

an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the associated funerary objects described in this notice to a requestor may occur on or after December 16, 2024. If competing requests for repatriation are received, the California State University, Sacramento must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. The California State University, Sacramento is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

**Authority:** Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: November 7, 2024.

**Melanie O'Brien,**

Manager, National NAGPRA Program.

[FR Doc. 2024-26466 Filed 11-13-24; 8:45 am]

**BILLING CODE 4312-52-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Ocean Energy Management

[Docket No. BOEM-2023-0061]

#### Notice of Availability of the California Offshore Wind Draft Programmatic Environmental Impact Statement

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

**ACTION:** Notice of availability.

**SUMMARY:** The Bureau of Ocean Energy Management (BOEM) announces the availability of the draft programmatic environmental impact statement (PEIS) for California Offshore Wind. The Proposed Action of the draft PEIS is the identification of programmatic mitigation measures to lessen the environmental impacts of commercial-scale offshore wind energy development in the five lease areas offshore Northern and Central California on the Outer Continental Shelf (OCS). These mitigation measures may be required as conditions of approval for activities proposed within future construction and operations plans (COPs) prepared by leaseholders for approval to begin construction within the lease areas. This PEIS, if finalized and approved, will not result in the approval of any construction and operation activities.

**ADDRESSES:** The draft PEIS and associated information are available on BOEM's website at: [https://](https://www.boem.gov/renewable-energy/state-activities/california-offshore-wind-programmatic-environmental-impact)

[www.boem.gov/renewable-energy/state-activities/california-offshore-wind-programmatic-environmental-impact](https://www.boem.gov/renewable-energy/state-activities/california-offshore-wind-programmatic-environmental-impact).

**FOR FURTHER INFORMATION CONTACT:** Lisa Gilbane, Chief, Environmental Analysis Section, Bureau of Ocean Energy Management, Camarillo, California Office, 760 Paseo Camarillo, Suite 102, Camarillo, CA 93010, (805) 384-6387 or [lisa.gilbane@boem.gov](mailto:lisa.gilbane@boem.gov).

**Submission of Public Comments:** The 90-day comment period begins on February 12, 2025. Public comments can be submitted in two ways: (1) Through the [regulations.gov](https://www.regulations.gov) web portal: Navigate to <https://www.regulations.gov> and search for Docket No. BOEM-2023-0061. Select the document in the search results on which you want to comment, click on the "Comment" button, and follow the online instructions for submitting your comment. A commenter's checklist is available on the comment web page. Enter your information and comment, then click "Submit." (2) By mail or delivery service: Send comments in an envelope labeled, "CALIFORNIA OSW PEIS" and addressed to Lisa Gilbane, Environmental Assessment Section, Office of Environment, Bureau of Ocean Energy Management, 760 Paseo Camarillo, Suite 102, Camarillo, California 93010.

BOEM's virtual public meetings will be held on the following date at the time (Pacific time) indicated.

Tuesday January 28, 2025, 5:00 p.m.

Thursday, January 30, 2025, 12:00 p.m.

Please go to <https://www.boem.gov/caoffshorewindpeis> for registration links, dates, times and for additional information and updates. Meetings are open to the public and free to attend.

**SUPPLEMENTARY INFORMATION:** This draft PEIS assesses potential biological, socioeconomic, physical, and cultural impacts that could result from floating offshore wind energy development associated with the two leases offshore Humboldt Bay (OCS-P 0561 and 0562) and three leases offshore Morro Bay (OCS-P 0563, 0564, and 0565) and considers the reduction or avoidance of those impacts that could result from adopting mitigation measures. BOEM issued these five leases May 16, 2023. The leases total approximately 373,000 acres (~583 square miles) and are the first wind energy leases offshore California. Water depths in the lease areas range from 1,640 to 4,265 feet (500 to 1,300 meters); the use of floating foundations that anchor to the sea floor is anticipated.

The existing wind leases grant the lessees the exclusive right to submit a

COP to BOEM proposing the construction, operation, and decommissioning of offshore wind energy facilities in the lease area. BOEM will conduct site-specific National Environmental Policy Act (NEPA) analyses on all COPs submitted and may conclude that the inclusion of additional mitigation measures not identified in this draft PEIS is required.

The Proposed Action is BOEM's adoption of a suite of program-level mitigation measures that could be applied to activities to reduce or avoid potential impacts.

**Alternatives:** In addition to the Proposed Action, BOEM considered two alternatives: A No Action Alternative, and an alternative that does not include the addition of mitigation measures in order to assess the effectiveness of mitigation in avoiding or reducing impacts.

**Availability of the Draft PEIS:** The draft PEIS and associated information are available on BOEM's website at: <https://www.boem.gov/renewable-energy/state-activities/california-offshore-wind-programmatic-environmental-impact>.

**Authority:** 42 U.S.C. 4231 *et seq.* (National Environmental Policy Act, as amended), NEPA implementing regulations (40 CFR 1500-1508), and U.S. Department of the Interior (DOI) NEPA regulations (43 CFR part 46).

**Douglas P. Boren,**

Pacific Regional Director, Bureau of Ocean Energy Management.

[FR Doc. 2024-26424 Filed 11-13-24; 8:45 am]

**BILLING CODE 4340-98-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1366]

#### Certain Semiconductor Devices, and Methods of Manufacturing Same and Products Containing the Same Notice of the Commission's Final Determination Finding a Violation of Section 337; Issuance of a Limited Exclusion Order and Cease and Desist Orders; Denial of Motion for Sanctions; Termination of the Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined that there is a violation of section 337 in the above-captioned investigation. The Commission has further determined to issue a limited

exclusion order and cease and desist orders and to set a bond in the amount of five percent (5%) of entered value for covered articles imported or sold during the period of Presidential review.

**FOR FURTHER INFORMATION CONTACT:**

Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3042. 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 3, 2023, based on a complaint filed by Efficient Power Conversion Corporation of El Segundo, California ("EPC"). 88 FR 42756-77 (Jul. 3, 2023). 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, or sale within the United States after importation of certain semiconductor devices, and methods of manufacturing same, and products containing the same by reason of the infringement of one or more claims of U.S. Patent Nos. 10,312,335 ("the '335 patent"); 8,350,294 ("the '294 patent"); 8,404,508 ("the '508 patent"); and 9,748,347 ("the '347 patent"). *Id.* The complaint further alleged that a domestic industry exists. *Id.* The Commission's notice of investigation named as respondents Innoscience (Zhuhai) Technology, Company, Ltd., of Zhuhai, Guangdong, China; and Innoscience America, Inc. of Santa Clara, California (together "Innoscience" or "Respondents"). The Office of Unfair Import Investigations ("OUII") was also named as a party in this investigation. *Id.*

On October 13, 2023, Chief Administrative Law Judge ("CALJ") held a *Markman* hearing.

On December 13, 2023, the CALJ issued an initial determination ("ID") granting a motion to terminate the investigation as to all asserted claims of the '347 patent. Order No. 9 (Dec. 13, 2023), *unreviewed by* Comm'n Notice (Jan. 11, 2024).

On February 12, 2024, the CALJ issued an ID granting a motion to terminate the investigation as to all asserted claims of the '335 patent. Order No. 12 (Feb. 12, 2024), *unreviewed by* Comm'n Notice (Mar. 12, 2024).

The CALJ held an evidentiary hearing from February 26, 2024 to March 1, 2024, and received post-hearing briefs thereafter.

On July 5, 2024, the CALJ issued the final ID finding a violation of section 337 as to claims 2 and 3 of the '294 patent and no violation of section 337 as to claim 1 of the '294 patent. The CALJ also found no violation of section 337 as to the only asserted claim of the '508 patent, claim 1. Specifically, the ID found that by appearing and participating in the investigation, the parties have consented to personal jurisdiction at the Commission. ID at 10-11. The ID found that EPC established the importation requirement under 19 U.S.C. 1337(a)(1)(B), noting that Innoscience does not dispute importing the accused products. *Id.* at 11-12. The ID found that because the accused products have been imported into the United States, the Commission has *in rem* jurisdiction over them. *Id.* at 12. The ID found that EPC owns the patents and thus has standing to assert the patents in this investigation. *Id.* The ID found that EPC successfully proved that the accused products infringe the asserted claims of the '294 patent (claims 1-3) but that unlike claims 2 and 3, claim 1 has been shown to be invalid for obviousness. ID at 30-51, 85-100. The ID found that EPC failed to prove that the accused products infringe claim 1 of the '508 patent and that Respondents failed to prove the claim invalid for obviousness. *Id.* at 52-68, 103-117. Finally, the ID found that EPC established the economic prong of the domestic industry requirement for both the '294 and '508 patents but failed to establish the technical prong of the domestic industry requirement for the '508 patent. ID at 120-151. Thus, the ID found the existence of a domestic industry that practices the '294 patent as required by 19 U.S.C. 1337(a)(2) but not one that practices the '508 patent.

The ID included the CALJ's recommended determination on remedy and bonding ("RD"). The RD recommended, should the Commission find a violation, issuance of a limited exclusion order and cease and desist orders against the Respondents. ID/RD at 154-157. The RD also recommended imposing a bond in the amount of five percent (5%) of entered value for infringing products imported during the period of Presidential review. *Id.* at 158-159.

On July 19, 2024, EPC and Innoscience filed respective petitions for review of the ID. On July 29, 2024, the parties, including OUII, filed responses to the petitions.

On August 6, 2024, Respondents filed a motion for sanctions against EPC and its counsel for their alleged breach of the CALJ's administrative protective order ("APO") based on an alleged disclosure EPC made in IPR proceedings before the Patent Office. Respondents requested a sanction of non-enforcement of the '294 patent. Respondents also requested a stay of the proceedings pending disposition of the sanctions motion. On August 15, 2024, OUII filed a response, opposing Respondents' motion. On August 16, 2024, Complainant file an opposition to Respondents' motion. On September 19, 2024, Respondents filed a motion for leave to file a reply brief in support of its motion for sanctions. On September 24, 2024, EPC filed an opposition to Respondents' motion for leave to file a reply. On October 2, 2024, OUII filed an opposition to Respondents' motion for leave to file a reply.

The Commission has determined to deny Respondents' motion for leave to file a reply brief. The Commission has also determined to deny Respondents' motion for a sanction of non-enforcement of the '294 patent. The Commission notes that Respondents' allegation of a breach of the APO has been referred to the Commission's Office of the Secretary for further proceedings according to the Commission's normal procedures. The Commission reminds the parties of their obligations under Commission Rule 210.25 to promptly file any allegations of breach of an APO, and to bring the matter to the attention of the presiding ALJ where, as here, the alleged breach is discovered while the investigation was pending before the CALJ. The Commission also reminds the parties of their obligation under Commission rule 210.34 to keep the identity of any alleged breacher confidential. The Commission has also determined to deny Respondent's request to stay the proceedings pending disposition of the sanctions motion.

On September 5, 2024, the Commission determined to review the final ID in its entirety. 89 FR 73719-21 (Sept. 11, 2024). The Commission asked the parties briefing questions related to: (1) construction of the claim term "compensated GaN layer" recited in claim 1 of the '294 patent and the ID's infringement, invalidity, and technical prong of the domestic industry analyses if the Commission were to adopt OUII's proposed construction of the term; (2)

invalidity finding of the '294 patent; (3) whether the only asserted claim of the '508 patent, claim 1, is limited to using a single mask to etch both the gate contact and doped GaN layer based on the '508 patent's description of the "present invention," as well as whether the claim steps must be performed in the order recited; and (4) whether EPC's "total operating expenditures" identified on page 129 of the ID includes foreign manufacturing expenses for the domestic industry products. *Id.*

On September 23, 2023, the parties filed initial submissions in response to the Commission's request for briefing. On September 30, 2023, the parties filed reply submissions.

Upon review of the parties' submissions, the ID, the RD, evidence of record, and public interest filings, the Commission has determined that Respondents violated section 337 by reason of importation and sale of articles that infringe asserted claims 2 and 3 of the '294 patent and to issue remedial orders. The Commission has determined to clarify the ID's statements on jurisdiction and standing as noted in the accompanying Commission Opinion. The Commission has determined to adopt OUII's construction of the claim term "compensated GaN layer" recited in claim 1 of the '294 patent as its plain and ordinary meaning and, as explained in the Commission opinion, finds that adoption of OUII's construction does not alter the ID's findings on infringement, invalidity, and technical prong of domestic industry, which the Commission affirms. For the '508 patent, the Commission affirms the ID's finding of no violation for the reasons provided in the ID.

For remedy, the Commission has determined to issue a limited exclusion order prohibiting further importation of infringing products and cease and desist orders against Respondents. The Commission has determined that the public interest factors do not counsel against issuing remedial orders. The Commission has determined that a bond in the amount of five percent (5%) of entered value for covered articles is required for covered products imported or sold during the period of Presidential review.

The Commission vote for this determination took place on November 7, 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: November 7, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024-26431 Filed 11-13-24; 8:45 am]

**BILLING CODE 7020-02-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Water Act**

On November 7, 2024, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Arizona in the lawsuit entitled *United States v. Denali Water Solutions, LLC*, Civil Action No. 2:24-cv-03084.

The United States filed this lawsuit under the Clean Water Act. The United States' complaint seeks injunctive relief and civil penalties for violations of the regulations that govern land application of sewage sludge (or "biosolids") from the defendant's operations in Arizona and California. The consent decree requires the defendant to perform injunctive relief if they land apply sewage sludge in those two states, and to pay a \$610,000 civil penalty.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Denali Water Solutions, LLC*, D.J. Ref. No. 90-5-1-1-12436. 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, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 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 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

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. 2024-26432 Filed 11-13-24; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Federal-State Unemployment Compensation Program: Certifications for 2024 Under the Federal Unemployment Tax Act**

**AGENCY:** Employment and Training Administration.

**ACTION:** Notice.

**SUMMARY:** The Acting Secretary of Labor signed the annual certifications under the Federal Unemployment Tax Act, thereby enabling employers who make contributions to state unemployment funds to obtain certain credits against their liability for the federal unemployment tax. By letter, the certifications were transmitted to the Secretary of the Treasury. The letter and certifications are printed below.

Signed in Washington, DC, October 31, 2024.

**José Javier Rodríguez,**

*Assistant Secretary for Employment and Training.*

The Honorable Janet L. Yellen  
Secretary of the Treasury  
Department of the Treasury  
1500 Pennsylvania Avenue NW  
Washington, DC 20220

Dear Secretary Yellen:

Enclosed are an original and a copy of two separate certifications regarding unemployment compensation laws pursuant to the Federal Unemployment Tax Act, for the 12-month period ending on October 31, 2024. One certification is with respect to the federal unemployment tax credit under Section 3304 of the Internal Revenue Code of 1986 (IRC), and the other certification is with respect to the "additional" tax credit under Section 3303 of the IRC. Both certifications list all 53 states.

Sincerely,

Julie A. Su,  
*Acting Secretary of Labor.*

Enclosures