

criteria in CITES and Federal regulations for the issuance, suspension, revocation, or denial of permits.

We have developed a new permit application form specific to permit requests for the export of caviar and/or meat of wild-origin paddlefish and/or U.S. native sturgeon species. In the past, we have used FWS Form 3-200-27 (Export of Wildlife Removed from the Wild) to collect the information necessary for us to evaluate these permit requests. When using that general form, applicants have had considerable difficulty understanding what information is necessary and how to supply it. The new form, FWS Form 3-200-76, clarifies these issues.

**Comments:** On September 20, 2006, we published in the **Federal Register** (71 FR 55004) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on November 20, 2006. In addition, we conducted public outreach by sending a copy of the notice to members of the caviar community and asked for their comments. We received two comments.

One commenter was a State fisheries coordinator who supported the new form. The second commenter stated that the proposed form has more focused information and would assist applicants in preparing applications. The second commenter also had two suggestions:

(1) That we increase the estimated time to complete the application. After considering this comment, we increased the estimated average time to complete an application to 3 hours and revised the estimated annual burden on the public.

(2) That we revise the wording in the application to more accurately reflect how caviar exporters work. Wholesalers and suppliers typically do not provide the fishermen information directly to the applicant because it may be considered proprietary information. Due to the concern, we are not requiring that the intermediary provide the information to the applicant who is responsible for submitting the application. Instead, the supplier may submit it directly to the Service provided that it is clear which application is being referenced. In such cases, if the supplier believes the information is proprietary, the supplier should identify it as proprietary and/or business confidential, as appropriate. The applicant is still responsible for providing a complete application to the Service.

We again invite comments concerning this information collection on:

(1) whether or not the collection of information is necessary, including whether or not the information will have practical utility;

(2) the accuracy of our estimate of the burden for this collection of information;

(3) ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) ways to minimize the burden of the collection of information on respondents.

Comments submitted in response to this notice are a matter of public record.

Dated: January 22, 2007

**Hope Grey,**

*Information Collection Clearance Officer,  
Fish and Wildlife Service.*

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**Billing Code 4310-55-S**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of Applications for Permit

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

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

**SUMMARY:** The public is invited to comment on the following applications to conduct certain activities with endangered species and marine mammals.

**DATES:** Written data, comments or requests must be received by March 26, 2007.

**ADDRESSES:** Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents within 30 days of the date of publication of this notice to: U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203; fax 703/358-2281.

**FOR FURTHER INFORMATION CONTACT:** Division of Management Authority, telephone 703/358-2104.

#### SUPPLEMENTARY INFORMATION:

##### Endangered Species

The public is invited to comment on the following applications 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.*).

Written data, comments, or requests for copies of these complete applications should be submitted to the Director (address above).

**Applicant:** Denver Zoological Gardens, Denver, CO, PRT-144259.

The applicant requests a permit to import one male bred-in-captivity Malayan tapir (*Tapirus indicus*) from the Belfast Zoo, Belfast, Ireland, for the purpose of enhancement of the survival of the species.

**Applicant:** Lincoln Park Zoo, Chicago, IL, PRT-144119.

The applicant requests a permit to export hair from one male Bactrian camel (*Camelus bactrianus*) to the United Kingdom for the purpose of scientific research.

**Applicant:** Zoological Society of San Diego, San Diego, CA, PRT-144258.

The applicant requests a permit to export one male captive bred giant panda (*Ailuropoda melanoleuca*) born at the zoo in 2003 and owned by the Government of China, to the Wolong Nature Reserve, China under the terms of their loan agreement with the China Wildlife Conservation Association. This export is part of the approved loan program for the purpose of enhancement of the survival of the species through scientific research as outlined in the Zoological Society of San Diego's original permit.

**Applicant:** Detroit Zoological Institute, Royal Oak, MI, PRT-135623.

The applicant requests a permit to export one male captive bred Central American river turtle (*Dermatemys mawii*) to the Prague Zoo, Czech Republic, for the purpose of enhancement of the survival of the species through captive breeding.

**Applicant:** Dort S. Bigg, Turner, ME, PRT-144848.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

**Applicant:** John C. Knight, Howey in the Hills, FL, PRT-140177.

The applicant requests a permit to import the sport-hunted trophy of one scimitar-horned oryx (*Oryx dammah*) culled from a captive herd in the Republic of South Africa, for the purpose of enhancement of the survival of the species.

##### Marine Mammals

The public is invited to comment on the following application for a permit to

conduct certain activities with marine mammals. The application was submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing marine mammals (50 CFR Part 18). Written data, comments, or requests for copies of the complete applications or requests for a public hearing on these applications should be submitted to the Director (address above). Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Director.

*Applicant:* Charles P. Kupfer, Millbury, MA, PRT-143853.

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport hunted from the Northern Beaufort Sea polar bear population in Canada for personal, noncommercial use.

Dated: January 19, 2007.

**Monica Farris,**

*Senior Permit Biologist, Branch of Permits, Division of Management Authority.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Final Determination for Federal Acknowledgment of the Mashpee Wampanoag Indian Tribal Council, Inc. of Massachusetts

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

**ACTION:** Notice of final determination.

**SUMMARY:** Pursuant to 25 CFR 83.10(l)(2), notice is hereby given that the Department of the Interior (Department) has determined that the Mashpee Wampanoag Indian Tribal Council, Inc., P.O. Box 1048, Mashpee, Massachusetts, 02649, is an Indian tribe within the meaning of Federal law. This notice is based on a determination that the petitioner satisfies all seven mandatory criteria set forth in 25 CFR 83.7, and thus meets the requirements for a government-to-government relationship with the United States.

**DATES:** This determination is final and will become effective 90 days from publication of this notice in the **Federal Register** on May 23, 2007, pursuant to 25 CFR 83.10(l)(4), unless a request for reconsideration is filed pursuant to 25 CFR 83.11.

**ADDRESSES:** Requests for a copy of the Summary Evaluation of the Criteria

should be addressed to the Office of the Assistant Secretary—Indian Affairs, Attention: Office of Federal Acknowledgment, 1951 Constitution Avenue, NW., MS: 34B-SIB, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** R. Lee Fleming, Director, Office of Federal Acknowledgment, (202) 513-7650.

**SUPPLEMENTARY INFORMATION:** This notice is published in the exercise of authority delegated by the Secretary of the Interior to the ADS by Secretarial Order 3259, of February 8, 2005, as amended on August 11, 2005, and on March 31, 2006. This notice is based on a determination that the Mashpee Wampanoag Tribal Council, Inc. (MWT) meets all of the seven mandatory criteria for acknowledgment in 25 CFR 83.7.

The Department considered the Mashpee petition under slightly modified timeframes set by a July 22, 2005, Joint Settlement Agreement and Stipulated Dismissal (Agreement) resolving the case of *Mashpee Wampanoag Tribal Council, Inc. v. Norton*, 180 F. Supp. 2d 130 (D.D.C. 2001), rev'd, 336 F.3d 1094 (D.C. Cir. 2003), *on remand*, No. CA 01-111 JR (D.D.C.).

A notice of the proposed finding (PF) to acknowledge the petitioner was published in the **Federal Register** on April 6, 2006 (71 FR 17488). Publishing notice of the PF initiated a 180-day comment period during which time the petitioner, and interested and informed parties, could submit arguments and evidence to support or rebut the PF. The comment period ended on October 3, 2006. The regulations at 25 CFR 83.10(k) provide the petitioner a minimum of 60 days to respond to comments that interested and informed parties submitted on the PF during the 180-day comment period. The Agreement modified this timeframe, providing the petitioner a 30-day response period, which ended on November 1, 2006. This final determination (FD) is made following a review of the petitioner's and public comments as well as the petitioner's response to the public comments.

During the comment period, the petitioner submitted an updated membership list, supplemental genealogical and governmental materials, and historical documents, in response to requests for information made by the Department in the PF and in an informal technical assistance teleconference with the petitioner. These materials did not change the conclusions of the PF. The Department received several letters of support from the public for the Mashpee group. These

letters did not provide substantive comment. The Department also received a letter from a former selectman of the Town of Mashpee pertaining to negotiations between the petitioner and the Town. This letter did not comment substantively on the PF. The only substantive comment by interested or informed parties came from the Office of the Massachusetts Attorney General (Massachusetts AG), to which the petitioner submitted a response on October 30, 2006. The Massachusetts AG's comments are discussed under criteria 83.7(b) and 83.7(c) below.

Criterion 83.7(a) requires external identifications of the petitioner as an American Indian entity on a substantially continuous basis since 1900. The PF concluded external observers identified the petitioning group as an American Indian entity on a substantially continuous basis since 1900. However, it pointed out that the available identifications of the Mashpee in the record for 1900-1923 constituted sufficient but minimal evidence for substantially continuous identification for those years, and encouraged the petitioner to strengthen its evidence for criterion 83.7(a) by submitting additional identifications for that period. In response, the petitioner submitted a new argument concerning a 1907 document. As reevaluated for the FD, this document provides an additional identification of the Mashpee. When combined with the other identifications in the record for the PF for those years, the additional evidence is sufficient to show consistent identifications of the Mashpee from 1900 to 1923. The evidence submitted for both the PF and the FD demonstrates external observers identified the Mashpee as an Indian entity on a substantially continuous basis since 1900. Therefore, the petitioner meets the requirements of criterion 83.7(a).

Criterion 83.7(b) requires that a predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present. The PF concluded that the petitioner presented sufficient evidence to satisfy this criterion. During the comment period, in response to the Department's request for information, the petitioner submitted a copy of the 1776 Gideon Hawley census of Mashpee. As part of an analysis of residential patterns of the Mashpee group for the colonial and Revolutionary periods, the PF described this document's details using only descriptions of it from both State reports and secondary sources. For the FD, Department researchers analyzed the newly-submitted 1776 Hawley census