

described in PLO No. 7899 by 60 days on February 18, 2021, to provide an opportunity to review the decisions and ensure the orderly management of the public lands (86 FR 10131).

Subsequently, the Department identified certain procedural and legal defects in the decision-making processes for PLO Nos. 7899, 7900, 7901, 7902, and 7903 (collectively, “the PLOs”), including insufficient analysis under the National Environmental Policy Act (NEPA), failure to follow section 106 of the National Historic Preservation Act (NHPA), possible failure to adequately evaluate impacts under section 7 of the Endangered Species Act (ESA), and failure to secure consent from the Department of Defense (DOD) with regard to lands under DOD administration as required by section 204(i) of FLPMA (43 U.S.C. 1714(i)). Due to these identified deficiencies, on April 16, 2021, the Department—relying on its inherent authority to revisit decisions based on identified legal errors—deferred the opening of lands under PLO No. 7899 and the publication of PLO Nos. 7900, 7901, 7902, and 7903, in order to address the deficiencies in the decision-making processes that led to the PLOs (86 FR 20193).

Due to the five-year statutory limit on the application period for allotment selections by Alaska Native Vietnam-era Veterans under section 1119 of the Dingell Act, the BLM prioritized completion of an environmental assessment to ensure legal compliance for opening lands within the areas affected by PLO Nos. 7899, 7900, 7901, 7902, and 7903. The BLM completed its process on April 21, 2022, and the Secretary issued Public Land Order No. 7912 to open lands within PLO Nos. 7899, 7900, 7901, 7902, and 7903 to allotment selection under section 1119 of the Dingell Act on August 15, 2022 (87 FR 50202).

On August 18, 2022, the BLM published in the **Federal Register** a notice of intent to prepare an environmental impact statement to consider the impacts of opening lands subject to PLO Nos. 7899, 7900, 7901, 7902, and 7903 within the Bay, Bering Sea-Western Interior, East Alaska, Kobuk-Seward Peninsula, and Ring of Fire Planning Areas (87 FR 50875). This process is intended to address the remaining legal defects in the decision-making processes for PLO Nos. 7899, 7900, 7901, 7902, and 7903 and to ensure compliance with the requirements of NEPA, section 204(i) of FLPMA, section 106 of the NHPA, section 7 of the ESA, and section 810 of the Alaska National Interest Lands Conservation Act. Due to the scope and

complexity of the issues being analyzed in the EIS, the BLM will not be ready to reach a decision by April 16, 2023 and, as a result, will defer the opening order to August 31, 2024 to allow the BLM to complete the analysis and consultation required to address the legal defects identified in the decision-making processes for PLO Nos. 7899, 7900, 7901, 7902, and 7903.

For the orderly administration of the public lands and in accordance with 43 CFR 2091.6, this Order amends the opening order contained in Paragraph 3 of PLO 7899 (86 FR 5236) as follows:

At 8 a.m. Alaska Time on August 31, 2024, the lands described in paragraph 1 of PLO 7899 (86 FR 5236) shall be open to all forms of appropriation under the general public land laws, including location and entry under the mining laws, leasing under the Mineral Leasing Act of February 25, 1920, as amended, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. Appropriation of any of the lands referenced in paragraph 1 of PLO 7899 (86 FR 5236), under the general mining laws prior to the date and time of revocation remain unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States.

**Laura Daniel-Davis,**  
*Principal Deputy Assistant Secretary, Land and Minerals Management.*

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## INTERIOR DEPARTMENT

### National Indian Gaming Commission

#### Notice of Approved Class III Tribal Gaming Ordinance

**AGENCY:** National Indian Gaming Commission, Interior.

**ACTION:** Notice.

**SUMMARY:** The purpose of this notice is to inform the public of the approval of Ione Band of Miwok Indians of California Class III gaming ordinance by the Chairman of the National Indian Gaming Commission.

**DATES:** This notice is applicable April 10, 2023.

**FOR FURTHER INFORMATION CONTACT:** Dena Wynn, Office of General Counsel at the National Indian Gaming Commission, 202-632-7003, or by facsimile at 202-632-7066 (not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** The Indian Gaming Regulatory Act (IGRA) 25 U.S.C. 2701 *et seq.*, established the National Indian Gaming Commission (Commission). Section 2710 of IGRA authorizes the Chairman of the Commission to approve Class II and Class III tribal gaming ordinances. Section 2710(d)(2)(B) of IGRA, as implemented by NIGC regulations, 25 CFR 522.8, requires the Chairman to publish, in the **Federal Register**, approved Class III tribal gaming ordinances and the approvals thereof.

IGRA requires all tribal gaming ordinances to contain the same requirements concerning tribes' sole proprietary interest and responsibility for the gaming activity, use of net revenues, annual audits, health and safety, background investigations and licensing of key employees and primary management officials. The Commission, therefore, believes that publication of each ordinance in the **Federal Register** would be redundant and result in unnecessary cost to the Commission.

Thus, the Commission believes that publishing a notice of approved Class III tribal gaming ordinances in the **Federal Register**, is sufficient to meet the requirements of 25 U.S.C. 2710(d)(2)(B). Every ordinance and approval thereof is posted on the Commission's website ([www.nigc.gov](http://www.nigc.gov)) under General Counsel, Gaming Ordinances within five (5) business days of approval.

On March 22, 2023, the Chairman of the National Indian Gaming Commission approved Ione Band of Miwok Indians of California Class III Gaming Ordinance. A copy of the approval letter is posted with this notice and can be found with the approved ordinance on the NIGC's website ([www.nigc.gov](http://www.nigc.gov)) under General Counsel, Gaming Ordinances. A copy of the approved Class III ordinance will also be made available upon request. Requests can be made in writing to the Office of General Counsel, National Indian Gaming Commission, Attn: Dena Wynn, 1849 C Street NW, MS #1621, Washington, DC 20240 or at [info@nigc.gov](mailto:info@nigc.gov).

National Indian Gaming Commission.

Dated: April 4, 2023.

**Rea Cisneros,**  
*Acting General Counsel.*

March 30, 2023  
VIA EMAIL  
Sara Dutschke  
Chairperson, Ione Band of Miwok Indians of California  
9252 Bush Street  
Plymouth, California, 95669  
Re: Ione Band of Miwok Indians of California  
Amended Gaming Ordinance

Dear Chairperson Dutschke:

This letter responds to the January 27, 2023 submission on behalf of the Ione Band of Miwok Indians ("Tribe") informing the National Indian Gaming Commission that the Tribe amended its gaming ordinance. The amendments to the tribal gaming code were intended to eliminate the board of directors, thereby eliminating conflicts with a later enacted statute and to address the most recent NIGC regulations and reflect the compact that the Tribe entered into with the State in 2020. Thank you for bringing these amendments to our attention. The amended ordinance, as noted above, is approved as it is consistent with the requirements of the Indian Gaming Regulatory Act and NIGC's regulations. If you have any questions or require anything further, please contact Rachel Hill at (918) 581-6214.

Sincerely,

E. Sequoyah Simermeyer, Chairman

[FR Doc. 2023-07399 Filed 4-7-23; 8:45 am]

**BILLING CODE 7565-01-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Agency Information Collection Activities; Comment Request; Agricultural Recruitment System Forms Affecting Migratory Farm Workers

##### **ACTION:** Notice.

**SUMMARY:** The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, Agricultural Recruitment System Forms Affecting Migratory Farm Workers." This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

**DATES:** Consideration will be given to all written comments received by June 9, 2023.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Laura Tramontana by telephone at 202-693-0383 (this is not a toll-free number), TTY 1-877-889-5627 (this is not a toll-free number), or by email at [NMA@dol.gov](mailto:NMA@dol.gov).

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of

Labor, Employment and Training Administration, Office of Workforce Investment, Room C 4510, 200 Constitution Avenue NW, Washington, DC 20210; by email: 202-693-0383; or by fax: 202-693-3890.

#### **FOR FURTHER INFORMATION CONTACT:**

Laura Tramontana by telephone at 202-693-0383 (this is not a toll-free number) or by email at [NMA@dol.gov](mailto:NMA@dol.gov).

*Authority:* 44 U.S.C. 3506(c)(2)(A).

**SUPPLEMENTARY INFORMATION:** DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

State Workforce Agencies (SWAs) are required by Federal regulations at 20 CFR 653.500 to participate in the intrastate and interstate clearance system for the orderly recruitment and movement of agricultural workers. Regulations 653.501(a),(b),(c) and (d) enumerate the contents of these orders. The Employment and Training Administration (ETA) created the Agricultural Clearance Order (Form ETA-790) for the recruitment of workers beyond the local commuting area (20 CFR 653.501). Per 29 CFR 95.53(b), the record retention for Form ETA-790 is three years from the date of submission of the final expenditure report as authorized by DOL.

Under this ICR, ETA is proposing to renew the current Agricultural Clearance Order Form ETA-790 and the Agricultural Clearance Order Form ETA-790B, without changes. Employers and SWAs use these forms to process non-criteria clearance orders, which are not placed in connection with the H-2A visa program. Employers seeking to use non-criteria clearance orders to recruit U.S. workers to perform farmwork on a temporary, less than year-round basis must: (1) complete Form ETA-790; (2) complete Form ETA-790B; and (3) submit both forms to the SWA.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and

displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205-0134.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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, (e.g., permitting electronic submission of responses).

*Agency:* DOL-ETA.

*Type of Review:* Extension without changes.

*Title of Collection:* Agricultural Recruitment System Forms Affecting Migratory Farm Workers.

*Form:* ETA-790 and ETA-790B.

*OMB Control Number:* 1205-0134.

*Affected Public:* Individuals or Households; State, Local, and Tribal Governments; Private Sector.

*Estimated Number of Respondents:* 852.

*Frequency:* Varies.

*Total Estimated Annual Responses:* 852.

*Estimated Average Time per Response:* Varies.