

substantially transform the boards into products of Singapore. Consequently, we find that the country of origin of the phones in this scenario is Singapore.

#### Scenario V:

This scenario is the inverse of Scenario IV. Here, the application board is assembled in Malaysia and programmed in Singapore. The transceiver board is assembled and programmed in Malaysia. The phones are assembled in Singapore, as described in Scenario I.

Similar to Scenario IV, we find that the programming and assembly operations in Singapore substantially transform the boards into products of Singapore. Consequently, we find that the country of origin of the phones in this scenario is Singapore.

#### Scenario VI:

In this scenario, the ICs for the transceiver boards that store the phones' U.K.-origin firmware are programmed in Singapore, prior to being incorporated into the transceiver boards assembled in Malaysia. The application board is assembled and programmed in Malaysia. The phones are then assembled in Singapore, as described in Scenario I.

As in Scenario I, we find that the country where the last substantial transformation takes place is Malaysia, which is the country of origin of the phones.

#### Marking

Section 304 of the Tariff Act of 1930, as amended (19 U.S.C. § 1304), provides that unless excepted, every article of foreign origin imported into the United States shall be marked in a conspicuous place as legibly, indelibly, and permanently as the nature of the article (or its container) will permit, in such a manner as to indicate to the ultimate purchaser in the United States, the English name of the country of origin of the article. Congressional intent in enacting 19 U.S.C. § 1304 was "that the ultimate purchaser should be able to know by an inspection of the marking on the imported goods the country of which the goods is the product. The evident purpose is to mark the goods so that at the time of purchase the ultimate purchaser may, by knowing where the goods were produced, be able to buy or refuse to buy them, if such marking should influence his will." *United States v. Friedlander & Co.*, 27 C.C.P.A. 297 at 302; C.A.D. 104 (1940).

Part 134, CBP Regulations (19 C.F.R. § 134) implements the country of origin marking requirements and exceptions of 19 U.S.C. § 1304. Section 134.1(b), CBP Regulations (19 C.F.R. § 134.1(b)),

defines "country of origin" as "the country of manufacture, production, or growth of any article of foreign origin entering the United States. Further work or material added to an article in another country must effect a substantial transformation in order to render such other country the 'country of origin' within the meaning of [the marking laws and regulations]." For country of origin marking purposes, a substantial transformation of an article occurs when it is used in manufacture, which results in an article having a name, character, or use differing from that of the article before the processing. However, if the manufacturing or combining process is merely a minor one that leaves the identity of the article intact, a substantial transformation has not occurred. See *Uniroyal, Inc. v. United States*, 3 Ct. Int'l Trade 220, 543 F. Supp. 1026, 1029 (1982), *aff'd*, 702 F.2d 1022 (Fed. Cir. 1983).

In Scenarios I, II, and VI, the country where the last substantial transformation occurs is Malaysia. Accordingly, in these scenarios the country of origin for marking purposes is Malaysia, and the phones may be marked "Made in Malaysia". In Scenarios III through V, the country where the last substantial transformation takes place is Singapore. Therefore, in these scenarios the country of origin for marking purposes is Singapore, and the phones may be marked "Made in Singapore". Your suggested marking, "Substantially Transformed in [country]", would be confusing to the ultimate purchaser.

#### HOLDING:

Based on the facts of this case, we find that in Scenarios I, II and VI, the country where the last substantial transformation takes place is Malaysia. The country of origin of the Iridium 9555 satellite phones is Malaysia for purposes of U.S. Government procurement and country of origin marking.

In Scenarios III through V, the country where the last substantial transformation takes place is Singapore. The country of origin of the Iridium 9555 satellite phones is Singapore for purposes of U.S. Government procurement and country of origin marking.

Notice of this final determination will be given in the Federal Register, as required by 19 C.F.R. § 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 C.F.R. § 177.31, that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 C.F.R.

§ 177.30, any party-at-interest may, within 30 days of publication of the Federal Register Notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,  
Sandra L. Bell,  
Executive Director, Regulations and Rulings Office of International Trade.

[FR Doc. 2011-19559 Filed 8-1-11; 8:45 am]

BILLING CODE P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R5-R-2009-N184; BAC-4311-K9-S3]

#### Nantucket National Wildlife Refuge, Nantucket, MA; Draft Comprehensive Conservation Plan, Land Protection Plan, and Environmental Assessment

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of a draft comprehensive conservation plan (CCP), including a land protection plan (LPP), and environmental assessment (EA) for Nantucket National Wildlife Refuge (NWR) for public review and comment. The draft CCP/EA describes our proposal for managing the refuge for the next 15 years.

**DATES:** To ensure consideration, please send your written comments by September 1, 2011. We will hold at least one public meeting in Nantucket, MA, during the public comment period to receive comments and provide information on the draft plan. We will also announce opportunities for public input in local news media, our project mailing list, and on our regional planning Web site: <http://www.fws.gov/northeast/planning/nantucket/ccphome.html>.

**ADDRESSES:** You may submit comments or requests for copies or more information by any one of the following methods. You may request hard copies or a CD-ROM of the documents.

*E-mail:* [northeastplanning@fws.gov](mailto:northeastplanning@fws.gov). Include "Nantucket NWR draft CCP/EA" in the subject line of the message.

*Fax:* Attention: Carl Melberg, 978-443-2898.

*U.S. Mail:* Eastern Massachusetts NWR Complex, 73 Weir Hill Road, Sudbury, MA 01776.

*In-Person Drop-off, Viewing, or Pickup:* Call 978-443-4661 to make an

appointment (necessary for view/pickup only) during regular business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Carl Melberg, Planning Team Leader, 978–443–4661, extension 32 (phone); [northeastplanning@fws.gov](mailto:northeastplanning@fws.gov) (e-mail).

**SUPPLEMENTARY INFORMATION:**

**Introduction**

With this notice, we continue the CCP process for Nantucket NWR, on Nantucket Island in the Town of Nantucket, Massachusetts. We started this process through a notice in the **Federal Register** (73 FR 18806; April 7, 2008).

Nantucket NWR was established in 1973, under an Act Authorizing the Transfer of Certain Real Property for Wildlife, or other Purposes (16 U.S.C. 667b, Pub. L. 80–537), which authorized the U.S. Coast Guard (USCG) to transfer the property to the Service, because of “its particular value in carrying out the Migratory Bird Act.” The USCG currently maintains ownership of a 1-acre inholding on the refuge that contains the Great Point Lighthouse. Nantucket NWR lies at the northern tip of a narrow peninsula that forms the northernmost point of Nantucket Island. The tip is known locally as “Great Point,” and the peninsula is known as the “Coskata-Coatue Peninsula.” The only way visitors can access the refuge by land is via a road through The Trustees of Reservations’ (TTOR) Coskata-Coatue Refuge and Nantucket Conservation Foundation (NCF) properties, both of which lie due south of the refuge on the peninsula.

The refuge erodes and accretes constantly, but averages 20 acres in size. The refuge is a barrier beach system, where two longshore currents meet to form a rip current and dynamically erode and/or build the spit. The refuge is composed of beach and dune habitat that serves the needs of a wide diversity of water and land birds of conservation concern, including seabirds, colonial nesting birds such as common and roseate terns, shorebirds such as piping plover and oystercatcher, and marine mammals such as gray seals. Nantucket NWR is one of eight refuges in the Eastern Massachusetts NWR Complex.

**Background**

*The CCP Process*

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee) (Refuge Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires us to develop a CCP for each national wildlife refuge.

The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System (NWRS), consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Refuge Administration Act.

*Public Outreach*

The extensive planning history for this refuge began with the publication of a notice in the **Federal Register** (64 FR 9166; February 24, 1999) announcing we were preparing a CCP and environmental impact statement (EIS) for all eight refuges in what was then known as the Great Meadows NWR Complex. In 2001, we determined it was not feasible to prepare a single CCP for all eight refuges, and thus prepared another notice in the **Federal Register** (66 FR 10506; February 15, 2001), to indicate that a CCP/EIS would be prepared for Monomoy, Nantucket, and Nomans Land Island NWRs. However, no work was initiated on the plan at that time. In 2008, because of the different issues facing the refuges, the Service determined it was more efficient to proceed through the CCP process for each refuge separately, and published a notice in the **Federal Register** (73 FR 18806; April 7, 2008) to begin a separate CCP/EA process for Nantucket NWR. At that time, and throughout the process, we requested public comments and considered and incorporated them in numerous ways.

The CCP planning team consisted of Service staff from refuges, planning, visitor services, migratory bird, and endangered species, as well as representatives from the Massachusetts Division of Fisheries and Wildlife, the Wampanoag Tribe of Gay Head (Aquinnah) (WTOGHA), and the Mashpee Wampanoag Tribe (MWT). Partner and public meetings were held during October 2008. Attendees to the partner and public meetings included the Service, WTOGHA, MWT, TTOR, NCF, Massachusetts Audubon, Nantucket Anglers Club, Maria Mitchell Association, Nantucket Civic League, Nantucket Land Council, Nantucket

Wetlands Board, and numerous unaffiliated individuals.

Issues from the public comment period focused on maintaining a balance between resource protection and beach access, increasing education and interpretation of the resources, increasing communications about management decisions, and cooperating in land management with adjacent land managers. Other issues included potential effects on public recreation by the presence of seals, staffing and enforcement needs, determining compatibility for recreational uses, creating a protocol for cultural resource protection, and planning for future land acquisition opportunities. We have considered and evaluated all of these comments, and have addressed many of them by incorporating them into the various alternatives in the draft CCP/EA.

**CCP Alternatives We Are Considering**

Our draft CCP/EA includes a full description of each issue noted above. To address these issues, we developed and evaluated the following alternatives in the draft CCP/EA, summarized below.

*Alternative A (Current Management)*

This alternative is the “No Action” alternative required by the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*). Alternative A defines our current management activities, and serves as the baseline against which to compare the other alternatives. This alternative describes current refuge programs on approximately 20 acres for habitat management, fish and wildlife inventories and monitoring, administrative infrastructure and staffing, and visitor services. Under this alternative, TTOR would continue to provide on-site management of Nantucket NWR, and the Service would continue its passive management role and minimal presence on the refuge. The remote location of the refuge, along with limited staffing and funding resources, restricts our ability to maintain a consistent presence, or to actively oversee and implement management actions. Instead, we would continue to coordinate with TTOR for installing symbolic fencing and implementing beach closures to protect breeding and staging birds and seal haulout sites on the refuge.

Under alternative A, the Service would maintain oversight, but visitor services programs would continue to be implemented primarily by partners, such as TTOR. The Service’s role has not been visible, and many visitors are unaware that the tip of Great Point is a NWR. Priority public uses, such as wildlife observation, photography,

environmental education, interpretation, and fishing, are currently allowed on the refuge and would continue where beach access is permitted. Hunting is the only priority public use that is not allowed on the refuge due to the refuge's small size and types of habitat.

In this alternative, refuge staffing would remain at current levels stationed at the Eastern Massachusetts NWR Complex headquarters in Sudbury, Massachusetts. We would continue discussions to pursue a partnership agreement with TTOR, which would include resource management, visitor use, and shared funding sources to help contribute to refuge operations.

*Alternative B (Enhanced Wildlife and Visitor Services) (Service-Preferred Alternative)*

Alternative B is the alternative our planning team proposes to recommend to our Regional Director for implementation. It includes an array of management actions that, in our professional judgment, work best towards achieving the refuge's purposes, vision, and goals, and would make an important contribution to conserving Federal trust resources of concern. This alternative provides the most appropriate level and type of management for Service staff managing the eight refuges in the Eastern Massachusetts NWR Complex. We believe this is the most reasonable, feasible, and practicable alternative.

This alternative describes increased Service management and presence over the next 15 years on the 20-acre refuge, and on the additional 1,790 acres proposed for Service acquisition from willing sellers in fee or easement, as funding and staffing levels permit. Additionally, it strives to provide a balance between habitat and species conservation and public use and access. We would increase our presence on the refuge to both implement and monitor habitat management actions, and provide higher quality opportunities for the five priority public uses currently allowed. It would also enhance partnerships with local conservation organizations and civic groups.

Under this alternative, the Service would take a more active role in habitat and species management on the refuge, targeting the protection of dynamic coastal beach and dune systems and the avian and mammalian species that rely on them for critical nesting, resting, foraging, and staging habitat. The additional protection proposed would likely result in access restrictions and/or closures on the refuge during certain seasons or in some years. Species

management would follow Federal piping plover recovery guidelines and State plover and tern guidelines, and would benefit other species such as nesting American oystercatchers. In the late summer/early fall, we would provide additional habitat protection for staging terns from vehicular and pedestrian disturbance. We would also continue to work closely with TTOR, NCF, and our other partners to accomplish these management actions with an emphasis on landscape-level conservation and more consistent management between peninsula partners.

The Service would pursue acquisition of Federal (excess and surplus) land, including the old USCG Long Range Navigation and Federal Aviation Administration facilities, as well as easements and acquisitions from willing sellers on key parcels on the Coskata-Coatue Peninsula on or near Nantucket Island, to further enhance landscape-level conservation. A draft LPP, which requires Director's approval before it can be implemented, is included as Appendix G.

Under alternative B, we would also increase priority public-use opportunities, with an emphasis on fishing, wildlife observation, environmental education, and interpretation, which would be accomplished by working with partners. Subject to funding availability, we would conduct a study to evaluate alternative means of transporting people to the refuge without the use of individual vehicles. A primitive foot trail is proposed from the lighthouse to the refuge's eastern beach for pedestrian and fishing access. We would also explore the opportunity to install a webcam on the lighthouse, and facilitate outreach opportunities and activities for visitors and residents of Nantucket Island to highlight the Service's role as a steward of natural resources.

Under alternative B, we propose a level of staffing that meets the minimum requirements for a refuge of this complexity by adding a part-time, year-round visitor services specialist and a full-time biologist stationed on Nantucket Island, and a new law enforcement officer stationed at Monomoy NWR in Chatham, Massachusetts.

*Alternative C (Wildlife Diversity and Natural Processes Emphasis)*

This alternative would focus on managing for wildlife diversity and natural coastal processes. It would emphasize species and habitat protection on the refuge through actions such as not allowing over-sand vehicles

(OSV) over most of the refuge during April 1 through September 15. This would be implemented to minimize disturbance to nesting and migrating birds, and to reduce the impacts on macroinvertebrates, vegetative communities, and dune structure and function. Staff would monitor and evaluate nesting success and productivity for priority bird species of conservation concern.

Alternative C includes expansion of current management and staffing over the next 15 years on the refuge. It would also involve targeted fee and easement acquisition of excess and surplus Federal lands and other key conservation properties on Nantucket Island as opportunities arise.

Visitor services would be the same as under alternative B, except for the longer, more restrictive OSV closure zones from April 1 through September 15 each year. Also, the Service would collaborate with partners to disseminate information on this seasonal OSV restriction on the refuge.

Similar to alternative B, this alternative proposes a joint visitor facility with TTOR and NCF, a kiosk and interpretive panels, and a trail through the refuge with a viewing platform and/or photo blind. Also similar to alternative B, we would explore the opportunity to install a webcam on the lighthouse, and facilitate outreach opportunities and activities for visitors and residents of Nantucket Island to highlight the Service's role as a steward of natural resources.

**Public Availability of Documents**

In addition to any methods in **ADDRESSES**, you can view or obtain documents on our regional planning Web site: <http://www.fws.gov/northeast/planning/nantucket/ccphome.html>.

**Public Meetings**

We will hold at least one public meeting during the public comment period. For more information on the meeting schedule, contact the person under **FOR FURTHER INFORMATION CONTACT**.

**Next Steps**

After this comment period ends, we will analyze the comments and address them in the form of a final CCP and finding of no significant impact.

**Public Availability of Comments**

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.

Dated: May 20, 2011.

**Wendi Weber,**

*Acting Regional Director, Northeast Region,  
U.S. Fish and Wildlife Service, Hadley,  
Massachusetts.*

[FR Doc. 2011-19503 Filed 8-1-11; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLMT926000-L19100000-BJ0000-LRCME0R04762]

#### 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, on September 1, 2011.

**DATES:** Protests of the survey must be filed before September 1, 2011 to be considered.

**ADDRESSES:** Protests of the survey should be sent to the Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669.

**FOR FURTHER INFORMATION CONTACT:** Marvin Montoya, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669, telephone (406) 896-5124 or (406) 896-5009, [Marvin\\_Montoya@blm.gov](mailto:Marvin_Montoya@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:** This survey was executed at the request of the Bureau of Indian Affairs, Rocky Mountain Region, Billings, Montana, and was necessary to determine individual and tribal trust lands.

The lands we surveyed are:

#### Principal Meridian, Montana

T. 27 N., R. 47 E.

The plat, in one sheet, representing the dependent resurvey of a portion of the subdivisional lines, a portion of the subdivision of section 30, the adjusted original meanders of the former left bank of the Missouri River, downstream, through section 30, the left bank of a relicted channel of the Missouri River, in front of section 30, and certain division of accretion and partition lines, the subdivision of section 30, and the survey of the left bank and the medial line of a relicted channel of the Missouri River, in front of section 30, and a certain partition line, Township 27 North, Range 47 East, Principal Meridian, Montana, was accepted July 25, 2011.

We will place a copy of the plat, in one sheet, and related field notes we described in the open files. They will be available to the public as a matter of information. If the BLM receives a protest against this survey, as shown on this plat, in one sheet, 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 one sheet, 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.

**James D. Clafin,**

*Chief Cadastral Surveyor, Division of Resources.*

[FR Doc. 2011-19455 Filed 8-1-11; 8:45 am]

**BILLING CODE 4310-DN-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLORV00000.L10200000.DD0000; HAG 11-0296]

#### Notice of Public Meeting, Southeast Oregon Resource Advisory Council

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

**ACTION:** Notice of public meeting.

**SUMMARY:** Pursuant to the Federal Land Policy and Management Act and the Federal Advisory Committee Act, the U.S. Department of the Interior, Bureau of Land Management (BLM) Southeast Oregon Resource Advisory Council (RAC) will meet as indicated below.

**DATES:** The meetings will be held on September 7, 2011 and September 8, 2011.

**ADDRESSES:** The meetings will take place at the Sunridge Inn, 1 Sunridge Lane, Baker City, Oregon 97814.

#### FOR FURTHER INFORMATION CONTACT:

Mark Wilkening, 100 Oregon Street, Vale, Oregon 97918, (541) 473-6218 or e-mail [mwilkeni@blm.gov](mailto:mwilkeni@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 meetings will be held at the Sunridge Inn Conference Room, 1 Sunridge Lane, Baker City, Oregon. On September 7, the meeting will be held from 8 a.m. to 5 p.m. Pacific Daylight Time (PDT). This will be a joint meeting of the Southeast Oregon and the John Day-Snake RACs. Topics may include: Oregon Department of Fish and Wildlife Sage-grouse Plan, Blue Mountains Forest Plan revisions, Wilderness Characteristics Inventories, Power/Energy Transmission options, BLM Vegetation EA step down to the Districts and other matters as may reasonably come before the RAC. On September 8, the meeting will be held from 8:30 a.m. to 4:30 p.m. PDT. Topics may include: Vale District Cultural Inventories; Federal manager reports on litigation, energy projects, and other issues affecting their districts/units; and other matters as may reasonably come before the RAC. The public is welcome to attend all portions of the meetings and may make oral comments to the RAC at 1:15 p.m. on September 7, 2011 and/or at 1 p.m. on September 8, 2011.

Those who verbally address the RAC are asked to provide a written statement of their comments or presentation. Unless otherwise approved by the RAC Chair, the public comment period will last no longer than 15 minutes, and each speaker may address the RAC for a maximum of five minutes. If reasonable accommodation is required, please contact the BLM Vale District Office at (541) 473-6218 as soon as possible. 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