

traditional attachment that the place held for many tribes, it was not surprising that many groups should be considered culturally affiliated.

On hearing all of the evidence presented, the Review Committee finds that the complaints made by the Hopi Tribe have merit. While the Review Committee recognizes the efforts made in the area of tribal consultation, tribes were not given adequate opportunity to consult on a one-to-one basis and to make their concerns known outside of a public forum. The Review Committee also agrees with the Hopi Tribe that more is needed in the evaluating and weighing of the evidence for establishing cultural affiliation. Rather than a rigorous determination of cultural affiliation, the park seems to have applied a much looser criterion of cultural relationship to geographical place, as a basis for determining culturally affiliated tribes. The park's global approach to the assessment Chaco archeological sites, effectively precluded any realistic assessment of cultural affiliation based on specific site features, dates, or cultural practices. Likewise, sites with virtually no contextual information were treated as culturally affiliated. The global approach to site assessment and affiliation resulted in a determination of cultural affiliation for all Chaco Canyon remains with all groups expressing cultural relationship to the region.

It is the recommendation of the Review Committee that the Chaco Culture National Historical Park withdraw its published Notice of Inventory Completion and reassess its determination of cultural affiliation. The Review Committee recommends that this reassessment specifically consider the following issues:

1. Determination of cultural affiliation should be made on a site-by-site basis, assessing each site based on the specific data available;

2. While collective consultation can be useful, it should not be used in lieu of individual tribal consultation when requested by an Indian tribe;

3. A proper determination of cultural affiliation necessarily requires the critical evaluation and careful weighing of all available evidence. This weighing should emphasize group identity, time period, specific cultural practices, and traceable cultural continuity;

4. The park should take steps to ensure the objective character of the determinations of cultural affiliation of the human remains and other cultural items in the control of the park. The process the park follows in making cultural affiliation determinations also must be seen by others to have been

objective. For example, the Review Committee believes that the park should engage a qualified independent contractor to re-evaluate the information from the Chaco sites and offer specific recommendation for cultural affiliation.

Review Committee member James Bradley did not participate in the Review Committee's deliberations nor in the formulation of these advisory findings and recommendations.

These advisory findings and recommendations do not necessarily represent the views of the National Park Service or the Secretary of the Interior. The National Park Service and the Secretary of the Interior have not taken a position on these matters.

Dated: January 10, 2000.

**Martin Sullivan,**

*Chair, Native American Graves Protection and Repatriation Review Committee.*

[FR Doc. 00-3053 Filed 2-9-00; 8:45 am]

**BILLING CODE 4310-70-F**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion for Native American Human Remains From Rockbridge County, VA in the Possession of the Virginia Department of Historic Resources, Richmond, VA**

**AGENCY:** National Park Service.

**ACTION:** Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains from Rockbridge County, VA in the possession of the Virginia Department of Historic Resources, Richmond, VA.

A detailed assessment of the human remains was made by Virginia Department of Historic Resources professional staff in consultation with representatives of the Chickahominy, the Eastern Chickahominy, the Mattaponi, the Monacan Indian Nation, the Nansemond, the Pamunkey, the United Rappahannock, the Upper Mattaponi, all non-Federally recognized Indian groups which are formally recognized by the Commonwealth of Virginia.

In 1901, human remains representing a minimum of 105 individuals were excavated from the Hayes Creek Mound, Rockbridge County, VA by Edward P. Valentine, an amateur archeologist with the Valentine Museum, Richmond, VA. In 1989, these human remains were donated to the Virginia Department of

Historic Resources by the Valentine Museum. No known individuals were identified. No associated funerary objects are present.

Based on material culture and archeological evidence, the Hayes Creek Mound site has been identified as a Late Woodland (c. 900-1600 A.D.) occupation. Based on the material culture and condition of the human remains, these individuals have been identified as Native American. Archeological and ethnohistoric research indicates the Monacan and Mannahoac were loosely confederated with each other and linked to the earlier mound-building peoples in the Virginia piedmont and eastern mountain regions generally known as the Lewis Creek Mound Culture. Consultation evidence presented by the present-day Monacan indicates a direct lineal connection with the Monacan and related tribes occupying Rockbridge County in the early 17th century. Based on continuities of mound construction and site arrangement, there appears to be a shared ideology and cultural continuity which underlayed and defined not only the Monacan east of the Blue Ridge, but also includes related groups on the immediate west side of the Blue Ridge.

On October 29, 1999, the Virginia Department of Historic Resources requested a finding from the NAGPRA Review Committee concerning the Monacan Indian Nation's request for repatriation for these 105 individuals listed as "culturally unidentifiable" on the Department's NAGPRA inventory. At its November 18-20, 1999 meeting, the NAGPRA Review Committee recommended that the Department proceed with repatriation of these Native American human remains to the Monacan Indian Nation following publication of this Notice of Inventory Completion in the Federal Register.

Based on the above mentioned information, officials of the Virginia Department of Historic Resources have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of a minimum of 105 individuals of Native American ancestry. Officials of the Virginia Department of Historic Resources have determined that, pursuant to 25 U.S.C. 3001 (2), no relationship of shared group identity can be reasonably traced between these Native American human remains and a Federally recognized Indian tribe. However, officials of the Virginia Department of Historic Resources have determined that a relationship of shared group identity can be reasonably traced between these Native American human remains and the Monacan Indian

Nation, a non-Federally recognized Indian group.

This notice has been sent to officials of the Chickahominy, the Eastern Chickahominy, the Mattaponi, the Monacan Indian Nation, the Nansemond, the Pamunkey, the United Rappahannock, the Upper Mattaponi. Representatives of any other Federally recognized Indian tribe or other valid claimant under NAGPRA that believes itself to be culturally affiliated with these human remains should contact M. Catherine Slusser, State Archaeologist, Department of Historic Resources, 2801 Kensington Ave., Richmond, VA 23221; telephone: (804) 367-2323, before March 13, 2000. Repatriation of the human remains to the Monacan Indian Nation may begin after that date if no Federally recognized Indian tribes or other valid claimant under NAGPRA makes a claim.

The National Park Service is not responsible for the determinations within this notice.

Dated: January 19, 2000.

**Francis P. McManamon,**

*Departmental Consulting Archeologist,  
Manager, Archeology and Ethnography  
Program.*

[FR Doc. 00-3054 Filed 2-9-00; 8:45 am]

**BILLING CODE 4310-70-F**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Prospective Grant of Exclusive Patent License

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice.

**SUMMARY:** This notice is issued in accordance with 35 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(I). The Bureau of Reclamation (Reclamation) is contemplating the granting of an exclusive license in the United States to practice the invention embodied in U.S. Patent No. 5,544,973 titled "Concrete Step Embankment Protection". The exclusive license is to be granted to Lee Masonary Products, L.L.C., DBA Armortec, having a place of business in Bowling Green, Kentucky. The patent rights in this invention has been assigned to the United States of America.

The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. While the primary purpose of this notice is to announce Reclamation's intent to grant an exclusive license to practice the invention listed above, it also serves to

publish the availability of this invention for licensing in accordance with law. The prospective license may be granted unless Reclamation receives written evidence and argument which establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7

**DATES:** Written evidence and arguments against granting the prospective license must be received by May 10, 2000.

**ADDRESSES:** Inquiries, comments, and other materials relating to the contemplated license may be submitted to Donald E. Ralston, Bureau of Reclamation, Research and Technology Transfer, MS-7620, 1849 C Street, N.W., Washington, D.C. 20240.

A copy of the above-identified patent may be purchased from the NTIS Sales Desk by telephoning 1-800-553-NTIS or by writing NTIS at 5285 Port Royal Road, Springfield, VA 22161.

**FOR FURTHER INFORMATION CONTACT:** Donald Ralston by telephone at (202) 208-5671.

**SUPPLEMENTARY INFORMATION:** The present invention relates to a dam spillway system for embankment dam overtopping protection comprising a layer of freedraining, angular, gravel filter material, a plurality of rows of overlapping, tapered, concrete blocks assembled over the filter material in shingle-fashion, from the toe of the dam, up the slope to the top of the dam, and a plurality of fixed concrete toe blocks located at the toe of the dam, usually beneath the tailwater, and supporting each of the rows of concrete blocks. The invention has particular application to providing erosion protection for embankment dams that may be subject to overtopping flows.

Properly filed competing applications received by Reclamation in response to this notice will be considered as objections to the grant of the contemplated license.

Dated: January 12, 2000.

**Stanley L. Ponce,**

*Director, Research and Technology Transfer.*  
[FR Doc. 00-3110 Filed 2-9-00; 8:45 am]

**BILLING CODE 4310-94-M**

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### Notice of Proposed Information Collection

**AGENCY:** Office of Surface Mining Reclamation and Enforcement.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing that the information collection request for 30 CFR 783, Underground Mining Permit Applications—Minimum Requirements for Information on Environmental Resources has been forwarded to the Office of Management and Budget (OMB) for review and comment. The information collection request describes the nature of the information collection and the expected burden and cost.

**DATES:** Comments must be submitted on or before March 13, 2000, to be assured of consideration.

**FOR FURTHER INFORMATION CONTACT:** To request a copy of the information collection request, explanatory information and related form, contact John A. Trelease at (202) 208-2783.

**SUPPLEMENTARY INFORMATION:** The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). OSM has submitted a request to OMB to renew its approval of the collection of information found at 30 CFR 783, Underground Mining Permit Applications—Minimum Requirements for Information on Environmental Resources. OSM is requesting a 3-year term of approval for this information collection activity.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is listed in 30 CFR Part 783, which is 1029-0038.

As required under 5 CFR 1320.8(d), a **Federal Register** notice soliciting comments on these collections of information was published on November 30, 1999 (64 FR 66932). No comments were received. This notice provides the public with an additional 30 days in which to comment.

The following information is provided for the information collection: (1) title of the information collection; (2) OMB control number; (3) summary of the information collection activity; and (4) frequency of collection, description of the respondents, estimated total annual responses, and the total annual reporting and recordkeeping burden for the collection of information. Where appropriate, OSM has revised burden