organizations and museums on matters within the scope of the work of the committee affecting such tribes or organizations; consulting with the Secretary of the Interior in the development of regulations to carry out NAGPRA; and making recommendations regarding future care of repatriated cultural items. The Review Committee's work is completed during meetings that are open to the public.

Dated: August 12, 2004.

C. Timothy McKeown,

Designated Federal Officer, Native American Graves Protection and Repatriation Review Committee.

[FR Doc. 04–19394 Filed 8–24–04; 8:45 am]

BILLING CODE 4312–50–M

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Closure Order Establishing Prohibitions at Shasta Lake, California

ACTION: Notice of closure.

SUMMARY: *Purpose of Closure Order:* This closure is issued to provide for the protection of federal property and to ensure public safety at Reclamation facilities.

Closure Areas: The following facilities, lands, and waters are closed to the public: Shasta Dam Blvd. and Lake Blvd. roadways entering onto Reclamation property, the public parking lot immediately east of Shasta Dam, the crest of Shasta Dam, and adjacent property, building, and facilities under the control of Reclamation. The closure area includes the area within 1,000 feet upstream and 750 feet downstream of Shasta Dam for the entire width of the reservoir surface at high mean water upstream, and 750 feet on either side of the entire width of the dam downstream.

DATES AND TIMES OF CLOSURE: The entire closure area is to remain closed effective August 25, 2004, and remain closed indefinitely except as permitted as described below between the hours of 6 a.m. to 10 p.m. everyday.

ADDRESSES: A map is available for inspection at the Reclamation's Northern California Area Office, located at 16349 Shasta Dam Blvd., Shasta Lake, California, 96019.

FOR FURTHER INFORMATION CONTACT: Bureau of Reclamation, Mid-Pacific Region Public Affairs Office at 916–978–5100.

SUPPLEMENTARY INFORMATION: *Prohibited Acts:* The following acts are prohibited in the closure area.

(A) Operating a motorized vehicle of any kind, including stopping, standing, or parking in the closure area.

Exceptions: Motor vehicles may be operated within that portion of the closure area that includes the open parking lot immediately east of Shasta Dam in compliance with all signs and other directions posted or disclosed. This limited exception to the closure order may be revoked at any time to meet operational, security, or safety concerns as determined by the area manager or his/her designee. Also excepted are Reclamation employees acting within the scope of their employment; operations, maintenance, and construction personnel that have express authorization from Reclamation; law enforcement and fire department officials; and others who have received express written authorization from Reclamation to enter the closure area.

(B) Entering the closure area on foot, on bicycle, or by any other means.

Exceptions: Pedestrians and bicyclists may enter that portion of the closure area that includes the open parking lot immediately east of Shasta Dam, the visitor's center and the walkway across the dam as part of an officially approved tour group. All persons shall comply with all signs and other directions as posted or disclosed. This limited exception to the closure order may be revoked at any time to meet operational, security, or safety concerns as determined by the area manager or his/her designee.

(C) Operating a vessel, swimming, or scuba diving.

Exceptions: Reclamation employees acting within the scope of their employment; operations, maintenance, and construction personnel that have express authorization from Reclamation; law enforcement and fire department officials; and other who have received express written authorization from Reclamation to enter the closure area.

(D) Carrying or discharging firearms.

Exceptions: Law Enforcement, *i.e.* Federal, state, and local agencies and others who have received express written authorization from Reclamation to enter the closure area.

(E) Carrying or using any other type of weapons.

(F) Fires

Exceptions: Barbeques may be used on the lawn of the closure area immediately east of Shasta Dam. This limited exception to the closure order may be revoked at any time to meet operational, security, or safety concerns as determined by the area manager or his/her designee.

(G) Vandalism or destroying, injuring, defacing, or damaging property or real property that is not under one's lawful control or possession.

This order is posted in accordance with 43 CFR 423.3(b). Violation of this prohibition or any prohibition listed in 43 CFR 423 is punishable by fine or imprisonment for not more that 6 months, or both.

Dated: August 18, 2004.

Michael J. Ryan,

Area Manager, Northern California Area Office, Mid-Pacific Region.

[FR Doc. 04–19427 Filed 8–24–04; 8:45 am]

BILLING CODE 4310–MN–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–502]

Certain Automobile Tail Light Lenses and Products Incorporating Same; Notice of Commission Determination Not To Review the Initial Determination of the Presiding Administrative Law Judge Granting Summary Determination of Non Infringement; Termination of the Investigation

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the initial determination (ID) of the presiding administrative law judge (''ALJ'') granting summary determination of non infringement. This determination results in the termination of the above-captioned investigation. The Commission has also determined to grant complainants' motion to supplement their petition for review of the ID and to deny complainants' motion for leave to file a reply to the oppositions to their petition for review of the ID.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., telephone (202) 205–3104, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Copies of all 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 the matter can be obtained by contacting the Commission's TDD terminal at (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted the above-referenced investigation on January 7, 2004, under section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, based on a complaint filed by Jens Ole Sorensen and Jens E. Sorensen, as Trustee of the Sorensen Research and Development Trust. 69 FR 937. The Commission named Daimler-Chrysler AG of Stuttgart, Bade-Wuerttemberg, Germany and Mercedes-Benz USA, LLC of Montvale, New Jersey as respondents. *Id.*

On July 9, 2004, the ALJ issued an ID granting a motion filed by respondents for summary determination of non infringement. Complainants petitioned for review of the ID on July 22, 2004. On July 28, 2004, complainants filed a motion to supplement their petition. Respondent and the Commission investigative attorney filed separate oppositions to complainants' petition for review on July 29, 2004. Complainants filed a motion for leave to file a reply to the oppositions to their petition on August 5, 2004.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and section 210.42 (h) of the Commission's Rules of Practice, 19 CFR 210.75(h).

Issued: August 20, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04–19408 Filed 8–24–04; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–493]

Certain Zero-Mercury-Added Alkaline Batteries, Parts Thereof, and Products Containing Same; Notice of Commission Determination To Review a Final Initial Determination Finding a Violation of Section 337; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review in its entirety the final initial determination (ID) issued by the presiding administrative law judge (ALJ) on June 2, 2004, finding a violation of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, in the above-captioned investigation.

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 June 2, 2003, based on a complaint filed by Energizer Holdings, Inc. and Eveready Battery Company, Inc., both of St. Louis, Missouri. 68 FR 32771 (June 2, 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 zero-mercury-added alkaline batteries, parts thereof, and products containing same by reason of infringement of claims 1–12 of U.S. Patent No. 5,464,709 (''the '709 patent''). The complaint and notice of investigation named twenty-six respondents and were later amended to include an additional firm as a respondent. The investigation has been terminated as to claims 8–12 of the '709 patent. Several respondents have been terminated from the investigation for various reasons.

On June 2, 2004, the ALJ issued his final ID finding a violation of section 337. He also recommended the issuance of remedial orders. A number of the remaining respondents have petitioned for review of the ID. Complainants and the Commission investigative attorney have filed oppositions to those petitions.

Having examined the record in this investigation, including the ALJ's final ID, the petitions for review, and the responses thereto, the Commission has determined to review the final ID in its entirety.

On review, the Commission requests briefing based on the evidentiary record. While the Commission has determined to review the final ID in its entirety, it is particularly interested in briefing on the issues of claim construction and indefiniteness, especially with respect to the following terms of claim 1 of the '709 patent: ''said zinc anode''; ''has a gel expansion of less than 25%''; and ''after being discharged for 161 minutes to 15% depth of discharge at 2.88A''. In addressing the question of claim construction, each party should (1) Specifically identify those portions of the claim language, specification, and prosecution history (and other evidence, if appropriate) which support the construction it advocates, (2) state how the construction it advocates is supported by an adequate written description and enabling disclosure, and (3) demonstrate that the construction it advocates falls within the ambit of permissible claim construction, as opposed to impermissible redrafting of claim language. The Commission is also interested in receiving answers to the following questions:

1. With respect to the term ''after being discharged'' in claim 1, what is being discharged?
2. Whether and to what extent disclaimed claims 8–12 may be used in construing the remaining claims.
3. Whether and to what extent the prosecution history of the corresponding European patent (RX–4) may be used to construe the claims of the '709 patent.
4. What is meant by the term ''depth of discharge'' in claim 1?
5. Whether and how the asserted claims may be construed to cover rechargeable batteries.

In connection with the final disposition of this investigation, the Commission may (1) issue an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) issue one or more cease and desist orders that could result in respondents being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article