

of the Interior to the Assistant Secretary–Indian Affairs by Department Manual part 209, chapter 8.

William Henry Kirkland III,

Assistant Secretary for Indian Affairs.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

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Ysleta del Sur Pueblo Sale of Alcoholic Beverages Ordinance Amendment

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice publishes the amended Ysleta del Sur Pueblo Sale of Alcoholic Beverages Ordinance, which supersedes the previous ordinance published on May 14, 2002.

DATES: This Ordinance shall become effective August 21, 2026.

FOR FURTHER INFORMATION CONTACT:

Sophia J. Torres, Acting Tribal Government Specialist, Southwest Regional Office, Bureau of Indian Affairs, 1001 Indian School Road NW, Albuquerque, NM 87104–2303, Phone: (505) 536–3304, Email: sophia.torres@bia.gov.

SUPPLEMENTARY INFORMATION: Pursuant to the Act of August 15, 1953, Public Law 83–277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transactions in Indian country. On March 17, 2026, the Ysleta del Sur Pueblo, through Resolution No. TC–007–26, adopted this Tribal Ordinance TO–001–26. The Ordinance amends and reinstates Article 64 of the Ysleta del Sur Pueblo code of laws entitled Sale of Alcoholic Beverages, which regulates and controls the consumption, possession, production, and sale of alcoholic beverages within the Ysleta del Sur Pueblo’s territorial jurisdiction.

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary–Indian Affairs. I certify that the Ysleta del Sur Pueblo duly adopted this amendment to the Sale of Alcoholic Beverages Ordinance by Resolution No. TC–007–26 on March 17, 2026.

The Ysleta del Sur Pueblo Sale of Alcoholic Beverages Ordinance shall read as follows:

Tribal Ordinance No. TO–001–26; Amending and Restating Article 64 of the Tigua Tribe’s Code of Laws Entitled: Sale of Alcoholic Beverages

This Ordinance amends and restates Article 64 and supersedes Tribal Ordinance No. 004–02 as published in the **Federal Register** in 2002.

Pursuant to the authority vested in the Tribal Council as the duly constituted traditional governing body of the Ysleta del Sur Pueblo, a federally recognized Indian tribe exercising all inherent governmental powers, fiscal authority and tribal sovereignty as recognized in the Ysleta del Sur Pueblo Restoration Act (Pub. L. 100–89 as codified in 25 U.S.C. 1300g), and its lawful authority to provide for the health, safety, morals, welfare, tribal economic development and self-sufficiency of the Ysleta del Sur Pueblo, the Tribal Council hereby enacts this Amended and Restated Ordinance for the purpose of regulating the sale of alcoholic beverages.

Therefore, be it resolved and ordained by the Tribal Council of the Ysleta del Sur Pueblo: That the following Article entitled Sale of Alcoholic Beverages, which by reference is incorporated herein as if set forth at length, is hereby adopted as the Amended and Restated Article 64 of the Tigua Tribe’s Code of Laws.

Article 64: Sale of Alcoholic Beverages

Section 1—Conformity With State Law

The Pueblo, acting through the Tribal Council, may sell alcohol and alcoholic beverages on the Pueblo’s reservation for on-premises consumption only. In addition, the Tribal Council may authorize and license a person or entity operating on the Pueblo’s reservation by lease, sublease or other appropriate document to sell alcoholic beverages for on-premises/or off-premises consumption on the terms specified in the license granted to such person or entity. Except as otherwise provided herein, the sale and consumption of alcoholic beverages on the Pueblo’s reservation and its lands shall be in conformance with the laws of the State of Texas. Nothing contained herein shall be construed as a grant of jurisdiction to the State of Texas or a waiver of any of the Pueblo’s sovereignty or immunity from suit.

Section 2—Fees

Any and all fees, charges, or income resulting from the sale of alcoholic beverages by the Pueblo shall be due

and payable to the Ysleta del Sur Pueblo rather than the State of Texas. Any and all fees, charges and taxes payable by a third party licensee of the Pueblo may be paid either to the Pueblo or State of Texas as the applicable fee, charge, or tax provides.

Section 3—Enforcement

The Pueblo shall be solely responsible for the enforcement and administration of this Ordinance. The Tigua Tobacco and Alcohol Commission shall issue and enforce such regulations as are reasonably necessary to carry out the purposes of this Article.

Section 4—Tigua Tobacco and Alcohol Commission

4.01

There is hereby created the Tigua Tobacco and Alcohol Commission comprised of a Commissioner and two (2) members. The Commissioner and the members of the Commission shall be tribal members. No person shall be appointed to the Tigua Tobacco and Alcohol Commission unless the Tribal Council is satisfied that he or she has no ownership interest in any company or enterprise which contracts with the Pueblo or its licensee for the sale of alcohol or tobacco, or any activity which may have interests in conflict with the Pueblo’s sale of alcohol or tobacco.

4.02

The Commissioner and the members of the Commission shall serve at the pleasure of the Tribal Council and may be removed at any time by majority vote of the Tribal Council.

4.03

The Commissioner and members, and any employees of the Commission, shall be reasonably compensated, as determined by the Tribal Council.

Section 5—Prohibition

No individual, entity, or organization shall be permitted to sell or dispense alcoholic beverages from or on the Pueblo’s reservation or its lands other than the Pueblo acting by and through the Tribal Council, or an individual, entity or organization licensed by the Tribal Council to sell or dispense alcoholic beverages from or on the Pueblo’s reservation or its lands.

William Henry Kirkland III,

Assistant Secretary-Indian Affairs.

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