

(1) “*Indian Country*,” consistent with the meaning given in 18 U.S.C. 1151 means: (a) All land within the limits of the Stillaguamish Indian Reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation; and (b) all Indian allotments or other lands held in trust for the Tribe or a member of the Tribe, including rights-of-way running through the same.

(2) “*Liquor*” means that liquid as now defined as set forth by the Revised Code of Washington in RCW 66.04.010(1), (3), (25), (26) and (43).

(3) “*Sale*” and “*sell*” means as now defined as set forth by the Revised Code of Washington in RCW 66.04010(38).

(4) “*Tribal retailer*” means a liquor retailer wholly-owned by the Stillaguamish Tribe of Indians and located in Indian Country.

(5) “*Tribally-licensed retailer*” means a person who has a business license from the Tribe to sell liquor at retail from a business located in Indian Country.

3.06.604 Stillaguamish Tax Commission

The Board hereby authorizes the Tax Commission of the Stillaguamish Tribe of Indians to administer this Subchapter, including general control, management and supervision of all liquor sales, places of sale and sales outlets, and to exercise all of the powers and accomplish all of the purposes thereof as hereinafter set forth, and do the following acts and things for and on behalf of and in the name of the Tribe:

(A) Adopting and enforcing rules and regulations for the purpose of carrying into effect the provisions of this Subchapter in the performance of its functions;

(B) Collecting, auditing and issuing fees, licenses, taxes and permits; and

(C) Performing all matters and things incidental to and necessary to conduct its business and carry out its duties and functions under this Subchapter.

License Required

3.06.610 License Required of Tribal Retailers and Tribally-licensed Retailers

Every person engaging in the business of selling liquor within the Tribe’s Indian Country shall secure a business license from the Tribe in the manner provided for by Subchapter 100 of this Title (“*Business Licenses*”) and otherwise comply with all provisions of Subchapter 100.

3.06.611 Prohibitions

(1) The purchase, sale, and dealing in liquor within the Tribe’s Indian Country by any person, party, firm, or corporation except pursuant to the control, licensing, and regulation of the Stillaguamish Tax Commission, is hereby declared unlawful. Without limitation as to any other penalties and fines that may apply, any violation of this subsection is an infraction punishable by a fine of up to five hundred dollars (\$500.00).

(2) Every person engaging in the business of selling liquor within the Tribe’s Indian Country shall comply with the provisions of Chapter 8.40, Alcohol-Related Offenses, of the Stillaguamish Tribe of Indians Law and Order Code, the provisions of which are re-affirmed and are specifically incorporated herein by this reference. Any violation of this subsection is punishable pursuant to the penalty provisions of Chapter 8.40, Alcohol-Related Offenses of the Stillaguamish Tribe of Indians Law and Order Code.

3.06.612 Conformity With State Law As Required

Tribal retailers and Tribally-licensed retailers shall comply with any applicable Washington State liquor law standards to the extent required by 18 U.S.C. 1161 and the Agreement Between the Washington State Liquor Control Board and the Stillaguamish Indian Tribe for Purchase and Resale of Liquor in Indian Country (“*Agreement*”), if any. To the extent provisions of this Subchapter conflict with the Agreement, the terms of the Agreement control.

Taxation

3.06.620 Tribal Liquor Tax

The Tribe expressly reserves its inherent sovereign right to regulate the use and sale of liquor through the imposition of Tribal taxes thereon. The Board hereby authorizes and expressly reserves its authority to impose a Tribal Liquor Tax on sales of all alcoholic beverages, including packaged and retail sales of liquor, wine, and beer, at a rate determined to be fair and equitable by the Board through independent action.

3.06.621 Liquor Sales Not Subject to Tribal Retail Sales Tax

The Tribe’s Retail Sales Tax shall not apply to retail sales of liquor.

Administration

3.06.630 Severability

If any section, provision, phrase, addition, word, sentence or amendment of this Subchapter or its application to any person is held invalid, such

invalidity shall not affect the other provisions or applications of this Subchapter that can be given effect without the invalid application, and to that end the provisions of this Subchapter are declared severable.

3.06.631 Nondiscrimination

No provision of this Subchapter shall be construed as imposing a regulation or tax that discriminates on the basis of whether a retail liquor establishment is owned, managed or operated by a member of the Tribe.

3.06.632 Effective Date

This Subchapter shall be and become effective after thirty (30) days of publication by the United States Department of the Interior’s certification in the **Federal Register**.

3.06.633 Sovereign Immunity

Nothing in this Subchapter shall be construed as a waiver or limitation of the inherent sovereign immunity of the Tribe.

[FR Doc. 2012–14229 Filed 6–11–12; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Notice of Filing

[LLNM940000. L1420000.BJ0000]

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of filing of plats of survey.

SUMMARY: The plats of survey described below are scheduled to be officially filed in the New Mexico State Office, Bureau of Land Management, Santa Fe, New Mexico, thirty (30) calendar days from the date of this publication.

FOR FURTHER INFORMATION CONTACT: These plats will be available for inspection in the New Mexico State Office, Bureau of Land Management, 301 Dinosaur Trail, Santa Fe, New Mexico. Copies may be obtained from this office upon payment. Contact Marcella Montoya at 505–954–2097, or by email at mmontoya@nm.blm.gov, for assistance. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours.

SUPPLEMENTARY INFORMATION:

Indian Meridian, Oklahoma (OK)

The plat, representing the dependent resurvey and survey in Township 24

North, Range 1 East, of the Indian Meridian, accepted April 12, 2012, for Group 211 OK.

The plat, representing the dependent resurvey and survey in Township 15 North, Range 24 East, of the Indian Meridian, accepted April 12, 2012, for Group 207 OK.

The plat, in six sheets, representing the dependent resurvey and survey in Township 13 North, Range 19 East, of the Indian Meridian, accepted April 20, 2012, for Group 67 OK.

New Mexico Principal Meridian, New Mexico (NM)

The plat, representing the dependent resurvey and survey in Townships 23 and 24 South, Range 19 East, of the New Mexico Principal Meridian, accepted April 26, 2012, for Group 1136 NM.

The plat, in two sheets, representing the dependent resurvey and survey, in Township 16 North, Range 18 West, of the New Mexico Principal Meridian, accepted April 30, 2012, for Group 1107 NM.

These plats are to be scheduled for official filing 30 days from the notice of publication in the **Federal Register**, as provided for in the BLM Manual Section 2097—Opening Orders. Notice from this office will be provided as to the date of said publication. If a protest against a survey, in accordance with 43 CFR 4.450–2, of the above plats is received prior to the date of official filing, the filing will be stayed pending consideration of the protest.

A plat will not be officially filed until the day after all protests have been dismissed and become final or appeals from the dismissal affirmed.

A person or party who wishes to protest against any of these surveys must file a written protest with the Bureau of Land Management New Mexico State Director stating that they wish to protest.

A statement of reasons for a protest may be filed with the Notice of protest to the State Director or the statement of reasons must be filed with the State Director within thirty (30) days after the protest is filed.

Stephen W. Beyerlein,

Acting, Deputy State Director, Cadastral Survey/GeoSciences.

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DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–10345; 2200–1100–665]

Notice of Intent To Repatriate a Cultural Item: San Diego Museum of Man, San Diego, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The San Diego Museum of Man, in consultation with the appropriate Indian tribes, has determined that a cultural item meets the definition of unassociated funerary object and repatriation to the Indian tribes stated below may occur if no additional claimants come forward. Representatives of any Indian tribe that believes itself to be culturally affiliated with the cultural item may contact the San Diego Museum of Man.

DATES: Representatives of any Indian tribe that believes it has a cultural affiliation with the cultural item should contact the San Diego Museum of Man at the address below by July 12, 2012.

ADDRESSES: Philip Hoog, San Diego Museum of Man, San Diego, CA 92101, telephone (619) 239–2001, extension 43.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate a cultural item in the possession of the San Diego Museum of Man, San Diego, CA, that meets the definition of unassociated funerary object under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural item. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Item

In 1929, one clay pipe (or bow pipe), about five inches in total length, was removed from archeological site SDM–W–1 (as named by archeologist Malcolm Rogers), also known as CA–SDI–39, generally referred to as the Spindrift site, located near the coast of the Pacific Ocean in present day La Jolla, CA. The pottery pipe is a bow-type with a beak-shaped holder and has diamond hatching incised about the bowl. It has a charred appearance, suggesting that it

was burned. Shortly after its excavation, Malcolm Rogers transferred the clay pipe to the San Diego Museum of Man, where he was employed at the time.

Malcolm Rogers's 1929 excavation notes state that the pipe was discovered with one associated cremation, however, the cremated human remains do not reside at the Museum of Man. Kumeyaay tradition, confirmed through consultation with Kumeyaay representatives, also dictates that charred objects, such as this pipe, were part of burial offerings and were most likely associated to cremated human remains, most likely a male. Pursuant to 25 U.S.C. 3001(3)(B), the pipe is considered an unassociated funerary object. Clay pipes such as this one typically do not make an appearance in the archeological record until after A.D. 1000. Archeological evidence and Kumeyaay tradition both suggest that the present-day Kumeyaay people of Southern California occupied the area where the pipe was discovered during this period.

Determinations Made by the San Diego Museum of Man

Officials of the San Diego Museum of Man have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the one cultural item described above is reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and is believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.

- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the clay pipe and the Kumeyaay Nation, as represented by the Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California; Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California; Ewiiapaay Band of Kumeyaay Indians, California; Iipay Nation of Santa Ysabel, California (formerly the Santa Ysabel Band of Diegueno Mission Indians of the Santa Ysabel Reservation); Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California; Jamul Indian Village of California; La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California; Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California; Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California; San Pasqual Band of Diegueno Mission