

Geronimo took possession of the headdress and subsequently gave it to his Government escort, Jack Moore, as an act of friendship. After Geronimo's death in 1909, Jack Moore allegedly gave the headdress to an acquaintance, whose family retained the object until an attempt was made to sell it illegally in 1999.

The Report of Findings documents the review of the headdress under NAGPRA for two claims received, one by the Comanche Nation and the other by the Mescalero Apache.

The Report notes that for the Comanche Nation, the preponderance of evidence submitted to the Service does not indicate a relationship of shared group identity between the present day tribe—the Comanche Nation—and an identifiable earlier group—the Chiricahua Apache—with whom the headdress is associated [43 CFR 10.2 (4) and (4e)]. Given the inability of the Comanche to provide evidence supporting their assertion of cultural affiliation, the Service is unable to evaluate their claim for the headdress as an object of cultural patrimony under NAGPRA.

The report notes that for the Mescalero Apache, the preponderance of evidence submitted to the Service does indicate a relationship of shared group identity between an identifiable earlier group—the Chiricahua Apache—with whom the headdress is associated [43 CFR 10.2 4 and e] and the Mescalero Apache—the present day tribe culturally affiliated to the object.

The Service evaluation of the headdress as an object of cultural patrimony for the Mescalero Apache finds that the headdress does not meet the definition of an object of cultural patrimony under NAGPRA (43 CFR 10.4). Evidence provided to support the request connects the headdress to Geronimo—a member of the Chiricahua Apache—and asserts that the headdress was 'constructed' solely for distribution to attendees of the 1907 Pow Wow and was given to Geronimo in that capacity.

The Service continues to manage the object as a forfeited item and has not accessioned it into the Service's Museum Property inventory. Although evidence collected as part of the NAGPRA Report of Findings does not support a decision to repatriate the headdress to the Mescalero Apache or Comanche Nation as an "object of cultural patrimony," the Service intends to transfer the headdress to both Tribes following procedures under 50 CFR Subpart D 12.33. This regulation permits the donation of forfeited items for scientific, educational, or public display purposes to any person who

demonstrates the ability to provide adequate care and security for the object. A 2003 Compromise and Settlement Agreement signed by both Tribes stipulates terms of care and security for the object that follow standards established by the American Association of Museums (AAM). The Service finds this agreement to be satisfactory to ensuring the necessary level of care and security for the headdress as required under 50 CFR part 12.

The announcement of this report makes available our draft findings for review by interested parties and continues to fulfill the Service's requirements under NAGPRA and announces our intentions for disposition.

Dated: January 9, 2007.

**Kenneth Stansell,**

*Acting Director, U.S. Fish and Wildlife Service.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### **Gaming on Trust Lands Acquired After October 17, 1988; Submission to the Office of Management and Budget**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Bureau of Indian Affairs (BIA) is submitting the information collection request for review and renewal by the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB). The collection is: Gaming on Trust Lands Acquired after October 17, 1988, OMB Control Number 1076-0158.

**DATES:** Submit your comments and suggestions on or before February 20, 2007 to be assured of consideration.

**ADDRESSES:** Written comments should be sent directly to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Desk Officer for the Department of the Interior, either by facsimile at 202-395-6566 or by e-mail at [OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov).

Send a copy of your comments to: Mr. George Skibine, Bureau of Indian Affairs, Office of Indian Gaming, Mail Stop 3657-MIB, 1849 C Street, NW., Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Interested persons may obtain copies of

the information collection requests without charge by contacting George Skibine at 202-219-4066 or facsimile number 202-273-3153.

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 provides an opportunity for interested parties to comment on proposed information collection requests. We did not receive any comments during the request for comments period published October 25, 2006 (71 FR 62486). The Bureau of Indian Affairs, Office of Indian Gaming, is proceeding with requesting an information collection clearance from OMB. Each request contains (1) Type of review, (2) title, (3) summary of the collection, (4) respondents, (5) frequency of collection, (6) reporting and record keeping requirements.

Please note that we will not sponsor nor conduct, and you need not respond to, a request for information unless we display the OMB control number and the expiration date.

#### **Gaming on Trust Lands Acquired After October 17, 1988**

*Type of review:* Renewal.

*Title:* Gaming on Trust Lands Acquired after October 17, 1988, 25 CFR 292.

*Summary:* The collection of information will ensure that the provisions of the Indian Gaming Regulatory Act, the relevant provisions of State laws, Federal law and the trust obligations of the United States are met when federally recognized tribes seek a secretarial determination that a gaming establishment would be in the best interest of the tribe and would not be detrimental to the surrounding community. Section 292.8 specifies the information collection requirement. An Indian tribe must ask the Secretary to make a determination that a gaming establishment would be in the best interest of the tribe and would not be detrimental to the surrounding community. The information to be collected includes: name of tribe, tribal documents, description of the land to be acquired, proof of ownership, distance of land from the Indian tribe's reservation or trust lands and other documents deemed necessary. Collection of this information is currently authorized under an approval by OMB (OMB Control Number 1076-0158). All information is collected when the tribe submits a request for a secretarial determination that a gaming establishment would be in the best interest of the tribe and would not be detrimental to the surrounding community. Annual reporting and record keeping burden for this

collection of information is estimated to average 1,000 hours each from approximately 2 respondents, including the time for reviewing instructions, researching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information, thus, the total annual reporting and record keeping burden for this collection is estimated to be 2,000 hours.

*Frequency of Collection:* On occasion.

*Description of Respondents:* Federally recognized tribes.

*Total Respondents:* 2.

*Response Hours per Application:* 1000.

*Total Annual Burden Hours:* 2,000 hours.

### Request for Comments

The Bureau of Indian Affairs solicits comments in order to:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the bureau, including whether the information will have practical utility;

(2) Evaluate the bureau's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility and clarity of the information to be collected; and

(4) Minimize the burden of the collection of the information on those who are to respond.

The Office of Management and Budget has 60 days in which to determine whether the collection will be renewed but may make a decision after 30 days. Therefore, to receive the most consideration, comments should be sent closer to 30 days than 60 days after the notice is published in the **Federal Register**.

Dated: December 20, 2006.

**Michael D. Olsen,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. E7-758 Filed 1-18-07; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Notice of Availability of Draft Environmental Impact Statement for the Proposed Transfer From Fee-to-Trust Land of Oneida Indian Nation of New York Land in Oneida and Madison Counties, New York; Additional Public Hearing and Extension of Comment Period

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

**ACTION:** Notice of additional public hearing and extension of comment period.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs (BIA) will be holding an additional public hearing to receive comments on its Draft Environmental Impact Statement (DEIS) for the proposed fee-to-trust transfer of Oneida Indian Nation of New York land in Oneida and Madison Counties, New York. This notice also reminds the public that the public comment period for the DEIS has been extended to February 22, 2007, as announced in the **Federal Register** on January 5, 2007, by the Environmental Protection Agency (EPA), and in local media by the BIA. The EPA's original notice of availability for the DEIS and the BIA's supplement to the EPA notice, both of which were published in the **Federal Register** on November 24, 2006, announced a closing date for comments of January 8, 2007.

**DATES:** Written comments on the DEIS must arrive by February 22, 2007. The public hearing will be held February 6, 2007, from 6 p.m. to 10 p.m., or until everyone who wishes to do so has the opportunity to speak.

**ADDRESSES:** You may mail, hand carry or fax written comments to Mr. Franklin Keel, Regional Director, Eastern Region, Bureau of Indian Affairs, 545 Marriott Drive, Suite 700, Nashville, Tennessee 37214, Fax (615) 564-6701. Please include your name, return address and the caption, "DEIS Comments, Oneida Indian Nation of New York Trust Acquisition Project," on the first page of your written comments. Electronic submission is not available.

The public hearing will be at the Vernon-Verona-Sherrill School, 5275 State Route 31, Verona, New York 13478.

Copies of the DEIS are available for viewing at Web site <http://www.oneidanationtrust.net> and at the following locations: (1) Oneida Nation Annex Building, 579A Main Street, Oneida, New York 13421 (10 a.m. to 4

p.m. Monday through Friday except holidays); (2) Oneida City Hall, 109 N. Main Street, Downstairs Basement Room, Oneida, New York 13421; and (3) Town of Verona Town Hall, 6600 Germany Road, Back Conference Room, Durhamville, New York 13054.

**FOR FURTHER INFORMATION CONTACT:** Kurt G. Chandler, (615) 564-6832.

**SUPPLEMENTARY INFORMATION:** The proposed action is to transfer approximately 17,370 acres of Oneida Indian Nation-owned land in Madison and Oneida Counties, New York, from fee to trust status for the benefit of the Nation. Details on the proposed action and DEIS contents may be found in the above-referenced Notice published in the **Federal Register** on November 24, 2006 (71 FR 67896).

### Public Comment Availability

Comments, including names and addresses of respondents, will be available for public review at the BIA address shown in the **ADDRESSES** section, during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish us to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. We will not, however, consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

### Authority

This notice is published in accordance with section 1503.1 of the Council on Environmental Quality Regulations (40 CFR parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), the Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Principal Deputy Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: January 9, 2007.

**Michael D. Olsen,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

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