

**SUMMARY:** The Department of the Interior (DOI) is issuing a public notice of its intent to rescind the U.S. Fish and Wildlife Service (FWS) Privacy Act system of records, INTERIOR/FWS–25, Contract and Procurement Records, from its existing inventory.

**DATES:** These changes take effect on December 2, 2022.

**ADDRESSES:** You may send comments identified by docket number [DOI–2022–0009] by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for sending comments.

- *Email:* [DOI\\_Privacy@ios.doi.gov](mailto:DOI_Privacy@ios.doi.gov). Include docket number [DOI–2022–0009] in the subject line of the message.

- *U.S. mail or hand-delivery:* Teri Barnett, Departmental Privacy Officer, U.S. Department of the Interior, 1849 C Street NW, Room 7112, Washington, DC 20240.

*Instructions:* All submissions received must include the agency name and docket number [DOI–2022–0009]. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

You should be aware your entire comment including your personally identifiable information, such as your address, phone number, email address, or any other personal information in your comment, may be made publicly available at any time. While you may request to withhold your personally identifiable information from public review, we cannot guarantee we will be able to do so.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer L. Schmidt, Associate Privacy Officer, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS: IRTM, Falls Church, VA 22401, [FWS\\_Privacy@fws.gov](mailto:FWS_Privacy@fws.gov) or (703) 358–2291.

**SUPPLEMENTARY INFORMATION:** Pursuant to the provisions of the Privacy Act of 1974, as amended, 5 U.S.C. 552a, FWS is rescinding the INTERIOR/FWS–25, Contract and Procurement Records, system of records notice (SORN) and removing it from its system of records inventory. This system was used by FWS contracting officers and technical representatives to evaluate contract proposals submitted by members of the public. During a routine review, FWS determined that INTERIOR/FWS–25 SORN was superseded by INTERIOR/DOI–87, Acquisition of Goods and Services: FBMS, 73 FR 43766 (July 28,

2008), modification published at 86 FR 50156 (September 7, 2021), a Department-wide SORN for the Financial and Business Management System (FBMS), which supports DOI business and financial management functions for all bureaus and offices, including all procurement and contracting activity. Therefore, DOI is rescinding this FWS notice to avoid duplication of another SORN in accordance with the Office of Management and Budget Circular A–108, *Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act*.

Rescinding the INTERIOR/FWS–25, Contract and Procurement Records, SORN will have no adverse impacts on individuals as the records are covered under the INTERIOR/DOI–87, Acquisition of Goods and Services: FBMS, SORN. This rescindment will also promote the overall streamlining and management of DOI Privacy Act systems of records.

**SYSTEM NAME AND NUMBER:**

INTERIOR/FWS–25, Contract and Procurement Records.

**HISTORY:**

48 FR 54721 (December 6, 1983); modification published at 73 FR 31877 (June 4, 2008).

**Teri Barnett,**

*Departmental Privacy Officer, Department of the Interior.*

[FR Doc. 2022–26311 Filed 12–1–22; 8:45 am]

**BILLING CODE 4333–15–P**

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**DEPARTMENT OF THE INTERIOR**

**U.S. Geological Survey**

[GX22EN05ESBJF00]

**Advisory Council for Climate Adaptation Science Establishment; Request for Nominations**

**AGENCY:** U.S. Geological Survey, Interior.

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of the Interior (DOI) is establishing and seeking nominations for the Advisory Council for Climate Adaptation Science (Council). The Council will advise the Secretary of the Interior on the establishment and operations of the U.S. Geological Survey (USGS) National Climate Adaptation Science Center (NCASC) and its nine regional Climate Adaptation Science Centers (CASCs).

**DATES:** Comments regarding the establishment of this Council must be submitted no later than December 19,

2022. Nominations for the Council must be submitted by January 16, 2023.

**ADDRESSES:** You may submit comments and/or nominations by any of the following methods:

- Mail nominations to Janet Cushing, U.S. Geological Survey, National Climate Adaptation Science Center, 12201 Sunrise Valley Drive Mailstop 516, Reston, VA 20192; or
- Email nominations to: [jcushing@usgs.gov](mailto:jcushing@usgs.gov).

**FOR FURTHER INFORMATION CONTACT:**

Janet Cushing, Council Designated Federal Officer, by U.S. mail at the U.S. Geological Survey, 12201 Sunrise Valley Drive Mailstop 516, Reston, VA 20192; by telephone at 703–648–4015; or by email at [jcushing@usgs.gov](mailto:jcushing@usgs.gov).

**SUPPLEMENTARY INFORMATION:** The Council is established under the authority of the Secretary and regulated by the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. Appendix 2). The Council's duties are strictly advisory and consist of, but are not limited to, providing recommendations on: (a) advising on the contents of a national strategy identifying key climate adaptation science priorities to advance the management of natural and cultural resources in the face of climate change; (b) advising on the nature, extent, and quality of relations with and engagement of key partners at the regional/CASC level; (c) advising on the nature and effectiveness of mechanisms to effectively deliver science information and tools, and build capacity, to aid the natural and cultural resource management community and decision-makers in adapting to a changing climate; (d) advising on mechanisms that may be employed by the NCASC to ensure high standards of scientific quality and integrity in its products, and to review and evaluate the performance of individuals CASCs, in advance of opportunities to re-establish expiring agreements; and (e) advising on the integration of equity, particularly for historically underserved communities, in the operation of the NCASC and regional CASCs.

The Council will meet approximately one to two times per year. The Secretary of the Interior will appoint members and their alternates to the Council to a 2- to 3-year term. The members of the Council shall comprise approximately 18 members who represent the diversity of this nation's constituencies, and include the following interests:

- State and local governments, including state membership entities
- Non-governmental organizations whose primary mission is

conservation and related scientific and advocacy activities

- American Indian/Alaska Native/Indigenous organizations
- Academia
- Other sectors, environmental justice organizations, private industry

Nominations should include a resume providing an adequate description of the nominee's qualifications, including information that would enable DOI to make an informed decision regarding meeting the membership requirements of the Council and to permit DOI to contact a potential member.

Members of the Council serve without compensation. However, while away from their homes or regular places of business, Council and subcommittee members engaged in Council or subcommittee business that the DFO approves may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703, in the same manner as persons employed intermittently in Federal Government service.

**Public Disclosure of Comments:** Before including your address, phone number, email address, or other personally identifiable information (PII) in your comment, you should be aware that your entire comment—including your PII—may be made publicly available at any time. While you can ask us in your comment to withhold your PII from public review, we cannot guarantee that we will be able to do so.

**Certification Statement:** I hereby certify that the Advisory Council for Climate Adaptation Science is necessary, in the public interest, and is in connection to the responsibilities of the Department of the Interior under Section 2 of the Reorganization Plan No. 3 of 1950 (64 Stat. 1262) as amended, and the Consolidated Appropriations Act of 2008, Public Law 110–161 Division F, Title I. The Council is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Appendix 2.

**Authority:** 5 U.S.C. Appendix 2.

**Deb Haaland,**

*Secretary, Department of the Interior.*

[FR Doc. 2022–26205 Filed 12–1–22; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

[2231A2100DD/AAKC001030/  
A0A501010.999900]

**HEARTH Act Approval of Pawnee Nation of Oklahoma Leasing Ordinance**

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

**ACTION:** Notice.

**SUMMARY:** The Bureau of Indian Affairs (BIA) approved the Pawnee Nation of Oklahoma Leasing Ordinance under the Helping Expedite and Advance Responsible Tribal Homeownership Act of 2012 (HEARTH Act). With this approval, the Tribe is authorized to enter into agricultural, business, residential, wind and solar, public, religious, educational, recreational, cultural, and other purposes leases without further BIA approval.

**DATES:** BIA issued the approval on November 22, 2022.

**FOR FURTHER INFORMATION CONTACT:** Ms. Carla Clark, Bureau of Indian Affairs, Division of Real Estate Services, 1001 Indian School Road NW, Albuquerque, NM 87104, [carla.clark@bia.gov](mailto:carla.clark@bia.gov), (702) 484–3233.

**SUPPLEMENTARY INFORMATION:**

**I. Summary of the HEARTH Act**

The HEARTH Act makes a voluntary, alternative land leasing process available to Tribes, by amending the Indian Long-Term Leasing Act of 1955, 25 U.S.C. 415. The HEARTH Act authorizes Tribes to negotiate and enter into business leases of Tribal trust lands with a primary term of 25 years, and up to two renewal terms of 25 years each, without the approval of the Secretary of the Interior (Secretary). The HEARTH Act also authorizes Tribes to enter into leases for residential, recreational, religious or educational purposes for a primary term of up to 75 years without the approval of the Secretary. Participating Tribes develop Tribal Leasing regulations, including an environmental review process, and then must obtain the Secretary's approval of those regulations prior to entering into leases. The HEARTH Act requires the Secretary to approve Tribal regulations if the Tribal regulations are consistent with the Department of the Interior's (Department) leasing regulations at 25 CFR part 162 and provide for an environmental review process that meets requirements set forth in the HEARTH Act. This notice announces that the Secretary, through the Assistant

Secretary—Indian Affairs, has approved the Tribal regulations for the Pawnee Nation of Oklahoma.

**II. Federal Preemption of State and Local Taxes**

The Department's regulations governing the surface leasing of trust and restricted Indian lands specify that, subject to applicable Federal law, permanent improvements on leased land, leasehold or possessory interests, and activities under the lease are not subject to State and local taxation and may be subject to taxation by the Indian Tribe with jurisdiction. See 25 CFR 162.017. As explained further in the preamble to the final regulations, the Federal Government has a strong interest in promoting economic development, self-determination, and Tribal sovereignty. 77 FR 72440, 72447–48 (December 5, 2012). The principles supporting the Federal preemption of State law in the field of Indian leasing and the taxation of lease-related interests and activities applies with equal force to leases entered into under Tribal leasing regulations approved by the Federal Government pursuant to the HEARTH Act. Section 5 of the Indian Reorganization Act, 25 U.S.C. 5108, preempts State and local taxation of permanent improvements on trust land. *Confederated Tribes of the Chehalis Reservation v. Thurston County*, 724 F.3d 1153, 1157 (9th Cir. 2013) (citing *Mescalero Apache Tribe v. Jones*, 411 U.S. 145 (1973)). Similarly, section 5108 preempts State taxation of rent payments by a lessee for leased trust lands, because “tax on the payment of rent is indistinguishable from an impermissible tax on the land.” See *Seminole Tribe of Florida v. Stranburg*, 799 F.3d 1324, 1331, n.8 (11th Cir. 2015). In addition, as explained in the preamble to the revised leasing regulations at 25 CFR part 162, Federal courts have applied a balancing test to determine whether State and local taxation of non-Indians on the reservation is preempted. *White Mountain Apache Tribe v. Bracker*, 448 U.S. 136, 143 (1980). The *Bracker* balancing test, which is conducted against a backdrop of “traditional notions of Indian self-government,” requires a particularized examination of the relevant State, Federal, and Tribal interests. We hereby adopt the *Bracker* analysis from the preamble to the surface leasing regulations, 77 FR at 72447–48, as supplemented by the analysis below.

The strong Federal and Tribal interests against State and local taxation of improvements, leaseholds, and activities on land leased under the