

| If . . .                                                                                                                                                                           | Then . . .                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) The tribe or tribal organization has an approved indirect cost rate or an indirect cost proposal currently under consideration by the National Business Center (NBC).          | (1) The Regional Director or Office of Self-Governance Director must use the tribe's or tribal organization's current indirect cost.                  |
| (2) The tribe or tribal organization proposes to use the prior-year approved rate or the rate that is in the current proposal under consideration by the NBC*.                     | (2) The most current of the two rates must be used in determining the amount to award.                                                                |
| (3) The tribe or tribal organization can document that it is unable to negotiate an indirect cost rate because of circumstances beyond its control and requests a lump sum amount. | (3) The Awarding Officials may negotiate a reasonable lump sum amount (not to exceed 10 percent) with the tribe or tribal organization for FY 2003.** |

\*This rate is temporary and subject to finalization through negotiation with NBC and may result in actual over- or under-recovery of indirect cost.

\*\*Beginning with 2004 enacted appropriations, a reasonable lump sum amount must not exceed 15 percent of total current-year program funds, less capital expenditure and pass-through.

## 2.9 What Are Considered "Startup Costs"?

Startup costs are direct costs for items that are identified in the program operational budget for the new or expanded contract/annual funding agreements. These costs must be allowable costs, allocable to the new or expanded program, reasonable, and a one-time cost only within the context of the operational budget.

### 2.10 What Information for a "Startup Cost" Request Must I Include in the ISDF Request Package?

The request must contain:

(1) A copy of the program operational budget for the new or expanded contract/annual funding agreement activity, with the startup cost items identified;

(2) A copy of the program operational budget narrative; and

(3) Documentation of the provision of technical assistance and negotiation in regard to the startup cost items.

### 2.11 Will BIA Consider Funding Requests That Do Not Meet the Requirements of 2.10?

No. BIA will not consider funding ISDF requests that do not contain the items in section 2.10 of this notice.

### 2.12 Are There Any Contracts or Agreements That Cannot Receive ISDF?

Yes. Self-determination contracts or self-governance agreements that receive appropriated funds from Department of the Interior bureaus, offices, or other sources other than BIA are not eligible to receive ISDF.

### 2.13 Are There Any Guidelines That Can Be Used To Help Provide Technical Assistance?

Yes. Use the "Guidance for Contract Support Costs" handbook to assist in negotiating and providing technical assistance for startup costs.

### 2.14 What Happens to an Incomplete ISDF Request?

OTS will return the request to the office of origin for proper completion and re-submission.

Dated: June 13, 2003.

**Aurene M. Martin,**

*Acting Assistant Secretary—Indian Affairs.*

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BILLING CODE 4310-4J-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WO-320-1330-PB-24 1A]

### OMB Control Number 1004-0121; Information Collection Submitted to the Office of Management and Budget Under the Paperwork Reduction Act

The Bureau of Land Management (BLM) has sent a request to extend the current approved collection to the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). On July 30, 2002, the BLM published a notice in the **Federal Register** (67 FR 49371) requesting comment on this information collection. The comment period ended on

September 30, 2002. BLM received no comments. You may obtain copies of the collection of information and related forms and explanatory material by contacting the BLM Information Collection Clearance Officer at the telephone number listed below.

The OMB must respond to this request within 60 days but may respond after 30 days. For maximum consideration your comments and suggestions on the requirement should be directed to the Office of Management and Budget, Interior Department Desk Officer (1004-0121), at OMB-OIRA via facsimile to (202) 395-5806 or e-mail to [Ruth.Solomon@omb.eop.gov](mailto:Ruth.Solomon@omb.eop.gov). Please provide a copy of your comments to the Bureau Information Collection Clearance Officer (WO-630), Bureau of Land Management, Eastern States Office, 7450 Boston Blvd., Springfield, Virginia 22153.

**Nature of comments:** We specifically request your comments on the following:

1. Whether the collection of information is necessary for the proper functioning of the agency, including whether the information will have practical utility;
2. The accuracy of our estimates of the information collection burden, including the validity of the methodology and assumptions we use;
3. Ways to enhance the quality, utility and clarity of the information collected; and
4. Ways to minimize the information collection burden on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other forms of information technology.

**Title:** Leasing of solid Minerals Other Than Coal and Oil Shale (43 CFR 3500-3590).

**OMB Control Number:** 1004-0121.

**Bureau Form Numbers:** 3504-1, 3504-3, 3504-4, 3510-1, 3510-2, 3520-7.

**Abstract:** We use the information to determine whether an applicant, permittee, or lessee is qualified to hold an interest under the terms of the implementing regulations at 43 CFR 3500.

**Frequency:** On occasion.

**Description of Respondents:** Entities seeking to lease and develop solid minerals other than coal or oil shale.

**Estimated Completion Time:**

| Type of application                           | Number of responses | Hrs. per response | Total hours |
|-----------------------------------------------|---------------------|-------------------|-------------|
| Prospecting Permit .....                      | 22                  | 1                 | 22          |
| Exploration Plan for Prospecting Permit ..... | 19                  | 80                | 1,520       |

| Type of application                              | Number of responses | Hrs. per response | Total hours |
|--------------------------------------------------|---------------------|-------------------|-------------|
| Prospecting Permit Extension .....               | 5                   | 1                 | 5           |
| Preference Right Lease .....                     | 2                   | 100               | 200         |
| Competitive Lease Bid .....                      | 5                   | 40                | 200         |
| Fringe Acreage Lease or Lease Modification ..... | 5                   | 40                | 200         |
| Assignment or Sublease .....                     | 38                  | 2                 | 76          |
| Lease Renewals or Adjustments .....              | 14                  | 1                 | 14          |
| Use Permit .....                                 | 1                   | 1                 | 1           |
| Exploration License .....                        | 1                   | 3                 | 3           |
| Exploration Plan for Exploration License .....   | 1                   | 80                | 80          |
| Development Contract .....                       | 1                   | 1                 | 1           |
| Bond .....                                       | 145                 | 4                 | 580         |
| Mine Plan5 .....                                 | 150                 | 750               |             |
| Total .....                                      | 264                 | .....             | 3,652       |

*Annual Responses:* 264.

*Application Fee Per Response:* \$25.

*Annual Burden Hours:* 3,652.

*Bureau Clearance Officer:* Michael Schwartz, (202) 452-5033.

Dated: April 14, 03.

**Michael H. Schwartz,**

*Bureau of Land Management, Information Collection Clearance Officer.*

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**BILLING CODE 4310-84-M**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Agency Information Collection Activities: Submitted for Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of an extension of a currently approved information collection (OMB Control Number 1010-0129).

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), we are notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of this paperwork requirement. This notice also provides the public a second opportunity to comment on the paperwork burden of these regulatory requirements. The ICR is titled "Royalty-in-Kind Pilot Program—Offers, Financial Statements, and Surety Instruments for Sales of Royalty Oil and Gas."

**DATES:** Submit written comments on or before July 24, 2003.

**ADDRESSES:** Submit written comments either by fax (202) 395-5806 or email ([Ruth\\_Solomon@omb.eop.gov](mailto:Ruth_Solomon@omb.eop.gov)) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the

Interior (OMB Control Number 1010-0129). Mail or hand-carry a copy of your comments to Sharron L. Gebhardt, Regulatory Specialist, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 320B2, Denver, Colorado 80225. If you use an overnight courier service, our courier address is Building 85, Room A-614, Denver Federal Center, Denver, Colorado 80225. You may also email your comments to us at [mrm.comments@mms.gov](mailto:mrm.comments@mms.gov). Include the title of the information collection and the OMB Control Number in the "Attention" line of your comment. Also include your name and return address. Submit electronic comments as an ASCII file avoiding the use of special characters and any form of encryption. If you do not receive a confirmation that we have received your email, contact Ms. Gebhardt at (303) 231-3211.

**FOR FURTHER INFORMATION CONTACT:** Sharron L. Gebhardt, telephone (303) 231-3211, FAX (303) 231-3781, email [Sharron.Gebhardt@mms.gov](mailto:Sharron.Gebhardt@mms.gov). You may also contact Sharron Gebhardt to obtain a copy at no cost of the regulations that require the subject collection of information.

**SUPPLEMENTARY INFORMATION: Title:** "Royalty-in-Kind Pilot Program—Offers, Financial Statements, and Surety Instruments for Sales of Royalty Oil and Gas."

*OMB Control Number:* 1010-0129.

*Bureau Form Number:* None.

*Abstract:* The Department of the Interior (DOI) is responsible for matters relevant to mineral resource development on Federal and Indian lands and the Outer Continental Shelf (OCS). The Secretary of the Interior (Secretary) under the Mineral Leasing Act (MLA) (30 U.S.C. 1923) and the OCS Lands Act (43 U.S.C. 1353) is responsible for managing the production of minerals from Federal and Indian lands and the OCS, collecting royalties

from lessees who produce minerals, and distributing the funds collected in accordance with applicable laws. MMS performs the royalty management functions for the Secretary.

Taking and selling of the Government's royalty share in the form of production or "in kind" (RIK) is authorized by the MLA, 30 U.S.C. 192, for onshore leases and the OCS Lands Act, 43 U.S.C. 1353, for offshore leases. Recommendations in an MMS 1997 Feasibility Study concluded that, under the right conditions, RIK could be workable, revenue positive, and administratively more efficient for Government and industry. Pursuant to the 1997 study's recommendations, MMS is conducting the following pilots:

- For oil from Federal leases in Wyoming which began October 1, 1998;
- For gas from Federal leases offshore the State of Texas (Texas 8(g)) which began December 1, 1998;
- For gas from Federal offshore leases in the Gulf of Mexico (GOM) Region which began in October 1999. This involves the largest production volumes; and
- For oil from Federal offshore leases in the GOM Region which began in October 2000.

In addition to the above pilots, on November 6, 2001, President Bush announced an initiative to refill the Strategic Petroleum Reserve (SPR). MMS, in coordination with the Department of Energy (DOE), entered into a joint, 3-year initiative to fill the remaining capacity of the SPR. Operators of Federal leases in the GOM will deliver royalty oil to MMS's exchange partner at or near the lease. MMS's exchange partner will then deliver similar quantities of crude oil to MMS or its designated agent at Gulf Coast market centers. MMS's designated agent will be either DOE or its exchange contractor. DOE will then contract for exchange or direct movement of exchange oil to the SPR.