

organization. Outside of these active participants, few members of the group have strong social ties to each other. For the period from 1980 to 2009, there is insufficient evidence that a predominant portion of the petitioning group's members regularly associate with each other or that the petitioner's members comprise a distinct community. Therefore, the BIN petitioner does not meet the requirements of criterion 83.7(b) as modified by section 83.8(d)(2).

Criterion 83.7(c) requires that the petitioning group has maintained political influence over its members as an autonomous entity since historical times. The evidence in the record does not demonstrate that authoritative, knowledgeable external observers identified leaders or a governing body of the petitioning group on a substantially continuous basis since the date of last Federal acknowledgment in 1839. Therefore, the petitioner does not meet the requirements of criterion 83.7(c) as modified by section 83.8(d)(3) for the historical period prior to "at present." Alternatively under the provisions of section 83.8(d)(5), the evidence in the record is insufficient to demonstrate that the BIN petitioner or any group antecedent to it maintained political influence or authority over its members from 1839 until the group's establishment as a formal organization in 1980. After 1980, when the current petitioner organized, its governing body has provided some services for its members, but this activity is of recent origin and appears to be the result of the group's establishment as a formal organization. The petitioner has not demonstrated it maintained political influence or authority over most of its members at any time since 1839. Therefore, the BIN petitioner does not meet the requirements of criterion 83.7(c).

Criterion 83.7(d) requires that the petitioner provide a copy of its governing document including its membership criteria. The petitioner submitted a copy of its governing document which includes its membership criteria. Therefore, the BIN petitioner meets the requirements of criterion 83.7(d).

Criterion 83.7(e) requires that the petitioner's members descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity. The June 24, 2008, BIN membership list includes 3,137 living members, both adults and minors. The evidence in the record shows that almost all of the petitioner's members claim descent from individuals who

were members of the historical Brothertown Indian tribe of Wisconsin in 1839. However, this PF finds that only 51 percent (1,593 of 3,137) of BIN members have demonstrated descent from an individual known to be a member of the historical Brothertown Indian tribe of Wisconsin. The petitioner has not demonstrated for this PF that its members descend from an historical Indian tribe. Therefore, the BIN petitioner does not meet the requirements of criterion 83.7(e).

Criterion 83.7(f) requires that the petitioner's membership be composed principally of persons who are not members of another federally recognized Indian tribe. A review of the membership rolls of those Indian tribes in Wisconsin and Minnesota that would most likely include the BIN petitioner's members revealed that the petitioner's membership is composed principally of persons who are not members of any federally acknowledged North American Indian tribe. Therefore, the BIN petitioner meets the requirements of criterion 83.7(f).

Criterion 83.7(g) requires that the petitioner not be subject to congressional legislation that has terminated or forbidden the Federal relationship. Congress stated in the Act of 1839 that the Brothertown Indian tribe's "rights as a tribe" recognized by the Federal Government, and specifically its power to act as a political and governmental entity, would "cease and determine," that is, end and be limited permanently. Congress in this Act brought Federal recognition of the relationship with the Brothertown Indian tribe of Wisconsin to an end. By expressly denying the Brothertown of Wisconsin any Federal recognition of a right to act as a tribal political entity, Congress has forbidden the Federal Government from acknowledging the Brothertown as a government and from having a government-to-government relationship with the Brothertown as an Indian tribe. Congress has both expressly ended and forbidden the Federal relationship for this petitioner. Therefore, the BIN petitioner does not meet the requirements of criterion 83.7(g).

Based on this preliminary factual determination, the Department proposes not to extend Federal acknowledgment as an Indian tribe to the petitioner known as the Brothertown Indian Nation.

A report summarizing the evidence, reasoning, and analyses that are the basis for the PF will be provided to the petitioner and interested parties, and is available to other parties upon written request as provided by 25 CFR 83.10(h).

Requests for a copy of the summary evaluation of the evidence should be addressed to the Federal Government as instructed in the **ADDRESSES** section of this notice.

Publication of this notice of the PF in the **Federal Register** initiates a 180-day comment period during which the petitioner and interested and informed parties may submit arguments and evidence to support or rebut the evidence relied upon in the PF. Comments on the PF should be addressed to both the petitioner and the Federal Government as required by 25 CFR 83.10(i) and as instructed in the **ADDRESSES** section of this notice by the date listed in the **DATES** section of this notice.

The regulations, 25 CFR 83.10(k), provide the petitioner a minimum of 60 days to respond to any submissions on the PF received from interested and informed parties during the comment period. After the expiration of the comment and response periods described above, the Department will consult with the petitioner concerning establishment of a schedule for preparation of the FD. The Acting PDAS-IA will publish the FD of the petitioner's status in the **Federal Register** as provided in 25 CFR 83.10(l), at a time that is consistent with that schedule.

The Acting PDAS-IA George T. Skibine approved the Proposed Finding Against Acknowledgment of the Brothertown Indian Nation (Petitioner #67) and approved the publication of this **Federal Register** notice.

Dated: August 17, 2009.

**George T. Skibine,**  
*Acting Principal Deputy Assistant Secretary—  
Indian Affairs.*

[FR Doc. E9-20285 Filed 8-21-09; 8:45 am]

**BILLING CODE 4310-G1-P**

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-923-1310-FI; WYW144810]

#### Wyoming: Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of proposed reinstatement of terminated oil and gas lease.

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**SUMMARY:** Under the provisions of 30 U.S.C. 188(d) and (e), and 43 CFR 3108.2-3(a) and (b)(2), the Bureau of Land Management (BLM) received a petition for reinstatement from

Anadarko Petroleum Corporation and Lance Oil & Gas Company for noncompetitive oil and gas lease WYW144810 for land in Johnson County, Wyoming. The petition was filed on time and was accompanied by all the rentals due since the date the lease terminated under the law.

**FOR FURTHER INFORMATION CONTACT:** Bureau of Land Management, Carmen E. Lovett, Land Law Examiner, at (307) 775-6160.

**SUPPLEMENTARY INFORMATION:** The lessees have agreed to the amended lease terms for rentals and royalties at rates of \$10.00 per acre or fraction thereof, per year and 18 $\frac{2}{3}$  percent, respectively. The lessees have paid the required \$500 administrative fee and \$163 to reimburse the Department for the cost of this **Federal Register** notice. The lessees have met all the requirements for reinstatement of the lease as set out in sections 31(d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate lease WYW144810 effective April 1, 2009, under the original terms and conditions of the lease and the increased rental and royalty rates cited above. BLM has not issued a valid lease affecting the lands.

**Carmen E. Lovett,**  
*Land Law Examiner.*  
[FR Doc. E9-20324 Filed 8-21-09; 8:45 am]  
**BILLING CODE 4310-22-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-923-1310-FI; WYW144809]

#### Wyoming: Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of proposed reinstatement of terminated oil and gas lease

**SUMMARY:** Under the provisions of 30 U.S.C. 188(d) and (e), and 43 CFR 3108.2-3(a) and (b)(2), the Bureau of Land Management (BLM) received a petition for reinstatement from Anadarko Petroleum Corporation and Lance Oil & Gas Company for noncompetitive oil and gas lease WYW144809 for land in Johnson County, Wyoming. The petition was filed on time and was accompanied by all the rentals due since the date the lease terminated under the law.

**FOR FURTHER INFORMATION CONTACT:** Bureau of Land Management, Carmen E. Lovett, Land Law Examiner, at (307) 775-6160.

**SUPPLEMENTARY INFORMATION:** The lessees have agreed to the amended lease terms for rentals and royalties at rates of \$10.00 per acre or fraction thereof, per year and 18 $\frac{2}{3}$  percent, respectively. The lessees have paid the required \$500 administrative fee and \$163 to reimburse the Department for the cost of this **Federal Register** notice. The lessees have met all the requirements for reinstatement of the lease as set out in Sections 31(d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate lease WYW144809 effective April 1, 2009, under the original terms and conditions of the lease and the increased rental and royalty rates cited above. BLM has not issued a valid lease affecting the lands.

**Carmen E. Lovett,**  
*Land Law Examiner.*  
[FR Doc. E9-20325 Filed 8-21-09; 8:45 am]  
**BILLING CODE 4310-22-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-923-1310-FI; WYW144811]

#### Wyoming: Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of proposed reinstatement of terminated oil and gas lease.

**SUMMARY:** Under the provisions of 30 U.S.C. 188(d) and (e), and 43 CFR 3108.2-3(a) and (b)(2), the Bureau of Land Management (BLM) received a petition for reinstatement from Anadarko Petroleum Corporation and Lance Oil & Gas Company for noncompetitive oil and gas lease WYW144811 for land in Johnson County, Wyoming. The petition was filed on time and was accompanied by all the rentals due since the date the lease terminated under the law.

**FOR FURTHER INFORMATION CONTACT:** Bureau of Land Management, Carmen E. Lovett, Land Law Examiner, at (307) 775-6160.

**SUPPLEMENTARY INFORMATION:** The lessees have agreed to the amended lease terms for rentals and royalties at rates of \$10.00 per acre or fraction thereof, per year and 18 $\frac{2}{3}$  percent,

respectively. The lessees have paid the required \$500 administrative fee and \$163 to reimburse the Department for the cost of this **Federal Register** notice. The lessees have met all the requirements for reinstatement of the lease as set out in sections 31(d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate lease WYW144811 effective April 1, 2009, under the original terms and conditions of the lease and the increased rental and royalty rates cited above. BLM has not issued a valid lease affecting the lands.

**Carmen E. Lovett,**  
*Land Law Examiner.*  
[FR Doc. E9-20322 Filed 8-21-09; 8:45 am]  
**BILLING CODE 4310-22-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AZP020-09-L54100000-FR0000-LVCLA09A5120; AZA-33964]

#### Notice of Realty Action: Application for Conveyance of Federal Mineral Interests, Cochise County, AZ

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Notice of realty action.

**SUMMARY:** The surface owner of the land described in this notice, containing approximately 320 acres, has filed an application for the purchase of the federally-owned mineral interests in the land. Publication of this notice temporarily segregates the mineral interests from appropriation under the public land laws, including the mining laws.

**DATES:** Interested persons may submit written comments to the Bureau of Land Management (BLM) at the address stated below. Comments must be received no later than October 8, 2009.

**ADDRESSES:** Bureau of Land Management, Phoenix District, 21605 North 7th Avenue, Phoenix, Arizona 85027. Detailed information concerning this action, including appropriate environmental information, is available for review at this address.

**FOR FURTHER INFORMATION CONTACT:** Matthew Magaletti, Lands and Realty Specialist, at the above address or at 623-580-5590.

**SUPPLEMENTARY INFORMATION:** The surface owner of the following described land has filed an application pursuant to Section 209 of the Federal Land Policy and Management Act of 1976, 43 United States Code (U.S.C.)