

historical tribe, this will not be a problem. However, if no such evidence is available, there may be problems enrolling LaFramboise descendants for services. The CIT may wish to resolve the LaFramboise membership question by providing documentation acceptable to the Secretary of the Interior which proves Chinook descent, by exercising the adoption policy, or by resolving the conflict between the enrollment ordinance and the group's actual practices.

At present, there is evidence that approximately 85 percent of the 1995 membership descends from either the Wahkiakum, Willapa, Kathlamet, or Lower Band of Chinook or the Clatsop tribe of Indians who were treated by the federal government in 1851. The other 15 percent of the membership descends from Rose LaFramboise, who by birth, adoption, or the customs of the day, appears to have been considered as part of the Chinook. Approximately 82 percent of the CIT membership descends from the Lower Band of Chinook. Some descendants of the other bands married into the Lower Band, creating multiple lines of Chinook and Clatsop descent for most of the CIT membership. Therefore, the group, as a whole, meets criterion 83.7(e).

#### Criterion (f)

The petitioner's constitution does not address the issue of dual enrollment in federally acknowledged tribes. However, the petitioner provided a list of 50 names of persons who were dually enrolled in 1981 and a list of 68 persons who were dually enrolled in 1987. The BIA compared the 1995 CIT membership list to a 1992 Olympic Peninsula Agency record which listed the names of persons enrolled with various Washington and Oregon tribes and found 82 CIT members were enrolled with Quinault Nation of the Quinault Reservation, Washington. Although 5 percent of the petitioner's members are also enrolled in the Quinault tribe, the petitioner is principally composed of persons who are not members of any federally acknowledged North American Indian tribe.

Therefore, the petitioner meets criterion 83.7(f).

#### Criterion (g)

Congress passed an act in 1954 to terminate the federal trust relationship to the "tribes, bands, groups, or communities of Indians located west of the Cascade Mountains in Oregon," and specifically stated that the act applied to the "Chinook," "Clatsop," and "Kathlamet." Termination legislation to

apply to the Indians of western Washington State, although considered, was not enacted by Congress. The western Oregon termination act clearly stated that it applied not only to tribes or bands of Indians, but also to their "individual members" (68 Stat. 724). Because the act listed the historical tribes of western Oregon, not just the tribes which were currently recognized by the federal government, the act not only terminated any existing federal relationships, but also prohibited the establishment of a federal relationship with any of those historical tribes.

The Lower Band of Chinook was always identified as a historical tribe or band north of the Columbia River in modern Washington State. As described by the unratified treaty of 1851, its territory lay exclusively in the state of Washington. Because the 1954 western Oregon termination act was applicable only to tribes, bands, or groups of Indians located in the state of Oregon, that act's reference to the "Chinook" did not refer to the historical Lower Band of Chinook of Washington State, or to its descendants. Therefore, the act did not prohibit a federal relationship with the Lower Band of Chinook.

The Clatsop Tribe, however, was always identified as a historical tribe or band south of the Columbia River in the modern state of Oregon. The unratified treaty of 1851 placed its territory exclusively in the state of Oregon. Therefore, a federal relationship with the Clatsop Tribe was prohibited by the western Oregon termination act of 1954. In addition, that act clearly stated that its intent was to prohibit federal services to the individual members of such a tribe. Therefore, those members of the petitioning group whose Indian descent is exclusively from the historical Clatsop Tribe cannot receive federal services because of their status as Indians. This prohibition does not apply to the members of the petitioning group who have mixed Chinook and Clatsop ancestry. It affects only about 3 percent of the petitioner's current members.

The historical Kathlamet Band of Chinook Indians had villages on the Oregon shore of the Columbia River. The 1851 unratified treaty considered Kathlamet territory to be completely within the modern state of Oregon. Some scholars believe, however, that about 1810 the Kathlamet moved north of the Columbia to live near, or among, the Waukiakum Band of Chinook Indians. As a result, members of the petitioner who have Kathlamet ancestry also have Waukiakum or Lower Band ancestry, although there is some limited evidence that 2 percent of the

petitioner's members, some of the descendants of Elizabeth Klowsun Springer, may have only Kathlamet Band ancestry. The members of the petitioning group with Kathlamet ancestry, however, descend from Indians who have long been associated with individuals of Waukiakum and Chinook ancestry north of the Columbia River in Washington State. Therefore, the western Oregon termination act of 1954 does not apply to the petitioner's members with Kathlamet ancestry.

Because the petitioner claims to be the successor to the Lower Band of Chinook of Washington State, and because a large majority of its members trace their Indian ancestry to that historical tribe or band, the petitioner, as an entity, is not the subject of congressional legislation which has expressly terminated or forbidden the federal relationship. Thus, with the reservation that a few of the petitioner's current members who trace their ancestry only to the historical Clatsop Tribe would be forbidden federal services as Indians, the petitioner meets criterion 83.7(g).

This determination is final and will become effective 90 days from the date of publication, unless a request for reconsideration is filed pursuant to Section 83.11. The petitioner or any interested party may file a request for reconsideration of this determination with the Interior Board of Indian Appeals (Sec. 83.11(a)(1)). The petitioner's or interested party's request must be received no later than 90 days after publication of the Assistant Secretary's determination in the **Federal Register** (Sec. 83.11(a)(2)).

Dated: January 3, 2001.

**Kevin Gover,**

*Assistant Secretary-Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AA210-01-1610-01-2410]

#### Public Land and Resources; Planning, Programming and Budgeting

**AGENCY:** Bureau of Land Management; Interior.

**ACTION:** Notification of availability of approved land use planning manual and handbook.

**SUMMARY:** The Federal Land Policy and Management Act (FLPMA) and the regulations at 43 CFR part 1600 require the Bureau of Land Management (BLM)

to prepare Resource Management Plans (RMPs) to provide management direction for the public lands. The objective of land use planning is to ensure that BLM lands are managed under the principles of multiple use and sustained yield (FLPMA, sec. 102 (a) (7)); in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use (FLPMA, sec. 102(a)(8)); and in a manner that recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands (FLPMA, sec. 102 (a) (12)).

The Planning Manual and Handbook provide direction in implementing the requirements of FLPMA and the BLM planning regulations.

**SUPPLEMENTARY INFORMATION:** In addition to serving as BLM's primary tool for determining resource protection and allocations in the management of the public lands, RMPs provide the public a voice in BLM's land and resource management programs. They establish goals and objectives for resource management, measures needed to achieve them, and parameters for use.

The Land Use Planning Manual and Handbook replace earlier guidance which has been in place since the 1980s. The new guidance is necessary to address new circumstances affecting the management of public lands.

The new planning guidance differs from the earlier guidance in that it:

1. Encourages planning on a variety of scales, including both traditional RMPs at the local level and larger regional-level plans, and combinations of these across different land ownerships and jurisdictions;
2. Encourages greater public participation throughout the planning process and facilitates collaborative and multi-jurisdictional planning;
3. Clarifies the relationship between land use plans and implementation plans;
4. Provides the minimum procedural requirements for completing land use plans and implementation plans;
5. Clarifies the relationships between land use plan and NEPA requirements;
6. Addresses new requirements and approaches for managing public lands or resources; and
7. Addresses the consideration of new information and circumstances, such as

new listings of threatened and endangered species, and new requirements and standards for the protection of air and water quality.

As part of the effort to update Manual and Handbook guidance for preparing land use plans, during June and July, 2000, the Bureau of Land Management (BLM) circulated a draft Land Use Planning Manual and Handbook for BLM and public review and comment. About 115 comments were received from agencies, State and local governments, organizations, companies, and the general public. Approximately 35 comments were received from BLM employees and offices.

The goal of the review was to ensure the guidance (1) accurately reflects statutory and regulatory requirements, (2) facilitates the development of land use plans which meet resource use and protection needs, and ensures the involvement of other Federal agencies, tribes, State and local government, and the public, (3) provides an appropriate level of detail (i.e., sufficiently detailed to ensure conformance with specific planning requirements, yet provides a level of flexibility necessary to address various issues associated with individual planning efforts), and (4) is readily understandable and useable by BLM and the public.

We have carefully considered the comments received and have revised the guidance in light of the goals listed above. A summary of the comments and how they were addressed will be available shortly on BLM's Internet homepage ([www.blm.gov](http://www.blm.gov)) or by request. Because the approved Manual and Handbook are internal guidance, they are not subject to protest or appeal.

**ADDRESSES:** Copies of the approved land use planning manual and handbook may be obtained from the Internet at [www.blm.gov](http://www.blm.gov); from the BLM Washington Office at the following address: BLM, Planning, Assessment and Community Support Group (WO-210), 1849 C Street, NW (LS-1050), Washington, DC 20240-0001; or from any BLM State Office or Field Office.

**FOR FURTHER INFORMATION CONTACT:** Ted Milesnick at (202) 452-7727, Ann Aldrich at (202) 452-7722, or Paul Politzer at (202) 452-0349.

Dated: December 22, 2000.

**Henri R. Besson,**

*Assistant Director, Renewable Resources and Planning.*

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## DEPARTMENT OF JUSTICE

### Office of Justice Programs

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

**ACTION:** Notice of information collection under review (new collection).

#### State Police Traffic Stop Data Collection Procedures, 2000

The Department of Justice, Bureau of Justice Statistics, has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. Office of Management and Budget approval is being sought for the information collection listed below. This proposed information collection was previously published in the **Federal Register** on August 15, 2000, Vol. 65, page 49837, allowing for a 60-day public comment period.

The purpose of this notice is to allow an additional 30 days for public comment until February 8, 2001. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Department of Justice Desk Officer, Washington, DC 20530. Additionally, comments may be submitted to OMB via facsimile to (202) 395-7285. Comments may also be submitted to the Department of Justice (DOJ), Justice Management Division, Information Management and Security Staff, Attention: Department Deputy Clearance Officer, National Place, 1331 Pennsylvania Avenue, NW, Washington, DC 20530.

Written comments and/or suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the agency'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