Planning, Environment, and Public Comment Web site at: *http://www.parkplanning.nps.gov/indu*. It can also be accessed through the Park's home page at *http://www.nps.gov/indu*. Copies may be obtained by making a request in writing or picked up in person at Indiana Dunes National Lakeshore, 1100 N. Mineral Springs Road, Porter, Indiana 46304; telephone (219) 926–7561, extension 225.

FOR FURTHER INFORMATION CONTACT: Superintendent Constantine Dillon, Indiana Dunes National Lakeshore, at the address above, or by telephone at (219) 926–7561, extension 225.

SUPPLEMENTARY INFORMATION: The National Park Service (NPS) has prepared a draft SRMP for Indiana Dunes National Lakeshore. The SRMP prescribes the resource conditions and restoration activities intended to maintain the shoreline over the next 15 to 20 years. The project area consists of four reaches of shoreline, Reaches 1 through 4, in an east-to-west direction. The park shoreline is not contiguous because of industrial and navigational structures, state park land, and other non-federal property.

The SRMP presents a range of reasonable management alternatives. Alternative A, the No-Action alternative, describes a continuation of current management practices, and is included as the baseline for comparing consequences of each alternative. Alternatives B, C, and D represent variations on beach nourishment activities. Alternatives B–1 and B–5 discuss beach nourishment using material from an upland source in 1- and 5-year frequencies. Beach nourishment using dredged materials in 1- and 5-year frequencies is described in Alternatives C–1 and C–5, and Alternative D outlines nourishment activities by way of a permanent sediment bypass system. Finally, the use of submerged beach-stabilizing structures is discussed in Alternative E.

The alternatives presented in this plan focus on balancing the quantities of sediment flowing through the shoreline reaches. Over the course of developing the SRMP, the alternatives were fine-tuned to accomplish this task and also address the protection of the shoreline from critical eroding areas, providing habitat opportunities, allowing for natural processes to continue, and rehabilitating the shoreline in a cost-effective manner.

For Reaches 1 and 2, the SRMP considered all alternatives and Alternative E has been selected as the Preferred Alternative. The NPS believes that this alternative provides the best combination of strategies to protect the park's unique resources and visitor experience, while improving the park's operational sustainability. Implementation of the Preferred Alternative in Reaches 1 and 2 would offer a high level of protection of natural resources along the shoreline while providing for a wide range of beneficial uses of the environment.

For Reaches 3 and 4, only dredged sources and the sediment bypass system were viable alternatives (no submerged beach-stabilizing structures in these reaches), and Alternative C–5 has been selected as the Preferred Alternative because the NPS believes that it provides for the most cost efficient and greatest potential for both foredune creation and providing protection from major storm events.

The SRMP describes the potential environmental consequences of the alternatives on coastal processes, including sediment transport and dune formation, aquatic fauna, terrestrial habitat, threatened and endangered plant and animal species, wetlands and pannes, soundscape, visitor experience, and park operations.

The SRMP also presents a discussion on terrestrial management practices as they relate to the visitor experience. As the park is a popular destination for millions of people, the impacts of human activities on the natural resources of the park are ever-present and additive.

We welcome comments on the SRMP. Before including your address, telephone number, electronic mail address, or other personal identifying information in your comments, 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 comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. We will make all submissions from organizations or businesses, from individuals identifying themselves as representatives or officials, of organizations or businesses, available for public inspection in their entirety.

Dated: July 27, 2012.

Michael T. Reynolds,

Regional Director, Midwest Region.

[FR Doc. 2012–22557 Filed 9–12–12; 8:45 am]

BILLING CODE 4310– FH–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–784]

Certain Light-Emitting Diodes and Products Containing the Same; Determination To Review a Final Initial Determination in Part and Set a Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review in part the final initial determination (''ID'') issued by the presiding administrative law judge (''ALJ'') on July 9, 2012, in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–3115. Copies of non-confidential 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 at *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 under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on July 11, 2011, based on two complaints filed by OSRAM GmbH of Munich, Germany (''OSRAM''), alleging, *inter alia,* a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain light-emitting diodes and products containing same by reason of infringement of certain claims of U.S. Patent Nos. 6,849,881 (''the '881 patent''); 6,975,011 (''the '011 patent''); 7,106,090 (''the '090 patent''); 7,151,283 (''the '283 patent''); and 7,271,425 (''the '425 patent''). 76 FR 40746 (July 11,

2011). Subsequently, the '881, the '090, and the '011, as well as certain claims of the '283 and '425 patents, were terminated from the investigation. The respondents are LG Electronics and LG Innotek Co., Ltd., both of Seoul, Republic of Korea; LG Electronics U.S.A., Inc. of Englewood Cliffs, New Jersey; and LG Innotek U.S.A., Inc. of San Diego, California (collectively, ''LG''). *Id.* The Office of Unfair Import Investigations was not named as a party to the investigation.

The evidentiary hearing in this investigation was held from April 26 through May 2, 2012. On July 9, 2012, the ALJ issued the final ID finding a violation of section 337. The ALJ issued his recommended determination on remedy and bonding on July 23, 2012. Respondent LG filed a timely petition for review of various portions of the final ID, and complainant OSRAM filed a timely response to the petition.

Having examined the record in this investigation, including the ALJ's final ID, the petition for review, and the response thereto, the Commission has determined to review:

(I) The ALJ's determination that OSRAM met the economic prong of the domestic industry requirement with respect to both asserted patents;

(II) With respect to the '283 patent:

(a) the ALJ's determination that claims 1, 3, 4, 6, 8, 22, 24, 25, 26, 29, 32, 33, and 34 of the '283 patent are not rendered obvious in view of prior art references Japanese Patent (''JP'') 345, JP 609, JP 794, and Hewes;

(b) the ALJ's determination that claim 34 of the '283 patent is not rendered obvious in view of prior art references Nikkei Article, Stevenson, Blasse, and Hewes;

(c) the ALJ's determination that claim 34 of the '283 patent is not rendered obvious in view of prior art references JP 609, Nikkei Article, Blasse, and Hewes.

The Commission has determined not to review the remainder of the final ID. The parties are requested to brief their positions on only the following issues, with reference to the applicable law and the evidentiary record:

(1) With respect to the economic prong of the domestic industry requirement:

(a) Please identify the record evidence showing that the products on which OSRAM relies for the purpose of demonstrating that it met the economic prong of the domestic industry requirement are protected by the '283 patent, as required by 19 U.S.C. 1337(a)(3);

(b) Please identify the record evidence showing that, with respect to its products protected by the '283 patent, OSRAM made qualifying investments in the '283 patent's exploitation, including engineering, research and development, as required by 19 U.S.C. 1337(a)(3)(C);

(c) Please identify the record evidence showing that OSRAM's qualifying investment in the '283 patent's exploitation, including engineering, research and development, with respect to OSRAM's products protected by the '283 patent is substantial, as required by 19 U.S.C. 1337(a)(3)(C).

(2) With respect to the '283 patent:

(a) Does the record evidence, including the disclosure in JP 609 (*see* RX–105), and OSRAM's arguments made before the European Patent Office (*see* RX–118) and USPTO (*see* RX–10002), show that JP 609 teaches a ''partial conversion'' of light?

(b) Does the record evidence, including the disclosure in the Nikkei Article (*see* RX–108), and OSRAM's arguments made before the European Patent Office (*see* RX–118), show that the Nikkei Article teaches a ''partial conversion'' of light?

(c) Assuming the evidence demonstrates that JP 609 or the Nikkei Article discloses partial conversion, please identify the record evidence that demonstrates that one of ordinary skill in the art would have been motivated to combine: (i) JP 345 (*see* RX–107), JP 609, JP 794 (*see* RX–106), and Hewes (*see* RX–101); (ii) the Nikkei Article, Stevenson (*see* RX–109), Blasse (*see* RX–110), and Hewes; or (iii) JP 609, the Nikkei Article, Blasse, and Hewes, to arrive at the claimed inventions of the '283 patent.

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 the respondent 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 from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or are likely to do so. For background, see *Certain Devices for Connecting Computers via Telephone Lines,* Inv. No. 337–TA–360, USITC Pub. No. 2843, Comm'n Op. at 7–10 (Dec. 1994).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the President has 60 days to approve or disapprove the Commission's action. During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed.

Written Submissions: The parties to the investigation are requested to file written submissions on the issues under review. The submissions should be concise and thoroughly referenced to the record in this investigation. Parties to the investigation, interested government agencies, and any other interested persons are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the recommended determination by the ALJ on remedy and bonding. Complainant is also requested to submit proposed remedial orders for the Commission's consideration. Complainant is further requested to provide the expiration date of the '283 patent and state the HTSUS subheading(s) under which the accused articles are imported. The written submissions and proposed remedial orders must be filed no later than the close of business on September 21, 2012. Reply submissions must be filed no later than the close of business on September 28, 2012. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR

210.4(f)). Submissions should refer to the investigation number (''Inv. No. 337–TA–784'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, *http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf*). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. A redacted non-confidential version of the document must also be filed simultaneously with the any confidential filing. All non-confidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in sections 210.42-.46 of the Commission's Rules of Practice and Procedure (19 CFR 210.42-.46).

By order of the Commission.

Issued: September 7, 2012.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2012–22517 Filed 9–12–12; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Antitrust Division

United States v. Humana Inc. and Arcadian Management Services, Inc.; Public Comment and Response on Proposed Final Judgment

Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)–(h), the United States hereby publishes below the comment received on the proposed Final Judgment in *United States* v. *Humana Inc. and Arcadian Management Services, Inc.,* Civil Action No: 12–cv–464–RBW, which was filed in the United States District Court for the District of Columbia on September 5, 2012 together with the Response of the United States to the comment.

Copies of the comment and the response are available for inspection at the Department of Justice Antitrust Division, 450 Fifth Street NW., Suite 4100, Washington, DC 20530 (telephone: 202–307–6456), on the Department of Justice's Web site at *http://www.justice.gov/atr,* and at the Office of the Clerk of the United States District Court for the District of Columbia, 333 Constitution Avenue NW., Washington, DC 20001. Copies of any of these materials may be obtained upon request and payment of a copying fee.

Patricia A. Brink,

Director of Civil Enforcement.

United States District Court for the District of Columbia

United States of America, Plaintiff, v. *Humana Inc. and Arcadian Management Services, Inc.,* Defendants.

Case: 1:12–cv–00464 (RBW).

Response of Plaintiff United States to Public Comment On the Proposed Final Judgment

Pursuant to the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)–(h) (''APPA'' or ''Tunney Act''), the United States hereby responds to the public comment received regarding the proposed Final Judgment in this case. The single comment received agrees that the proposed Final Judgment will provide an effective and appropriate remedy for the antitrust violations alleged in the Complaint. The United States will move the Court for entry of the proposed Final Judgment after the public comment and this response have been published in the **Federal Register**, pursuant to 15 U.S.C. 16(d).

I. Procedural History

On August 24, 2011, Humana Inc. (''Humana'') and Arcadian Management Services, Inc. (''Arcadian'') entered into a merger agreement whereby Humana agreed to acquire all of the outstanding shares of Arcadian for approximately $150 million. The United States filed a civil antitrust Complaint on March 27, 2012, seeking to enjoin Humana from acquiring Arcadian, alleging that the acquisition likely would substantially lessen competition in the sale of individual Medicare Advantage plans in forty-five counties and parishes in Arizona, Arkansas, Louisiana, Oklahoma, and Texas (''the relevant geographic markets''), in violation of Section 7 of the Clayton Act, 15 U.S.C. 18. At the time the complaint was filed, Humana provided health insurance to approximately 35,000 Medicare Advantage enrollees in the relevant geographic markets, and Arcadian provided health insurance to over 14,700 Medicare Advantage enrollees in those markets. The loss of competition from the acquisition likely would have resulted in higher premiums and reduced benefits and services in the relevant geographic markets.

Simultaneously with the filing of the Complaint, the United States filed a proposed Final Judgment and Stipulation signed by the Plaintiffs and the Defendants consenting to entry of the proposed Final Judgment after compliance with the requirements of the Tunney Act, 15 U.S.C. 16. Pursuant to those requirements, the United States also filed its Competitive Impact Statement (''CIS'') with the Court on March 27, 2012; published the proposed Final Judgment and CIS in the **Federal Register** on April 4, 2012, see 77 FR 20419; and had summaries of the terms of the proposed Final Judgment and CIS, together with directions for the submission of written comments relating to the proposed Final Judgment, published in The Washington Post on May 5, 7, 8, 9, 10, 11, and 12 of 2012. The sixty-day period for public comment ended on July 9, 2012. The United States received one comment, as described below and attached hereto.

II. The Investigation and the Proposed Resolution

The proposed Final Judgment is the culmination of an investigation by the Antitrust Division of the United States Department of Justice (''Department'') of the Agreement between defendants described above. As part of its investigation, the Department issued seven Civil Investigative Demands and conducted more than fifty-three interviews of health-insurance competitors, brokers, customers, and other individuals with knowledge of the health-insurance industry. The Department carefully analyzed the information obtained and thoroughly considered all of the issues presented.

The Department found that, in each relevant geographic market, the proposed acquisition would have eliminated substantial head-to-head competition between Humana and Arcadian in the provision of Medicare Advantage plans. This competition significantly benefited thousands of seniors. If Defendants had completed the proposed transaction as structured, the loss of competition likely would have resulted in higher premiums and reduced benefits for seniors enrolled in Medicare Advantage plans in the relevant geographic markets.

After reviewing the investigative materials, the Department determined that the proposed transaction violated Section 7 of the Clayton Act, 15. U.S.C. 18. The proposed Final Judgment will eliminate the anticompetitive effects identified in the Complaint by requiring the Defendants to divest Arcadian's individual Medicare Advantage business in 34 of the 45 relevant geographic markets, and Humana's individual Medicare Advantage business in 11 of them (collectively ''the Divestiture Assets'') to one or more acquirers approved by, and on terms acceptable to, the United States. Specifically, the divestitures will eliminate the anticompetitive effects alleged in the Complaint by requiring the Defendants to divest one or more Medicare Advantage plans in each relevant geographic market to an acquirer that will compete vigorously with the merged Humana-Arcadian. The divestitures are designed to allow the acquirers of the assets to offer uninterrupted care to members of Arcadian's and Humana's divested Medicare Advantage plans.

The Divestiture Assets include all of Arcadian's and Humana's rights and obligations under the relevant Arcadian or Humana contracts with the Center for