(6) Once the propeller is installed with P/N B–3339 bolts and P/N A–2048–2 washers, this AD no longer applies.

(b) Within the next 300 hours time-in-service after the effective date of this AD, do the following on all applicable turbopropellers presently installed with P/N A–2047 attaching bolts:

(1) Check the torque, with a torque wrench and an appropriate adapter, of all eight propeller attaching bolts (with washers installed). Torque should be 100 to 125 ft.-lbf., with dry threads. (Caution: Do not use any lubricant with the P/N A–2047 bolts. Safety wire all bolts in an FAA-approved manner.)

(2) If the torque of any one of the bolts is found to be less than 100 ft.-lbf., remove all eight bolts and washers and replace with P/N B–3339 bolts and P/N A–2048–2 washers using paragraphs (a)(1) through (a)(5) of this AD.

(3) A P/N A–2047 bolt has the letter “H” stamped inside a triangle on the bolt. A P/N B–3339 bolt has the P/N stamped inside the cupped head.

(4) If the torque of each P/N A–2047 bolt is in compliance, then at next propeller disassembly, remove all eight bolts and washers and replace with P/N B–3339 bolts and P/N A–2048–2 washers. Use paragraphs (a)(1) through (a)(5) of this AD to do the replacements.

(5) Hartzell Service Instructions No. 140A, Revision 8, dated April 6, 2004, is the latest service information that pertains to the subject of this AD.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Chicago Aircraft Certification Office. Operators must submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Chicago Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Chicago Aircraft Certification Office.

Special Flight Permits

(d) Special flight permits may be issued in accordance with §§21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be done.

Issued in Burlington, Massachusetts, on October 12, 2004.

Jay J. Pardee,
Manager, Engine and Propeller Directorate,
Aircraft Certification Service.

[FR Doc. 04–23366 Filed 10–19–04; 8:45 am]

DEPARTMENT OF THE INTERIOR
Office of the Secretary

43 CFR Part 10
RIN 1024–AC84
Native American Graves Protection and Repatriation Act Regulations—Future Applicability

AGENCY: Department of the Interior.

ACTION: Proposed rule.

SUMMARY: This proposed rule and request for comments relates to one section of regulations implementing the Native American Graves Protection and Repatriation Act of 1990 (“the Act”). This section outlines procedures for the future applicability of the Act to museums and Federal agencies. Publication of this section is intended to solicit comments from Indian tribes, Native Hawaiian organizations, museums, Federal agencies, and members of the public prior to its publication in final form.

DATES: Written comments will be accepted until January 18, 2005.

ADDRESSES: Comments (2 copies) should be addressed to: Dr. Sherry Hutt, Manager, National NAGPRA Program, National Park Service, RIN 1024–AC84, 1849 C Street NW., (2253), Washington, DC 20240–0001, or hand deliver comments to 1201 Eye Street NW., Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Dr. Sherry Hutt, Manager, National NAGPRA Program, National Park Service, 1849 C Street NW., (2253), Washington, DC 20240–0001. Telephone: (202) 354–2209. Fax: (202) 371–5197.

SUPPLEMENTARY INFORMATION: On November 16, 1990, President George Bush signed into law the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), hereafter referred to as the Act. The Act addresses the rights of lineal descendants, Indian Tribes and Native Hawaiian organizations to certain Native American human remains, funerary objects, sacred objects or objects of cultural patrimony received Federal funds for the first time; and (4) the museum or Federal agency revises a decision previously published in the Federal Register. In each case the proposed rule establishes deadlines for the required summaries, inventories, or notices.

Public Participation

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments regarding this proposed rule to the address noted at the beginning of this rulemaking. The NPS will review all comments and consider making changes to the rule based upon analysis of the comments.

Copies of this proposed rule may be obtained by submitting a request to the National NAGPRA Program, National Park Service, at the address noted at the beginning of this rulemaking. Commentors wishing the National Park Service to acknowledge receipt of their comments must submit with those comments a self-addressed, stamped postcard on which the following statement is made:
“Comments to RIN 1024–AC84.” The postcard will be date stamped and returned to the commenter.

Drafting Information

This final rule was prepared by Dr. C. Timothy McKeown (National NAGPRA Program) and Dr. Francis P. McManamon (Archaeology and Ethnography Program), in consultation with the Native American Graves Protection and Repatriation Review Committee as directed by section 8 of the Act. The collection of information contained in this rule has been submitted to the Office of Management and Budget for approval as required by 44 U.S.C. 3501 et seq. The collection of this information will not be required until it has been approved by the Office of Management and Budget. Public reporting burden for this collection of information is expected to average 20 hours for the exchange of summary/inventory information between a museum and an Indian tribe and six hours per response for the notification to the Secretary of the Interior, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collected information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Information Collection Officer, Attn: RIN 1024–AC94, National Park Service, Department of Interior Building, 1849 C Street NW., Room 3117, Washington DC 20240, and the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Desk Officer for the Department of the Interior, Washington, DC 20503.

National Environmental Policy Act

This rule does not constitute a major Federal action significantly affecting the quality of the human environment.

Government-to-Government Relationship With Tribes

In accordance with Executive Order 13175 “Consultation and Coordination with Indian Tribal Governments” (65 FR 67249), the President’s memorandum of April 29, 1994, “Government-to-Government Relations with Native American Tribal Governments” (59 FR 22951), and 512 DM 2 we have evaluated potential effects on federally recognized Indian tribes and have determined that there are no potential effects. NAGPRA makes provisions for the return to lineal descendants, Indian tribes and Native Hawaiian organizations of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony. Native American organizations participated in the drafting of this rule.

Clarity of This Regulation

Executive Order 12866 requires each agency to write regulations that are easy to understand. We invite comments on how to make this rule easier to understand, including answers to questions such as the following: (1) Are the requirements in the rule clearly stated? (2) Does the rule contain technical language or jargon that interferes with its clarity? (3) Does the format of the rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity? (4) Would the rule be easier to understand if it were divided into more (but shorter) sections? (A “section” appears in bold type and is preceded by the symbol “§” and a numbered heading; for example, § 10.13 Future Applicability.) (5) Is the description of the rule in the SUPPLEMENTARY INFORMATION section of the preamble helpful in understanding the proposed rule? What else could we do to make the rule easier to understand?

Send a copy of any comments that concern how we could make this rule easier to understand to: Office of Regulatory Affairs, Department of the Interior, Room 7229, 1849 C Street NW., Washington, DC 20240. You may also e-mail the comments to: Exsec@os.doi.gov.
List of Subjects in 43 CFR Part 10

Administrative practice and procedure, Graves, Hawaiian Natives, Historic preservation, Indians-claims, Museums, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, the Department of the Interior proposes to amend 43 CFR subtitle A as follows:

PART 10—NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION REGULATIONS

1. The authority citation for part 10 continues to read as follows:

Authority: 25 U.S.C. 3001 et seq.

2. Section 10.13 is added to read as follows:

§ 10.13 Future applicability.

(a) General. This section sets forth the applicability of the Act to museums and Federal agencies after expiration of the statutory deadlines for completion of summaries and inventories.

(b) New collections. (1) Any museum or Federal agency that, after completion of the summaries and inventories required pursuant to § 10.8 and § 10.9 of these regulations, receives a new collection or locates a previously unreported current collection that may include human remains, funerary objects, sacred objects or objects of cultural patrimony, must:

(i) Within six months of receiving a new collection or locating a previously unreported current collection, provide a summary of the collection pursuant to § 10.8 of these regulations to that Indian tribe; and

(ii) Within two years of the publication in the Federal Register of the Native American group’s placement on the list of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs, provide a summary of the collection pursuant to § 10.8 of these regulations to that Indian tribe; and

(2) Additional pieces or fragments of previously repatriated human remains, funerary objects, sacred objects and objects of cultural patrimony that are, or is likely to be, culturally affiliated with the new collection or locates a previously repatriated funerary bowl or Native Hawaiian organization, an inventory pursuant to § 10.8 of these regulations to any Indian tribe or Native Hawaiian organization that is, or is likely to be, culturally affiliated with the collection; and

(ii) Within two years of receiving a new collection or locating a previously unreported current collection, prepare, in consultation with any culturally affiliated Indian tribe or Native Hawaiian organization, an inventory pursuant to § 10.9 of these regulations.

(2) Additional pieces or fragments of previously repatriated human remains, funerary objects, sacred objects and objects of cultural patrimony that may be returned to the appropriate Indian tribe or Native Hawaiian organization without publication of a notice in the Federal Register, as otherwise required under § 10.8(f) and § 10.9(e), if they do not constitute a substantive change in the notice published at the time of the original repatriation. For example, repatriation of newly found sherds from a previously repatriated funerary bowl would not require a new Federal Register notice, while another previously unreported ceramic vessel from the same burial site would require a new Federal Register notice prior to repatriation.

(c) New Indian tribes. (1) Any museum or Federal agency that has possession or control of human remains, funerary objects, sacred objects, or objects of cultural patrimony that are, or are likely to be, culturally affiliated with a previously non-Federally recognized Native American group, must:

(i) Within six months of the publication in the Federal Register of the Native American group’s placement on the list of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs, provide a summary of the collection pursuant to § 10.8 of these regulations to that Indian tribe; and

(ii) Within two years of the publication in the Federal Register of the Native American group’s placement on the list of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs, prepare, in consultation with the newly recognized culturally affiliated Indian tribe an inventory pursuant to § 10.9 of these regulations.


(d) New Federal funds. Any museum that has possession or control of human remains, funerary objects, sacred objects, or objects of cultural patrimony and receives Federal funds for the first time after expiration of the statutory deadlines for completion of summaries and inventories must:

(1) Within three years of the date of receipt of Federal funds, provide a summary of the collection pursuant to § 10.8 of these regulations to any Indian tribe or Native Hawaiian organization that is, or is likely to be, culturally affiliated with the collections; and

(2) Within five years of the date of receipt of Federal funds, prepare, in consultation with any culturally affiliated Indian tribe or Native Hawaiian organization, an inventory pursuant to § 10.9 of these regulations.

(e) Amendment of previous decision. (1) Any museum or Federal agency that has previously published a notice in the Federal Register regarding the intent to repatriate unassociated funerary objects, sacred objects, and objects of cultural patrimony pursuant to § 10.8(f), or the completion of an inventory of Native American human remains and associated funerary objects pursuant to § 10.9(e), must publish an amendment to that notice if, based on subsequent information, the museum or Federal agency revises its decision in a way that changes the number or cultural affiliation of the cultural items listed.

(2) Repatriation may not occur until at least thirty (30) days after publication of the amended notice in the Federal Register.

(f) All actions taken pursuant to this section must also comply with all other relevant sections of 43 CFR 10.


Craig Manson,
Assistant Secretary for Fish and Wildlife and
Museums, Reporting and recordkeeping requirements.

Federal Register / Vol. 69, No. 202 / Wednesday, October 20, 2004 / Proposed Rules 61615

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document sets forth four proposals to amend the FM Table of Allotments, Section 73.202(b) of the Commission’s rules, 47 CFR 73.202(b). The Commission requests comment on a petition filed by Linda A. Davidson. Petitioner proposes the allotment of Channel 239B at Blythe, California, as a second local FM allotment. Channel 239B can be allotted at Blythe in compliance with the Commission’s minimum distance separation requirements without site restriction at center city coordinates. The proposed coordinates for Channel 239B at Blythe are 33–37–02 North Latitude and 114–35–20 West Longitude. The proposed allotment is located within 320 kilometers (199 miles) of the United States-Mexico border, so it will be necessary to obtain concurrence in the allotment from the Government of Mexico. See Supplementary Information infra.

DATES: Comments must be filed on or before November 29, 2004, and reply comments on or before December 14, 2004.

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