

In August and September 2008, Hurricanes Ike and Gustave struck the United States causing catastrophic damage. On September 23, 2008, HUD and FEMA executed an Interagency

Agreement under which HUD shall act as the servicing agency of DHAP-Ike. The paperwork involved in this action all activities related to DHAP-Ike from

execution of the grant agreement to case management.

*Frequency of Submission:* Quarterly, Annually.

	Number of respondents	Annual response	×	Hours per response	=	Burden hours
Reporting Burden .....	120	3196		4.793		1,838,520

*Total Estimated Burden Hours:* 1,838,520.

*Status:* Extension of a currently approved collection.

**Authority:** Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: May 13, 2009.

**Lillian Deitzer,**

*Departmental Reports Management Officer, Office of the Chief Information Officer.*

[FR Doc. E9-11684 Filed 5-19-09; 8:45 am]

**BILLING CODE 4210-67-P**

**DEPARTMENT OF THE INTERIOR**

**Office of the Special Trustee for American Indians; Notice of Proposed Renewal of Information Collection**

**AGENCY:** Office of the Special Trustee for American Indians, Interior.

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

**SUMMARY:** In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Special Trustee for American Indians, Department of the Interior, announces the proposed renewal of a public information collection required by The American Indian Trust Fund Management Reform Act of 1994, "Application to Withdraw Tribal Funds from Trust Status, 25 CFR part 1200," OMB Control No. 1035-0003, and that it is seeking comments on its provisions. After public review, the Office of the Special Trustee for American Indians will submit the information collection to Office of Management and Budget for renewal.

**DATES:** Consideration will be given to all comments received by July 20, 2009.

**ADDRESSES:** Written comments and recommendations on this information collection should be sent to the Office of the Special Trustee, Office of External Affairs, Attn: Frank Perniciaro, 4400 Masthead St., NE., Room 323, Albuquerque, New Mexico 87109. You may also e-mail comments to [frank\\_perniciaro@ost.doi.gov](mailto:frank_perniciaro@ost.doi.gov). Individuals providing comments should

reference OMB control number 1035-0003, "Application to Withdraw Tribal Funds from Trust Status, 25 CFR 1200."

**FOR FURTHER INFORMATION CONTACT:** To request more information on this information collection or to obtain a copy of the collection instrument, please write to the above address.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

Office of Management and Budget (OMB) regulations at 5 CFR part 1320, which implement the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected parties have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies an information collection activity that the Office of the Special Trustee for American Indians is submitting to OMB for renewal.

Public Law 103-412, The American Indian Trust Fund Management Reform Act of 1994, allows Indian tribes on a voluntary basis to take their funds out of trust status within the Department of the Interior (and the Federal Government) in order to manage such funds on their own. 25 CFR part 1200, subpart B, Sec. 1200.13, "How does a tribe apply to withdraw funds?" describes the requirements for application for withdrawal. The Act covers all tribal trust funds including judgment funds as well as some settlements funds, but excludes funds held in Individual Indian Money accounts. Both the Act and the regulations state that upon withdrawal of the funds, the Department of the Interior (and the Federal Government) have no further liability for such funds. Accompanying their application for withdrawal of trust funds, tribes are required to submit a Management Plan for managing the funds being withdrawn, to protect the funds once they are out of trust status.

This information collection allows the Office of the Special Trustee to collect the tribes' applications for withdrawal of funds held in trust by the Department of the Interior. If this information were not collected, the Office of the Special

Trustee would not be able to comply with the American Indian Trust Fund Management Reform Act of 1994, and tribes would not be able to withdraw funds held for them in trust by the Department of the Interior.

**II. Data**

(1) *Title:* Application to Withdraw Tribal Funds from Trust Status, 25 CFR 1200.

*OMB Control Number:* 1035-0003. *Current Expiration Data:* August 31, 2009.

*Type of Review:* Information Collection Renewal.

*Affected Entities:* State, Local and Tribal Governments.

*Estimated annual number of respondents:* 2.

*Frequency of response:* Once per respondent.

(2) Annual reporting and record keeping burden:

*Total annual reporting per respondent:* 400 hours.

*Total annual reporting:* 800 hours.

(3) Description of the need and use of the information: The statutorily-required information is needed to provide a vehicle for tribes to withdraw funds from accounts held in trust for them by the United States Government.

**III. Request for Comments**

The Department of the Interior invites comments on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) The accuracy of the agency's estimate of the burden of the collection and the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(d) Ways to 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 collection techniques or other forms of information technology.

Burden means the total time, effort, or financial resources expended by persons

to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

Dated: May 14, 2009.

**James P. Barham,**

*Director, Office of External Affairs, Office of the Special Trustee for American Indians.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R7-ES-2009-N0076; 70120-1113-0000-C4]

#### **Endangered and Threatened Wildlife and Plants; Short-Tailed Albatross (*Phoebastria albatrus*): Initiation of 5-Year Status Review; Availability of Final Recovery Plan**

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

**ACTION:** Notice of availability of final recovery plan; initiation of 5-year status review and request for information.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of our final recovery plan for and the initiation of a 5-year status review for the short-tailed albatross (*Phoebastria albatrus*), a bird species listed as endangered under the Endangered Species Act of 1973, as amended (Act). Our recovery plan describes the status, current management, recovery objectives and criteria, and specific actions needed to enable us to reclassify the short-tailed albatross from endangered to threatened, or from threatened to delisted. It also includes criteria that would justify reclassifying the species from threatened back to endangered. We conduct 5-year reviews to ensure that our classification of each species as threatened or endangered on the List of

Endangered and Threatened Wildlife and Plants is accurate. We request any new information on this species that may have a bearing on its classification as endangered. Based on the results of this 5-year review, we will make a finding on whether this species is properly classified under the Act.

**DATES:** To allow us adequate time to conduct our 5-year review, we are requesting that you submit your information no later than July 20, 2009. However, we accept new information about any listed species at any time.

**ADDRESSES:** For instructions on how to submit information as well as the information that we receive for our 5-year review, see "Request for New Information." To obtain a copy of our recovery plan, see "Contacts."

**FOR FURTHER INFORMATION CONTACT:** Greg Balogh, Endangered Species Branch Chief, at the above address or by phone at (907) 271-2778.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

We originally listed the short-tailed albatross (*Phoebastria albatrus*) in 1970 (35 FR 8491), under the then-Endangered Species Conservation Act of 1969, before passage of today's Act (16 U.S.C. 1531 *et seq.*). However, as a result of an administrative error (and not from any biological evaluation of status), we listed the species as endangered throughout its range, except within the United States (50 CFR 17.11). On July 31, 2000, we corrected this error when we published a final rule listing the short-tailed albatross as endangered throughout its range (65 FR 46643). This listing was effective August 30, 2000. For description, taxonomy, distribution, status, breeding biology and habitat, and a summary of factors affecting the species, please see the final listing rule. In that rule, we also determined designation of critical habitat to be not prudent because, among other reasons, we could not find habitat-related threats to the species within U.S. territory.

The species occurs in waters throughout the North Pacific, primarily along the east coast of Japan and Russia, in the Gulf of Alaska, along the Aleutian Islands and in the Gulf of Alaska south of 64° north latitude. At the time of our 2000 final listing rule, the short-tailed albatross population consisted of about 1,200 individuals known to breed on two islands: Torishima, an active volcanic island in Japan, and Minami-Kojima, an island whose ownership is under dispute by Japan, China, and Taiwan.

The severe decline in short-tailed albatross was caused by

overexploitation for its feathers prior to and following the turn of the 20th century. This threat no longer exists, but its effect lingers. The species is thought to have once numbered 5 million individuals, but birds were harvested until only a few dozen remained. Numbering about 2,400 individuals in 2008, the short-tailed albatross is currently threatened by volcanic activity, extreme weather, small population size, a limited number of breeding sites, contamination by oil and other pollutants, and commercial fishery bycatch. Key recommendations for immediate action, as described in the recovery plan, are: (1) Formation of new breeding colonies at safe locations on Torishima and in the Bonin Islands; (2) stabilization of existing breeding habitat on Torishima Island; and (3) reduction of seabird bycatch in all North Pacific fisheries that may take this species.

##### **II. Availability of Final Recovery Plan**

###### *A. Background*

Recovery of 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 our endangered species program. To help guide the recovery effort, we are working to prepare recovery plans for most listed species native to the United States. Recovery plans describe actions considered necessary for the conservation and survival of the species, establish criteria for reclassifying or delisting listed species, and estimate time and cost for implementing needed recovery measures.

The Act requires us to develop recovery plans for listed species, unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act requires us to provide public notice and an opportunity for public review and comment during recovery plan development. We made our draft recovery plan for the short-tailed albatross available for public comment from October 27 through December 27, 2005 (70 FR 61988). We considered information we received during this comment period, along with information we received from five peer reviewers and the Government of Japan, in our preparation of our final recovery plan. The Short-tailed Albatross Recovery Team has taken into account these comments in redrafting the recovery plan and in revising and justifying the new recovery criteria we set forth in this final plan.