

expenditures of a single purpose. Do you agree with this proposal?

9. Do you agree with the concept of "continuous quality improvement" and do you have any ideas on how to build in incentives for States to improve their system of services?

10. Do you agree with eliminating certain requirements in favor of performance measures which would clarify whether the goals of the requirements are actually being met?

Performance Measures

1. Core and developmental measures are listed for treatment and a set of core measures for prevention. Please comment about the benefits and challenges on using this information to describe performance by individual States and to describe the overall accountability, capacity, and effectiveness of the service system.

2. If you could, how would you improve them keeping in mind the need to minimize the costs of data collection? Provide specific information of the shortcomings of the measures and how you would improve them. In responding to this question consider whether there are measures listed above that should be improved, why they need improvement and how you would improve them. If you believe additional measures are necessary, please explain what is missing and what you would add to the list of core measures.

3. With the States, SAMHSA will be developing measures for vulnerable populations and for specific public health issues such as pregnant addicts, women with children, transmission of sexually transmitted diseases, and the co-occurring population. Do you have any recommendations for these measures?

4. Do you agree that States can and should begin submitting performance data as part of their FY 2005 application?

5. SAMHSA has developed a matrix of program priorities and cross cutting principles that now guides the agency's daily operations and overall program and management decisions. Programs and issues prioritized in this matrix include: Co-occurring disorders; substance abuse treatment capacity; seclusion and restraint; prevention and early intervention; children and families; New Freedom Initiative (including the President's Mental Health Commission); terrorism/bio-terrorism; homelessness; aging; HIV/AIDS and Hepatitis C; and criminal justice. As we move forward in measuring the extent to which the agency has been successful in these 11 areas, we are asking the public to comment on how to begin work on

ways to measure progress by the States in these and other program areas.

Economic Impact

We have examined the impact of this notice as required by Executive Order 12866 (September 1993, Regulatory Planning and Review), as amended by Executive Order 13258 (February 2002, Amending Executive Order 12866 on Regulatory Planning and Review) and the Regulatory Flexibility Act (RFA) (September 19, 1980; Public Law 96-354), the Unfunded Mandated Reform Act of 1995 (Pub. L. 104-4), and Executive Order 13132 (August 1999, Federalism). Executive Order 12866 (the Order), as amended by Executive Order 13258, which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize the benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects (\$100 million or more in 1 year). We have determined that the proposed rule is consistent with the principles set forth in the Order, and we find that the proposed rule would not have an effect on the economy that exceeds \$100 million in any one year. In addition, this rule is not a major rule as defined at 5 U.S.C. 804(2).

In accordance with the provisions of the Order, the rule was reviewed by the Office of Management and Budget.

It is hereby certified under the RFA that this proposed regulation, will not have a significant economic impact on a substantial number of small entities. This proposed rule applies only to States.

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule that may result in expenditure in any 1 year by State, local, or tribal governments, in the aggregate, or by the private sector, of \$100 million. As noted above, we find that the proposed rule would not have an effect of this magnitude on the economy.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed rule (and subsequent final rule) that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has Federalism implications. We have reviewed the proposed rule under the threshold criteria of Executive Order 13132, Federalism, and have

determined that this proposal does not impose substantial direct requirement costs on State and local governments, preempt State law, or otherwise has Federalism implications. On the contrary, the proposal provides for more flexibility for the States in the use of Federal funds, and establishes a working relationship between the Federal and State governments that will help the States improve access to quality care for those individuals in need of substance abuse or mental health services.

Paperwork Reduction

This proposal would assume information collection requirements that would be subject to review by the Office of Management and Budget under the Paperwork Reduction Act of 1980. This **Federal Register** Notice, however, is only seeking comment on proposed information collection and is not establishing a collection requirement. Therefore, doing a Paperwork Reduction Act analysis would be premature. The Department will comply with the requirements of the Paperwork Reduction Act when determinations have been made on the information to be collected and in advance of requiring the submission of that information.

Dated: November 18, 2002.

Charles G. Curie,

Administrator, Substance Abuse and Mental Health Services Administration.

Dated: December 18, 2002.

Tommy G. Thompson,

Secretary.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of Applications for Permit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications for permit.

SUMMARY: The public is invited to comment on the following applications to conduct certain activities with endangered species and/or marine mammals.

DATES: Written data, comments or requests must be received by January 23, 2003.

ADDRESSES: Documents and other information submitted with these applications 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 within 30 days of the date of publication of this notice to: U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203; fax (703) 358-2281.

FOR FURTHER INFORMATION CONTACT: Division of Management Authority, telephone (703) 358-2104.

SUPPLEMENTARY INFORMATION:

Endangered Species

The public is invited to comment on the following application(s) 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.*). Written data, comments, or requests for copies of these complete applications should be submitted to the Director (address above).

Applicant: Roger Heintzman, Aberdeen, SD, PRT-065782.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorca*) culled from a captive herd maintained under the management program of the Republic of South Africa for the purpose of enhancement of the survival of the species.

Applicant: Frank R. Daigle, St. Michael, MN, PRT-065784.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorca*) culled from a captive herd maintained under the management program of the Republic of South Africa for the purpose of enhancement of the survival of the species.

Applicant: Zoological Society of San Diego/San Diego Wild Animal Park, Escondido, CA, PRT-054066.

The applicant requests a permit to import two captive bred kagu (*Rhynochetos jubatus*) from the Yokohama Zoological Garden, Yokohama, Japan for the purpose of enhancement of the survival of the species through captive propagation and conservation education.

Applicant: Cienegas Ranches, Ltd., Austin, TX, PRT-040025.

The applicant requests renewal of a permit to authorize interstate and foreign commerce, export, and cull of excess male barasingha (*Cervus duvauceli*) from their captive herd for the purpose of enhancement of the survival of the species. This notification covers activities conducted by the applicant over a period of three years.

Permittee must apply for renewal annually.

Applicant: Barbara Hoffmann dba The Exotic Endangered Cats of the World, Gibsonton, FL, PRT-064800 & 064801.

The applicant requests a permit to export, re-export, and re-import captive-born tiger (*Panthera tigris*) and captive-born African leopard (*Panthera pardus*) to/from worldwide locations to enhance the survival of the species through conservation education. This notification covers activities conducted by the applicant over a three-year period.

Marine Mammals and Endangered Species

The public is invited to comment on the following application for a permit to conduct certain activities with endangered marine mammals. The application was submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*), the Endangered Species Act of 1973, *as amended* (16 U.S.C. 1531, *et seq.*), and the regulations governing marine mammals (50 CFR part 18) and endangered species (50 CFR part 17). Written data, comments, or requests for copies of the complete applications or requests for a public hearing on these applications should be submitted to the Director (address above). Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Director.

Applicant: Florida Atlantic University, Boca Raton, FL, PRT-063561.

Permit Type: Take for scientific research.

Name and Number of Animals: Florida manatee (*Trichechus manatus latirostris*), 40 per year.

Summary of Activity to be

Authorized: The applicant requests a permit to conduct a study to archive and evaluate manatee responses to controlled boat approaches. Half of the controlled boat approaches will incorporate a device which will project an alerting signal designed to be within the manatees' hearing sensitivity. The boat approaches will be monitored and recorded by in-boat manatee spotters, shore-based spotters, video from an aerial surveillance system and still photography. The boats will be equipped with propeller guards and will not approach any closer than three manatee body lengths.

Source of Marine Mammals: Animals in and near Haulover Canal, Brevard County, and Buzzard Island in Crystal River, Florida.

Period of Activity: Up to 3 years, if issued.

Concurrent with the publication of this notice in the **Federal Register**, the Division of Management Authority is forwarding copies of the above applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Marine Mammals

The public is invited to comment on the following application(s) for a permit to conduct certain activities with marine mammals. The application(s) was submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) and the regulations governing marine mammals (50 CFR part 18). Written data, comments, or requests for copies of the complete applications or requests for a public hearing on these applications should be submitted to the Director (address above). Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Director.

Applicant: Scott Vee, Brule, WI, PRT-065351.

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport hunted from the Western Hudson Bay polar bear population in Canada for personal use.

Applicant: Robert B. Michalek, Springville, NY, PRT-065467.

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport hunted from the Western Hudson Bay polar bear population in Canada for personal use.

The U.S. Fish and Wildlife Service has information collection approval from OMB through March 31, 2004, OMB Control Number 1018-0093. Federal Agencies may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a current valid OMB control number.

Dated: December 6, 2002.

Monica Farris,

Senior Permit Biologist, Branch of Permits, Division of Management Authority.

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