

Accepted by the General Services Administration:

[Typed name]

Manager, GSA Centralized Household Goods Traffic Management Program

Dated: November 26, 1997.

Janice Sandwen,

Director, Travel and Transportation Management Staff.

[FR Doc. 97-31779 Filed 12-3-97; 8:45 am]

BILLING CODE 6820-24-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Intent To Prepare a Comprehensive Conservation Plan

SUMMARY: This notice advises the public that the U.S. Fish and Wildlife Service (Service) intends to gather information necessary to prepare a comprehensive conservation plan (CCP) and environmental documents, pursuant to the National Environmental Policy Act and its implementing regulations, for Rachel Carson National Wildlife Refuge, York and Cumberland Counties, Maine; and Great Bay National Wildlife Refuge, Rockingham County, New Hampshire. The Service is furnishing this notice in compliance with Service CCP policy:

- (1) to advise other agencies and the public of our intentions, and
- (2) to obtain suggestions and information on the scope of issues to include in the environmental documents.

DATES: Written comments should be received on or before January 5, 1998.

ADDRESSES: Address comments and requests for more information to one of the following:

Refuge Manager, Rachel Carson National Wildlife Refuge, 321 Port Road, Wells, Maine 04090

Refuge Manager, Great Bay National Wildlife Refuge, 336 Nimble Hill Road, Newington, New Hampshire 03801.

SUPPLEMENTARY INFORMATION: It is U.S. Fish and Wildlife Service policy to have all lands within the National Wildlife Refuge System managed in accordance with an approved CCP. The CCP guides management decisions and identifies refuge goals, long-range objectives, and strategies for achieving refuge purposes. The planning process will consider many elements, including habitat and wildlife management, habitat protection and acquisition, public use, and cultural resources. Public input into this planning process is essential. The CCP will provide other agencies and the

public with a clear understanding of the desired conditions for the Refuges and how the Service will implement management strategies.

The Service will solicit information from the public via open houses, meetings, and written comments. Special mailings, newspaper articles, and announcements will inform people in the general area near each refuge of the time and place of such opportunities for public input to the CCP.

Review of this project will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), NEPA Regulations (40 CFR parts 1500-1508), other appropriate Federal laws and regulations, including the National Wildlife Refuge System Improved Act of 1997, Executive Order 12996, and Service policies and procedures for compliance with those regulations.

We estimate that the draft environmental documents will be available by November, 1998.

Dated: November 24, 1997.

Ronald E. Lambertson,

Regional Director, U.S. Fish and Wildlife Service, Hadley, Massachusetts.

[FR Doc. 97-31749 Filed 12-3-97; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Lower Sioux Indian Community of Minnesota

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice is published in accordance with authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8, and in accordance with the Act of August 15, 1953, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983). I certify that the Lower Sioux Indian Community of Minnesota Liquor Control Ordinance was duly adopted and certified by Resolution No. 39-97 of the Lower Sioux Indian Community Council on March 25, 1997. The ordinance provides for the regulation, sale possession and use of alcoholic liquor and beer within the Tribe's jurisdiction.

DATES: This ordinance is effective as of December 4, 1997.

FOR FURTHER INFORMATION CONTACT: Jerry Cordova, Office of Tribal Services, 1849 C Street, N.W., MS 4641 MIB,

Washington, D.C. 20240-4401; telephone (202) 208-4401.

SUPPLEMENTARY INFORMATION: The Lower Sioux Indian Community of Minnesota Liquor Ordinance is to read as follows:

Lower Sioux Indian Community in Minnesota

[Resolution No. 39-97]

Be it resolved that the following LIQUOR CONTROL ORDINANCE is hereby adopted by the Lower Sioux Community Council.

I certify that Resolution No. 39-97 was duly adopted by the Lower Sioux Community Council at a meeting held on the 25th day of March, 1997, a quorum being present, by a vote of 4 in favor, 0 opposed, and 0 abstaining.

Betty Lee,
Secretary.

Liquor Control Ordinance; Lower Sioux Indian Community in Minnesota

Section 1. Requirement of License

No person shall sell alcoholic beverages within the Indian Country that lies within the jurisdiction of the Lower Sioux Indian Community, unless such sale meets the requirements of this Ordinance and takes place pursuant to a license issued by the Lower Sioux Community Council under this Ordinance.

Section 2. Definitions

For purposes of this Ordinance, the following terms have the meanings given them.

Subd. 1. "Alcoholic beverage" shall mean any beverage containing more than one-half of one percent alcohol by volume.

Subd. 2. "Community" shall mean the Lower Sioux Indian Community in Minnesota.

Subd. 3. "Community Council" shall mean the Community Council of the Lower Sioux Indian Community in Minnesota.

Subd. 4. "Community Court" shall mean the Court of the Lower Sioux Indian Community.

Section 3. Licenses

Subd. 1. On-Sale Licenses. Licenses for the sale of alcoholic beverages for consumption on the premises of sale within the Indian Country that lies within the jurisdiction of the Community may be issued by the Community Council only to an organization wholly owned by the Community, to a subordinate organization of the Community chartered under the provisions of Article V, section (n) of the Community Constitution, or to a person under

contract with the Community or such a subordinate organization.

Subd. 2. Off-Sale Licenses. Not more than two licenses for the sale of alcoholic beverages for consumption off the premises of sale within the Indian Country that lies within the jurisdiction of the Community may be issued by the Community Council; and such licenses, if issued, shall be only to an organization wholly owned by the Community, to a subordinate organization of the Community chartered under the provisions of Article V, section (n) of the Community Constitution, or to a person under contract with the Community or such a subordinate organization.

Section 4. Applications: Required Information

Applications for a license to sell alcoholic beverages under this Ordinance shall be submitted in writing to the Community Council, on a form prepared by the Community Council. The application shall contain the following information:

Subd. 1. Name and Address. The application shall set forth the name and address of the applicant.

Subd. 2. Relationship to Community. The application shall set forth whether the applicant is an organization wholly owned by the Community, a subordinate organization of the Community chartered under the provisions of Article V, section (n) of the Community Constitution, or a person under contract with the Community or such an organization.

Subd. 3. Proposed Location. The application shall describe specifically the land or building where the applicant will sell alcoholic beverages.

Subd. 4. State Law Requirements. The application shall contain an acknowledgment that the applicant conforms to the requirements of the laws of the State of Minnesota as they relate to the obtaining of liquor licenses elsewhere in the State of Minnesota, and that the applicant will conform to the requirements of the State of Minnesota as they relate to transactions involving alcoholic beverages elsewhere in the State of Minnesota.

Subd. 5. Signature. The application shall be dated and signed by the applicant, if the applicant is a natural person, or by the person authorized to legally bind the applicant to compliance with the terms of this Ordinance, if the applicant is an organization, and such signature shall constitute an acknowledgment that the provisions of this Ordinance shall apply to any license issued hereunder.

Section 5. Finding Prerequisite to License Issuance

Licenses for the sale of alcoholic beverages may be issued by the Community Council if the Community Council finds, in its sound discretion, on the basis of the facts disclosed by the application and by such additional information as the Community Council may deem relevant, that such issuance is in the best interests of the Community, and that the licensing requirements of the State of Minnesota have been met by the applicant. The Community Council may reject any application for a license, or for a renewal of a license, if the applicant previously has committed acts which have resulted in the suspension or revocation of a license under this Ordinance or under the laws of the State of Minnesota, or if the Community Council is of the view, in its sound discretion, that granting the application would not be in the best interests of the Community. The Community Council shall state, in writing, its reasons for granting or denying each application.

Section 6. Requirements Contained in Licenses

Licenses for the sale of alcoholic beverages shall contain the following requirements:

Subd. 1. Conformance to Community and State Law. Each license shall require its holder to conform its operations to the laws of the State of Minnesota that relate to the sale or possession of alcoholic beverages, and the continued effectiveness of each license shall be expressly conditioned upon the compliance of its holder with all provisions of this Ordinance and the laws of the State of Minnesota that relate to the sale or possession of alcoholic beverages.

Subd. 2. Terms; Renewals. Each license shall state the term of its effectiveness. No license shall be effective for a term of more than three years from the date of its issuance, and each renewal thereof shall be subject to the same procedures that apply to the initial issuance of a license.

Section 7. Inspection of Premises

The Community Council, and its officers and agents designated in writing for such purposes, shall have the authority, with or without notice, to inspect the premises of any licensee under this Ordinance during normal business hours.

Section 8. Suspension and Revocation—Procedures

The Community Council shall have the authority to suspend or revoke any

license issued under this Ordinance, under the following procedures:

Subd. 1. Written Notice to Licensee. Upon receiving information giving the Community Council probable cause to conclude that a licensee under this Ordinance may have violated the terms of the license or applicable law, the Community Council shall give the licensee written notice of the apparent violation and, if the Community Council so determines, that the Community Council intends to suspend or revoke the licensee's license. Such notice shall specify the grounds for the proposed suspension or revocation, and shall be served personally upon the licensee, or sent by certified mail to the licensee, return receipt requested.

Subd. 2. Temporary Emergency Suspension. If, in the judgment of the Community Council, the actions of a licensee pose an immediate threat of irreparable harm to the Community or the public, the Community Council may, by issuing the written notice required by this section, immediately suspend the licensee's license. The written notice shall state the reasons which justify such immediate suspension.

Subd. 3. Right to Request Hearing; Effect of Failure to Request Hearing. Any licensee who receives notice of a proposed suspension or revocation may request a hearing by the Community Council by sending a written request therefor, certified mail, return receipt requested, to the Chairman of the Community Council within seven days of the licensee's receipt of the Community Council's notice. If after receipt of a notice of a proposed suspension or revocation, a licensee fails to timely request a hearing, the Community Council may without a hearing suspend or revoke the licensee's license, and the licensee shall have no right to any further review of such action by the Community Court under Section 9 of this Ordinance.

Subd. 4. Time of Hearing. Upon receipt of a timely request for hearing under this Ordinance, the Community Council shall set a date for a hearing on the revocation or suspension of a license, which date shall be not later than thirty days from the date of the Community Council's receipt of the hearing request, provided that if the license has been the subject of an emergency suspension, the hearing shall be held not later than seven days from the date of the Community Council's receipt of the hearing request.

Subd. 5. Evidence at Hearing. At a hearing held under this Ordinance, the licensee shall be permitted to present evidence with respect to its compliance

with the terms of its license and applicable law. In reaching its decision, the Community Council may consider such evidence, together with all other evidence it deems relevant. Following a hearing, if in the judgment of the Community Council the licensee has not complied with the terms of its license and applicable law, the Community Council shall suspend or revoke its license; and if in the judgment of the Community Council the terms of the license and applicable law have been complied with, the proceedings shall be dismissed. Decisions of the Community Council to suspend or revoke a license, or to dismiss suspension or revocation proceedings, shall be in writing, and shall be subject to review only under the provisions of Section 9 of this Ordinance.

Subd. 6. Suspension or Revocation Sole Community Sanction. Suspension or revocation of a license shall be the sole sanction which the Community Council shall impose for a licensee's noncompliance with this Ordinance. No civil or criminal penalties shall be imposed by the Community Council upon a licensee under this Ordinance.

Section 9. Review of Community Council Decisions

Any person or organization which has applied for a license or a renewal of a license and to which a license has been denied under Section 5 of this Ordinance, and any licensee whose license has been suspended or revoked by the Community Council after a hearing under Section 8 of this Ordinance, may seek review of the decision of the Community Council by filing a civil action in the Community Court within thirty days after the decision is rendered. Such actions shall be heard under the provisions of the Judicial Code of the Community, and the Community herewith waives its sovereign immunity from unconsented suit as to such actions. The jurisdiction of the Community Court to review decisions of the Community Council under this Ordinance shall be exclusive of all other courts.

Subd. 1. Standard of Review. The Community Court shall reverse the decision of the Community Council only if clear and convincing evidence supports the conclusion that the Community Council abused its discretion, or denied the licensee due process or equal protection of the laws in contravention of the Indian Civil Rights Act of 1988, 25 U.S.C. § 1302.

Subd. 2. Effect of Decision Pending Appeal. The decision of the Community Council denying, suspending, or revoking a license shall be effective

pending appeal from the decision, unless the Community Court decides, following an evidentiary hearing, that it is highly likely that the appellant will succeed on the merits of the appeal and issues an order accordingly.

Dated: November 19, 1997.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 97-31747 Filed 12-3-97; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Pueblo of Isleta Liquor Ordinance

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This Notice is published in accordance with authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8, and in accordance with the Act of August 15, 1953, 67 Stat. 586, 18 U.S.C. 1161. I certify that Resolution No. 97-045, enacting the Liquor Ordinance of the Pueblo of Isleta was duly adopted by the Pueblo of Isleta on July 17, 1997. The Ordinance provides for the regulation of the activities of the regulation, manufacture, distribution, possession, sale, and consumption of liquor on the Pueblo of Isleta lands under the jurisdiction of the Pueblo of Isleta, the provisions for criminal jurisdiction to be exercised in accordance with applicable Federal case law, statutes, and regulations.

DATES: This Ordinance is effective as of December 4, 1997.

FOR FURTHER INFORMATION CONTACT: Bettie Rushing, Division of Tribal Government Services, 1849 C Street, NW., MS 4641-MIB, Washington, DC 20240-4001; telephone (202) 208-4400.

SUPPLEMENTARY INFORMATION: The Liquor Ordinance of the Pueblo of Isleta is to read as follows:

Pueblo of Isleta Liquor Ordinance

Section 1

Introduction

A. *Title.* The title of this ordinance shall be the Liquor Ordinance of the Pueblo of Isleta.

B. *Authority.* This ordinance is being passed and enacted in accordance with the inherent governmental powers of the Pueblo of Isleta, and specifically under Article V, Section 2(e) of the Pueblo of Isleta Constitution. This Ordinance is in conformance with the laws of New Mexico, as required in 18 U.S.C. 1161.

C. *Purpose.* The purpose of this ordinance is to regulate the sale of intoxicating liquor within the exterior boundaries of the Pueblo of Isleta.

Section 2

Definitions

"Governor" means the Governor of the Pueblo of Isleta or his designee.

"Individuals employed by the Pueblo" means persons who are tribal employees.

"Intoxicating beverage" includes the four varieties of liquor commonly referred to as alcohol, spirits, wine, and beer, and all fermented, spiritous, vinous, or malt liquor, or combinations thereof, and mixed liquor, a part of which is fermented, spiritous, vinous, or malt liquor, or otherwise intoxicating, and every liquid or solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine, or beer.

"Licensed establishment" means a physical area of Pueblo of Isleta tribal land designated by the Pueblo of Isleta Tribal Council as a licensed establishment for the purpose of selling intoxicating beverages. Designation by the Tribal Council must show the perimeters of the land and building of the establishment. A map and general description will be required.

"Minor" means any person under the age of twenty-one (21) years.

"Permittee" means a person employed by the Pueblo of Isleta and authorized by the Pueblo of Isleta Tribal Council to sell and serve intoxicating beverages, the permit for such designation having been issued pursuant to Section 6 of this Ordinance.

"Pueblo" means the Pueblo of Isleta, a federally-recognized tribe of Indians, located within the exterior boundaries of the State of New Mexico.

Section 3

General

The sale of intoxicating beverages shall be lawful within the exterior boundaries of the Pueblo of Isleta and all other lands of the Pueblo over which the Pueblo has jurisdiction if such sale is made in conformance with New Mexico state law, if applicable, and authorized by this Ordinance.

Section 4

Location of Sales

All sales of intoxicating beverages must be made at establishments which are wholly owned and operated by the Pueblo and which are duly licensed to engage in such sales by the Pueblo. No licensed establishment shall be located