

wood awl; 1 hafted stone drill; 1 stone drill fragment; 1 chert scraper; 22 pieces of flaked stone (debitage, bifaces whole and fragments); 1 piece of mineral; 5 deer mandible ornaments; 1 bone ornament; 3 bone awls; 1 whole shell (Orehelix); 2 juniper seed beads; 2 miscellaneous beads (unidentified material); 1 lignite bead; 4 shell beads or pendants; 1 pendant (unidentified material); a necklace containing 5 Olivella beads, 1 lignite pendant, and hide cordage; and a necklace containing 1 Olivella dama bead, 1 Olivella biplicata bead, 1 Olivella spicata bead, 18 juniper seed beads, and yucca cordage. The 2 objects from the burial trench in the north cave shelter are: 1 chalcedony dart point, medial fragment, and 1 chert dart point, distal fragment.

The Falls Creek Rock Shelters have been identified as a Basketmaker II habitation site, with the main occupation occurring between 300 B.C. and A.D. 400, based upon tree-ring dates. Archaeological, biological, and geographic evidence, along with oral traditions, indicate that the Basketmaker II populations of the Durango/Upper Animas District, in southwest Colorado, are culturally affiliated with the modern Puebloan people (Coleman 2013: 12). This includes the modern day tribes of the Hopi Tribe of Arizona; Kewa Pueblo, New Mexico (previously listed as the Pueblo of Santo Domingo); Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Ysleta del Sur Pueblo of Texas; and the Zuni Tribe of the Zuni Reservation, New Mexico (hereafter referred to as "The Tribes").

This determination is based upon the extensive review of currently available published and unpublished sources and information provided by Indian tribes during consultations. Archaeological evidence consists of chronological data, artifacts, and rock art. Recent DNA research also demonstrates a biological affiliation between Basketmaker II populations and modern Puebloans. Hopi and Zuni oral traditions provide additional information, including geographic evidence, for cultural

affiliation between Basketmaker II and the present day Puebloan people.

#### **Determinations Made by the USDA Forest Service, San Juan National Forest**

Officials of the San Juan National Forest have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 190 cultural items 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 and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.

- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and The Tribes.

#### **Additional Requestors and Disposition**

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Julie Coleman, Heritage Program Manager, San Juan National Forest, 15 Burnett Court, Durango, CO 81301, telephone (970) 385-1250, email [jacoleman@fs.fed.us](mailto:jacoleman@fs.fed.us), by July 8, 2013. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects to The Tribes may proceed.

The San Juan National Forest is responsible for notifying the Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Kewa Pueblo, New Mexico (previously listed as the Pueblo of Santo Domingo); Navajo Nation, Arizona, New Mexico & Utah; Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; Ysleta del Sur Pueblo of Texas; and the Zuni

Tribe of the Zuni Reservation, New Mexico, that this notice has been published.

Dated: May 6, 2013.

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. 2013-13461 Filed 6-5-13; 8:45 am]

**BILLING CODE 4312-50-P**

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## **INTERNATIONAL TRADE COMMISSION**

[Docket No 2958]

### **Certain Portable Electronic Communications Devices, Including Mobile Phones and Components Thereof; Correction to Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest**

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

**ACTION:** Notice.

**SUMMARY:** Correction is made to named-respondent HTC Corporation of Taiwan.

**SUPPLEMENTARY INFORMATION:** The U.S. International Trade Commission published a notice (78 FR 12892, May 31, 2013) of receipt of complaint entitled *Certain Portable Electronic Communications Devices, Including Mobile Phones and Components Thereof*, DN 2958; the Commission solicited comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure (19 CFR 210.8(b)). The complaint named as respondents HTC Corporation of Taiwan and HTC America, Inc. of Bellevue, WA.

Issued: June 3, 2013.

By order of the Commission.

**William R. Bishop,**

*Supervisory Hearings and Information Officer.*

[FR Doc. 2013-13385 Filed 6-5-13; 8:45 am]

**BILLING CODE 7020-02-P**

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## **DEPARTMENT OF JUSTICE**

### **Notice of Lodging of Proposed Consent Decree Under the Clean Air Act**

On May 30, 2013, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Columbia in the lawsuit entitled *United States v. Tesoro Corporation*, Civil Action No. 1:10-cv-00211 (JEB).

The United States filed this lawsuit under the Clean Air Act against

Defendants Tesoro Corporation, Tesoro Refining and Marketing Company, and Tesoro Alaska Company. The United States' complaint seeks injunctive relief and civil penalties for violations of Clean Air Act, Title II, Section 211(b), (c), (d), and (k), 42 U.S.C. 7545(b), (c), (d), & (k), and the regulations promulgated thereunder published at 40 CFR Part 80. The violations are alleged to have occurred at refineries producing

conventional gasoline owned and operated by Defendants and located in Salt Lake City, Utah; Mandan, North Dakota; Anacortes, Washington; and Kenai, Alaska. The consent decree requires the Defendants to perform injunctive relief and pay a \$1,100,000 civil penalty.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be

addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Tesoro Corporation*, D.J. Ref. No. 90-5-2-1-09622. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$10.25 (25 cents per page reproduction cost) payable to the United States Treasury.

**Maureen M. Katz,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2013-13428 Filed 6-5-13; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Agency Information Collection Activities; Submission for OMB Review; Comment Request; Prohibited Transaction Class Exemption 80-83, Sale of Securities to Reduce Indebtedness of Party in Interest**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Employee Benefits Security Administration (EBSA) sponsored information collection request (ICR) titled, "Prohibited Transaction Class Exemption 80-83, Sale of Securities to Reduce Indebtedness of Party in Interest," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the

Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.).

**DATES:** Submit comments on or before July 8, 2013.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201305-1210-001](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201305-1210-001) (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL—EBSA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503, Fax: 202-395-6881 (this is not a toll-free number), email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**Authority:** 44 U.S.C. 3507(a)(1)(D).

**SUPPLEMENTARY INFORMATION:** Prohibited Transaction Class Exemption 80-83, Sale of Securities to Reduce Indebtedness of Party in Interest, allows an employee benefit plan to purchase securities that may aid the issuer of the securities to reduce or retire indebtedness to a party in interest. Without the relief provided by the class exemption, Employee Retirement Income Security Act prohibited transaction provisions would bar a standard type of financial/business transaction between a financial service provider and an employee benefit plan. This exemption also provides relief

from Internal Revenue Code section 4975 prohibited transaction provisions.

In order to take advantage of the relief provided by this class exemption, an employee benefit plan must comply with all applicable exemption conditions, including keeping records sufficient to establish that exemption conditions have been met for exemption-covered transactions. The records must be maintained for a period of at least six years from a covered transaction and must be made reasonably available for inspection upon request by specified interested persons—including plan fiduciaries, participants and beneficiaries, sponsoring employers, DOL and Internal Revenue Service representatives, and contributing employers. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 27, 2013 (77 FR 70828).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1210-0064.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on May 31, 2013. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing