

Taylor House, (Bay St. Louis MRA) 808 N. Beach Blvd., Bay St. Louis, 86003273  
 Taylor School, (Bay St. Louis MRA) 116 Leonard St. Bay St. Louis, 87000209  
 Onward Oaks, (Bay St. Louis MRA) 972 South Beach Blvd., Bay St. Louis, 96001265

#### Harrison County

Brielmaier House, (Biloxi MRA) 710 Beach Blvd., Biloxi, 84002170  
 Fisherman's Cottage, (Biloxi MRA) 138 Lameuse St., Biloxi, 84002182  
 Gillis House, 590 Beach Blvd., Biloxi, 78001599  
 Hewes, Finley B., House, 604 E. Beach Blvd., Gulfport, 02000852  
 House at 771 West Water Street, (Biloxi MRA) 771 W. Water S., Biloxi, 84002191  
 Milner House, 720 E. Beach Blvd., Gulfport, 72000692  
 Reed, Pleasant House, 928 Elmer St., Biloxi, 79001308  
 Toledano-Philbrick-Tullis House, 947 E. Beach Blvd., Biloxi, 76001095

#### Jackson County

Clark, Clare T., House, (Pascagoula MPS) 1709 Beach Blvd., Pascagoula, 91001785  
 Cottage by the Sea Tavern, (Pascagoula MPS) 1205 Beach Blvd., Pascagoula, 91001789  
 Farnsworth, R.A., Summer Home, (Pascagoula MPS) 901 Beach Blvd., Pascagoula, 91001790  
 Halstead Place, (Ocean Springs MRA) E. Beach Dr., Ocean Springs, 87000594  
 Hull, Edgar W., House, (Pascagoula MPS) 2903 Beach Blvd., Pascagoula, 91001797  
 Kinne, Georgia P., House, (Pascagoula MPS) 1101 Beach Blvd., Pascagoula, 91001798

#### Lauderdale County

Meridian Baptist Seminary, 16th St. and 31st Ave. Meridian, 79001326  
 [FR Doc. E8-14297 Filed 6-24-08; 8:45 am]  
 BILLING CODE 4310-70-P

### DEPARTMENT OF THE INTERIOR

#### Office of Surface Mining Reclamation and Enforcement

#### Notice of Proposed Information Collection for 1029-0054 and 1029-0083

**AGENCY:** Office of Surface Mining Reclamation and Enforcement.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the

Office of Surface Mining Reclamation and Enforcement (OSM) is announcing that the information collection requests for 30 CFR 872, Abandoned mine reclamation funds; and 30 CFR part 955 and the Form OSM-74, Certification of Blasters in Federal program States and on Indian lands have been forwarded to the Office of Management and Budget (OMB) for review and reauthorization. The information collection packages were previously approved and assigned clearance numbers 1029-0054 for 30 CFR 872, and 1029-0083 for 30 CFR 955 and the OSM-74 form. This notice describes the nature of the information collection activities and the expected burdens and costs.

**DATES:** OMB has up to 60 days to approve or disapprove the information collection but may respond after 30 days. Therefore, public comments should be submitted to OMB by July 25, 2008, in order to be assured of consideration.

**ADDRESSES:** Submit comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Department of Interior Desk Officer, by telefax at (202) 395-6566 or via e-mail to [OIRA\\_Docket@omb.eop.gov](mailto:OIRA_Docket@omb.eop.gov). Also, please send a copy of your comments to John A. Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW., Room 202-SIB, Washington, DC 20240, or electronically to [jtrelease@osmre.gov](mailto:jtrelease@osmre.gov).

**FOR FURTHER INFORMATION CONTACT:** To request a copy of the information collection requests, explanatory information and related forms, contact John A. Trelease at (202) 208-2783, or electronically to [jtrelease@osmre.gov](mailto:jtrelease@osmre.gov).  
**SUPPLEMENTARY INFORMATION:** The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. OSM has submitted requests to OMB to renew its approval for the collections of information for 30 CFR 872, Abandoned mine reclamation funds; and 30 CFR 955 and the Form OSM-74, Certification of Blasters in Federal program States and on Indian lands. OSM is requesting a 3-year term of approval for these information collection activities.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control

numbers for these collections of information are listed in 30 CFR 872.10, which is 1029-0054; and on the form OSM-74 and in 30 CFR 955.10, which is 1029 0083.

As required under 5 CFR 1320.8(d), **Federal Register** notices soliciting comments on these collections of information were published on March 19, 2008 (73 FR 14838), for 30 CFR 872, and on March 31, 2008 (73 FR 16908), for the form OSM-74 and 30 CFR 955. No comments were received from either notice. This notice provides the public with an additional 30 days in which to comment on the following information collection activities:

*Title:* 30 CFR Part 872—Abandoned mine reclamation funds.

*OMB Control Number:* 1029-0054.

*Summary:* 30 CFR part 872 establishes a procedure whereby States and Indian tribes submit written statements announcing the State/Tribe's decision not to submit reclamation plans, and therefore, will not be granted AML funds.

*Bureau Form Number:* None.

*Frequency of Collection:* Once.

*Description of Respondents:* State and Tribal abandoned mine land reclamation agencies.

*Total Annual Responses:* 1.

*Total Annual Burden Hours:* 1.

*Title:* 30 CFR Part 955 and Form OSM-74—Certification of blasters in Federal program States and on Indian lands.

*OMB Control Number:* 1029-0083.

*Summary:* This information is being collected to ensure that the applicants for blaster certification are qualified. This information, with blasting tests, will be used to determine the eligibility of the applicant. The affected public will be blasters who want to be certified by the Office of Surface Mining Reclamation and Enforcement to conduct blasting on Indian lands or in Federal primacy States.

*Bureau Form Number:* OSM-74.

*Frequency of Collection:* On occasion.

*Description of Respondents:*

Individuals intent on being certified as blasters in Federal program States and on Indian lands.

*Total Annual Responses:* 8.

*Total Annual Burden Hours:* 18.

*Total Annual Non-Wage Burden Cost:* \$549.

Send comments on the need for the collection of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the quality, utility and clarity of the information collection; and ways to minimize the information collection

burden on respondents, such as use of automated means of collection of the information, to the addresses listed under **ADDRESSES**. Please refer to the appropriate OMB control number in all correspondence, 1029-0054 for 30 CFR part 872 and 1029-0083 for 30 CFR part 955 and the OSM-74 form.

Before including your address, phone number, e-mail 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.

Dated: June 5, 2008.

**John R. Craynon,**

*Chief, Division of Regulatory Support.*

[FR Doc. E8-14212 Filed 6-24-08; 8:45 am]

**BILLING CODE 4310-05-M**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### **United States v. National Association of Realtors®; Proposed Final Judgment and Competitive Impact Statement**

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that a proposed Final Judgment, Stipulation, and Competitive Impact Statement have been filed with the United States District Court for the Northern District of Illinois in *United States of America v. National Association of Realtors®*, No. 05-C-5140. On September 8, 2005, the United States filed a Complaint alleging that the National Association of Realtors® (“NAR”) violated section 1 of the Sherman Act, 15 U.S.C. 1, by adopting policies that suppress competition from real estate brokers who use password-protected “virtual office Web sites” or “VOWs” to deliver high-quality brokerage services to their customers. The proposed Final Judgment, filed on May 27, 2008, requires NAR to repeal the challenged policies and to adopt new rules that do not discriminate against brokers who use VOWs.

Copies of the Amended Complaint, proposed Final Judgment and Competitive Impact Statement are available for inspection at the Department of Justice, Antitrust Division, Antitrust Documents Group, 450 5th Street, NW., Room 1010, Washington, DC 20530 (telephone: 202

514-2481), on the Department of Justice’s Web site at <http://www.usdoj.gov/atr>, and at the Office of the Clerk of the United States District Court for the Northern District of Illinois. Copies of these materials may be obtained from the Antitrust I Division upon request and payment of the copying fee set by Department of Justice regulations.

Public comment is invited within 60 days of the date of this notice. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Comments should be addressed to John R. Read, Chief, Litigation III section, Antitrust Division, U.S. Department of Justice, 450 5th Street, NW., Suite 4000, Washington, DC 20530, (202) 307-0468.

**J. Robert Kramer II,**

*Director of Operations, Antitrust Division.*

#### **United States District Court for the Northern District of Illinois Eastern Division**

United States of America, Department of Justice, Antitrust Division, 325 7th Street, NW., Suite 300, Washington, DC 20530. Plaintiff,

v.

National Association of Realtors, 430 North Michigan Ave., Chicago, IL 60611, Defendant.

Civil Action No. 05C-5140, Judge Filip, Magistrate Judge Denlow, Filed: October 4, 2005.

#### **Amended Complaint**

The United States of America, by its attorneys acting under the direction of the Attorney General, brings this civil action pursuant to section 4 of the Sherman Act, as amended, 15 U.S.C. 4, to obtain equitable and other relief to prevent and restrain violations of section 1 of the Sherman Act, as amended, 15 U.S.C. 1. The United States alleges:

1. The United States brings this action to enjoin the defendant a national association of real estate brokers—from maintaining or enforcing policies that restrain competition from brokers who use the Internet to more efficiently and cost effectively serve home sellers and buyers, and from adopting other related anticompetitive rules.

2. The brokers against whom the policies discriminate operate secure, password-protected Internet sites that enable the brokers’ customers to search for and receive real estate listings over the Internet. These Web sites thus replace or augment the traditional practice by which the broker conducts a search of properties for sale and then provides information to the customer by hand, mail, fax, or e-mail. Since these Web sites were first developed in the late 1990s, brokers’ use of the Internet in connection with their delivery of brokerage services has become an important competitive alternative to traditional “brick-and-mortar” business models.

3. Defendant’s members include traditional brokers who are concerned about

competition from Internet-savvy brokers. Before defendant adopted its policies, several of its members voiced opposition to brokers’ delivery of listings to customers through their Web sites—sites that defendant referred to as “virtual office Web sites,” or “VOWs.” The head of the working group created by defendant to develop regulations for VOWs argued that defendant should act quickly in adopting regulations for the use of these Web sites because brokers operating VOWs were “scooping up market share just below the radar.” The chairman of the board of RE/MAX, the nation’s second-largest real estate franchisor, publicly expressed his concern that these Internet sites would inevitably place downward pressure on brokers’ commission rates. One broker complained that because of the lower cost structure of brokers who provide listings to their customers over the Internet, “they are able to kick-back 1% of the sales price to the buyer.” And defendant, the nation’s largest real estate franchisor and owner of the nation’s largest real estate brokerage, asserted that it was “not feasible” for even the largest traditional brokers to compete with large Internet companies that operated or affiliated with brokers operating VOWs.

4. In response to such concerns, defendant, through its members, adopted a policy (the “Initial VOW Policy”) limiting this new competition. The Initial VOW Policy has been implemented in many markets. After plaintiff informed NAR of its intention to bring this action, NAR announced that it had modified this policy (the “Modified VOW Policy”). Plaintiff challenges both policies in this action as part of a single, ongoing contract, combination, or conspiracy.

5. These policies significantly alter the governing multiple listing services (“MLSs”). MLSs collect detailed information about nearly all properties for sale through brokers and are indispensable tools for brokers serving buyers and sellers in each MLS’s market area. Defendant’s local Realtor associations (“member boards”) control a majority of the MLSs in the United States.

6. Defendant’s VOW Policies permit brokers to withhold their clients’ listings from VOW operators by means of an “opt-out” right. In essence, the policies allow traditional brokers to block the customers of web-based competitors from using the Internet to review the same set of MLS listings that the traditional brokers provide to their customers.

7. The working group that formulated defendant’s Initial VOW Policy understood that the opt-out right was fundamentally anticompetitive and harmful to consumers. Two members of the working group wrote that the opt-out right would be “abused beyond belief” as traditional brokers selectively withhold listings from particular VOW-based competitors. The chairman of the working group admitted that the opt-out right was likely to be exercised by brokers notwithstanding the fact that “it may not be in the seller[']s best interest to opt out.” But he took comfort in the fact that the rule did not require brokers to disclose to clients that their listings would be withheld from some prospective purchasers as a result of the