

Dated: July 6, 1997.

**William K. Hubbard,**

*Associate Commissioner for Policy Coordination.*

[FR Doc. 97-18460 Filed 7-14-97; 8:45 am]

BILLING CODE 4160-01-F

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### Advisory Committee; Notice of Meeting

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

*Name of Committee:* Gastroenterology and Urology Devices Panel of the Medical Devices Advisory Committee.

*General Function of the Committee:* To provide advice and recommendations to the agency on FDA regulatory issues.

*Date and Time:* The meeting will be held on August 6, 1997, 10 a.m. to 5 p.m., and August 7, 1997, 9:30 a.m. to 2 p.m.

*Location:* Corporate Bldg., conference room 020B, 9200 Corporate Blvd., Rockville, MD.

*Contact Person:* Mary J. Cornelius, Center for Devices and Radiological Health (HFZ-470), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301-594-2194, or FDA Advisory Committee Information Line, 1-800-741-8138 (301-443-0572 in the Washington, DC area), code 12523. Please call the Information Line for up-to-date information on this meeting.

*Agenda:* On August 6, 1997, the committee will hear a presentation of the basic concepts of FDA's Product Development Protocol Process. The committee will discuss issues relating to a premarket approval application (PMA) for an implanted neuromuscular stimulator for the management of urinary urge incontinence. On August 7, 1997, the committee will discuss and advise FDA on the classification of External Penile Rigidity Devices and an update of the Triage list of gastroenterology and urology devices will be presented and discussed.

*Procedure:* Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person by July 30, 1997. Oral

presentations from the public will be scheduled between approximately 10 a.m. and 11 a.m. on August 6, 1997, and between approximately 9 a.m. and 10 a.m. on August 7, 1997. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person before July 30, 1997, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: July 9, 1997.

**Michael A. Friedman,**

*Deputy Commissioner for Operations.*

[FR Doc. 97-18524 Filed 7-14-97; 8:45 am]

BILLING CODE 4160-01-F

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Endangered and Threatened Species Permit Applications

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of receipt of applications.

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*).

PRT-831781

*Applicant:* Herbert M. Jones, South Bend, IN.

The applicant requests a permit to take (capture, handle, band and release) peregrine falcons (*Falco peregrinus*) in Minnesota, Wisconsin, and Michigan for enhancement of the species in the wild through scientific research.

PRT-831774

*Applicant:* Biological Resources Division, U.S. Geological Survey, North Central Forest Experiment Station, St. Paul, Minnesota, L. David Mech, Principle Investigator.

The applicant requests a permit to take gray wolves (*Canis lupus*) throughout the lower 48 states to continue research, restoration and public education efforts previously conducted under the authority of the U.S. Fish and Wildlife Service. Activities are proposed for survival,

enhancement and recovery of the species in the wild.

Written data or comments should be submitted to the Regional Director, U.S. Fish and Wildlife Service, Ecological Services Operations, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056, and must be received within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Ecological Services Operations, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056. Telephone: (612/725-3536 x250); FAX: (612/725-3526).

Dated: July 8, 1997.

**John A. Blankenship,**

*Assistant Regional Director, IL, IN, MO (Ecological Services), Region 3, Fort Snelling, Minnesota.*

[FR Doc. 97-18530 Filed 7-14-97; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Resighini Rancheria Liquor Licensing Ordinance

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

**ACTION:** Notice.

**SUMMARY:** This notice is published in accordance with authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8, and in accordance with the Act of August 15, 1953, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983). I certify that the Resighini Rancheria Liquor Licensing Ordinance was duly adopted by Resolution 96-09 of the Coast Indian Community of the Resighini Rancheria of California on December 11, 1996. The ordinance provides for the control of distribution, sale and possession of liquor on lands within the Tribe's jurisdiction.

**DATES:** This ordinance is effective as of July 15, 1997.

**FOR FURTHER INFORMATION CONTACT:** Jerry Cordova, Office of Tribal Services, 1849 C Street, NW., MS 4641 MIB, Washington, DC 20240-4001; telephone (202) 208-4401.

**SUPPLEMENTARY INFORMATION:** The Resighini Rancheria Liquor Licensing Ordinance shall read as follows:

**RESIGHINI RANCHERIA LIQUOR  
LICENSING ORDINANCE****Chapter 1. General Provisions***Section 1.1. Declaration of Findings.*

The Business Council of the Coast Indian Community of the Resighini Rancheria hereby finds as follows:

1. Under the Constitution of the Tribe, Article V, Section 3(h), the Business Council is charged with the duty of protecting the safety and welfare of the Coast Indian Community of the Resighini Rancheria.

2. The introduction, possession and sale of alcoholic beverages on the Resighini Rancheria is a matter of special concern to the Tribe.

3. Federal law leaves to tribes the decision regarding when and to what extent alcoholic beverage transactions shall be permitted on Indian reservations.

4. Present day circumstances make a complete ban on alcoholic beverages within the Resighini Rancheria ineffective and unrealistic. At the same time, a need still exists for strict Tribal regulation and control over alcoholic beverage distribution.

5. The enactment of an ordinance governing alcoholic beverage sales on the Resighini Rancheria and providing for the purchase and sale of alcoholic beverages through Tribally licensed outlets will increase the ability of the Tribal government to control the distribution, sale, and possession of liquor on the Resighini Rancheria, and at the same time will provide an important and urgently needed source of revenue for the continued operation of the Tribal government and delivery of Tribal governmental services.

*Section 1.2. Declaration of policy.* Under the inherent sovereignty of the Tribe, the Resighini Rancheria Liquor Licensing Ordinance shall be deemed an exercise of the Tribe's power, for the protection of the welfare, health, peace, morals, and safety of the people of the Tribe, and all its provisions shall be liberally construed for the accomplishment of that purpose, and it is declared to be public policy that the sale and possession of alcoholic beverages affects the public interest of the people, and should be regulated to the extent of prohibiting all sale and possession of alcoholic beverages, except as provided in this Ordinance. In order to provide for Tribal control over liquor sales and possession within the Reservation, and to provide a source of revenue for the continued operation of the Tribal government and the delivery of Tribal governmental services, the Business Council promulgates this Ordinance.

*Section 1.3. Repeal of prior liquor ordinances.* To the extent not previously repealed either expressly or by implication, any prior Liquor Ordinance remaining in effect is hereby expressly repealed.

*Section 1.4. Short title.* This Ordinance shall be known and cited as the "Resighini Rancheria Liquor Licensing Ordinance."

*Section 1.5. Purpose.* The purpose of this Ordinance is to prohibit the importation, manufacture, distribution and sale of alcoholic beverages on the Resighini Rancheria, except pursuant to a license issued by the Business Council under the provisions of this ordinance.

*Section 1.6. Sovereign immunity preserved.* Nothing in this ordinance is intended or shall be construed as a waiver of the sovereign immunity of the Coast Indian Community of the Resighini Rancheria. No officer or employee of the Resighini Rancheria is authorized nor shall he/she attempt to waive the immunity of the Tribe under the provisions of this ordinance unless such officer or employee has express, specific written authorization from the Business Council.

*Section 1.7. Applicability within the reservation.* This ordinance shall apply to all persons within the exterior boundaries of the Resighini Rancheria consistent with the applicable federal Indian liquor laws.

*Section 1.8. Interpretation and findings.* The Business Council, in the first instance, may interpret any ambiguities contained in this Ordinance.

*Section 1.9. Application of 18 U.S.C. 1161.* The importation, manufacture, distribution and sale of alcoholic beverages on the Resighini Rancheria shall be in conformity with this Ordinance and in conformity with the laws of the State of California as that phrase or term is used in 18 U.S.C. 1161.

*Section 1.10. Severability.* If any part or provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end the provisions of this Ordinance are severable.

*Section 1.11. Effective date.* This Ordinance shall be effective on such date as the Secretary of the Interior certifies this Ordinance and publishes the same in the **Federal Register**.

**Chapter 2. Definitions**

*Section 2.1. Interpretation.* In construing the provisions of this Ordinance, the following words or phrases shall have the meaning designated unless a different meaning is expressly provided or the context clearly indicates otherwise.

*Section 2.2. Alcohol.* "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

*Section 2.3. Alcoholic beverage.* "Alcoholic beverage" includes all alcohol, spirits, liquor, wine, beer, and any liquid or solid containing alcohol, spirits wine or beer, and which contains one half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances. It shall be interchangeable in this ordinance with the term "liquor."

*Section 2.4. Beer.* "Beer" means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof in water, and includes ale, porter, brown, stout, lager beer, small beer, and strong beer, and also includes sake otherwise known as Japanese rice wine.

*Section 2.5. Business Council.* "Business Council" means the governing body of the Coast Indian Community of the Resighini Rancheria as provided for under Article III, Sec. 1 of the Tribal Constitution.

*Section 2.6. Distilled spirits.* "Distilled spirits" means any alcoholic beverage obtained by the distillation of fermented agricultural products, and includes alcohol for beverage use, spirits of wine, whiskey, rum, brandy, and gin, including all dilutions and mixtures thereof.

*Section 2.7. Importer.* "Importer" means any person who introduces alcohol or alcoholic beverages into the Resighini Rancheria from outside the exterior boundaries thereof for the purpose of sale or distribution within the Rancheria, provided however, the term importer as used herein shall not include a wholesaler licensed by any state or tribal government selling alcoholic beverages to a seller licensed by a state or tribal government to sell at retail.

*Section 2.8. Liquor license.* "Liquor license" means a license issued by the Tribal Business Council under the provisions of this Ordinance authorizing the sale, manufacture, or importation of alcoholic beverages on or within the Rancheria, consistent with federal law.

**Section 2.9. Manufacturer.**

"Manufacturer" means any person engaged in the manufacture of alcohol or alcoholic beverages.

**Section 2.10. Person.** "Person" means any individual, whether Indian or non-Indian, receiver, assignee, trustee in bankruptcy, trust, estate, firm, partnership, joint corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit or otherwise, and any other Indian tribe, band or group, whether recognized by the United States Government or otherwise. The term shall also include the business enterprises of the Tribe. It shall be interchangeable in this ordinance with the term "seller" or "licensee."

**Section 2.11. Rancheria.** "Rancheria" means all lands within the exterior boundaries of the Resighini Rancheria and such other lands as may hereafter be acquired by the Tribe, whether within or without said boundaries, under any grant, transfer, purchase, gift, adjudication, executive order, Act of Congress, or other means of acquisition.

**Section 2.12. Sale.** "Sale" means the exchange of property and/or any transfer of the ownership of, title to, or possession of property for a valuable consideration, exchange or barter, in any manner or by any means whatsoever. It includes conditional sales contracts, leases with options to purchase, and any other contract under which possession of property is given to the purchaser, buyer, or consumer but title is retained by the vendor, retailer, manufacturer, or wholesaler, as security for the payment of the purchase price. Specifically, it shall include any transaction whereby, for any consideration, title to alcoholic beverages is transferred from one person to another, and includes the delivery of alcoholic beverages pursuant to an order placed for the purchase of such beverages, or soliciting or receiving such beverages. The term "sale" shall also specifically include the transfer of alcoholic beverages from one person to another pursuant to a complimentary or free beverage policy, promotion, plan, or scheme of the seller.

**Section 2.13. Seller.** "Seller" means any person who, while within the exterior boundaries of the Rancheria, sells, solicits or receives an order for any alcohol, alcoholic beverages, distilled spirits, beer, or wine.

**Section 2.14. Wine.** "Wine" means the product obtained from the normal alcoholic fermentation of the juice of the grapes or other agricultural products containing natural or added sugar or any such alcoholic beverage to which is

added grape brandy, fruit brandy, or spirits of wine, which is distilled from the particular agricultural product or products of which the wine is made, and other rectified wine products.

**Chapter 3. Prohibition of the Unlicensed Sale of Liquor**

**Section 3.1. Prohibition of the unlicensed sale of liquor.** No person shall import for sale, manufacture, distribute or sell any alcoholic beverages within the reservation without first applying for and obtaining a written license from the Business Council issued in accordance with the provisions of this Ordinance.

**Section 3.2. Authorization to sell liquor.** Any person applying for and obtaining a liquor license under the provisions of this ordinance shall have the right to engage only in those liquor transactions expressly authorized by such license and only at those specific places or areas designated in said license.

**Section 3.3. Types of licenses.** The Business Council shall have the authority to issue the following types of liquor licenses within the reservation:

A. "Retail on-sale general license" means a license authorizing the applicant to sell alcoholic beverages at retail to be consumed by the buyer only on the premises or at the location designated in the license.

B. "Retail on-sale beer and wine license" means a license authorizing the applicant to sell beer and wine at retail to be consumed by the buyer only on the premises or at the location designated in the license.

C. "Retail off-sale general license" means a license authorizing the applicant to sell alcoholic beverages at retail to be consumed by the buyer off of the premises or at a location other than the one designated in the license.

D. "Retail off-sale beer and wine license" means a license authorizing the applicant to sell beer and wine at retail to be consumed by the buyer off of the premises or at a location other than the one designated in the license.

E. "Manufacturers license" means a license authorizing the applicant to manufacture alcoholic beverages for the purpose of sale on the Rancheria.

**Chapter 4. Applications for Licenses**

**Section 4.1. Application form and content.** An application for licensing under this Ordinance shall be made to the Business Council and shall contain the following information:

A. The name and address of the applicant. In the case of a corporation, the names and addresses of all of the principal officers, directors and

stockholders of the corporation. In the case of a partnership, the name and address of each partner.

B. The specific area, location and/or premises for which the license is applied for.

C. The type of liquor license applied for (i.e. retail on-sale general license, etc.).

D. Whether the applicant has a California state liquor license.

E. A statement by the applicant to the effect that the applicant has not been convicted of a felony and has not violated and will not violate or cause or permit to be violated any of the provisions of this Ordinance or any of the provisions of the California Alcoholic Beverage Control Act.

F. The signature and fingerprint of the applicant. In the case of a partnership, the signature and fingerprint of each partner. In the case of a corporation, the signature and fingerprint of each of the officers of the corporation under the seal of the corporation. In the case of a tribal business enterprise, the signature and fingerprint of the officers of the enterprise or any persons maintaining day-to-day control and management of the enterprise, whichever is applicable.

G. The application shall be verified under oath, notarized and accompanied by the license fee required by this Ordinance.

**Section 4.2. Fee accompanying application.** The Business Council shall by resolution establish a fee schedule for the issuance, renewal and transfer of the following types of licenses:

A. Retail on-sale general license;

B. Retail on-sale beer and wine license;

C. Retail off-sale general license;

D. Retail off-sale beer and wine license; and

E. Manufacturers license.

**Section 4.3. Investigation.** Upon receipt of an application for the issuance, transfer or renewal of a license and the application fee required herein, the Business Council shall make a thorough investigation to determine whether the applicant and the premises for which a license is applied for qualify for a license and whether the provisions of this Ordinance have been complied with, and shall investigate all matters connected therewith which may affect the health, safety, and welfare of the Tribe.

**Section 4.4. Denial of application.** An application shall not be denied, except for good cause. However, the Business Council shall deny an application for issuance, renewal, or transfer of a license if either the applicant or the proposed Premises:

A. Has not complied with application procedures;

B. Does not meet application requirements;

C. Would tend to create a law enforcement problem;

D. Obtained a license on the basis of false, misleading, or misrepresented information; or,

E. Fails to qualify for the issuance of findings of the Business Council required by Section 5.2 of this ordinance.

## **Chapter 5. Issuance, Renewal and Transfer of Licenses**

*Section 5.1. Public hearing.* Upon receipt of proper application for issuance, renewal or transfer of a license, and the payment of all fees required under this Ordinance, the Secretary of the Business Council shall set the matter for a public hearing. Notice of the time and place of the hearing shall be given to the applicant and the public at least ten (10) calendar days before the hearing. Notice shall be given to the applicant by prepaid U.S. mail at the address listed in the application. Notice shall be given to the public by publication in a newspaper of general circulation sold on the Rancheria. The notice published in the newspaper shall include the name of the applicant and the type of license applied for and a general description of the area where liquor will be sold. At the hearing, the Business Council shall hear from any person who wishes to speak for or against the application. The Business Council shall have the authority to place time limits on each speaker and limit or prohibit repetitive testimony.

*Section 5.2. Business Council action on the application.* Within thirty (30) days of the conclusion of the public hearing, the Business Council shall act on the matter. The Business Council shall have the authority to deny, approve, or approve with conditions the application. Before approving the application, the Business Council shall find: (1) That the applicant has met all procedural requirements of the application process; (2) that investigation of the applicant has not produced any information that would disqualify the applicant from obtaining a license under this Ordinance; (3) that the site for the proposed premises has adequate parking, lighting, security and ingress and egress so as not to adversely affect adjoining properties or businesses; and, (4) that the sale of alcoholic beverages at the proposed premises is consistent with the Tribe's Zoning Ordinance.

Upon approval of an application, the Business Council shall issue a license to the applicant in a form to be approved from time to time by the Business Council by resolution. All businesses shall post their Tribal liquor licenses issued under this Ordinance in a conspicuous place upon the premises where alcoholic beverages are sold, manufactured or offered for sale.

*Section 5.3. Multiple locations.* Each license shall be issued to a specific person. Separate licenses shall be issued for each of the premises of any business establishment having more than one location.

*Section 5.4. Term of license.* Temporary licenses. All licenses issued by the Business Council shall be issued on a calendar year basis and shall be renewed annually; provided, however, that the Business Council may issue special licenses for the sale of alcoholic beverages on a temporary basis for premises temporarily occupied by the licensee for a picnic, social gathering, or similar occasion at a fee to be established by the Business Council by resolution.

*Section 5.5. Transfer of licenses.* Each license issued or renewed under this Ordinance is separate and distinct and is transferable from the licensee to another person and/or from one premises to another premises only with the approval of the Business Council. The Business Council shall have the authority to approve, deny or approve with conditions, any application for the transfer of any license. In the case of a transfer to a new person, the application for transfer shall contain all of the information required of an original applicant under Section 4.1 of this Ordinance. In the case of a transfer to a new location, the application shall contain an exact description of the location where the alcoholic beverages are proposed to be sold.

## **Chapter 6. Revocation of Licenses**

*Section 6.1. Revocation of license.* The Business Council shall revoke a license upon any of the following grounds:

A. The misrepresentation of a material fact by an applicant in obtaining a license or a renewal thereof.

B. The violation of any condition imposed by the Business Council on the issuance, transfer, or renewal of a license.

C. A plea, verdict, or judgment of guilty, or the plea of nolo contendere to any public offense involving moral turpitude under any federal or state law prohibiting or regulating the sale, use, possession, or giving away of alcoholic beverages or intoxicating liquors.

D. The violation of any tribal ordinance.

E. The failure to take reasonable steps to correct objectionable conditions on the licensed premises or any immediate adjacent area leased, assigned or rented by the licensee constituting a nuisance within a reasonable time after receipt of a notice to make such corrections has been received from the Business Council or its authorized representative.

*Section 6.2. Accusations.* The Business Council on its own motion, through the adoption of an appropriate resolution meeting the requirements of this Section, or any person, may initiate revocation proceedings by filing an accusation with the Secretary of the Business Council. The accusation shall be in writing and signed by the maker, and shall state facts showing that there are specific grounds under this ordinance which would authorize the Business Council to revoke the license or licenses of the licensee against whom the accusation is made. Upon receipt of an accusation which meets the foregoing requirements, the Secretary shall cause the matter to be set for a hearing before the Business Council. Thirty (30) days prior to the date set for the hearing, the Secretary shall mail a copy of the accusation along with a notice of the day and time of the hearing before the Business Council. The notice shall command the licensee to appear and show cause why the licensee's license should not be revoked. The notice shall state that the licensee has the right to file a written response to the accusation, verified under oath and signed by the licensee ten (10) days prior to the hearing date.

*Section 6.3. Hearing.* Any hearing held on any accusation shall be held before a quorum of the Business Council under such rules of procedure as it may adopt. Both the licensee and the person filing the accusation, including the Tribe, shall have the right to present witnesses to testify and to present written documents in support of their positions to the Business Council. The Business Council shall render its decision within sixty (60) days after the date of the hearing. The decision of the Business Council shall be final and non-appealable.

## **Chapter 7. Enforcement**

*Section 7.1. General penalties.* Any person adjudged to be in violation of this Ordinance shall be subject to a civil penalty of not more than Five Hundred Dollars (\$500.00) for each such violation. The Business Council may adopt by resolution a separate schedule of fines for each type of violation, taking into account its seriousness and the

threat it may pose to the general health and welfare of tribal members. Such schedule may also provide, in the case of repeated violations, for imposition of monetary penalties greater than the Five Hundred Dollars (\$500.00) limitation set forth above. The penalties provided for herein shall be in addition to any criminal penalties which may hereafter be imposed in conformity with Federal law by separate Chapter, or provision of this Ordinance or by a separate ordinance adopted by the Business Council.

*Section 7.2. Initiation of action.* Any violation of this ordinance shall constitute a public nuisance. The Business Council may initiate and maintain an action in tribal court or any court of competent jurisdiction to abate and permanently enjoin any nuisance declared under this Ordinance. Any action taken under this Section shall be in addition to any other penalties provided for by this Ordinance.

Dated: July 8, 1997.

**Ada E. Deer,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 97-18504 Filed 7-14-97; 8:45 am]

BILLING CODE 4310-02-P

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

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

**AGENCY:** Minerals Management Service, DOI.

**ACTION:** Notice of information collection solicitation.

**SUMMARY:** Under the Paperwork Reduction Act of 1995, the Minerals Management Service (MMS) is soliciting comments on an information collection. A customer survey was initiated under an information collection titled MMS' Generic Customer Satisfaction Surveys, Office of Management and Budget (OMB) Control Number 1010-0098. This "generic" information collection expired on June 30, 1997. We are requesting OMB approval for a new information collection titled Office of Indian Royalty Assistance Customer Satisfaction Survey.

Individual Indian mineral owners are requested to respond, using a customer comment card, to three questions by checking "Yes" or "No" boxes and to a fourth question with a written response. The four questions are:

1. Did we answer your questions?
2. Did we respond timely?
3. Did we treat you courteously?

4. How can we improve our service?  
We estimate that it takes about 2 minutes to respond to these questions and that approximately 60 respondents will respond annually.

**DATES:** Written comments should be received on or before September 15, 1997.

**ADDRESSES:** Comments sent via the U.S. Postal Service should be sent to Minerals Management Service, Royalty Management Program, Rules and Publications Staff, P.O. Box 25165, MS 3021, Denver, Colorado 80225-0165; courier address is Building 85, Room A-212, Denver Federal Center, Denver, Colorado 80225; e-Mail address is David\_Guzy@mms.gov.

**FOR FURTHER INFORMATION CONTACT:** Dennis C. Jones, Rules and Publications Staff, phone (303) 231-3046, FAX (303) 231-3385, e-Mail Dennis\_C\_Jones@mms.gov.

**SUPPLEMENTARY INFORMATION:** In compliance with the Paperwork Reduction Act of 1995, Section 3506 (c)(2)(A), we are notifying you, members of the public and affected agencies, of this collection of information, and are inviting your comments. Is this information collection necessary for us to properly do our job? Have we accurately estimated the public's burden for responding to this collection? Can we enhance the quality, utility, and clarity of the information we collect? Can we lessen the burden of this information collection on the respondents by using automated collection techniques or other forms of information technology?

Dated: July 9, 1997.

**Donald T. Sant,**

*Associate Director for Royalty Management.*

[FR Doc. 97-18466 Filed 7-14-97; 8:45 am]

BILLING CODE 4310-MR-P

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

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

**AGENCY:** Minerals Management Service, DOI.

**ACTION:** Notice of information collection solicitation.

**SUMMARY:** Under the Paperwork Reduction Act of 1995, the Minerals Management Service (MMS) is soliciting comments on an information collection, Gas Transportation and Processing Allowances (OMB Control Number 1010-0075); this information collection pertains to Indian leases only.

**FORMS:** MMS-4109, Gas Processing Allowance Summary Report; MMS-4295, Gas Transportation Allowance Report.

**DATES:** Written comments should be received on or before September 15, 1997.

**ADDRESSES:** Comments sent via the U.S. Postal Service should be sent to Minerals Management Service, Royalty Management Program, Rules and Publications Staff, P.O. Box 25165, MS 3021, Denver, Colorado 80225-0165; courier address is Building 85, Room A-212, Denver Federal Center, Denver, Colorado 80225; e-Mail address is David\_Guzy@smtp.mms.gov.

**FOR FURTHER INFORMATION CONTACT:** Dennis C. Jones, Rules and Publications Staff, phone (303) 231-3046, FAX (303) 231-3385, e-Mail Dennis\_C\_Jones@smtp.mms.gov.

**SUPPLEMENTARY INFORMATION:** In compliance with the Paperwork Reduction Act of 1995, Section 3506(c)(2)(A), we are notifying you, members of the public and affected agencies, of this collection of information, and are inviting your comments. Is this information collection necessary for us to properly do our job? Have we accurately estimated the industry burden for responding to this collection? Can we enhance the quality, utility, and clarity of the information we collect? Can we lessen the burden of this information collection on the respondents by using automated collection techniques or other forms of information technology?

The Secretary of the Interior is responsible for collecting royalties from lessees who produce minerals from leased Indian lands. The Secretary is required by various laws to manage mineral production on Indian lands, to collect the royalties due, and to distribute royalty funds in accordance with those laws. The product valuation and allowance determination process is essential to assure that the Indian community receives payment on the proper value of the minerals being removed. The value of the gas and gas plant products being sold, or otherwise disposed of, as well as the costs associated with the allowable deductions from the value of the products must be established to determine whether the royalty amount tendered represents the proper royalty due.

Processing allowances may be taken as a deduction from royalty payments. We normally accept the cost as stated in the lessee's arm's-length processing contract as being the processing allowance cost. In those instances where