

the Cowlitz core population. Quinault questioned an apparent discrepancy between the anthropologist's and historian's technical reports on the topic of the 1973–74 CIT enrollment changes and language is included in the final determination to clarify the proposed finding. Although a few active individuals were removed from the membership as a result of these changes in the membership rules, the general membership was knowledgeable about the effect the vote for these changes would have, and they were able to enforce them. The genealogical makeup of the tribe was not drastically altered by these changes; the membership still descended from the same historical groupings in roughly the same proportions.

The Quinault presented extensive specific arguments together with documentary and affidavit evidence to support their fundamental argument that CIT, and the predecessor organization called by other names, was only a voluntary organization formed solely for the purposes of pursuing land and other claims against the Government. A careful review of their comments and evidence found that Quinault's argument, based in part on the content of the council minutes, ignored other evidence concerning not only activities outside of council meetings but also the purpose and character of the minutes themselves, which were not transcripts of everything that went on at the meetings but were focused on actions taken. While the tribe was very involved in dealing with these claims activities, it also performed other welfare, economic, governmental and cultural functions that were significant to members. Quinault also cited descriptions of acculturated Cowlitz as "negative" evidence. Degree of cultural acculturation does not prohibit acknowledgment if other evidence demonstrates that the tribe continues to exist.

The annual General Council meeting continues to be the primary political event of each year. Supplementary meetings are sometimes held. There are political strains over the General Council's role vis-a-vis the Tribal Council and rivalries between the elected leadership of the General Council and that of the Tribal Council continue to display publicly the larger controversies within the tribe. The 1973/1974 decisions concerning enrollment qualifications have continued to have political impact to the present. Some family groups with Yakima-enrolled close relatives maintain that they remain active in the Tribal Council to protect their

membership status. The $\frac{1}{16}$ Cowlitz blood-quantum provision continues to provoke membership-eligibility disputes within the general membership and within the Tribal Council. As recently as 1999, individuals stepped down from the tribal council because of problems they had meeting the membership requirements. Quinault's arguments do not require a change in the proposed finding and additional information confirms that the petitioner meets criterion 83.7(c) as modified by criterion 83.8(d).

Quinault Nation's comments challenge the conclusion in the proposed finding that the CIT membership is descended from the historical Cowlitz bands which amalgamated and therefore met the requirements of criterion § 83.7(e). Their analysis mixed previous acknowledgment with their discussion of § 83.7(e). Their comment, based on a misinterpretation of the proposed finding, questioned the inclusion of m'tis descendants in the tribe. Quinault interpreted the proposed finding as treating the Cowlitz metis as a separate Indian entity which amalgamated with the Lower Cowlitz and the Upper Cowlitz. However, the proposed finding explained that the Cowlitz metis were descendants of Lower Cowlitz Indians and French Canadians, such "half bloods" being often referred to in documents as "metis." The "Cowlitz metis" included the mixed-blood descendants of individual Indian women from other tribes, who had been accepted into the tribe before treaty times. These women and their children functioned as members of the Cowlitz tribe prior to the latest date of previous unambiguous Federal acknowledgment. The proposed finding did not state that there was a metis entity which had amalgamated with the Lower Cowlitz. Rather the Cowlitz metis or metis descendants were always part of the Cowlitz tribe. Because Quinault misstated the Proposed Finding's treatment of the Cowlitz metis, their conclusions based on their misunderstanding are also not valid, and CIT meets 83.7(e).

The CIT met criteria 83.7(d), (f), and (g) for the proposed finding. Quinault argues that CIT did not actually follow their constitution or that some provisions within the document indicated that its tribal existence had not been continuous. Criticisms of statements in constitutions have not been viewed as significant in past determinations and are not weighed as significant here. The requirement for 83.7(d) is to submit the group's governing document including its

membership criteria. The document submitted reflects the CIT governing and membership practices. The CIT satisfied 83.7(d). Significant comment or evidence was not submitted to refute the finding concerning criteria § 83.7(f) and (g). Consequently, this final determination confirms that CIT meets these criteria.

In concluding that the CIT is a tribe within the meaning of 25 CFR part 83, the Department is not rendering any conclusions concerning treaty rights or matters pertaining to rights in, or the governance of, the Quinault Reservation. The Federal acknowledgment process does not require a decision on such issues.

This determination is final and will become effective 90 days from the date of publication, unless a request for reconsideration is filed pursuant to 83.11. The petitioner or any interested party may file a request for reconsideration of this determination with the Interior Board of Appeals (83.11(a)(1)). The petitioner's or interested party's request must be received no later than 90 days after publication of the Assistant Secretary's determination in the **Federal Register** (83.11(a)(2)).

Dated: February 14, 2000.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 00-4012 Filed 2-17-00; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WO-320-1990-02 24 1A]

Extension of Currently Approved Information Collection, OMB Approval Number 1004-0025

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) announces its intention to request extension of approval to collect certain information from all owners of unpatented mining claims or mill sites who desire to apply for a mineral patent to their mining claim or mill site. Also included in this extension request are collections of information from any rival claimant with overlapping claims to the land applied for, or from anyone challenging the issuance of the patent upon alleged failure to follow law or

regulations. BLM uses this information to determine the right to a mineral patent and to secure a settlement of all disputes concerning the property in order to issue the patent to the rightful owner.

DATES: Comments on the proposed information collection must be received by April 18, 2000, to be assured of consideration.

ADDRESSES: You may: (1) Mail comments to: Regulatory Management Team (630), Bureau of Land Management, 1849 C Street, NW, Room 401LS, Washington, D.C. 20240; (2) Send comments via Internet to: *WOComment@blm.gov.*; or (3) hand-deliver comments to: Bureau of Land Management Administrative Record, Room 401, 1620 L Street, NW, Washington, D.C. If you send comments via the Internet, please include "ATTN: 1004-0114" and your name and return address in your message.

Comments will be available for public review at the L Street address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Roger A. Haskins, Solid Minerals Group, (202) 452-0355.

SUPPLEMENTARY INFORMATION: In accordance with 5 CFR 1320.12(a), BLM is required to provide 60-day notice in the **Federal Register** concerning a collection of information contained in current rules to solicit 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 of information, including 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 technological collection techniques or other forms of information technology. BLM will analyze any comments sent in response to this notice and include them with its request for extension of approval from the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

Under the General Mining Law (30 U.S.C. 29, 30, and 39), those who explore for and locate valuable mineral deposits on the public domain are rewarded for their efforts by the opportunity to obtain legal title (patent) to the land. The patent process is implemented by BLM's regulations at 43

CFR Part 3860, which were revised into their current form in 1970 (35 FR 9754, June 13, 1970) and amended in 1973 (38 FR 30001, October 31, 1973). The implementing regulations require a patent applicant to provide the following information:

Mineral survey application. Under 43 CFR Subpart 3861, the holder of a claim who desires to obtain a patent must submit to BLM a mineral survey for all lode claims, most mill sites, and placer claims located upon unsurveyed public lands, as a requisite to applying for patent. BLM uses Bureau Form 3860-5 to collect the mining claim or site recording, chain-of-title, and geographic location information so that BLM can authorize a Deputy United States Mineral Surveyor to survey the claims or sites.

Mineral patent application. Under 43 CFR Subparts 3862, 3863 and 3864, a mineral patent applicant must file certain proofs of ownership demonstrating clear title to the claim(s) or millsite(s), bona fides of development, and the existence of a commercial mineral deposit subject to the General Mining Law of 1872, as amended. BLM uses Bureau Form 3860-2 for title companies issuing a title opinion on mining claims so that BLM will have a standardized reporting process.

Under 30 U.S.C. 29 and 30 and 43 CFR Part 3870, any rival claimant with overlapping claims to the land applied for, or anyone challenging the issuance of the patent upon alleged failure to follow law or regulation, must file with BLM certain required statements and evidence supporting their challenge, or the challenge is statutorily dismissed.

BLM uses the information collected under these two Parts (43 CFR Parts 3860 and 3870) to determine if an applicant qualifies for a mineral patent to the claims or sites applied for under the Mining Law, to process legal challenges to such application by rival mining claimants, and to adjudicate protests and appeals files against BLM actions concerning mineral patent applications.

The Mining Law specifies the information required of an applicant for mineral patent, a party filing an adverse claim, or a party filing a protest against a mineral patent application. If BLM did not collect this information, it could not adjudicate mineral patents and it could not recommend to the Secretary of the Interior an application for either patent issuance or initiation of mineral contest proceedings.

Any interested member of the public may request and obtain, without charge, a copy of Bureau Forms 3860-2 and 3860-5 by contacting the person

identified under **FOR FURTHER INFORMATION CONTACT.**

Based on its experience administering the General Mining Law, BLM estimates the public reporting burden for completing the information collections described above as follows: mineral survey application—one hour, mineral patent application—80 hours, and adverse claim or protest—two hours. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The respondents are owners of unpatented mining claims and mill sites located upon the public lands, reserved mineral lands of the United States, National Forests, and National Parks. The frequency of response is once for each mineral survey, each application for patent, and each filing of a protest or adverse claim. Since October 1, 1994 and each fiscal year thereafter, Congress has imposed a budget moratorium on the BLM such that no new mineral patent applications may be filed and any application existing on October 1, 1994 that was not grandfathered under the initial legislation may not be further adjudicated by BLM. This moratorium does not affect mineral surveys, contests, or protests to existing mineral patent applications. It is unlikely that Congress will remove the annual moratorium until the revised General Mining Law is enacted at some future date.

In the absence of the moratorium, BLM estimates that it would receive 150 mineral patent applications, two adverse claims and three protests each year. The total annual burden is 30 hours for mineral survey applications, 12,000 for mineral patent applications, 20 hours for adverse claims, and six hours for protests. In the absence of the moratorium, the total annual burden for this consolidated information collection is 12,056 hours. If the moratorium remains in place, BLM estimates that it would receive no mineral patent applications, no adverse claims and ten protests each year. The total annual burden is then 30 hours for mineral survey applications, zero for mineral

patent applications, zero hours for adverse claims, and 20 hours for protests. In the absence of the moratorium, the total annual burden for this consolidated information collection is 50 hours.

All responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will also become part of the public record.

Dated: February 1, 2000.

Carole Smith,

BLM Information Collection Information Officer.

[FR Doc. 00-3955 Filed 2-17-00; 8:45 am]

BILLING CODE 4310-84-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ID-933-1430-01; IDI-011668 01]

Public Land Order No. 7429; Partial Revocation of Public Land Order No. 3398; Idaho

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order partially revokes a public land order insofar as it affects 958.98 acres of public lands withdrawn for the Bureau of Land Management for use as a stock driveway. The lands are no longer needed for this purpose, and the revocation is needed to permit disposal of lands through exchange. This action will open the lands to surface entry under the public land laws. The lands have been and will remain open to mining and mineral leasing.

EFFECTIVE DATE: March 20, 2000.

FOR FURTHER INFORMATION CONTACT: Jackie Simmons, BLM Idaho State Office, 1387 S. Vinnell Way, Boise, Idaho 83709, 208-373-3867.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1994), it is ordered as follows:

1. Public Land Order No. 3398 dated May 18, 1964, which withdrew public lands for the Bureau of Land Management for use as a stock driveway, is hereby revoked insofar as it affects the following described lands:

Boise Meridian

T. 7 N., R. 3 W.,
Sec. 4, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 5, lot 1, and SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 8 N., R. 3 W.,
Sec. 31, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 32, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 33, S $\frac{1}{2}$ S $\frac{1}{2}$.

The areas described aggregate 958.98 acres in Gem and Payette Counties.

2. At 9:00 a.m. on March 20, 2000. The lands described above will be opened to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 9 a.m. on March 20, 2000, shall be considered as simultaneously filed at that time.

Dated: January 18, 2000.

John Berry,

Assistant Secretary of the Interior.

[FR Doc. 00-3954 Filed 2-17-00; 8:45 am]

BILLING CODE 4310-GG-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA-940-01-5410-10-B119; CACA 41159]

Conveyance of Mineral Interests in California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of segregation.

SUMMARY: The private land described in this notice, aggregating 27.35 acres, is segregated and made unavailable for filings under the general mining laws and the mineral leasing laws to determine its suitability for conveyance of the reserved mineral interest pursuant to section 209 of the Federal Land Policy and Management Act of October 21, 1976. The mineral interests will be conveyed in whole or in part upon favorable mineral examination. The purpose is to allow consolidation of surface and subsurface of minerals ownership where there are no known mineral values or in those instances where the reservation interferes with or precludes appropriate nonmineral development and such development is a more beneficial use of the land than the mineral development.

FOR FURTHER INFORMATION CONTACT:

Kathy Gary, California State Office, Federal Office Building, 2800 Cottage Way, Room W-1928, Sacramento, California 95825, (916) 978-4677.

T. 26 S., R. 37 E., Mount Diablo Meridian
Sec. 7, N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
County—Kern.

Minerals Reservation—All coal and other minerals.

Upon publication of this Notice of Segregation in the **Federal Register** as

provided in 43 CFR 2720.1-1(b), the mineral interests owned by the United States in the private lands covered by the application shall be segregated to the extent that they will not be subject to appropriation under the mining and mineral leasing laws. The segregative effect of the application shall terminate by publication of an opening order in the **Federal Register** specifying the date and time of opening; upon issuance of a patent or other document of conveyance to such mineral interest; or two years from the date of publication of this notice, whichever occurs first.

David McIlroy,

Chief, Branch of Lands.

[FR Doc. 00-3957 Filed 2-17-00; 8:45 am]

BILLING CODE 4310-40-P

DEPARTMENT OF INTERIOR

Bureau of Land Management

[CO-13000-1220-PA; CO-15000-1220-PA]

Recreation Management; Visitor Use Restrictions for the Lower Gunnison River, Colorado

AGENCY: Bureau of Land Management, Department of Interior.

ACTION: Notice of supplementary visitor use restrictions.

SUMMARY: This order, issued under the authority of 43 CFR 8364.1(d), prohibits any campfire except when contained in stoves, grills, or firepans, and it requires visitors to pack out their trash and human waste along a river corridor in Western Colorado.

The identified public lands are in Colorado, Mesa and Delta Counties, under the management jurisdiction of the Bureau of Land Management, Grand Junction Field Office, and Uncompahgre Field Office. The river corridor includes all public lands within one-fourth of a mile on either side of the Lower Gunnison River from Delta to Grand Junction. The area is located in T. 15 S., R. 97 W., Sections 7, 8, 9, 14, 15, 16, 17, 18, 22, 23 and 24; T. 4 S., R. 3 E., Sections 19, 29, 30, 31, 32, 33 and 34; T. 14 S., R. 98 W., Sections 7, 8, 16, 17, 20, 21, 22, and 26; 6th P.M.; T. 3 S., R. 2 E., Sections 29, 30 and 33; T. 13 S., R. 99 W., Sections 4, 15, 22, 26, 27 and 35; T. 2 S., R. 1 E., Sections 6, 7, 8, 16, 23, 26, 35 and 36; T. 12 S., R. 99 W., Sections 19, 29, 30 and 33; T. 12 S., R. 100 W., Sections 2, 11, 12 and 24; and T. 1 S., R. 1 W., Sections 35 and 36.

EFFECTIVE DATES: The restrictions shall be in effect year round beginning February 15, 2000 and shall remain in