

industry advice and details on steps it has taken that have resulted in significant improvement to its safety performance, and leadership positions it has taken within industry organizations, such as the American Petroleum Institute (API), the Offshore Operators Committee (OOC), or The Center for Offshore Safety (COS), with a focus on advancing safety. Similarly, BSEE will also assess how operators are providing guidance and supporting environmental research, mitigation assessments, and project validation of pollution prevention, spill preparedness/response, and environmental compliance efforts, which not only benefit their operations and stewardship culture, but every partner in the OCS energy program.

Environmental stewardship components that BSEE will consider include:

- A sustained compliance record (≤ 90-percent) with assigned environmental mitigation measures and similar regulatory requirements, as confirmed by office and field verification;
- Participation and leadership with critical Joint Industry Project (JIP) efforts and within environmental and/or pollution prevention-focused workgroups and teams;
- Response preparedness and planning assessments;
- Non-compulsory enhancements and innovation above and beyond standard pollution prevention requirements; and
- Repeated (100-percent) appropriate and constructive response on corrective/remedial actions associated with all noncompliance issues.

For information on the “Leaders in Advancing Safety and Environmental Stewardship” Recognition Program or the submission of comments, the public should contact Mr. Jason Mathews, Chief, Safety Improvement Branch, Regional Field Operations (GE 1073E), BSEE, Gulf of Mexico OCS Region, 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123–2394, (504) 731–1496.

BSEE will implement this program in 2021, with qualifying OCS operators recognized in 2022 for their 2020 and 2021 calendar year performance. BSEE will initiate performance reviews beginning in January 2021 and January 2022, and all OCS operators who meet the minimum requirements and are selected by BSEE for recognition, will be identified by April-May 2022.

Casey Hammond,

Principal Deputy Assistant Secretary, Land and Minerals Management.

[FR Doc. 2020–27237 Filed 12–10–20; 8:45 am]

BILLING CODE 4310-VH-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1088 (Rescission)]

Certain Road Construction Machines and Components Thereof; Commission Decision to Institute a Rescission Proceeding; Permanent Rescission of a Seizure and Forfeiture Order; 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 proceeding to determine whether to permanently rescind the Commission’s seizure and forfeiture order (“SFO”) of January 14, 2020 (corrected January 23, 2020) issued against Wirtgen America, Inc. (“Wirtgen America”). The SFO is permanently rescinded. The rescission proceeding is terminated.

FOR FURTHER INFORMATION CONTACT:

Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–4716. 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. General information concerning the Commission may also be obtained by accessing its internet server at <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 November 29, 2017, based on a complaint, as supplemented, filed by Caterpillar Inc. of Peoria, Illinois and Caterpillar Paving Products, Inc. of Minneapolis, Minnesota (collectively, “Caterpillar”). See 82FR 56625–26 (Nov. 29, 2017). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337) (“section 337”), based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain road construction machines and

components thereof by reason of infringement of certain claims of U.S. Patent Nos. 7,140,693 (“the ‘693 patent”); 9,045,871; and 7,641,419. See *id.* The notice of investigation identifies the following respondents: Wirtgen GmbH of Windhagen, Germany; Joseph Vögele AG of Ludwigshafen, Germany; Wirtgen Group Holding GmbH of Windhagen, Germany; and Wirtgen America of Antioch, Tennessee (collectively, “Wirtgen”). See *id.* The Office of Unfair Import Investigations is not a party to this investigation. See *id.*

On June 27, 2019, the Commission found a violation of section 337 in the above-identified investigation based on the infringement of claim 19 of the ‘693 patent and issued a limited exclusion order against the infringing articles and a cease and desist order (collectively, “the remedial orders”) against Wirtgen America. The United States Customs and Border Protection (“Customs”) subsequently excluded six Wirtgen redesigned series 1810 machines in December 2019. Based on such exclusion, the Commission issued the subject SFO on January 14, 2020 (corrected January 23, 2020). On March 13, 2020, Wirtgen filed an appeal from the SFO (“the SFO appeal”) to the U.S. Court of Appeals for the Federal Circuit (“Federal Circuit”).

On January 30, 2020, Wirtgen filed a civil action against Customs and related U.S. government parties (collectively, “the U.S. government”) in the U.S. Court of International Trade (“CIT”) under 28 U.S.C. 1581(a) and (i). The Commission moved to intervene to contest the CIT’s exercise of jurisdiction, and the CIT denied the Commission’s motion. The CIT exercised jurisdiction under section 1581(a) over the U.S. government’s objections and granted summary judgment for Wirtgen as to the excluded entries of the redesigned machines at issue. The CIT also ordered Customs to release the machines for entry into the United States no later than Thursday, May 21, 2020. On July 14, 2020, the U.S. government appealed the CIT’s decision to the Federal Circuit (“the CIT appeal”).

On May 21, 2020, arguing that the predicate for the SFO had been invalidated by the CIT, Wirtgen filed an emergency motion to stay or temporarily rescind the SFO pending resolution of any CIT appeal. On June 10, 2020, the Commission determined to deny Wirtgen’s motion to stay, but granted Wirtgen’s motion for temporary rescission of the SFO, thus temporarily suspending the SFO until such time as the CIT’s decision is modified, stayed, or overturned. On June 15, 2020, the

Commission filed a motion to stay the SFO appeal pending reinstatement of the SFO by the Commission or resolution of any CIT appeal by the Federal Circuit. On July 29, 2020, the Federal Circuit granted the Commission's motion to stay the SFO appeal until the suspension of the SFO is lifted or until final disposition of the CIT appeal.

Concurrently, on January 16, 2020, the Commission instituted a modification proceeding to determine whether Wirtgen's redesigned series 1810 machines infringe claim 19 of the '693 patent. On August 31, 2020, the Commission determined that Wirtgen's redesigned machines do not infringe and issued modified remedial orders exempting the redesigned machines from the scope of the orders. Caterpillar did not appeal the Commission's non-infringement determination to the Federal Circuit, and therefore, the Commission's non-infringement determination is now final. Consequently, on November 5, 2020, the U.S. government moved to dismiss the CIT appeal. On December 4, 2020, the Federal Circuit dismissed the CIT appeal.

In view of the Federal Circuit's dismissal of the CIT appeal, the Commission has determined to institute a rescission proceeding and to permanently rescind the SFO. The rescission proceeding is hereby terminated.

The Commission's vote for this determination took place on December 7, 2020.

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: December 7, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020-27195 Filed 12-10-20; 8:45 am]

BILLING CODE 7020-02-P

JUDICIAL CONFERENCE OF THE UNITED STATES

Advisory Committee on Bankruptcy Rules; Hearing of the Judicial Conference

AGENCY: Advisory Committee on the Federal Rules of Bankruptcy Procedure, Judicial Conference of the United States.

ACTION: Notice of Cancellation of Open Hearing.

SUMMARY: The following remote public hearing on proposed amendments to the Federal Rules of Bankruptcy Procedure has been canceled: Bankruptcy Rules Hearing on January 7, 2021.

FOR FURTHER INFORMATION CONTACT: Rebecca A. Womeldorf, Secretary, Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, Thurgood Marshall Federal Judiciary Building, One Columbus Circle NE, Suite 7-300, Washington, DC 20544, Telephone (202) 502-1820, *RulesCommittee_Secretary@ao.uscourts.gov*.

SUPPLEMENTARY INFORMATION: Announcements for this hearing were previously published in 85 FR 48562.

Authority: 28 U.S.C. 2073.

Dated: December 8, 2020.

Rebecca A. Womeldorf,

Chief Counsel, Rules Committee Staff.

[FR Doc. 2020-27279 Filed 12-10-20; 8:45 am]

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JUDICIAL CONFERENCE OF THE UNITED STATES

Advisory Committee on Appellate Rules; Hearing of the Judicial Conference

AGENCY: Advisory Committee on the Federal Rules of Appellate Procedure, Judicial Conference of the United States.

ACTION: Notice of Cancellation of Open Hearing.

SUMMARY: The following remote public hearing on proposed amendments to the Federal Rules of Appellate Procedure has been canceled: Appellate Rules Hearing on January 4, 2021.

FOR FURTHER INFORMATION CONTACT: Rebecca A. Womeldorf, Secretary, Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, Thurgood Marshall Federal Judiciary Building, One Columbus Circle NE, Suite 7-300, Washington, DC 20544, Telephone (202) 502-1820, *RulesCommittee_Secretary@ao.uscourts.gov*.

SUPPLEMENTARY INFORMATION: Announcements for this hearing were previously published in 85 FR 48562.

Authority: 28 U.S.C. 2073.

Dated: December 8, 2020.

Rebecca A. Womeldorf,

Chief Counsel, Rules Committee Staff.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

King Wong, M.D.; Decision and Order

On November 12, 2019, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (hereinafter, Government), issued an Order to Show Cause (hereinafter, OSC) to King Wong, M.D. (hereinafter, Registrant). OSC, at 1. The OSC proposed the revocation of Registrant's Certificate of Registration No. AL1804409. *Id.* It alleged that Registrant is without "authority to handle controlled substances in California, the state in which [Registrant is] registered with the DEA." *Id.* (citing 21 U.S.C. 823(f) and 824(a)(3)).

Specifically, the OSC alleged that Registrant surrendered his medical license pursuant to an agreement with the Medical Board of California on March 18, 2019, and that his license remains surrendered. *Id.* at 1-2. The OSC further alleged that because Registrant surrendered his medical license, Registrant lacks the authority to handle controlled substances in the State of California. *Id.* at 2.

The OSC notified Registrant of the right to either request a hearing on the allegations or submit a written statement in lieu of exercising the right to a hearing, the procedures for electing each option, and the consequences for failing to elect either option. *Id.* (citing 21 CFR 1301.43). The OSC also notified Registrant of the opportunity to submit a corrective action plan. *Id.* at 3 (citing 21 U.S.C. 824(c)(2)(C)).

A DEA Diversion Investigator personally served Registrant with the OSC on December 13, 2019, and Registrant signed a DEA Form 12, Receipt for Cash or Other Items, to acknowledge his receipt of the OSC. Request for Final Agency Action Exhibit (hereinafter, RFAAX) 8, at 2-3 (Declaration of Diversion Investigator); RFAAX 5 (DEA Form 12 signed by Registrant). I find that more than thirty days have now passed since the Government accomplished service of the OSC. Further, based on the Government's written representations, I find that neither Registrant, nor anyone purporting to represent Registrant, requested a hearing, submitted a written statement while waiving Registrant's right to a hearing, or submitted a corrective action plan. RFAAX 8, at 3; RFAAX 6 (Emails regarding no communication from Registrant). Accordingly, I find that Registrant has waived the right to a hearing and the right to submit a written statement and