The applicant requests a permit to take (harass during nest cavity inspections) red-cockaded woodpeckers, *Picoides borealis*, throughout the species range on Blackwater River State Forest for the purpose of enhancement of survival of the species.

Written data or comments on these applications should be submitted to:
Regional Permit Coordinator, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345. All data and comments must be received within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia (Attn: David Dell, Permit Biologist). Telephone: 404/679-7313; fax: 404/679-1711.

Dated: July 8, 1996.
Jerome M. Butler,
Acting Regional Director.

Bureau of Land Management

**Notice of Realty Action: Recreation and Public Use Purposes (R&PP) Act Classification; Alaska**

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Realty action.

SUMMARY: The following public lands near Galena, Alaska, have been examined and found suitable for classification for conveyance to the City of Galena pursuant to the Recreation and Public Purposes Act, as amended (43 U.S.C. 869 et seq.) and 43 Code of Federal Regulations (CFR) 2740. The City of Galena proposes to use the lands for a municipal landfill.

**Katie River Meridian, Alaska**

Land within lot 7, U.S. Survey No. 7401 located between the Yukon River and the Galena to Campton Road in Sec. 18, T. 9 S., R. 11 E. Containing approximately 69 acres.

The lands are not needed for Federal purposes. Conveyance is consistent with current BLM land use planning and would be in the public interest.

The permit, when issued, will be subject to provisions of the Recreation and Public Purposes Act and to all applicable regulations of the Secretary of the Interior; a right-of-way for ditches and canals constructed by the authority of the United States; all minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove the minerals; and any other regulations that the authorized officer determines appropriate to ensure public access and proper management of Federal lands and interests therein.

Dated: July 8, 1996.
Richard W. Boutt,
Acting District Manager.

Establishment of the James A. Garfield National Historic Site

**Purpose:** The purpose of this notice is to announce the formal establishment of the James A. Garfield National Historic Site, effective on the date of publication of this notice.

**Summary:** Public Law 98–607 (94 Stat. 3545, 16 U.S.C. 461 note), dated December 28, 1980, authorized the Secretary of the Interior to establish the James A. Garfield National Historic Site in Mentor, Ohio, as a unit of the National Park System. This park was authorized in order to preserve for the benefit, education, and inspiration of present and future generations certain historically significant properties associated with the life of James A. Garfield, the 20th President of the United States.

Public Law 98–607 provided that the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or exchange, the lands and buildings thereon known as "Lawnfield" at 8059 Mentor Avenue, Mentor, Ohio. Further, upon completion of land acquisition, the Secretary of the Interior may establish the park area by
Honorables Phillip Martin  
Tribal Chief  
Mississippi Band of Choctaw Indians  
P.O. Box 6010 - Choctaw Branch  
Philadelphia, Mississippi 39350

Dear Chief Martin:

On June 4, 1996, we received Amendment II to the Tribal-State Compact for Regulation of Class III Gaming between the Mississippi Band of Choctaw Indians (Tribe) and the State of Mississippi (State), dated May 24, 1996. We have completed our review of this Amendment and conclude that it does not violate the Indian Gaming Regulatory Act of 1988 (IGRA), Federal law, or our trust responsibility. Therefore, pursuant to my delegated authority and Section 11 of the IGRA, we approve the Amendment. The Amendment shall take effect when the notice of our approval, pursuant to Section 11 (d)(3)(B) of IGRA, 25 U.S.C. § 2710(d)(3)(B), is published in the FEDERAL REGISTER.

We wish the Tribe and the State success in their economic venture.

Sincerely,

[Signature]

Ada E. Deer  
Assistant Secretary - Indian Affairs

Enclosures

Identical letter sent to:  
Honorable Kirk Fordice  
Governor of Mississippi  
P.O. Box 139  
Jackson, Mississippi 39205
TRIBAL/STATE COMPACT
FOR REGULATION OF CLASS III GAMING
ON THE MISSISSIPPI BAND OF ChoCTAW INDIAN RESERVATION
IN MISSISSIPPI

AMENDMENT NO. 2

WHEREAS, the State of Mississippi and the Mississippi Band of Choctaw Indians have entered into a Compact to govern the conduct of gaming on the Tribe's reservation as prescribed by the Indian Gaming Regulatory Act, Public Law 100-497, 102 Stat. 2467, 25 USC Sections 2701 to 2721, on December 4, 1992, and

WHEREAS, the Compact allows for "request for renegotiations" at Section 16 Amendments, and

WHEREAS, the Tribal Council acting through the Tribal Chief has requested an amendment to Section 7.6(2) of the Compact due to changing conditions of the tribal economy. Gaming revenues have proven to be sufficient to meet the business needs of the casino and are currently being used to fund many essential governmental functions of the Tribe, therefor be it

RESOLVED that the Governor of the State of Mississippi and the Tribal Chief do hereby enter into the following Amendment of the TRIBAL/STATE COMPACT. The requested amendment to this Section removes the restrictions placed on Class III Net Revenues by including the following substituted language:

Section 7.6(2) Class III Net Revenues Per capita payments may be made to individual tribal members in an amount not to exceed one thousand and no/100 ($1,000.00) per year by the authority of, and in accordance with, an ordinance and regulations duly adopted by the Tribal Council, and with a Revenue Allocation Plan approved by the Bureau of Indian Affairs, U.S. Department of Interior, if required or the equivalent thereof.

STATE OF MISSISSIPPI

KIRK FORDICE, GOVERNOR

DATE: 5/24/96

MISSISSIPPI BAND OF CHOCTAW INDIANS

PHILLIP MARTIN, CHIEF

DATE: 5/17/96
AMENDMENT NO 2
TRIBAL/STATE COMPACT BETWEEN
STATE OF MISSISSIPPI
MISSISSIPPI BAND OF CHOCTAW INDIANS
U.S. DEPARTMENT OF INTERIOR
PAGE 2.

FRANK STEVE, SECRETARY-TREASURER
DATE: 5-27-76

BUREAU OF INDIAN AFFAIRS

Ada E. Deer
Assistant Secretary - Indian Affairs

7-8-46
Date