearance Officer.*

[FR Doc. 02-2555 Filed 2-1-02; 8:45 am]

**BILLING CODE 4184-01-M**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of a Permit Application (Bearry) for Incidental Take of the Houston Toad

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

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 02-2551 Filed 2-1-02; 8:45 am]

**BILLING CODE 6750-01-M**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### Submission for OMB Review; Comment Request

Title: Annual Statistical Report on Children in Foster Homes and Children in Families Receiving Payments in Excess of the Poverty Income Level from a Program Funded under Part A of title IV of the Social Security Act

**OMB No.:** 0970-0004.

**Description:** This information is collected to meet the statutory requirements of section 1124 of the Elementary and Secondary Education Act (as amended by Pub. L. 103-382). It is collected by DHHS from State public welfare agencies and turned over to the Department of Education which uses it to arrive at the formula for allocating Title I grant funds to State and local elementary and secondary schools for the purpose of providing assistance to disadvantaged children.

**Respondents:** State, Local, or Tribal Governments.

**ACTION:** Notice of availability.

**SUMMARY:** Steven and Susan Bearry (Applicants) have applied for an incidental take permit (TE-051539-0) pursuant to section 10(a) of the Endangered Species Act (Act). The requested permit would authorize the incidental take of the endangered Houston toad. The proposed take would occur as a result of the construction and occupation of a single-family residence on approximately 0.5 acre of the 22.849-acre Tract 23 in the Cottletown Ranches Subdivision, Bastrop County, Texas.

**DATES:** Written comments on the application should be received within the date of this publication.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S.

Fish and Wildlife Service, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Clayton Napier, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8 to 4:30) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Supervisor, U.S. Fish and Wildlife Service, Austin, Texas, at the above address. Please refer to permit number TE-051539-0 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Clayton Napier at the above U.S. Fish and Wildlife Service, Austin Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. However, the Fish and Wildlife Service (Service), under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made until at least 30 days from the date of publication of this notice. This notice is provided pursuant to section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

### Applicants

Steven and Susan Bearry plan to construct a single-family residence, within 5 years, on approximately 0.5 acre of the 22.849-acre Tract 23 in the Cottleown Ranches Subdivision, Bastrop County, Texas. This action will eliminate 0.5 acre or less of Houston toad habitat and result in indirect impacts within the lot. The Applicants propose to compensate for this incidental take of the Houston toad by providing \$3,000.00 to the Houston Toad Conservation Fund at the National Fish and Wildlife Foundation for the specific purpose of land acquisition and

management within Houston toad habitat.

**Stuart Leon,**

*Acting Regional Director, Region 2.*

[FR Doc. 02-2198 Filed 2-1-02; 8:45 am]

**BILLING CODE 4510-55-M**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Notice of Fund Availability (NOFA)

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of fund availability—tribal courts and Courts of Indian Offenses.

**SUMMARY:** The Bureau of Indian Affairs (BIA) is announcing that \$1.5 million is available for funding to tribal courts (including CFR courts) that assume responsibility of adjudicating matters under 25 CFR part 115. Under part 115, tribal courts are responsible for appointing guardians, determining competency, awarding child support from Indian Individual Money (IIM) accounts, determining paternity, sanctioning adoptions, marriages, and divorces, making presumptions of death, and adjudicating claims involving trust assets. Funds will be awarded under the discretionary authority of section 103 of Public Law 93-638.

**DATES:** Applications are due by March 6, 2002.

**ADDRESSES:** Send applications to Ralph Gonzales, Bureau of Indian Affairs, Office of Tribal Services, Branch of Judicial Services, MS Room 4660-MIB, 1849 C Street, NW, Washington, DC 20240; Fax No. (202) 208-5113.

**FOR FURTHER INFORMATION CONTACT:** Ralph Gonzales, (202) 208-4401.

**SUPPLEMENTARY INFORMATION:** The authority to issue this notice is vested in the Secretary of the Interior by 5 U.S.C. 301 and 25 U.S.C. 2 and 9, 25 U.S.C. 13, which authorizes appropriations for "Indian judges" (See *Tillett v. Hodel*, 730 F.Supp. 381 (W.D. Okla. 1990), *aff'd* 931 F.2d 636 (10th Cir. 1991) *United States v. Clapox*, 13 Sawy. 349, 35 F. 575 (D.Ore. 1888)), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 Departmental Manual 8.1.

There are approximately 225 tribes that contract or compact with the Bureau of Indian Affairs to perform the Secretary's adjudicatory function and 23 Courts of Indian Offenses (also known as CFR courts). It is expected that 45 tribal entities will choose to assume this

responsibility. The \$1.5 million is earmarked to assist tribal courts to perform the increased responsibilities required by 25 CFR part 115. These funds will be distributed on the following formula:

Number of cases times "X".

"X" equals \$1.5 million divided by the Total of Cases that will be disposed of reported by Qualified Applicants.

**Formula Example:** The most recent data available shows there is a total universe of 33,217 Indian minor cases, and 1,667 non-compos mentis cases in the IIM system. The Office of Tribal Services, Division of Social Services, estimates that about 25 percent of these cases will require adjudication by a court of competent jurisdiction.

**Example:** If it is expected there will be approximately 8,721 cases which require adjudication during FY 2002, applying the formula \$172 per case is the result (\$1.5 million divided by 8,721 = \$172). If, for example, your court is expected to handle 35 cases in FY 2002, it is eligible to receive \$6,020 (\$172 × 35 = \$6,020). This example assumes that all cases requiring adjudication will be disposed of. For FY 2002, only cases that a tribal court will "dispose of" will be considered in the case count for funding purposes.

### Program Description

Qualified tribal applicants that assume responsibility over Supervised IIM Accounts under 25 CFR part 115 are eligible to receive funding under this NOFA. Applicants will consider the following sections of part 115 when responding to this NOFA:

115.001, 115.002, 115.100, 115.102, 115.104, 115.107, 115.400, 115.401, 115.413, 115.420, 115.421, 115.425, 115.430, 115.600, 115.601, 115.605, 115.701.

**Note:** An electronic copy of this document may be downloaded from the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg>.

Tribes seeking to apply will be responsible for (1) having codes or ordinances in place, and (2) appointing guardians, determining competency, awarding child support from Indian Individual Money (IIM) accounts, determining paternity, sanctioning adoptions, marriages, and divorces, making presumptions of death, and adjudicating claims involving trust assets as prescribed in the sections cited above. Funds provided under this NOFA are specifically made available to tribal courts that assume additional responsibility under 25 CFR part 115 to adjudicate Supervised IIM Accounts