

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[BLM NM FRN MO4500181426; NM105857366]

**Notice of Competitive Offer for Solar Energy Development on Public Land in Doña Ana County, NM****AGENCY:** Bureau of Land Management, Interior**ACTION:** Notice of competitive offer.

**SUMMARY:** The Bureau of Land Management (BLM) is accepting competitive bids on one parcel of public land in Doña Ana County, New Mexico, for solar energy development. The parcel offered for lease, Parcel 5, is located within the Afton Solar Energy Zone (SEZ). Bidders in this competitive bid process are competing to become the presumptive leaseholder of the specified lease.

**DATES:** The BLM will hold an in-person, competitive oral auction on November 14, 2024, at 10 a.m. Mountain Time. Interested bidders are required to pre-register for the in-person competitive oral auction by November 1, 2024, to allow sufficient time for the BLM to verify their qualifications and variable offsets (discounts). To register or learn more information about this effort, visit <https://eplanning.blm.gov/eplanning-ui/project/2032349/510>.

**ADDRESSES:** The competitive live auction will be held at the BLM Las Cruces District Office, 1800 Marquess Street, Las Cruces, New Mexico 88005.

**FOR FURTHER INFORMATION CONTACT:** BLM Project Manager Paula Montez at telephone: (575) 525-4387 or email: [pmontez@blm.gov](mailto:pmontez@blm.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or Tele Braille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** The BLM received a high level of interest in the development of solar energy projects within the Afton SEZ, including through the submission of nominations and expressions of interest.

**Parcel 5 Information**

The BLM is conducting an in-person oral auction to lease one parcel of land: Parcel 5, consisting of approximately 937.5 acres of public lands within the Afton SEZ. The area is described as follows:

**New Mexico Principal Meridian, New Mexico**

T. 25 S., R. 1 E.,

- Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 21, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described is 937.5 acres.

Any lease issued will be subject to the terms and conditions specified in 43 CFR 2809.18, requirements identified through site-specific environmental analysis, and the terms and conditions outlined in the Determination of National Environmental Policy Act (NEPA) Adequacy document, dated July 27, 2024.

**Auction Information**

As provided for in 43 CFR 2809.13(a), bidding will occur through an in-person oral auction. More information will be made available at <https://eplanning.blm.gov/eplanning-ui/project/2032349/510>.

Interested bidders are required to pre-register with the BLM by November 1, 2024, to allow sufficient time for the BLM to verify bidders' qualifications and variable offsets. As required in 43 CFR 2803.10, bidders must be:

- An individual, association, corporation, partnership, or similar business entity, a Federal agency, or a State, Tribal, or local government;
- Technically and financially able to construct, operate, maintain, and terminate the use of the public lands being applied for; and
- Of legal age and authorized to do business in New Mexico.

Bidders may demonstrate their technical and financial capability by:

- Providing documentation of any successful experience in construction, operation, and maintenance of a similar sized solar facility on either public or non-public lands; and
- Providing documentation on the availability of sufficient capitalization to carry out development, including the preliminary study stage of the project and the environmental review and clearance process.

In order to be considered for a variable offset, bidders must submit their documentation to the BLM with their pre-registration packages.

Pre-registered bidders will be confirmed before the auction commences. To review complete details, frequently asked questions on the screening and bidding process, and to register for the auction, please visit: <https://eplanning.blm.gov/eplanning-ui/project/2032349/510>.

The BLM has determined a minimum acceptable bid for Parcel 5. The minimum bid represents the rent value of the land for 1 year under the BLM's solar per-acre rent schedule and an administrative fee of approximately \$24 per acre. This cost covers the BLM's costs of preparing and conducting the competitive sale process. Rounding up to the nearest thousand-dollar value, the BLM has determined the minimum bid for Parcel 5 is \$26,000. Bidding will start with the minimum bid and increase with subsequent bonus bids. The bonus bid consists of any dollar amount that a bidder wishes to bid in addition to the minimum bid. Variable offsets of up to 20 percent are available for qualified bidders. Variable offsets will reduce the bonus bid amount (not the minimum bid) that must be paid by the percent in which the bidder qualified. To qualify for variable offsets, bidders must meet any of the following criteria, each of which individually represents a potential percentage offset as indicated: (1) the bidder has submitted a nomination within the Afton SEZ prior to this notice of competitive offer (10 percent offset); and/or (2) the bidder proposes low-water use technology, for example photovoltaic development (5 percent offset); and/or (3) the bidder has control of other lands in immediate proximity for solar development (5 percent offset). Bidders wishing to utilize the variable offset must submit documentation showing their qualifications with their bids.

The bidder with the highest total bid (minimum and bonus bid), prior to any variable offsets, at the close of the auction will be the successful bidder and may become the presumptive leaseholder in accordance with 43 CFR 2809.15(b). The successful bidder will become the presumptive leaseholder only if they: (1) satisfy the qualifications in 43 CFR 2803.10 and 43 CFR 2809.15; and (2) make the required payments listed in this notice per 43 CFR 2809.15(d); and (3) do not have any trespass action pending against them for any activity on BLM-administered lands or have any unpaid debts owed to the Federal Government. Once all requirements of 43 CFR 2803.10 and 43 CFR 2809.15 are met, including BLM approval of the proposed Plan of Development, as outlined in 43 CFR

2809.15(b)(ii), as well as NEPA conformance, the presumptive leaseholder will become the leaseholder. The leaseholder must then submit a final Plan of Development in accordance with 43 CFR 2809.18(c).

The successful bidder will not become the presumptive leaseholder if they do not satisfy the requirements in 43 CFR 2809.15, do not execute the lease, or is for any reason disqualified from holding the lease. In the case when the successful bidder does not satisfy the requirements to become a presumptive leaseholder, the BLM may make the next highest bidder the successful bidder or re-offer the lands. The BLM will keep all money that has been submitted with the competitive process if the successful bidder does not satisfy the requirements of 43 CFR 2809.15(d).

The successful bidder must submit payment of the minimum bid and at least 20 percent of the winning bonus bid to the BLM Las Cruces District Office no later than noon on November 15, 2024. Within 15 calendar days after the auction, the successful bidder must: (1) pay the balance of the bonus bid (after the variable offsets are applied); and (2) submit the acreage rent for the first full year of the solar energy development lease. This amount will be applied toward the first 12 months acreage rent if the successful bidder becomes the leaseholder.

Any required payments must be submitted by personal check, cashier's check, certified check, bank draft (wire transfer or Automated Clearing House), or money order, or by other means deemed acceptable by the BLM, payable to the Department of the Interior—Bureau of Land Management. The administrative fee portion of the minimum bid will be retained by the agency to recover administrative costs for conducting the competitive bidding and related processes. The remainder of the minimum bid and bonus bid will be deposited with the U.S. Treasury. There will be no returned or refunded money to the successful bidder(s).

Only interests in issued right-of-way (ROW) leases are assignable under the regulations at 43 CFR 2807.21. The interest acquired by the successful bidder from this auction may not be assigned or sold to another party prior to the issuance of a ROW lease. The successful bidder may, however, continue to pursue their application if the successful bidder becomes a wholly owned subsidiary of a new third party.

Section 50265(b)(1) of the Inflation Reduction Act (codified at 43 U.S.C. 3006(b)(1)) conditions the issuance of wind and solar energy development

ROWs on: (1) the BLM having held an onshore oil and gas lease sale during the 120-day period before the issuance of the wind or solar energy development; and (2) the BLM having offered—in the 1-year period preceding the date of the issuance of the lease—the lesser of two million acres or 50 percent of acreage for which expressions of interest had been submitted in that year. The BLM will ensure compliance with these provisions prior to issuing the solar development ROW lease to the successful bidder, if any.

(Authority: 43 CFR subpart 2809)

**Melanie G. Barnes,**

*State Director, New Mexico State Office.*

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## INTERNATIONAL TRADE COMMISSION

**[Investigation No. 731–TA–1110 (Third Review)]**

### Sodium Hexametaphosphate 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 sodium hexametaphosphate 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.

### Background

The Commission instituted this review on February 1 (89 FR 6547, February 1, 2024) and determined on May 6, 2024, that it would conduct an expedited review (89 FR 48443, June 6, 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 September 27, 2024. The views of the Commission are contained in USITC Publication 5549 (September 2024), entitled *Sodium Hexametaphosphate from China: Investigation No. 731–TA–1110 (Third Review)*.

By order of the Commission.

<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)).

Issued: September 27, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the Defense Production Act of 1950

Notice is hereby given pursuant to section 708 of the Defense Production Act of 1950 (“DPA”), that the Assistant Attorney General finds, with respect to the Voluntary Intermodal Sealift Agreement (“VISA”) proposed by the Maritime Administration (“MARAD”), that the purposes of section 708(c)(1) of the may not reasonably be achieved through a voluntary agreement or plan of action having less anticompetitive effects or without any voluntary agreement or plan of action.

Under the DPA, MARAD may enter into agreements with representatives of private industry for the purpose of improving the efficiency with which private firms contribute to the national defense when conditions exist that may pose a direct threat to the national defense or its preparedness. Such arrangements are generally known as “voluntary agreements.” A defense to actions brought under the antitrust laws is available to each participant acting within the scope of a voluntary agreement that has come into force under the DPA.

The DPA requires that each proposed voluntary agreement be reviewed by the Attorney General prior to becoming effective. If, after consulting with the Chair of the Federal Trade Commission, the Attorney General finds that the purpose of the DPA “may not be reasonably achieved through a voluntary agreement having less anticompetitive effects or without any voluntary agreement or plan of action,” the agreement may become effective. 50 U.S.C. 4558 (f)(l)(B). All functions which the Attorney General is required or authorized to perform by section 708 of the DPA have been delegated to the Assistant Attorney General, Antitrust Division. 28 CFR 0.40(l).

The purpose of the proposed VISA is to support Department of Defense (“DoD”) contingency requirements to provide cargo capacity during times of crisis through procedures agreed in advance. The proposed VISA establishes the terms, conditions and procedures under which participants agree voluntarily to make tankers available to