

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Proposed Information Collection Under the Paperwork Reduction Act, Comment Request**

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

**ACTION:** Notice.

**SUMMARY:** The Bureau of Indian Affairs (BIA) is seeking comments on the renewal of OMB 1076-0094, Law and Order on Indian Reservations which concerns marriage and dissolution of marriage in a Court of Indian Offenses. This collection will expire in August 2008.

**DATES:** Submit comments on or before June 9, 2008.

**ADDRESSES:** Send comments to Joseph Little, 1001 Indian School Road, Albuquerque, NM 87104. You may contact Mr. Little at 505-563-3833.

**FOR FURTHER INFORMATION CONTACT:** You may request further information or obtain copies of the proposed information collection request from Mr. Joseph Little. You may contact Mr. Little at 505-563-3833.

**SUPPLEMENTARY INFORMATION:****I. Abstract**

The Bureau of Indian Affairs, Department of the Interior, must collect personal information to carry out the requirements of Title 25, section 11.600(c) Marriage, and Title 25, section 11.606(c) Dissolution of Marriage. Information is collected by the Clerk of the Court of Indian Offenses in order for the Court to issue a marriage license or dissolve a marriage. The information is collected on a one-page application requesting only the basic information necessary for the Court to properly dispose of the matter.

**II. Method of Collection**

The information is collected on a one-page application for the marriage license or for a dissolution of marriage.

**III. Information Collected**

Courts of Indian Offenses (CFR Courts) have been established on certain Indian Reservations under the authority vested in the Secretary of the Interior by 5 U.S.C. 301, 25 U.S.C. 2 and 9, and 25 U.S.C. 13 which authorize appropriations for "Indian judges." See *Tillet v. Hodel*, 730 F. Supp. 381 (W.D. Okla. 1990), *aff'd* 931 F.2d 636 (10th Cir. 1991), *United States v. Clapox*, 13 Sawy. 349, 35 F. 575 (D. Ore. 1888). The CFR Courts provide adequate machinery for the administration of justice for

Indian tribes in those areas where tribes retain jurisdiction over Indians and that are exclusive of state jurisdiction but where tribal courts have not been established to exercise that jurisdiction.

Accordingly, CFR Courts exercise jurisdiction under part 11 of Title 25 of the Code for Federal Regulations. Domestic relations are governed by 25 CFR 11.600, which authorizes the CFR Court to conduct marriages and dissolve marriages. In order to be married in a CFR Court, a marriage license must be obtained (25 CFR 11.600, 601). To comply with this requirement, an applicant must respond to the following six questions found at 25 CFR 11.600(c):

(c) A marriage license application shall include the following information;

(1) Name, sex, occupation, address, social security number, and date and place of birth for each party to the proposed marriage;

(2) If either party was previously married, his or her name, and the date, place, and court in which the marriage was dissolved or declared invalid or the date and place of death of the former spouse;

(3) Name and address of the parents or guardian of each party;

(4) Whether the parties are related to each other and, if so, their relationship;

(5) The name and date of birth of any child of which both parties are parents, born before the making of the application, unless their parental rights and the parent and child relationship with respect to the child have been terminated; and

(6) A certificate of the results of any medical examination required by either applicable tribal ordinances, or the laws of the State in which the Indian country under the jurisdiction of the Court of Indian Offenses is located.

For the purposes of § 11.600, Marriage, information about the Social Security Number is requested to confirm identity. Previous marriage information is requested to avoid multiple simultaneous marriages, and to ensure that any pre-existing legal relationships are dissolved. Information on consanguinity is requested to avoid conflict with state or tribal laws against marriages between parties who are related by blood as defined in such laws. Medical examination information may be requested if required under the laws of the state in which the Court of Indian Offenses is located.

To comply with the requirement for dissolution of marriage, an applicant must respond to the following six questions found at 25 CFR 11.606(c):

(1) The age, occupation, and length of residence within the Indian country

under the jurisdiction of the court for each party;

(2) The date of the marriage and the place at which it was registered;

(3) That jurisdictional requirements are met and that the marriage is irretrievably broken in that either (i) the parties have lived separate and apart for a period of more than 180 days next preceding the commencement of the proceeding or (ii) there is a serious marital discord adversely affecting the attitude of one or both of the parties toward the marriage, and there is no reasonable prospect of reconciliation;

(4) The names, age, and addresses of all living children of the marriage and whether the wife is pregnant;

(5) Any arrangement as to support, custody, and visitation of the children and maintenance of a spouse; and

(6) The relief sought.

For the purposes of § 11.606, Dissolution proceedings, information on occupation and residency is necessary to establish court jurisdiction.

Information on the status of the parties, whether they have lived apart 180 days or if there is serious marital discord warranting dissolution, is necessary for the court to determine if dissolution is proper. Information on the children of the marriage, their ages and whether the wife is pregnant is necessary for the court to determine the appropriate level of support that may be required from the non-custodial parent.

*Description of the need for the information and proposed use of the information:* The information is submitted in order to obtain or retain a benefit, namely, the issuance of a marriage license or a decree of dissolution of marriage from the Court of Indian Offenses.

*Affected entities:* Indian applicants that are under the jurisdiction of one of the 24 established Courts of Indian Offenses.

*Estimated number of respondents:* Approximately 260 applications for a marriage license or petition for dissolution of marriage will be filed in the 24 Courts of Indian Offenses annually.

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

*Burden:* The average burden of submitting a marriage license or petition for dissolution of marriage is 15 minutes per application. The total annual burden is estimated to be 65 hours.

*Estimated cost:* There are no costs to consider, except estimated costs of \$100. per court annually, for the material, supplies, and staff time required by the Court of Indian Offenses.

#### IV. 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. The OMB Control Number for this collection is 1076-0094.

Please note that all comments received will be available for public review 2 weeks after comment period closes. Before including your address, phone number, e-mail address or other personally identifiable information, be advised that your entire comment—including your personally identifiable information—may be made public at any time. While you may request that we withhold your personally identifiable information, we cannot guarantee that we will be able to do so. We do not consider anonymous comments. All comments from representatives of businesses or organizations will be made public in their entirety. We may withhold comments from review for other reasons.

*OMB Control Number:* 1076-0094.

*Type of review:* Renewal.

*Title:* Title 25 CFR 11, Subpart F, Law & Order on Indian Reservations.

*Brief Description of collection:* This collection is required to obtain a benefit, namely either a marriage license or a dissolution of marriage. Details of information are contained in Section III Information Collected.

*Respondents:* Persons who reside on land under the jurisdiction of a Court of Indian Offenses.

*Number of Respondents:* 260.

*Estimated Time per Response:* 15 minutes.

*Frequency of Response:* On occasion.

*Total Annual Burden to Respondents:* 65 hours.

*Total Annual Cost to Respondents:* Negligible.

Dated: March 28, 2008.

**Carl J. Artman,**

*Assistant Secretary—Indian Affairs.*

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**BILLING CODE 4310-4J-P**

#### DEPARTMENT OF THE INTERIOR

##### Minerals Management Service

[Docket No. MMS-2008-MRM-0010]

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

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

**ACTION:** Notice of a revision of a currently approved information collection (OMB Control Number 1010-0119).

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), we are inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The previous title of this information collection request (ICR) was "30 CFR Part 208—Sale of Federal Royalty Oil; Sale of Federal Royalty Gas; and Commercial Contracts (Forms MMS-4070, Application for the Purchase of Royalty Oil; MMS-4071, Letter of Credit; and MMS-4072, Royalty-in-Kind Contract Surety Bond)." The new title of this ICR is "30 CFR Part 208, RIK Oil and Gas."

**DATES:** Submit written comments on or before June 9, 2008.

**ADDRESSES:** You may submit comments by the following methods:

- Electronically go to <http://www.regulations.gov>. In the "Comment or Submission" column, enter "MMS-2008-MRM-0010" to view supporting and related materials for this ICR. Click on "Send a comment or submission" link to submit public comments. Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's "User Tips" link. All comments submitted will be posted to the docket.

- Mail comments to Armand Southall, Regulatory Specialist, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 302B2, Denver, Colorado 80225. Please reference ICR 1010-0119 in your comments.

- Hand-carry comments or use an overnight courier service. Our courier

address is Building 85, Room A-614, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225. Please reference ICR 1010-0119 in your comments.

##### FOR FURTHER INFORMATION CONTACT:

Armand Southall, telephone (303) 231-3221, or e-mail

[armand.southall@mms.gov](mailto:armand.southall@mms.gov). You may also contact Armand Southall to obtain copies, at no cost, of (1) The ICR, (2) any associated forms, and (3) the regulations that require the subject collection of information.

##### SUPPLEMENTARY INFORMATION:

*Title:* 30 CFR Part 208, RIK Oil and Gas.

*OMB Control Number:* 1010-0119.  
*Bureau Form Number:* Forms MMS-4070, MMS-4071, and MMS-4072.

*Abstract:* The Secretary of the U.S. Department of the Interior is responsible for matters relevant to mineral resource development on Federal and Indian lands and the Outer Continental Shelf (OCS). The Secretary, under the Mineral Leasing Act of 1920 (30 U.S.C. 1923), the Indian Mineral Development Act of 1982 (25 U.S.C. 2103), and the Outer Continental Shelf 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 and other mineral revenues from lessees who produce minerals, and distributing the funds collected in accordance with applicable laws. The MMS performs the mineral revenue management functions for the Secretary.

Public laws pertaining to mineral revenues are on our Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/PublicLawsAMR.htm](http://www.mrm.mms.gov/Laws_R_D/PublicLawsAMR.htm). These public laws and 30 CFR part 208, as well as specific language in the actual lease documents, authorize the Secretary to sell royalty oil and gas accruing to the United States. The standard lease terms state that royalties are due in amount or in value. In addition, these citations authorize the Secretary to prescribe proper rules and regulations and to do any and all things necessary to accomplish the purpose of applicable laws. The MMS directs communications between MMS operators and RIK purchasers through commercial contracts, situation-specific "Dear Operator" letters, or, in the case of eligible refiners, through regulations at 30 CFR part 208.

##### General Information

The MMS is responsible for ensuring that all revenues from Federal and Indian mineral leases are accurately collected and accounted for and appropriately disbursed to recipients.