

River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico support affiliation with Hohokam sites in central Arizona during both the Santa Cruz phase and late Colonial period

Officials of the Arizona State Land Department and Arizona State Museum have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of five individuals of Native American ancestry. Officials of the Arizona State Land Department and Arizona State Museum also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the 36 objects described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the Arizona State Land Department and Arizona State Museum have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact John Madsen, Repatriation Coordinator, Arizona State Museum, University of Arizona, Tucson, AZ 85721, telephone (520) 621-4795, before June 12, 2006. Repatriation of the human remains and associated funerary objects to the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico may proceed after that date if no additional claimants come forward.

The Arizona State Museum is responsible for notifying the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi

Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: April 26, 2006

Sherry Hutt,

Manager, National NAGPRA Program.

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DEPARTMENT OF THE INTERIOR

Notice of Intent to Repatriate a Cultural Item: Minnesota Historical Society, St. Paul, MN

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act, 25 U.S.C. 3005, of the intent to repatriate a cultural item in the possession of the Minnesota Historical Society, St. Paul, MN, that meets the definition of "sacred object" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural item. The National Park Service is not responsible for the determinations in this notice.

The one cultural item is a tree-dweller effigy figure (#6277.1). It is approximately 6 inches in height carved from birch or possibly poplar of a male figure in Santee Sioux style. Inked on the back of the figure with a quill pen nib is ". . . 200 years in the Wabasha family."

In 1922, the cultural item was acquired by the Minnesota Historical Society as a gift from the estate of Stephen Jewett, vice-president of the Security Bank of Faribault, Faribault, MN. The cultural item came into the collections wrapped in a sheet of Mueller & Faribault Real Estate and Financial Agents letterhead with handwritten comments by W. R. Faribault. It is not known how Mr. Faribault acquired the cultural item.

The cultural item is specifically documented in *Plains Indian Sculpture: A Traditional Art from America's Heartland* by John C. Ewers, which states that the cultural item ". . . must be the oldest Tree-Dweller in any museum collection." Mr. Ewers also

notes that the "Santee Sioux respected the supernatural powers of Canhotdan, the Tree-Dweller, to help or harm the hunter." Further documentation also notes that ". . . the owners of these images are able to make them dance magically during the rites of the (Medicine Dance) society . . ." (Skinner, 1925).

During consultation, a family genealogy was presented showing that Mr. Ernest Wabasha (Wabasha VI) is a lineal descendant. Other direct descendants of the Wabasha line are Mr. Wabasha's children and grandchildren: Cheyenne St. John, Forrest St. John, Leonard Wabasha, Theresa Wabasha, and Winona Wabasha. This claim is also supported by members of the extended Wabasha family: Vera Hutter and Ernestine Ryan-Wabasha (sisters); and Jeanine Hutter, Kathy Ferdig, and Yvonne Hutter (nieces). It is believed the tree-dweller effigy figure may have been released by an individual or group that did not have the authority to alienate such an object from the Wabasha family or it may have been released to provide temporary protection for the object, as many members of the Wabasha family were held in the Fort Snelling internment camp in 1853, and many personal possessions were confiscated from tribal members at that time.

Mr. Ernest Wabasha (Wabasha VI) is the recognized hereditary Chief of the Dakota People and of the Wabasha (Mdewakanton Dakota) family, as well as keeper of the sacred bundle of the Wabasha family that originally owned the cultural item. Mr. Wabasha has identified the cultural item as necessary for the continued practice of traditional Dakota ceremonies by present-day adherents and has claimed them as a lineal descendant. Furthermore, Mr. Wabasha has communicated to the Minnesota Historical Society that the cultural item is needed for the practice of on-going ceremonial and religious traditions.

Officials of the Minnesota Historical Society have determined that, pursuant to 25 U.S.C. 3001 (3)(C), the cultural item described above is a specific ceremonial object needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. Officials of the Minnesota Historical Society have also determined, pursuant to 25 U.S.C. 3005 (a)(5)(A), that Mr. Ernest Wabasha (Wabasha VI) can trace his ancestry directly and without interruption by means of the traditional kinship system of the Dakota and common law system of descent to

a known Native American individual who controlled this cultural item.

Any other lineal descendant or representatives of any other Indian tribe that believes itself to be culturally affiliated with the sacred object should contact Marcia G. Anderson, NAGPRA Representative, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102, telephone (651) 296-0150, before June 12, 2006. Repatriation of the sacred object to Mr. Ernest Wabasha (Wabasha VI) may proceed after that date if no additional claimants come forward.

Minnesota Historical Society is responsible for notifying Kathy Ferdig, Jeanine Hutter, Vera Hutter, Yvonne Hutter, Ernestine Ryan-Wabasha, Cheyanne St. John, Forrest St. John, Elroy Wabasha, Ernest Wabasha (Wabasha VI), Joseph Wabasha, Leonard Wabasha, Theresa Wabasha, Winona Wabasha, Lower Sioux Indian Community in the State of Minnesota, and Santee Sioux Nation, Nebraska that this notice has been published.

Dated: May 1, 2006

Sherry Hutt,

Manager, National NAGPRA Program.

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INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-538]

In the Matter of Certain Audio Processing Integrated Circuits and Products Containing Same; Notice of Commission Decision To Review Portions of an Initial Determination Finding a Violation of Section 337 of the Tariff Act of 1930 and To Deny Respondent's Motion for Leave To File a Reply to the Responses to Respondent's Petition for Review

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review certain portions of a final initial determination ("ID") of the presiding administrative law judge ("ALJ") finding a violation of section 337 of the Tariff Act of 1930, as amended, in the above-captioned investigation. The Commission has also denied respondent's motion for leave to file a reply in support of its petition for review.

FOR FURTHER INFORMATION CONTACT: Steven W. Crabb, Esq., Office of the

General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-5432. Copies of the public version of the ALJ's ID and all other nonconfidential 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 (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) 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 April 18, 2005, based on a complaint filed on behalf of SigmaTel, Inc. ("complainant") of Austin, Texas. 70 FR 20172. The complaint alleged violations of section 337 in the importation into the United States, sale for importation, and sale within the United States after importation of certain audio processing integrated circuits and products containing same by reason of infringement of claim 10 of U.S. Patent No. 6,137,279 ("the '279 patent") and claim 13 of U.S. Patent No. 6,633,187 ("the '187 patent"). *Id.* The notice of investigation named Actions Semiconductor Co. of Guangdong, China ("Actions") as the only respondent.

On June 9, 2005, the ALJ issued an ID (Order No. 5) granting complainant's motion to amend the complaint and notice of investigation to add allegations of infringement of the previously asserted patents and to add an allegation of a violation of section 337 by reason of infringement of claims 1, 6, 9, and 13 of U.S. Patent No. 6,366,522 ("the '522 patent"). That ID was not reviewed by the Commission.

On October 13, 2005, the ALJ issued an ID (Order No. 9) granting complainant's motion to terminate the investigation as to the '279 patent. On October 31, 2005, the Commission determined not to review the ID.

On October 31, 2005, the ALJ issued an ID (Order No. 14) granting complainant's motion for summary determination that the importation requirement of section 337 has been satisfied. On November 1, 2005, the ALJ

issued an ID (Order No. 15) granting complainant's motion for summary determination that complainant has satisfied the economic prong of the domestic industry requirement of section 337 for the patents in issue. Those IDs were not reviewed by the Commission.

A five-day evidentiary hearing was held from November 29, 2005, through December 3, 2005. On March 20, 2006, the ALJ issued his final ID and recommended determination on remedy and bonding. The ALJ concluded that there was a violation of section 337. Specifically, he found that claim 13 of the '187 patent was valid and infringed by Actions' accused product families 207X, 208X, and 209X. The ALJ also determined that claims 1, 6, 9, and 13 of the '522 patent were valid and infringed by Actions' accused product families 208X and 209X.

On April 3, 2006, respondent Actions petitioned for review of portions of the final ID. On April 10, 2006, complainant SigmaTel and the Commission investigative attorney ("IA") filed responses in opposition to the petition for review.

On April 17, 2006, respondent Actions filed a motion for leave to file a reply to complainant SigmaTel's response to Actions' petition for review. On April 19, 2006, complainant SigmaTel filed a motion in opposition to Actions' motion. The Commission has determined to deny Actions' motion for leave to file a reply.

Having examined the record in this investigation, including the ID, the petitions for review, and the responses thereto, the Commission has determined to review the ID in part:

(1) With respect to the '187 patent, the Commission has determined to review the ALJ's construction of the claim term "memory" in claim 13 to remove the apparent inadvertent inclusion of the word "firmware" from his claim construction.

(2) With respect to the '522 patent, the Commission has determined to review the ALJ's construction of the following limitation of claims 1 and 9: "Produce the system clock control signal and power supply control signal based on a processing transfer characteristic of the computation engine." The Commission has also determined to review the ALJ's findings of fact and conclusions of law concerning infringement of claims 1, 6, 9, and 13 of the '522 patent by the accused Actions chips, and to review the ALJ's findings of fact and conclusions of law concerning whether SigmaTel's chips satisfy the technical prong of the domestic industry