

Warm Springs Reservation of Oregon and the State of Oregon.

**DATES:** *Effective Date:* October 20, 2011.

**FOR FURTHER INFORMATION CONTACT:**

Paula L. Hart, Director, Office of Indian Gaming, 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. This Compact amends the 2005 Amended and Restated Tribal-State Government-to-Government Compact for Regulation of Class III Gaming on the Warm Springs Reservation (“2005 Compact” or “Kah-Nee-Ta compact”), approved on May 20, 2005. The following is a list of the changes:

1. Addresses relocation of Class Gaming on the Reservation from the Tribe’s Kah-Nee-Ta Resort facility to a temporary facility on U.S. Highway 26 in the Warm Springs community. See Section 3.M. (definitions) and Section 4.C. (gaming location).
2. Increases the number of approved VLT’s from 400 to 700. See, Section 4.D. The compact also deletes the “one player at a time” provision of the definition of “Video Lottery Terminal,” thereby allowing for multi-player VLT’s. Section 3EE. The compact also provides a methodology for counting multi-player VLT’s. Section 4D.
3. Adds disclaimer regarding any impact of the 2011 Amended and Restated Compact on the Cascade Locks casino “two-part” determination. See Section 4.C.3.
4. Revises “Health and Safety Standards” section to be consistent with Cascade Locks compact (dated November 2010) and other Oregon compacts. See Section 12.A.
5. Revises “Traffic Standards” section providing for access improvements and consultations with Oregon Department of Transportation. See Section 12.B.
6. Revises and updates regulatory provisions to be consistent with Cascade Locks compact and other current Oregon compacts. See Section 7, 8, 9, 10 and 11.

Dated: October 14, 2011.

**Larry Echo Hawk,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 2011-27233 Filed 10-19-11; 8:45 am]

**BILLING CODE 4310-4N-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLWYP00000-L51100000-GA0000-LVEMK09CK370; WYW173408]

#### Notice of Availability of the Record of Decision for the Wright Area North Porcupine Coal Lease-by-Application and Environmental Impact Statement, Wyoming

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

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended, the Bureau of Land Management (BLM) announces the availability of the Record of Decision (ROD) for the North Porcupine Coal Lease-by-Application (LBA) included in the Wright Area Coal Lease Applications Environmental Impact Statement (EIS).

**ADDRESSES:** The document is available electronically on the following Web site: <http://www.blm.gov/wy/st/en/info/NEPA/HighPlains/Wright-Coal.html>. Paper copies of the ROD are also available at the following BLM office locations:

- Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Road, Cheyenne, Wyoming, 82009; and
- Bureau of Land Management, Wyoming High Plains District Office, 2987 Prospector Drive, Casper, Wyoming, 82604.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kathy Muller Ogle, Coal Program Coordinator, at 307-775-6206, or Ms. Sarah Bucklin, EIS Project Manager, at 307-261-7541. Ms. Ogle’s office is located at the BLM Wyoming State Office, 5353 Yellowstone Road, Cheyenne, Wyoming 82009. Ms. Bucklin’s office is located at the BLM High Plains District Office, 2987 Prospector Drive, Casper, Wyoming 82604. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The ROD covered by this Notice of Availability is for the North Porcupine Coal Tract and addresses leasing Federal coal in Campbell County, Wyoming, administered by the BLM Wyoming

High Plains District Office. The BLM approves Alternative 2, which is the preferred alternative for this LBA in the Wright Area Coal Final EIS. Under Alternative 2, the BLM will offer the North Porcupine Coal LBA area, as modified by the BLM for lease. The modified LBA area includes approximately 6,364 acres. The BLM estimates that it contains approximately 721,154,828 tons of mineable Federal coal reserves under the selected configuration. The BLM will announce a competitive coal lease sale in the **Federal Register** at a later date. The Environmental Protection Agency published a **Federal Register** notice announcing the Final EIS was publicly available on July 30, 2010 (75 FR 44951).

This decision is subject to appeal to the Interior Board of Land Appeals (IBLA), as provided in 43 CFR part 4, within thirty (30) days from the date of publication of this NOA in the **Federal Register**. The ROD contains instructions for filing an appeal with the IBLA.

**Donald A. Simpson,**  
*State Director.*

[FR Doc. 2011-27043 Filed 10-19-11; 8:45 am]

**BILLING CODE 4310-22-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLWYD01000-2011-L13110000-EJ0000-LXS1016K0000]

#### Notice of Meetings of the Pinedale Anticline Working Group, Wyoming

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act (1976) and the Federal Advisory Committee Act (1972), the U.S. Department of the Interior, Bureau of Land Management (BLM) Pinedale Anticline Working Group (PAWG) will hold a series of meetings in Pinedale, Wyoming. All PAWG meetings are open to the public.

**DATES:** The PAWG will meet on the following dates: February 7, 2012, May 22 and 23, 2012, and August 7 and 8, 2012, beginning at 9 a.m. MST at the Bureau of Land Management (BLM) Pinedale Field Office.

**ADDRESSES:** BLM Pinedale Field Office, 1625 West Pine Street, Pinedale, Wyoming.

**FOR FURTHER INFORMATION CONTACT:** Shelley Gregory, BLM Pinedale Field Office, 1625 West Pine Street, PO Box

768, Pinedale WY 82941; 307-315-0612; [ssgregory@blm.gov](mailto:ssgregory@blm.gov). Persons who use a telecommunications device for the deaf (TDD), may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The PAWG was established by the Environmental Impact Statement (EIS) Record of Decision (ROD) for the PAPA on July 27, 2000 and carried forward with the release of the ROD for the PAPA Supplemental EIS on September 12, 2008.

The PAWG is a Federal Advisory Committee Act (FACA) chartered group which develops recommendations and provides advice to the BLM on mitigation, monitoring, and adaptive management issues as oil and gas development in the PAPA proceeds. Additional information about the PAWG can be found at: [http://www.blm.gov/wy/st/en/field\\_offices/pinedale/pawg.html](http://www.blm.gov/wy/st/en/field_offices/pinedale/pawg.html).

**Mary E. Trautner,**  
Acting State Director.

[FR Doc. 2011-27148 Filed 10-19-11; 8:45 am]

**BILLING CODE 4310-22-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-568]

### Certain Products and Pharmaceutical Compositions Containing Recombinant Human Erythropoietin; Termination of Investigation on the Basis of Settlement

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to terminate the above-captioned investigation on the basis of settlement between the private parties.

**FOR FURTHER INFORMATION CONTACT:** Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-2532. Copies of non-confidential documents filed in connection with this investigation are or will be 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., Washington, DC 20436, telephone (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>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** This investigation was instituted on May 12, 2006, based on a complaint filed by Amgen Inc. ("Amgen") of Thousand Oaks, California. 71 FR 27,742 (May 12, 2006). The complaint alleged a violation of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, sale for importation, or sale within the United States after importation of certain products and pharmaceutical compositions containing recombinant human erythropoietin by reason of infringement of various claims of six United States patents: U.S. Patent Nos. 5,441,868; 5,547,933 ("the '933 patent"); 5,618,698 ("the '698 patent"); 5,621,080 ("the '080 patent"); 5,756,349; and 5,955,422. The complaint named Roche Holding Ltd. of Basel, Switzerland, F. Hoffman-La Roche Ltd. of Basel, Switzerland, Roche Diagnostics GmbH of Mannheim, Germany, and Hoffman La Roche Inc. of Nutley, New Jersey (collectively, "Roche") as respondents.

After separate remands by the Court of Appeals for the Federal Circuit of this investigation and a parallel civil action involving many of the same patents asserted in this investigation, on December 18, 2009, the private parties executed a settlement agreement that allows Roche to begin selling accused products in the United States in mid-2014. Form 10-K, Amgen Inc., at 8 (Mar. 1, 2010); *see also* Settlement Agreement (Dec. 18, 2009). On December 21, 2009, Amgen and Roche submitted a proposed consent order to the district court in that parallel civil action, and on December 22, 2009, the district court entered judgment.

On December 22, 2009, Amgen moved to withdraw certain patent claims from this investigation that had not been asserted in the district court. Unopposed Compl't Amgen Inc.'s Mot. to Terminate Investigation as to Claims 4, 5 and 11 of the '933 Patent, Claims 4 and 6 of the '080 Patent, and Claims 4 and 5 of the '698 Patent (Dec. 22,

2009). The Commission granted that motion. 75 FR 18,548 (Apr. 12, 2010).

Also on December 22, 2009, Amgen moved the Commission to terminate this investigation by entry of an exclusion order based on preclusion caused by the district court judgment. Addendum to August 24, 2009 Stipulation (Dec. 22, 2009). Two Amgen motions regarding claim 7 of the '349 patent followed. By notice on April 6, 2010, the Commission sought clarification from the parties about, among other things, the effect of the stipulated district court judgment on this investigation. 75 FR 18,548 (Apr. 12, 2010).

On March 11, 2011, the Commission issued an order to show cause why the investigation should not be terminated in view of the parties' settlement. In response, Amgen and Roche declined to pursue their request for an exclusion order and instead requested the issuance of a consent order. In support of their proposed consent order, Amgen and Roche stated that "the Commission has previously terminated investigations when there is both a settlement agreement and an executed consent order stipulation." Joint Response of Complainant and Respondents to the Commission's Order to Show Cause and Request for Termination on the Basis of a Consent Order 2-3 (Apr. 21, 2011) ("Joint Response") (citing Notices, *Certain Digital Multimeters and Products with Multimeter Functionality*, Inv. No. 337-TA-588 (May 31, 2007 and July 3, 2007)). In a corrected response that the Commission hereby grants leave to file, the Commission investigative attorney did not object to the issuance of a consent order.

As will be discussed further in an accompanying opinion, the facts of the 588 investigation are readily distinguished from the facts here. Amgen and Roche have offered no basis, in law or policy, to support the Commission's issuance of a consent order under the unusual facts of this investigation. Nor is the Commission itself aware of any such basis. Accordingly, the Commission terminates this investigation on the basis of the settlement agreement between the private parties. 19 U.S.C. 1337(c); 19 CFR 210.21(b), 210.41.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

Issued: October 14, 2011.