

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 University of Nebraska 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 Ponca Tribe of Indians of Oklahoma and Ponca Tribe of Nebraska.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the remains and associated funerary objects should contact Priscilla Grew, NAGPRA Coordinator, University of Nebraska-Lincoln, 301 Bessey Hall, Lincoln, NE 68588-0381, telephone (402) 472-7854, before November 7, 2003. Repatriation of the human remains and associated funerary objects to the Ponca Tribe of Indians of Oklahoma and Ponca Tribe of Nebraska may proceed after that date if no additional claimants come forward.

The University of Nebraska State Museum is responsible for notifying the Ponca Tribe of Indians of Oklahoma and Ponca Tribe of Nebraska that this notice has been published.

Dated: August 8, 2003.

**John Robbins,**

*Assistant Director, Cultural Resources.*

[FR Doc. 03-25542 Filed 10-7-03; 8:45 am]

BILLING CODE 4310-70-S

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion: University of Oregon Museum of Natural History, Eugene, OR, and U.S. Department of Defense, Army Corps of Engineers, Portland District, Portland, OR**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects for which the University of Oregon Museum of Natural History, Eugene, OR, and the U.S. Department of Defense, Army Corps of Engineers, Portland District, Portland, OR, have joint responsibility. The human remains and associated funerary objects were removed from sites on Army Corps of Engineers land located in Morrow

County, OR, and Benton, County, WA, within the John Day Dam project area.

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 within this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations within this notice.

A detailed assessment of the human remains was made by the Army Corps of Engineers, Portland District and University of Oregon Museum of Natural History professional staff in consultation with representatives of the Confederated Tribes of the Umatilla Reservation, Oregon.

Native American cultural items described in this notice were excavated under Antiquities Act permits by the University of Oregon, Eugene, OR, on Army Corps of Engineers project lands. Following excavations at the sites described below, and under the provisions of the permits, the University of Oregon was allowed to retain the collections for preservation.

In 1958, human remains representing a minimum of one individual were removed from the Crow Butte site (45 BN 58), near Blalock Island, Benton County, WA, within the John Day Dam project area. No known individual was identified. The five associated funerary objects are three dentalium beads and two olivella beads.

The Crow Butte site is a campsite and burial site, and its dates of occupation are unknown. Based on the types of associated funerary objects and tooth wear, the individual has been determined to be Native American.

In 1963, human remains representing a minimum of four individuals were removed from the Eye site (45 BN 64), on Little Blalock Island, Benton County, WA, in the Columbia River, within the John Day Dam project area. No known individuals were identified. The two associated funerary objects are one projectile point and one shell bead.

The Eye site is a village and cemetery site dating after A.D. 1750. Based on the types of associated funerary objects, the individuals have been determined to be Native American.

In 1963, human remains representing a minimum of 12 individuals were removed from site 45 BN 77 on Coyote Island, Benton County, WA, in the Columbia River, within the John Day Dam project area. No known individuals were identified. The 874 associated funerary objects are 8 projectile points,

251 glass beads, 64 copper beads, 23 shell beads, 20 olivella beads, 214 shell and glass beads, 2 bone beads, 18 beads, 102 bones, 16 flakes, 103 pieces of glass, 34 pieces of copper, 3 copper pendants, 1 copper button, 1 graver, 1 scraper, 2 choppers, 2 flaked cobbles, 2 sinkers, 2 shells, 1 lot of raw material for beads, 2 shaft straighteners, 1 uniface, and 1 nail.

Site 45 BN 77 is a campsite and burial site that was occupied during the historic period. Based on the types of associated funerary objects, the individuals have been determined to be Native American.

In 1963, human remains representing a minimum of one individual were removed from site 45 BN 81 on Blalock Island, Benton County, WA, in the Columbia River within the John Day Dam project area. No known individual was identified. The 26 associated funerary objects are 10 glass beads, 14 shell beads, 1 piece of copper, and 1 copper button.

Site 45 BN 81 is a campsite and burial site dating to the protohistoric and historic periods. Based on the types of associated funerary objects, the human remains have been determined to be Native American.

In 1967, human remains representing a minimum of two individuals were removed from the Tom's Camp site (35 MW 10), 3 miles west of the former town of Boardman, Morrow County, OR, on the south bank of the Columbia River, in the John Day Dam project area. No known individuals were identified. No associated funerary objects are present.

The Tom's Camp site is a midden with burials dating from approximately 1800 B.P. to 500 B.P. Based on artifacts excavated in the general area, the individuals have been determined to be Native American.

The sites described above are within the traditional lands of the present-day Confederated Tribes of the Umatilla Indian Reservation, Oregon. The Confederated Tribes of the Umatilla Indian Reservation, Oregon was established by the Stevens Treaty of 1855 and consists of three tribes: Cayuse, Umatilla, and Walla Walla. All three tribes belong to the Sahaptin language group, each tribe's speaking a separate dialect of Sahaptin. Historically, these tribes occupied over 6 million acres of land in southeastern Washington and northeastern Oregon. The Umatilla Indian Reservation and ceded lands roughly include the areas bounded by the Columbia and Snake Rivers on the north to Willow Creek on the west to Tucannon River on the east.

Officials of the Army Corps of Engineers, Portland District have determined that, pursuant to 25 U.S.C. 3001(9), the human remains described above represent the physical remains of a minimum number of 20 individuals of Native American ancestry. Officials of the Army Corps of Engineers, Portland District also have determined that, pursuant to 25 U.S.C. 3001(3)(A), the 907 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 Army Corps of Engineers, Portland District 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 Confederated Tribes of the Umatilla Indian Reservation, Oregon.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Ms. Gail Celmer, NAGPRA Coordinator, Environmental Resources Branch, U.S. Department of Defense, Army Corps of Engineers, Portland District, P.O. Box 2946, Portland, OR 97208-2946, telephone (503) 808-4762, before November 7, 2003. Repatriation of the human remains and associated funerary objects to the Confederated Tribes of the Umatilla Indian Reservation, Oregon may proceed after that date if no additional claimants come forward.

The Army Corp of Engineers, Portland District is responsible for notifying the Confederated Tribes of the Umatilla Indian Reservation, Oregon that this notice has been published.

Date: August 7, 2003

**John Robbins,**

*Assistant Director, Cultural Resources*

[FR Doc. 03-25535 Filed 10-7-03; 8:45 am]

**BILLING CODE 4310-70-S**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-495]

### In the Matter of Certain Breath Test Systems for the Detection of Gastrointestinal Disorders and Components Thereof; Notice of Commission Decision Not To Review an Initial Determination Terminating the Investigation on the Basis of a Consent Order; Issuance of Consent Order

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ's") initial determination ("ID") (Order No. 4) terminating the above-captioned investigation on the basis of a consent order.

**FOR FURTHER INFORMATION CONTACT:** Wayne Herrington, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone: (202) 205-3090. Copies 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) 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 July 30, 2003, based on a complaint filed by Meretek Diagnostics, Inc. of Lafayette, Colorado, and Medquest PTY, Ltd. of Perth, Australia. 68 FR 44812 (July 30, 2003). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain breath test systems for the detection of gastrointestinal disorders and components thereof by reason of

infringement of claims 1, 2, 3, and 5 of U.S. Patent No. 4,830,010. The complaint and notice of investigation named Oridion Systems, Ltd.; Oridion Medical 1987 Ltd.; Oridion BreathID Ltd.; and Oridion BreathID Inc. as respondents.

On September 2, 2003, complainants and respondents filed a joint motion pursuant to Commission rule 210.21(c) to terminate the investigation as to all respondents on the basis of a consent order. The motion included a consent order stipulation and a proposed consent order. The Commission investigative attorney supported the motion. On September 12, 2003, the ALJ issued the subject ID terminating the investigation in its entirety on the basis of a consent order. No petitions for review of the ID were filed.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

By order of the Commission.

Issued: October 1, 2003.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 03-25455 Filed 10-7-03; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

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

In accordance with 28 U.S.C. 50.7, notice is hereby given that on September 30, 2003, a proposed Consent Decree in *United States v. CHS Inc.*, Civil Action No. CV:03-153-BLG-RWA, was lodged with the United States District Court for Montana.

In this action, the United States sought injunctive relief and penalties against CHS Inc. ("Genex"), pursuant to Section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b) (1983), amended by, 42 U.S.C. 7413(b) (Supp. 1991) for alleged CAA violations at Genex's refinery in Laurel, Montana in a complaint that was filed simultaneously with the Consent Decree.

The proposed Consent Decree requires Genex to implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO<sub>x</sub>") and sulfur dioxide ("SO<sub>2</sub>") from refinery process units and adopt facility-wide enhanced monitoring and fugitive emission control programs. In addition, Genex will pay a civil penalty