

Mike Black, Regional Road Engineer, Rocky Mountain Region  
Robert Martin, Regional Road Engineer, BIA Alaska Region  
Harold Riley, Road Engineer, BIA Navajo Region  
Todd Kennedy, Regional Road Engineer, BIA Midwest Region  
Mike Smith, Director, BIA Office of Tribal Services  
Paul Los, Program Coordinator, Federal Highway Administration, Department of Transportation  
Vivian Philbin, Attorney, Federal Highway Administration, Department of Transportation  
Robert Sparrow, Federal Lands Highway Program Engineer, Federal Highway Administration, Department of Transportation

If you believe that tribal interests will not be adequately represented by any tribal person identified in the updated tribal committee membership, you may apply or nominate another person for membership on the committee. Each application or nomination must be received by the date above and must include:

(1) The name of the nominee, business address, and telephone and fax numbers.

(2) The tribal interest(s) to be represented by the nominee (based on the requirements of TEA-21 listed above);

(3) Evidence that the applicant or nominee is authorized to represent parties related to the interest(s) the person proposed to represent;

(4) The reasons that the proposed members of the committee identified in this notice do not represent the interests of the person submitting the application or nomination; and

(5) Your name, address, telephone number, and the name of the tribe or tribal organization with which you are affiliated.

Dated: January 17, 2003.

**Aurene M. Martin,**

*Acting Assistant Secretary—Indian Affairs.*  
[FR Doc. 03-2043 Filed 1-28-03; 8:45 am]

**BILLING CODE 4310-LY-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### **Proposed Finding Against Federal Acknowledgment of the Golden Hill Paugussett Tribe**

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

**ACTION:** Notice of proposed finding.

**SUMMARY:** Pursuant to 25 CFR 83.10(h), notice is hereby given that the Assistant

Secretary—Indian Affairs (AS-IA) proposes to decline to acknowledge that the Golden Hill Paugussett Tribe (GHP), c/o Mr. Aurelius H. Piper, Jr., Suite 236, 1440 Whalley Avenue, New Haven, Connecticut, 06515, is an Indian tribe within the meaning of Federal law. This notice is based on a determination that the petitioner does not satisfy all seven of the criteria set forth in 25 CFR Part 83.7, specifically criteria (b), (c), and (e), and therefore does not meet the requirements for a government-to-government relationship with the United States.

**DATES:** Publication of the AS-IA's notice of the proposed finding in the **Federal Register** initiates a 180-day comment period during which the petitioner, interested parties, informed parties, and the public may submit arguments and evidence to support or rebut the evidence relied upon in the proposed finding. Interested or informed parties must provide a copy of their comments to the petitioner. The regulations, 25 CFR 83.10(k), provide petitioners a minimum of 60 days to respond to any submissions on the proposed findings received from interested and informed parties during the comment period.

**ADDRESSES:** Comments on the proposed finding or requests for a copy of the report which summarizes the evidence, reasoning, and analyses that are the basis for this proposed finding, or a list of parties in the litigation, should be addressed to the Bureau of Indian Affairs, Branch of Acknowledgment and Research, 1849 C Street, NW., Mailstop 4660-MIB, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** R. Lee Fleming, Chief, Branch of Acknowledgment and Research, (202) 208-3592.

**SUPPLEMENTARY INFORMATION:** This notice is published in accordance with authority delegated by the Secretary of the Interior (Secretary) to the AS-IA by 209 DM 8.

The GHP group's petition #81 is being considered under a court-approved negotiated agreement in pending litigation. This agreement, entered December 14, 2001, established time lines for the submission of materials to the Department of the Interior (Department) and deadlines for submitting comments, and issuing a proposed finding. The agreement neither modifies the regulatory time periods following the issuance of the proposed finding, nor modifies the criteria or the standards required to demonstrate that the criteria are met.

The GHP group submitted a letter of intent to the Department on April 13, 1982, to petition for Federal

acknowledgment as an Indian tribe, a documented petition on April 12, 1993, and the Bureau of Indian Affairs (BIA) placed them on the "Ready, Waiting for Active Consideration" list on November 21, 1994. The BIA processed the GHP petition under 25 CFR 83.10(e), which permits an evaluation on only one criterion if the petition and response to the technical assistance review indicates that there is little or no evidence to demonstrate that a group can meet the criteria in 83.7(e), (f), or (g).

The Department published a notice of the proposed finding on June 8, 1995, in the **Federal Register** that declined to acknowledge that the GHP existed as an Indian tribe (60 FR 30430). The Department found the evidence clearly established that the GHP group did not meet the mandatory criterion 83.7(e), descent from a historical Indian tribe. Following an evaluation of the evidence submitted during the comment periods, the AS-IA issued a final determination on September 16, 1996 (61 FR 50501). The AS-IA concluded that the evidence did not establish a reasonable likelihood of the validity of the facts (see 25 CFR 83.6(d)) that the petitioner descended from a historic tribe, or that William Sherman, the ancestor through whom the GHP claimed tribal descent, had ancestry either from the historical Golden Hill tribe or from any other identified historical Indian tribe.

The GHP petitioner filed a request for reconsideration of the final determination with the Interior Board of Indian Appeals (IBIA) on December 26, 1996, pursuant to 25 CFR 83.11(b)(2). Another group, the Golden Hill Paugeesukg Tribal Nation, also requested reconsideration, claiming to be the actual governing body of the petitioning group. On September 8, 1998, the IBIA affirmed the decision not to acknowledge the GHP group as an Indian tribe, but referred five allegations of error to the Secretary (33 IBIA 4, 1998).

On December 22, 1998, the Secretary, without evaluating the merits, requested the AS-IA to address the five issues and provide a reconsidered determination in accordance with the applicable regulations. The AS-IA recused himself of this decision, and, on May 24, 1999, the Deputy AS-IA issued a reconsidered decision and an order that the GHP petition be considered under all seven mandatory criteria of the acknowledgment regulations. The Deputy AS-IA also ordered active consideration of the petition be suspended until the GHP petitioner made additional submissions, which it did, whereupon the BIA resumed active consideration.