

Response, Compensation and Liability Act, 42 U.S.C. 9620(h), as amended by the Superfund Amendments and Reauthorization Act of 1988, 100 Stat. 1670, notice is hereby given that the above-described lands have been examined and no evidence was found to indicate that any hazardous substances have been stored for 1 year or more, nor had any hazardous substances been disposed of or released on the property.

The conveyance of this parcel is consistent with the BLM Andrews Management Unit Resource Management Plan and Record of Decision (August 2005), page RMP-61, which states that the land may be disposed of by R&PP sale for community expansion purposes not to exceed 10 acres per transaction and that such disposal would be in the public interest. The conveyance, when issued, will be subject to the following terms, conditions, and reservations:

1. Provisions of the R&PP Act and applicable regulations of the Secretary of the Interior;

2. 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);

3. Valid existing rights. Subject to limitations prescribed by law and regulation, and prior to patent issuance, a holder of any right-of-way within the land sale area will be given the opportunity to amend the right-of-way for conversion to a new term, including perpetuity, if applicable;

4. The United States maintains ownership of all minerals, 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;

5. An appropriate indemnification clause protecting the United States from claims arising out of the patentee's use, occupancy, or operation of the premises will be included; and

6. Any other terms and conditions deemed necessary or appropriate by the Authorized Officer.

On February 2, 2010, the land described above will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for conveyance under the R&PP Act, leasing under the mineral leasing laws, and disposals under the mineral material disposal laws.

Interested parties may submit comments involving the suitability of the land for a school and related facilities. Comments on the classification should be limited to whether the land is physically suited for

the proposals, whether the use will maximize future uses of the land, whether the use is consistent with local planning and zoning, or whether the use is consistent with state and Federal programs.

Interested parties may also submit comments regarding other proposed decisions for the R&PP application and site plan, whether the BLM followed proper administrative procedures in reaching the decision to convey the land under the R&PP Act, or any other factor not directly related to the suitability of the land for R&PP use.

Only written comments submitted via the U.S. Postal Service or other delivery services, or hand-delivered to the Andrews/Steens Field Manager, BLM Burns District Office, will be considered properly filed. Electronic mail, facsimile, or telephone comments will not be considered properly filed. Comments, including names and addresses of respondents, will be available for public review. Before including your address, telephone number, e-mail address, or other personal identifying information in your comment, be advised 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.

Any adverse comments will be reviewed by the BLM Oregon State Director. In the absence of any adverse comments, the classification of the land described in this notice will become effective on April 5, 2010. The land will not be available for conveyance until after the classification becomes effective.

**Authority:** 43 CFR 2741.5.

**Cathie Jensen,**  
*Acting Chief, Branch of Land and Mineral Resources.*

[FR Doc. 2010-2130 Filed 2-1-10; 8:45 am]

**BILLING CODE 4310-33-P**

## NATIONAL INDIAN GAMING COMMISSION

### Fee Rate

**AGENCY:** National Indian Gaming Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given, pursuant to 25 CFR 514.1(a)(3), that the National Indian Gaming Commission has adopted preliminary annual fee

rates of 0.00% for tier 1 and 0.060% (.00060) for tier 2 for calendar year 2010. These rates shall apply to all assessable gross revenues from each gaming operation under the jurisdiction of the Commission. If a tribe has a certificate of self-regulation under 25 CFR part 518, the preliminary fee rate on class II revenues for calendar year 2010 shall be one-half of the annual fee rate, which is 0.030% (.00030).

### FOR FURTHER INFORMATION CONTACT:

Chris White, National Indian Gaming Commission, 1441 L Street, NW., Suite 9100, Washington, DC 20005; telephone (202) 632-7003; fax (202) 632-7066 (these are not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** The Indian Gaming Regulatory Act (IGRA) established the National Indian Gaming Commission which is charged with, among other things, regulating gaming on Indian lands.

The regulations of the Commission (25 CFR part 514), as amended, provide for a system of fee assessment and payment that is self-administered by gaming operations. Pursuant to those regulations, the Commission is required to adopt and communicate assessment rates; the gaming operations are required to apply those rates to their revenues, compute the fees to be paid, report the revenues, and remit the fees to the Commission on a semi-annual basis.

The regulations of the Commission and the preliminary rate being adopted today are effective for calendar year 2010. Therefore, all gaming operations within the jurisdiction of the Commission are required to self administer the provisions of these regulations, and report and pay any fees that are due to the Commission by June 30, 2010.

Dated: January 28, 2010.

**George Skibine,**  
*Acting Chairman, National Indian Gaming Commission.*

[FR Doc. 2010-2183 Filed 2-1-10; 8:45 am]

**BILLING CODE 7565-01-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLMT926000-09-L19100000-BJ0000-LRCM08RS4045]

### Notice of Filing of Plats of Survey; Montana

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

**ACTION:** Notice of Filing of Plats of Survey.

**SUMMARY:** The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in the BLM Montana State Office, Billings, Montana, thirty (30) days from the date of publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Steve Toth, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669, telephone (406) 896-5121 or (406) 896-5009.

**SUPPLEMENTARY INFORMATION:** This survey was executed at the request of the Superintendent, Fort Peck Agency, through the Rocky Mountain Regional Director, Bureau of Indian Affairs, and was necessary to determine boundaries of trust or tribal interest lands.

The lands we surveyed are:

**Principal Meridian, Montana**

T. 27 N., R. 51 E.

The plat, in 11 sheets, representing the dependent resurvey of a portion of the east boundary, a portion of the subdivisional lines, a portion of the subdivision of sections 10, 14, 16, 21, 23, 26, and 27, the adjusted original meanders of the former left bank of the Missouri River, downstream, through sections 10, 11, 14, 15, 16, 21, 22, 24, 25, 26, and 27, and the subdivision of sections 10, 14, 16, 23, and 26, and the survey of the present meanders and the informative traverse of the present left bank of the Missouri River, downstream, through sections 21, 22, 23, 24, 25, 26, and 27, the limits of erosion in section 16, the left bank and informative traverse of the left bank of an abandoned channel of the Missouri River, downstream, through sections 10, 11, 14, 15, 16, 21, and 22, the informative traverse of the right bank of an abandoned channel of the Missouri River, downstream, through sections 15 and 22, the informative traverse of the 1911 left bank of the Missouri River subsequent to avulsion, the medial line of an abandoned channel of the Missouri River, downstream, through sections 10, 11, 14, 15, 16, 21, and 22, certain division of accretion lines, the left bank and medial line of a relicted channel of the Missouri River, in front of section 21, the left bank of a relicted channel of the Missouri River, in front of sections 22, 23, and 26, certain partition lines, and certain tracts, Township 27 North, Range 51 East, Principal Meridian, Montana, was accepted January 25, 2010. We will place a copy of the plat, in 11 sheets, and related field notes we described in the open files. They will be available to the public as a matter of information. If

BLM receives a protest against this survey, as shown on this plat, in 11 sheets, prior to the date of the official filing, we will stay the filing pending our consideration of the protest. We will not officially file this plat, in 11 sheets, until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.

**Authority:** 43 U.S.C. chap. 3

Dated: January 27, 2010.

**Michael T. Birtles,**

*Chief Cadastral Surveyor, Division of Resources.*

[FR Doc. 2010-2188 Filed 2-1-10; 8:45 am]

**BILLING CODE 4310-DN-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-684]

### In the Matter of Certain Articulated Coordinate Measuring Arms and Components Thereof; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on a Settlement Agreement

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 10) of the presiding administrative law judge ("ALJ") terminating the above-captioned investigation based on a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3115. 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:** The Commission instituted this investigation on August 28, 2009, based on a complaint filed by Hexagon Metrology AB of Stockholm, Sweden, and Hexagon Metrology, Inc. of North Kingstown, Rhode Island alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain articulated coordinate measuring arms or components thereof by reason of infringement of certain claims of U.S. Patent No. 5,829,148. 74 FR 44384-85 (August 28, 2009). The complainant named Metris N.V. of Leuven, Belgium and Metris U.S.A., Inc. of Brighton, Michigan, and Mitutoyo Corporation of Kanagawa, Japan and Mitutoyo America Corporation of Aurora, Illinois as respondents.

On December 15, 2009, all the private parties to the investigation jointly moved to terminate the investigation without prejudice based on a settlement agreement. The Commission investigative attorney supported the motion provided the private parties submit appropriately redacted public versions of the agreements. The private parties filed public versions of their agreements on December 28, 2009.

On January 5, 2010, the ALJ issued an ID (Order No. 10) granting the motion. No party petitioned for review of the ID, and the Commission has determined not to review it.

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 sections 210.21 and 210.42(h) of the Commission's Rules of Practice and Procedure, 19 CFR 210.21, 210.42(h).

Issued: January 27, 2010.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 2010-2073 Filed 2-1-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under Sections 106, 107 and 113 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9606, 9607 and 9613, as Amended

Notice is hereby given that on January 20, 2010 a Consent Decree in *United States of America v. U.S. Borax Inc.*, Civil Action No. 4:10-cv-00057 was lodged with the United States District