PLACE: Omni Netherland Plaza, 35 West Fifth Street, Cincinnati, Ohio 45202–2899.

MATTERS TO BE CONSIDERED: Grant proposals, budget issues, and internal personnel matters.

PORTIONS OPEN TO THE PUBLIC: Board consideration of grant proposals and budget issues.

PORTIONS CLOSED TO THE PUBLIC: Internal personnel matters; Board committee meetings.

CONTACT PERSON FOR MORE INFORMATION: David I. Tevelin, Executive Director, State Justice Institute, 1650 King Street, Suite 600, Alexandria, Virginia 22314, (703) 684–6100.

David I. Tevelin,

Executive Director.

[FR Doc. 94–27050 Filed 10–27–94; 1:45 pm]

BILLING CODE 6820–SC–M

TENNESSEE VALLEY AUTHORITY

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 59 FR 53515 (October 24, 1994).

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m. (EDT), Wednesday, October 26, 1994.

PREVIOUSLY ANNOUNCED PLACE OF MEETING: TVA Knoxville Office Complex, 400 West Summit Hill Drive, Knoxville, Tennessee.

CHANGES IN THE MEETING: A majority of the Members of the TVA Board of Directors has approved the addition of the following item to the previously announced agenda:

F7—Approval of the Center for Rural Studies Trust.

CONTACT PERSON FOR MORE INFORMATION: Ron Loving, Vice President, Governmental Relations, or a member of his staff can respond to requests for information about this meeting. Call 615–632–6000, Knoxville, Tennessee. Information is also available at TVA's Washington Office, 202–898–2999.

Edward S. Christenbury,

General Counsel and Secretary of the Corporation.

[FR Doc. 94–26976 Filed 10–27–94; 11:08 am]

BILLING CODE 8120–08–M

federal register

Monday
October 31, 1994

Part II

Department of the Interior

Bureau of Indian Affairs

Indian Tribes, Acknowledgement of Existence Determinations, etc.: Jena Band of Choctaw Indians; Notice

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Proposed Finding for Federal Acknowledgment of the Jena Band of Choctaw Indians

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of proposed finding.

SUMMARY: Pursuant to 25 CFR 83.10(h), notice is hereby given that the Assistant Secretary proposes to acknowledge that the Jena Band of Choctaw Indians, c/o Jerry D. Jackson, P.O. Box 14, Jena, Louisiana, 71342, exists as an Indian tribe within the meaning of Federal law. This notice is based on a determination that the tribe meets the seven mandatory criteria set forth in 25 CFR 83.7. Therefore, the Jena Band of Choctaw Indians meets the requirements necessary for a government-to-government relationship with the United States.

DATES: As provided by 25 CFR 83.10(i), any individual or organization wishing to challenge the proposed finding may submit factual or legal arguments and evidence to rebut the evidence relied upon. This material must be submitted within 180 calendar days from the date of publication of this notice. As stated in the new regulations, 25 CFR 83.10(i), interested and informed parties who submit arguments and evidence to the Assistant Secretary must also provide copies of their submissions to the petitioner.

ADDRESSES: Comments on the proposed finding and/or requests for a copy of the report of evidence should be addressed to the Office of the Assistant Secretary—Indian Affairs, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240, Attention: Branch of Acknowledgment and Research, Mail Stop 2611–MIB.

FOR FURTHER INFORMATION CONTACT: Holly Reckord, (202) 208–3592.

SUPPLEMENTARY INFORMATION: The Jena Band of Choctaw Indians directly descends from a community of Choctaws who resided in western Catahoula Parish, now LaSalle Parish, in the vicinity of Jena, Louisiana, since first identified by the census of 1880. The linguist Albert Gatschet reported finding three Choctaw families on Trout Creek, Catahoula Parish in 1886. The Trout Creek settlement lived in log huts on land owned by Thomas Whatley. They were known locally as the Eden Indians, the Choctaw Indians on Trout Creek, and the Whatley Indians in reference to their residences or to the landowners with whom they were associated. After World War II, most of the tribe moved into the nearby town of Jena, Louisiana. They formally incorporated in 1974, as the Jena Band of Choctaw Indians, but usually refer to themselves as the Jena Choctaws.

Aboriginal Choctaw territory lay east of the Mississippi River, but the Choctaws also hunted west of the river. Although wandering Choctaws had been observed in Louisiana before 1800, there is no evidence to connect any of the Jena Choctaws with the earliest Choctaw inhabitants of Louisiana. There is some evidence that they had attempted to go north to the Choctaw Nation, but returned to Louisiana from there. Gatschet's interviews, the Federal censuses, and the testimony of ancestors before the 1902 U.S. Commission to the Five Civilized Tribes, known as the Dawes Commission, all substantiate that the Jena Choctaws came from Scott and Newton counties in Mississippi and probably arrived in the vicinity of Jena, Louisiana during the 1870's.

Several of the Choctaws from the Jena vicinity removed to Oklahoma between 1903 and 1920, but the remnants of four families remained, thus maintaining the community. Between 1914 and 1917, a large family of Choctaws, who lived less than 20 miles east of Jena at Manifest or Aimwell, Louisiana, moved to Trout Creek and began marrying into the remaining families. Their arrival saved the community at Trout Creek near Jena, which had suffered significant losses due to the removals.

The ancestors of the Jena Choctaws have been identified both as Choctaws and as an Indian entity by scholars, local officials, and state and Federal sources on a substantially continuous basis since 1900. No one has denied the Indian identity of the Jena Choctaws. The 1903 Dawes Commission identified the ancestors of the petitioner as full-blood Mississippi Choctaws who were eligible to receive land allotments in the Choctaw Nation, or what is now Oklahoma. Local residents, local store records, and occasional state newspaper articles all referred to them as Indians. Federal and state school officials from 1929 to 1940 all considered the Jena Choctaws to be Indians, and some referred to them as a small tribe. Indian children were not allowed to attend the white public schools of the parish, while the Indians refused to attend the black schools. Local authorities and private individuals made efforts to create a school specifically for the Indian children. During the 1930's, the Penick Indian School operated with some funding from the Federal Office of Indian Affairs.

The Office of Indian Affairs proposed moving those Choctaws who were willing to move to Federal trust lands in Mississippi so that their children could be educated with other Indian children at Pearl River, Mississippi. Although the proposal was not carried out, it is clear that the Federal officials considered the Jena Choctaws to be eligible members of the recognized Mississippi Choctaw tribe.

When the Office of Indian Affairs provided Federal aid for tuition for the Choctaw students at the Penick Indian School, it did not deal directly with the Indians but provided funds to state and local governments. In short, although briefly providing some Federal services to individuals, the Federal Government had not recognized the Jena Choctaws as a separate tribal entity. Because the Choctaws from rural Jena, Louisiana, were not removed to Oklahoma in 1903 or to Mississippi in 1938, they retained their identity as a separate and distinct Indian group.

The Jena Band of Choctaw Indians maintained their community through a high degree of in-group marriages. Before 1950, 85 percent of the marriages of members were to other members, and 50 percent of the existing marriages in 1959 were to other members of the tribe. Perhaps supported by the in-group marriages and close family ties, the community continued to speak the Choctaw language almost exclusively until the late 1930's and in many households until the late 1950's.

Although the Choctaw did not live in an exclusively Indian neighborhood, they did live in close proximity of one another in the Trout Creek or Eden neighborhood from before 1880 until after World War II. They shopped in the local Whatley stores where they paid for goods by skinning and tanning hides as well as by day labor and household help. They were identified by the shopkeepers by their first name and the title "Indian," rather than by a first and last name. They traveled into town as a group on a Saturday night, where they were often met with harassment from the general population and in particular from the town marshall.

Maintenance of the White Rock Indian cemetery has been a central activity of Jena Choctaw throughout the history of the group. Not only have they continually buried their dead in the cemetery, but the frequent clean-up days also became a time for social contact between the various families. They brought food for a cook out, visited, discussed community concerns, and even camped over night at the cemetery. Until the late 1930's, the tribe exercised traditional burial practices,

which involved a mourning period, cutting hair, and participating in a "cry" or funeral some six months after the burial. The cemetery, which was located on land owned by the Whatley family, was deeded to the Jena Band of Choctaw Indians in 1982.

Aside from informal social interaction and continued maintenance of the White Rock Indian Cemetery, members of the tribe shared economic resources and provided each other with services in the 1950's and 1960's. After incorporation, the tribal council assumed a major role in providing for the members' needs. It has provided tutoring, school supplies, clothing, and free haircuts for school children. To teach and maintain a sense of Indian identity, the tribe conducts Choctaw language and history classes at the tribal center after school hours and during the summer.

A traditional leader or chief led the group in burial practices, conducted marriages, and conducted the affairs of the Indian community until the late 1930's. After World War II, when most of the membership started attending Christian churches, the role of the traditional leader became less active than in previous generations; however, he continued to organize community support of members in need and to arrange for maintenance of the Indian cemetery. During the 1950's and 1960's informal leaders also helped to meet the needs of the membership by furnishing goods and services such as mid-wifing. After the death of the last traditional leader in 1968, there was a transition period between the old-style of leadership and the formally organized entity. Since 1974, the Jena Choctaws have elected their leaders and members have participated in the governance of the tribe.

The first formal governing document for the tribe was the 1974 Articles of Incorporation. It was followed in 1990, by a constitution which reflected how they governed themselves and defined their membership. Membership consists of Choctaws possessing ¼ or more blood quantum who descend from the Choctaws who settled in LaSalle Parish and who were listed as Indian on the 1880, 1900, and 1910 censuses. The constitution also allows that at specified future dates, descendants with less than ¼ Choctaw blood quantum will be allowed to enroll as members. The members are not members of any other recognized tribe, nor has Congress terminated or denied a government-to-government relationship with the tribe.

There are 153 names on the 1993 membership roll. One hundred percent of the membership descends from at least one ancestor who was identified as a Choctaw Indian on the 1900 and 1910 Federal censuses or as Indian on the 1870, 1880, or 1920 Federal censuses. Over 88 percent of the membership also descends from someone who was identified as a full-blood Mississippi Choctaw on the 1903 preliminary roll of the Dawes Commission.

Under the new regulations, the high degree (over 50 percent) of in-group marriages through 1959 is considered to be a high level of evidence for the existence of an Indian community to that date. The new regulations also provide that the petitioner is assumed to have exhibited tribal political authority over its members prior to 1959 because of the high level of evidence that it maintained a community during those years. Interaction between Jena Choctaws has been maintained since 1959 with informal "visiting" and since 1974 with activities sponsored by the tribal council.

Based on this preliminary factual determination, we conclude that the Jena Band of Choctaw Indians meet all seven mandatory criteria and should be granted Federal acknowledgment under 25 CFR part 83.

As provided by 25 CFR 83.10(h) of the new regulations, a report summarizing the evidence, reasoning, and analyses that are the basis for the proposed decision will be provided to the petitioner and other interested parties, and is available to other parties upon written request.

After consideration of the written arguments and evidence rebutting the proposed finding and within 60 days after the expiration of the 180-day response period described above, the Assistant Secretary—Indian Affairs will publish the final determination of the petitioner's status in the **Federal Register** as provided in 25 CFR 83.10(l).

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 94–26835 Filed 10–28–94; 8:45 am]

BILLING CODE 4310–02–M

federal register

Monday
October 31, 1994

Part III

Environmental Protection Agency

Protection of Stratospheric Ozone; Petitions for Exemption; Notice

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5097–5]

Protection of Stratospheric Ozone; Petitions for Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correction to notice of decision.

SUMMARY: On September 13, 1994, the U.S. Environmental Protection Agency (EPA) published a **Federal Register** notice (59 FR 47048) of decision granting petitions for exemption for two specific applications of products manufactured with class I substances. These waivers were granted to the Upjohn Company (Upjohn) and E.I. DuPont de Nemours & Company (Dupont). Within the notice of September 13, 1994, two technical errors were made, one each in the Upjohn and Dupont discussions. The purpose of today's action is to correct these technical errors. The corrections are discussed in **SUPPLEMENTARY INFORMATION.**

ADDRESSES: Copies of information relevant to these petitions are available for inspection in public docket A–91–60 at the Air Docket [LE–131 of EPA, Room M–1500, 401 M Street SW., Washington, DC 20460 between the hours of 8 a.m. to 5:30 p.m., Monday through Friday. A reasonable fee may be charged for copying services.

FOR FURTHER INFORMATION CONTACT: Mavis Sanders, Stratospheric Protection Division (6205–J), Office of Air and Radiation, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460; (202) 233–9737.

SUPPLEMENTARY INFORMATION:

Background

On February 11, 1993, the U.S. Environmental Protection Agency (EPA) published the final labeling regulations implementing section 611 (58 FR 8136) of the Clean Air Act (CAA), as amended by the Clean Air Act Amendments (CAAA) of 1990. The regulations include a section that permits a manufacturer to petition EPA to temporarily exempt a product manufactured with a class I substance from the labeling requirements.

This Action

When transcribing information from the Upjohn petition for exemption, to the September 13, 1994 notice, EPA inadvertently listed the wrong chemical as an actual alternative for the use of CFC–12 as a stabilizer for Upjohn's sterilization process. The chemical Spectinomycin Hydrochloride was stated as the replacement for the use of CFC–12 in this process. The notice should have stated on page 47049 in the second column that Upjohn submitted a petition to the Food and Drug Administration (FDA) to approve the modification of its use of a CFC–12/ Ethylene Oxide (ETO) mixture in the sterilization process to 100% Ethylene Oxide. Therefore, the notice of September 13, 1994, is corrected to state that the alternative chemical submitted by Upjohn to the Food and Drug Administration (FDA) for approval is ethylene oxide (ETO).

There was a typographical error made in the E.I. Nemours Dupont Company (Dupont) discussion of the notice. Dupont's petition requested a waiver through December 31, 1996. EPA's intention was to grant a waiver from labeling requirements, for the fine synthetic fiber manufactured by Dupont, through December 31, 1996. The September 13, 1994, **Federal Register** notice stated on page 47051 in the first column that the waiver should be granted through January 1, 1996. That notice should have stated that the waiver be granted through December 31, 1996.

Therefore the notice of September 13, 1994 is corrected to grant the waiver for Dupont's fine synthetic fiber through December 1996.

Dated: October 20, 1994.

Richard D. Wilson,

Acting Assistant Administrator.

[FR Doc. 94–26666 Filed 10–28–94; 8:45 am]

BILLING CODE 6560–50–P

federal register

Monday
October 31, 1994

Part IV

Department of the Interior

Bureau of Indian Affairs

25 CFR Part 141

Business Practices on the Navajo, Hopi, and Zuni Reservations; Final Rule

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 141

RIN 1076–AC87

Business Practices on the Navajo, Hopi, and Zuni Reservations

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Final rule.

SUMMARY: The Bureau of Indian Affairs (BIA) is amending 25 CFR 141.10 and 141.33 to change references to the account "Indian Monies, Proceeds of Labor" to read "Special Deposits," as provided in 25 CFR Part 114—SPECIAL DEPOSITS.

EFFECTIVE DATE: November 30, 1994.

FOR FURTHER INFORMATION CONTACT: Mr. Jim Parris, Bureau of Indian Affairs, Office of Trust Funds Management, 505 Marquette NW., Suite 700, Albuquerque, NM 87102, Telephone Number 505–766–3230.

SUPPLEMENTARY INFORMATION: This rulemaking action is to amend Part 141 of Subchapter G of Chapter I of Title 25 of the Code of Federal Regulations, which contains general regulations pertaining to reservation businesses and prescribes rules for the licensing of non-member businesses, pawnbrokers and traders who engage in retail business on the Navajo, Hopi, and Zuni Reservations, as required by 25 U.S.C. 261, 262, 263, and 264.

Pursuant to the amendments contained in Pub. L. 97–257, Title I, § 100, (Sept. 10, 1982, 96 Stat. 839), which provide that "No funds shall be deposited in such 'Indian monies, proceeds of labor' (IMPL) accounts after September 30, 1982," all deposits to IMPL accounts were discontinued. The IMPL accounts will be removed from the BIA accounting system and are no longer available for use. The references to, "Indian Monies, Proceeds of Labor" accounts contained in § 141.10(d) and § 141.33(d) are therefore no longer valid, and are being changed to refer to "Special Deposits" accounts, in accordance with the requirements of 25 CFR 114.

A proposed regulation for 25 CFR 141 was published for public comment in the **Federal Register** on February 25, 1994 (59 FR 9302). After a thirty- (30-) day comment period, no comments were received.

The primary author of this proposed rule is Loren J. Farmer, Policy, Analysis and Evaluation Staff, Bureau of Indian Affairs, Office of Trust Funds Management, 505 Marquette NW., Suite 700, Albuquerque, NM 87102.

The Department has certified to the Office of Management and Budget that these regulations meet the applicable standards provided in Sections 2(a) and 2(b)(2) of Executive Order 12778.

The Department has determined that this rule is not a significant regulatory action under Executive Order 12866 and therefore will not be reviewed by the Office of Management and Budget.

This rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

In accordance with Executive Order 12630, the Department has determined that this rule does not have significant takings implications.

The Department has determined that this rule does not have significant federalism effects.

The Department has determined that this rule does not constitute a major federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to the National Environmental Policy Act of 1969.

There are no information collection requirements requiring approval of the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

List of Subjects in 25 CFR Part 141

Business and industry, Credit, Indians—business and finance, Penalties, Reporting and recordkeeping requirements.

For reasons set out in the preamble, Part 141 of Title 25, Chapter I of the Code of Federal Regulations is amended as set forth below.

PART 141—BUSINESS PRACTICES ON THE NAVAJO, HOPI, AND ZUNI RESERVATIONS

1. The authority citation for 25 CFR Part 141 is revised to read as follows:

Authority: 5 U.S.C. 301; 25 U.S.C. 2, 9.

2. Sections 141.10(d) and 141.33(d) are revised to read as follows:

§ 141.10 License fees for reservation businesses.

* * * * *

(d) All fees are payable to the Area Director and shall be deposited to the credit of the account "Special Deposits."

§ 141.33 Fees for pawnbroker license.

* * * * *

(d) All fees are payable to the Area Director and shall be deposited to the credit of the account "Special Deposits."

Dated: October 12, 1994.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 94–26836 Filed 10–28–94; 8:45 am]

BILLING CODE 4310–02–P

federal register

Monday
October 31, 1994

Part V

Department of the Interior

Bureau of Indian Affairs

25 CFR Part 113
Indian Monies, Proceeds of Labor; Final Rule

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 113

RIN 1076–AC86

Indian Monies, Proceeds of Labor (IMPL)

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Final rule.

SUMMARY: The Bureau of Indian Affairs (BIA) is deleting the regulations contained in the Code of Federal Regulations pursuant to the public law which suspended all deposits to Indian Monies, Proceeds of Labor (IMPL) accounts after September 30, 1982. The law eliminated the use of IMPL accounts, and since these accounts are no longer in use, they will be removed from the BIA accounting system.

EFFECTIVE DATE: November 30, 1994.

FOR FURTHER INFORMATION CONTACT: Mr. Jim Parris, Bureau of Indian Affairs, Office of Trust Funds Management, 505 Marquette N.W., Suite 700, Albuquerque, NM 87102, Telephone Number 505–766–3230.

SUPPLEMENTARY INFORMATION: This rulemaking action deletes Part 113 of Subchapter G of Chapter I of Title 25 of the Code of Federal Regulations, which contains regulations governing Indian Monies, Proceeds of Labor (IMPL) established under the Act of March 3, 1883, as amended (25 U.S.C. 155).

Pursuant to the amendments contained in Public Law 97–257, Title I, Section 100, 25 U.S.C. 155 B, which provided that, "No funds shall be deposited in such 'Indian monies, proceeds of labor' (IMPL) accounts after September 30, 1982," all deposits to IMPL accounts were discontinued. The unobligated IMPL balances at the close of business on September 30, 1982, including the income resulting from investment of funds from such accounts prior to such date, were transferred to and held in escrow accounts. After consultation with appropriate tribes and individual Indians up to September 30, 1985, to determine the extent to which the funds held in escrow accounts represented income from the investment of "special deposits" relating to individual Indians or a specific tribe, funds were transferred to appropriate trust accounts for individual Indians and tribes during the period of October 1, 1985, through September 30, 1987. The unobligated balances of the IMPL escrow accounts as of the close of business on September 30, 1987, are to be withdrawn and deposited into miscellaneous receipts of the U.S. Treasury. The IMPL accounts are to be removed from the Bureau of Indian Affairs trust accounting system and are no longer available for use.

A proposed regulation for 25 CFR 113 was published for public comment in the **Federal Register** on April 7, 1994 (59 FR 16760). After a thirty (30) day comment period, no comments were received.

The Department has certified to the Office of Management and Budget that these regulations meet the applicable standards provided in Sections 2(a) and 2(b)(2) of Executive Order 12778.

The Department of the Interior has determined that this document is not a significant rule under Executive Order 12866 and therefore will not require the approval of the Office of Management and Budget.

This rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

In accordance with Executive Order 12630, the Department has determined that this rule does not have significant takings implications.

The Department has determined that this rule does not have significant federalism effects.

The Department has determined that this rule does not constitute a major federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to the National Environmental Policy Act of 1969.

There are no information collection requirements requiring approval of the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

The primary author of this proposed rule is Loren J. Farmer, Policy, Analysis and Evaluation Staff, Bureau of Indian Affairs, Office of Trust Funds Management, 505 Marquette N.W., Suite 700, Albuquerque, NM 87102.

List of Subjects in 25 CFR Part 113

Accounting, Indians—business and finance.

For reasons set out in the preamble and under the authority of Public Law 97–257, Title I, Section 100 (September 30, 1982, 96 Stat. 839), Part 113 of Title 25, Chapter I of the Code of Federal Regulations is removed.

Dated: October 12, 1994.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 94–26837 Filed 10–28–94; 8:45 am]

BILLING CODE 4310–02–P