

under the **FOR FURTHER INFORMATION CONTACT** heading immediately below. To obtain a copy of the application kit, please write the Fair Housing Information Clearinghouse, P.O. Box 9146, McLean, VA 22102, or call the toll free number 1-800-343-3442 (voice) or 1-800-290-1617 (TTY). Also please contact this number if information concerning this NOFA is needed in an accessible format.

**FOR FURTHER INFORMATION CONTACT:** Aztec Jacobs or Maxine Cunningham, Office of Fair Housing Initiatives and Voluntary Programs, Room 5234, 451 Seventh Street, S.W., Washington, D.C. 20410-2000; telephone number (202) 708-0800 (this is not a toll free number); facsimile (202) 708-2755. Persons who use a text telephone (TTY) may call 1-800-290-1617.

**SUPPLEMENTARY INFORMATION:** On June 26, 1997 (62 FR 34562), HUD published a NOFA for the Fair Housing Initiatives Program (FHIP). The Application Kit was printed following publication of the June 26, 1997 NOFA publication and has been widely distributed. In providing application formats, the Application Kit was designed to reflect NOFA requirements. The June 26, 1997 NOFA is also included as an attachment to the Application Kit.

The June 26, 1997 NOFA required that, "In accordance with 24 CFR 125.104(f), no recipient of assistance under the PEI may use any funds provided by the Department for the payment of expenses in connection with litigation against the United States." This provision also applied to enforcement activities carried out under the FHOI. The FHIP Application Kit, on pages 43 and 49 contained a more expansive limitation, stating that in addition to the above NOFA provision, no FHIP funds may be used in "any litigation action involving housing providers funded by the Department of Housing and Urban Development."

It was not the Department's intent to limit litigation efforts beyond the statutory or regulatory limitations of the FHIP as the variance from the NOFA in the Application Kit indicated. The Department intends to permit organizations that have submitted applications under this competition prior to this Notice to modify their activities and budget to incorporate litigation against housing providers funded by HUD, if their applications are selected for award.

Furthermore, this Notice is intended to ensure that all interested applicants that may have been dissuaded by the variance from submitting applications will be provided an opportunity to do

so under this competition. Such entities must notify the Department within 7 days of today's date, by September 9, 1997 either by phone or fax of their name, phone number, and intent to submit an application under the PEI and/or FHOI that includes litigation against housing providers funded by HUD. Only those entities that contact the Department during this 7-day period and provide the above information will be permitted to submit applications during the 30-day extended application period, which will expire on October 2, 1997. Because HUD cannot determine with any certainty the number, if any, of potential applicants who were discouraged from applying specifically because of the variance, the 7-day notification period is necessary to allow the processing of applications to continue with a minimum of disruption.

All applications submitted under this clarification must also comply with all other requirements contained in the June 26, 1997 NOFA and outlined in the Application Kit. Applicants that have already submitted applications under the PEI or FHOI will not be permitted to submit revised or additional applications, since they will be given the opportunity to make modifications as appropriate to their proposed activities and budget to reflect the NOFA litigation requirement.

Dated: August 26, 1997.

**Larry Pearl,**

*Acting Deputy Assistant Secretary for Program Operations and Compliance.*

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BILLING CODE 4210-28-U

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Availability of Draft Molokai II: Addendum to the Recovery Plan for the Molokai Plant Cluster (USFWS 1996)**

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

**ACTION:** Notice of document availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces the availability for public review of a draft Molokai II: Addendum to the Recovery Plan for the Molokai Plant Cluster (USFWS 1996). There are three taxa of plants included in this plan. All three are known only from the island of Molokai. This draft plan Addendum supplements the Recovery Plan for the Molokai Plant Cluster finalized in September of 1996. A limited number of copies of the Molokai Recovery Plan

remain available, although the Service is not seeking comments on that document.

**DATE:** Comments on the draft recovery plan addendum received by November 3, 1997 will be considered by the Service.

**ADDRESSES:** Copies of the draft recovery plan are available for inspection, by appointment, during normal business hours at the following locations: U.S. Fish and Wildlife Service, Pacific Islands Office, 300 Ala Moana Boulevard, room 3108, P.O. Box 50088, Honolulu, Hawaii 96850 (phone 808/541-3441); Molokai Public Library, 15 Ala Malama Street, Kaunakakai, Hawaii 96748. Requests for copies of the draft recovery plan addendum and written comments and materials regarding this plan should be addressed to Field Supervisor, Fish and Wildlife Office, at the above Honolulu address.

**FOR FURTHER INFORMATION CONTACT:** John Schmerfeld, Fish and Wildlife Biologist, at the above Honolulu address.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Restoring endangered or threatened animals and plants to the point where they are again secure, self-sustaining members of their ecosystems is a primary goal of the Service's endangered species program. To help guide the recovery effort, the Service is working to prepare recovery plans for most of the listed species native to the United States. Recovery plans describe actions considered necessary for the conservation of the species, establish criteria for the recovery levels for downlisting or delisting them, and estimate time and cost for implementing the recovery measures needed.

The Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*) (Act), requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act as amended in 1988 requires that public notice and an opportunity for public review and comment be provided during recovery plan development. The Service will consider all information presented during the public comment period prior to approval of each new or revised Recovery Plan. Substantive technical comments will result in changes to the plans. Substantive comments regarding recovery plan implementation may not necessarily result in changes to the recovery plans, but will be forwarded to appropriate Federal or other entities so that they can take these comments into account during the course of

implementing recovery actions. Individualized responses to comments will not be provided.

The Recovery Plan for the Molokai Plant Cluster covered 16 species and was finalized in September of 1996. The addendum refers to sections of the original Plan. This draft addendum supplements the Recovery Plan for the Molokai Plant Cluster by covering three endangered plant taxa. All of these taxa are endemic to the island of Molokai, Hawaiian Islands. The plants are: *Cyanea dunbarii* (haha), *Lysimachia maxima* (no common name), and *Schiedea sarmentosa* (no common name).

The three taxa included in this addendum grow in a range of vegetative communities (dry shrubland to wet forests) and elevational zones (lowland to montane). These taxa and their habitats have been variously affected or are currently threatened by one or more of the following: habitat degradation by feral or domestic animals (goats, pigs, and axis deer), competition for space, light, water, and nutrients by introduced vegetation; erosion of substrate produced by human- or animal-caused disturbance; mortality and habitat loss from fires; and predation by animals (goats, axis deer, and rats). In addition, due to the small number of existing individuals and their very narrow distributions, these taxa and most of their populations are subject to an increased likelihood of extinction and/or reduced reproductive vigor from random naturally occurring events.

The objective of the Addendum to the Recovery Plan for the Molokai Plant Cluster (USFWS 1996) is to provide a framework for the recovery of these three taxa so that their protection by the Endangered Species Act (ESA) is no longer necessary. The interim objective is to stabilize all existing populations of the Molokai II taxa. To be considered stable, each taxon must be managed to control threats (e.g., fenced) and be represented in an *ex situ* (such as a nursery or arboretum) collection. In addition, a minimum total of three populations of each taxon should be documented on Molokai, where they now occur or occurred historically. Each of these populations must be naturally reproducing and increasing in number, with a minimum of 50 mature individuals per population for short-lived perennials (*Cyanea dunbarii*, *Lysimachia maxima*, and *Schiedea sarmentosa*). For downlisting, a total of five to seven populations of each taxon should be documented on Molokai where they now occur or occurred historically. Each of these populations must be naturally reproducing, stable or

increasing in number, and secure from threats, with a minimum of 300 mature individuals per population for short-lived perennials. Each population should persist at this level for a minimum of 5 consecutive years before downlisting is considered. For delisting, a total of 8 to 10 populations of each taxon should be documented on Molokai where they now occur or occurred historically. Each of these populations must be naturally reproducing, stable or increasing in number, and secure from threats, with a minimum of 300 mature individuals per population for short-lived perennials. Each population should persist at this level for a minimum of 5 consecutive years.

#### Public Comments Solicited

The Service solicits written comments on the Addendum to the Recovery Plan described. All comments received by the date specified above will be considered prior to approval of this addendum.

Authority: The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: August 26, 1997.

Thomas J. Dwyer,

Acting Regional Director, Region, U.S. Fish and Wildlife Service.

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service, Interior

#### Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Minerals Management Service, DOI.

ACTION: Notice of information collection solicitation.

SUMMARY: Under the Paperwork Reduction Act of 1995, the Minerals Management Service (MMS) is soliciting comments on an information collection, Application for the Purchase of Royalty Oil (OMB Control Number 1010-0042, Form MMS-4070), which expires on January 31, 1998.

FORM: MMS-4070, Application for the Purchase of Royalty Oil.

DATES: Written comments should be received on or before November 3, 1997.

ADDRESSES: Comments sent via the U.S. Postal Service should be sent to Minerals Management Service, Royalty Management Program, Rules and Publications Staff, P.O. Box 25165, MS

3021, Denver, Colorado 80225-0165; courier address is Building 85, Room A-212, Denver Federal Center, Denver, Colorado 80225; e-mail address is David\_Guzy@mms.gov.

#### FOR FURTHER INFORMATION CONTACT:

Dennis C. Jones, Rules and Publications Staff, phone (303) 231-3046, FAX (303) 231-3385, e-mail

Dennis\_C\_Jones@mms.gov.

SUPPLEMENTARY INFORMATION: In compliance with the Paperwork Reduction Act of 1995, Section 3506 (c)(2)(A), we are notifying you, members of the public and affected agencies, of this collection of information, including Form MMS-4070, which expires January 31, 1998. We are requesting OMB approval for a three year extension of this existing collection authority. Is this information collection necessary for us to properly do our job? Have we accurately estimated the industry burden for responding to this collection? Can we enhance the quality, utility, and clarity of the information we collect? Can we lessen the burden of this information collection on the respondents by using automated collection techniques or other forms of information technology?

Section 36 of the Mineral Lands Leasing Act of 1920, as amended (30 U.S.C. 192), and Section 27 of the Outer Continental Shelf (OCS) Lands Act of 1953, as amended (43 U.S.C. 1353), authorize the Secretary of the Interior to sell royalty oil accruing to the United States from oil and gas leases issued pursuant to those acts. "Royalty oil" is crude oil produced from leased Federal lands, both onshore and offshore, in instances in which the Government exercises the option to accept a lessee's royalty payment in oil rather than in money. Title to the oil is transferred to the Government and then sold to an eligible refiner. When the Secretary determines that small refiners do not have access to adequate supplies of oil, the Secretary may dispose of any oil taken as royalty by conducting a sale of such oil, or by allocating it to eligible refiners. The Minerals Management Service (MMS) performs the royalty management functions on behalf of the Secretary.

Regulations at 30 CFR 208 describe the information collections required by the RIK program. When the Secretary decides to offer royalty oil taken in kind for sale to eligible refiners, MMS will publish a Notice of Availability of Royalty Oil in the **Federal Register**, and other printed media, when appropriate. The Notice includes administrative details concerning the application, allocation, and contract award process