

Vision Research Program Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Vision Research Program Committee, National Eye Institute, November 19-20, 1981, Building 1, Wilson Hall, National Institutes of Health, Bethesda, Maryland.

This meeting will be open to the public on Thursday, November 19, from 8:30 a.m. to 9:00 a.m. for opening remarks and discussion of program guidelines. Attendance by the public will be limited to space available.

In accordance with provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 9:00 a.m. on November 19 until adjournment on November 20, for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Mary Carter, Committee Management Officer, National Eye Institute, Building 31, Room 6A-04, National Institutes of Health, Bethesda, Maryland 20205, (301) 496-4903, will provide summaries of the meeting and rosters of committee members.

Dr. Catherine Henley, Review and Special Projects Officer, Extramural and Collaborative Programs, National Eye Institute, Building 31, Room 6A-04, National Institutes of Health, Bethesda, Maryland 20205, (301) 496-5561, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.867, Retinal and Choroidal Diseases Research; 13.868, Corneal Diseases Research; 13.869, Cataract Research; 13.870, Glaucoma Research; and 13.871, Sensory and Motor Disorders of Visual Research; National Institutes of Health)

NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that Circular.

Dated: October 14, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-30417 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

Department of Health and Human Services**President's Cancer Panel; Meeting**

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the President's Cancer Panel, October 27, 1981, International Club of Washington, Board Room, 1800 K Street, N.W., Washington, D.C. 20006.

The entire meeting will be open to the public from 9:00 a.m. to adjournment. Agenda items are reports by the Director, National Cancer Institute, and the Chairman, President's Cancer Panel. Attendance by the public will be limited to space available.

Mrs. Winifred Lumsden, Committee Management Officer, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20205 (301/496-5703) will provide summaries of the meeting and rosters of Panel members, upon request.

Dr. Richard A. Tjalma, Executive Secretary, National Cancer Institute, Building 31, Room 4B29, National Institutes of Health, Bethesda, Maryland 20205 (301/496-5854) will furnish substantive program information.

Dated: October 16, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-30563 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

DEPARTMENT OF THE INTERIOR**Office of the Secretary****Alaska Land Use Council; Meeting**

As required by the Alaska National Interest Lands Conservation Act, Pub. L. 96-487, dated December 2, 1980, section 1201 paragraph (h), the Alaska Land Use Council will meet November 13, 1981, at 10 AM, at 1689 C Street, Room 107, in the South Kaloa Building, Anchorage Alaska. The agenda will include recommendations from the Chugach Study Group and adoption of a Work Program Plan.

William P. Horn,

Deputy Under Secretary.

October 13, 1981.

[FR Doc. 81-30377 Filed 10-20-81; 8:45 am]

BILLING CODE 4310-10-M

Land Use Advisors Committee; Solicit Nominations

The Co-Chairman of the Alaska Land Use Council are soliciting nominations

for appointments to the Council's Land Use Advisors Committee.

The Land Use Advisors Committee, mandated by Section 1201(m)(1) of the Alaska National Interest Lands Conservation Act, will be responsible for the development of a public participation program and subsequently to oversee implementation of that program. The Committee will play a continuing role in the public input process to the Alaska Land Use Council.

The Alaska Lands Act states that the Land Use Advisors Committee should be representative of a balance between the many interests concerned with use of public lands in Alaska and the several geographic regions of the State.

If you are interested in serving on the Land Use Advisors Committee please send your resume to: Alaska Land Use Council, Governor Jay S. Hammond, State Co-Chairman, Vernon R. Wiggins, Federal Co-Chairman Nominee, P.O. Box 120, Anchorage, Alaska 99510.

The deadline for filing is October 23, 1981. For further information you may write to the above address or call (907) 272-3422.

William P. Horn,

Deputy Under Secretary.

October 13, 1981.

[FR Doc. 81-30378 Filed 10-20-81; 8:45 am]

BILLING CODE 4310-10-M

Bureau of Indian Affairs**Final Determination That the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., Does not Exist as an Indian Tribe**

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

Pursuant to 25 CFR 54.9(h) notice is hereby given that the Assistant Secretary has determined that the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., does not exist as an Indian tribe within the meaning of Federal law. This notice is based on a confirmed determination, following a review of public comments on the proposed findings, that the group does not meet four of the criteria set forth in 25 CFR 54.7 and, therefore, does not meet the requirements necessary for a government-to-government relationship with the United States.

Notice of the proposed findings to decline to acknowledge the group was published on page 11718 of the Federal Register on February 10, 1981. Interested

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parties were given 120 days in which to submit factual or legal arguments to rebut evidence used to support the findings that the Lower Muskogee Creeks (hereinafter referred to as LMC) do not exist as an Indian tribe.

During the comment period, two substantive rebuttals were submitted challenging the proposed findings pursuant to 25 CFR 54.9(g). The first was submitted on May 18, 1981, over the signature of Neal McCormick of Cairo, Georgia, chief of the petitioning group. A second, and separate rebuttal, was submitted on June 9, 1981, by John Wesley Thomley of Molino, Florida, as vice chief of the petitioning group. Subsequent to publication of the proposed findings, Mr. Thomley notified the Acknowledgment staff that he was severing all connections with the McCormicks and that he intended to file a separate rebuttal contending that the original petition had omitted substantial amounts of important evidence.

Three letters were received in support of the findings: one from the Director of the McIntosh Reserve of Carroll County, Georgia; one from the Director, Office of Indian Heritage for the State of Georgia; and one from the Principal Chief of the Muskogee (Creek) Nation of Oklahoma.

Both rebuttals were carefully considered, individually as well as collectively, to determine whether the sum of the evidence and arguments would strengthen the group's overall petition for acknowledgment. The rebuttals, whether considered separately or together, did not present evidence which would warrant changing the conclusion that the LMC does not exist as an Indian tribe within the meaning of Federal law.

Although both rebuttals spoke to some degree to the four criteria which the LMC had failed to meet, neither rebuttal addressed the following major factual conclusions set out in the proposed findings: (1) The unstable membership which shows great fluctuations in size and composition; (2) the lack of historical data for most geographic areas and for many time periods, and the concurrent lack of evidence of political continuity; (3) the apparent recent institution of "clan" organizations; and (4) the lack of historical connections or association between families that would be expected from the asserted historical tribal character. The conclusions regarding the limited historical identification of the group as Indian and the lack of proven Creek ancestry for a large part of the group's membership were either not addressed or were

answered by restating earlier arguments. Some of the factual conclusions in themselves were sufficient to deny tribal status to the group, but collectively they were overwhelmingly against the LMC assertion that they were a tribe.

In accordance with § 54.9(j) of the Acknowledgment regulations, an analysis was made to determine what, if any, options other than acknowledgment are available under which the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., could make application as a tribe for services and other benefits available to recognized Indian tribes. No viable alternatives could be found due to the group's uncertain Indian ancestry, the geographical dispersion of its membership, and the group's lack of inherent social and political cohesion and continuity. This conclusion is based on independent research conducted by the Acknowledgment staff and on the factual arguments and evidence presented in the LMC petition and in the two rebuttals which challenged the proposed findings.

As individuals, however, those who shared in Docket 21 will also share in the per capita award to be made under Docket 275. Persons who did not share in Docket 21 who have applied and met the requirements of the judgment fund distribution plan could share in Docket 275. With regard to future awards to individual Eastern Creek Indian descendants, we are unable to say what the eligibility requirements for sharing in such awards might be or who the eligible beneficiaries would be.

A report summarizing the Department's response to the evidence and arguments submitted to refute the proposed findings is available to the petitioner and interested parties upon written request. Requests for copies of the report or the proposed findings published earlier should be addressed to the Assistant Secretary—Indian Affairs, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20242, Attention: Branch of Federal Acknowledgment.

This determination is final and will become effective December 21, 1981 unless the Secretary of the Interior requests the determination be reconsidered pursuant to 25 CFR 54.10(a-c).

Ken Smith,

Assistant Secretary—Indian Affairs.

October 8, 1981.

[FR Doc. 81-30483 Filed 10-20-81; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

[DES INT 81-45]

Alaska Outer Continental Shelf; Availability of Draft Environmental Impact Statement and of Intent To Hold Public Hearings Regarding Proposed Oil and Gas Lease Sale No. 70

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Land Management has prepared a draft environmental impact statement relating to a proposed Outer Continental Shelf oil and gas lease sale of 479 tracts of submerged Federal lands in the St. George Basin area in Alaska.

Single copies of the draft environmental impact statement can be obtained from the Office of the Manager, Bureau of Land Management, Alaska OCS Office, 620 E. 10th Street, P.O. Box 1159, Anchorage, Alaska 99510 and from the Office of Public Affairs, Bureau of Land Management (130), Washington, D.C. 20240.

Copies of the draft environmental impact statement will also be available for review in the following public libraries: Alaska Federation of Natives, 1577 O Street, Suite 304, Anchorage, AK 99501; Anchor Point Public Library, Anchor Point, AK 99556; Department of the Interior Alaska Resources Library, 701 "C" Street, Box 36, Anchorage, AK 99513; Cordova Public Library, Box 472, Cordova, AK 99574; Kenai Community Library, Box 157, Kenai, AK 99611; Elim Learning Center, Elim, AK 99739; Haines Public Library, P.O. Box 36, Haines, AK 99827; North Star Borough Library, Fairbanks, AK 99701; University of Alaska, Institute of Social and Economic Research Library, Fairbanks, AK 99801; Homer Public Library, Box 356, Homer, AK 99603; Z. J. Loussac Public Library, 427 F Street, Anchorage, AK 99801; Juneau Memorial Library, 114 W. 4th Street, Juneau, AK 99824; Alaska State Library, Documents Librarian, Pouch G, Juneau, AK 99811; Ketchikan Public Library, 629 Dock Street, Ketchikan, AK 99901; Department of Defense, Army Corps of Engineers Library, P.O. Box 7002, Anchorage, AK 99501; Kodiak Public Library, P.O. Box 985, Kodiak, AK 99615; Metlakatla Extension Center, Metlakatla, AK 99926; Department of Interior, Bureau of Mines Library, AF-F.O. Center, P.O. Box 550, Juneau, AK 99802; Petersburg Extension Center, Box 289, Petersburg, AK 99833; Seldovia Public Library, Drawer D, Seldovia, AK 99663; Seward Community Library, Box 537, Seward, AK 99664; University of Alaska Juneau Library, P.O. Box 1447.

is introduced or caused to be introduced into interstate commerce, but no later than July 6, 1982.

FOR FURTHER INFORMATION CONTACT: E. T. McGarrahan, Bureau of Foods (HFF-215), Food and Drug Administration, 200 C St. SW., Washington, D.C. 20204, 202-245-1155

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 130.17 concerning temporary permits to facilitate market testing of foods deviating from the requirements of the standard of identity promulgated under section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341), notice is given that a temporary permit has been issued to Hillside-Meadow Dairy.

The permit covers limited interstate marketing tests of directly set cottage cheese that deviates from the standard of identity for cottage cheese, which provides for directly set cottage cheese (21 CFR 133.128). The directly set dry curd (defined in 21 CFR 133.129), from which the test product will be made, will be formed with food-grade sodium bisulfate, which is not currently permitted for use in directly set dry curd formation. The test product meets all requirements of § 133.128, with the exception of this deviation. The permit provided for the temporary marketing of 2 million pounds of the product packaged in 1- or 2-pound containers to be distributed in the States of Ohio and Pennsylvania.

The test product is to be manufactured at the Hillside-Meadow Dairy plant located in Cleveland Heights, OH.

The principal display panel of the label states the products' name; and each of the ingredients used in the food, specifically including sodium bisulfate, is stated on the label as required by the applicable sections of 21 CFR Part 101, with the exceptions stated in § 133.128(e). This permit is effective for 15 months beginning on the date the new food is introduced or caused to be introduced into interstate commerce, but no later than July 6, 1982.

Dated: March 31, 1982.

Joseph P. Hile,
Associate Commissioner for Regulatory Affairs.

[FR Doc. 82-9178 Filed 4-1-82; 8:45 am]

BILLING CODE 4160-01-M

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces that a temporary permit has been issued to Farm Fresh Dairy of Lawton, OK, to market test directly set cottage cheese made with food-grade sodium bisulfate. The purpose of the temporary permit is to allow the applicant to measure consumer acceptance of the food.

DATE: This permit is effective for 15 months, beginning on the date the food is introduced or caused to be introduced into interstate commerce, but no later than July 6, 1982.

FOR FURTHER INFORMATION CONTACT: E. T. McGarrahan, Bureau of Foods (HFF-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-245-1155.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 130.17 concerning temporary permits to facilitate market testing of foods deviating from the requirements of the standard of identity promulgated under section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341), notice is given that a temporary permit has been issued to Farm Fresh Dairy.

The permit covers limited interstate marketing tests of directly set cottage cheese that deviates from the standard of identity for cottage cheese, which provides for directly set cottage cheese (21 CFR 133.128). The directly set dry curd (defined in 21 CFR 133.129), from which the test product will be made, will be formed with food-grade sodium bisulfate, which is not currently permitted for use in directly set dry curd formation. The test product meets all requirements of § 133.128, with exception of this deviation. The permit provides for the temporary marketing of 3 million pounds of the product packaged in 8-ounce, 1-, 2-, or 5-pound containers to be distributed in the States of Arkansas, Kansas, Missouri, Oklahoma, and Texas.

The test product is to be manufactured at the Farm Fresh Dairy plant located in Lawton, OK.

The principal display panel of the label states the product's name; and each of the ingredients used in the food, specifically including sodium bisulfate, is stated on the label as required by the application sections of 21 CFR Part 101, with the exceptions stated in § 133.128(e). This permit is effective for 15 months, beginning on the date the new food is introduced or caused to be introduced into interstate commerce, but no later than July 6, 1982.

Dated: March 31, 1982.

Joseph P. Hile,
Associate Commissioner for Regulatory Affairs.

[FR Doc. 82-9179 Filed 4-1-82; 3:36 pm]

BILLING CODE 4160-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Creeks East of the Mississippi and Lower Muskogee Creek Tribe—East of the Mississippi, Inc.: Clarification of Previous Notices

March 23, 1982.

AGENCY: Bureau of Indian Affairs.

ACTION: Clarification of previous notices.

SUMMARY: A list of groups filing petitions for Federal acknowledgment that they exist as Indian tribes was published by the Acting Assistant Secretary—Indian Affairs in the Federal Register of Tuesday, January 2, 1979, on pages 116 and 117 (FR Doc. 78-36364). Two of the forty groups included were the Creeks East of the Mississippi, c/o Mr. John Wesley Thomley, and the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., c/o Mr. Neal McCormick.

A final determination that the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., under the leadership of Neal McCormick, chief, and John Wesley Thomley, vice-chief, did not exist as an Indian tribe within the meaning of Federal law was published by the Assistant Secretary—Indian Affairs in the Federal Register of Wednesday, October 21, 1981, on pages 51652 and 51653 (FR Doc. 81-30483). This determination was effective December 21, 1981.

This notice is to clarify the status of the Creeks East of the Mississippi, c/o Mr. Thomley, and the relationship which appears to have existed between this group and the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., c/o Mr. McCormick. Evidence developed during the consideration period indicates that though these two groups were allied at various times, they are to some degree separate organizations. No arguments or evidence presented in the petition or the rebuttals, or in the evidence developed by the Acknowledgment staff, would support a finding that the Creeks East of the Mississippi, based at Molino, Florida, could be acknowledged as a tribe under 25 CFR 54.7, either as a part of the Lower Muskogee Creeks or as a separate entity.

[Docket No. 80P-0524]

Directly Set Cottage Cheese Deviating From Identity Standard; Temporary Permit for Market Testing

AGENCY: Food and Drug Administration.

Take Creeks East of the Mississippi, c/o Mr. John Wesley Thomley, are therefore determined to have been denied Federal acknowledgment under the finding previously cited as Federal Register Document 81-30483, which was effective December 21, 1981.

FOR FURTHER INFORMATION CONTACT:

Mr. John A. Shapard, Jr., Branch of Federal Acknowledgment, Division of Tribal Government Services, Office of the Assistant Secretary—Indian Affairs, 1951 Constitution Avenue NW, Washington, D.C. 20245.

Kenneth Smith,

Assistant Secretary—Indian Affairs.

(FR Doc. 82-0155 Filed 4-5-82; 8:45 am)

BILLING CODE 4310-02-M

Bureau of Land Management

(AA-6673-E)

Alaska Native Claims Selection

On October 23, 1974, Kokhanok Native Corporation, for the Native village of Kakhanok, filed selection application AA-6673-E under the provisions of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1611 (1976)) (ANCSA), for the surface estate of certain lands in the vicinity of Kokhanok.

On January 5, 1980, in accordance with Title 10, Chapter 05 of the Alaska Business Corporation Act, and as authorized by the act of January 2, 1976 (43 U.S.C. 1627), Kokhanok Native Corporation and Ugashik Native Corporation merged into Alaska Peninsula Corporation with Alaska Peninsula Corporation being the surviving corporation.

As to the lands described below, the application submitted by Kokhanok Native Corporation, as amended, is properly filed, and meets the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, containing approximately 5 acres, is considered proper for acquisition by Alaska Peninsula Corporation, as successor in interest to Kokhanok Native Corporation, and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

**Seward Meridian, Alaska (Unsurveyed)
T. 8 S., R. 30 W.,**

Sec. 27, those lands formerly within Alaska Native Claims Settlement Act Sec. 3(e) application AA-9004.

Containing approximately 5 acres.

All named and unnamed water bodies within the lands to be conveyed were reviewed. Based on existing evidence it was determined that there are no navigable water bodies within the lands described.

The conveyance issued for the surface estate of the lands described above shall contain the following reservation to the United States:

The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(f)).

There are no easements to be reserved to the United State pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;

2. Valid existing rights therein, if any, including but not limited to those created by any lease, including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(g)), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)) (ANCSA), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Alaska Peninsula Corporation, as successor in interest to Kokhanok Native Corporation, is entitled to conveyance of 92,160 acres of land selected pursuant to Sec. 12(a) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance is approximately 87,348 acres. The remaining entitlement of approximately

4,812 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of the Alaska Native Claims Settlement Act, conveyance of the subsurface estate of the lands described above shall be granted to Bristol Bay Native Corporation when conveyance is granted to Alaska Peninsula Corporation, as successor in interest to Kokhanok Native Corporation, for the surface estate, and shall be subject to the same conditions as the surface conveyance.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week, for four (4) consecutive weeks, in the **Anchorage Times**.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, provided, however, pursuant to Pub. L. 96-487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

Appeals should be filed with the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513 and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 100, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until May 6, 1982 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is to be taken, the parties to be served with a copy of the notice of appeal are: