

time period. The Department consequently makes no specific finding for the period 1973 to the present because there was not sufficient information to determine that there is only one tribe with political factions (see for example, *Paucatuck Eastern Pequot Indians of Connecticut et al. v. Connecticut Indian Affairs Council et al.*, 555 A.2d 1003 (App. Ct. 1989), decided March 28, 1989, which describes each current petitioner as a "faction of the tribe"). This question reflects in part the apparent recentness of the political alignments reflected in the petitioners after their formal organization in the early 1970's.

The historical Eastern Pequot tribe, which includes the petitioner as one of its component subgroups, meets criterion 83.7(c) through 1973. A specific finding concerning political influence from 1973 until the present will be presented in the final determination after receipt of comments from the petitioner and interested parties.

Criterion 83.7(d) requires that the petitioner provide copies of the group's current constitution and bylaws. The Eastern Pequot meets criterion 83.7(d).

Criterion 83.7(e) states that the petitioner's membership must consist of individuals who descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity. Extensive genealogical material submitted by the petitioner, by petitioner #113, and by the third parties indicates that the petitioner's current members are descendants of Tamar (Brushell) Sebastian and of Laura (Fagins) Watson. As those individuals were, during their lives, members of the Eastern Pequot tribe as ascertained by evidence acceptable to the Secretary, the descendants of these individuals, as well as the descendants of any descendants of Abby (Fagins) Randall now included on the petitioner's membership list, descend from the historical tribe.

The lines of descent for individual families have been verified through Federal census records from 1850 through 1920; public vital records of births, marriages, and deaths; and to a lesser extent through church records of baptisms, marriages, and burials, as well as through use of state records concerning the Lantern Hill reservation. These are the same types of records which have been used to verify descent for prior Federal acknowledgment decisions. Therefore, the petitioner meets criterion 83.7(e).

Criterion 83.7(f) states that the petitioner's membership must be

composed principally of persons who are not members of any acknowledged North American Indian tribe. The Eastern Pequot meets criterion 83.7(f).

Criterion 83.7(g) states that neither the petitioner nor its members can have been the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship. The Eastern Pequot meets criterion 83.7(g).

Based on this preliminary factual determination, the Eastern Pequot should be granted Federal acknowledgment under 25 CFR Part 83.

This proposed positive finding for the Eastern Pequot and the positive proposed finding for the Paucatuck petitioner which is being issued simultaneously do not prevent the Department, in the final determination stage, from recognizing a combined entity, or both petitioners, or either one of the current petitioners but not the other, or neither of the current petitioners, depending upon the evidence and analysis developed during the comment periods by both petitioners and all interested and informed parties, as verified and evaluated by Bureau of Indian Affairs staff.

As provided by 25 CFR 83.10(h) of the regulations, a report summarizing the evidence, reasoning, and analyses that are the basis for the proposed decision will be provided to the petitioner and interested parties, and is available to other parties upon written request. Under the Assistant Secretary's directive, the technical report prepared in addition to this summary evaluation report of the evidence will not be completed but will remain in draft.

Comments on the proposed finding and/or requests for a copy of the report of evidence should be addressed to the Office of the Assistant Secretary—Indian Affairs, Bureau of Indian Affairs, 1849 C Street, NW, Washington, DC 20240, Attention: Branch of Acknowledgment and Research, Mail Stop 4660—MIB. Comments on the proposed finding should be submitted within 180 calendar days from the date of publication of this notice. The period for comment on a proposed finding may be extended for up to an additional 180 days at the Assistant Secretary's discretion upon a finding of good cause (83.10(i)). Comments by interested and informed parties must be provided to the petitioner as well as to the Federal Government (83.10(h)). After the close of the 180-day comment period, and any extensions, the petitioner has 60 calendar days to respond to third-party comments (83.10(k)). This period may be extended at the Assistant Secretary's

discretion if warranted by the extent and nature of the comments.

The proposed finding takes into consideration only materials from the petitioner and all interested parties submitted through April 5, 1999. Subsequent submissions have been held by the Bureau of Indian Affairs and will be considered during preparation of the final determination.

In addition to evidence and argument on the proposed findings in general, petitioners, interested parties and informed parties may submit comments as to the Secretary's authority, under the circumstances of recent separation of the two petitioners, to acknowledge two tribes or only one tribe which encompasses them both as the continuation of the historical tribe.

After the expiration of the comment and response periods described above, the Bureau of Indian Affairs will consult with the petitioner concerning establishment of a time frame for preparation of the final determination. After consideration of the written arguments and evidence rebutting the proposed finding and within 60 days after beginning preparation of the final determination, the Assistant Secretary—Indian Affairs will publish the final determination of the petitioner's status in the **Federal Register** as provided in 25 CFR 83.10(1).

Dated: March 24, 2000.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 00-8041 Filed 3-30-00; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT-921-00-1320-EL-P; MTM 89848]

Notice of Invitation—Coal Exploration License Application MTM 89848

AGENCY: Bureau of Land Management, Montana State Office, Interior.

SUMMARY: Members of the public are hereby invited to participate with Western Minerals, Inc., and KCP, Inc., a joint venture d/b/a Decker Coal Company, in a program for the exploration of coal deposits owned by the United States of America in the following-described lands located in Big Horn County, Montana:

T. 9 S., R. 40 E., P.M.M.

Sec. 4: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 5: S $\frac{1}{2}$ of Lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$.
220.355 acres.

SUPPLEMENTARY INFORMATION: Any party electing to participate in this

exploration program shall notify, in writing, both the State Director, Bureau of Land Management, P.O. Box 36800, Billings, Montana 59107-6800; and Decker Coal Company, P.O. Box 12, Decker, Montana 59025. Such written notice must refer to serial number MTM 89848 and be received no later than 30 calendar days after publication of this Notice in the **Federal Register** or 10 calendar days after the last publication of this Notice in the Big Horn County News newspaper, whichever is later. This Notice will be published once a week for two (2) consecutive weeks in the Big Horn County News, Hardin, Montana.

The proposed exploration program is fully described, and will be conducted, pursuant to an exploration plan to be approved by the Bureau of Land Management. The exploration plan, as submitted by Decker Coal Company, is available for public inspection at the Bureau of Land Management, Montana State Office, 5001 Southgate Drive, Billings, Montana, during regular business hours (9 a.m. to 4 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Either Robert Giovanini, Mining Engineer, or Bettie Schaff, Land Law Examiner, Branch of Solid Minerals (MT-921), Bureau of Land Management, Montana State Office, P.O. Box 36800, Billings, Montana 59017-6800, telephone (406) 896-5084 or (406) 896-5063, respectively.

Dated: March 27, 2000.

Randy D. Heuscher,
Chief, Branch of Solid Minerals.

[FR Doc. 00-7953 Filed 3-30-00; 8:45 am]

BILLING CODE 4310--\$S-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA-680-00-1220-HQ]

The Proposal of a Supplemental Rule Restricting Recreational Shooting to Protect Human Health and Safety in the Populated Western Portion of Wonder Valley California

AGENCY: Bureau of Land Management, Department of the Interior, Barstow Field Office, Desert District, California.

ACTION: This notice proposes that on those public lands administered by the BLM and bounded to the west by the corporate limits of the City of Twentynine Palms California, the south by Joshua Tree National Park, the north by the Marine Corps Air Ground Combat Center and the east by Range 11 East, San Bernardino Meridian, it would be

prohibited to fire any firearm except shotguns with shot shells containing shot no larger than one-half the diameter of the bore. This proposed supplemental rule would not affect the legitimate and legal pursuit of game or shooting at controlled, permitted ranges.

SUMMARY: In accordance with Title 43, Code of Federal Regulations Section 8365.1-6, the State Director may establish supplementary rules in order to provide for the protection of persons, property and public lands and resources. This authority was delegated to the District Managers and Field Managers pursuant to BLM Manual 1203, California Supplement. Failure to comply with this proposed supplementary rule would be punishable by a fine not to exceed \$100,000 and/or imprisonment not to exceed twelve months. The environmental effects of the proposed rule will be analyzed separately by Environmental Assessment CA-680-00-29.

DATES: Comments must be received in writing to the BLM no later than thirty days after the publishing of this proposed supplementary rule.

ADDRESSES: Written comments shall be mailed to the following addresses: Mr. Tim Read, Field Manager, Bureau of Land Management, Barstow Field Office, 2601 Barstow Road, Barstow, CA 92311.

SUPPLEMENTARY INFORMATION: Uncontrolled recreational shooting on public land create a public health and safety hazard by firing solid projectile firearms (such as rifles and pistols), that have a long range, into and about a populated rural area. The area of concern also receives heavy recreational use by equestrians, recreational miners and off-highway vehicles. BLM has received complaints from area residents and recreationist that have nearly been struck by stray bullets from recreational shooting. This proposed supplemental rule would prohibit the firing of any firearm except shotguns with shot shells containing shot no larger than one-half the diameter of the bore. Rounds of this type have less energy and travel considerably shorter distanced than solid projectiles (such as those fired from a rifle or pistol). By prohibiting all but low energy, short range gunfire a safer environment on both public and private lands within this populated area will be created. This proposed supplementary rule only affects public lands administered by BLM and would not affect the legitimate and legal pursuit of game or shooting at controlled, permitted ranges. This

proposed supplemental rule will not infringe upon Constitutional rights of an individual to own or possess a lawful firearm.

FOR ADDITIONAL INFORMATION CONTACT: BLM Barstow Field Office, 2601 Barstow Road, Barstow, CA 92231, telephone (760) 252-6000.

Tim Read,
Field Manager.

[FR Doc. 00-8017 Filed 3-31-00; 8:45 am]

BILLING CODE 4310-40-P

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent To Repatriate Cultural Items From the Island of Oahu, HI in the Possession of the Bernice Pauahi Bishop Museum, Honolulu, HI

AGENCY: National Park Service.

ACTION: Notice.

Notice is hereby given under the Native American Graves Protection and Repatriation Act, 43 CFR 10.10(a)(3), of the intent to repatriate cultural items from the Island of Oahu, HI in the possession of the Bernice Pauahi Bishop Museum, Honolulu, HI which meet the definition of "unassociated funerary object" under Section 2 of the Act.

The 94 cultural items include a tobacco pipe (B.1451), a stone mortar or bait cup ("kapu ahi kuni ana ana", B.06374), part of a canoe (B.07852), four pieces of tapa (B.7886) and part of a canoe (B.7885), a wooden digging stick (o'o, B.008866), marble or konane stones (B.09256), stone and china beads (C.0505), a partially broken clay tobacco pipe (C.3233), a stone lamp (C.4380), a calcite pendant (C.9589), three niho palaoa pendants (C.9776-9778), two pieces of a coffin (C.9817-9818), a wooden mixer or tapa implement (C.9972), a section of a canoe (1950.136), a carved bowl with human support figures (D.0565), a piece of cordage (Oa-38), a gourd fragment (Oa-95), a basalt adz chip (Oa-96), four tapa fragments (Oa-97, Oa-99, Oa-100), cordage (Oa-101), cordage (Oa-102), two wood pipes (Oa-21, Oa-22), cordage (Oa-23), a ceramic ink jar (D.2099), a necklace of bone and glass beads (D.2100), a wood pipe and a piece of brown cloth (Oa-43), a broken wooden spear (Oa-57), a section of a wooden canoe used as a coffin (D.02829), a stone pounder (D.02978), a wooden tobacco pipe (Oa-69), metal and wood pieces of a tobacco pipe (Oa-70), a knife handle and blade of ivory and steel (Oa-71), an ivory wrist ornament (Oa-72), a double-sided