

(4310-4J-P)

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Certificate of Degree of Indian or Alaska Native Blood Information Collection, Submission

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Submission of Information collection for renewal.

SUMMARY: The Bureau of Indian Affairs (BIA) is submitting an information collection to the Office of Management and Budget for reinstatement. The information collected under OMB Control No. 1076-0153 will be used to establish that the applicants meet requirements for official recognition as an American Indian or Alaska Native for purposes of eligibility determination and participation in programs administered through the U.S. Bureau of Indian Affairs.

DATE: Submit comments must be submitted on or before [Insert date 30 days after date of publication in the FEDERAL REGISTER].

ADDRESSES: You may submit comments on the information collection to the Desk Officer for the Department of the Interior by facsimile at 202-395-6566 or electronically to

OIRA_DOCKET@omb.eop.gov.

Please send a copy of comments to Daisy West, Office of Indian Services, Bureau of Indian Affairs, 1849 C Street, NW, Mail Stop 4513-MIB, Washington, DC 20240. Fax number: (202) 208-5113.

FOR FURTHER INFORMATION CONTACT: Ms. Daisy West, Chief, Division of Tribal Government Services, (202) 513-7626.

SUPPLEMENTARY INFORMATION: This collection was originally approved and assigned OMB Control No. 1076-0153 when it was submitted with a proposed

rulemaking, 25 CFR Part 70, which was published in the **Federal Register** on April 18, 2000 (66 FR 20775). The proposed rulemaking has not been finalized due to various reasons. We are in the process of revising the proposed rulemaking for processing applications for Certificates of Degree of Indian or Alaska Native Blood (CDIB). A request for comments on this information collection request appeared in the **Federal Register** (72 61366) on October 30, 2007. One comment was received during or before the close of the public comment period of December 31, 2007.

Comment: We received one comment regarding 1) who needs to fill out the form? Is it to be used only for new recognition applications or for all enrolled persons; 2) does this establish a new "blood" requirement, i.e., 1/8 or 1/4?; and 3) do not reinvent Enrollment for those who have already done it but have reasonable requirements for new enrollees or those denied.

Response: 1) The Bureau of Indian Affairs issues Certificate Degree of Indian or Alaska Native Blood (CDIB) to individuals who wish to document their Indian or Alaska Native ancestry. Many individuals are of Indian or Alaska Native descent but do not meet the requirements for established blood quantum within tribal membership criteria and are not enrolled. In order for these unenrolled persons to receive services provided by the Bureau of Indian Affairs or other Federal Agencies for which they may be eligible, these individuals request a CDIB from the Bureau of Indian Affairs. Some tribes require all applicants for membership to obtain a CDIB from the Bureau of Indian Affairs prior to submitting a tribal membership application. The CDIB is then used in the determination of eligibility for tribal membership. The Indian Health Service accepts tribal membership cards issued by tribes in most cases but other locations require a CDIB from the Bureau of Indian Affairs. Many enrolled tribal members have a CDIB card however those individuals that are not enrolled with any tribe, but are of Indian or Alaska Native descent, are the individuals that will most often request

this card as a means for establishing eligibility for various programs and services. Many requests are for duplicates of the CDIB when the original has been lost or destroyed.

2) The Certificate Degree of Indian or Alaska Native Blood does not establish a new "blood" requirement. Information used in completion of the CDIB is obtained from Indian census rolls, tribal base rolls, Indian judgment fund distribution rolls that include blood degrees, or other documents prepared and approved by the Secretary of the Interior, or his/her authorized representative. An individual must show his/her relationship to any persons on the above listed federal documents by submitting documentation to establish that he/she is a descendant of individuals on an approved roll. The person applying for a CDIB will then have his/her degree of Indian or Alaska Native blood computed from ancestors of Indian or Alaska Native blood who were listed on a roll or other document acceptable to the Secretary, or his/her authorized representative. **CDIBs do not establish membership in any Indian or Alaska Native tribe.** It merely documents eligibility to various programs and services which are available to non-enrolled Indian or Alaska Native descendants. Not all programs and services are available to non-enrolled members. Each program has an established set of criteria to determine eligibility.

3) Enrollment criteria for individuals is established by each tribal entity. The Bureau of Indian Affairs does not enroll tribal members, only tribes have that authority. When an individual applies for a CDIB, he/she is responsible for showing his/her relationship to an individual Indian or Alaska Native listed on an Indian census roll, tribal base roll, Indian judgment fund distribution roll that includes blood degrees, or other document prepared and approved by the Secretary of the Interior, or his/her authorized representative. Supporting documentation is required to establish that relationship, through required documents that have

been determined to be acceptable (i.e., birth certificates, death certificates, probates, etc.). When an individual is denied a CDIB, he/she will be given a written determination with an explanation for the denial and a copy of the appeal procedures contained in 25 CFR Part 62.

REQUEST FOR COMMENTS: The Bureau of Indian Affairs requests comments about the proposed collection to evaluate:

- (a) The accuracy of the burden hours, including validity of the methodology used and assumptions made;
- (b) The necessity of the information for proper performance of the bureau functions, including its practical utility;
- (c) The quality, utility and clarity of the information to be collected; and,
- (d) Suggestions to reduce the burden including use of automated, electronic, mechanical, or other forms of information technology.

The public is advised that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information that does not display a valid OMB clearance number. For example, this collection is listed by OMB as control No. 1076-0153, and it expired 11/30/07. The response is voluntary to obtain or retain a benefit.

Please submit your comments to the person listed in the **ADDRESSES** section. Please note that comments, names and addresses of commentators, are open for public review during the hours of 8 a.m. to 3 p.m., EST, Monday through Friday except for legal holidays. If you wish your name and address withheld, you must state this prominently at the beginning of your comments. We will honor that request to the extent allowable by law.

Your comments should address: (a) the necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c)

ways we could enhance the quality, utility and clarity of the information to be collected; and (d) ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated collection techniques or other forms of information technology.

OMB has up to 60 days to make a decision on the submission for renewal, but may make the decision after 30 days. Therefore, to receive the best consideration of your comments, you should submit them closer to 30 days than 60 days.

OMB Approval Number: 1076-0153

Title: Request for Certificate of Degree of Indian or Alaska Native Blood, 25 CFR Part 70.

Brief Description of collection: Submission of this information is voluntary. However, not providing information may result in a determination that an individual is not eligible to receive program services based upon his/her status as an American Indian or Alaska Native. The information to be collected includes: certificates of birth and death, probate determinations, court orders, affidavits, Federal or Tribal census records and Social Security records.

Type of review: Reinstatement

Respondents: Individual Indians who may be eligible to receive program services based upon their status and/or degree of Indian or Alaska Native blood.

Number of Respondents: 154,980

Estimated Time per Response: The reporting and record keeping burden for this collection of information is estimated to average 1.5 hours for each response for an estimate 154,980 requests per year or 232,470 hours, including the time for reviewing instructions, searching existing data sources and gathering needed data. Thus, the estimated total annual reporting and record keeping burden for this entire collection is estimated to be 232,470 hours.

Frequency of Response: All information and documentation is to be collected once from each requester.

Total Annual Burden to Respondents: 232,470 hours

Total Annual Cost to Respondents: \$6,199,200.

Dated:

Carl J. Artman
Assistant Secretary - Indian Affairs