

within the RFCI Area due to the potential conflicts of use that have been identified by the USCG in locating a proposed project in proximity to the TSS (either as a research lease, or, if BOEM determines there is competitive interest through this RFCI, as a commercial lease). If, in response to this RFCI, BOEM receives two or more indications of competitive interest from qualified entities that wish to develop a commercial wind energy project in the RFCI Area, BOEM may decide to move forward with the competitive lease issuance process following the procedures set forth in 30 CFR 585.211. If so, BOEM may include the RFCI Area as part of the commercial leasing process for the Gulf of Maine (see “Purpose of this Request for Competitive Interest” section above). If BOEM receives only one indication of competitive interest, it may contact the respondent and ask if they wish to proceed with acquiring a commercial lease. However, if the respondent does not wish to proceed, BOEM may determine that there is no competitive interest in the RFCI Area and publish a **Federal Register** notice of Determination of No Competitive Interest. At that point, after appropriate environmental review and consultation, BOEM may decide to continue with issuance of a research lease to the State of Maine using the procedures set forth in 30 CFR 585.238. If BOEM issues a research lease, the State of Maine would be required to conduct any construction and operation activities on the research lease pursuant to a BOEM-approved plan.

Regardless of whether BOEM decides to issue the research lease or to continue with the competitive lease issuance process, BOEM will consult and coordinate with relevant Federal agencies, affected Tribes, and affected state and local governments in issuing a lease; developing lease terms and conditions; and deciding whether to approve, disapprove, or approve with modifications any activities proposed on the lease.

#### **Environmental Review and Permitting Process**

Prior to issuing any lease or authorizing any construction activities on that lease, BOEM would conduct a site-specific environmental review under the National Environmental Policy Act, during which it would act as the lead agency, coordinate with cooperating or consulting Federal agencies, and provide additional opportunities for public comment. BOEM would also participate in associated consultations under the

Coastal Zone Management Act, the ESA, the Magnuson-Stevens Fishery Conservation and Management Act, the National Historic Preservation Act (NHPA), Executive Order 13175, and other laws, regulations, and authorities determined necessary throughout the process.

#### **Protection of Privileged or Confidential Information**

##### *Freedom of Information Act*

BOEM will not disclose privileged or confidential information that you submit if it qualifies for FOIA exemption for trade secrets and commercial or financial information, provided that you clearly label the submission with “Contains Confidential Information” and request that BOEM treat it as confidential. Please consider submitting such information as a separate attachment.

BOEM will not treat as confidential any aggregate summaries of such information or comments not containing such confidential or privileged information. Additionally, BOEM will not treat as confidential (1) the legal title of the nominating entity (for example, the name of your company), or (2) the list of whole or partial blocks pertaining to your indication of competitive interest. Information that is not labeled as privileged or confidential will be regarded by BOEM as suitable for public release.

##### *Personally Identifiable Information*

BOEM does not consider anonymous comments; please include your name and address as part of your submittal. You should be aware that your entire comment, including your name, address, and any personally identifiable information (PII), may be made publicly available at any time. Even if BOEM withholds your information in the context of this RFCI, your submission is subject to the FOIA, and if your submission is requested under the FOIA, your information will only be withheld if a determination is made that one of the FOIA’s exemptions to disclosure applies. Such a determination will be made in accordance with the Department’s FOIA regulations and applicable law.

In order for BOEM to consider withholding from disclosure your PII, you must identify, in a cover letter, any information contained in the submittal of your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequence(s) of the disclosure of information, such as

embarrassment, injury, or other harm. Please do so in your transmittal letter, rather than in the comment itself. Note that BOEM will make available for public inspection, in their entirety, all comments submitted by organizations and businesses, or by individuals identifying themselves as representatives of organizations or businesses.

##### *National Historic Preservation Act (16 U.S.C. 470w–3(a))*

BOEM is required, after consultation with the Secretary, to withhold the location, character, or ownership of historic resources if it determines that disclosure may, among other things, risk harm to the historic resources or impede the use of a traditional religious site by practitioners. Tribal entities should designate information that is covered by Section 304 of the NHPA as confidential.

**Amanda Lefton,**

*Director, Bureau of Ocean Energy Management.*

[FR Doc. 2022–17922 Filed 8–18–22; 8:45 am]

**BILLING CODE 4310–MR–P**

## **INTERNATIONAL TRADE COMMISSION**

**[Investigation No. 701–TA–680 (Final)]**

### **Sodium Nitrite From Russia**

#### **Determination**

On the basis of the record<sup>1</sup> developed in the subject investigation, 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 sodium nitrite from Russia provided for in subheading 2834.10.10 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce (“Commerce”) to be subsidized by the government of Russia.<sup>2</sup>

#### **Background**

The Commission instituted this investigation effective January 13, 2022, following receipt of a petition filed with the Commission and Commerce by Chemtrade Chemicals US LLC, Parsippany, New Jersey. The Commission scheduled the final phase of the investigation following notification of a preliminary

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

<sup>2</sup> 87 FR 38375 (June 28, 2022).

determination by Commerce that imports of sodium nitrite from Russia were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)). Notice of the scheduling of the final phase of the Commission's investigation 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 April 20, 2022 (87 FR 23567). The Commission conducted its hearing on June 21, 2022. All persons who requested the opportunity were permitted to participate.

The Commission made this determination pursuant to § 705(b) of the Act (19 U.S.C. 1671d(b)). It completed and filed its determination in this investigation on August 15, 2022. The views of the Commission are contained in USITC Publication 5342 (August 2022), entitled *Sodium Nitrite from Russia: Investigation No. 701-TA-680 (Final)*.

By order of Commission.

Issued: August 15, 2022.

**William Bishop,**

*Supervisory Hearings and Information Officer.*

[FR Doc. 2022-17814 Filed 8-18-22; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1167 (Rescission)]

### Certain Laparoscopic Surgical Staplers, Reload Cartridges, and Components Thereof; Notice of Commission Determination To Institute a Rescission Proceeding; Rescission of the Remedial Orders; 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 rescission proceeding and to grant an unopposed petition to rescind the limited exclusion order ("LEO") and cease and desist orders ("CDOs") (collectively, "the remedial orders") issued in the underlying investigation. The rescission proceeding is terminated.

**FOR FURTHER INFORMATION CONTACT:** Benjamin S. Richards, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW,

Washington, DC 20436, telephone (202) 708-5453. 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:** The Commission instituted this investigation on July 5, 2019, based on a complaint filed by Ethicon LLC of Guaynabo, PR; Ethicon Endo-surgery, Inc. of Cincinnati, Ohio; and Ethicon US, LLC of Cincinnati, Ohio (collectively, "Ethicon"). 84 FR 32220 (July 5, 2019); *see also* 84 FR 65174 (Nov. 26, 2019) (amending the caption). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain reload cartridges for laparoscopic surgical staplers by reason of infringement of one or more claims of U.S. Patent Nos. 9,844,379 ("the '379 patent"); 9,844,369; 7,490,749; 8,479,969; and 9,113,874. 84 FR at 32220. The Commission's notice of investigation named the following as respondents: Intuitive Surgical Inc. of Sunnyvale, CA; Intuitive Surgical Operations, Inc. of Sunnyvale, CA; Intuitive Surgical Holdings, LLC of Sunnyvale, CA; and Intuitive Surgical S. De R.L. De C.V. of Mexicali, Mexico (collectively, "Intuitive"). *Id.* The Office of Unfair Import Investigations did not participate in this investigation. *Id.*

On October 14, 2021, the Commission issued a final determination finding a violation of section 337 with respect to certain laparoscopic surgical staplers, reload cartridges, and components thereof that infringed certain claims of the '379 patent. The Commission issued an LEO against respondents' infringing articles and CDOs against Intuitive. The Commission concurrently suspended enforcement of those orders pending the final resolution of a Final Written Decision issued by the Patent Trial and Appeal Board ("PTAB") of the U.S. Patent and Trademark Office on March 26, 2021, finding all claims of the '379 patent to be unpatentable.

On May 23, 2022, the United States Court of Appeals for the Federal Circuit

affirmed the PTAB's Final Written Decision finding the claims of the '379 patent unpatentable. *Ethicon LLC v. Intuitive Surgical, Inc.*, Nos. 2021-1995, 2021-1997, 2022 WL 1613188 (Fed. Cir. May 23, 2022). The Federal Circuit issued its mandate in that appeal on June 29, 2022, and Ethicon has since indicated that it does not intend to seek further review of the decision.

On July 18, 2022, Intuitive filed an unopposed petition to rescind the remedial orders as to the '379 patent based on a change of the conditions that led to the Commission's issuance of those orders, *i.e.*, the Federal Circuit's affirmation of the PTAB's finding that the claims of the '379 patent are unpatentable. No responses to the petition were filed.

Having reviewed the petition and the Federal Circuit's decision in *Ethicon LLC v. Intuitive Surgical, Inc.*, the Commission finds that the conditions which led to the issuance of the remedial orders no longer exist, and therefore, granting the unopposed petition to rescind is warranted under section 337(k) (19 U.S.C. 1337(k)). The Commission also finds that the requirements of Commission Rule 210.76(a) (19 CFR 210.76(a)) are satisfied. Accordingly, the Commission has determined to institute a rescission proceeding and to grant the petition to rescind the remedial orders. The rescission proceeding is terminated.

The Commission vote for this determination took place on August 15, 2022.

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: August 15, 2022.

**William Bishop,**

*Supervisory Hearings and Information Officer.*

[FR Doc. 2022-17832 Filed 8-18-22; 8:45 am]

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Advisory Council on Employee Welfare and Pension Benefit Plans; Nominations for Vacancies

Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 88 Stat. 895, 29 U.S.C. 1142, provides for the establishment of an