

Manual," which was adopted by Tribal Council Resolution H-102-82 on August 9, 1982, and the "Standards for Audit of Governmental Organizations, Program Activities, and Functions," which provides standards for the performance of audits;

(16) delete the following sections in their entirety: (a) "Section 884.13(e)(1), Eligible Lands and Water," and provide for its replacement at Part II, Eligible Lands and Waters Subsequent to Certification, (b) "Section 884.13(e)(2), Problem Descriptions," and provide that current problems and needs are described in Part II, Section H of the Hopi Tribe plan, and (c) "Section 884.13(e)(3), Problem Abatement Proposals," and provide that current proposals are described in Part II, Section H of the Hopi Tribe plan;

(17) redesignate Section 884.13(f)(1) as Part "XII;" add language to provide that (a) the "[o]riginal text of this part, Economic Conditions on the Hopi Reservation, is replaced in its entirety by the FY 1993-1995 Annual OEDP [Overall Economic Development Plan] Report * * *," (b) the "[c]urrent economic conditions on the Hopi Reservation are discussed in the following Annual OEDP Report," and (c) "[t]he figures included in the OEDP Report also provide data on economic and socioeconomic conditions on the Hopi Reservation, and reveal the importance of coal mining and the minerals industry to the reservation economic base and the tribal government revenue system;" and attach the referenced report to the Hopi Tribe plan;

(18) delete "Section 884.13(f)(2), Description of Aesthetic, Cultural and Recreational Conditions of the Hopi Reservation," in its entirety;

(19) redesignate Section 884.13(f)(3) as part "XIII";

(20) provide as "Appendix 1" the "Constitution and By-Laws of the Hopi Tribe," which was approved December 19, 1936, and amended on August 1, 1969, February 14, 1980, and December 7, 1993;

(21) provide cover pages for Appendices 2 through 12 and change the title of Appendix 7 from "Hopi Tribe Resolution H-93-80" to "Hopi Tribe Resolution H-93-80 and Subsequent Correspondence to the Bureau of Census;" and

(24) numerous minor editorial and grammatical revisions and recodification changes.

The Hopi Tribe also proposes adding the following items to its plan: (1) a memorandum dated May 18, 1995, from the Hopi Tribe's Assistant General Counsel affirming the authority of the

Tribe's AMLR Program to administer the Hopi Tribe plan as amended in the absence of any AMLR statute; (2) Hopi Tribal Resolution H-134-89 that provides documentation of the Tribe's action changing the name of the Office of Natural Resources to the Department of Natural Resources; and (3) a memorandum dated August 31, 1995, from the Tribe's Office of Financial Management that affirms that the Hopi Tribe "Purchasing Policies and Procedures Manual" is in accordance with OMB's Common Rule.

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 884.15(a), OSM is seeking comments on whether the proposed amendment satisfies the applicable plan approval criteria of 30 CFR 884.14. If the amendment is deemed adequate, it will become part of the Hopi Tribe plan.

1. Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under **DATES** or at locations other than the Albuquerque Field Office will not necessarily be considered in the final rulemaking or included in the administrative record.

2. Public Hearing

Persons wishing to testify at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., m.s.t., December 22, 1995. Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The location and time of the hearing will be arranged with those persons requesting the hearing. If no one requests an opportunity to testify at the public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to testify have been heard. Persons in the audience who have not been scheduled to testify, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to testify and persons present in the

audience who wish to testify have been heard.

3. Public Meeting

If only one person requests an opportunity to testify at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES**. A written summary of each meeting will be made a part of the administrative record.

IV. Procedural Determinations

1. Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

2. Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of Tribe or State AMLR plans and revisions thereof since each such plan is drafted and promulgated by a specific Tribe or State, not by OSM. Decisions on proposed Tribe or State AMLR plans and revisions thereof submitted by a Tribe or State are based on a determination of whether the submittal meets the requirements of title IV of SMCRA (30 U.S.C. 1231-1243) and the applicable Federal regulations at 30 CFR parts 884 and 888.

3. National Environmental Policy Act

No environmental impact statement is required for this rule since agency decisions on proposed Tribe or State AMLR plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

4. Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).