ARTICLE FOUR
POWER OF THE TRIBAL COUNCIL

Section 4.1 Licensing

The Tribal Council shall have the power to issue a license under this ordinance for the sale, manufacture, distribution or possession of liquor on its Lands; as well as the power to establish procedures and standards for tribal licensing of liquor sales, manufacture, distribution and possession within Lands under the Jurisdiction of the Tribe, including the setting of a license fee schedule, and shall have the power to publish and enforce such standards; provided that no Tribal license shall issue except upon showing of satisfactory proof that the applicant is duly licensed by the state. The fact that an applicant for a Tribal license possesses a license issued by the state shall not provide the applicant with an entitlement to a Tribal License. The Tribal Council may in its discretion set standards which are more, but in no case less, stringent than those of the state.

ARTICLE FIVE
POWER TO ENFORCE

Section 5.1 Enforcement

The Tribal Council shall have the power to develop, enact, promulgate and enforce regulations as necessary for the enforcement of this Liquor Control Ordinance and to protect the public health, welfare and safety of the Tribe and Lands under the Jurisdiction of the Tribe, provided that all such regulations shall conform to, and not be in conflict with, any applicable tribal, federal or state law. Regulations enacted pursuant to this Liquor Control Ordinance may include provisions for the suspension or revocation of a tribal liquor license, reasonable search and seizure provisions, and civil and criminal penalties for the violation of the Liquor Control Ordinance to the full extent permitted by federal law and consistent with due process.

(a) Tribal law enforcement personnel and security personnel duly authorized by the Tribal Council shall have the authority to enforce this Liquor Control Ordinance by confiscating any liquor sold, possessed, distributed, manufactured or introduced within the Lands under the Jurisdiction of the Tribe in violation of this Liquor Control Ordinance or of any regulations duly adopted under or pursuant to this Liquor Control Ordinance.

(b) The Tribal Council shall have the exclusive jurisdiction to hold hearings on violations of this Liquor Control Ordinance and any procedures or regulations adopted under or pursuant to this Liquor Control Ordinance; to promulgate appropriate procedures governing such hearings; to determine and enforce penalties or damages for violations of this Liquor Control Ordinance; and delegate to subordinate hearing officer or panel the authority to take any or all of the foregoing actions on its behalf.

ARTICLE SIX
TAXES

Section 6.1 Taxation

Nothing contained in this Liquor Control Ordinance is intended to, nor does in any way, limit or restrict the Tribe’s ability to impose any tax upon the sale or consumption of liquor or any alcoholic beverage. The Tribe retains the right to impose such taxes by appropriate statute or ordinance to the full extent permitted by federal law.

ARTICLE SEVEN
MISCELLANEOUS PROVISIONS

Section 7.1 Sovereign Immunity Preserved

Nothing contained in this Liquor Control Ordinance shall be deemed or construed as a waiver of the Tribe’s sovereign immunity or is intended to be construed, anyway, to limit, alter, restrict, or waive the sovereign immunity of the Tribe or any of its officers, entities or agents. All inherent sovereign rights of the Tribe, its officers, entities and/or agents are hereby expressly reserved, including the Tribe’s sovereign immunity from unconsented suits or actions of any kind.

Section 7.2 Conformance With Applicable Laws

All acts and transactions under this Liquor Control Ordinance shall be in conformity with the Compact and the laws of the State to the extent required by § 18 U.S.C. 1161, and with all federal laws regarding alcohol in Indian Country.

Section 7.3 Effective Date

This Liquor Control Ordinance shall be effective as of the date on which the Secretary of Interior certifies this Ordinance and publishes the same in the Federal Register.

Section 7.4 Repeal of Prior Acts

All prior enactments of the Tribal Council, including tribal resolutions, policies, regulations, statutes or ordinances pertaining to the subject matter set forth in this Liquor Control Ordinance are hereby rescinded.

Section 7.5 Amendments

This Liquor Control Ordinance may only be amended pursuant to an amendment duly enacted by the Tribal Council and certified by the Secretary of Interior and published in the Federal Register, if required.

Section 7.6 Severability and Savings Clause

If any part or provision of this Liquor Control Ordinance is held invalid, void or unenforceable by a court of competent jurisdiction, such adjudication should not be held to render such provisions inapplicable to the other persons or circumstances. Furthermore, the remainder of the ordinance shall not be affected and shall continue to remain in full force and effect.

DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs

SUPPLEMENTARY INFORMATION:

FOR FURTHER INFORMATION CONTACT:
Jeanette Hanna, Deputy Bureau Director, Indian Services, Bureau of Indian Affairs, Jeanette.Hanna@bia.gov (202) 513–7640.

SUPPLEMENTARY INFORMATION: The annual Federal Partner and Tribal 477
I. Discussion on Public Law 102–477, as amended

II. Current Status of Participating Tribes

III. Miscellaneous

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Protection and Restoration of Tribal Homelands

AGENCY: Office of the Secretary, Interior.

ACTION: Notice of Tribal consultation sessions.

SUMMARY: The Department invites representatives of federally recognized Tribes to consult on several topics related to the protection and restoration of Tribal homelands, including but not limited to: the land-into-trust process, leasing and rights-of-way, and sacred sites and treaty rights.

DATES: Please see the SUPPLEMENTARY INFORMATION section of this notice for dates of the sessions. Tribes are also invited to submit written input by 11:59 p.m. ET, Friday, November 5, 2021.

ADDRESSES: Please see the SUPPLEMENTARY INFORMATION section of this notice for links to register for each of the sessions. Tribes are also invited to submit written input to consultation@bia.gov.

FOR FURTHER INFORMATION CONTACT: Elizabeth Appel, Director, Office of Regulatory Affairs & Collaborative Action—Indian Affairs, (202) 273–4680, or elizabeth.appel@bia.gov.

SUPPLEMENTARY INFORMATION:

Background

Protecting and restoring Tribal homelands is a key priority of the Department. While the importance of Tribal homelands undoubtedly touches upon many facets critical to Tribal sovereignty and self-determination, the consultation will focus on three specific topics: The land-into-trust process;