

located northwesterly of and parallel to I-15 between Nipton Road and Yates Well Road and is described as:

**San Bernardino Meridian**

- T. 16 N., R. ¼ E.,
- Sec. 1, portion of W½SE¼;
- Sec. 12, portions of NW¼NE¼, E½NW¼, E½SW¼, and SW¼SW¼;
- Sec. 13, portions of W½NW¼ and NW¼SW¼;
- Sec. 14, portion of E½SE¼;
- Sec. 23, portions of NE¼NE¼, S½NE¼, W½SE¼, and SE¼SW¼;
- Sec. 26, portions of E½NW¼, N½SW¼, and SW¼SW¼.

The area described contains 133 acres, more or less.

The above description will be replaced by lots designated upon the approval of an official supplemental plat of survey. The application filed by the Caltrans described the lands by metes and bounds.

The State of California, acting through the Caltrans, filed an R&PP application for the classification, lease, and subsequent conveyance of 133 acres of public land to be developed for a JPOE inspection facility. The proposed JPOE inspection facility would be comprised of a Commercial Vehicle Enforcement Facility and an Agricultural Inspection Facility between Nipton Road and Yates Well Road on the southbound I-15. Upon completion of the project, all traffic entering California on the southbound I-15 would be diverted through the JPOE.

Leasing and subsequent conveyance of the land to the State of California is consistent with current BLM planning for this area and would be in the public interest. The land is not needed for any Federal purpose. The lease would be issued for an initial term of 5 years to allow sufficient time to develop the planned facilities. The land would be conveyed after substantial development has occurred on the land. The lease and subsequent patent, if issued, would be subject to the provisions of the R&PP Act and applicable regulations of the Secretary of the Interior, and would be subject to the following terms, conditions, and reservations:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States pursuant to the 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 the minerals under applicable laws and regulations established by the Secretary of the Interior.
3. All valid existing rights.
4. An appropriate indemnification clause protecting the United States from claims arising out of the lessee/

patentee's use, occupancy, or operations on the land. Upon publication of this notice in the **Federal Register**, the public land described above is segregated from all forms of appropriation under the public land laws, including the general mining laws and leasing under the mineral leasing laws, except for lease/conveyance under the R&PP Act. Interested parties may submit comments regarding the proposed lease/conveyance or classification of the land until March 29, 2010.

**Classification Comments:** Interested parties may submit comments involving the suitability of the land for a JPOE inspection facility. Comments on the classification are restricted to whether the land is physically suited for the proposal or any other issues that would be pertinent to the environmental assessment (prepared under the National Environmental Policy Act of 1969) for this action, whether the use would maximize the future use or 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.

**Application Comments:** Interested parties may submit comments regarding the specific use proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching its classification decision, or any other factor not directly related to the suitability of the land for R&PP use as a JPOE inspection facility.

All submissions from organizations or businesses will be made available for public inspection in their entirety. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, 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 the public review, we cannot guarantee that we will be able to do so.

Any adverse comments will be reviewed by the State Director, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification of the land described in this notice will become effective on April 12, 2010. The land will not be available for lease/conveyance until after the classification becomes effective.

**Authority:** 43 CFR 2741.5.

**Thomas Pogacnik,**  
Deputy State Director, Natural Resources.  
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**BILLING CODE 4310-40-P**

## NATIONAL INDIAN GAMING COMMISSION

### Notice of Rights and Protections Available Under the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002

**AGENCY:** National Indian Gaming Commission.

**ACTION:** No FEAR Act Notice.

**SUMMARY:** The National Indian Gaming Commission (NIGC) is publishing its notice under Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, Public Law 107-174 (Act), as required by the Act and 5 CFR part 724. This notice describes the obligation of the NIGC and other federal agencies to notify all employees, former employees, and applicants for federal employment of the rights and protections available to them under federal antidiscrimination and whistleblower protection laws.

**FOR FURTHER INFORMATION CONTACT:** Steffani A. Cochran, Commissioner/EEO Director, National Indian Gaming Commission, or the NIGC's Office of the General Counsel, 1441 L Street, NW., Suite 9100, Washington, DC 20005, 202-632-7003, or by facsimile at 202-632-7066 (not toll-free numbers). For further information regarding the No FEAR Act regulations, refer to 5 CFR part 724.

#### SUPPLEMENTARY INFORMATION:

##### No FEAR Act Notice

On May 15, 2002, Congress enacted the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," which is now known as the No FEAR Act. One purpose of the Act is to "require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws." Public Law 107-174, Summary. In support of this purpose, Congress found that "agencies cannot be run effectively if those agencies practice or tolerate discrimination." Public Law 107-174, Title I, General Provisions, section 101(1).

The Act requires the NIGC to provide this notice to all of its employees, former employees, and applicants for federal employment to inform them of the rights and protections available to

them under federal antidiscrimination and whistleblower protection laws.

### Antidiscrimination Laws

A federal agency cannot discriminate against an employee or applicant with respect to the terms, conditions, or privileges of employment on the basis of race, color, religion, sex, national origin, age, disability, marital status or political affiliation. Discrimination on these bases is prohibited by one or more of the following statutes: 5 U.S.C. 2302(b)(1); 29 U.S.C. 206(d); 29 U.S.C. 631; 29 U.S.C. 633a; 29 U.S.C. 791; and 42 U.S.C. 2000e-16.

If you believe that you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, national origin, or disability, you must contact an Equal Employment Opportunity ("EEO") counselor within 45 calendar days of the alleged discriminatory action, or in the case of a personnel action, within 45 calendar days of the effective date of the action, before you can file a formal complaint of discrimination with your agency. *See, e.g.,* 29 CFR 1614. If you believe that you have been the victim of unlawful discrimination on the basis of age, you must either contact an EEO counselor as noted above, or give notice of intent to sue to the Equal Employment Opportunity Commission ("EEOC") within 180 calendar days of the alleged discriminatory action. If you are alleging discrimination based on marital status or political affiliation, you may file a written complaint with the U.S. Office of Special Counsel (OSC) (*See* contact information below).

### Whistleblower Protection Laws

A federal employee with authority to take, direct others to take, recommend, or approve any personnel action must not use that authority to take or fail to take, or threaten to take or fail to take, a personnel action against an employee or applicant because of disclosure of information by that individual that is reasonably believed to evidence violations of law, rule, or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety, unless disclosure of such information is specifically prohibited by law, and such information is specifically required by executive order to be kept secret in the interest of national defense or the conduct of foreign affairs.

Retaliation against an employee or applicant for making a protected disclosure is prohibited by 5 U.S.C. 2302(b)(8). If you believe that you have been the victim of whistleblower

retaliation, you may file a written complaint (using Form OSC-11) with the U.S. Office of Special Counsel at 1730 M Street, NW., Suite 218, Washington, DC 20036-4505 or online through the OSC Web site (<http://www.osc.gov>).

### Retaliation for Engaging in Protected Activity

A federal agency cannot retaliate against an employee or applicant because that individual exercises his or her rights under any of the federal antidiscrimination or whistleblower protection laws listed above. If you believe that you are the victim of retaliation for engaging in protected activity, you must follow, as appropriate, the procedures described in the Antidiscrimination Laws and Whistleblower Protection Laws sections.

### Disciplinary Actions

Under the existing laws, each agency retains the right, where appropriate, to discipline a federal employee for conduct that is inconsistent with Federal Antidiscrimination and Whistleblower Protection Laws, up to and including removal from the federal service. If the OSC has initiated an investigation under 5 U.S.C. 1214, however, according to 5 U.S.C. 1214(f), agencies must seek approval from the Special Counsel to discipline employees for, among other activities, engaging in prohibited retaliation. Nothing in the No FEAR Act alters existing laws or permits an agency to take unfounded disciplinary action against a federal employee or to violate the procedural rights of a federal employee who has been accused of discrimination.

### Existing Rights Unchanged

Pursuant to section 205 of the No FEAR Act, neither the Act nor this notice creates, expands or reduces any rights otherwise available to any employee, former employee, or applicant under the laws of the United States, including the provisions of law specified in 5 U.S.C. 2302(d).

### Additional Information

Additional information regarding federal antidiscrimination, whistleblower protection, and retaliation laws can be found at the EEOC Web site (<http://www.eeoc.gov>)

and the OSC Web site (<http://www.osc.gov>).

**George T. Skibine,**  
*Acting Chairman.*  
**Steffani A. Cochran,**  
*Commissioner.*

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BILLING CODE 7565-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-663]

**In the Matter of Certain Mobile Telephones and Wireless Communication Devices Featuring Digital Cameras, and Components Thereof; Notice of the Commission's Determination To Grant a Joint Motion To Terminate the Investigation With Respect to Respondents Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC on the Basis of a Settlement Agreement; Termination of the Investigation**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to grant a joint motion to terminate the above-captioned investigation with respect to Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC based upon a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Jia Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-4737. 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 (<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.