

(7) Federal Register Notice of Final Determination

- February 6, 1996

APPENDIX A—Continued

Name of agency	Address	No. of units	Budget authority
CITY OF LAS VEGAS HSG AUTH	PO BOX 1897, LAS VEGAS, NV 89125189	85	4,294,860
NEW YORK CITY HOUSING AUTHORITY	250 BROADWAY, NEW YORK, NY 100070000	9	461,040
OKLAHOMA HOUSING FINANCE AGENCY	PO BOX 26720, OKLAHOMA CITY, OK 7312	15	381,115
NEWPORT NEWS REDEVELOPMENT & H/A	PO BOX 77, NEWPORT NEWS, VA 23607	49	1,686,455
PROPERTY DISPOSITION—VOUCHER PROGRAM			
CITY OF HARTFORD	550 MAIN ST, HARTFORD, CT 061030000	100	1,223,808
FORT DODGE HOUSING AGENCY	700 SOUTH 17TH STREET, FORT DODGE, IA 505010000.	34	541,450
HOUSING AUTHORITY OF BALTIMORE CITY	417 E FAYETTE STREET, BALTIMORE, MD 212020000	151	5,495,710
ST. LOUIS COUNTY HOUSING AUTHORITY	8865 NATURAL BRIDGE, ST. LOUIS, MO 631210000 ...	83	3,058,370
LINCOLN COUNTY PUB HSG AGENCY	LINCOLN COUNTY PHA, BOWLING GREEN, MO 83334, 16 NORTH COURT.	156	4,340,830
PUERTO RICO HOUSING FINANCE CORP	CALL BOX 71361—GPO, SAN JUAN, PR 009360000	77	2,330,685
EAST TN HUMAN RESOURCE AGENCY	408 N CEDAR BLUFF ROAD, KNOXVILLE, TN 379230000, SUITE 400.	93	2,585,995
BEXAR COUNTY HSG AUTHORITY	1405 N MAIN, SUITE 240, SAN ANTONIO, TX 782120000.	4	120,010
NEWPORT NEWS REDEVELOPMENT & H/A	PO BOX 77, NEWPORT NEWS, VA 236070077	137	5,297,075
HOUSING AUTHORITY OF BALTIMORE CITY	417 E FAYETTE STREET, BALTIMORE, MD 212020000 .	5	178,875
NEWPORT NEWS REDEVELOPMENT & H/A	PO BOX 77, NEWPORT NEWS, VA 23607	250	10,039,600

[FR Doc. 96-2375 Filed 2-5-96; 8:45 am]

BILLING CODE 4210-33-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Final Determination Against Federal Acknowledgment of the Ramapough Mountain Indians, Inc.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Final Determination.

SUMMARY: This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs (Assistant Secretary) by 209 DM 8.

Pursuant to 25 CFR 83.10(m), notice is hereby given that the Assistant Secretary declines to acknowledge that the Ramapough Mountain Indians, Inc. (RMI), c/o Mr. Ronald Van Dunk, 200 Rte. 17 So., P.O. Box 478, Mahwah, New Jersey 07430-0478, exists as an Indian tribe within the meaning of Federal law. This notice is based on a determination that the group does not satisfy three of the criteria set forth in 25 CFR 83.7, namely: 83.7(b), 83.7(c), and 83.7(e).

DATES: This determination is final and is effective May 6, 1996, pursuant to 25 CFR 83.10(l)(4), unless a request for reconsideration is filed pursuant to 25 CFR 83.11.

A notice of the Proposed Finding to decline to acknowledge the Ramapough Mountain Indians, Inc. was published in the Federal Register on December 8,

1993 (58 FR 64662, Dec. 8, 1993). The original 180-day period provided for in the regulations for comment on the Proposed Finding closed April 6, 1994. At the petitioner's request, it was extended until October 7, 1994; again until April 7, 1995; and again until May 8, 1995. The 60-day period provided for in the regulations (25 CFR Part 83.10(k)) for the petitioner to respond to third-party comments ended July 10, 1995. This determination is made following a review of the Ramapough Mountain Indians, Inc.'s response to the Proposed Finding to decline to acknowledge, of the public comments on the Proposed Finding to decline to acknowledge, and of the Ramapough Mountain Indians, Inc.'s response to the public comments.

The Proposed Finding to decline to acknowledge the Ramapough Mountain Indians, Inc. was issued under the 1978 Federal acknowledgment regulations (43 FR 39361-39364, Sept. 5, 1978). On April 22, 1994, the Ramapough Mountain Indians, Inc., requested that the final determination be issued under the 1994 revised Federal acknowledgment regulations. This Final Determination is issued under the revised regulations.

This determination is final and will become effective 90 days from the date of publication, unless a request for reconsideration is filed pursuant to § 83.11. The petitioner or any interested party may file a request for reconsideration of this determination with the Interior Board of Appeals (§ 83.11(a)(1)). The petitioner's or interested party's request must be received no later than 90 days after

publication of the Assistant Secretary's determination in the Federal Register (§ 83.11(a)(2)).

Because of changes in the revised regulations and new evidence located by the Government's researchers, the conclusions for this Final Determination are slightly different from those reached in the Proposed Finding under criteria 83.7(a), 83.7(b), and 83.7(c). The Proposed Finding determined that the RMI did not meet criterion 83.7(a). There was no evidence that the petitioning group had been identified "from historical times until the present on a substantially continuous basis, as 'American Indian' or 'aboriginal'" (25 CFR 83.7(a), 1978). The 1994 revision of the 25 CFR Part 83 regulations was designed to reduce the burden of proof on petitioners. Identification as an Indian entity by external observers from first sustained contact with non-Indians until 1900 is no longer required by criterion 83.7(a). Under the 1994 regulations, the RMI meets criterion 83.7(a), identification by external observers as an American Indian entity, for the period since 1900. This finding is based upon a determination by the Assistant Secretary—Indian Affairs that consistent scholarly and popular identification of a group as a tri-racial isolate believed to have an American Indian component shall constitute evidence for identification of the group as an American Indian entity.

The Proposed Finding determined that the petitioner's ancestral group did show community for the period 1870-1950, based on extensive endogamy and geographical residential concentration.

However, under the 1978 regulations, this was not adequate to meet criterion 83.7(b), as the 1978 wording required that there be a distinct "community viewed as American Indian" [emphasis added]. This wording was removed in the 1994 revision of criterion 83.7(b), which now requires only the existence of a distinct community. The regulations continue to require, under both criteria 83.7(b) and 83.7(c), that a petitioning group show continuity from the time of first sustained contact with non-Indians until the present.

Under the provisions of the revised regulations, the Ramapough Mountain Indians, Inc. has been found to meet criteria 83.7(b) and 83.7(c) for a limited period of time, from 1870 until about 1950. No new evidence concerning criterion 83.7(c) was submitted for the final determination. However, under a provision of the 1994 revised regulations that was designed to reduce the burden of proof on petitioners, it is automatically assumed that when a group meets criterion 83.7(b) with a sufficient level of evidence (endogamy of greater than 50 percent; geographically proximate residence of greater than 50 percent, etc.), it also will have met criterion 83.7(c) for the same period of time. Based on this linkage between the two criteria, it is determined that the Ramapough Mountain Indians, Inc. has met criterion 83.7(c) for the period 1870-1950.

The modifications under the revised regulations do not change the ultimate finding concerning criteria 83.7(b) and 83.7(c), however, since the requirement of continuous existence as a social community (83.7(b)) and continuous exercise of political influence or authority over the group's members (83.7(c)), from the time of first sustained contact of the historical tribe, or tribes which amalgamated and functioned as a single political entity, with non-Indians until the present, remains in force. Meeting a criterion for a limited period is not sufficient to meet the criterion overall, because of the requirement of continuous existence. No adequate evidence has been submitted to show the continuous existence of a community from first sustained contact with non-Indians until 1870, or from 1950 to the present. Therefore, the petitioner does not meet criterion 83.7(b). No new evidence was submitted to show the continuous exercise of political influence or authority within the group from first sustained contact with non-Indians until 1870, or from 1950 to the present. Therefore, the petitioner does not meet criterion 83.7(c).

The Proposed Finding concluded that, "No evidence was found to substantially demonstrate Indian ancestry for the RMI membership which was derived from a historic tribe. It also could not be established that there is any Indian ancestry from isolated Indian individuals, and there is virtually no documentary evidence from historical records for such ancestry." No new evidence was submitted pertaining to criterion 83.7(e), descent of the petitioner's membership from a historical Indian tribe, or from tribes which amalgamated and functioned as a single political unit. The petitioner's response presented a re-analysis of the same evidence considered in the Proposed Finding to decline to acknowledge. The conclusion that the origins and parentage of the earliest generation of the petitioner's documented ancestors remain unknown is not changed in this final determination. Therefore, the Ramapough Mountain Indians, Inc., does not meet criterion 83.7(e).

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 96-1822 Filed 2-5-96; 8:45 am]

BILLING CODE 4310-02-P

Indian Gaming, Oregon

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Amendment to Approved Tribal-State Compact.

SUMMARY: Pursuant to 25 U.S.C. § 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), the Secretary of the Interior shall publish, in the Federal Register, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, has approved Amendment II to the Tribal-State Compact for Regulation of Class III Gaming Between the Cow Creek Band of Umpqua Tribe of Indians and the State of Oregon, which was executed on October 27, 1995.

EFFECTIVE DATE: February 6, 1996.

FOR FURTHER INFORMATION CONTACT: George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: December 14, 1995.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 96-2451 Filed 2-5-96; 8:45 am]

BILLING CODE 4310-02-M

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of approval for Blackjack Amendment to Tribal-State Compact.

SUMMARY: Pursuant to 25 U.S.C. 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), the Secretary of the Interior shall publish, in the Federal Register, notice of approved Tribal-State Compacts or considered approved for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, is publishing an Amendment to the Tribal-State Compact For Regulation of Class III Gaming Between the Coquille Indian Tribe and the State of Oregon, which is considered approved, but only to the extent the amendment is consistent with the provisions of the Indian Gaming Regulatory Act.

SUPPLEMENTARY INFORMATION: The Secretary of the Interior neither approved nor disapproved the Coquille Indian Tribe's Blackjack Amendment within the 45-day statutory deadline set forth in 25 U.S.C. 2710 (d)(8)(C). The deadline expired on January 4, 1996. Thus, the Coquille Indian Tribe's Blackjack Amendment is considered approved as specified in 25 U.S.C. 2710 (d)(8)(C), to the extent that is consistent with the Indian Gaming Regulatory Act.

DATES: This action is effective February 6, 1996.

FOR FURTHER INFORMATION CONTACT: George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, DC 20240, (202) 219-4068.

Dated: January 29, 1996.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 96-2452 Filed 2-5-96; 8:45 am]

BILLING CODE 4310-02-M

Indian Gaming, Oregon

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Approval for Amendment I to Tribal-State Compact.

SUMMARY: Pursuant to 25 U.S.C. § 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), the Secretary of the Interior shall publish, in the Federal Register, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—