

would be beneficial to hazardous materials managers, solid waste engineers, and public works officers. Benefits would also be realized in emergency situations, when efficient management and data sharing between Federal and local agencies is imperative to containing hazardous materials and protecting the environment.

Development of Environmental Hazard Standards through the FGDC will provide an opportunity for broad participation from national, state, and local governments, municipalities, professional societies, and private industry. Environmental Hazard Standards will also support the FGDC's integrated standard database project and will provide new data sharing opportunities for the National Spatial Data Infrastructure (NSDI) (i.e., Federal, state, and local governments, as well as the private sector.)

Approach: The FWG will establish an Environmental Hazards project team to develop this Environmental Hazards Standard. The project team will begin development of this Environment Hazards Standard using the Environmental Hazards information contained in the Tri Service Spatial Data Standard (TSSDS). However, the project team or the resulting standard will not be constrained to the content extracted from the TSSDS. The entity classes, entity types, etc. may be enhanced and modified to create a comprehensive Environmental Hazard Data Content standard that meets the diverse requirements of Federal, state, and community environmental data users. The project team will solicit input from a broad range of agencies and environmental groups for development of the standard.

The FWG will also maintain an Environmental Hazards database containing the entity/attribute/domain information that can be used to support the Standards Working Group (SWG) integrated feature registry project.

Related Standards: As mentioned in the approach paragraph, the TSSDS is a related standard that includes Environmental Hazards information. Additional content added to the Environmental Hazard standard (beyond what is available from the TSSDS) will be closely coordinated with the Tri-Service CADD/GIS Technology Center so that later versions of the TSSDS may potentially incorporate this additional information. This project will also be coordinated with the Facilities Identification project.

Other related standards (relevant to domain values) are: EPA Order 2180.1, June 26, 1987 standard for Chemical Abstracts Service Registry Number Data

Standard for using CAS Registry Number for identification of chemical substances.

ANSI X3.50–1986, American National Standard for information systems—representations for U.S. customary, SI, and other units to be used in systems with limited character sets. NIST Special Publication 811, 1995 Edition, Guide for the Use of the International System of Units (SI) for standardizing units of measure.

Schedule: The FWG has formed an Environmental Hazards project team to begin work on the development of this standard. The development of a working draft Environmental Hazards Standard is expected to take 9–12 months. Once the FWG is satisfied with the content of this Environmental Hazards Standard it will be forwarded to the SWG for consideration to go out for public review. The FWG expects to have a completed, approved Environmental Hazard standard in 24 months.

Resources: The FWG has adequate resources to accomplish the initial development of this Environmental Hazards Standard. If after review and comment from other Federal Agencies and the non-Federal sector there is considerable additional content need, then additional resources may be required.

Potential Participants: The primary participants will be the members of the FWG which includes representatives from Federal agencies, municipalities, professional associations, and private industry.

Target Authorization Body: The FWG proposes pursuing the development of this Environmental Hazards Standard as an FGDC standard. The FWG may consider pursuing (at a later date) the development of the Environmental Hazards Standard as an ANSI (American National Standards Institute) Standard within ANSI's technical committee for GIS, NCITS L1. FGDC would serve as the Target Authorization Body until this Environmental Hazards Standard becomes an ANSI Standard.

Dated: September 2, 1997.

John Fischer,

Acting Chief, National Mapping Division.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Chitimacha Tribe of Louisiana Liquor Ordinance

AGENCY: Bureau of Indian Affairs.

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 Chitimacha Tribe of Louisiana Liquor Ordinance was duly adopted by Resolution No. CHI-TC # 3–97 of the Chitimacha Tribe of Louisiana Tribal Council on January 2, 1997. The ordinance provides for the regulation, sale, possession and use of alcoholic liquor within the Tribe's jurisdiction.

DATES: This ordinance is effective as of September 9, 1997.

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

SUPPLEMENTARY INFORMATION: The Chitimacha Tribe of Louisiana Liquor Ordinance shall read as follows:

Title XIV—Tribal Licenses and Permits

Chapter 1. Liquor Licenses and Permits

Sec. 101. Conformity with State Law and This Ordinance

The introduction, possession, transportation, and sale of intoxicating beverages shall be lawful within the Indian country under the jurisdiction of the Tribe, provided that such introduction and sale are in conformity with the laws of the State of Louisiana and with the provisions of this ordinance.

Sec. 102. Tribal License or Permit Required

No person shall engage in the sale of intoxicating beverages within the Indian country under the jurisdiction of the Tribe, unless duly licensed or permitted to do so by the Tribe in accordance with the terms of this Ordinance and the State of Louisiana.

Sec. 103. Application for Tribal Liquor License; Requirements

No tribal license shall issue under this Ordinance except upon a sworn application filed with the Council containing a full and complete showing of the following:

(a) Satisfactory proof that the applicant is or will be duly licensed by the State of Louisiana.

(b) Satisfactory proof that the applicant is of good character and reputation among the people of the

Reservation and that the applicant is financially responsible.

(c) The description of the premises in which the intoxicating beverages are to be sold, proof that the applicant is the owner of such premises, or lessee of such premises, for at least the term of the license.

(d) Agreement by the applicant to accept and abide by all conditions of the tribal license.

(e) Payment of a \$250.00 fee, is prescribed by the Council.

(f) Satisfactory proof that neither the applicant nor the applicant's spouse has ever been convicted of a felony.

(g) Satisfactory proof that notice of the application has been posted in a prominent, noticeable place on the premises where intoxicating beverages are to be sold for at least 30 days prior to consideration by the Council and has been published at least twice in such local newspaper serving the community that may be affected by the license as the Tribal Chairman or Secretary may authorize. The notice shall state the date, time and place when the application shall be considered by the Council pursuant to Section 104 of this Ordinance.

Sec. 104. Hearing on Application for Tribal Liquor License

All applications for a tribal liquor license shall be considered by the Council in open session at which the applicant, his attorney and any person protesting the application shall have the right to be present, and to offer sworn oral or documentary evidence relevant to the application. After the hearing, the Council, by secret ballot, shall determine whether to grant or deny the application, based on:

(1) Whether the requirements of Section 103 have been met and;

(2) Whether the Council, in its discretion, determines that granting the license is in the best interests of the Tribe.

In the event that the applicant is a member of the Tribal Council, or a member of the immediate family of a Council member, such member shall not vote on the application or participate in the hearings as a Council member.

Sec. 105. Temporary Permits

The Council or their designee may grant a temporary permit for the sale of intoxicating beverages for a period not to exceed three (3) days to any person applying for the same in connection with a tribal or community activity, provided that the conditions prescribed in Sections 106(b), 106(c), 106(d), 106(h), and 106(i) of this Ordinance

shall be observed by the permittee. Each permit issued shall specify the types of intoxicating beverages to be sold. Further, a fee of \$25.00 will be assessed on temporary permits.

Sec. 106. Conditions of the Tribal License

Any tribal license issued under this Title shall be subject to such reasonable conditions as the Council shall fix, including, but not limited to the following:

(a) The license shall be for a term of one year.

(b) The license shall at all times maintain an orderly, clean, and neat establishment, both inside and outside the licensed premises.

(c) The licensed premises shall be subject to patrol by the Tribal Police Department, and such other law enforcement officials as may be authorized under federal or tribal law.

(d) The licensed premises shall be open to inspection by duly authorized tribal officials at all times during the regular business hours.

(e) Subject to the provisions of subsection "f" of this section, no intoxicating beverages shall be sold, served, disposed of, delivered, or given to any person, or consumed on the licensed premises except in conformity with the hours and days prescribed by the laws of the State of Louisiana, and in accordance with the hours fixed by the Council, provided that the licensed premises shall not operate or open earlier or operate or close later than is permitted by the laws of the State of Louisiana.

(f) No liquor shall be sold within 200 feet of a polling place on tribal election days, or when a referendum is held of the people of the Tribe, and including special days of observance as designated by the Council.

(g) All acts and transactions under authority of the tribal liquor license shall be in conformity with the laws of the State of Louisiana, and shall be in accordance with this Ordinance and any tribal license issued pursuant to this Ordinance.

(h) No person under the age permitted under the law of the State of Louisiana shall be sold, served, delivered, given or allowed to consume alcoholic beverages in the licensed establishment and/or area.

(i) There shall be no discrimination in the operations under the tribal license by reason of race, color or creed. Provided, that the Council shall not grant to the licensee, by way of a condition of the license, or otherwise,

any privilege or benefit relating to the hours and days of operation of the licensed premises, greater than those permitted by the laws of the State of Louisiana.

Sec. 107. License Not a Property Right

Notwithstanding any other provision of this Ordinance, a tribal liquor license is a mere permit for a fixed duration of time. A tribal license shall not be deemed a property right or vested right of any kind, nor shall the granting of a tribal liquor license give rise to a presumptive or legal entitlement to the granting of such license for a subsequent time period.

Sec. 108. Assignment or Transfer

No tribal license issued under this Ordinance shall be assigned or transferred without the written approval of the Council expressed by formal resolution.

Sec. 109. Cancellation and Suspension

Any license issued hereunder may be suspended or cancelled by the Council for the breach of any of the provisions of this Ordinance, or of the tribal license upon hearing before the Council after 10 days notice to the licensee. The decision of the Council shall be final.

Sec. 110. Allocation of Fees

Any and all License and/or Permit fees collected pursuant to Chapter 1 shall be utilized for public works.

Sec. 111. Limitation of Liability for Loss Connected With Sale, Serving, or Furnishing of Alcoholic Beverages

Neither the Tribe nor any person or entity, nor any agent, servant, or employee of such a person or entity who, on the Reservation, pursuant to appropriate licensure, sells or serves intoxicating beverages of either high or low alcoholic content to a person over the age for the lawful purchase thereof, shall be liable to such person or to any other person or to the estate, successors, or survivors of either for any injury suffered on or off the premises, including wrongful death and property damage, because of the intoxication of the person to whom the intoxicating beverages were sold or served.

Dated: August 29, 1997.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

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