

Any individual, group, or corporation that possesses valid evidence of a title to public lands administered by BLM may file a Color-of-Title Application (Form 2540-1). The Act refers to Class I and Class II claims. A Class I claim is a claim:

(1) Held in good faith and peaceful, adverse possession by a claimant, his ancestors or grantors, under claim or color-of-title for a minimum of 20 years; and

(2) where claimant or predecessors placed valuable improvements and cultivated part of the land.

A Class II claim is a claim held in good faith and peaceful, adverse possession by a claimant, his ancestors or grantors, under claim or color-of-title for the period commencing not later than January 1, 1901, to date of application, during which time they paid taxes levied on the land by State and local governmental units.

A claim is not held in good faith when held with knowledge that the land is owned by the United States. A claim is not held in peaceful, adverse possession if it was initiated while the land was withdrawn or reserved for Federal purposes.

When BLM receives the application, we will analyze the information, conduct an on-site field examination of the lands, and prepare reports. The BLM will approve your application if you meet the requirements of a Class I or Class II claim. We will reject your application if you do not meet the requirements of a Class I or Class II claim. Class II claims are discretionary and we may reject the application if the public interest in retention of the lands clearly outweighs the interest of the applicant.

Based on past experience processing these applications, BLM estimates the public reporting burden for completing the Form 2540-1 is 15 minutes. BLM estimates that we receive approximately 37 applications annually, with a total annual burden of 9 hours.

Any member of the public may request and obtain, without charge, a copy of the BLM Form 2540-1 by contacting the person identified under **FOR FURTHER INFORMATION CONTACT**.

BLM will summarize all responses to this notice and include them in the request for OMB approval. All comments will become a matter of a public record.

Dated: May 28, 2002.

**Michael H. Schwartz,**

*Bureau of Land Management, Information Collection Clearance Officer.*

[FR Doc. 02-17413 Filed 7-10-02; 8:45 am]

**BILLING CODE 4310-84-M**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Agency Information Collection Activities: Submitted for Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of a revision of a currently approved information collection (OMB Control Number 1010-0121).

**SUMMARY:** To comply with the Paperwork Reduction Act (PRA) of 1995, we are submitting to OMB for review and approval an information collection request (ICR) titled "Administrative Appeal Procedures" (formerly titled "Preliminary Statement of Issues and Fee Waiver"). We are also soliciting comments from the public on this ICR.

**DATES:** Submit written comments on or before August 12, 2002.

**ADDRESSES:** Submit written comments to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (OMB Control Number 1010-0107), 725 17th Street, NW., Washington, DC 20503. Also, submit copies of your written comments to Carol Shelby, Regulatory Specialist, Minerals Management Service, MS 320B2, PO Box 25165, Denver, Colorado 80225. If you use an overnight courier service, MMS's courier address is Building 85, Room A-614, Denver Federal Center, Denver, Colorado 80225. You may also submit your comments at our e-mail address

*mrm.comments@mms.gov*. Include the title of the information collection and the OMB control number in the "Attention" line of your comment. Also include your name and return address. Submit electronic comments as an ASCII file avoiding the use of special characters and any form of encryption. If you do not receive a confirmation that we have received your email, contact Ms. Shelby at (303) 231-3151 or FAX (303) 231-3385.

**FOR FURTHER INFORMATION CONTACT:** Carol Shelby, Regulatory Specialist, phone (303) 231-3151 or FAX (303) 231-3385.

**SUPPLEMENTARY INFORMATION:**

*Title:* Administrative Appeal Procedures.

*OMB Control Number:* 1010-0121.

*Bureau Form Numbers:* None.

*Abstract:* The Department of the Interior (DOI) is responsible for matters relevant to mineral resource

development on Federal and Indian lands and the Outer Continental Shelf (OCS). The Secretary of the Interior is responsible for managing the production of minerals from Federal and Indian lands and the OCS, collecting royalties from lessees who produce minerals, and distributing the funds collected in accordance with applicable laws. The Secretary also has an Indian trust responsibility to manage Indian lands and seek advice and information from Indian beneficiaries. MMS performs the royalty management functions for the Secretary.

On January 12, 1999, DOI published a proposed rule in the **Federal Register** (64 FR 1930) to revise the appeals process. Proposed 43 CFR part 4, subpart J, would have established a new 1-step process for appeals of royalty orders. Among other actions, the proposed rule would have replaced the current regulations at 30 CFR part 290 and 43 CFR part 4, subpart E, as they relate to appeals of royalty orders. MMS submitted an information collection request entitled "Preliminary Statement of Issues and Fee Waiver" to cover the information collection requirements in that proposed rule. OMB approved that request on April 13, 1999, and assigned OMB Control Number 1010-0121.

MMS received numerous negative comments about some of the provisions in the proposed rule. Consequently, on May 13, 1999, MMS published a final rule in the **Federal Register** (64 FR 26240) making final only those portions of the January 1999 proposed rule that received few, if any, comments. For example, rather than finalizing the substantive procedural changes in the proposed rule, the regulations in 30 CFR part 290 were separated into two subparts—subparts A and B—and rewritten using plain English principles. Subpart A relates to appeals for the Offshore Minerals Management program, and subpart B relates to appeals for the Royalty Management Program (currently Minerals Revenue Management). Subpart J of 43 CFR part 4 was added to the final rule to incorporate specific time frames required in the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996. However, the final rule does not contain the substantive changes required to change the appeals process from a 2-step to a 1-step process as originally proposed in the proposed rule.

MMS is revising this information collection to cover the reporting requirements contained in the final rule. These requirements are located in 30 CFR parts 250 and 290. Refer to the burden chart for identified reporting

requirements and associated burden hours. Submission of the information in this collection is necessary for MMS to initiate and track appeals of disputed orders. Proprietary information that is

submitted is protected, and there are no questions of a sensitive nature included in this information collection.  
*Frequency:* On occasion.  
*Estimated Number and Description of Respondents:* 170 lessees or designees.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* 265 hours. See the following chart for a breakdown of the burden estimate by CFR section and paragraph.

30 CFR Section	Requirement	Annual number of responses	Burden hours per response	Annual burden hours
250.1409 (a); (b)(2) .....	(a) When you receive the Reviewing Officer's final decision, you have 60 days to either pay the penalty or file an appeal in accordance with 30 CFR part 290 * * * (b) If you file an appeal, you must either: (1) [see § 250.1409(b)(1) below] or (2) Notify the Regional Adjudication Office * * * that you want your lease-specific/area-wide bond on file to be used as the bond for the penalty amount * * *.	10	1	10
250.1409 (b)(1) .....	(b) If you file an appeal, you must either: (1) Submit a surety bond * * * or (2) [see § 250.1409(b)(2) above] * * *.	(1)	.....	.....
290.4(a), (b)(1) .....	For your appeal to be filed, MMS must receive all of the following within 60 days after you receive the decision or order: (a) A written Notice of Appeal together with a copy of the decision or order you are appealing * * * (b) A nonrefundable processing fee of \$150 paid with the Notice of Appeal * * * (1) Identify the order you are appealing on the check or other form of payment * * *.	10	10	100
290.7(a)(2) .....	(a) The decision or order is effective during the 60-day period for filing an appeal * * * unless (1) * * * or (2) you post a surety bond under 30 CFR 250.1409 pending the appeal * * *.	(1)	.....	.....
290.105(a)(1) and (2) .....	(a) You may appeal an order to the Director, Minerals Management Service * * * by filing a Notice of Appeal in the office of the official issuing the order within 30 days from service of the order * * * (1) Within the same 30-day period, you must file * * * a statement of reasons or written arguments or briefs * * * (2) If you are a designee, when you file your Notice of Appeal, you must serve your Notice of Appeal on the lessees for the leases in the order you appealed.	150 (2)	1	150
290.106(a) .....	(a) If you are a lessee, * * * you may join in that appeal ..... * * * by filing a Notice of Joinder with the office or official that issued the order.	10	.5	5
Total .....	.....	180	.....	265

<sup>1</sup> Burden covered in OMB Control Number 1010-0006.

<sup>2</sup> The statement of reasons required in 30 CFR 290.105(a)(1) is part of the administrative appeals process and is exempt from the Paperwork Reduction Act of 1995. Consequently, the burden for preparation of the statement of reasons is not included in this information collection request.

*Estimated Annual Reporting and Recordkeeping "Non-hour" Burden:* We have identified \$1,500 of "non-hour" cost burden.

*Comments:* Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*) requires each agency " \* \* \* to provide notice \* \* \* and otherwise consult with members of the public and affected agencies concerning each proposed collection of information \* \* \*." Agencies must specifically solicit comments to (a) evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of

information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

To comply with the public consultation process, on February 28, 2002, we published a **Federal Register** notice (67 FR 9316) with the required 60-day comment period announcing that we would submit this ICR to OMB for approval. We received comments from one organization. We responded to the comments in our ICR submission for OMB approval. We have posted a copy of the ICR at our Internet Web site [http://www.mrm.mms.gov/Laws\\_R\\_D/](http://www.mrm.mms.gov/Laws_R_D/)

*FRNotices/FRInfColl.hem.* We will also provide a copy of the ICR to you without charge upon request.

If you wish to comment in response to this notice, please send your comments directly to the offices listed under the **ADDRESSES** section of this notice. OMB has up to 60 days to approve or disapprove the information collection but may respond after 30 days. Therefore, to ensure maximum consideration, OMB should receive your comments by August 12, 2002. The PRA provides that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

*Public Comment Policy:* We will post all comments received in response to this notice on our Internet Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/InfoColl/InfoColCom.htm](http://www.mrm.mms.gov/Laws_R_D/InfoColl/InfoColCom.htm) for public review. We also make copies of these comments, including names and home addresses of respondents, available for public review during regular business hours at our offices in Lakewood, Colorado.

Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. There may be circumstances in which we would withhold from the record a respondent's identity, as allowable by the law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comments. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

*MMS Information Collection Clearance Officer:* Jo Ann Lauterbach, telephone (202) 208-7744.

Dated: July 2, 2002.

**Lucy Querques Denett,**

*Associate Director for Minerals Revenue Management.*

[FR Doc. 02-17407 Filed 7-10-02; 8:45 am]

**BILLING CODE 4310-MR-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the Alaska State Museum, Juneau, AK, and in the Control of the U.S. Department of the Interior, Bureau of Land Management, Alaska State Office, Anchorage, AK**

**AGENCY:** National Park Service, Interior.  
**ACTION:** Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the possession of the Alaska State Museum, Juneau, AK, and in the control of the U.S. Department of the Interior, Bureau of Land Management, Alaska State Office, Anchorage, AK.

This notice is published as part of the National Park Service's administrative

responsibilities under NAGPRA, 43 CFR 10.2 (c). The determinations within this notice are the sole responsibility of the museum, institution, or Federal agency that has control of these Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations within this notice. A detailed assessment of the human remains was made by the Bureau of Land Management, Alaska State Office and the Alaska State Museum professional staff in consultation with representatives of the Kenaitze Indian Tribe and Seldovia Village Tribe. In 1956, human remains representing a minimum of one individual were removed from Halibut Cove, Kachemak Bay, AK, during legally authorized work by archeologist Joel M. Moss. Mr. Moss donated the remains to the Alaska State Museum the same year. The human remains are estimated to date to the 19th century or earlier. No known individual was identified. The single associated funerary object is a stone lamp. Based on cranial morphology, stratigraphy, and an associated funerary object, this individual has been identified as Native American. Based on geographic location, this individual is affiliated with Athabaskan culture and, specifically, with the Athabaskan tribe represented by the Seldovia Village Tribe. This determination of cultural affiliation is based upon the continuity of Native American occupation in the Kachemak Bay, AK, area and verification by representatives of the Kenaitze Indian Tribe that Kachemak Bay is within the traditional territory of the Tainana Athabaskans. Members of the Seldovia Village Tribe report use of the Kachemak Bay area by their ancestors. Based on the above-mentioned information, officials of the Bureau of Land Management, Alaska State Office have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of one individual of Native American ancestry. Officials of the Bureau of Land Management, Alaska State Office also have determined that, pursuant to 43 CFR 10.2 (d)(2), the one object listed above is reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the Bureau of Land Management, Alaska State Office have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity that can be reasonably traced between these Native American human remains and tribes represented by the Seldovia

Village Tribe. This notice has been sent to officials of the Kenaitze Indian Tribe and the Seldovia Village Tribe. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains should contact Dr. Robert E. King, Alaska State NAGPRA Coordinator, Bureau of Land Management, 222 West 7th Avenue, Number 13, Anchorage, AK 99513-7599, telephone (907) 271-5510, before August 12, 2002. Repatriation of the human remains and associated funerary object to the Seldovia Village Tribe may begin after that date if no additional claimants come forward.

Dated: April 25, 2002.

**Robert Stearns,**

*Manager, National NAGPRA Program.*

[FR Doc. 02-17430 Filed 7-10-02; 8:45 am]

**BILLING CODE 4310-70-S**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the American Museum of Natural History, New York, NY**

**AGENCY:** National Park Service, Interior.  
**ACTION:** Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains in the possession of the American Museum of Natural History, New York, NY.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 43 CFR 10.2 (c). The determinations within this notice are the sole responsibility of the museum, institution, or Federal agency that has control of these Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations within this notice.

A detailed assessment of the human remains was made by American Museum of Natural History professional staff in consultation with representatives of the Hawai'i Island Burial Council, Hui Malama I Na Kupuna 'O Hawai'i Nei, Kaua'i/Ni'ihau Island Burial Council, Maui/Lana'i Island Burial Council, Moloka'i Island Burial Council, O'ahu Island Burial Council, and Office of Hawaiian Affairs.

In an unknown year, human remains representing a minimum of one