

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Notice of Receipt of Application for Endangered Species Permit**

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*):

*Applicant:* Drs. Victor Apanius and Phillip K. Stoddard, Florida International University, Miami PRT-831198.

The applicants request authorization to take (capture, band, sample blood, and release) peregrine falcons, *Falco peregrinus*, in the Florida Keys, Monroe County, Florida, for the purpose of enhancement of survival of the species.

Written data or comments on this application should be submitted to: Regional Permit Biologist, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345. All data and comments must be received by August 1, 1997.

Documents and other information submitted with this application are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: David Dell, Permit Biologist). Telephone: 404/679-7313; Fax: 404/679-7081.

Dated: June 24, 1997.  
**Noreen K. Clough**,  
*Regional Director.*  
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 BILLING CODE 4310-55-P

**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**Information Collection Submitted to the Office of Management and Budget for Review Under the Paperwork Reduction Act**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces that the Bureau of Indian Affairs (BIA) has submitted the proposed renewal of the information collection for Payment for Appointed Counsel in Involuntary Indian Child Custody Proceedings in State Courts, codified at 25 CFR Part 23.13, to the Office of Management and Budget (OMB) for approval under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). On February 19, 1997, BIA published a notice in the **Federal Register** (62 FR 7470) requesting public comments on the proposed information collection. The comment period ended on April 21, 1997. BIA received no comments from the public in response to the notice.

**FOR FURTHER INFORMATION CONTACT:** Copies of the proposed information collection and explanatory materials may be obtained by contacting Larry Blair, Bureau of Indian Affairs (Bureau), Department of the Interior, 1849 C Street, NW, MS-4603 MIB, Washington, D.C. 20240, (202) 208-2721.

**DATES:** OMB is required to respond to this request within 60 days of publication of this notice on or before September 2, 1997 but may respond after 30 days. For maximum consideration, your comments should be submitted by August 1, 1997.

**ADDRESSES:** Your comments and suggestions on the requirements should be made directly to the Office of Management and Budget, Interior Department Desk Officer (1076-0111), Office of Information and Regulatory Affairs, Washington, D.C. 20503, (202) 395-7340. Please provide a copy of your comments to Larry Blair, Bureau of Indian Affairs, Office of Tribal Services, 1849 C St., NW, MS-4603 MIB, Washington, D.C. 20240, (202) 208-2721.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

A state court that appoints counsel for an indigent Indian parent or Indian custodian in an involuntary Indian child custody proceeding in a state court for which appointment of counsel is not authorized by state law shall send written notice to the Bureau. The cognizant Bureau Area Director, using this information, can certify if the client in the notice is eligible to have his counsel compensated by the Bureau in accordance with the Indian Child Welfare Act, Public Law 95-608.

**II. Method of Collection**

The following information is collected in a notice from state courts in order to certify payment of appointed counsel in involuntary Indian child custody proceedings. The information collected and the reasons for the collection are listed below:

Information collected	Reason for collection
(a) Name, address and telephone number of attorney appointed; ..... (b) Name and address of client for whom counsel is appointed; .....	(a) To identify attorney appointed as counsel/and method of contact; (b) To identify indigent party in an Indian child custody proceeding for whom counsel is appointed;
(c) Applicant's relationship to child; .....	(c) To determine if the person is eligible for payment of attorney fees as specified in Public Law 95-608;
(d) Name of Indian child's tribe .....	(d) To determine if the child is a member of a federally recognized tribe and is covered by the Indian Child Welfare Act (ICWA);
(e) Copy of petition or complaint .....	(e) To determine if this custody proceeding is covered by the ICWA;
(f) Certification by the court that state law does not provide for appointment of counsel in such proceedings;.	(f) To determine if other state laws provide for such appointment of counsel and to prevent duplication of effort;
(g) Certification by the court that the Indian client is indigent; .....	(g) To determine if the client has resources to pay for counsel;
(h) The amount of payments due counsel utilizing the same procedures used to determine expenses in juvenile delinquency proceedings;.	(h) To determine if the amount of payment due appointed counsel is based on state court standards in juvenile delinquency proceedings;
(i) Approved vouchers with court certification that the amount requested is reasonable considering the work and the criteria used for determining fees and expenses for juvenile delinquency proceedings.	(i) To determine the amount of payment considered reasonable in accordance with state standards for a particular case.

*Proposed use of the information:* The information collected will be used by the respective Bureau Area Director to

determine: (a) If an individual Indian involved in an Indian child custody proceeding is eligible for payment of

appointed counsel's attorney fees, (b) If any state statutes provide for coverage of attorney fees under these circumstances,