

the Federal government pursuant to the HEARTH Act.

Section 5 of the Indian Reorganization Act, 25 U.S.C. 5108, preempts State and local taxation of permanent improvements on trust land.

Confederated Tribes of the Chehalis Reservation v. Thurston County, 724 F.3d 1153, 1157 (9th Cir. 2013) (citing *Mescalero Apache Tribe v. Jones*, 411 U.S. 145 (1973)). Similarly, section 5108 preempts State taxation of rent payments by a lessee for leased trust lands, because “tax on the payment of rent is indistinguishable from an impermissible tax on the land.” See *Seminole Tribe of Florida v. Stranburg*, No. 14–14524, *13–*17, n.8 (11th Cir. 2015). In addition, as explained in the preamble to the revised leasing regulations at 25 CFR part 162, Federal courts have applied a balancing test to determine whether State and local taxation of non-Indians on the reservation is preempted. *White Mountain Apache Tribe v. Bracker*, 448 U.S. 136, 143 (1980). The *Bracker* balancing test, which is conducted against a backdrop of “traditional notions of Indian self-government,” requires a particularized examination of the relevant State, Federal, and Tribal interests. We hereby adopt the *Bracker* analysis from the preamble to the surface leasing regulations, 77 FR at 72,447–48, as supplemented by the analysis below.

The strong Federal and Tribal interests against State and local taxation of improvements, leaseholds, and activities on land leased under the Department’s leasing regulations apply equally to improvements, leaseholds, and activities on land leased pursuant to Tribal leasing regulations approved under the HEARTH Act. Congress’s overarching intent was to “allow Tribes to exercise greater control over their own land, support self-determination, and eliminate bureaucratic delays that stand in the way of homeownership and economic development in Tribal communities.” 158 Cong. Rec. H. 2682 (May 15, 2012). The HEARTH Act was intended to afford Tribes “flexibility to adapt lease terms to suit [their] business and cultural needs” and to “enable [Tribes] to approve leases quickly and efficiently.” *Id.* at 5–6.

Assessment of State and local taxes would obstruct these express Federal policies supporting Tribal economic development and self-determination, and also threaten substantial Tribal interests in effective Tribal government, economic self-sufficiency, and territorial autonomy. See *Michigan v. Bay Mills Indian Community*, 134 S. Ct. 2024, 2043 (2014) (Sotomayor, J., concurring)

(determining that “[a] key goal of the Federal Government is to render Tribes more self-sufficient, and better positioned to fund their own sovereign functions, rather than relying on Federal funding”). The additional costs of State and local taxation have a chilling effect on potential lessees, as well as on a Tribe that, as a result, might refrain from exercising its own sovereign right to impose a Tribal tax to support its infrastructure needs. See *id.* at 2043–44 (finding that State and local taxes greatly discourage Tribes from raising tax revenue from the same sources because the imposition of double taxation would impede Tribal economic growth).

Similar to BIA’s surface leasing regulations, Tribal regulations under the HEARTH Act pervasively cover all aspects of leasing. See 25 U.S.C. 415(h)(3)(B)(i) (requiring Tribal regulations be consistent with BIA surface leasing regulations). Furthermore, the Federal government remains involved in the Tribal land leasing process by approving the Tribal leasing regulations in the first instance and providing technical assistance, upon request by a Tribe, for the development of an environmental review process. The Secretary also retains authority to take any necessary actions to remedy violations of a lease or of the Tribal regulations, including terminating the lease or rescinding approval of the Tribal regulations and reassuming lease approval responsibilities. Moreover, the Secretary continues to review, approve, and monitor individual Indian land leases and other types of leases not covered under the Tribal regulations according to the Part 162 regulations.

Accordingly, the Federal and Tribal interests weigh heavily in favor of preemption of State and local taxes on lease-related activities and interests, regardless of whether the lease is governed by Tribal leasing regulations or Part 162. Improvements, activities, and leasehold or possessory interests may be subject to taxation by the Pueblo of Isleta, New Mexico.

Dated: April 17, 2019.

Tara Sweeney,

Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–27818;
PPWOCRADIO, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting comments on the significance of properties nominated before April 27, 2019, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted by May 24, 2019.

ADDRESSES: Comments may be sent via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C St. NW, MS 7228, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before April 27, 2019. Pursuant to Section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

Before including your address, phone number, email 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.

Nominations submitted by State Historic Preservation Officers:

IOWA

Cedar County

Downey School, 212 Broadway St., Downey, SG100004017

MISSOURI

Nodaway County

Fields, John and Fannie, House, 227 McKenzie St., Barnard, SG100004018

MONTANA

Silver Bow County

Silver Bow Airway Beacon (Sentinels of the Airways: Montana’s Airway Beacon System, 1934–1979 MPS), Address Restricted, Ramsay, MP100004023

NEW YORK**Erie County**

Buffalo Public School No. 51 (Black Rock Planning Neighborhood MPS), 101 Hertel Ave., Buffalo, MP100004010

Seneca Plumbing and Heating Company Building, 192 Seneca St., Buffalo, SG100004011

Niagara County

First Presbyterian Church of Lewiston and Lewiston Village Cemetery, 505 Cayuga St., Outerlot 17 Cayuga & Outerlot 18 Seneca, Lewiston, SG100004012

PENNSYLVANIA**Allegheny County**

Lawrenceville Historic District, Roughly bounded by 33rd St, Allegheny R, 55th St., Allegheny Cemetery, Penn Ave., 40th St., Liberty Ave., and Sassafras St., Pittsburgh City, SG100004020

Miller, Andrew S. and Elizabeth, House, 366 Lincoln Ave., Bellevue, SG100004021

TEXAS**Cameron County**

Central Brownsville Historic District, Roughly bounded by E. Levee, E. 10th, E. Monroe, E. 14th & E. 15th Sts. & 2 blk. Extension along 800 & 900 blks. of E. Elizabeth St., Brownsville, SG100004008

Uvalde County

Uvalde Downtown Historic District, Centered around jct. of US 90 & US 83, roughly bounded by School Ln., Hornby Pl., 2nd Alley & High St., Uvalde, SG100004009

WISCONSIN**Door County**

ADVANCE shipwreck (Barge), (Great Lakes Shipwreck Sites of Wisconsin MPS), 0.1 mi. E. of Sand Bay Peninsula, Sand Bay, Nasewaupsee vicinity, MP100004024

Sauk County

Nisham, Freda Meyers, Memorial Chapel, 1000 Myrtle St., Reedsburg, SG100004016

A request for removal has been made for the following resource:

IOWA**Benton County**

Round Barn, Bruce Township Section 6 (Iowa Round Barns: The Sixty Year Experiment TR), W of US 218, La Porte vicinity, OT86001416

Additional documentation has been received for the following resources:

ARKANSAS**Benton County**

Gypsy Camp Historic District (Benton County MRA), Off AR 59, Siloam Springs vicinity, AD87002425

NORTH CAROLINA**Wake County**

Hayes Barton Historic District (Five Points Neighborhoods, Raleigh, North Carolina MPS), Roughly bounded by St. Mary's St.,

Fairview Rd., Aycock St., Scales St. and Williamson Dr., Raleigh, AD02000496

Authority: Section 60.13 of 36 CFR part 60.

Dated: April 30, 2019.

Kathryn G. Smith,

Acting Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2019-09539 Filed 5-8-19; 8:45 am]

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INTERNATIONAL TRADE COMMISSION**Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Replacement Automotive Service and Collision Parts and Components Thereof, DN 3386*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>, and 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 United States International Trade Commission (USITC) at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at <https://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 has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice

and Procedure filed on behalf of Hyundai Motor America, Inc., and Hyundai Motor Company on May 3, 2019. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain replacement automotive service and collision parts and components thereof. The complaint names as respondents: Direct Technologies International, Inc. d/b/a DTI, Inc. of North Miami Beach, FL; AJ Auto Spare Parts FZE of Dubai, United Arab Emirates; John Auto Spare Parts Co. LLC of Sharjah, United Arab Emirates; and Cuong Anh Co. Ltd. of Vietnam. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and