

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Information Collection for Part 13, Tribal Reassumption of Jurisdiction Over Child Custody Proceedings**

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

**ACTION:** Notice of submission to Office of Management and Budget.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Bureau of Indian Affairs is seeking to extend clearance for an information collection request. The information collection, Tribal Reassumption of Jurisdiction over Child Custody Proceedings, is cleared under OMB Control Number 1076-0112. Interested parties are invited to comment on this collection.

**DATES:** Submit comments on or before April 4, 2003.

**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, 725 17th Street NW., Washington, DC 20503. Send a copy of your comments to Larry Blair, Bureau of Indian Affairs, Office of Tribal Services, Division of Social Services, 1951 Constitution Avenue, NW., MS 320-SIB, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Interested persons may obtain copies of the information collection requests without charge by contacting Mr. Larry Blair, (202) 513-7621, Facsimile number (202) 208-2648.

**SUPPLEMENTARY INFORMATION:****I. Abstract**

The Department has issued regulations prescribing procedures by which an Indian tribe may reassume jurisdiction over Indian child proceedings when a state asserts any jurisdiction. Tribes have the right to pursue this alternative because this action is authorized by the Indian Child Welfare Act, Pub. L. 95-608, 92 Stat. 3069, 25 U.S.C. 1918, and is incorporated in 25 CFR 13.11. A 60-day notice for public comments was published on December 12, 2002 (67 FR 76413 ). There were no comments received.

**II. Request for Comments**

The Department invites comments on:

(1) Whether the collection of information is necessary for the proper performance of the functions of the

Bureau, including whether the information will have practical utility;

(2) The accuracy of the Bureau's estimate of the burden of the information collection, including the validity of the methodology and assumptions used;

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

(4) Ways to minimize the burden of the information collection on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other collection techniques or forms of information technology.

Please note, any comments, names and addresses concerning this submission are available for public review during regular business hours (8 a.m. to 4:30 p.m.). If you wish your name and address withheld from public review, you must state this prominently at the beginning of your comment. We will honor your request to the extent allowable by law. 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.

OMB is required to make a decision concerning this information collection request between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment will receive the best consideration by OMB if it is submitted early during this comment period.

**III. Data**

*Type of action:* Renewal.

*Title of the Information Collection:* Tribal Reassumption of Jurisdiction Over Child Custody Proceedings.

*Summary of Collection of Information:* The collection of information will ensure that the provisions of Pub. L. 95-608 are met.

*Affected Entities:* Federally recognized tribes who submit tribal reassumption petitions for review and approval by the Secretary of the Interior.

*Frequency of Response:* Annually.

*Estimated Number of Annual Responses:* 2.

*Estimated Time Per Application:* 8 hours.

*Estimated Total Annual Burden Hours:* 16 hours.

Dated: February 26, 2003.

**Aurene M. Martin,**

*Acting Assistant Secretary—Indian Affairs.*

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**BILLING CODE 4310-4J-P**

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Land Acquisitions; Ponca Tribe of Nebraska**

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

**ACTION:** Notice of final agency determination to take land into trust under 25 CFR Part 151.

**SUMMARY:** The Assistant Secretary—Indian Affairs made a final agency determination to acquire approximately 3 acres, more or less, of land into trust for the Ponca Tribe of Nebraska on December 20, 2002. This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 Departmental Manual 8.1. **FOR FURTHER INFORMATION CONTACT:** George Skibine, Office of Indian Gaming Management, Bureau of Indian Affairs, MS-4543 MIB, 1849 C Street, NW., Washington, DC 20240; Telephone (202) 219-4066.

**SUPPLEMENTARY INFORMATION:** This notice is published to comply with the requirement of 25 CFR part 151.12(b) that notice be given to the public of the Secretary's decision to acquire land in trust at least 30 days prior to signatory acceptance of the land into trust. The purpose of the 30-day waiting period in 25 CFR part 151.12(b) is to afford interested parties the opportunity to seek judicial review of final administrative decisions to take land in trust for Indian tribes and individual Indians before transfer of title to the property occurs. On December 20, 2002, the Assistant Secretary—Indian Affairs decided to accept approximately 3 acres, more or less, of land into trust for the Ponca Tribe of Nebraska under the authority of the Indian Reorganization Act of 1934, 25 U.S.C. 465. The Ponca Tribe was legislatively terminated in 1962 pursuant to the Ponca Termination Act, Public Law 87-629, 25 U.S.C. 971-980. Pursuant to Public Law 101-484, 25 U.S.C. 983-983(h), dated October 31, 1990 the Tribe was restored to federal recognition. In a memorandum dated November 22, 2002, the Associate Solicitor, Division of Indian Affairs, concluded that the prohibition on gaming on after-acquired trust lands contained in Section 20 of IGRA, 25 U.S.C. 2719, does not apply in this case because the Ponca Tribe is a restored tribe within the meaning of 25 U.S.C. 2719(b)(1)(B)(iii), and the acquisition of land in Knox County qualifies as "the restoration of lands" for an Indian tribe that is restored to Federal recognition