

and utility/storage rooms as well as a separate paved parking area for the RTC and the public, bus bays with canopies, landscaping and off-site street improvements. There is a current R&PP lease authorized to the City of Las Vegas as N-61839 for a public park which occupies the space of the N-84739 application. The existing lease is undergoing a partial relinquishment to accommodate the Park and Ride lease application. Additional detailed information pertaining to this application, plan of development, and site plan is in case file N-84739, which is located in the BLM Las Vegas Field Office.

The RTC is a political subdivision of the State of Nevada and is therefore a qualified applicant under the R&PP Act. The land is not required for any Federal purpose. The lease/conveyance is consistent with the BLM Las Vegas Resource Management Plan, dated October 5, 1998, and would be in the public interest. The lease/conveyance, when issued, will be subject to the provisions of the R&PP Act and applicable regulations of the Secretary of the Interior, and will contain the following reservations to the United States:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945);
2. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe; and

3. A right-of-way for a Federal-Aid Highway reserved to the Federal Highway Administration, its successors and assigns, by right-of-way N-46063, pursuant to the Act of August 27, 1958, 072 Stat. 0916, 23 U.S.C. 317(A).

The lease/conveyance will be subject to:

1. Valid existing rights;
2. A right-of-way for overhead distribution lines and telephone lines granted to Nevada Power Company, its successors and assigns, by right-of-way N-58721, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;
3. A right-of-way for a 42-inch diameter water pipeline granted to Las Vegas Valley Water District, its successors and assigns, by right-of-way N-61329, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;
4. A right-of-way for fiber optic facilities granted to Nevada Bell, its successors or assigns, by right-of-way N-73706, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;

5. A right-of-way for underground telephone facilities granted to Central Telephone Company, its successors and assigns, by right-of-way N-73808, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;

6. A right-of-way for underground distribution lines granted to Nevada Power Company, its successors and assigns, by right-of-way N-73826, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;

7. A right-of-way for road, sewer and drainage purposes granted to the City of Las Vegas, its successors and assigns, by right-of-way N-73902, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;

8. A right-of-way for fiber optic facilities granted to Cox Communications, its successors or assigns, by right-of-way N-74001, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;

9. A right-of-way for underground electrical distribution lines granted to Nevada Power Company, its successors or assigns, by right-of-way N-75274, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;

10. A right-of-way for underground conduits and cables granted to Nevada Power Company, its successors or assigns, by right-of-way N-75820, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;

11. A right-of-way for a polyethylene natural gas pipeline granted to Southwest Gas Corporation, its successors or assigns, by right-of-way N-79227, pursuant to the Act of February 25, 1920, 041 Stat. 0437, 30 U.S.C. 185, Sec. 28;

12. A right-of-way for underground distribution lines granted to Nevada Power Company, its successors or assigns, by right-of-way N-79387, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761;

13. A right-of-way for underground electrical distribution lines granted to Nevada Power Company, its successors or assigns, by right-of-way N-81383, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761; and

14. A right-of-way for a temporary work area granted to Nevada Power Company, its successors or assigns, by right-of-way N-81383-01, pursuant to the Act of October 21, 1976, 090 Stat. 2776, 43 U.S.C. 1761.

On publication of this notice in the **Federal Register**, the land described will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease/conveyance under the R&PP Act, leasing under the mineral

leasing laws and disposals under the mineral material disposal laws.

Interested parties may submit written comments regarding the specific use proposed in the application and plan of development, whether BLM followed proper administrative procedures in reaching the decision to lease/convey under the R&PP Act, or any other factor not directly related to the suitability of the land for R&PP use. Any adverse comments will be reviewed by the BLM Nevada State Director, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, this realty action will become the final determination of the Department of the Interior.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Only written comments submitted by postal service or overnight mail to the Field Manager, BLM Las Vegas Field Office, will be considered properly filed. Electronic mail, facsimile, or telephone comments will not be considered properly filed.

In the absence of any adverse comments, the decision will become effective on December 1, 2008. The lands will not be available for lease/conveyance until after the decision becomes effective.

**Authority:** 43 CFR 2741.5.

**Dated:** September 16, 2008.

**Kimber Liebhauser,**

*Acting Assistant Field Manager, Division of Lands, Las Vegas, Nevada.*

[FR Doc. E8-23129 Filed 9-30-08; 8:45 am]

**BILLING CODE 4310-HC-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### List of Programs Eligible for Inclusion in Fiscal Year 2009 Funding Agreements To Be Negotiated With Self-Governance Tribes

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice.

**SUMMARY:** This notice lists programs or portions of programs that are eligible for inclusion in Fiscal Year 2009 funding agreements with self-governance tribes and lists programmatic targets according

to section 405(c)(4) of the Tribal Self-Governance Act.

**DATES:** This notice expires on September 30, 2009.

**ADDRESSES:** You may submit comments by the following methods:

- Electronically go to <http://www.regulations.gov>. In the "Comment or Submission" column, enter "MMS-2008-MRM-0036" to view supporting and related materials for this notice. Click on "Send a comment or submission" link to submit public comments. Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's "User Tips" link. All comments submitted will be posted to the docket.

- Mail comments to Hyla Hurst, Regulatory Specialist, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 302B2, Denver, Colorado 80225.

- Hand-carry comments or use an overnight courier service. Our courier address is Building 85, Room A-614, Denver Federal Center, West 6th Ave. and Kipling St., Denver, Colorado 80225.

**FOR FURTHER INFORMATION CONTACT:** Inquiries or comments regarding this notice may be directed to Shirley M. Conway, Regulations Manager, Minerals Revenue Management, Minerals Management Service, 1849 C Street, NW., MS 5557 MIB, Washington, D.C. 20240.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Title II of the Indian Self-Determination Act Amendments of 1994 (Pub. L. 103-413, the "Tribal Self-Governance Act" or the "Act") instituted a permanent self-governance program at the Department of the Interior (DOI). Under the self-governance program, certain programs, services, functions, and activities, or portions thereof, in the DOI bureaus other than the Bureau of Indian Affairs (BIA), are eligible to be planned, conducted, consolidated, and administered by a self-governance tribal government.

Under section 405(c) of the Act, each bureau is required to publish annually: (1) A list of non-BIA programs, services, functions, and activities, or portions thereof, that are eligible for inclusion in agreements negotiated under the self-governance program; and (2) programmatic targets for these bureaus.

Under the Act, two categories of non-BIA programs are eligible for self-governance funding agreements:

(1) Under section 403(b)(2) of the Act, any non-BIA program, service, function or activity that is administered by the DOI that is "otherwise available to Indian tribes or Indians," can be administered by a tribal government through a self-governance funding agreement. The DOI interprets this provision to authorize the inclusion of programs eligible for self-determination contracts under Title I of the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638, as amended). Section 403(b)(2) also specifies "nothing in this subsection may be construed to provide any tribe with a preference with respect to the opportunity of the tribe to administer programs, services, functions and activities, or portions thereof, unless such preference is otherwise provided by law."

(2) Under section 403(c) of the Act, the Secretary may include other programs, services, functions, and activities or portions thereof that are of "special geographic, historical, or cultural significance" to a self-governance tribe.

Under section 403(k) of the Act, funding agreements cannot include programs, services, functions, or activities that are inherently Federal or where the statute establishing the existing program does not authorize the type of participation sought by the tribe. However, a tribe (or tribes) need not be identified in the authorizing statutes in order for a program or element to be included in a self-governance funding agreement. While general legal and policy guidance regarding what constitutes an inherently Federal function exists, DOI will determine whether a specific function is inherently Federal on a case-by-case basis, considering the totality of circumstances.

##### **II. Eligible Non-BIA Programs of the Minerals Management Service**

Below is a listing of the types of non-BIA programs, or portions thereof, that may be eligible for self-governance funding agreements because they are either "otherwise available to Indians" under Title I and not precluded by any other law, or may have "special geographic, historical, or cultural significance" to a participating tribe. The list represents the most current information on programs potentially available to tribes under a self-governance funding agreement.

The Minerals Management Service (MMS) will also consider for inclusion

in funding agreements other programs or activities not included below, but which, upon request of a self-governance tribe, MMS determines to be eligible under either sections 403(b)(2) or 403(c) of the Act. Tribes with an interest in such potential agreements are encouraged to begin such discussions.

The MMS provides stewardship of America's offshore resources and collects revenues generated from mineral leases on Federal and Indian lands. The MMS is responsible for the management of the Federal Outer Continental Shelf lands, which are submerged lands off the coasts that have significant energy and mineral resources. Within the Offshore Minerals Management program, environmental impact assessments and statements, and environmental studies may be available if a self-governance tribe demonstrates a special geographic, cultural or historical connection.

The MMS also offers mineral-owning tribes other opportunities to become involved in its Minerals Revenue Management (MRM) functions. These programs address the intent of tribal self-governance but are available regardless of self-governance intentions or status and are a good prerequisite for assuming other technical functions. Generally, MRM functions are available to tribes because of the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA) at 30 U.S.C. 1701. The MRM functions that may be available to self-governance tribes are as follows:

##### **1. Audit of Tribal Royalty Payments.**

Audit activities for tribal leases, except for the issuance of orders, final valuation decisions, and other enforcement activities.

##### **2. Verification of Tribal Royalty Payments.**

Financial compliance verification and monitoring activities, and production verification.

##### **3. Tribal Royalty Reporting, Accounting, and Data Management.**

Establishment and management of royalty reporting and accounting systems including document processing, production reporting, reference data (lease, payor, agreement) management, billing and general ledger.

##### **4. Tribal Royalty Valuation.**

Preliminary analysis and recommendations for valuation and allowance determinations and approvals.

For questions regarding self-governance contact Shirley M. Conway, Regulations Manager, Minerals Revenue Management, Minerals Management Service, MS 5438 MIB, 1849 C Street, NW., Washington, DC 20240, telephone 202-208-3512, fax 202-501-0247.

### III. Programmatic Targets

During Fiscal Year 2009, upon request of a self-governance tribe, MMS will negotiate funding agreements for its eligible programs beyond those already negotiated.

Dated: September 24, 2008.

**Randall B. Luthi,**

*Director, Minerals Management Service.*

[FR Doc. E8-23175 Filed 9-30-08; 8:45 am]

BILLING CODE 4310-MR-P

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Flight 93 National Memorial Advisory Commission

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice of November 1, 2008 Meeting.

**SUMMARY:** This notice sets forth the date of the November 1, 2008 meeting of the Flight 93 Advisory Commission.

**DATES:** The public meeting of the Advisory Commission will be held on Saturday, November 1, 2008 from 10 a.m. to 1 p.m. (Eastern). The Commission will meet jointly with the Flight 93 Memorial Task Force.

**Location:** The meeting will be held at the Somerset County Courthouse, Court Room #1, located at 111 E. Union Street, Somerset, PA 15501.

#### Agenda:

The November 1, 2008 joint Commission and Task Force meeting will consist of

1. Opening of Meeting and Pledge of Allegiance.
2. Review and Approval of Commission Minutes from August 2, 2008.
3. Reports from the Flight 93 Memorial Task Force and National Park Service. Comments from the public will be received after each report and/or at the end of the meeting.
4. Old Business.
5. New Business.
6. Public Comments.
7. Closing Remarks.

#### FOR FURTHER INFORMATION CONTACT:

Joanne M. Hanley, Superintendent, Flight 93 National Memorial, 109 West Main Street, Somerset, PA 15501, 814.443.4557.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public. Any member of the public may file with the Commission a written statement concerning agenda items. Address all statements to: Flight 93 Advisory Commission, 109 West Main Street, Somerset, PA 15501.

Dated: September 8, 2008.

**Joanne M. Hanley,**

*Superintendent, Flight 93 National Memorial.*

[FR Doc. E8-22924 Filed 9-30-08; 8:45 am]

BILLING CODE 4312-25-P

## INTERNATIONAL TRADE COMMISSION

### [Investigation No. 731-TA-1022 (Review)]

#### Refined Brown Aluminum Oxide From China

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of a five-year review concerning the antidumping duty order on refined brown aluminum oxide from China.

**SUMMARY:** The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty order on refined brown aluminum oxide from China would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission;<sup>1</sup> to be assured of consideration, the deadline for responses is November 20, 2008. Comments on the adequacy of responses may be filed with the Commission by December 15, 2008. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**DATES:** *Effective Date:* October 1, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Mary Messer (202-205-3193), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special

<sup>1</sup> No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117-0016/USITC No. 09-5-189, expiration date June 30, 2011. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

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 (<http://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

#### SUPPLEMENTARY INFORMATION:

**Background.**—On November 19, 2003, the Department of Commerce issued an antidumping duty order on imports of refined brown aluminum oxide from China (68 FR 65249). The Commission is conducting a review to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

**Definitions.**—The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) The *Subject Country* in this review is China.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determination, the Commission defined the *Domestic Like Product* as all merchandise corresponding to the scope of the investigation, as well as any refined brown aluminum oxide where particles with a diameter greater than 3/8 inch constitute at least 50 percent of the total weight of the entire batch, as long as this product has been crushed, screened, and sorted into consistent sizes.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination, the Commission defined the *Domestic Industry* as all U.S. producers of the domestic like product, as defined above, with the exception of Great Lakes Minerals, which was excluded from the domestic industry as a related party.