

List for FY 1992." The notice established a deadline of December 15, 1990, for filing applications to be considered for the FY 1993 priority ranking list.

The Conference Report for the Fiscal Year 1992 Interior and Related Agencies Appropriation Act, House Report No. 256, 102d Cong., 1st Sess., p. 46 (1991) (Conference Report) froze the "New School Construction Priority List for FY 1992." Under the current procedures, the priority list published each year has been a proposed list and subject to the availability of appropriated funds. Not all projects listed received construction funding. Those projects not funded had to file a new or updated application the next year to be considered for priority ranking. Applications were evaluated and a new list was prepared each year.

Congress provided funding for planning and design "for the top ten schools contained on the fiscal year [1992] priority list, to the extent that funds are available." Schools not funded for planning and design in FY 1992 would be funded for planning and design in FY 1993.

"[S]tarting at the top of the fiscal year 1992 list and including Pyramid Lake," construction funding was to be made available after completion of the necessary validations, planning and design. It was recognized by Congress that appropriations for FY 1992 were insufficient to provide construction funding for the ten schools listed on the New School construction Priority List of FY 1992 plus Pyramid Lake. The Conference Report stated that additional funds would be provided to complete these projects in FY 1993 and outyears.

The Conference Report further directed the Department "to review applications and prepare a new school construction priority list for fiscal year 1993, with these schools eligible for planning and design and construction funding, subject to budget constraints in fiscal year 1993 and beyond, in addition to any remaining fiscal year 1992 schools."

The Department published a notice in the Federal Register on December 6, 1991, at 56 FR 64185, that new applications and/or additional, supplemental materials in support of existing new school applications on file could be submitted for consideration for priority ranking in FY 1993. The notice established a deadline of January 31, 1992, for filing new or updated applications.

The applications submitted for inclusion on the FY 1993 list have been evaluated and priority ranked. Five (5) schools have been selected for inclusion on the new school priority list for FY

1993. Because Congress has created a continuous multi-year priority ranking list for new school construction, it is misleading to refer to the list as the priority list for FY 1993. Although some planning and design funding is available, construction funding has not been appropriated. Construction funding will not become available until funding has been provided for all the ten (10) schools on the New School Construction Priority List for FY 1992 plus the Congressional add-on, Pyramid Lake.

To prevent any confusion or misunderstanding, the Department is consolidating the FY 1992 and FY 1993 new school construction priority lists into one continuous multi-year list. For reference purposes, the list set out below is entitled: "Education Facilities Construction Priority List as of FY 1993." The list contains: The ten (10) new schools which were included on the "New School Construction Priority List for FY 1992," Nos. 1 through 10; plus Pyramid Lake, which was added by Congress, No. 11; and, the five (5) schools priority ranked for FY 1993, Nos. 12 through 16.

The priority ranking process under current procedures has been subject to criticism, primarily because of the uncertainty of the process, by Indian tribes and Indian organizations, as well as Congress. A decision had been made by the Department, prior to the FY 1992 Interior Appropriations Act, to promulgate regulations to govern the priority ranking process.

The Conference Report acknowledged the actions and directed the Department to continue efforts to revise the priority ranking process for new school construction. The Conference Report stated that emphasis should be given to tribal consultation and to improving the objectivity of the ranking process, to providing continuity to the priority ranking list and to providing procedures for handling emergency needs.

Tribal consultation meetings were held on a draft of a proposed rulemaking document in December 1991 and a proposed rule adding a new Part 294 Education Facilities Construction to title 25 of the Code of Federal Regulations should be published in the Federal Register in the near future.

Because of the current efforts to promulgate regulations and the action by Congress to create a continuous multi-year priority list, the Department does not intend to call for the filing of applications for new school construction under the current process, again. However, once the regulations are published as a final rule and are in

effect, the Department will provide for the filing of applications.

As the regulations are currently drafted, not only will a notice be published in the Federal Register, but also mailed directly to all federally-recognized tribes and BIA-funded schools, whether BIA-operated, contract, or grant. The notice will advise individuals of the relevant procedures to be followed as well as the deadline for filing applications. Publication of a final rule is not anticipated until the end of 1993. Schools listed on the "Education Facilities Construction Priority List of FY 1993" will not have to reapply, but will be retained, in order, on the list. School construction projects priority ranked under the regulations will be added at the end of any schools remaining from the Education Facilities Construction Priority List as of FY 1993.

The "Education Facilities Construction Priority List as of FY 1993" is as follows:

Education Facilities Construction Priority List as of FY 1993

1. Pinon Community School Dorm
2. Eastern Cheyenne River Consolidated School
3. Rock Point Community School
4. Many Farms High School
5. Tucker Day School
6. Shoshone-Bannock/Fort Hall School
7. Standing Pine Day School
8. Chief Leschi School Complex
9. Seba Delkai Boarding School
10. Sac and Fox Settlement School
11. Pyramid Lake
12. Shiprock Alternative School
13. Tuba City Boarding School
14. Fond du Lac Ojibway School
15. Second Mesa Day School.
16. Zia Day School

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National Park Service

Completion of Inventory of Native American Human Remains From Hawaii in the Possession of the Peabody & Essex Museum

AGENCY: National Park Service, Interior.
ACTION: Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003(d), of the completion of the inventory of human remains from Hawaii in the possession of the Peabody & Essex Museum. Representatives of