

Turtle Mountain Band of Chippewa Indians. Less than 1 percent of the LS members did not have ancestry charts or were not in the group's genealogical database and the Department could not determine their ancestry.

The more complete record of the petitioner's ancestors and the additional evidence in the record for the FD demonstrates that about 89 percent of LS petitioner's members (3,865 of 4,332) descend from at least one ancestor who was a descendant of the historical Pembina Band. This FD finds that the petitioner has satisfied the requirements of criterion 83.7(e).

Criterion 83.7(f) requires that the membership of the petitioning group be composed principally of persons who are not members of any acknowledged North American Indian Tribe. The Department's research for the FD finds that less than 1 percent of the petitioner's members (19 of 4,332) are enrolled in Federally acknowledged Tribes. This FD confirms the findings in the PF that the LS petitioner is principally composed of persons who are not members of any acknowledged Indian Tribe and therefore meets the requirements of criterion 83.7(f).

Criterion 83.7(g) requires that neither the petitioner nor its members be the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship. A review of the available documentation showed no evidence that the petitioning group was the subject of congressional legislation to terminate or prohibit a Federal relationship as an Indian Tribe. Therefore, the petitioner meets the requirements of criterion 83.7(g).

A report summarizing the evidence, reasoning, and analyses that are the bases for the FD will be provided to the petitioner and interested parties, and is available to other parties upon written request and will be posted on the Bureau of Indian Affairs Web site. After the publication of notice of the FD, the petitioner or any interested party may file a request for reconsideration with the Interior Board of Indian Appeals (IBIA) under the procedures set forth in section 83.11 of the regulations. The IBIA must receive this request no later than 90 days after the publication of the FD in the **Federal Register**. The FD will become effective as provided in the regulations 90 days from the **Federal Register** publication unless a request for reconsideration is received within that time.

The regulations state that when the Department declines to acknowledge a petitioner it shall inform the petitioner of "other means through which the petitioning group may achieve the status

of an acknowledged Indian Tribe or through which many of its members may become eligible for services and benefits" as Indians (§ 83.10(n)). Congress has plenary power over Indian affairs and, considering two historical factors, could recognize this petitioner as an Indian Tribe. First, the Department initiated action under the Indian Reorganization Act of 1934 that affected the ancestors of a significant majority of the petitioner's members. And, second, Congress passed the Act of December 31, 1982 (96 Stat. 2022) conditionally allocating certain trust funds to "the Little Shell Tribe of Chippewa Indians of Montana" petitioner.

In the 1930's, the Department considered using appropriations available under the Indian Reorganization Act of 1934 to buy land for, and then to reorganize as a Tribe, Indians in Montana of one-half degree or more Indian blood. The Department prepared the Roe Cloud Roll of these Indians, many of whom are among the Little Shell petitioner's ancestors. Seventy-four percent of the Little Shell petitioner's current members descend from an individual on the roll. Lands purchased by the Department at that time, however, were added to the Rocky Boy's Indian Reservation.

In the 1982 Act, which provided for the distribution of the funds awarded by the Indian Claims Commission to the Pembina Chippewa Indians in the *Turtle Mountain* decision of 1978, Congress allocated a portion of those funds to the "Little Shell Band." Eighty percent of the allocated funds were distributed per capita to the Pembina Chippewa descendants who were members of the Little Shell Tribe of Chippewa Indians of Montana and otherwise met the general qualifications to participate in the distribution as descendants. The other 20 percent of the award allocated to the Little Shell Tribe was to be held in trust and invested until the Secretary acted on its petition for recognition. If the Secretary failed to recognize the Band, the 20 percent was to be distributed per capita when the action on the petition was final. *See* Sections 2 and 6.

Those funds remain in trust and now total more than \$3 million. Congress could direct that they be used to purchase land for the group, as contemplated in the 1930's, should Congress choose to recognize the Little Shell petitioner. The funds set aside in 1982 may be considered for the use of the current petitioner because calculations at the time of the proposed finding on the Little Shell petitioner indicated that 51 percent of the petitioner's 1987 membership was on

the Department's 1994 judgment roll prepared under the 1982 statute, and because there is continuity between the petitioner's 1987 membership and the current membership.

Dated: October 27, 2009.

George T. Skibine,

Acting Principal Deputy, Assistant Secretary—Indian Affairs.

[FR Doc. E9-26373 Filed 11-2-09; 8:45 am]

BILLING CODE 4310-G1-P

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places; Weekly Listing of Historic Properties

Pursuant to (36 CFR 60.13(b,c)) and (36 CFR 63.5), this notice, through publication of the information included herein, is to apprise the public as well as governmental agencies, associations and all other organizations and individuals interested in historic preservation, of the properties added to, or determined eligible for listing in, the National Register of Historic Places from August 24, to August 28, 2009.

For further information, please contact Edson Beall via: United States Postal Service mail, at the National Register of Historic Places, 2280, National Park Service, 1849 C St., NW., Washington, DC 20240; in person (by appointment), 1201 Eye St., NW., 8th floor, Washington, DC 20005; by fax, 202-371-2229; by phone, 202-354-2255; or by e-mail, Edson_Beall@nps.gov.

Dated: October 20, 2009.

J. Paul Loether,

Chief, National Register of Historic Places/ National Historic Landmarks Program.

KEY: State, County, Property Name, Address/ Boundary, City, Vicinity, Reference Number, Action, Date, Multiple Name

MARYLAND

Baltimore County

Baltimore County Jail, 222 Courthouse Court, Towson, 09000644, LISTED, 8/26/09

Kent County

Still Pond Historic District, Still Pond Rd., Old Still Pond Rd., Main St., Medders Rd., Maple Ave., Trustee St., Still Pond, 09000645, LISTED, 8/26/09

MASSACHUSETTS

Plymouth County

Tarklin School, 245 Summer St., Duxbury, 09000647, LISTED, 8/26/09

MINNESOTA**McLeod County**

Komensky School, 19981 Major Ave., Hutchinson vicinity, 09000622, LISTED, 8/20/09

Ramsey County

O'Donnell Shoe Company Building, 509 Sibley St., St. Paul, 09000623, LISTED, 8/20/09

MISSOURI**Cape Girardeau County**

Old Appleton Bridge, Main St. over Apple Creek, Old Appleton, 09000648, LISTED, 8/25/09

NEBRASKA**Douglas County**

Northern Natural Gas Building, 2223 Dodge St., Omaha, 09000649, LISTED, 8/26/09

Merrick County

Nelson Farm, 1139 M Rd., Central City vicinity, 09000650, LISTED, 8/26/09

NEW JERSEY**Burlington County**

Zurburg Mansion, 531 Delaware Ave., Delanco, 09000651, LISTED, 8/28/09

Hunterdon County

Lebanon Historic District, Main St., Cherry St., Brunswick Ave., Maple St., High St., Lebanon Borough, 09000652, LISTED, 8/26/09

NEW YORK**Chenango County**

Emmanuel Episcopal Church Complex, 37 W. Main St., Norwich, 09000654, LISTED, 8/26/09

Monroe County

Linden-South Historic District, 25–272 Linden St., both sides; 809–835 South Ave., odd numbers only, Rochester, 09000655, LISTED, 8/26/09

Suffolk County

Foster-Meeker House, 101 Mill Rd., Westhampton Beach, 09000656, LISTED, 8/26/09

Tompkins County

Rogues Harbor Inn, 2079 E. Shore Dr., Lansing, 09000657, LISTED, 8/26/09

NORTH CAROLINA**Greene County**

Snow Hill Historic District (Boundary Increase), W. Harper St. between W. 6th St. and W. 4th St., Snow Hill, 09000658, LISTED, 8/27/09

Nash County

Rocky Mount Central City Historic District (Boundary Increase and Decrease), Portions of 26 blocks on Main, Washington, Church, Battle, Hammond, Hill, Howard, Ivy, Gay, Goldleaf, and Thomas Sts., Rocky Mount, 09000659, LISTED, 8/27/09

Person County

Roxboro Cotton Mill, 115 Lake Dr., Roxboro, 09000660, LISTED, 8/27/09

Wake County

Carolina Coach Garage and Shop, 510 E. Davie St., Raleigh, 09000661, LISTED, 8/27/09

Wayne County

Yelverton, Dred and Ellen, House, 1979 NC 222 E., Fremont vicinity, 09000662, LISTED, 8/27/09

TENNESSEE**Greene County**

Maden Hall Farm, 3225 Kingsport Highway, Greeneville vicinity, 09000667, LISTED, 8/27/09

VIRGINIA**Culpeper County**

South East Street Historic District, S.E., E. Asher, E. Chandler, and Page Sts., and Culpeper National Cemetery, Culpeper, 09000663, LISTED, 8/27/09

Loudoun County

Rock Hill Farm, 20775 Airmont Rd., Bluemont vicinity, 09000664, LISTED, 8/27/09

Petersburg Independent City

Atlantic Coast Line Railroad Commercial and Industrial Historic District, 200–300 W. Washington, 4–42 S. Market, 100–100 Perry, 200–300 block W. Wythe, 200 block Brown Sts., Petersburg, 09000665, LISTED, 8/27/09

Roanoke County

Anderson-Doosing Farm, 7474 VA 785, Catawba vicinity, 09000666, LISTED, 8/27/09

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DEPARTMENT OF THE INTERIOR**National Park Service****National Register of Historic Places; Notification of Pending Nominations and Related Actions**

Nominations for the following properties being considered for listing or related actions in the National Register were received by the National Park Service before October 17, 2009. Pursuant to section 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St., NW., (2280), Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service, 1201 Eye St., NW., 8th floor, Washington, DC

20005; or by fax, 202–371–6447. Written or faxed comments should be submitted by November 18, 2009.

J. Paul Loether,

Chief, National Register of Historic Places/ National Historic Landmarks Program.

ARIZONA**Maricopa County**

Hubbard, L. Ron, House, 5501 N. 44th St., Phoenix, 09000953

NEW YORK**Westchester County**

Soundview Manor, 283 Soundview Ave., White Plains, 09000957

TENNESSEE**Hamilton County**

Engel Stadium, O'Neal St. and E. 3rd St., Chattanooga, 09000954

First Presbyterian Church, 554 McCallie Ave., Chattanooga, 09000955

Knox County

Daylight Building, (Knoxville and Knox County MPS) 501–517 Union Ave., Knoxville, 09000956

Request for REMOVAL has been made for the following resource:

TENNESSEE**Williamson County**

Thompson Store, Duplex Rd. and Lewisbery Pike, Duplex, 88000359

[FR Doc. E9–26378 Filed 11–2–09; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[LLWO–3200000 L13100000.PP0000 L.X.EM OSHL000.241A]

Notice of Potential for Oil Shale Development: Call for Nominations—Oil Shale Research, Development and Demonstration Program

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Land Management (BLM) solicits the nomination of parcels to be leased for Research, Development and Demonstration (R, D and D) of oil shale recovery technologies in the States of Colorado, Utah, and Wyoming. **DATES:** Nominations for oil shale R, D and D leases can be made from November 3, 2009 through January 4, 2010.

ADDRESSES: Please send nominations to the BLM State Director for the State in which the parcel you are nominating is located: Dave Hunsaker, Acting State