

formally responded to a TA review letter or when a petitioner requests to be placed on the "Ready" list or states in writing in a document certified by the petitioner's governing body that the petition is complete or that the Assistant Secretary should proceed with the active consideration of the petition.

#### VII. Decision Against Acknowledgment Based on Failure To Meet Fewer Than Seven Criteria

If during the evaluation of a petition on active consideration it becomes apparent that the petitioner fails on one criterion, or more, under the reasonable likelihood of the validity of the facts standard, OFA may prepare a proposed finding or final determination not to acknowledge the group on the failed criterion or criteria alone, setting forth the evidence, reasoning, and analyses that form the basis for the proposed decision. This process should be used to increase the speed of the decision-making process and better utilize the time and expertise of OFA professional staff. Thus, this process is most appropriate when the deficiency becomes apparent during the initial stages of active consideration.

If a proposed finding against acknowledgment is issued on fewer than seven criteria and if, following an evaluation of the evidence and argument submitted during the comment period, it is determined that the petitioner meets the criterion or criteria, then the Assistant Secretary will issue an amended proposed finding evaluating all seven criteria.

#### VIII. Integrity

If OFA suspects that a petitioner may be involved in illegal activities or has submitted fraudulent documents for the Federal acknowledgment process, OFA should continue to refer any such matters to the Office of the Solicitor and Inspector General to seek appropriate action (such as investigation, prosecution, or other action).

#### IX. "Inactive" Status

In order to more accurately gauge its workload, OFA should modify its "Status Summary" publication to include only those petitioners that have submitted a documented petition and responded to a TA review letter. The "register of letters of intent or incomplete petitions" maintained under § 83.10(d) should be maintained separately and include a category of "Inactive Petitioners." This inactive category should include those petitioners that have not responded in two years to a TA review, have missed suggested deadlines for responding to

the TA review, or have missed deadlines in its approved research plan of action. It should also include those petitioners that have submitted only a letter of intent, or are not otherwise ready for the initial TA review.

Dated: May 16, 2008.

**Carl J. Artman,**

*Assistant Secretary—Indian Affairs.*

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### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

[AA-16169; AK-964-1410-HY-P]

#### Alaska Native Claims Selection

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of decision approving lands for conveyance.

**SUMMARY:** As required by 43 CFR 2650.7(d), notice is hereby given that an appealable decision approving the surface and subsurface estates in certain lands for conveyance pursuant to the Alaska Native Claims Settlement Act will be issued to The Aleut Corporation. The lands are in the vicinity of Sand Point, Alaska, and are located in:

#### Seward Meridian, Alaska

- T. 53 S., R. 72 W.,  
Secs. 5 to 8, inclusive.  
Containing 641.97 acres.
- T. 53 S., R. 73 W.,  
Secs. 1 to 8, inclusive;  
Secs. 10 to 14, inclusive;  
Secs. 17, 18, and 23.  
Containing 9,044.20 acres.
- T. 54 S., R. 73 W.,  
Secs. 8, 9, 10, and 15;  
Sec. 16.  
Containing 1,807.77 acres.
- T. 53 S., R. 74 W.,  
Secs. 13, 24, and 25.  
Containing 1,920 acres.
- T. 56 S., R. 74 W.,  
Secs. 28, 33, and 34.  
Containing 1,920 acres.  
Aggregating 15,333.94 acres.

Notice of the decision will also be published four times in the Anchorage Daily News.

**DATES:** The time limits for filing an appeal are:

1. Any party claiming a property interest which is adversely affected by the decision shall have until June 23, 2008 to file an appeal.
2. Parties receiving service of the decision by certified mail shall have 60 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4, subpart E, shall be deemed to have waived their rights.

**ADDRESSES:** A copy of the decision may be obtained from: Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504.

**FOR FURTHER INFORMATION, CONTACT:** The Bureau of Land Management by phone at 907-271-5960, or by e-mail at [ak.blm.conveyance@ak.blm.gov](mailto:ak.blm.conveyance@ak.blm.gov). Persons who use a telecommunication device (TTD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8330, 24 hours a day, seven days a week, to contact the Bureau of Land Management.

**Hillary Woods,**

*Land Law Examiner, Land Transfer Adjudication I.*

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### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

[NV-040-5101-ER-F852; N-79734]

#### Notice of Availability of the Draft Environmental Impact Statement for the Lincoln County Land Act Groundwater Development and Utility Right-of-Way Project

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969 (NEPA, 42 U.S.C. 4321 *et seq.*), the Bureau of Land Management (BLM) has prepared a Draft Environmental Impact Statement (DEIS) to analyze a proposed grant of rights-of-way for groundwater development and utility facilities in Lincoln County, Nevada, and by this notice invites public comments.

**DATES:** To assure that they will be considered, BLM must receive written comments on the DEIS within 60 days following the date the Environmental Protection Agency publishes their Notice of Availability in the **Federal Register**. The BLM intends to hold four public meetings in Nevada during the 60-day comment period, one each in Mesquite, Caliente, Carson City and Las Vegas. BLM will announce all public meeting times and locations at least 15 days in advance through public notices, media news releases, and mailings. In addition, information on public meetings may be posted on the Internet at <http://www.blm.gov/nv/st/en.html>.