

Wade Oval Drive, Cleveland, OH 44106, telephone (216) 231-4600 Ext. 3301, email [bredmond@cmnh.org](mailto:bredmond@cmnh.org) or Amanda McGee, telephone (216) 231-4600 Ext. 3275, email [amcgee@cmnh.org](mailto:amcgee@cmnh.org).

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the Cleveland Museum of Natural History, Cleveland, OH, that meet the definition of unassociated funerary objects and sacred objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

#### Consultation

A detailed assessment of the cultural items was made by CMNH staff in consultation with representatives of the Office of Hawaiian Affairs (OHA).

#### History and Description of the Cultural Items

In 1935, six Hawaiian burial tapa cloths were removed from ancient Native Hawaiian corpses in burial caves on Hawai'i Island by Glenn W. Russ of the Bernice Pauahi Bishop Museum (BPBM). The exact location of the burial caves is unknown. At some time soon after the collection of the burial cloths, Russ transferred them to D' Alte Welch, who also worked at BPBM. In 1976, Welch, who became a professor at John Carroll University in Ohio, donated the burial tapas to CMNH. The accession numbers for these six items are #1976-03: CMNH #s 8460, 8464, 8470, 8476, 8480, 8482. Welch also donated to CMNH one 22-page scrapbook (CMNH #8458) containing burial tapa fragments.

In the early 20th century, one cultural item, a "Hawaiian necklace" (lei niho palaoa) made of human hair, was acquired by Mrs. H.F. Lyman. It is unknown from where in Hawaii the lei niho palaoa had been removed or the circumstances of its removal. In 1922, Mrs. Lyman donated the lei niho palaoa to CMNH (accession #7, CMNH# 1682). CMNH has determined that the lei niho palaoa is authentic and is used in traditional Native Hawaiian religious ceremonies.

#### Determinations Made by the Cleveland Museum of Natural History

The Cleveland Museum of Natural History have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the one 22-page scrapbook of burial tapa fragments and the six burial tapa cloths described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of Native Hawaiian individuals.

- Pursuant to 25 U.S.C. 3001(3)(C), the one lei niho palaoa described above is a specific ceremonial object needed by traditional Native Hawaiian religious leaders for the practice of traditional Native Hawaiian religions by their present-day adherents.

- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the cultural objects and the Office of Hawaiian Affairs.

#### Additional Requestors and Disposition

Lineal descendants or representatives of any Native Hawaiian organization not identified in this notice that wish to submit a claim for these cultural items should submit a written request with information in support of the claim to Dr. Brian Redmond, Cleveland Museum of Natural History, 1 Wade Oval Drive, Cleveland, OH 44106, telephone (216) 231-4600 Ext. 3301, email [bredmond@cmnh.org](mailto:bredmond@cmnh.org) or Amanda McGee, telephone (216) 231-4600 Ext. 3275, email [amcgee@cmnh.org](mailto:amcgee@cmnh.org), by January 4, 2021. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects and the sacred object to the Office of Hawaiian Affairs listed in this notice may proceed.

The Cleveland Museum of Natural History is responsible for notifying the Office of Hawaiian Affairs that this notice has been published.

Dated: November 24, 2020.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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**BILLING CODE 4312-52-P**

#### DEPARTMENT OF THE INTERIOR

##### Bureau of Ocean Energy Management

#### Gulf of Mexico, Outer Continental Shelf, Geological and Geophysical Activities: Western, Central, and Eastern Planning Areas; Final Programmatic Environmental Impact Statement

**AGENCY:** Bureau of Ocean Energy Management, Interior.

**ACTION:** Notice of availability of a record of decision.

**SUMMARY:** The Bureau of Ocean Energy Management (BOEM) is announcing the availability of a Record of Decision for the final programmatic environmental impact statement (EIS) for proposed geological and geophysical (G&G) activities on the Gulf of Mexico (GOM) Outer Continental Shelf (OCS). This Record of Decision identifies BOEM's selected alternative for conducting proposed G&G activities on the Gulf of Mexico OCS, which is analyzed in the *Gulf of Mexico OCS Proposed Geological and Geophysical Activities: Western, Central, and Eastern Planning Areas; Final Programmatic Environmental Impact Statement* (Programmatic EIS). The Record of Decision and associated information are available on BOEM's website at <http://www.boem.gov/or> <https://www.boem.gov/regions/gulf-mexico-ocs-region/resource-evaluation/gulf-mexico-geological-and-geophysical-gg>.

**FOR FURTHER INFORMATION CONTACT:** For more information on the Record of Decision, you may contact Ms. Helen Rucker, Chief, Environmental Assessment Section, Office of Environment, by telephone at 504-736-2421 or by email at [helen.rucker@boem.gov](mailto:helen.rucker@boem.gov).

**SUPPLEMENTARY INFORMATION:** The Programmatic EIS addresses potential environmental impacts of BOEM's Oil and Gas, Renewable Energy, and Marine Minerals Programs, and focuses particularly on the environmental impacts of off-lease and on-lease geological (bottom sampling and test drilling) and geophysical (deep-penetration, high-resolution geophysical (HRG), electromagnetic, deep stratigraphic, and remote sensing) surveys. The area evaluated (*i.e.*, Area of Interest or AOI) includes the OCS waters that are within BOEM's Gulf of Mexico planning areas (*i.e.*, Western, Central, and Eastern Planning Areas). The AOI also includes, for purposes of the analysis, the coastal waters of Texas, Louisiana, Mississippi, Alabama, and Florida extending from the coastline

outside of estuaries seaward 3 nautical miles (nmi) (3.5 miles [mi]; 5.6 kilometers [km]) from Louisiana, Mississippi, and Alabama, or 9 nmi (10.4 mi; 16.7 km) from Texas and Florida to the limit of State jurisdiction.

In the Programmatic EIS, BOEM evaluated seven alternatives. All but the No Action Alternative focused on mitigation measures to avoid or reduce the potential environmental impacts that could result from future G&G activities in the GOM. The Programmatic EIS and Record of Decision are available at <https://www.boem.gov/regions/gulf-mexico-ocs-region/resource-evaluation/gulf-mexico-geological-and-geophysical-gg>.

After careful consideration, the Record of Decision identifies BOEM's selection of Alternative C of the Programmatic EIS. Under Alternative C, G&G activities would continue to be permitted and authorized, and would include the mitigation measures, monitoring, reporting, survey protocols, and guidance that were in place prior to the settlement agreement in *Natural Resources Defense Council Ins., et al., v. Bernhardt, et al., Defendants and API, et al., Intervenor, Defendants, No. 2:10-cv-01882 (E.D. La.)*, as well as additional mitigation and temporal measures for survey protocols for seismic airgun and nonairgun HRG surveys. While BOEM is selecting Alternative C at this programmatic stage, rather than adopting the non-airgun, HRG survey protocol (as described in Appendix B of the Programmatic EIS), the protocol will be reserved, considered, and applied at the site-specific stage, on an as-needed basis, to further minimize the potential for injury to marine mammals and sea turtles. BOEM's selection of the Preferred Alternative meets the purpose of and need for the proposed action, balances regional and national policy considerations, and includes appropriate measures to minimize potential environmental and socioeconomic impacts. This decision does not by itself authorize any activities. The mitigation measures contemplated in Alternative C may be supplemented by additional requirements or tailored as site-specific circumstances warrant in permits or other specific authorizations after BOEM completes additional environmental review.

**Authority:** This Notice of Availability of a Record of Decision is published pursuant to the regulations (40 CFR part 1503; 1978, as amended in 1986 and 2005) implementing the provisions of the National Environmental Policy Act

of 1969, as amended (42 U.S.C. 4321 *et seq.*).

**Michael A. Celata,**

*Regional Director, New Orleans Office.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1220]

### Certain Filament Light-Emitting Diodes and Products Containing Same (II); Notice of Commission Decision Not To Review an Initial Determination Granting a Motion to Intervene

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 14) of the presiding administrative law judge ("ALJ") granting a motion to intervene filed by non-party Signify North America Corp. ("Signify").

**FOR FURTHER INFORMATION CONTACT:** Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.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:** On October 5, 2020, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), based on a complaint filed by The Regents of the University of California ("Complainant"). See 85 FR 62761-62 (Oct. 5, 2020). The complaint, as supplemented, alleges a violation of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain filament light-emitting diodes and products containing the same by

reason of infringement of certain claims of U.S. Patent Nos. 9,240,529; 9,859,464; 10,593,854; 10,644,213; and 10,658,557. See *id.* The notice of investigation names the following respondents: General Electric Company of Boston, Massachusetts; Consumer Lighting (U.S.) LLC, d/b/a GE Lighting of Cleveland, Ohio; Savant Systems, Inc. of Hyannis, Massachusetts; Home Depot Product Authority, LLC; Home Depot U.S.A., Inc.; and The Home Depot, Inc. of Atlanta, Georgia; Feit Electric Company, Inc. of Pico Rivera, California; Satco Products, Inc. of Brentwood, New York; IKEA Supply AG of Pratteln, Switzerland; IKEA U.S. Retail LLC of Conshohocken, Pennsylvania; and IKEA of Sweden AB of Almhult, Sweden. See *id.* The Office of Unfair Import Investigations ("OUII") is also a party to the investigation. See *id.*

On October 26, 2020, Signify filed a motion to intervene in this investigation pursuant to Commission Rule 210.19 (19 CFR 210.19). Signify argued that its motion is timely and that "[i]ntervention is necessary so that Signify may properly defend its LED products that are alleged to be imported and/or sold after importation by the Home Depot Respondents." See Mot. at 1. No party opposed the motion to intervene except that Complainant argued that Signify should not be allowed to intervene as to the issue of domestic industry because Signify's interests on that issue are adequately represented by the existing parties. See Complainant's Resp. at 3 (Nov. 2, 2020). On November 2, 2020, OUII filed a response in support of the motion to intervene.

On November 5, 2020, the ALJ issued the subject ID (Order No. 14) granting Signify's motion to intervene. The ID notes that "[n]o party disputes that Signify should be allowed to intervene." See ID at 2. The ID finds that "Signify may fully participate as a party in the investigation, including with respect to all claims and defenses at issue in the investigation." See *id.* No petition for review of the subject ID was filed.

The Commission has determined not to review the subject ID. Signify is an intervenor in this investigation.

The Commission's vote for this determination took place on November 30, 2020.

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 part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).