

Reservation, Oregon; and Confederated Tribes of the Warm Springs Reservation of Oregon.

Information provided by representatives of the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Wanapum Band, a non-federally recognized Indian group, during consultation indicates that the aboriginal ancestors occupying the site area were highly mobile and traveled widely across the landscape for gathering resources as well as trade, and are all part of the more broadly defined Plateau cultural community. The descendants of these Plateau communities are members of the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Wanapum Band, a non-federally recognized Indian group.

Officials of the Burke Museum and Central Washington University have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of 91 individuals of Native American ancestry. Officials of the Burke Museum and Central Washington University also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the 1,049 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 Burke Museum and Central Washington University 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 and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; and Nez Perce Tribe of Idaho.

Furthermore, officials of the Burke Museum and Central Washington University have determined that there is a cultural relationship between the human remains and associated funerary

objects and the Wanapum Band, a non-federally recognized Indian group.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Dr. Peter Lape, Burke Museum, University of Washington, Box 353010, Seattle, WA 98195–3010, telephone (206) 685–2282 or Lourdes Henebry-DeLeon, NAGPRA Program Director, Central Washington University, Department of Anthropology, Mailstop 7544, Ellensburg, WA 98926, telephone (509) 963–2671, before June 25, 2007. Repatriation of the human remains and associated funerary objects to the Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Confederated Tribes and Bands of the Yakama Nation, Washington, for themselves and on behalf of the Wanapum Band, a non-federally recognized Indian group, may proceed after that date if no additional claimants come forward. The Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Confederated Tribes and Bands of the Yakama Nation, Washington; and Wanapum Band, non-federally recognized Indian group, are claiming jointly all cultural items from the Columbia River area in eastern Washington and Oregon.

The Burke Museum is responsible for notifying the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Wanapum Band, a non-federally recognized Indian group that this notice has been published.

Dated: May 14, 2007

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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**BILLING CODE 4312–50–S**

## DEPARTMENT OF JUSTICE

### Notice of Proposed Settlement Agreement Under the Park System Resource Protection Act

Notice is hereby given that the United States Department of Justice, on behalf of the U.S. Department of the Interior, National Park Service (“DOI”) has reached a settlement with Robert D. McDougal, III, his wife, Anne McDougal, and the vessel *Happy Days* (*in rem*) regarding claims for response costs and damages under the Park System Resource Protection Act (“PSRPA”), 16 U.S.C. 1911 *et seq.*

The United States’ claim arises from the grounding of the vessel “Happy Days V” in Biscayne National Park on January 29, 1999. The grounding damaged a shoal, sediment, and the associated seagrass community. Pursuant to the Agreement, the United States will recover \$189,963.00.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Settlement Agreement. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to the Settlement Agreement between the United States and the McDougals, D.J. Ref. 90–5–1–1–07746.

The proposed Settlement Agreement may be examined at Biscayne National Park, 9700 SW., 328th St., Homestead, FL 33033, and at the Department of the Interior, Office of the Solicitor, Southeast Regional Office, Richard B. Russell Federal Building, 75 Spring Street, SW., Atlanta, Georgia 30303. During the public comment period, the Settlement Agreement may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Settlement Agreement 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](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514–0097, phone confirmation number (202) 514–1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$2.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that

amount to the Consent Decree Library at the stated address.

**Ronald Gluck,**

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

[FR Doc. 07-2573 Filed 5-23-07; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-61,270]

**CNH America LLC, Belleville Manufacturing Plant Including On-Site Leased Workers From Armstrong's, CNH Meridian, FBG Service Corporation, Industrial Distribution Group, Jim Buch's Repair Services, Jon Industrial Lube, Kelly Services, UTI Integrated Logistics, and Anixter Fasteners, Belleville, PA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on May 2, 2007, applicable to workers of CNH America LLC, Belleville Manufacturing Plant, including on-site leased workers from Armstrong's, CNH Meridian, FBG Service Corporation, Industrial Distribution Group, Jim Buch's Repair Services, Jon Industrial Lube, Kelly Services, and UTI Integrated Logistics, Belleville, Pennsylvania. The notice will be published soon in the **Federal Register**.

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of agricultural machinery, specifically front-end loaders, hay and forage equipment (conditioners, rakes, forage harvesters, headers, and windrowers), bale wagons, and spreaders).

New information shows that leased workers of Anixter Fasteners were employed on-site at the Belleville, Pennsylvania location of CNH America LLC, Belleville Manufacturing Plant.

Based on these findings, the Department is amending this certification to include leased workers of Anixter Fasteners working on-site at

CNH America LLC, Belleville Manufacturing Plant, Belleville, Pennsylvania.

The intent of the Department's certification is to include all workers employed at CNH America LLC, Belleville Manufacturing Plant, Belleville, Pennsylvania who were adversely affected by a shift in production to Mexico.

The amended notice applicable to TA-W-61,270 is hereby issued as follows:

All workers of CNH America LLC, Belleville Manufacturing Plant, including on-site leased workers of Armstrong's, CNH Meridian, FBG Service Corporation, Industrial Distribution Group, Jim Buch's Repair Services, Jon Industrial Lube, Kelly Services, UTI Integrated Logistics, and Anixter Fasteners, Belleville, Pennsylvania, who became totally or partially separated from employment on or after April 9, 2006, through May 2 2009, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 14th day of May 2007.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-10018 Filed 5-23-07; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-60,388]

**Hartz & Company, HL Hartz & Sons, New York, NY; Notice of Revised Determination on Reopening**

On May 14, 2007, the Department, on its own motion, reopened its investigation for the former workers of the subject firm.

The initial investigation resulted in a negative determination issued on December 1, 2006 because the workers provided a service that was not in support of the firm's production of apparel. Since the workers were denied eligibility to apply for trade adjustment assistance (TAA) they were also denied eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

The Department has determined that the information provided by a former employee of the firm shows that the duties performed by workers of Hartz & Company in New York, New York, including design and marketing, supported the production of men's and

women's suits and bottoms at a Hartz & Company facility located domestically. The production workers were certified eligible to apply for adjustment assistance based on increased aggregate U.S. imports of men's and women's suits and bottoms.

All workers of Hartz & Company, New York, New York, were separated when the production facility closed in October 2006.

In order for the Department to issue a certification of eligibility to apply for alternative trade adjustment assistance ATAA, the group eligibility requirements of Section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of Section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions in the apparel industry are adverse.

### Conclusion

After careful consideration of the new facts obtained on reopening, it is concluded that increased imports of articles like or directly competitive with men's and women's suits and bottoms produced by Hartz & Company, contributed importantly to the total or partial separation of workers and to the decline in sales or production sales at that firm or subdivision.

In accordance with the provisions of the Trade Act of 1974, I make the following revised determination:

All workers of Hartz & Company, HL Hartz & Sons, New York, New York, who became totally or partially separated from employment on or after November 6, 2005, through two years from the date of certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, as amended, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974, as amended.

Signed in Washington, DC, this 16th day of May 2007.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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**BILLING CODE 4510-FN-P**