Office, Portland, Oregon, on October 25, 2002.

Willamette Meridian

Oregon

T. 15 S., R. 1 W., accepted September 30, 2002.
T. 27 S., R. 11 W., accepted September 30, 2002.

The plats of survey of the following described lands were officially filed in the Oregon State Office, Portland, Oregon, December 9, 2002.

Oregon

T. 39 S., R. 11 E., accepted November 19, 2002.
T. 34 S., R. 1 E., accepted November 29, 2002.
T. 14 S., R. 1 E., accepted December 5, 2002.

Washington

T. 20 N., R. 15 E., accepted December 3, 2002.

A copy of the plats may be obtained from the Oregon State Office, Bureau of Land Management, 333 SW. 1st Avenue, Portland, Oregon 97204, upon required payment. A person or party who wishes to protest against a survey must file with the State Director, Bureau of Land Management, Portland, Oregon, a notice that they wish to protest.

For further information contact: Bureau of Land Management, (333 SW. 1st Avenue) P.O. Box 2965, Portland, Oregon 97208.

Dated: March 12, 2003.

Robert D. DeViney, Jr.,

Branch of Realty and Records Services.

[FR Doc. 03–6684 Filed 3–19–03; 8:45 am]

BILLING CODE 4310–33–P

INTERNATIONAL TRADE COMMISSION

[USITC SE–03–010]

Sunshine Act Meeting Notice

AGENCY: International Trade Commission.

TIME AND DATE: April 3, 2003 at 11 a.m.

PLACE: Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda for future meetings: none.
2. Minutes.
3. Ratification list.
4. Inv. No. 731–TA–989 (Final)(Ball Bearings from China)—briefing and vote. (The Commission is currently scheduled to transmit its determination and Commissioners' opinions to the Secretary of Commerce on or before April 14, 2003.)
5. Outstanding action jackets: none.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: March 18, 2003.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 03–6869 Filed 3–18–03; 3:15 pm]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Executive Office for Immigration Review

[EOIR No. 135]

Notice of Class Action Judgment in Barahona-Gomez v. Ashcroft

AGENCY: Executive Office for Immigration Review (''EOIR''), Justice.

ACTION: Notice.

SUMMARY: This notice presents the Advisory Statement of the class action settlement in *Barahona-Gomez* v. *Ashcroft*, No. Civ 97–0895 CW (ND.Cal.). The Advisory Statement sets forth the rights of class members who had applied for suspension of deportation under section 244 of the Immigration and Nationality Act, 8 U.S.C. 1254. This notice is published because while the Executive Office for Immigration Review has the names and addresses of class members and counsels of record for the class member aliens, all parties recognize that some class members have failed to inform EOIR of address changes and the notice is necessary to inform those persons.

DATES: This notice is effective March 20, 2003.

FOR FURTHER INFORMATION CONTACT: Chuck Adkins-Blanch, General Counsel, Office of the General Counsel, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041, telephone (703) 305–0470.

SUMMARY: 1. *Why is EOIR publishing this notice?*

EOIR is publishing this notice to comply with the settlement order entered on December 18, 2002, in the class action entitled *Barahone-Gomez* v. *Ashcroft*, No. Civ 97–0895CW (ND.Cal).

2. *Who should read the Advisory Statement?*

The Advisory Statement specifies which individuals who meet all of the following threshold requirements are given relief pursuant to the settlement. Persons are advised to read the Advisory Statement to determine whether they are entitled to relief under the settlement. The requirements are:

(a) The alien applied for suspension of deportation;

(b) The case hearing took place within the jurisdiction of the United States Court of Appeals for the Ninth Circuit;

(c) The case was scheduled for an individual hearing on the merits before an Immigration Judge (Judge) between February 13, 1997 and April 1, 1997, or was pending at the Board of Immigration Appeals (''Board'') between February 13, 1997 and April 1, 1997, and the Notice of Appeal had been filed with the Board on or before October 1, 1996;

(d) The basis for the Judge or the Board denying or not adjudicating the application for suspension of deportation was section 309(c)(5) of the illegal Immigration Reform and Immigrant Responsibility Act, Pub. L. 104–208, 110 Stat. 3546 (Sept. 30, 1996), amended Pub. L. 104–302, 110 stat. 3656 (Oct. 11, 1996) (''IIRIRA'') also known as the ''stop-time rule;''

(e) For cases before an Immigration Judge, the Judge reserved a decision or continued the hearing until after April 1, 1997, the Judge issued a decision denying or not adjudicating the application for suspension of deportation, no decision has yet been issued, or the Judge granted suspension of deportation and the Immigration and Naturalization Service (INS) appealed the decision based upon IIRIRA section 309(c)(5).

3. *Does an alien have to take any action under the settlement?*

EOIR will reopen the cases of aliens who qualify for relief under the terms of this settlement. A class member who meets the threshold requirements to qualify for relief under the settlement and whose case was not reopened by EOIR, may file a motion to reopen their case to apply for renewed suspension of deportation. This motion to reopen is not subject to the normal time and number limitations on motions to reopen, and this motion does not require a filing fee.

4. *Does the motion to reopen have to be filed by a deadline date?*

Yes. The motion to reopen must be filed within 18 months of the date that this Advisory Statement is published in the **Federal Register**.

5. *Does an alien definitely receive the benefits of the settlement if all of the threshold requirements are met?*

No. Not all individuals who meet the threshold requirements listed above will qualify for relief under the settlement. The Advisory Statement explains the factual situations which determine if an individual will qualify for relief under

the settlement. The full settlement agreement and Advisory Statement is reproduced at the EOIR Web site, at *www.usdoj.gov/eoir.*

Dated: March 13, 2003.

Kevin D. Rooney,

Director, Executive Office for Immigration Review.

Note: The appendix to this notice contains the Advisory Statement, Exhibit 1 in the settlement agreement.

Appendix

The following is the advisory statement in the *Barahona-Gomez* v. *Ashcroft* settlement agreement. This advisory statement is referenced as Exhibit 1 in the settlement agreement.

Advisory Statement

Class Action Settlement to Benefit Certain Persons Who Applied For Suspension of Deportation Before April 1, 1997

The Executive Office for Immigration Review (EOIR)—the federal agency that includes the Immigration Courts and the Board of Immigration Appeals—is issuing this Advisory Statement to inform the public about the settlement agreement in the *Barahona-Gomez* V. *Ashcroft* class action litigation.

This class action lawsuit challenged EOIR directives which prohibited immigration judges and the Board of Immigration Appeals from granting suspension of deportation during the period between February 13 and April 1, 1997. On April 1, 1997, a new law (Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (''IIRIRA'') section 309(c)(5)) took effect that made people ineligible for suspension if they had not been continuously physically present in the United States for a period of seven years at the time that they were served with an Order to Show Cause (the document that begins deportation proceedings). Under the settlement, eligible class members who could have been granted suspension during the period between February 13 and April 1, 1997, before this new restriction took effect, will be given the opportunity to apply for suspension under the standards that existed prior to April 1, 1997.

I. Class Members Eligible for Relief

The class in this case is limited to individuals who applied for suspension of deportation and whose hearings took place within the jurisdiction of the U.S., Court of Appeals for the Ninth Circuit, encompassing the states of Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, and Washington. The following categories of persons are eligible for relief under the settlement:

(1) individuals for whom an Immigration Judge (IJ) either reserved a decision, or scheduled a merits hearing on an application for suspension of deportation between February 13, 1997 and April 1, 1997, and the hearing was continued until April 1, 1997 (except, as described below, in certain cases where the individual requested the continuance), and for which either:

(a) no IJ decision has been issued; or

(b) an IJ decision was issued denying or pretermitting suspension based on IIRIRA § 309(c)(5), and either (i) no appeal was filed; (ii) an appeal was filed and the case is pending with the BIA, or (iii) an appeal was filed, and the BIA denied the appeal based on IIRIRA § 309(c)(5); or

(c) the Immigration Judge granted suspension after April 1, 1997, and the INS filed a notice of appeal, motion to reconsider, or motion to reopen challenging the individual's eligibility for suspension based on IIRIRA § 309(c)(5).

Individuals in the categories listed above do *not* qualify for relief under the settlement if: (1) the continuance of the hearing was at the request of the individual; (2) the individual was represented by an attorney; and (3) the transcript of the hearing was prepared following an appeal and makes clear that the continuance was at the request of the respondent. In any case where EOIR determines that an individual is not eligible for relief under the settlement because of this restriction, EOIR will send written notice of this determination to the individual, and counsel. The class member will then have 30 days to file a claim disputing this determination. The settlement provides for a dispute resolution mechanism which must be used before the federal court can hear the issue. A stay of deportation will be a place if the dispute resolution mechanism is timely invoked.

(2) individuals whose cases were pending at the Board of Immigration Appeals (''BIA'') (either on direct appeal from the Immigration Judge decision, or on a motion to reopen) between February 13, 1997 and April 1, 1997, where the notice of appeal (or the motion to reopen) was filed on or before October 1, 1995, and which were, or would be (but for the settlement agreement), denied on the basis of IIRIRA § 309(c)(5), whether or not the decision of the BIA denying suspension solely on the basis of IIRIRA § 309(c)(5) has already been issued or not;

(3) individuals whose cases were taken under submission by an Immigration Judge following a merits hearing before February 13, 1997, where no decision issued until after April 1, 1997;

(4) individuals for whom the Immigration Judge denied or pretermitted suspension between October 1, 1996 and March 31, 1997, on the basis of IIRIRA § 309(c)(5), and the individual filed a notice of appeal with the BIA; and

(5) individuals for whom the Immigration Judge granted suspension of deportation before April 1, 1997 and the INS appealed based only on IIRIRA § 309(c)(5) or IIRIRA § 309(c)(7).

Even if they otherwise qualify under one of the above categories, class members are not eligible for benefits under the Settlement if they have already become lawful permanent residents (LPRs), or if they already have had or will have their cases reopened for adjudication or re-adjudication of their claims for suspension of deportation without regard to Section 309(c)(5) of IIRIRA, following a remand from the United States Court of Appeals for the Ninth Circuit or the BIA or following an order by the BIA or an immigration judge reopening their cases.

II. Procedures for Obtaining Relief Under the Settlement

Under the settlement, eligible class members (as defined above) will be eligible to apply for and be granted renewed suspension'' which means the relief of suspension of deportation, as it existed on September 29, 1996, before amendment by IIRIRA or any subsequent statute. As part of the process of applying for renewed suspension, class members will have the opportunity to present new evidence of the hardship they would face were they to be deported.

The procedures by which such eligible class members may apply for and be granted such relief depend upon the status of the case. In cases currently pending before an Immigration Judge, the EOIR will send written notice to eligible class members of the opportunity to apply for relief under the settlement. In cases of eligible class members currently pending before the Board of Immigration Appeals, the Board will remand the case of the Immigration Judge to schedule a hearing for renewed suspension. In those cases where an Immigration Judge previously granted suspension to a class member, and the INS appealed based only on IIRIRA § 309(c)(5) or (c)(7), the Board will dismiss the appeal and thereby reinstate the Immigration Judge's decision granting suspension.

In cases of eligible class members where the Board or an Immigration Judge denied suspension and no appeal was filed, EOIR will on its own motion reopen the case to allow the class member to apply for suspension. In such cases EOIR will send written notice to the class member's last known address. If the class member subsequently fails to appear for a notice hearing, the case will be administratively closed for a period of time after which the case could be recalendared and an appropriate order issued, including *in absentia* order of deportation which could, in turn, be subject to reopening for lack of notice.

Class members who are subject to final deportation orders but are eligible to apply for renewed suspension under the settlement may file a motion to reopen their case to apply for renewed suspension. This will be necessary in cases where the Board or Immigration Judge will not, on their own, be reopening the case.

A stay of deportation will be in effect for class members who are eligible for relief under the settlement who are subject to final orders of deportation. The stay will expire upon the reopening of a class member's case under the terms of the settlement agreement. The stay is also dissolved 30 days after any individual receives written notice that EOIR has determined that he or she is not eligible for relief under the settlement, unless the individual notifies EOIR within the 30-day period that he/she is invoking the settlement's dispute resolution procedure.

An eligible class member who files a motion to reopen under the settlement may also request a stay of deportation from EOIR, and the filing of such a stay request will cause such individual to be presumed to be an eligible class member for purposes of the

stay of deportation; however such presumption and stay can be dissolved by order of the EOIR is not less than seven (7) days if the individual has not filed prima facie evidence of eligibility for relief under the settlement by that time.

This notice is only a summary of the provisions of the settlement agreement. The full agreement can be found at __ F.Supp.2d __, and is also reproduced on the EOIR Web site, at *www.usdoj.gov/eoir.*

[FR Doc. 03–6691 Filed 3–19–03; 8:45 am]

BILLING CODE 4410–30–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on March 11, 2003, the United States lodged a proposed Consent Decree between the United States, the State of Arkansas and Lion Oil Company (''Lion Oil'') with the United States District Court for the Western District of Arkansas, El Dorado Division, in the case of *United States, et. al* v. *Lion Oil Company,* Civil Action Case No. 03–1028.

In a complaint that was filed simultaneously with the Consent Decree, the United States sought injunctive relief and penalties against Lion Oil pursuant to section 113(b) of the Clean Air Act, 42 U.S.C. 7413(b), for alleged Clean Air Act violations at Lion Oil's refinery located in El Dorado, Arkansas.

Under the settlement, Lion Oil will implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides (''NO_2''), sulfur dioxide (''SO_2''), particulate matter ''PM''), carbon monoxide (''CO''), and benzene from refinery process units and will adopt facility-wide enhanced monitoring and fugitive emission control programs. Lion Oil has estimated that this injunctive relief will cost the company approximately $17 million. In addition, Lion Oil will pay a civil penalty of $348,000, which the State of Arkansas will share, and spend more than $450,000 on supplemental environmental projects designed to reduce emissions from the refinery for settlement of the claims in the United States' complaint. Lion Oil also will perform additional injunctive relief totaling approximately $4.5 million. The State of Arkansas will join in this settlement as a signatory to the Consent Decree.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States, et al.,* v. *Lion Oil Company,* D.J. Ref. 90–5–2–1–06064/1.

The Consent Decree may be examined at the Office of the United States Attorney, 6th and Rogers, Room 216, Federal Building, Fort Smith, Arkansas 72901, and at U.S. EPA Region 6, Fountain Place, 1445 Ross Avenue, Dallas, TX 75202. During the public comment period, the Consent Decree may be examined on the following Department of Justice Web site, *http://www.usdoj.gov/enrd/open.html.* A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, or by faxing or e-mailing a request to Tonia Fleetwood (*tonia.fleetwood@usdoj.gov)*, fax no. (202) 514–0097, phone confirmation number (202) 514–1547. In requesting a copy, please enclose a check in the amount of $39.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Robert D. Brook,

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

[FR Doc. 03–6645 Filed 3–19–03; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended

Notice is hereby given that a proposed Consent Decree with Vulcan International Corporation (''Vulcan''), one of the defendants in an action filed by the United States in March 1990 entitled *United States* v. *Re-Solve, Inc.,* Civil Action No. 90–10490K (D. Mass.), was lodged with the United States District Court for the District of Massachusetts on March 10, 2003. In the action, the United States brought a claim pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA''), 42 U.S.C 9607(A), against Vulcan, as well as a number of other parties, seeking to recover past costs with respect to the Re-Solve, Inc. Superfund Site located in North Dartmouth, Massachusetts (the ''Site''), as well as a declaratory judgment of liability with respect to future costs to be incurred by the United States at the Site. Pursuant to the terms of the proposed Consent Decree, Vulcan has agreed to pay the United States $3.8 million within 30 days of the Court's entry of the Consent Decree, plus interests on this amount accruing from November 1, 2002 at the CERCLA rate of interest. The United States will provide Vulcan with a covenant not to sue, pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. §§ 9606 and 9607(a), with regard to the Site.

The Department of Justice will receive, for a period of up to thirty days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States* v. *Re-Solve, Inc.*, Civil Action 90–10490K (D. Mass.), DOJ No. 90–11–2–58A. A copy of the comments should also be sent to Donald G. Frankel, Trial Attorney, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice, One Gateway Center, Suite 616, Newton, Massachusetts 02458.

The proposed Consent Decree may also be examined at the Office of the United States Attorney, U.S. Courthouse, One Courthouse Way, Suite 9200, Boston, MA 02210 (contact Bunker Henderson at 617–748–3100) or at EPA Region 1, One Congress Street, Suite 1100, Boston, MA 02114–2023 (contact Jill Metcalf at 617–918–1088). During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, *http://www.usdoj.gov/enrd/open.html.* A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611 or by faxing or e-mailing a request to Tonia Fleetwood (*tonia.fleetwood@usdoj.gov*), fax no. (202) 514–0097, phone confirmation number (202) 514–1547, referencing the Vulcan International Corporation consent decree in *United States* v. *Re-Solve, Inc.*, DOJ No. 90–11–2–58A. In requesting a copy, please enclose a check in the amount of $7.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ronald G. Gluck,

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

[FR Doc. 03–6644 Filed 3–19–03; 8:45 am]

BILLING CODE 4410–15–M