

Native Village of Wales  
 Native Village of White Mountain  
 Nenana Native Association  
 New Koliganek Village Council  
 New Stuyahok Village  
 Newhalen Village  
 Newtok Village  
 Nikolai Village  
 Niniilchik Village  
 Nome Eskimo Community  
 Nondalton Village  
 Noorvik Native Community  
 Northway Village  
 Nulato Village  
 Nunakauyarmiut Tribe  
 Organized Village of Grayling (aka Holikachuk)  
 Organized Village of Kake  
 Organized Village of Kasaan  
 Organized Village of Kwethluk  
 Organized Village of Saxman  
 Orutsararmiut Traditional Native Council (previously listed as Orutsararmiut Native Village (aka Bethel))  
 Oscarville Traditional Village  
 Pauloff Harbor Village  
 Pedro Bay Village  
 Petersburg Indian Association  
 Pilot Station Traditional Village  
 Platinum Traditional Village  
 Portage Creek Village (aka Ohgsenakale)  
 Pribilof Islands Aleut Communities of St. Paul & St. George Islands  
 Qagan Tayagungin Tribe of Sand Point Village  
 Qawalangin Tribe of Unalaska  
 Rampart Village  
 Saint George Island (See Pribilof Islands Aleut Communities of St. Paul & St. George Islands)  
 Saint Paul Island (See Pribilof Islands Aleut Communities of St. Paul & St. George Islands)  
 Seldovia Village Tribe  
 Shageluk Native Village  
 Sitka Tribe of Alaska  
 Skagway Village  
 South Naknek Village  
 Stebbins Community Association  
 Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak)  
 Takotna Village  
 Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island))  
 Telida Village  
 Traditional Village of Togiak  
 Tuluksak Native Community  
 Twin Hills Village  
 Ugashik Village  
 Umkumiut Native Village (previously listed as Umkumiute Native Village)  
 Village of Alakanuk  
 Village of Anaktuvuk Pass  
 Village of Aniak  
 Village of Atmautluak  
 Village of Bill Moore's Slough  
 Village of Chefornak

Village of Clarks Point  
 Village of Crooked Creek  
 Village of Dot Lake  
 Village of Iliamna  
 Village of Kalskag  
 Village of Kaltag  
 Village of Kotlik  
 Village of Lower Kalskag  
 Village of Ohogamiut  
 Village of Red Devil  
 Village of Salamatoff  
 Village of Sleetmute  
 Village of Solomon  
 Village of Stony River  
 Village of Venetie (See Native Village of Venetie Tribal Government)  
 Village of Wainwright  
 Wrangell Cooperative Association  
 Yakutat Tlingit Tribe  
 Yupiit of Andreafski

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**BILLING CODE 4337-15-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Ocean Energy Management

[Docket No. BOEM-2018-0034]

#### Public Input Requested on Potential Impacts to Historic Priorities: Sand Resource Assessment and Borrow Area Identification, Atlantic and Gulf of Mexico Outer Continental Shelf

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

**ACTION:** Request for public input.

**SUMMARY:** The Bureau of Ocean Energy Management (BOEM) invites public input on the identification of historic properties or potential impacts to historic properties from a comprehensive research program of sand resource and borrow area identification on the Atlantic and Gulf of Mexico Outer Continental Shelf (OCS). Sand resources are identified using geophysical and geological (G&G) surveys, which constitute undertakings subject to Section 106 of the National Historic Preservation Act.

**DATES:** BOEM must receive your comments by August 13, 2018 for your comments to be considered. BOEM requests comments to be postmarked or delivered by this same date. BOEM will consider only those comments received that conform to this requirement.

**ADDRESSES:** Comments and other submissions of information may be submitted by either of the following two methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. In the entry entitled, "Enter Keyword or ID," enter BOEM-2018-0034, and then click "search." Follow the instructions to

submit public comments and view supporting and related materials available for this notice.

2. Written comments may be delivered by hand or by mail, enclosed in an envelope labeled, "Sand Resources Assessment Section 106," to Deputy Preservation Officer, Office of Environmental Programs, Bureau of Ocean Energy Management, 45600 Woodland Road, Sterling, Virginia 20166.

#### FOR FURTHER INFORMATION CONTACT:

Brandi Carrier, BOEM, Office of Environmental Programs, 45600 Woodland Road (VAM-OREP), Sterling, Virginia 20166, (703) 787-1623 or [brandi.carrier@boem.gov](mailto:brandi.carrier@boem.gov).

#### SUPPLEMENTARY INFORMATION:

*Authority:* This request for public input concerns an action BOEM is taking pursuant to 43 U.S.C. 1346.

### 1 Background

BOEM's Marine Minerals Program partners with communities to address serious erosion along coastal beaches, dunes, barrier islands, and wetlands. Erosion affects natural resources, energy, defense, public infrastructure, and tourism. To help address this problem, BOEM provides sand, gravel, and/or shell resources from the Federal OCS for shore protection, beach nourishment, and wetlands restoration with vigorous safety and environmental oversight, as authorized by the Outer Continental Shelf Lands Act (OCSLA).

BOEM is proposing a comprehensive research program for sand resource and borrow area identification to properly identify and manage OCS sand resources, and to enable both long-term and emergency planning goals. The study will use state-of-the-art technology and methods to collect and analyze data, and will incorporate a rigorous mitigation strategy to minimize environmental effects. The field work will use G&G surveys to: (1) Identify potential OCS sand resources at a reconnaissance-scale; (2) delineate geographically focused areas as potential borrow areas at a design-level; (3) monitor specific borrow areas and investigate for the presence of objects of archaeological significance, munitions of explosive concern, and hard bottom or other sensitive benthic habitat in the vicinity of potential borrow areas; and (4) collect scientific data on changes in sand resources. The study could occur anywhere on the Atlantic or Gulf of Mexico OCS between the Submerged Lands Act Boundary to the 50 meter bathymetric contour; activities under cooperative agreements (authorized by 43 U.S.C. 1345(e)) with Atlantic and

Gulf states may cross the state/Federal boundary. Additional information is available at <https://www.boem.gov/Building-a-National-Offshore-Sand-Inventory/>.

## 2 Description of the Proposed Undertaking

Section 106 of the National Historic Preservation Act (54 U.S.C. 306108), and the act's implementing regulations (36 CFR part 800), require Federal agencies to consider the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. As part of this review, BOEM will consult with state historic preservation officers, tribal officials, and others. BOEM is now reaching out to the general public for comment regarding the potential presence of historic properties or potential effects on historic properties from the surveys and other activities used in the study. This information will allow BOEM to consider and document historic preservation concerns early, and allow the agency to consider the views of the public in the decision making process.

This study will involve two different types of sand surveys, each with a different potential to affect historic properties:

(1) Geophysical surveys are conducted to obtain information about shallow sediment stratigraphy, shallow hazards (such as presence of munitions of explosive concern or buried cables), archaeological resources, and sensitive benthic habitats. Typical equipment used in these surveys includes sub-bottom profilers, swath bathymetric sonars, side-scan sonars, and magnetometers. Geophysical surveys do not have the potential to affect historic properties.

(2) Geological surveys involve seafloor-disturbing activities, such as sample collection through use of grab samples or a platform-mounted vibracore, which are conducted to evaluate the quality of mineral resources for their intended use as sand resources. Vibracores are shallow in nature, focusing on characterizing the sand layer, and penetrate to a depth of no more than 20 ft (6 m) or the extent of the sand layer. The seafloor-disturbing portions of the geological surveys may have the potential to affect historic properties on the OCS, so BOEM is requesting public input on the existence and location of historic properties on the OCS and on the potential effects geologic surveys could have on any such historic properties.

Once beach quality sand resource areas have been identified, these sand

resources could be available to local, state, and Federal agencies for beach nourishment, and coastal restoration to provide protection of infrastructure, create coastal habitat, and reduce damage caused by storms, currents, and waves. Those potential future actions would undergo a separate Section 106 consultation process if they are determined to be undertakings under 36 CFR part 800, with additional opportunities for public comment.

## 3 Description of the Study Area

The potential Study Area lies within the Atlantic and Gulf of Mexico OCS, from the Submerged Lands Act boundary to 50 m (164 ft) deep. Sand survey activities will not occur across the entire Study Area simultaneously, but will be of limited spatial extent at any one time. The Study Area includes adjacent transit corridors used for mobilization, and demobilization, and access to support bases. Sensitive and protected areas, such as within Cape Cod Bay, Stellwagen Bank National Marine Sanctuary, and Florida Keys National Marine Sanctuary are specifically excluded.

Prior to commencing sand survey activities, BOEM will coordinate with coastal states, Federal stakeholders, and relevant regional planning bodies to determine areas with the greatest potential need for OCS sand resources and the greatest data gaps, in order to identify priority survey sites. A detailed survey and sampling plan will be developed prior to undertaking any sand survey activities; this plan will define the geographic scope and relative timing of the proposed activities.

Similar resource area identification and delineation activities could occur on state submerged lands, but these undertakings would be separately analyzed in project-specific environmental reviews, under the direction of the appropriate lead entity. BOEM may enter into cooperative agreements with Atlantic and Gulf states to assist in the inventory of offshore sand resources, which may cross the state/Federal boundaries. BOEM's authorization of an agreement to use sand resources in a given borrow area, including for beach nourishment and wetlands reconstruction, would be considered a separate action. Any such proposed undertakings, if received by BOEM, would be considered individually and would be subject to a separate environmental review and Section 106 consultation process.

## 4 Requested Information From the Public

BOEM requests specific and detailed comments from the public and other interested or affected parties on the identification of historic properties or potential effects to historic properties from the proposed G&G survey activities. This information will inform BOEM's review of this and future undertakings under Section 106 of the NHPA.

## 5 Protection of Sensitive, Privileged, or Confidential Information

### 5.1 Freedom of Information Act

BOEM will protect sensitive, privileged, or confidential information that you submit when required by the Freedom of Information Act (FOIA).

### 5.2 Section 304 of the National Historic Preservation Act (54 U.S.C. 307103)

Exemption 3 of FOIA applies to information specifically exempted from disclosure by a statute other than FOIA, but only if the other statute's disclosure prohibition is absolute. Section 304 of the National Historic Preservation Act at 54 U.S.C. 307103 requires the head of a Federal agency, after consultation with the Secretary, to withhold from disclosure to the public information about the location, character, or ownership of a historic property if the Secretary and the agency determine that disclosure may—(1) cause a significant invasion of privacy; (2) risk harm to the historic property; or (3) impede the use of a traditional religious site by practitioners. If you wish BOEM to withhold such information from disclosure, clearly mark it and request that BOEM treat it as confidential. BOEM will not disclose such information if it qualifies for exemption from disclosure under FOIA. Please label privileged or confidential information "Contains Confidential Information." In particular, tribal entities should designate information that falls under Section 304 of NHPA as confidential.

### 5.3 Personal Identifying 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 your personal identifying information, may be made publicly available at any time. In order for BOEM to withhold your personal identifying information from disclosure, you must identify 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.

Dated: July 17, 2018.

**Walter D. Cruickshank,**

*Acting Director, Bureau of Ocean Energy Management.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1047]

### Certain Semiconductor Devices and Consumer Audiovisual Products Containing the Same; Commission Determination To Review in Part a Final Initial Determination Finding No Violation of Section 337; Schedule for Briefing; Extension of Target Date

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review in part a final initial determination (“ID”) issued by the presiding administrative law judge (“ALJ”), finding no violation of section 337 of the Tariff Act of 1930, as amended. The Commission has also set a schedule for briefing. Additionally, Commission has determined to extend the target date for the completion of the investigation to September 19, 2018.

**FOR FURTHER INFORMATION CONTACT:** Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-5468. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (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 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 April 12, 2017, based on a complaint filed by Broadcom Corporation (“Broadcom”) of Irvine, California. 82 FR 17688. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain semiconductor devices and consumer audiovisual products containing the same that infringe U.S. Patent Nos. 7,310,104; 7,342,967; 7,590,059; 8,068,171; and 8,284,844. *Id.* The Commission’s notice of investigation named as respondents MediaTek Inc. of Hsinchu City, Taiwan, MediaTek USA Inc. of San Jose, California, and MStar Semiconductor Inc. of Chupei Hsinchu Hsien, Taiwan (together, “MediaTek”); Sigma Designs, Inc. of Fremont, California (“Sigma”); LG Electronics Inc. of Seoul, Republic of Korea and LG Electronics U.S.A., Inc. of Englewood Cliffs, New Jersey (together, “LG”); Funai Electric Company, Ltd., of Osaka, Japan, Funai Corporation, Inc. of Rutherford, New Jersey, and P&F USA, Inc. of Alpharetta, Georgia (together, “Funai”); and Vizio, Inc., of Irvine, California (“Vizio”). *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

Several parties were terminated from the investigation based on settlement. Specifically, the Commission terminated the investigation with respect to Funai, Order No. 31 (Nov. 7, 2017), *not reviewed* Notice (Dec. 12, 2017); MediaTek, Order No. 35 (Nov. 29, 2017), *not reviewed* Notice (Dec. 19, 2017); and LG, Order No. 42 (Apr. 9, 2018), *not reviewed* Notice (May 4, 2018). Accordingly, only respondents Sigma and Vizio (together, “Respondents”) remained in the investigation at the time of the final ID.

The Commission also terminated two patents and several claims based on Broadcom’s partial withdrawal of the complaint. Specifically, the Commission terminated the investigation with respect to the ’967 patent, the ’171 patent, claims 21–30 of the ’059 patent, and claim 14 of the ’844 patent. Order No. 24 (Oct. 10, 2017), *not reviewed* Notice (Oct. 24, 2017). Broadcom also elected to withdraw claims 5 and 11–13 of the ’844 patent in its post-hearing brief. ID at 7. Accordingly, at the time of the final ID, the only remaining claims were 1, 10, 11, 16, 17, and 22 of the ’104 patent; claims 1–4, 6–10, of the ’844 patent; and claims 11–20 of the ’059 patent.

On May 11, 2018, the ALJ issued a final ID finding no violation of section 337. Specifically, he found that Respondents did not infringe any claim, that the asserted claims of the ’844 patent are invalid, and that Broadcom did not satisfy the technical prong of the domestic industry requirement for the ’104 patent.

On May 29, 2018, Broadcom and Respondents each petitioned for review of the ID. On June 6, 2018, the parties opposed each other’s petitions.

Having examined the record of this investigation, including the ALJ’s final ID, the petitions for review, and the responses thereto, the Commission has determined to review the final ID in part. Specifically, the Commission has determined to review the following issues: (1) The construction of “a processor adapted to control a decoding process” in claim 1 of the ’844 patent, as well as related issues of infringement, invalidity, and the technical prong of the domestic industry requirement with respect to the limitation; (2) the finding that Fandrianto satisfies the limitation “adapted to perform a decoding function on a digital media stream” of claim 1 of the ’844 patent; (3) the construction of “the blended graphics image” in claim 1 of the ’104 patent, as well as related issues of infringement, invalidity, and the technical prong of the domestic industry requirement with respect to the limitation; (4) the construction of “blend the blended graphics image with the video image using the alpha values and/or at least one value derived from the alpha values” in claim 1 of the ’104 patent, as well as related issues of infringement, invalidity, and the technical prong of the domestic industry requirement with respect to the limitation; and (5) the finding that claims 1 and 10 of the ’104 patent would be rendered obvious by Gloudemans in view of Porter & Duff under Broadcom’s proposed claim constructions.

The parties are requested to brief their positions on the issues under view with reference to applicable law and the evidentiary record. In connection with its review, the Commission is interested in briefing on the following issues:

1. Should the construction of the term “a processor adapted to control a decoding process” of the ’844 patent include the concept of “orchestrate,” and what is the difference between “control” and “orchestrate” in the context of this patent?
2. Should the construction of the term “a processor adapted to control a decoding process” of the ’844 patent include the concept of a “pipeline” or “stage”?
3. In construing the term “blend the blended graphics image with the video image