

Section 1161, Title 18 United States Code, Legalizing and Regulating the Introduction, Possession, Use and Consumption of Alcoholic Beverages, the Amended Liquor Ordinance of the Te-Moak Tribe of Western Shoshone Indians, was duly adopted by the Te-Moak Tribal Council on October 5, 2005.

Dated: February 24, 2012.

**Jodi Gillette,**

*Deputy Assistant Secretary—Indian Affairs.*

Amendment #(05–ORD–TM–05) to the Te-Moak Liquor Ordinance reads as follows:

Ordinance pursuant to Section 1161, Title 18 United States Code, Legalizing and Regulating the Introduction, Possession, Use and Consumption of Alcoholic Beverages

Now, therefore, be enacted by the Te-Moak Tribal Council of the Te-Moak Tribe of Western Shoshone Indians of Nevada, that pursuant to the authority vested in it by Article VII, Section 1(f) of the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada, and Article II, Section 1 of the By-Laws of the Te-Moak Tribe of Western Shoshone Indians of Nevada, that the introduction, possession, use and consumption of alcoholic beverages shall be lawful within the exterior boundaries of those lands in the State of Nevada under the territorial jurisdiction of the Te-Moak Tribe of Western Shoshone Indians of Nevada. Provided that such introduction, possession, use and consumption shall be in accordance with the following:

**SECTION 1:**

(a) It shall be unlawful to sell alcoholic beverages by the bottle, drink, can, or other package within the exterior boundaries of those lands of the State of Nevada under the territorial jurisdiction of the Te-Moak Tribe of Western Shoshone Indians of Nevada, without first obtaining a valid license issued by the Te-Moak Tribal Council.

(b) Such tribal license will authorize the holder thereof to sell alcoholic beverages at retail in cans, bottles or other packages, or by the drink for consumption on the premises or within a defined area.

(c) Such tribal license shall set forth the location and description of the building and premises or defined area where such sales may be made and for which said license is issued.

(d) No such license shall be issued without the approval of the local governing body of the Colony or Reservation of the Te-Moak Tribe of Western Shoshone Indians of Nevada, upon the territory of which the proposed alcoholic beverage business is seeking to be licensed.

(e) No such license shall be transferred without the prior consent of the Te-Moak Tribal Council.

(f) Te-Moak Tribal Council shall establish the different categories of licenses and the license fee schedules annually by a duly passed resolution.

(g) Any such license fee collected by the Te-Moak Tribal Council shall remain within the Te-Moak Tribe of Western Shoshone Indians of Nevada upon receipt of fees

collected from the local governing body of the Colony or Reservation of the Te-Moak Tribe of Western Shoshone Indians of Nevada upon the territory of which the alcoholic beverage business has been licensed.

**SECTION 2:**

It shall be unlawful to use or consume any alcoholic beverages in a motor vehicle while such vehicle is being driven.

**SECTION 3:**

It shall be unlawful to possess any open bottle, can package or container of alcoholic beverage in the passenger compartment of a motor vehicle when such vehicle is being driven.

**SECTION 4:**

It shall be unlawful for any person actually under the influence of alcoholic beverages to possess, use or consume alcoholic beverages.

**SECTION 5:**

It shall be unlawful for any person to furnish any alcoholic beverage to any person under the age of twenty-one (21) years to leave or to deposit any alcoholic beverages with the intent that the alcoholic beverages shall be procured by any person under the age of twenty-one (21) years.

**SECTION 6:**

It shall be unlawful for any person under the age of twenty-one (21) years of age to introduce, possess, use or consume alcoholic beverages.

**SECTION 7:**

Any Indian who violates any of the provisions of this ordinance shall be deemed guilty of an offense and upon conviction thereof shall be punished by a fine of not more than \$300.00 or by imprisonment of not more than sixty (60) days or both such fine and imprisonment: Provided, however, that any person under the age of eighteen (18) years may, in the discretion of the Judge, be treated as a juvenile and have the charge(s) disposed of pursuant to applicable juvenile law and procedures.

**SECTION 8:**

When a non-Indian violates any provision of this ordinance, he or she shall be referred to the State and/or Federal authorities for prosecution under applicable law.

**SECTION 9:**

Any licensee violating any provision of this ordinance may have said licensee's license suspended or revoked by the Te-Moak Tribal Council provided that the licensee is given a written notice of the proposed suspension or revocation and afforded an opportunity of a hearing.

**SECTION 10:**

All ordinances, resolutions or acts that have previously been enacted by the Te-Moak Tribal Council, which are in conflict with any provision of this ordinance are hereby repealed.

**CERTIFICATION**

I, the undersigned, as Chairman of the Tribal Council of the Te-Moak Tribe of

Western Shoshone Indians of Nevada do hereby certify that the Te-Moak Western Shoshone Council is composed of 10 members of whom 9 constituting a quorum were present at a duly held meeting on October 5, 2005, and that the foregoing ordinance was duly adopted at such meeting by an affirmative vote of 4 For, 3 Against, and 2 Abstention, pursuant to the authority contained under Article 4, Section 3(n) of the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada and that said ordinance has not been rescinded in any form.

/s/ Hugh Stevens, Chairman,  
Te-Moak Tribe of Western Shoshone

ATTEST:

/s/ Vera Johnny, Acting Recording Secretary  
Te-Moak Tribal Council

[FR Doc. 2012–6129 Filed 3–13–12; 8:45 am]

**BILLING CODE 4310–4J–P**

**INTERNATIONAL TRADE COMMISSION**

**[Investigation No. 731–TA–891 (Second Review)]**

**Foundry Coke From China; Scheduling of an Expedited Five-Year Review**

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission hereby gives notice of the scheduling of an expedited review pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)) (the Act) to determine whether revocation of the antidumping duty order on foundry coke from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**DATES:** *Effective Date:* March 5, 2012.

**FOR FURTHER INFORMATION CONTACT:** Angela M.W. Newell (202–708–5409), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 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 review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:**

*Background.*—On March 5, 2012, the Commission determined that the domestic interested party group response to its notice of institution (76 FR 74810, December 1, 2011) of the subject five-year review was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting a full review.<sup>1</sup> Accordingly, the Commission determined that it would conduct an expedited review pursuant to section 751(c)(3) of the Act.

*Staff report.*—A staff report containing information concerning the subject matter of the review will be placed in the nonpublic record on April 2, 2012, and made available to persons on the Administrative Protective Order service list for this review. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

*Written submissions.*—As provided in section 207.62(d) of the Commission's rules, interested parties that are parties

to the review and that have provided individually adequate responses to the notice of institution,<sup>2</sup> and any party other than an interested party to the review may file written comments with the Secretary on what determination the Commission should reach in the review. Comments are due on or before April 5, 2012 and may not contain new factual information. Any person that is neither a party to the five-year review nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the review by April 5, 2012. However, should the Department of Commerce extend the time limit for its completion of the final results of its review, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. Please be aware that the Commission's rules with respect to electronic filing have been amended. The amendments took effect on November 7, 2011. See 76 Fed. Reg. 61937 (Oct. 6, 2011) and the newly

revised Commission's Handbook on E-Filing, available on the Commission's Web site at <http://edis.usitc.gov>.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

*Determination.*—The Commission has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

**Authority:** This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: March 8, 2012.

**James R. Holbein,**  
*Secretary to the Commission.*

**WORK SCHEDULE**

Investigation No. 731-TA-891 (Second Review)

**FOUNDRY COKE FROM CHINA**

*Staff Assigned*

Investigator .....	Angela Newell (708-5409).
Commodity-Industry Analyst .....	Cynthia Foreso (205-3348).
Attorney .....	Charles St. Charles (205-2782).
Supervisory Investigator .....	Elizabeth Haines (205-3200).

	DATE
Institution .....	December 1, 2011.
Report to the Commission:	
Draft to Supervisory Investigator .....	March 16, 2012.
Draft to Senior Review .....	March 26.
To the Commission .....	April 2.
Comments of Parties due <sup>1</sup> : .....	April 5.
Legal issues memorandum to the Commission .....	May 10.
Briefing and vote (suggested date) .....	May 16.
Determination and views to Commerce .....	May 29, 2012.

<sup>1</sup> If comments contain business proprietary information, a nonbusiness proprietary version is due the following business day.

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**BILLING CODE 7020-02-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act**

Notice is hereby given that on February 21, 2012, a proposed Consent Decree in *United States v. FMC*

*Corporation*, Civil Action No. 2:11-cv-00699 ("FMC") was lodged with the United States District Court for the Middle District of Alabama.

In *FMC*, the United States of America ("United States"), on behalf of the Administrator of the United States Environmental Protection Agency ("EPA"), filed a complaint pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9607, seeking reimbursement of

response costs incurred between 2005 and 2007 stemming from an EPA emergency removal action cleaning up hazardous substances at the Performance Advantage Superfund Site in Coosa County, Alabama. In response, FMC filed a counterclaim against the United States.

The proposed Consent Decree resolves all claims and counterclaims in this action. Under the Consent Decree, Defendant FMC will pay a total of \$300,000, plus interest, to the EPA's Hazardous Substance Superfund, and

<sup>1</sup> A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be

available from the Office of the Secretary and at the Commission's Web site.

<sup>2</sup> The Commission has found the responses submitted by ABC Coke, Erie Coke, Tonawanda

Coke Corporation, and Walter Coke Co. to be individually adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).