

Food: Reproduction Toxicity Testing” (VICH GL22) and follow the directions.

Copies of the final guidance document entitled “Safety Studies for Veterinary Drug Residues in Human Food: Reproduction Toxicity Testing” (VICH GL22) may be obtained on the Internet from the CVM home page at <http://www.fda.gov/cvm>.

Dated: December 28, 2001.

**Margaret M. Dotzel,**

*Associate Commissioner for Policy.*

[FR Doc. 02-194 Filed 1-3-02; 8:45 am]

**BILLING CODE 4160-02-S**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-4730-N-01]

**Federal Property Suitable as Facilities To Assist the Homeless**

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

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

**FOR FURTHER INFORMATION CONTACT:**

Mark Johnston, Department of Housing and Urban Development, Room 7262, 451 Seventh Street SW., Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565, (these telephone numbers are not toll-free), or

call the toll-free Title V information line at 1-800-927-7588.

**SUPPLEMENTARY INFORMATION:** In accordance with the December 12, 1988 court order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today’s Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: December 28, 2001.

**John D. Garrity,**

*Director, Office of Special Needs Assistance Programs.*

[FR Doc. 02-81 Filed 1-3-02; 8:45 am]

**BILLING CODE 4210-29-M**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Notice of Issuance of Permits for Incidental Take**

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

**ACTION:** Notice of issuance of 111 permits for incidental take of threatened and endangered species: Annual report.

**SUMMARY:** Between October 1, 2000 and September 30, 2001, Region 2 of the Fish and Wildlife Service issued 111 permits for the incidental take of threatened and endangered species,

pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act), as amended. Of the 111 permits issued in the greater Austin, Texas area; one is for the golden-cheeked warbler (GCW) related to the Balcones Canyonlands Preserve, one is for karst invertebrates, and 109 are for the Houston toad (HT). In addition, between October 1, 2000 and September 30, 2001, 2 permits had amendments.

**ADDRESSES:** If you would like copies of any of the above documents, please contact the U.S. Fish and Wildlife Service, Ecological Services, P.O. Box 1306, Albuquerque, New Mexico.

**FOR FURTHER INFORMATION CONTACT:**

Leslie Dierauf, Regional Habitat Conservation Plan Coordinator, at the above address, 505-248-6651. Further details of these permits may also be viewed on the Internet at <http://ecos.fws.gov>.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act and Federal Regulation prohibit the “take” of wildlife species listed as threatened or endangered species. Under the Act, the term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed wildlife, or to attempt to engage in any such conduct. The Service may, under limited circumstances, issue permits to authorize incidental take, i.e. that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Regulations governing permits for endangered species are at 50 CFR 17.22.

**111 Incidental Take Permits Issued**

Permittee	(State) species	Permit No.	Date of Issuance
Siefert .....	(TX)HT .....	TE-025997-0-005 .....	10/2/00
Bastrop Seventh Day Adventist Church .....	(TX)HT .....	TE-025997-0-003 .....	10/2/00
Becerra .....	(TX)HT .....	TE-025997-0-004 .....	10/2/00
Kummermehr .....	(TX)HT .....	TE-025997-0-010 .....	10/2/00
Jarrels .....	(TX)HT .....	TE-025997-0-006 .....	10/13/00
Circle B Homes .....	(TX)HT .....	TE-025997-0-011 .....	10/13/00
McClure .....	(TX)HT .....	TE-025997-0-014 .....	10/13/00
McClure .....	(TX)HT .....	TE-025997-0-015 .....	10/13/00
Schena .....	(TX)HT .....	TE-029608-0 .....	10/27/00
MacQueen .....	(TX)HT .....	TE-025997-0-021 .....	10/31/00
Ligon .....	(TX)HT .....	TE-025997-0-012 .....	11/21/00
Smith .....	(TX)HT .....	TE-025997-0-024 .....	11/21/00
Lindenau .....	(TX)HT .....	TE-025997-0-023 .....	11/21/00
Pierson .....	(TX)HT .....	TE-025997-0-025 .....	11/21/00
Kelley .....	(TX)HT .....	TE-025997-0-008 .....	12/1/00
Groves .....	(TX)HT .....	TE-025997-0-026 .....	12/21/00
Johnson .....	(TX)HT .....	TE-025997-0-027 .....	12/21/00
Niehus .....	(TX)HT .....	TE-025997-0-029 .....	12/21/00
Walraven .....	(TX)HT .....	TE-033185-0 .....	1/18/01
Gilfillan .....	(TX)HT .....	TE-033887-0 .....	1/23/01
Holter .....	(TX)HT .....	TE-025997-0-030 .....	1/29/01
Gillespie .....	(TX)HT .....	TE-025997-0-032 .....	1/29/01
Vavricek .....	(TX)HT .....	TE-025997-0-028 .....	1/29/01
Steins .....	(TX)HT .....	TE-025965-0-003 .....	2/20/01
Stobaugh .....	(TX)HT .....	TE-025965-0-002 .....	2/20/01

Permittee	(State) species	Permit No.	Date of Issuance
Miller	(TX)HT	TE-025997-0-033	2/20/01
Nira	(TX)HT	TE-025997-0-034	2/20/01
Gardner	(TX)HT	TE-025997-0-035	2/20/01
Walters	(TX)HT	TE-025997-0-036	2/20/01
Parker	(TX)HT	TE-025997-0-037	2/20/01
Sinclair	(TX)HT	TE-025997-0-031	2/20/01
Live Oak Homes	(TX)HT	TE-025997-0-016	2/26/01
Cornerstone	(TX)HT	TE-025997-0-042	2/26/01
McClure	(TX)HT	TE-025997-0-040	2/26/01
Havens	(TX)HT	TE-025997-0-038	3/1/01
Macafee	(TX)HT	TE-025997-0-039	3/9/01
Sultan & Kahn	(TX)Karst	TE-035525-0	3/9/01
Roush	(TX)HT	TE-025997-0-041	3/9/01
Young	(TX)HT	TE-025965-0-004	3/9/01
Advantage Builders	(TX)HT	TE-025997-0-045	3/23/01
Advantage Builders	(TX)HT	TE-025997-0-046	3/23/01
Bishop	(TX)HT	TE-025997-0-049	3/23/01
McClure	(TX)HT	TE-025997-0-048	3/23/01
Miller	(TX)HT	TE-025997-0-047	3/23/01
Colter	(TX)HT	TE-025997-0-044	3/23/01
Mendoza	(TX)HT	TE-025965-0-009	4/6/01
Casey	(TX)HT	TE-025997-0-050	4/6/01
Smith	(TX)HT	TE-025965-0-008	4/6/01
Slater	(TX)HT	TE-025965-0-007	4/6/01
Mosley	(TX)HT	TE-025965-0-006	4/6/01
Hansen	(TX)HT	TE-025965-0-010	4/6/01
CT-620	(TX)HT	TE-036095-0	4/30/01
Skye/Eckhart	(TX)HT	TE-035908-0	4/30/01
Beeman	(TX)HT	TE-035919-0	4/30/01
Stobaugh	(TX)HT	TE-025965-0-011	5/10/01
Goode	(TX)HT	TE-025997-0-062	5/10/01
Phillips	(TX)HT	TE-025997-0-064	5/10/01
Shigo	(TX)HT	TE-025997-0-071	5/10/01
Haeffner/Rostetter	(TX)HT	TE-025997-0-063	5/10/01
Juarez	(TX)HT	TE-025965-0-016	5/10/01
Phillips	(TX)HT	TE-025965-0-014	5/10/01
Phillips	(TX)HT	TE-025965-0-015	5/10/01
DuCharme	(TX)HT	TE-025997-0-053	5/10/01
Phillips	(TX)HT	TE-025997-0-059	5/10/01
West	(TX)HT	TE-025997-0-056	5/10/01
Phillips	(TX)HT	TE-025997-0-060	5/10/01
Shen	(TX)HT	TE-025997-0-054	5/10/01
Phillips	(TX)HT	TE-025997-0-061	5/10/01
Hinkston	(TX)HT	TE-025997-0-057	5/10/01
Glenn	(TX)HT	TE-025997-0-055	5/10/01
Brigham	(TX)HT	TE-025997-0-075	6/15/01
Conrad	(TX)HT	TE-025997-0-073	6/15/01
Martinez	(TX)HT	TE-025997-0-080	6/15/01
Brady	(TX)HT	TE-025997-0-079	6/15/01
Ingram	(TX)HT	TE-025965-0-018	6/15/01
Alley	(TX)HT	TE-025965-0-017	6/15/01
Cornerstone	(TX)HT	TE-025997-0-076	6/15/01
Vasquez	(TX)HT	TE-037190-0	6/26/01
Bell	(TX)HT	TE-039440-0	6/28/01
Gray Mountain	(TX)GCW	TE-037888-0	6/28/01
Harding	(TX)HT	TE-036096-0	6/28/01
Wirries	(TX)HT	TE-037191-0	7/1/01
JRS Builders	(TX)HT	TE-025997-0-094	7/5/01
Kailing	(TX)HT	TE-025997-0-090	7/5/01
Ellington	(TX)HT	TE-025965-0-020	7/5/01
Wright	(TX)HT	TE-025965-0-019	7/5/01
JRS Builders	(TX)HT	TE-025997-0-093	7/5/01
City of Bastrop	(TX)HT	TE-025965-0-013	7/5/01
Greenwood	(TX)HT	TE-025997-0-096	7/27/01
Howard	(TX)HT	TE-025997-0-058	7/27/01
McClure	(TX)HT	TE-025997-0-098	7/27/01
McClure	(TX)HT	TE-025997-0-097	7/27/01
Bastrop Co WCID #2	(TX)HT	TE-025965-1-023	8/1/01
Matl	(TX)HT	TE-025997-1-101	8/1/01
Holberg	(TX)HT	TE-025997-1-100	8/1/01
Capstone	(TX)HT	TE-025965-1-021	8/3/01
Capstone	(TX)HT	TE-025965-1-022	8/3/01
Steiwig	(TX)HT	TE-025997-1-099	8/3/01

Permittee	(State) species	Permit No.	Date of Issuance
Cornerstone .....	(TX)HT .....	TE-025997-1-104 .....	8/23/01
Fuller .....	(TX)HT .....	TE-025997-1-105 .....	8/23/01
Whited .....	(TX)HT .....	TE-025997-1-108 .....	8/23/01
Samaro .....	(TX)HT .....	TE-025997-1-107 .....	8/27/01
Myers .....	(TX)HT .....	TE-025997-1-109 .....	8/27/01
Bowman .....	(TX)HT .....	TE-025997-1-081 .....	8/27/01
Bowman .....	(TX)HT .....	TE-025997-1-082 .....	8/27/01
Tyre .....	(TX)HT .....	TE-025997-1-106 .....	8/27/01
Garcia .....	(TX)HT .....	TE-025997-1-113 .....	9/10/01
Burnham .....	(TX)HT .....	TE-025997-1-111 .....	9/10/01
Fernandez .....	(TX)HT .....	TE-025997-1-112 .....	9/10/01
Serna .....	(TX)HT .....	TE-025997-1-114 .....	9/18/01
Taylor .....	(TX)HT .....	TE-025965-1-024 .....	9/18/01
<b>2 Amendments Issued</b>			
Bastrop County 4 Low Quality Habitat .....	(TX)HT .....	TE-025965-1-000 .....	7/27/01
Bastrop County 42 Medium Quality Habitat .....	(TX)HT .....	TE-025997-1-000 .....	7/27/01

**Geoffrey L. Haskett,**

*Regional Director, Region 2.*

[FR Doc. 02-198 Filed 1-3-02; 8:45 am]

BILLING CODE 4510-55-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Reconsidered Final Determination for Federal Acknowledgment of the Cowlitz Indian Tribe

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

**ACTION:** Notice.

**SUMMARY:** Pursuant to 25 CFR 83.11(h)(3), notice is hereby given that on December 31, 2001, the Assistant Secretary—Indian Affairs (AS-IA) Neal A. McCaleb signed a reconsidered final determination which affirms the decision of February 18, 2000, to acknowledge that the Cowlitz Indian Tribe (CIT), c/o Mr. John Barnett, 1417 15th Avenue #5, P.O. Box 2547, Longview, Washington 98632-8594, exists as an Indian tribe within the meaning of Federal law. The reconsidered final determination was issued following full consideration of those issues which the Secretary of the Interior (Secretary) requested that the AS-IA address, which had been referred previously to the Secretary by the Interior Board of Indian Appeals (IBIA). The CIT satisfies the seven criteria set forth in 25 CFR part 83 for Federal acknowledgment of Indian tribes, and therefore meets the requirements for a government-to-government relationship with the United States.

**DATES:** As provided by 25 CFR 83.11(h)(3), this reconsidered final determination is effective on January 4, 2002.

**ADDRESSES:** Requests for a copy of the reconsidered final determination should be addressed to the Office of the Assistant Secretary, Bureau of Indian Affairs, 1849 C Street, NW, Washington, DC 20240, Attention: Branch of Acknowledgment and Research, MS 4660-MIB.

**FOR FURTHER INFORMATION CONTACT:** R. Lee Fleming, Chief, Branch of Acknowledgment and Research, (202) 208-3592.

**SUPPLEMENTARY INFORMATION:** This notice is published in the exercise of authority delegated by the Secretary to the AS-IA by 209 DM 8. A notice proposing to acknowledge the CIT was published in the *Federal Register* on February 27, 1997. This Proposed Finding (PF) was issued under the 25 CFR part 83 regulations. The PF found that the CIT satisfied all of the mandatory criteria set forth in 25 CFR 83.7 as modified by 25 CFR 83.8. The PF found that substantial evidence demonstrated that the Federal Government recognized the Lower Cowlitz Tribe during 1855 treaty negotiations. The PF also found that a reasonable likelihood existed that the current petitioner evolved from an amalgamation of the Lower Cowlitz tribe and the Upper Cowlitz tribe. The Upper Cowlitz tribe had not participated in treaty negotiations. The PF made no finding as to whether the Lower Cowlitz tribe was recognized at any point after 1855 or whether the Upper Cowlitz tribe was ever recognized.

The Final Determination (FD) concluded that the CIT met the mandatory criteria in 83.7, as modified by 83.8, based on a finding that the Upper and Lower Cowlitz band(s), from which the petitioner evolved, were acknowledged in 1878 and 1880, and

that these bands amalgamated during the second half of the 19th century. A notice of the decision to acknowledge the CIT was published in the *Federal Register*, on February 18, 2000, (Vol. 65 at 8436). The Quinault Indian Nation filed a request for reconsideration with the IBIA, and in an opinion issued May 29, 2001, the IBIA affirmed the Final Determination. Under provisions at 83.11(f)(2), the IBIA at the same time referred three issues to the Secretary as outside of its jurisdiction. After receiving comments from the Bureau of Indian Affairs's (BIA) Branch of Acknowledgment and Research (BAR), the Quinault Indian Nation, and the CIT, the Secretary on September 4, 2001, referred one issue and part of a second issue to the AS-IA as grounds for reconsideration of the FD. Under 83.11(g)(1), the AS-IA was to issue a reconsidered determination within 120 days of the Secretary's referral.

The AS-IA signed on December 31, 2001, a reconsidered final determination, which affirms and supplements the final determination and supersedes specific points in the final determination. A brief discussion of the issues addressed in the reconsidered final determination follows.

The first issue considered by the AS-IA concerned two misstatements in the FD Technical Report. The misstatements were that Cowlitz "métis," or "mixed-bloods" with French Canadian heritage, appeared on the 1878 and 1880 Indian censuses, when in fact it was not possible to determine whether any métis were included. The question was whether these two misstatements had an effect on BIA's analysis and ultimately on the AS-IA's decision. Because the mistakes were not on the draft technical report reviewed by the decision-maker,