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Vol. 48 No. 63
Pages 13391-13920

federal register

Thursday
March 31, 1983

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The List of Subjects normally required in rulemaking documents is not included in this document since the amendments contained herein are only administrative.

References in various Parts of Chapter I of 25 CFR are hereby amended as follows:

§ 1.3 [Amended]

1. Section 1.3, Scope, of Part 1 is amended by changing the reference in the substance from 42 CFR Part 43 to 42 CFR Part 36.

§ 2.3 [Amended]

2. Paragraph (c) of 25 CFR 2.3, Appeals, is amended by removing the following numbers: §§ 4.350–4.369 and adding a period after Subpart D.

§ 41.6 [Amended]

3. Section 41.6, HEW participation, of Part 41 is amended by removing the references to HEW in the heading and Health, Education and Welfare in the substance and adding references to HHS in the heading and Health and Human Services in the substance.

§ 112.3 [Amended]

4. The words and reference to Part 105 under the substance of 25 CFR 112.3 are hereby removed. The reference to Part 105 at the bottom of page 280 of 25 CFR dated April 1, 1982 is hereby removed.

PART 151—[AMENDED]

5. Under the Cross-Reference Section of Part 151, Land Acquisition, on page 351 of Title 25 CFR dated April 1, 1982 the following reference, See 7 CFR 1821.401, et seq., and 1890 f, is hereby removed and the reference, See 7 CFR 1823 Subpart N, is added.

§ 249.15 [Amended]

6. Under 25 CFR 249.15, Fishing assistance, the paragraph appearing in the April 1, 1982, edition of Title 25 should be numbered (a) and the reference to paragraph (b) appearing in the document published July 15, 1982 is hereby verified correct and remains as paragraph (b).

§ 215.9 [Amended]

7. In the substance portion of § 215.9, Execution of leases, the reference to § 76.0(c) is removed and the reference § 215.0(c) is added.

§ 286.18 [Amended]

8. In the substance portion of § 286.18, Written notice, the reference to 25 CFR 2.21 is hereby amended to read as 25 CFR Part 2.

§ 138.2 [Amended]

9. In the substance portion of § 138.2, Repayment of construction costs, the reference to § 150.1 is removed and the reference § 138.1 is hereby added.

§ 249.1 [Amended]

10. In paragraph (b) of § 249.1, Purpose, the reference to Part 246 is hereby removed and the language is amended to read "* * * with this part and any applicable area regulations issued hereunder."

§ 39.32 [Amended]

11. In paragraph (a) of § 39.32, Annual computation of average daily membership, the references to § 39.1(f) are removed and the references § 39.2(f) are added.

Kenneth Smith,

Assistant Secretary—Indian Affairs.

[FR Doc. 83-8249 Filed 3-30-83; 8:45 am]

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25 CFR Parts 12, 70, 73, 84, 85, 86 and 119

Rescission of Various Parts

March 17, 1983.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Final rule.

SUMMARY: The Bureau of Indian Affairs is publishing a final rule that rescinds various parts of 25 CFR Chapter 1. The rules being rescinded are: Part 12, Code of offenses for Navajo-Hopi Settlement Act Secretarial responsibilities; Part 70, Revision of the final roll of the Menominee Tribe of Wisconsin; Part 73, Revision of final roll of the Confederated Tribes of Siletz Indians of Oregon; Part 84, Organization of the Yurok Tribe; Part 85, Election of the Interim Yurok governing committee; Part 86, Referendum election to determine whether the Yurok Tribe of the Hoopa Valley Reservation desires to establish a representative interim Yurok governing committee; and Part 119, Distribution of judgment awarded the Cherokee Nation or Tribe of Indians.

In each case, the rules were fulfilled or the rules were determined no longer necessary as discussed in the Supplementary Information portion of this document.

EFFECTIVE DATE: March 31, 1983.

FOR FURTHER INFORMATION CONTACT: Patrick A. Hayes, Division of Tribal Government Services, Bureau of Indian Affairs, 18th and C Streets, NW., Washington, D.C. 20245, telephone number: (202) 343-6858.

SUPPLEMENTARY INFORMATION: The authority of the Secretary of the Interior to rescind these regulations is contained in 43 U.S.C. 1457, 25 U.S.C. 2, 9 and 372, 5 U.S.C. 301 and Reorganization Plan No. 3 of 1950 (64 Stat. 1262). The authority of the Secretary has been delegated to the Assistant Secretary—Indian Affairs in 209 DM 8.

25 CFR Part 12, Code of offenses for Navajo-Hopi Settlement Act Secretarial responsibilities, is rescinded under authority of *Hopi Tribe V. Watt*, 530 F. Supp. 1217, D. Ariz., memorandum and order, January 1982. The court was of the opinion that these rules were of no force and effect in regulating conduct within the former Joint Use Area.

25 CFR Part 70, Revision of the final roll of the Menominee Tribe of Wisconsin, and 25 CFR Part 73, Revision of a final roll of the Confederated Tribes of Siletz Indians of Oregon, are rescinded because the revised rolls were completed, approved, and have served the purpose for which they were prepared. Membership in both groups is now governed by tribal constitutions adopted subsequent to the restoration of the Federal relationship of these tribes.

25 CFR Part 84, Organization of the Yurok Tribe; 25 CFR Part 85, Election of interim Yurok governing committee; and 25 CFR Part 86, Referendum election to determine whether the Yurok Tribe of the Hoopa Valley Reservation desires to establish a representative interim Yurok governing committee are no longer necessary.

These rules were published for the purpose of achieving formal organization of the Yurok Tribe. Because of further litigation another election was held to permit voters of the tribe an opportunity to determine whether they desired to pursue formal organization. As a result of that election, the voters decided not to adopt a constitution at this time thereby removing the need for these regulations.

25 CFR Part 119, Distribution of judgment awarded the Cherokee Nation or Tribe of Indians is rescinded because all claims filed by living final enrollees or by the heirs or legatees of deceased final enrollees must have been filed by October 9, 1965, and, therefore, no further claims for shares will be accepted. Any funds that remained unclaimed reverted to the tribe pursuant to the Act of October 9, 1962 (76 Stat. 776).

The primary author of this document is Michael G. Abretski, Bureau of Indian Affairs, Washington, D.C., telephone number: (202) 343-3574.

It has been determined that this document is not a major rule as that

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term is defined in Executive Order 12291 because there will be no economic impact on the public.

It has been determined that this document will not have a significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because there will be no economic impact on the public.

For the aforementioned reasons an opportunity for public comment on this action is determined to be unnecessary. Therefore, advance notice and public procedure are dispensed with under the exception provided in subsection (b)(B) of 5 U.S.C. 553 (1970). Accordingly, good cause exists to make this action effective immediately upon publication in the **Federal Register** as provided by 5 U.S.C. 553(d)(3).

Parts 12, 70, 73, 84, 85, 86 and 119 of Chapter 1 of Title 25 of the Code of Federal Regulations are hereby rescinded.

John W. Fritz,

Deputy Assistant Secretary—Indian Affairs (Operations).

[FR Doc. 83-8250 Filed 3-30-83; 8:45 am]

BILLING CODE 4310-02-M

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25 CFR Part 155

Equalization of Allotments, Agua Caliente (Palm Springs) Reservation, California; Rescission

March 10, 1983

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Rescission of rule.

SUMMARY: The Bureau of Indian Affairs is rescinding the regulations governing the equalization of allotments on the Agua Caliente (Palm Springs) Reservation, California. The purpose of the law upon which this part is based has been accomplished. In line with 25 U.S.C. 953(c), the purpose of the act was achieved on October 5, 1961, when Secretarial approval was granted to the schedule of equalization of allotments. For this reason these regulations are no longer needed.

EFFECTIVE DATE: March 31, 1983.

FOR FURTHER INFORMATION CONTACT: Louis White, Division of Real Estate Services, Bureau of Indian Affairs, 1951 Constitution Avenue, NW., Washington, D.C. 20245, telephone (202) 343-3608.

SUPPLEMENTARY INFORMATION: The authority of the Secretary of the Interior to rescind these regulations is contained in 43 U.S.C. 1457, 25 U.S.C. 2, 9 and 372, 5 U.S.C. Section 301 and Reorganization Plan No. 3 of 1950 (64 Stat. 1262). The authority of the Secretary has been delegated to the Assistant Secretary—Indian Affairs in 209 DM 8.1.

The primary author of this document is Louis White, Realty Specialist, Bureau of Indian Affairs, Department of the Interior.

This rule does not constitute a major federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969.

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Since the rules contained in this part have been complied with under the Act of September 21, 1959 (73 Stat. 602), no further allotment of land is necessary; therefore, advance notice and public procedure are dispensed with under the exception provided in subsection (b)(B) of 5 U.S.C. 553 (1970). Accordingly, the 30 day effective date is waived for the aforementioned reason.

List of Subjects in 25 CFR Part 155

Indians-land.

PART 155—[REMOVED]

Part 155 of Title 25 of the Code of Federal Regulations is rescinded.

Date: March 10, 1983.

John W. Fritz,

Acting Assistant Secretary—Indian Affairs.

[FR Doc. 83-8247 Filed 3-30-83; 8:45 am]

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25 CFR Part 157

Allotment of Lands on the Cabazon, and Augustine Indian Reservations, Riverside County, California; Rescission

March 10, 1983

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Rescission of rule.

SUMMARY: The Bureau of Indian Affairs is rescinding the regulations governing the allotment of lands on the Cabazon and Augustine Reservations in Riverside County, California. Secretarial approval of the certified allotment schedule for both reservations was obtained on February 18, 1957. For this reason, the regulations are no longer needed.

EFFECTIVE DATE: March 31, 1983.

FOR FURTHER INFORMATION CONTACT: Louis White, Division of Real Estate Services, Bureau of Indian Affairs, 1951 Constitution Avenue, NW., Washington, D.C. 20245, telephone (202) 343-3608.

SUPPLEMENTARY INFORMATION: The authority of the Secretary of the Interior to rescind these regulations is contained in 43 U.S.C. 1457, 25 U.S.C. 2, 9 and 372, 5 U.S.C. Section 301; and Reorganization Plan No. 3 of 1950 (64 Stat. 1262). The authority of the Secretary has been delegated to the Assistant Secretary—Indian Affairs in 209 DM 8.1.

The primary author of this document is Louis White, Realty Specialist, Bureau of Indian Affairs, Department of the Interior.

This rule does not constitute a major federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969.

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and certifies that this document will not have significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Since the rules contained in this part have been complied with under the Act of August 25, 1950 (64 Stat. 472), no further allotment of land is necessary; therefore, advance notice and public procedure are dispensed with under the exception provided in subsection (b)(B) of 5 U.S.C. 553 (1970). Accordingly, the 30 day effective date is waived for the aforementioned reason.

List of Subjects in 25 CFR Part 161

Indians—land.

PART 157—[REMOVED]

Part 157 of the Code of Federal Regulations is rescinded.

Dated: March 10, 1983.

John W. Fritz,

Acting Assistant Secretary—Indian Affairs.

[FR Doc. 83-8248 Filed 3-30-83; 8:45 am]

BILLING CODE 4310-02-M

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25 CFR Part 161

Allotment of Lands on the Torres-Martinez Indian Reservation, California; Rescission

March 10, 1983

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Rescission of rule.

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