

a Group Commander and Commanding Officer, Marine Safety Office, as provided for in Coast Guard regulations. The Sector San Juan Commander is designated: (a) Captain of the Port (COTP) for the San Juan COTP zone; (b) Federal Maritime Security Coordinator (FMSC); (c) Federal On Scene Coordinator (FOSC) for the San Juan COTP zone, consistent with the National Contingency Plan; (d) Officer In Charge of Marine Inspection (OCMI) for the San Juan Marine Inspection Zone and, (e) Search and Rescue Mission Coordinator (SMC). The Deputy Sector Commander is designated alternate COTP, FMSC, FOSC, OCMI and SMC. A continuity of operations order has been issued to address existing COTP regulations, orders, directives and policies.

The following information is a list of updated command titles, addresses and points of contact to facilitate requests from the public and assist with entry into security or safety zones:

*Name:* Sector San Juan.

*Address:* Commander, U.S. Coast Guard Sector San Juan, 5 Calle La Puntilla, San Juan, PR 00901-1800.

*Contact:* Operations Center, (787) 289-2040, Sector Commander: (787) 289-2399, Deputy Sector Commander: (305) 289-2300.

Dated: September 27, 2004.

**D. B. Peterman,**

*Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.*

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**BILLING CODE 4910-15-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Proposed Agency Information Collection Activities; Comment Request

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

**ACTION:** Notice of request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, this notice announces that an information collection request for Bureau of Indian Affairs (BIA) Form 4432, Verification of Indian Preference for Employment in the BIA and the Indian Health Service (IHS), OMB Control No. 1076-0160, needs renewal. The BIA is now seeking comments from interested parties to renew the clearance.

**DATES:** Written comments must be submitted by December 6, 2004.

**ADDRESSES:** Written comments are to be mailed or hand delivered to Daisy West,

Acting Chief, Division of Tribal Government Services, Office of Tribal Services, Bureau of Indian Affairs, 1951 Constitution Avenue, NW., MS-320-SIB, Washington, DC 20240; Telephone: (202) 513-7641.

**FOR FURTHER INFORMATION CONTACT:** Carolyn Newman, (202) 513-7641.

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The purpose of the Indian Preference Form is to encourage qualified Indians to seek preference in employment with the BIA and the IHS. BIA collects information under the proposed regulations to ensure compliance with Indian preference hiring requirements.

##### II. Method of Collection

The information collection relates only to individuals applying for employment with the BIA and the IHS. The tribe's involvement is limited to verifying membership information submitted by the applicant.

##### III. Data

*Title of the collection of information:* Verification of Indian Preference for Employment in the BIA and IHS Form.

*Type of review:* Renewal of Indian Preference for Employment in the BIA and IHS Form.

*Summary of the collection of information:* The collection of information provides that certain persons who are of Indian descent receive preference when appointments are made to vacancies in positions with the BIA and IHS as well as in any unit that has been transferred intact from the BIA to a Bureau or office within the Department of the Interior or the Department of Health and Human Services and that continues to perform the functions formerly performed as part of the BIA or IHS. You are eligible for preference if (a) you are a member of a federally recognized Indian tribe; (b) you are a descendant of a member and you were residing within the present boundaries of any Indian reservation on June 1, 1934; (c) you are an Alaska Native; or (d) you possess one-half degree Indian blood derived from tribes that are indigenous to the United States.

*Description of the need for the information and proposed use of the information:* The information is submitted in order to retain a benefit, namely, preference in employment with the BIA and IHS.

*Affected entities:* Qualified Indian applicants and the tribe's involvement in verifying membership information submitted by the applicant.

*Estimated number of respondents:* Approximately a total of 5,000

applications for preference in employment are received annually by the BIA field offices.

*Proposed frequency of responses:* On occasion as needed.

*Burden:* The average burden of submitting an Indian Preference Form is 30 minutes including time for reviewing instructions, searching data sources and assembling the information needed. We estimate that the annual public burden is 2,500 hours.

*Estimated cost:* There are no costs to consider, except postage and the cost of duplicating the original verification form, because verification of the information is already available for other reasons. The form will be used by an applicant to seek documentation of Indian descent or membership from either a tribal official or the BIA.

##### IV. Request for Comments

The Department of the Interior invites comments on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the BIA, including whether the information will have practical utility;

(b) The accuracy of the BIA's estimate of the burden (including the hours and cost) of the proposed collection of information, including the validity of the methodology and assumption used;

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

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

*Burden* means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection. They also will become a matter of public record.

All written comments will be available for public inspection in Room

320 of the South Interior Building, 1951 Constitution Avenue, NW., Washington, DC from 9 a.m. until 3 p.m., Monday through Friday, excluding legal holidays. If you wish to have your name and address withheld from public view, you must state this prominently at the beginning of your comments. We will honor your request to the extent allowable by law. There may be instances when we will withhold comments from the public for other reasons. Comments submitted by businesses or business representatives will be made available for public review.

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 Office of Management and Budget control number.

Dated: September 28, 2004.

**David W. Anderson,**

*Assistant Secretary—Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Tribal Court Budget Data Collection Instrument

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

**ACTION:** Notice of Proposed Information Collection.

**SUMMARY:** The Bureau of Indian Affairs is seeking comments on a collection of information about tribal courts and Courts of Indian Offenses, the caseloads and kinds of cases, the number of personnel necessary to meet legal requirements, and the costs of operating tribal courts for budget and other purposes. Data of this nature was collected under the auspices of tribal representatives of the Judicial Subgroup—BIA/Tribal Budget Advisory Council. They now desire to associate with the Bureau of Indian Affairs (Bureau) for the collection of this data. Accordingly, OMB approval and a control number are being requested.

**DATES:** Submit comments on or before December 6, 2004.

**ADDRESSES:** Send comments to Ralph Gonzales, Office of Tribal Services, Bureau of Indian Affairs, 1951 Constitution Avenue, NW., MS-320-SIB, Washington, DC 20240; Telephone (202) 513-7629; Fax (202) 208-5113.

**FOR FURTHER INFORMATION CONTACT:** You may request further information or

obtain copies of the proposed information collection request from Ralph Gonzales, Office of Tribal Services, Bureau of Indian Affairs, 1951 Constitution Avenue, NW., MS-320-SIB, Washington, DC 20240; Telephone (202) 513-7629; Fax (202) 208-5113.

**SUPPLEMENTARY INFORMATION:** The data collection instrument will gather information about a tribal court's operation relative to its costs, number of court personnel employed, adequacy of facilities, tribal codes enforced, geographical area of operation, and traditional mediation procedures used. The data is gathered under the authority of the Indian Tribal Justice Act, Public Law 103-176 (25 U.S.C. 3601) (the Act) which provides at Section 101(f):

“INFORMATION CLEARINGHOUSE OF TRIBAL JUSTICE SYSTEMS. The Office shall maintain an information clearinghouse (which shall include an electronic data base) on tribal justice systems and Courts of Indian Offenses, including (but not limited to) information on staffing, funding, model tribal codes, tribal justice activities, and tribal judicial decisions.”

The data gathered will primarily be used for budgetary purposes. The Act further provides at Section 1(2) “the United States has a trust responsibility to each tribal government that includes the protection of the sovereignty of each tribal government.” Section 1(4) provides “Indian tribes possess the inherent authority to establish their own form of government, including tribal justice systems.” The Bureau must perform its fiduciary responsibility and assist tribal governments in supporting tribal judicial systems by bringing tribal courts to par with non-Indian court systems. The data collected under this initiative will be a start toward achieving this objective.

Tribal governments will be given the opportunity to document their tribal court's unmet need. The data will be collected electronically to reduce the burden upon the tribal government in providing tribal court data. Data will be gathered as a part of the Bureau's budget cycle and will be collected only once annually.

The Assistant Secretary—Indian Affairs established a BIA/Tribal Budget Advisory Council to provide advice on the development of a budget for the Bureau. The Council determined that the tribal courts were a priority because of the continued lack of adequate funding. A Judicial Subgroup was formed to determine what information was needed from the courts to meet all their funding needs. This group derives its authority to request the information from Section 101(f) of the Indian Tribal Justice Act, Public Law 103-176 (25

U.S.C. 3601). The lack of adequate funding has created a critical backlog in caseload for tribal courts, causing some cases to be dismissed because the courts cannot hear the cases in a timely manner. The consequences of this backlog is that justice is not provided in a timely manner, many legitimate cases are dismissed, and all sectors of Indian Country, including law abiding citizens as well as the law-breakers, get the impression that crime can be committed on an Indian reservation with impunity.

The Subgroup has identified the need for the following information: Tribe(s) operating a tribal court system; population covered/served; geographical area covered by the court; number and kinds of court personnel presently and that which is needed to provide adequate judicial services; facilities available/needed; kinds and number of caseloads; jury and judicial hearings required; evaluation of services provided, including personnel; span of civil and criminal control. The information will be provided annually to allow time for inclusion in the Bureau's budget cycle.

#### Request for Comments

The Bureau of Indian Affairs requests your comments on this collection concerning:

(a) The necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) The accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used;

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

(d) Ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated collection techniques or other forms of information technology.

Please note that an agency may not sponsor or request, and an individual need not respond to, a collection of information unless it has a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the location listed in the **ADDRESSES** section, room 320, during the hours of 8 a.m. to 5 p.m. (EST), Monday through Friday, except for legal holidays. If you wish to have your name and/or address withheld, you must state this prominently at the beginning of your comments. We will honor your request according to the requirements of the