

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of Exclusive License: Treatment of Cancer Using Human Chorionic Gonadotropin (hCG)

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: This notice in accordance with 35 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(I) that the National Institutes of Health (NIH), Department of Health and Human Services, is contemplating the grant of an exclusive world-wide license to practice the inventions embodied in U.S. Patent Application Serial Number 08/286,299, and entitled; "Treatment of Cancer Using Human Chorionic Gonadotropin (hCG)", and corresponding U.S. and foreign patent applications to Serono Laboratories, Inc., of Norwell, Massachusetts. The patent rights in these inventions have been assigned to the United States of America.

The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless within sixty (60) days from the date of this published notice, NIH receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7. The field of use for this prospective exclusive license may be limited to "Treatment of Cancer".

SUPPLEMENTARY INFORMATION: Clinical observations of the regression of Kaposi's sarcoma (KS) in women during pregnancy and its return after birth has suggested the existence of a naturally-occurring KS therapeutic. Research performed at the National Cancer Institute suggested the cause of this phenomena was hCG. hCG is a hormone which is naturally produced by the placenta during pregnancy. In the male, hCG stimulates the development of accessory organs. hCG is composed of an alpha chain that is identical in structure to several other hormones and a unique beta chain. The beta chain of hCG was found to induce apoptosis, or programmed cell death in primary cultures of KS cells. Studies performed in KS tumors in nude mice confirmed the anti-KS effect of hCG.

The above captioned patent application describes the use of various hormones in the treatment of cancer. In particular, the use of hCG or the β

subunit thereof and luteinizing hormone or the β subunit thereof in the treatment of cancer, including breast, prostate, ovary and stomach carcinomas and, in particular, KS are described. KS is the most common neoplasm in HIV-infected patients and hCG has been used to treat KS patients (Gill, et al., "The Effects of Preparations of Human Chorionic Gonadotropin on AIDS-related Kaposi's Sarcoma", New Eng. J. Med. 1996 Oct. 24;335(17):1261-69.

ADDRESSES: Requests for copies of the patent applications, inquiries, comments and other materials relating to the contemplated licenses should be directed to: Raphe Kantor, Ph.D., Technology Licensing Specialist, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852-3804; Telephone: 301/496-7735 ext. 247; Facsimile: 301/402-0220. A signed Confidentiality Agreement will be required to receive copies of the patent applications. Applications for a license in the field of use filed in response to this notice will be treated as objections to the grant of the contemplated licenses. Only written comments and/or applications for a license which are received by NIH on or before June 30, 1997 will be considered. Comments and objections submitted to this notice will not be made available for public inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: April 16, 1997.

Barbara M. McGarey,

Deputy Director, Office of Technology Transfer.

[FR Doc. 97-11009 Filed 4-28-97; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

List of Programs Eligible for Inclusion in Fiscal Year 1998 Annual Funding Agreements To Be Negotiated With Self-Governance Tribes by Interior Bureaus Other than the Bureau of Indian Affairs

AGENCY: Office of the Secretary, Interior.

ACTION: Notice.

SUMMARY: This notice lists programs or portions of programs that are eligible for inclusion in Fiscal Year 1998 annual funding agreements with self-governance tribes and lists programmatic targets for each of the non-BIA bureaus, pursuant to section

405(c)(4) of the Tribal Self-Governance Act.

DATES: This notice expires on September 30, 1998.

ADDRESSES: Inquiries or comments regarding this notice may be directed to the Office of Self-Governance, 1849 C Street NW, 2548 MIB, Washington, DC 20240. Telephone (202) 219-0240 or to the bureau points of contact listed below.

SUPPLEMENTARY INFORMATION:

I. Background

Title II of the Indian Self-Determination and Education Assistance Act Amendments of 1994 (P.L. 103-413, the "Self-Governance Act" or the "Act") instituted a permanent tribal self-governance program at the Department of the Interior (DOI). Under the self-governance program certain programs, functions, services, and activities or portions thereof in Interior bureaus other than BIA are eligible to be planned, conducted, consolidated, and administered by a self-governance tribal government.

Under section 405(c) of the Self-Governance Act, the Secretary of the Interior is required to publish annually: (1) A list of non-BIA programs, services, activities, and functions or portions thereof, that are eligible for inclusion in agreements negotiated under the self-governance program; and (2) programmatic targets for these bureaus.

Under the Self-Governance Act, two categories of non-BIA programs are eligible for self-governance funding agreements. Under section 403(b)(2) of the Act, any non-BIA program, service, function or activity that is administered by Interior that is "otherwise available to Indian tribes or Indians," can be administered by a tribal government through a self-governance agreement. The Department interprets this provision to authorize the inclusion of not only programs eligible for self-determination contracting under Title I of the Indian Self-Determination and Education Assistance Act (P.L. 93-638), but also other programs which the Department determines are appropriate and to the extent available under other laws for contracting out or including in cooperative agreements.

Section 403(b)(2) also specifies that "nothing in this subsection may be construed to provide any tribe with a preference with respect to the opportunity of the tribe to administer programs, services, functions and activities, or portions thereof, unless such preference is otherwise provided for by law." Under section 403(c) of the

Act, the Secretary may include other programs, services, functions, and activities, or portions thereof, that are of "special geographic, historical, or cultural significance" to a self-governance tribe.

Under section 403(k) of the Self-Governance Act, annual agreements cannot include programs, services, functions, or activities that are inherently Federal or where the statute establishing the existing program does not authorize the type of participation sought by the tribe. However, a tribe (or tribes) need not be identified in the authorizing statutes in order for a program or element to be included in a self-governance agreement. While general legal and policy guidance regarding what constitutes an inherently Federal function exists, we will determine whether a specific function is inherently Federal on a case-by-case basis considering the totality of circumstances.

II. Annual Funding Agreements Between Self-Governance Tribes and Non-BIA Bureaus of the Department of the Interior

During Fiscal Year 1995, two annual funding agreements to commence in Fiscal Year 1996 were negotiated by the Bureau of Reclamation and self-governance tribes for portions of the Central Arizona Project. One was an annual funding agreement with the Salt River Pima Maricopa Indian Community to administer and construct the community distribution system on reservation lands as authorized by section 301(a) of the Colorado River Basin Project Act. The work and terms of that funding agreement are now complete. An annual funding agreement with the Gila River Indian Community to develop portions of the irrigation system on their reservation as authorized by section 301(a) of the Colorado River Basin Project Act was begun in Fiscal Year 1996 and a successor agreement is continuing in Fiscal Year 1997.

In Fiscal Year 1996, the National Park Service and Kawerak, Inc. negotiated an annual funding agreement supported by funds from the shared Beringian heritage program. This work will result in a more complete record of Inuit, Siberian Yupik and Northern Norton Sound Yupik culture, history, and traditional knowledge of the Bering Straits region.

III. Eligible Programs of the Department of the Interior Non-BIA Bureaus

Following this paragraph is a listing by bureau of the types of non-BIA programs, or portions thereof, that may

be eligible for self-governance annual funding agreements because they are either "otherwise available to Indians" and not precluded by any other law, or may have "special geographic, historical, or cultural significance" to a participating tribe. This summary is a general listing that represents the bureaus' best estimates of activities that may be available for negotiation at the request of the self-governance tribe. Since 1996, the Bureau of Mines no longer exists and therefore, is not on this list.

The Department will also consider for inclusion in annual funding agreements other programs or activities not included in this listing, but which, upon request of a self-governance tribe, the Department determines to be eligible under either sections 403(b)(2) or 403(c) of the Act. If you have any questions about these programs or other programs that you may be interested in, please contact the appropriate bureau representative.

A. Eligible Programs of the Bureau of Land Management (BLM)

BLM management responsibilities cover a wide range of areas such as recreational activities, timber, range and minerals management, wildlife habitat management and watershed restoration. In addition, BLM is responsible for the survey of certain Federal and tribal lands. Two programs also provide tribal services: (1) Tribal and allottee minerals management; and (2) Survey of tribal and allottee lands. BLM contracts out some of its activities in the management of public lands. These and other activities, dependent upon the availability of funds, the need for specific services, or the self-governance tribe demonstrating a special geographic, cultural, or historical connection, may be available for inclusion in agreements. Once a tribe has made initial contact with BLM, more specific information will be provided by the respective BLM State office.

Programs Otherwise Available

1. *Cadastral Survey.* Tribal and allottee cadastral survey services are already available for contracts under Title I of the Act and may be available for inclusion in an annual funding agreement.

2. *Cultural Heritage.* Cultural heritage activities, such as research and inventory, may be available in specific States.

3. *Forestry Management.* Activities, such as environmental studies, tree planting, thinning and similar work may be available in specific States.

4. *Minerals Management.* Inspection and enforcement of Indian oil and gas operations, infection, enforcement and production verification of Indian sand and gravel operations: These activities, already available for contracts under Title I of the Act, may be available for inclusion in an annual funding agreement.

5. *Range Management.* Activities such as re-vegetation, noxious weed control, fencing, and similar activities may be available in specific States.

6. *Riparian Management.* Activities such as facilities construction, erosion control, rehabilitation, and similar activities may be available in specific States.

7. *Recreation Management.* Activities such as facilities construction and maintenance, interpretive design and construction, and similar activities may be available in specific States.

8. *Wildlife and Fisheries Habitat Management.* Activities such as construction and maintenance, interpretive design and construction, and similar activities may be available in specific States.

Potential Tribal Connection

1. *Cultural Heritage.* Cultural heritage activities, as well as activities such as site monitoring, may be eligible in a specific State.

2. *Forestry Management.* Some of these activities may be eligible in specific States.

3. *Range Management.* Some of these activities may be eligible in a specific State.

4. *Riparian Management.* Some of these activities may be eligible in a specific State.

5. *Recreation Management.* Some of these activities may be eligible in a specific State.

6. *Wildlife and Fisheries Habitat Management.* Some of these activities may be eligible in a specific State.

For questions regarding Indian self-governance contact the BLM Self-Governance Coordinator, Dr. Marilyn Nickels, Washington Office, 1849 C Street NW., Washington, DC 20240, (202) 452-0330, fax: (202) 452-7701. General information on all contracts available in a given year through the BLM can be obtained from the BLM National Business Center, PO Box 25047, Bldg 50 Denver Federal Center, Denver, CO 80225-0047.

B. Eligible Programs of the Bureau of Reclamation

Reclamation operates a wide range of water resource management projects for hydroelectric power generation, municipal and industrial water

supplies, flood control, outdoor recreation, enhancement of fish and wildlife habitats, and research. Most of Reclamation's activities involve construction, operations and maintenance, and management of water resources projects and associated facilities. Components of the following Fiscal Year 1998 water resource management and construction projects may be eligible for self-governance annual funding agreements.

1. Wetlands Enhancement Project (Sac and Fox Nation Of Oklahoma)—OK.
2. Klamath Project—CA, OR.
3. Newlands Project—NV, CA.
4. Trinity River Restoration Program—CA.
5. Central Valley Project (Trinity Division)—CA.
6. Central Arizona Project—AZ, CA, NM, UT.
7. Colorado River Front Work/Levee System—AZ, CA, NV.
8. Lower Colorado Indian Water Management Study—AZ, CA, NV.
9. Middle Rio Grande Project—NM.
10. Washoe Project—NV, CA.
11. Yuma Area Projects—AZ, CA, NV.
12. Wild Horse Dam and Reservoir—NV.

13. Indian Water Rights Settlement Projects—as Congressionally authorized.

For questions regarding self-governance contact Dr. Barbara McDowell, Native American Affairs Office, Bureau of Reclamation (W-6100), 1849 C Street NW., Washington, DC 20240-0001, (202) 208-4733, fax: (202) 208-6688.

C. Eligible Programs of the Fish and Wildlife Service (FWS)

The mission of FWS is to conserve, protect, and enhance fish, wildlife, and their habitats for the continuing benefit of the American people. Primary responsibilities are for migratory birds, endangered species, freshwater and anadromous fisheries, and certain marine mammals. FWS has a continuing cooperative relationship with a number of Indian tribes through the National Wildlife Refuge System and the hatcheries program.

FWS will also discuss participation in any program with any Indian tribe, self-governance or non-self-governance. Any self-governance tribe may ask a wildlife refuge or fish hatchery directly about contracting under the Self-Governance Act.

Some elements of the following programs may be eligible for contracting under a self-governance annual funding agreement. The listing below was developed considering the proximity of an identified self-governance tribe to a national wildlife refuge or national fish

hatchery, and the types of programs that have components that may be suitable for contracting through a self-governance annual funding agreement.

Subsistence Programs Within Alaska

1. Fish and Wildlife Technical Assistance, Restoration and Conservation
 - a. Fish and wildlife population surveys.
 - b. Habitat surveys.
 - c. Sport fish restoration.
 - d. Feeding depredating migratory birds.
 - e. Fish and wildlife program planning.
 - f. Habitat restoration activities.
2. Endangered Species Program
 - a. Cooperative management of conservation programs.
 - b. Development of recovery plans.
 - c. Conducting status surveys for high priority candidate species.
 - d. Recovery plan implementation.
3. Education Programs
 - a. Interpretation.
 - b. Outdoor classrooms.
 - c. Visitor center operations.
 - d. Volunteer coordination efforts on and off-refuge.

4. Environmental Contaminants Program

- a. Analytical devices.
- b. Removal of underground storage tanks.
- c. Specific cleanup activities.
- d. Natural resource economic analysis.
- e. Specific field data gathering efforts.

5. Hatchery Operations

- a. Egg taking.
- b. Rearing/feeding.
- c. Disease treatment.
- d. Tagging.
- e. Clerical/facility maintenance.

6. Wetland and Habitat Conservation and Restoration

- a. Construction.
- b. Planning activities.
- c. Habitat monitoring and management.

7. Conservation Law Enforcement

- a. All law enforcement efforts under cross-deputization.

8. National Wildlife Refuge Operations and Maintenance

- a. Construction.
- b. Farming.
- c. Concessions.
- d. Maintenance.
- e. Comprehensive management planning.

- f. Biological program efforts.
- g. Habitat management.

Locations of Wildlife Refuges

1. Humboldt Bay National Wildlife Refuge—CA.
2. Kootenai National Wildlife Refuge—ID.
3. Agassiz National Wildlife Refuge—MN.
4. Rice Lake National Wildlife Refuge—MN.
5. Mille Lacs National Wildlife Refuge—MN.
6. Pablo National Wildlife Refuge—MT.
7. Ninepipe National Wildlife Refuge—MT.
8. National Bison Range—MT.
9. Sequoyah National Wildlife Refuge—OK.
10. Tishomingo National Wildlife Refuge—OK.
11. Bandon Marsh National Wildlife Refuge—OR.
12. San Juan Islands National Wildlife Refuge—WA.
13. Dungeness National Wildlife Refuge—WA.
14. Nisqually National Wildlife Refuge—WA.
15. Alaska National Wildlife Refuge—AK.
16. Mescalero National Fish Hatchery—NM.
17. Alchesay National Fish Hatchery—AZ.
18. Quinault National Fish Hatchery—WA.
19. Makah National Fish Hatchery—WA.

For questions regarding self-governance contact Duncan Brown, Native American Liaison, Fish and Wildlife Service (MS3012), 1849 C Street NW, Washington, D.C. 20240-0001, (202) 208-4133, fax: (202) 208-7407.

D. Eligible Programs of the Minerals Management Service (MMS)

MMS provides responsible stewardship of America's offshore resources and collects revenues generated from mineral leases on Federal and Indian lands. MMS is responsible for the management of the Federal Outer Continental Shelf, which are submerged lands off the coasts that have significant energy and mineral resources. MMS also offers mineral-owning tribes other opportunities to become involved in MMS's Royalty Management Program functions. These programs address the intent of Indian self-governance but are available regardless of self-governance intentions or status and are a good prerequisite for assuming other technical functions.

Within the offshore minerals management program, environmental impact assessments and statements, and environmental studies, may be available if a self-governance tribe demonstrates a special geographic, cultural, or historical connection. Generally, royalty management programs are available to tribes because of their status as Indians. Royalty management programs that may be available to self-governance tribes are as follows.

1. *Audit of tribal royalty payments.* Audit activities for tribal leases, except for the issuance of orders, final valuation decisions, and other enforcement activities. (For tribes already participating in MMS delegated audits, this program is offered as an optional alternative.)

2. *Verification of tribal royalty payments.* Financial compliance verification and monitoring activities, production verification, and appeals research and analysis.

3. *Tribal royalty reporting, accounting and data management.* Establishment and management of royalty reporting and accounting systems including document processing, production reporting, reference data (lease, payor, agreement) management, billing and general ledger.

4. *Tribal royalty valuation.* Preliminary analysis and recommendations for valuation and allowance determinations and approvals.

5. *Royalty Management of Allottee Leases.* Royalty management of allottee leases.

6. *Online monitoring of royalties and accounts.* Online computer access to reports, payments, and royalty information contained in MMS accounts. MMS will install equipment at tribal locations, train tribal staff, and assist tribe in researching and monitoring all payments, reports, accounts, and historical information regarding their leases.

7. *Royalty Internship Program.* A new orientation and training program for auditors and accountants from mineral producing tribes to acquaint tribal staff with royalty laws, procedures, and techniques. This program is recommended for tribes that are considering a self-governance agreement but have not yet acquired mineral revenue expertise via a FOGRMA section 202 contract.

For questions regarding self-governance contact Joan Killgore, Royalty Liaison Office, Minerals Management Service, 1849 C Street NW, Room 4241, Washington, D.C. 20240-0001, (202) 208-3512, fax (202) 208-3982.

E. Eligible Programs of the National Park Service (NPS)

The National Park Service administers the National Park System made up of national parks, monuments, historic sites, battlefields, seashores, lake shores and recreation areas. NPS maintains the park units, protects the natural and cultural resources, and conducts a range of visitor services such as law enforcement, interpretation of geology, history, and natural and cultural resources. Some elements of these programs may be eligible for contracting under a self-governance annual funding agreement. The following list was developed considering the geographic proximity to, and/or traditional association of a self-governance tribe with, units of the National Park system, and the types of programs that have components that may be suitable for contracting through a self-governance annual funding agreement.

1. *Programs otherwise available (ongoing programs and activities).* Components of the programs on the following list are potentially eligible for inclusion in a self-governance annual funding agreement. Programs may be available within units of the National Park System.

- a. Archaeological surveys.
- b. Comprehensive management planning.
- c. Cultural resource management projects.
- d. Ethnographic studies.
- e. Erosion control.
- f. Fire protection.
- g. Hazardous fuel reduction.
- h. Housing construction and rehabilitation.
- i. Gathering baseline subsistence data—AK.
- j. Janitorial services.
- k. Maintenance.
- l. Natural resource management projects.
- m. Range assessment—AK.
- n. Reindeer grazing—AK.
- o. Road repair.
- p. Solid waste collection and disposal.
- q. Trail rehabilitation.

2. *Programs having a potential tribal connection (special programs).* Aspects of these programs may be available if a self-governance tribe demonstrates a geographical, cultural, or historical connection.

- a. Beringia Research.
- b. Elwha River Restoration.

3. *Locations of Programs.* Aspects of the ongoing programs and activities may be available at the park units with known geographic, cultural, or historical connections with a self-governance tribe.

- a. Lake Clark National Park and Preserve—AK.
- b. Katmai National Park and Preserve—AK.
- c. Glacier Bay National Park and Preserve—AK.
- d. Sitka National Historical Park—AK.
- e. Kenai Fjords National Park—AK.
- f. Wrangell-St. Elias National Park & Preserve—AK.
- g. Bering Land Bridge National Park—AK.
- h. Northwest Alaska Areas—AK.
- i. Gates of the Arctic National Park & Preserve—AK.
- j. Yukon Charlie Rivers National Preserve—AK.
- k. Casa Grande Ruins National Monument—AZ.
- l. Joshua Tree National Park—CA.
- m. Redwoods National Park—CA.
- n. Whiskeytown National Recreation Area—CA.
- o. Hagerman Fossil Beds National Monument—ID.
- p. Sleeping Bear Dunes National Lakeshore—MI.
- q. Voyageurs National Park—MI.
- r. Grand Portage National Monument—MN.
- s. Bear Paw Battlefield, Nez Perce National Historical Park—MT.
- t. Glacier National Park—MT.
- u. Great Basin National Park—NV.
- v. Bandelier National Monument—NM.
- w. Hopewell Culture National Historical Park—OK.
- x. Chickasaw National Recreation Area—OK.
- y. Effigy Mounds National Monument—IA.
- z. Olympic National Park—WA.
- a-1. San Juan Islands National Historic Park—WA.
- b-1. Mt. Rainier National Park—WA.
- c-1. Ebey's Landing National Historical Reserve—WA.

While NPS has tried to indicate the types of programs that may be available, this is not intended to be an all-inclusive listing. NPS will also discuss participation in any program with an Indian tribe, self-governance or non-self-governance.

For questions regarding self-governance contact Dr. Patricia Parker, American Indian Liaison Office, National Park Service (2205), PO Box 37127, Washington, D.C. 20013-7127; telephone (202) 208-5475, fax (202) 273-0870.

F. Eligible Programs of the Office of Surface Mining (OSM)

OSM regulates surface coal mining and reclamation operations, and reclaims abandoned coal mines, in cooperation with States and Indian tribes.

1. *Abandoned Mine land Reclamation Program.* This program to restore eligible lands mined and abandoned or left inadequately restored is available to Indian tribes.

2. *Control of the Environmental Impacts of Surface Coal Mining.* This program includes analyses, NEPA documentation, technical reviews, and studies. Where surface coal mining exists on Indian land, certain regulatory activities that are not inherently Federal, including, for example, designation of areas unsuitable for mining, are available to Indian tribes.

For questions regarding self-governance contact Maria Mitchell, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., (MS-210-SIB), Washington, DC 20240, telephone (202) 208-2865, fax (202) 291-3111.

G. Eligible Programs of the U.S. Geological Survey (USGS)

The mission of the U.S. Geological Survey is to provide information on biology, geology, hydrology, and cartography that contributes to the wise management of the nation's natural resources and to the health, safety, and well-being of the American people. Information includes maps, data bases, and descriptions and analyses of the water, plants, animals, energy, and mineral resources, land surface, underlying geologic structure and dynamic processes of the earth. Information on these scientific issues is developed through extensive research, field studies, and comprehensive data collection to: Evaluate natural hazards such as earthquakes, volcanoes, landslides, floods, droughts, subsidence and other ground failures; assess energy, mineral, and water resources in terms of their quality, quantity, and availability; evaluate the habitats of animals and plants; and produce geographic, cartographic, and remotely-sensed information in digital and non-digital formats. No USGS programs are specifically available to American Indians or Alaska Natives. Components of programs may have a special geographic, cultural, or historical connection with a tribe.

1. *Mineral, Environmental, and Energy Assessments.* Components of this program that involve geologic research, data acquisition, and predictive modeling may be available for inclusion in an annual funding agreement.

2. *USGS Earthquake Hazards Reduction Programs.* Components of this program that involves research, data acquisition, and modeling related to earthquakes and seismically active areas

may be available for inclusion in an annual funding agreement.

3. *Water Resources Data Collection and Investigations.* Components of this program may be available for inclusion in an annual funding agreement if a self-governance tribe demonstrates a special geographic, cultural, or historical connection.

4. *Biological Resources Inventory, Monitoring, Research and Information Transfer Activities.* Components of this program may be available for inclusion in an annual funding agreement if a self-governance tribe demonstrates a special geographic, cultural or historical connection.

For questions regarding self-governance contact Sue Marcus, American Indian/Alaska Native Liaison, U.S. Geological Survey, 105 National Center, Reston, VA 20192, telephone (703) 648-4437, fax (703) 648-5068.

IV. Programmatic Targets

Each of the non-BIA bureaus will successfully negotiate at least one annual funding agreement with a self-governance tribe for implementation in Fiscal Year 1998.

Dated: April 23, 1997.

Juliette Falkner,

Special Assistant to the Secretary.

[FR Doc. 97-10940 Filed 4-28-97; 8:45 am]

BILLING CODE 4310-10-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

The Iowa Tribe of Oklahoma 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 USC § 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 US 713 (1983). I certify that the Iowa Tribe of Oklahoma Liquor Ordinance was duly adopted by Ordinance Iowa No. 93-02 of the Iowa Tribe of Oklahoma on June 5, 1993. The ordinance provides for the regulation, sale, possession and use of alcoholic liquor and beer within the Tribe's jurisdiction.

DATES: Notwithstanding the provisions of Section 28, this ordinance is effective as of June 29, 1997.

FOR FURTHER INFORMATION CONTACT: Jerry Cordova, Office of Tribal Services, 1849 C Street, NW, MS 4641 MIB, Washington, DC 20240-4001; telephone (202) 208-4401.

SUPPLEMENTARY INFORMATION: The Iowa Tribe of Oklahoma Liquor Ordinance is to read as follows:

Iowa Tribe of Oklahoma

Liquor Act of 1989

Be it Enacted by the Iowa Tribe of Oklahoma:

Repealed Law: The Iowa Tribe of Oklahoma Liquor Act, adopted by I-89-47, August 22, 1989, repealed by I-90-19, January 3, 1990.

Section 1. Title and Purpose

This Act shall be known as the Iowa Tribe of Oklahoma Liquor Act of 1989. This Act is enacted to regulate the sale and distribution of liquor and beer products within the Tribal jurisdiction of the Iowa Tribe of Oklahoma, and to generate revenue to fund needed tribal programs and services.

Section 2. Definitions

Unless otherwise required by the context the following words and phrases shall have the designated meanings:

(A) "Tribe" shall mean the Iowa Tribe of Oklahoma, Rural Route 721, Perkins, Oklahoma 74059.

(B) "Business Committee" shall mean the Iowa Tribe of Oklahoma Business Committee as constituted by Article V of the Constitution and By-Laws of the Iowa Tribe of Oklahoma.

(C) "Tribal Jurisdiction" shall mean:

(1) All land within the limits of the Iowa Tribe of Oklahoma under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights of ways running through the reservation;

(2) All dependant Iowa Tribe of Oklahoma communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state and;

(3) All Iowa Tribe of Oklahoma Indian Allotments, the Indian titles to which have not been extinguished, including rights of ways running through the same.

(D) "Member" shall mean any person whose name appears on the official roll of the Iowa Tribe of Oklahoma.

(E) "Commercial Sale" shall mean the transfer, exchange or barter, in any or by any means whatsoever for a consideration by any person, association, partnership, or corporation of liquor and beer products.