

hearing if the administrative law judge finds you have good cause, as determined under paragraph (f) of this section. Section 416.1438 provides procedures we will follow when you do not respond to a notice of hearing.

(f) *Good cause for changing the time or place.* The administrative law judge will determine whether good cause exists for changing the time or place of your scheduled hearing. However, a finding that good cause exists to reschedule the time or place of your hearing will not change the assignment of the administrative law judge for your case, unless we determine reassignment will promote more efficient administration of the hearing process.

(1) We will reschedule your hearing, if your reason is one of the following circumstances and is supported by the evidence:

(i) A serious physical or mental condition or incapacitating injury makes it impossible for you or your representative to travel to the hearing, or a death in the family occurs; or

(ii) Severe weather conditions make it impossible for you and your representative to travel to the hearing.

(2) In determining whether good cause exists in circumstances other than those set out in subparagraph (1) of this section, the administrative law judge will consider your reason for requesting the change, the facts supporting it, and the impact of the proposed change on the efficient administration of the hearing process. Factors affecting the impact of the change include, but are not limited to, the effect on the processing of other scheduled hearings, delays which might occur in rescheduling your hearing, and whether we granted you any prior changes. Examples of such other circumstances that you might give for requesting a change in the time or place of the hearing include, but are not limited to, the following:

(i) You unsuccessfully attempted to obtain a representative and need additional time to secure representation;

(ii) Your representative was appointed within 30 days of the scheduled hearing and needs additional time to prepare for the hearing;

(iii) Your representative has a prior commitment to be in court or at another administrative hearing on the date scheduled for the hearing;

(iv) A witness who will testify to facts material to your case would be unavailable to attend the scheduled hearing and the evidence cannot be otherwise obtained;

(v) Transportation is not readily available for you to travel to the hearing; or

(vi) You are unrepresented, and you are unable to respond to the notice of hearing because of any physical, mental, educational, or linguistic limitations (including any lack of facility with the English language) which you may have.

\* \* \* \* \*

■ 13. In § 416.1438, revise paragraph (b) to read as follows:

**§ 416.1438 Notice of a hearing before an administrative law judge.**

\* \* \* \* \*

(b) *Notice information.* The notice of hearing will contain a statement of the specific issues to be decided and tell you that you may designate a person to represent you during the proceedings. The notice will also contain an explanation of the procedures for requesting a change in the time or place of your hearing, a reminder that if you fail to appear at your scheduled hearing without good cause the administrative law judge may dismiss your hearing request, and other information about the scheduling and conduct of your hearing. You will also be told if your appearance or that of any other party or witness is scheduled to be made in person, by video teleconferencing, or by telephone. If we have scheduled you to appear at the hearing by video teleconferencing, the notice of hearing will tell you that the scheduled place for the hearing is a video teleconferencing site and explain what it means to appear at your hearing by video teleconferencing.

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**25 CFR Part 83**

[DR.5A211.JA000413]

RIN 1076-AF18

**Procedures for Establishing That an American Indian Group Exists as an Indian Tribe**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of tribal consultation sessions and public meetings.

**SUMMARY:** The Office of the Assistant Secretary—Indian Affairs is examining ways to improve the Department's process for acknowledging an Indian tribe, as set forth in regulations. This document announces a comment period, tribal consultation sessions, and public comment sessions on a

preliminary discussion draft of potential revisions to improve the Federal acknowledgment process.

**DATES:** Comments must be received by August 16, 2013. See the **SUPPLEMENTARY INFORMATION** section of this notice for dates of the tribal consultation sessions and public comment sessions.

**ADDRESSES:** See the **SUPPLEMENTARY INFORMATION** section of this notice for locations of the tribal consultation sessions and public hearings and a Web site where the preliminary discussion draft is available. You may submit comments by any of the following methods:

—*Federal Rulemaking Portal:* <http://www.regulations.gov>. The rule is listed under the agency name "Bureau of Indian Affairs" and Docket ID "BIA-2013-0007."

—*Email:* [consultation@bia.gov](mailto:consultation@bia.gov). Include "1076-AF18" in the subject line of the message.

—*Mail or Hand-Delivery:* Elizabeth Appel, Office of Regulatory Affairs & Collaborative Action, U.S. Department of the Interior, 1849 C Street NW., MS 4141, Washington, DC 20240. Include "1076-AF18" on the cover of the submission.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Appel, Acting Director, Office of Regulatory Affairs & Collaborative Action, (202) 273-4680, [elizabeth.appel@bia.gov](mailto:elizabeth.appel@bia.gov).

**SUPPLEMENTARY INFORMATION:** The Department's process for acknowledging an Indian tribe is set forth at 25 CFR part 83, "Procedures for Establishing that an American Indian Group exists as an Indian Tribe" (Part 83 Process). Through adherence to this process, the Department seeks to make consistent, well-grounded decisions when acknowledging a petitioner's government-to-government relationship with the United States. The Part 83 Process is criticized for being, among other things, expensive, burdensome, less than transparent, and inflexible. The preliminary discussion draft of potential revisions to part 83 is intended to generate comments on potential improvements to the process, while maintaining the integrity of the acknowledgment decisions.

This notice announces the availability of a preliminary discussion draft of potential revisions for public review at: <http://www.bia.gov/WhoWeAre/AS-IA/Consultation/index.htm>. Comments on the discussion draft are due by the date indicated in the **DATES** section of this notice. We will be hosting several meetings to obtain input on the

discussion draft. Morning sessions are tribal consultation sessions reserved only for representatives of federally

recognized tribes. Afternoon sessions are open to the public.

The meetings to obtain input will be held on the dates and at the locations shown below. All times are local.

Date	Tribal consultation session	Public meeting	Location	Venue
July 23, 2013	9 a.m.–12 p.m.	1 p.m.–4 p.m.	Canyonville, Oregon	Seven Feathers Casino Resort, 146 Chief Miwaleta Lane, Canyonville, OR 97417, (541) 839–1111.
July 25, 2013	9 a.m.–12 p.m.	1 p.m.–4 p.m.	Solvang, California	Hotel Corque, 400 Alisal Road Solvang, CA 93463, (800) 624–5572.
July 29, 2013	9 a.m.–12 p.m.	1 p.m.–4 p.m.	Petosky, Michigan	Odawa Casino Resort, 1760 Lears Road, Petosky, MI 49770, (877) 442–6464.
July 31, 2013	9 a.m.–12 p.m.	1 p.m.–4 p.m.	Indian Island, Maine	Sockalexis Arena, 16 Wabanaki Way, Indian Island, ME 04468, (800) 255–1293.
August 6, 2013	9 a.m.–12 p.m.	1 p.m.–4 p.m.	Marksville, Louisiana	Paragon Casino Resort, 711 Paragon Place, Marksville, LA 71351, (800) 946–1946.

Following this first round of consultation and public input, we will review the comments received and then prepare a proposed rule for publication in the **Federal Register**. This will open a second round of consultation and the formal comment period to allow for further refining of the regulations prior to publication as a final rule.

Dated: June 21, 2013.

**Kevin K. Washburn,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 2013–15329 Filed 6–26–13; 8:45 am]

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**DEPARTMENT OF THE TREASURY**

**Alcohol and Tobacco Tax and Trade Bureau**

**27 CFR Part 9**

[Docket No. TTB–2013–0004; Notice No. 135]

RIN 1513–AB96

**Proposed Establishment of the Eagle Peak Mendocino County Viticultural Area and Realignments of the Mendocino and Redwood Valley Viticultural Areas**

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau, Treasury.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Alcohol and Tobacco Tax and Trade Bureau (TTB) proposes to establish the approximately 26,260-acre “Eagle Peak Mendocino County” viticultural area in northern California. TTB also proposes to modify the boundaries of the existing Mendocino viticultural area and the Redwood Valley viticultural area. The proposed boundary modifications would decrease the size of the 327,437-acre Mendocino viticultural area by 1,900 acres and

decrease the size of the 32,047-acre Redwood Valley viticultural area by 1,430 acres. The proposed modifications of the two existing viticultural areas would eliminate potential overlaps with the proposed Eagle Peak Mendocino County viticultural area. The proposed viticultural area and the two existing viticultural areas all lie entirely within Mendocino County, California, and the multi-county North Coast viticultural area. TTB designates viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase. TTB invites comments on these proposals.

**DATES:** TTB must receive your comments on or before August 26, 2013.

**ADDRESSES:** Please send your comments on this proposal to one of the following addresses:

- <http://www.regulations.gov> (via the online comment form for this document as posted within Docket No. TTB–2013–0004 at “Regulations.gov,” the Federal e-rulemaking portal);
- *U.S. mail:* Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005; or
- *Hand delivery/courier in lieu of mail:* Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Suite 200E, Washington, DC 20005.

See the Public Participation section of this document for specific instructions and requirements for submitting comments, and for information on how to request a public hearing.

You may view copies of this document, selected supporting materials, and any comments TTB receives about this proposal at <http://www.regulations.gov> within Docket No. TTB–2013–0004. A link to that docket is posted on the TTB Web site at <http://www.ttb.gov/wine/wine-rulemaking.shtml> under Notice No. 135.

You also may view copies of this document, all related petitions, maps or other supporting materials, and any comments TTB receives about this proposal by appointment at the TTB Information Resource Center, 1310 G Street NW., Washington, DC 20005. Please call 202–453–2270 to make an appointment.

**FOR FURTHER INFORMATION CONTACT:**

Karen A. Thornton, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005; phone 202–453–1039, ext. 175.

**SUPPLEMENTARY INFORMATION:**

**Background on Viticultural Areas**

*TTB Authority*

Section 105(e) of the Federal Alcohol Administration Act (FAA Act), 27 U.S.C. 205(e), authorizes the Secretary of the Treasury to prescribe regulations for the labeling of wine, distilled spirits, and malt beverages. The FAA Act provides that these regulations should, among other things, prohibit consumer deception and the use of misleading statements on labels, and ensure that labels provide the consumer with adequate information as to the identity and quality of the product. The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers the FAA Act pursuant to section 1111(d) of the Homeland Security Act of 2002, codified at 6 U.S.C. 531(d). The Secretary has delegated various authorities through Treasury Department Order 120–01 (Revised), dated January 21, 2003, to the TTB Administrator to perform the functions and duties in the administration and enforcement of this law.

Part 4 of the TTB regulations (27 CFR part 4) allows the establishment of definitive viticultural areas and the use of their names as appellations of origin