

institutions, and States. The Secretary's list will ensure balance and a diversity of perspectives. The Secretary's nominees will be prominent in their fields, recognized for their professional and other relevant achievements.

As necessary, the Board may establish, with the consent or at the direction of the Office of the Under Secretary of Economic Affairs and the Office of the Secretary, such subcommittees as it considers necessary for the performance of its functions. All subcommittees must report back to the full Board, members and subcommittees must not provide advice or work products directly to any Federal agency or official.

Appointed Board members will serve for a term of up to two years (the balance of the initial term of the Board). If the term of the Board is extended, members shall be eligible for reappointment, and may continue to serve after the expiration of their terms until the appointment of a successor. When vacancies occur, the Secretary will identify for appointment nominees who can best either replicate the perspective of the departing member or provide the Board with a new, identified needed perspective.

#### **IV. Compensation for Members of the Advisory Board**

Members of the Board shall serve without any compensation for their work on the Board. Members of the Board, while engaged in the work of the Board, will, upon request, be reimbursed for travel expenses, including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in government service (5 U.S.C. 5701–5707), consistent with the availability of funds.

#### **V. Solicitation of Nominations**

The Secretary will consider nominations of all qualified individuals to ensure that the Board includes the areas of experience noted above. Individuals may nominate themselves or other individuals, and professional associations and organizations may nominate one or more qualified persons for membership on the Board. Nominations shall state that the nominee is willing to serve as a member and carry out the duties of the Board.

A nomination package should include the following information for each nominee: (1) A letter of nomination stating the name, affiliation, and contact information for the nominee, the basis for the nomination (*i.e.*, what specific attributes recommend him/her for service in this capacity), and the

nominee's field(s) of experience; (2) a biographical sketch of the nominee and a copy of his/her curriculum vitae; and (3) the name, return address, email address, and daytime telephone number at which the nominator can be contacted.

The President and the Secretary encourage nominations for appropriately qualified female, minority, or disabled candidates. The President and the Secretary also encourage geographic diversity in the composition of the Board. All nomination information should be provided in a single, complete package by midnight on October 1, 2018. Interested applicants should send their nomination package to *American WorkforcePolicyAdvisoryBoard@doc.gov*.

Dated: August 23, 2018.

**Jeremy Pelter,**

*Chief Financial Officer and Director of Administration for the Economics and Statistics Administration.*

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**BILLING CODE 3510-06-P**

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## **DEPARTMENT OF COMMERCE**

### **Bureau of Industry and Security**

#### **Regulations and Procedures Technical Advisory Committee; Notice of Partially Closed Meeting**

The Regulations and Procedures Technical Advisory Committee (RPTAC) will meet September 25, 2018, 9:00 a.m., Room 3884, in the Herbert C. Hoover Building, 14th Street between Constitution and Pennsylvania Avenues NW, Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration on implementation of the Export Administration Regulations (EAR) and provides for continuing review to update the EAR as needed.

#### **Agenda**

##### *Public Session*

1. Opening remarks by the Chairman
2. Opening remarks by the Bureau of Industry and Security
3. Presentation of papers or comments by the Public
4. Export Enforcement update
5. Regulations update
6. Working group reports
7. Automated Export System update

##### *Closed Session*

8. Discussion of matters determined to be exempt from the provisions relating to public meetings found in

5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3)

The open session will be accessible via teleconference to 25 participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Joanna Lewis at *Joanna.Lewis@bis.doc.gov* no later than September 18, 2018.

A limited number of seats will be available for the public session. Reservations are not accepted. To the extent that time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate the distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Lewis via email.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on March 23, 2018, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app. 2 § 10(d)), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and the U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public. For more information, call Joanna Lewis at (202) 482-6440.

**Joanna Lewis,**

*Committee Liaison Officer.*

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**BILLING CODE 3510-JT-P**

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## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

**[A-570-881]**

#### **Malleable Cast Iron Pipe Fittings From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (Commerce) is notifying the public that the Court of International Trade's (CIT or the Court) final judgment in this case is not in harmony with Commerce's final scope ruling and is, therefore, finding that certain cast iron electrical

conduit articles (electrical conduit articles) imported by Atkore Steel Components, Inc. (Atkore), are not within the scope of the antidumping duty order on malleable cast iron pipe fittings (MIPF) from the People's Republic of China (China).

**DATES:** Applicable August 13, 2018.

**FOR FURTHER INFORMATION CONTACT:** Alex Rosen, Office III, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-7814.

**SUPPLEMENTARY INFORMATION:**

**Background**

On October 4, 2016, Atkore submitted a scope request claiming that electrical conduit articles are outside the scope of the antidumping duty *Order*<sup>1</sup> on MIPF from China.<sup>2</sup> Commerce issued its Final Scope Ruling on MIPF on March 16, 2017, finding that electrical conduit articles were subject to the scope of the *Order*.<sup>3</sup> On May 12, 2017, Atkore filed a complaint with the CIT asking for a review of Commerce's Final Scope Ruling. On May 15, 2018, the CIT remanded the scope ruling on two grounds.<sup>4</sup> First, the CIT held that Commerce's determination was incorrect with regard to its finding that the scope language in the *Order* was unambiguous. Second, the Court held that Commerce's substantive conclusions, responding to Atkore's arguments about the 19 CFR 351.225(k)(1) sources, were unsupported by substantial evidence.

Pursuant to the Court's instructions, Commerce issued the Final Results of Redetermination on Remand.<sup>5</sup> Consistent with the Court's instructions, Commerce conducted an analysis of the (k)(1) sources at the court's direction, but under respectful protest.<sup>6</sup> Upon

<sup>1</sup> See *Antidumping Duty Order: Certain Malleable Iron Pipe Fittings from the People's Republic of China*, 68 FR 69376 (December 12, 2003) (*Order*).

<sup>2</sup> See Atkore's Letter, "Scope Ruling Request: Malleable Cast Iron Pipe Fittings from the People's Republic of China (A-570-881)," dated October 4, 2016 (Scope Request).

<sup>3</sup> See Memorandum, "Antidumping Duty Order on Malleable Cast Iron Pipe Fittings from the People's Republic of China, Final Scope Ruling Concerning Cast Iron Electrical Conduit Articles," dated March 16, 2017 (Final Scope Ruling).

<sup>4</sup> See *Atkore Steel Components, Inc., v. United States*, Court No. 17-00077, Slip Op. 18-52 (CIT 2018).

<sup>5</sup> See Final Results of Redetermination Pursuant to Court Remand, Certain Malleable Iron Pipe Fittings from the People's Republic of China, *Atkore Steel Components, Inc., v. United States*, Court No. 17-00077, Slip Op. 18-52 (CIT May 15, 2018), dated July 11, 2018 (Final Remand Results).

<sup>6</sup> *Id.* at 2 (citing *Viraj Group, Ltd. v. United States*, 343 F.3d 1371, 1376 (Fed. Cir. 2003) (*Viraj*)).

further analysis of the merchandise under consideration, and based on various 351.225(k)(1) sources on the record, Commerce determined that the record supports a determination that electrical conduit articles are outside the scope of the *Order*.<sup>7</sup> On August 3, 2018, the Court sustained Commerce's Final Remand Results in their entirety.<sup>8</sup>

**Timken Notice**

In its decision in *Timken*,<sup>9</sup> as clarified by *Diamond Sawblades*,<sup>10</sup> the Court of Appeals for the Federal Circuit (CAFC) held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of a court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's August 3, 2018, judgment in this case constitutes a final decision of the court that is not in harmony with Commerce's Final Scope Ruling. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, Commerce will continue the suspension of liquidation of components for MIPF pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision.

**Amended Final Scope Ruling**

Because there is now a final court decision with respect to this case, Commerce is amending its final scope ruling and finds that the scope of the *Order* does not cover the electrical conduit articles specified in Atkore's Scope Request. Commerce will instruct U.S. Customs and Border Protection (CBP) that the cash deposit rate will be zero percent for certain electrical conduit articles imported by Atkore. In the event that the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, Commerce will instruct CBP to liquidate entries of Atkore's electrical conduit articles without regard to antidumping duties, and to lift suspension of liquidation of such entries.

**Notification to Interested Parties**

This notice is issued and published in accordance with sections 516A(e)(1) of the Act.

<sup>7</sup> See Final Remand Results at 16.

<sup>8</sup> See *Atkore Steel Components, Inc. v. United States*, Court No. 17-00077, Slip Op. 18-94 (CIT 2018).

<sup>9</sup> See *Timken Co. v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990) (*Timken*).

<sup>10</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

Dated: August 24, 2018.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

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**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**Science Advisory Board; Solicitation for Members of the NOAA Science Advisory Board**

**AGENCY:** Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of solicitation for members of the NOAA Science Advisory Board.

**SUMMARY:** NOAA is soliciting nominations for members of the NOAA Science Advisory Board (SAB). The SAB is the only Federal Advisory Committee with the responsibility to advise the Under Secretary of Commerce for Oceans, Atmosphere, and NOAA Administrator on long- and short-range strategies for research, education, and application of science to resource management and environmental assessment and prediction. The SAB consists of approximately fifteen members reflecting the full breadth of NOAA's areas of responsibility and assists NOAA in maintaining a complete and accurate understanding of scientific issues critical to the agency's missions.

**DATES:** Nominations should be sent to the web address specified below and must be received by October 15, 2018.

**ADDRESSES:** Applications should be submitted electronically to [noaa.sab.newmembers@noaa.gov](mailto:noaa.sab.newmembers@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Dr. Cynthia Decker, Executive Director, Science Advisory Board, NOAA, Rm. 11230, 1315 East-West Highway, Silver Spring, Maryland 20910 (Phone: 301-734-1156, Fax: 301-713-1459, Email: [Cynthia.Decker@noaa.gov](mailto:Cynthia.Decker@noaa.gov)); or visit the NOAA SAB website at <http://www.sab.noaa.gov>.

**SUPPLEMENTARY INFORMATION:** At this time, individuals are sought with expertise in cloud computing, artificial intelligence and data management; weather modeling and data assimilation; remote/autonomous sensing technology;