

pottery, as well as Millville Phase Middle Woodland artifacts.

Between 1967–1972, human remains representing, at minimum, five individuals were removed from the Brogley Rockshelter in Grant County, WI. The partial and fragmentary skeletal remains belong to one adult of unknown sex, one subadult of unknown sex, one young child, and two fetuses. No known individuals were identified. No associated funerary objects are present.

The Brogley Rockshelter (47GT156) is a rock overhang located on the west bank of the Platte River. It was excavated between 1967–1972 by the Platteville Student Archeologists under the direction of avocational archeologist Robert Nelson, and in the summer of 1972 by a UW-Madison graduate student, Donna Scott. Deeply stratified cultural deposits of Early-Middle Archaic through Late Woodland stages were identified. The upper levels of the site had been disturbed by looting and a tunnel at the rear of the overhang had been dug by spelunkers prior to 1965. The five individuals were believed to be recovered from this spelunker tunnel prior to the excavations. The human remains were identified during a 2012 rehousing project and are presumed to have been curated at the University of Wisconsin-Madison, Department of Anthropology since the conclusion of the excavations.

#### **Determinations Made by the University of Wisconsin-Madison, Department of Anthropology**

Officials of the University of Wisconsin-Madison, Department of Anthropology have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on an examination by a physical anthropologist and the recovery from known archeological sites with recorded documentation of prehistoric Native American occupations.

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of six individuals of Native American ancestry.

- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian Tribe.

- According to final judgments of the Indian Claims Commission or the Court of Federal Claims, the land from which the Native American human remains were removed is the aboriginal land of the Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin; Bay Mills

Indian Community, Michigan; Chippewa Cree Indians of the Rocky Boy's Reservation, Montana [previously listed as Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana]; Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community, Wisconsin; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Hannahville Indian Community, Michigan; Ho-Chunk Nation of Wisconsin; Keweenaw Bay Indian Community, Michigan; Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin; Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin; Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan; Matche-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Minnesota Chippewa Tribe, Minnesota (Six component reservations: Bois Forte Band (Nett Lake); Fond du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band); Nottawaseppi Huron Band of the Potawatomi, Michigan [previously listed as Huron Potawatomi, Inc.]; Ottawa Tribe of Oklahoma; Pokagon Band of Potawatomi Indians, Michigan and Indiana; Prairie Band Potawatomi Nation [previously listed as Prairie Band of Potawatomi Nation, Kansas]; Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona; Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin; Red Lake Band of Chippewa Indians, Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Saginaw Chippewa Indian Tribe of Michigan; Sault Ste. Marie Tribe of Chippewa Indians, Michigan; Sokaogon Chippewa Community, Wisconsin; St. Croix Chippewa Indians of Wisconsin; Turtle Mountain Band of Chippewa Indians of North Dakota; and the Winnebago Tribe of Nebraska (hereafter referred to as "The Tribes").

- Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains may be to The Tribes.

#### **Additional Requestors and Disposition**

Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Sissel Schroeder, University of Wisconsin-Madison, Department of Anthropology, 1180 Observatory Drive, 5240 Social Sciences Building, Madison, WI 53706, telephone (608) 262–0317, email [\[wisc.edu\]\(mailto:wisc.edu\), by June 21, 2021. After that date, if no additional requestors have come forward, transfer of control of the human remains to The Tribes may proceed.](mailto:sschroeder2@</a></p>
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The University of Wisconsin-Madison Department of Anthropology is responsible for notifying The Tribes and The Consulted and Invited Tribes that this notice has been published.

Dated: May 6, 2021.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

[FR Doc. 2021–10655 Filed 5–19–21; 8:45 am]

**BILLING CODE 4312–52–P**

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## **INTERNATIONAL TRADE COMMISSION**

**[Investigation No. 731–TA–125 (Fifth Review)]**

### **Potassium Permanganate From China; Notice of Commission Determination To Conduct a Full Five-Year Review**

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission hereby gives notice that it will proceed with a full review pursuant to the Tariff Act of 1930 to determine whether revocation of the antidumping duty order on potassium permanganate from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the review will be established and announced at a later date.

**DATES:** May 7, 2021.

**FOR FURTHER INFORMATION CONTACT:**

Kristina Lara (202–205–3386), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part

201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**SUPPLEMENTARY INFORMATION:** On May 7, 2021, the Commission determined that it should proceed to a full review in the subject five-year review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)). The Commission found that both the domestic and respondent interested party group responses to its notice of institution (86 FR 7743, February 1, 2021) were adequate. A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.

**Authority:** This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: May 17, 2021.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2021-10647 Filed 5-19-21; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1088 (Rescission)]

### Certain Road Construction Machines and Components Thereof; Commission Decision To Institute a Rescission Proceeding; Permanent Rescission of a Limited Exclusion Order and Cease and Desist Order; Termination of the Rescission Proceeding

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to institute a proceeding to determine whether to permanently rescind the Commission's limited exclusion order ("LEO") and cease and desist order ("CDO") issued in the above-captioned investigation. The LEO and the CDO are permanently rescinded. The rescission proceeding is terminated.

**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>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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 November 29, 2017, based on a complaint, as supplemented, filed by Caterpillar Inc. of Peoria, Illinois and Caterpillar Paving Products, Inc. of Minneapolis, Minnesota (collectively, "Caterpillar"). See 82 FR 56625-26 (Nov. 29, 2017). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337) ("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 road construction machines and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 7,140,693 ("the '693 patent"); 9,045,871; and 7,641,419. See *id.* The notice of investigation identifies the following respondents: Wirtgen GmbH of Windhagen, Germany; Joseph Vögele AG of Ludwigshafen, Germany; Wirtgen Group Holding GmbH of Windhagen, Germany; and Wirtgen America, Inc. of Antioch, Tennessee ("Wirtgen America") (collectively, "Wirtgen"). See *id.* The Office of Unfair Import Investigations is not a party to this investigation. See *id.*

On June 27, 2019, the Commission found a violation of section 337 based on the infringement of claim 19 of the '693 patent and issued an LEO against the infringing articles and a CDO against Wirtgen America (collectively, "the remedial orders"). See 84 FR 31910-11 (July 3, 2019).

On January 16, 2020, the Commission instituted a modification proceeding to determine whether Wirtgen's redesigned series 1810 machines infringe claim 19 of the '693 patent. On August 31, 2020, the Commission determined that Wirtgen's redesigned machines do not infringe and issued modified remedial orders exempting the redesigned machines from the scope of the orders. See 85 FR 55320-21 (Sept. 4, 2020).

On April 29, 2021, Caterpillar and Wirtgen filed a joint petition to rescind the remedial orders. Commission Rule 210.76(a)(1), 19 CFR 210.76(a)(1), permits rescission of Commission remedial orders on the basis of "changed conditions of fact or law." The petition asserts that such changed conditions exist here. In particular, the parties explain that the Patent Trial and Appeal Board ("PTAB") of the U.S. Patent and Trademark Office found claim 19 of the '693 patent to be unpatentable in a Final Written Decision, that Caterpillar took an appeal from the PTAB to the U.S. Court of Appeals for the Federal Circuit, that Caterpillar moved the Federal Circuit to dismiss its appeal, and that the Federal Circuit granted that motion. Pet. at 1-2.

In view of the Federal Circuit's dismissal of Caterpillar's appeal from the PTAB's Final Written Decision, the fact that the patent claim upon which the remedial orders are based is unpatentable, and the fact that Caterpillar and Wirtgen both agree that rescission is appropriate now, the Commission has determined to institute a rescission proceeding and to grant the joint petition for rescission. The Commission permanently rescinds the LEO and the CDO. The rescission proceeding is hereby terminated.

The Commission's vote for this determination took place on May 14, 2021.

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).

By order of the Commission.

Issued: May 14, 2021.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2021-10585 Filed 5-19-21; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Maietta Construction, Inc., et al.*, Civil Action No. 2:21-cv-00131-JDL, was lodged with the United States District Court for the District of Maine on May 14, 2021.

This proposed Consent Decree concerns a complaint filed by the United States against Maietta