

**Section 12—Temporary Permits**

The Nation Council may grant a temporary permit for the sale of alcoholic beverages, in any form, for a period not to exceed 3 days to any persons applying for the same in connection with a tribal or community activity, provided that the conditions prescribed in Sections 8 of this Code shall be observed by the permittee. Each permit issued shall specify the types of alcoholic beverages to be sold, the time, date and location permitted. A fee, as set by the Nation Council, will be assessed on temporary permits.

**Section 13—Conditions of the Tribal License**

(1) Any license issued under this Code shall be subject to such reasonable conditions, as the Nation Council shall fix, including, but not limited to the following:

(a) The license shall be for a term not to exceed 2 years.

(b) The licensee shall at all times maintain an orderly, clean, and neat establishment, both inside and outside the licensed premises.

(c) The licensed premises shall be open to inspection by duly authorized tribal officials at all times during regular business hours.

(d) Alcoholic beverages shall be sold, served, disposed of, delivered or given to any person, and consumed on the licensed premises in conformity with the hours and days prescribed by the laws of the State, and in accordance with the hours fixed by the Nation Council.

(e) All acts and transactions under authority of a alcoholic beverages license shall be in conformity with State and Federal law, and shall be in accordance with this Code and any license issued pursuant to this Code.

(f) No person under the age permitted under the laws of the State (21 years) shall be sold, served, delivered, given, or allowed to consume alcoholic beverages.

(g) There shall be no discrimination in the operations under the license by reason of race, color, or creed.

**Section 14—License not a Property Right**

Notwithstanding any other provision of this Code, a alcoholic beverages license is a mere permit for a fixed duration of time. An alcoholic beverages license shall not be deemed a property right or vested right of any kind, nor shall the granting of a alcoholic beverages license give rise to a presumption of legal entitlement to the granting of such license for a subsequent time period.

**Section 15—Assignment or Transfer**

No license issued under this Code shall be assigned or transferred without the written approval of the Nation Council expressed in a formal resolution.

**Section 16—Inspection Rights**

The premises upon which alcoholic beverages is sold or distributed shall be open to inspection by the Nation Council or its authorized designee during all hours of operation for the purposes of ascertaining compliance with this Code.

**Section 17—Sovereign Immunity Preserved**

Nothing in this Code is intended nor shall be construed as a waiver of sovereign immunity by the Nation. No officer, manager or employee of any Nation Enterprise shall be authorized nor shall attempt to waive the sovereign immunity of the Nation.

**Section 18—Disclaimer**

Nothing in this Code shall be construed to authorize or require the criminal trial and punishment of non-Indians by the Nation except to the extent allowed by an applicable present or future Act of Congress or any applicable laws.

**Section 19—Regulations**

The Nation Council shall have the exclusive authority to adopt and enforce the rules and regulations to implement this Code on the Seneca Nation Territory and to further the purposes of this Code. Such rules and regulations shall have the force of law upon promulgation by Nation Council Resolution.

**Section 20—Severability**

If any clause, part or section of this Code shall be adjudged as invalid, such judgment shall not affect or invalidate the remainder of the ordinance but shall be confined in its operation to the clause, part or section directly involved in the controversy in which such judgment was rendered.

**Section 21—Effective Date**

This Code shall be effective upon the date that the Secretary of Interior certifies this Code and it is published in the **Federal Register**.

**Section 22—Duration**

The duration of this Code shall be perpetual until repealed or amended by Nation Council Resolution.

[FR Doc. 04-17856 Filed 8-4-04; 8:45 am]

BILLING CODE 4310-4J-P

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Indian Gaming**

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

**ACTION:** Notice of approved Tribal—State Compact.

**SUMMARY:** This notice publishes an approved Class III Gaming Compact between the Mescalero Apache Tribe and the State of New Mexico. Under the Indian Gaming Regulatory Act of 1988, the Secretary of the Interior is required to publish notice in the **Federal Register** approved Tribal-State compacts for the purpose of engaging in Class III gaming activities on Indian lands.

**EFFECTIVE DATE:** August 5, 2004.

**FOR FURTHER INFORMATION CONTACT:** George T. Skibine, Director, Office of Indian Gaming Management, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219-4066.

**SUPPLEMENTARY INFORMATION:** Under Section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA) Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish in the **Federal Register** notice of approved Tribal—State compacts for the purpose of engaging in Class III gaming activities on Indian lands.

The Principal Deputy Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, is publishing notice that the Tribal—State Compact between the Mescalero Apache Tribe and the State of New Mexico is now in effect.

Dated: July 22, 2004.

**Aurene M. Martin,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 04-17882 Filed 8-4-04; 8:45 am]

BILLING CODE 4310-4N-P

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[OR-957-00-1420-BJ: GP04-0231]

**Filing of Plats of Survey: Oregon/ Washington**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The plats of survey of the following described lands were officially filed in the Oregon State Office, Portland, Oregon, on July 1, 2004.

**Willamette Meridian***Oregon*

T. 38 S., R. 4 W., accepted March 23, 2004  
 T. 20 S., R. 29 E., accepted March 23, 2004  
 T. 12 S., R. 3 E., accepted April 2, 2004  
 T. 1 N., R. 34 E., accepted April 2, 2004  
 T. 25 S., R. 5 W., accepted April 9, 2004  
 T. 30 S., R. 9 W., accepted May 6, 2004  
 T. 16 S., R. 6 W., accepted May 6, 2004

*Washington*

Tps. 21 & 22 N., R. 13 W., accepted March 23, 2004  
 T. 16 N., R. 20 E., accepted March 23, 2004  
 T. 22 N., R. 4 W., accepted April 9, 2004  
 T. 21 N., R. 4 W., accepted April 9, 2004

A copy of the plats may be obtained from the Public Room at the Oregon State Office, Bureau of Land Management, 333 SW. 1st Avenue, Portland, Oregon 97204, upon required payment. A person or party who wishes to protest against a survey must file a notice that they wish to protest. (at the above address) with the State Director, Bureau of Land Management, Portland, Oregon.

For further information contact: Chief, Branch of Geographic Sciences, Bureau of Land Management, (333 SW. 1st Avenue) P.O. Box 2965, Portland, Oregon 97208.

Dated: July 22, 2004.

**Sherrie L. Reid,**

*Acting Chief, Branch of Realty and Records Services.*

[FR Doc. 04-17845 Filed 8-4-04; 8:45 am]

**BILLING CODE 4310-33-P**

**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-516]

**In the Matter of Certain Disc Drives, Components Thereof, and Products Containing Same; Notice of Investigation**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on July 2, 2004 under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Seagate Technology, LLC. Letters supplementing the complaint were filed on July 21 and 26, 2004. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain disc drives, components thereof,

and products containing same by reason of infringement of claims 1-4 of U.S. Patent No. 5,452,159, claims 1 and 5-7 of U.S. Patent No. 5,596,461, claims 1, 5-22, and 28-48 of U.S. Patent No. 5,600,506, claims 1, 6, 7 and 10-13 of U.S. Patent No. 6,146,754, claims 1-4, 15-17, and 19-22 of U.S. Patent No. 6,324,054, claims 5-7, 9, 11, 12, 14, and 15 of U.S. Patent No. 6,545,845, and claims 1, 2, 4-6, 9-15, and 17-20 of U.S. Patent No. 6,744,606. The complaint further alleges that there exists an industry in the United States as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a permanent exclusion order and a permanent cease and desist order.

**ADDRESSES:** The complaint and supplemental letters, except for any confidential information contained therein, are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2571.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2004).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on July 29, 2004 ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after

importation of certain disc drives, components thereof, or products containing same by reason of infringement of one or more of claims 1-4 of U.S. Patent No. 5,452,159, claims 1 and 5-7 of U.S. Patent No. 5,596,461, claims 1, 5-22, and 28-48 of U.S. Patent No. 5,600,506, claims 1, 6, 7, and 10-13 of U.S. Patent No. 6,146,754, claims 1-4, 15-17, and 19-22 of U.S. Patent No. 6,324,054, claims 5-7, 9, 11, 12, 14, and 15 of U.S. Patent No. 6,545,845, and claims 1, 2, 4-6, 9-15, and 17-20 of U.S. Patent No. 6,744,606, and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—Seagate Technology, LLC, 920 Disc Drive, Scotts Valley, California 95066.

(b) The respondent is the following company alleged to be in violation of Section 337 and upon which the complaint is to be served—Cornice, Inc., 1951 South Fordham Street, Suite 105, Longmont, Colorado 80503.

(c) Thomas S. Fusco, Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Room 401-E, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Sidney Harris is designated as the presiding administrative law judge.

A response to the complaint and the notice of investigation must be submitted by the named respondent in accordance with § 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such response will be considered by the Commission if received no later than 20 days after the date of service by the Commission of the complaint and notice of investigation. Extensions of time for submitting a response to the complaint will not be granted unless good cause therefor is shown.

Failure of the respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial