

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-344 (Fifth Review)]

### Tapered Roller Bearings From China

#### Determination

On the basis of the record<sup>1</sup> developed in the subject five-year review, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that revocation of the antidumping duty order on tapered roller bearings from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>2</sup>

#### Background

The Commission instituted this review on September 1, 2023 (88 FR 60489) and determined on December 5, 2023 that it would conduct an expedited review (89 FR 2982, January 17, 2024).

The Commission made this determination pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determination in this review on March 8, 2024. The views of the Commission are contained in USITC Publication 5497 (March 2024), entitled *Tapered Roller Bearings from China: Investigation No. 731-TA-344 (Fifth Review)*.

By order of the Commission.

Issued: March 8, 2024.

**Katherine Hiner,**

*Supervisory Attorney.*

[FR Doc. 2024-05433 Filed 3-13-24; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1199 (Rescission)]

### Certain Tobacco Heating Articles and Components Thereof; Notice of Commission Decision To Institute a Rescission Proceeding and to 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 rescind the limited exclusion order (“LEO”) and cease and desist orders (“CDOs”) issued in the underlying investigation. The rescission proceeding is terminated.

#### FOR FURTHER INFORMATION CONTACT:

Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3228. 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 May 15, 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 RAI Strategic Holdings, Inc., R.J. Reynolds Vapor Company, and R.J. Reynolds Tobacco Company, all of Winston-Salem, North Carolina (collectively, “Complainants”). See 85 FR 29482-83. The complaint, as supplemented, alleges a violation of section 337 based upon the importation of certain tobacco heating articles and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 9,839,238 (“the ‘238 patent”); 9,930,915 (“the ‘915 patent”); 9,901,123 (“the ‘123 patent”). The complaint also alleges the existence of a domestic industry. The notice of investigation names the following respondents: Altria Client Services LLC (“ACS”) and Philip Morris USA, Inc. (“PM USA”) both of Richmond, Virginia, and Philip Morris Products S.A. (“PMPUSA”) of Neuchatel, Switzerland (collectively, “Respondents”). See *id.* The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. See *id.*

On September 29, 2021, the Commission issued a final determination finding a violation of section 337, based on Respondents’ infringement of claims 1-3 and 5 of the ‘915 patent and claims 27-30 of the ‘123 patent, but not the ‘238 patent. See 86 FR 54998-99 (Oct. 5, 2021). The Commission further determined to issue an LEO against Respondents’ infringing products and CDOs against PM USA and ACS (collectively, “the remedial

orders”). See *id.* The Commission determined not to impose a bond during the period of Presidential review. See *id.*

On December 1, 2021, Respondents filed an appeal from the Commission’s final determination with the U.S. Court of Appeals for the Federal Circuit. See *Philip Morris Products S.A. v. ITC*, Appeal No. 2022-1227. On March 31, 2023, the Federal Circuit issued a precedential opinion affirming the Commission’s decision in full. See *Philip Morris Products S.A. v. ITC*, 63 F.4th 1328 (Fed. Cir. 2023).

On February 8, 2024, Complainants and Respondents filed a joint petition to rescind the remedial orders based on a settlement agreement between Complainants and PMPUSA. Pursuant to Commission Rule 210.76(a)(3), 19 CFR 210.76(a)(3), the petition asserts that it includes a confidential and public version of the underlying agreement. The petition also includes a statement that there are no other agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation.

On February 20, 2024, OUII filed a response stating that it did not support the joint petition as filed. Specifically, OUII argued the joint petition did not substantially comply with the requirements of Commission Rule 210.76(a)(3) because: (1) the attached Schedule 3.1 Patent License Agreement is not signed, and (2) respondents ACS and PM USA are not parties to the agreement. OUII further argued that only PMPUSA should be rescinded from the remedial orders.

On February 22, 2024, Complainants and Respondents filed a joint supplement to their petition. The joint supplement attaches the fully executed Patent License Agreement as set forth in Schedule 3.1 of the Settlement Agreement. The joint supplement also includes a discussion as to the scope of the settlement agreement. OUII did not file a further response to the joint supplement to the petition.

Having reviewed the joint petition, OUII’s response thereto, the joint supplement to the petition, and the record of the investigation, the Commission has determined that the joint petition, as supplemented with the fully executed Patent License Agreement, complies with the Commission’s rules and therefore granting the petition is warranted under 19 U.S.C. 1337(k) and 19 CFR 210.76. The Commission has also determined that the scope of the settlement agreement does not preclude rescission of all of the remedial orders issued. See 86 FR 13731-33 (Mar. 10, 2021)

<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> Commissioner Amy A. Karpel not participating.

(Commission rescinded remedial orders based on petition to rescind filed solely by complainant).

Accordingly, the Commission has determined to institute a rescission proceeding and to rescind the remedial orders. The rescission proceeding is terminated.

The Commission's vote on this determination took place on March 11, 2024.

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: March 11, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024-05455 Filed 3-13-24; 8:45 am]

**BILLING CODE 7020-02-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Clean Water Act (CWA), and the Oil Pollution Act (OPA)**

On March 7, 2024, the Department of Justice lodged a proposed consent decree with the United States District Court for the Western District of Washington in the lawsuit entitled *United States of America, State of Washington, Muckleshoot Indian Tribe, and Suquamish Indian Tribe of the Port Madison Reservation v. Crowley Marine Services, Inc., et al.*, Civil Action No. 2:24-cv-00307. Docket No. 3-1.

The proposed consent decree resolves claims brought by the United States on behalf of the National Oceanic and Atmospheric Administration and the Department of the Interior, the State of Washington, the Muckleshoot Indian Tribe, and the Suquamish Indian Tribe of the Port Madison Reservation (collectively, Trustees) against Crowley Marine Services, Inc., 8th Avenue Terminals, Inc., and the Washington State Department of Transportation (collectively, Defendants) for natural resource damages caused by releases of hazardous substances and discharges of oil at or from facilities owned and/or operated by Defendants, located along and near the Lower Duwamish River, pursuant to section 107(a) of CERCLA, section 311 of the CWA, section 1002(b) of OPA, and the Washington Model Toxics Control Act (MTCA), RCW

70A.305. The settlement requires Defendants to purchase credits in a habitat restoration project constructed along the River and pay a total of \$210,000 for natural resource damages to the Trustees. The settlement also requires Defendants to pay \$64,325.63 to reimburse their equitable share of assessment costs incurred by the Trustees. Defendants will receive covenants not to sue under the statutes listed in the complaint and consent decree for specified natural resource damages.

The publication of this notice opens a period for public comment on the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States et al. v. Crowley Marine Services., et al.*, D.J. Ref. No. 90-11-3-07227/13. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

| <i>To submit comments:</i> | <i>Send them to:</i>  |
|----------------------------|---|
| By email .....             | <i>pubcomment-ees.enrd@usdoj.gov.</i>   |
| By mail .....              | Assistant Attorney General,<br>U.S. DOJ—ENRD, P.O.<br>Box 7611, Washington,<br>D.C. 20044-7611. |

Any comments submitted in writing may be filed by the United States in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the proposed consent decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. If you require assistance accessing the proposed consent decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

**Kathryn C. Macdonald,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2024-05358 Filed 3-13-24; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

[OMB Number 1121-0098]

**Agency Information Collection Activities; Proposed eCollection eComments Requested; Reinstatement, With Change, of a Previously Approved Collection for Which Approval Has Expired; Survey of Inmates in Local Jails**

**AGENCY:** Bureau of Justice Statistics, Department of Justice.

**ACTION:** 60-Day notice.

**SUMMARY:** The Bureau of Justice Statistics, Department of Justice (DOJ) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Comments are encouraged and will be accepted for 60 days until May 13, 2024.

**FOR FURTHER INFORMATION CONTACT:** If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Todd D. Minton, (email: [Todd.Minton@usdoj.gov](mailto:Todd.Minton@usdoj.gov); telephone: 202-598-7226), Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531.

**SUPPLEMENTARY INFORMATION:** Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so, how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.