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## II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), we invite public comment on these permit applications before final action is taken. Under the MMPA, you may request a hearing on any MMPA application received. If you request a hearing, give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Service Director.

## III. Permit Applications

### A. Endangered Species

*Applicant:* IDEXX Reference Laboratories, Westbrook, ME; PRT-57489C

The applicant requests a permit to import blood samples derived from captive-bred black rhinoceros (*Diceros bicornis*) from African Safari, Puebla, Mexico, for scientific research. This notification is for a single import.

*Applicant:* American Museum of Natural History, New York, NY; PRT-26682C

The applicant requests a permit to export, re-export, and import biological samples, parts, and products from live, dead, wild, and captive-born endangered mammals (excluding marine mammals), birds, reptiles, fish, amphibians, and invertebrates from

worldwide locations for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

*Applicant:* OdySea Aquarium, Scottsdale, AZ; PRT-62534C

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the African penguin (*Spheniscus demersus*) to enhance species propagation or survival. This notification covers activities to be conducted by the applicant over a 5-year period.

*Applicant:* East Texas Ranch, LP, Athens, TX; PRT-37142A

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the barasingha (*Rucervus duvaucelii*) to enhance species propagation or survival. This notification covers activities to be conducted by the applicant over a 5-year period.

*Applicant:* East Texas Ranch, LP, Athens, TX; PRT-51951C

The applicant requests a permit authorizing the culling of excess barasingha (*Rucervus duvaucelii*) from the captive herd maintained at their facility, to enhance the species' propagation and survival. This notification covers activities to be conducted by the applicant over a 5-year period.

### Multiple Trophies

The following applicants each request a permit to import sport-hunted trophies of a male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancing the propagation or survival of the species.

*Applicant:* Alan Long, Talala, OK; PRT-63010C

*Applicant:* Michael Towbin, Kirkland, WA; PRT-59012C

*Applicant:* Terry Anderson, Bozeman, MT; PRT-52689C

*Applicant:* Robert Gwin, Oklahoma City, OK; PRT-55023C

*Applicant:* Scott Roleson, Whiting, NJ; PRT-54410C

### B. Marine Mammals

*Applicant:* USGS-Southeast Ecological Science CTR, Gainesville, FL; PRT-791721

The applicant requests authorization to renew and amend their permit to export, import, and re-export biological samples of live and dead Sirenia (all species of manatees and dugongs, including *Trichechus manatus*

*latirostris*, *T. m. manatus*, *Trichechus inunguis*, *Trichechus senegalensis*, and *Dugong dugon*) for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period. Concurrent with publishing this notice in the **Federal Register**, we are forwarding copies of the above applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

## IV. Next Steps

If the Service decides to issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**. You may locate the **Federal Register** notice announcing the permit issuance date by searching <http://www.regulations.gov> under the permit number listed in this document (e.g., PRT-12345c).

## V. Authority

Endangered Species Act of 1973 as amended (16 U.S.C. 1531 *et seq.*); Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 *et seq.*).

### Joyce Russell,

*Government Information Specialist, Branch of Permits, Division of Management Authority.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-1353 and 1356 (Final)]

### Carbon and Certain Alloy Steel Wire Rod From South Africa and Ukraine

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that an industry in the United States is materially injured by reason of imports of carbon and certain alloy steel wire rod from South Africa and Ukraine, provided for in subheadings 7213.91.30, 7213.91.45, 7213.91.60, 7213.99.00, 7227.20.00, and 7227.90.60 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

("Commerce") to be sold in the United States at less than fair value ("LTFV").<sup>2</sup>

## Background

The Commission, pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)), instituted these investigations effective March 28, 2017, following receipt of a petition filed with the Commission and Commerce by Charter Steel, Saukville, Wisconsin; Gerdau Ameristeel US Inc., Tampa, Florida; Keystone Consolidated Industries, Inc., Peoria, Illinois; and Nucor Corporation, Charlotte, North Carolina. The Commission scheduled the final phase of the investigations following notification of preliminary determinations by Commerce that imports of carbon and certain alloy steel wire rod from South Africa and Ukraine were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of September 20, 2017 (82 FR 44001). The hearing was held in Washington, DC, on November 16, 2017 and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made these determinations pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)). It completed and filed its determinations in these investigations on March 1, 2018. The views of the Commission are contained in USITC Publication 4766, March 2018, entitled *Carbon and Certain Alloy Steel Wire Rod from South Africa and Ukraine: Investigation Nos. 731-TA-1353 and 1356 (Final)*.

By order of the Commission.

Issued: March 1, 2018.

**Lisa R. Barton,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### **United States et al. v. W.A. Foote Memorial Hospital, d/b/a Allegiance Health; 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, Notification of Settlement and Explanation of Consent Decree Procedures, and Competitive Impact Statement have been filed with the United States District Court for the Eastern District of Michigan in *United States and State of Michigan v. W.A. Foote Memorial Hospital*, Civil Action No. 15-cv-12311 (JEL) (DRG). On June 25, 2015, the United States and the State of Michigan filed a Complaint alleging that Defendant W.A. Foote Memorial Hospital d/b/a Allegiance Health ("Allegiance") entered into an agreement with Hillsdale Community Health Center that unlawfully allocated customers in violation of Section 1 of the Sherman Act, 15 U.S.C. 1, and 2 of the Michigan Antitrust Reform Act, MCL 445.772. The proposed Final Judgment, filed February 9, 2018, prohibits Allegiance from agreeing with other healthcare providers to prohibit or limit marketing or to divide any geographic market or territory. The proposed Final Judgment also prohibits Allegiance from communicating with competing healthcare systems regarding its marketing plans, with limited exceptions. The proposed Final Judgment also imposes an antitrust compliance officer and other training and monitoring requirements on Allegiance.

Copies of the Complaint, proposed Final Judgment, and Competitive Impact Statement are available for inspection on the Antitrust Division's website at <http://www.justice.gov/atr>, and at the Office of the Clerk of the United States District Court for the Eastern District of Michigan. Copies of these materials may be obtained from the Antitrust Division upon request and payment of the copying fee set by Department of Justice regulations.

Public comment on the proposed Final Judgment is invited within 60 days of the date of this notice. Such comments, including the name of the submitter, and responses thereto, will be posted on the Antitrust Division's website, filed with the Court, and, under certain circumstances, published in the **Federal Register**. Comments should be directed to Peter J. Mucchetti, Chief, Healthcare & Consumer Products

Section, Antitrust Division, Department of Justice, 450 Fifth Street NW, Suite 4100, Washington, DC 20530 (telephone: 202-307-0001).

**Patricia A. Brink,**

*Director of Civil Enforcement.*

#### **UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN**

*United States of America and State of Michigan, and Plaintiffs, v. Hillsdale Community Health Center, W.A. Foote Memorial Hospital, D/B/A Allegiance Health, Community Health Center of Branch County, and ProMedica Health System, Inc., Defendants.*

Case No.: 2:15-cv-12311-JEL-DRG

Hon. Judith E. Levy

Mag. Judge David R. Grand

#### **COMPLAINT**

The United States of America and the State of Michigan bring this civil antitrust action to enjoin agreements by Defendants Hillsdale Community Health Center ("Hillsdale"), W.A. Foote Memorial Hospital, d/b/a Allegiance Health ("Allegiance"), Community Health Center of Branch County ("Branch"), and ProMedica Health System, Inc. ("ProMedica") (collectively, "Defendants") that unlawfully allocate territories for the marketing of competing healthcare services and limit competition among Defendants.

#### **NATURE OF THE ACTION**

1. Defendants are healthcare providers in Michigan that operate the only general acute-care hospital or hospitals in their respective counties. Defendants directly compete with each other to provide healthcare services to the residents of south-central Michigan. Marketing is a key component of this competition and includes advertisements, mailings to patients, health fairs, health screenings, and outreach to physicians and employers.

2. Allegiance, Branch, and ProMedica's Bixby and Herrick Hospitals ("Bixby and Herrick") are Hillsdale's closest Michigan competitors. Hillsdale orchestrated agreements to limit marketing of competing healthcare services. Allegiance explained in a 2013 oncology marketing plan: "[A]n agreement exists with the CEO of Hillsdale Community Health Center, Duke Anderson, to not conduct marketing activity in Hillsdale County." Branch's CEO described the Branch agreement with Hillsdale as a "gentlemen's agreement not to market services." A ProMedica communications specialist described the ProMedica agreement with Hillsdale

<sup>2</sup> The Commission also finds that imports of wire rod subject to Commerce's affirmative critical circumstances determination are not likely to undermine seriously the remedial effect of the antidumping duty order on South Africa.