

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-012]

Carbon and Certain Alloy Steel Wire Rod From the People’s Republic of China: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part

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

DATES: *Effective Date:* November 19, 2014.

SUMMARY: The Department of Commerce (the Department) determines that imports of carbon and certain alloy steel wire rod (steel wire rod) from the People’s Republic of China (PRC) are being, or likely to be, sold in the United States at less than fair value (LTFV), as provided in section 735 of the Tariff Act of 1930, as amended (the Act). The period of investigation is July 1, 2013, through December 31, 2013. The final weighted-average dumping margins for this investigation are listed in the “Final Determination Margins” section below.

FOR FURTHER INFORMATION CONTACT: Brian Smith or Brandon Custard, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

Avenue NW., Washington, DC 20230; telephone: (202) 482-1766 or (202) 482-1823.

SUPPLEMENTARY INFORMATION:

Background

The Department published the preliminary determination in the LTFV investigation of steel wire rod from the PRC on September 8, 2014.¹ The following events occurred since the *Preliminary Determination* was issued.

We invited parties to comment on the *Preliminary Determination*. No interested party submitted comments.² Therefore, the final determination does not differ from the *Preliminary Determination*, except as noted in the “Continuation of the Suspension of Liquidation” section, below.

Scope of the Investigation

The product covered by the scope of this investigation is certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately circular cross section, less than 19.00 mm in actual solid cross-sectional diameter. Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the United States (HTSUS) definitions for (a) stainless steel; (b) tool steel; (c) high nickel steel; (d) ball bearing steel; or (e) concrete reinforcing bars and rods. Also excluded are free cutting steel (also

known as free machining steel) products (*i.e.*, products that contain by weight one or more of the following elements: 0.1 percent or more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorus, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium). All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products under investigation are currently classifiable under subheadings 7213.91.3011, 7213.91.3015, 7213.91.3020, 7213.91.3093; 7213.91.4500, 7213.91.6000, 7213.99.0030, 7227.20.0030, 7227.20.0080, 7227.90.6010, 7227.90.6020, 7227.90.6030, and 7227.90.6035 of the HTSUS. Products entered under subheadings 7213.99.0090 and 7227.90.6090 of the HTSUS also may be included in this scope if they meet the physical description of subject merchandise above. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Final Determination Margins

The Department determines that the following weighted-average dumping margins exist for the period July 31, 2013, through December 31, 2013.

Exporter	Producer	Weighted-average dumping margin (percent)
Rizhao Steel Wire Co., Ltd	Rizhao Steel Wire Co., Ltd	106.19
Hunan Valin Xiangtan Iron & Steel Co., Ltd	Hunan Valin Xiangtan Iron & Steel Co., Ltd	106.19
Jiangsu Shagang International Trade Co., Ltd	Zhangjiagang Shajing Steel Co. Ltd	106.19
Jiangsu Shagang International Trade Co., Ltd	Zhangjiagang Runzhong Steel Co., Ltd	106.19
Jiangsu Shagang International Trade Co., Ltd	Zhangjiagang Hongxing Gaoxian Co., Ltd	106.19
Jiangsu Shagang International Trade Co., Ltd	Zhangjiagang Rongsheng Steel-Making Co., Ltd	106.19
Jiangsu Shagang International Trade Co., Ltd	Jiangsu Runzhong High-Tech Co., Ltd	106.19
Jiangsu Shagang International Trade Co., Ltd	Zhangjiagang Hongchang Gaoxian Co., Ltd	106.19
PRC-wide Entity*	110.25

* The PRC-wide entity includes, among other companies, Benxi Beiyong Iron and Steel Group Imp. and Exp. Corp. Ltd.,³ Tangshan Iron and Steel Group Co. Ltd., Angang Group International Trade Corporation, Qingdao Iron and Steel Co., Ltd., Jiangsu Yonggang Group Co. Ltd., and Baotou Steel International Economic & Trading Co., Ltd.⁴

¹ See *Carbon and Certain Alloy Steel Wire Rod from the People’s Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Preliminary Determination of Critical Circumstances, in Part*, 79 FR 53169 (September 8, 2014) (*Preliminary Determination*).

² On October 8, 2014, the petitioners filed a letter indicating that they did not request a hearing, but

would participate in a hearing if requested by any of the respondents in this investigation. Given that none of the respondents requested a hearing, no hearing was held.

³ For the reasons explained in the *Preliminary Determination*, the Department finds it appropriate to consider Bei Tai Iron and Steel Group Imp. and Exp. (Dalian) Co., Ltd. a part of Benxi Beiyong Iron

and Steel Group Imp. and Exp. Corp. Ltd. See *Preliminary Determination*, and accompanying Preliminary Decision Memorandum at 9.

⁴ For the reasons explained in the *Preliminary Determination*, the Department did not find these companies eligible for a separate rate. See *Preliminary Determination*, and accompanying Preliminary Decision Memorandum at 8-11.

Critical Circumstances

In the *Preliminary Determination*,⁵ we found that critical circumstances did not exist for entries of subject merchandise from the companies to which we granted a separate rate.⁶ In accordance with sections 776(a) and (b) of the Act, we applied facts available with an adverse inference to determine that critical circumstances existed with respect to entries of subject merchandise from the PRC-wide entity. No parties commented on, and we made no changes to, our preliminary critical circumstances analysis,⁷ for purposes of the final determination. Therefore, pursuant to section 735(a)(3) of the Act, we continue to find that critical circumstances do not exist for the separate rate companies, but do exist for the PRC-wide entity.

Continuation of Suspension of Liquidation

As noted above, for this final determination, the Department found that critical circumstances exist with respect to imports of the subject merchandise from the PRC-wide entity. Therefore, in accordance with section 735(c)(4)(A) of the Act, we will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all imports of the merchandise subject to the investigation from the PRC-wide entity, that were entered or withdrawn from warehouse, for consumption on or after June 10, 2014, 90 days prior to publication of the *Preliminary Determination* in the **Federal Register**, and require a cash deposit for such entries as noted below.

Because we did not find that critical circumstances exist with respect to the separate rate companies, in accordance with section 735(c)(1)(B) of the Act, the Department will instruct CBP to continue to suspend liquidation of all entries of the subject merchandise from these companies which were entered, or withdrawn from warehouse, for consumption on or after September 8, 2014, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Furthermore, consistent with our practice, where the product under investigation is also subject to a concurrent countervailing duty (CVD) investigation, we will instruct CBP to require a cash deposit equal to the amount by which the normal value

exceeds the export price or constructed export price, adjusted where appropriate for export subsidies and estimated domestic subsidy pass-through.⁸ In the final determination of the companion CVD investigation on steel wire rod from the PRC, the Department determined that the mandatory respondents and all other companies benefited from export subsidies.⁹ Thus, we will offset the estimated weighted-average dumping margin for the PRC-wide entity of 110.25 percent, and for the separate rate companies of 106.19 percent, by the CVD rate attributable to export subsidies (*i.e.*, 13.01 percent¹⁰) to calculate the cash deposit rate for the PRC-wide entity of 97.24 percent, and for the separate rate companies of 93.18 percent.¹¹ Consistent with our *Preliminary Determination*, we are not adjusting the final determination rates for estimated domestic subsidy pass through because we have no basis upon which to make such an adjustment.¹²

⁸ See sections 772(c)(1)(C) and 777A(f) of the Act, respectively. Unlike in administrative reviews, the Department makes an adjustment for export subsidies in an LTFV investigation not in the calculation of the weighted-average dumping margin, but in the cash deposit instructions issued to CBP. See *Notice of Final Determination of Sales at Less Than Fair Value, and Negative Determination of Critical Circumstances: Certain Lined Paper Products from India*, 71 FR 45012 (August 8, 2006), and accompanying Issues and Decision Memorandum at Comment 1.

⁹ See *Carbon and Alloy Steel Wire Rod from the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Critical Circumstances Determination*, and accompanying Issues and Decision Memorandum at 9–10 and Attachment entitled “Description of Programs,” signed concurrently with this notice.

¹⁰ The following subsidy programs countervailed for all companies in the final determination of the concurrent CVD investigation are export subsidies: Development of Famous Brands and China World Top Brands Programs (0.55 percent), Sub-Central Government Subsidies for Development of Famous Brands and China World Top Brands (0.55 percent), Funds for Outward Expansion of Industries in Guangdong Province (0.55 percent), State Specific Fund for Promoting Key Industries and Innovation Technologies (0.55 percent), Grants for Antidumping Investigations (0.55 percent), Technology to Improve Trade Research and Development (R&D) Fund (0.55 percent), Income Tax Reductions for Export-Oriented Foreign Invested Enterprises (FIEs) (0.00 percent), and Tax Refunds for Reinvestment of FIE Profits in Export-Oriented Enterprises (9.71 percent). See *Carbon and Alloy Steel Wire Rod from the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Critical Circumstances Determination*, and the accompanying Issues and Decision Memorandum at 9–10 and Attachment entitled “Description of Programs,” signed concurrently with this notice.

¹¹ We did not make any adjustment for export subsidies in the *Preliminary Determination*. See *Preliminary Determination*, 79 FR at 53171.

¹² See *Preliminary Determination*, and accompanying Preliminary Decision Memorandum at 18.

The Department will instruct CBP to require a cash deposit¹³ equal to the weighted-average amount by which the normal value exceeds U.S. price, with the above-noted adjustments, as follows: (1) The rate for the exporter/producer combinations listed in the chart above will be the rate we have determined in this final determination; (2) for all PRC exporters of subject merchandise which have not received their own rate, the cash-deposit rate will be the rate established for the PRC-wide entity; and (3) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash-deposit rate will be the rate applicable to the PRC exporter/producer combination that supplied that non-PRC exporter. These suspension of liquidation and cash deposit instructions will remain in effect until further notice.

ITC Notification

In accordance with section 735(d) of the Act, we notified the International Trade Commission (ITC) of the final affirmative determination of sales at LTFV. As the Department's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will determine, within 45 days, whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of subject merchandise, or sales (or the likelihood of sales) for importation, of the subject merchandise. If the ITC determines that such injury does not exist, this proceeding will be terminated and all estimated duties deposited as a result of the suspension of liquidation will be refunded. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Return or Destruction of Proprietary Information

This notice also serves as a reminder to the parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of return or destruction of

¹³ See *Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations*, 76 FR 61042 (October 3, 2011).

⁵ See *Preliminary Determination*, 79 FR at 53170.

⁶ Rizhao Steel Wire Co., Ltd., Hunan Valin Xiangtan Iron & Steel Co., Ltd., and Jiangsu Shagang International Trade Co., Ltd. (collectively, the separate rate companies).

⁷ See *Preliminary Determination*, 79 FR at 53170.

APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: November 12, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

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BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

President's Export Council: Meeting of the President's Export Council

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice of an open meeting.

SUMMARY: The President's Export Council (Council) will hold a meeting to deliberate on recommendations related to promoting the expansion of U.S. exports and to convey a report to the President on the September 2014 fact-finding trip to Poland and Turkey by some members of the Council. Topics may include: the National Export Initiative; trade promotion authority; trade negotiations; reauthorization of the Export-Import Bank of the United States; innovation; education, skills development and workforce readiness; infrastructure; tax reform; and export control reform. The final agenda will be posted at least one week in advance of the meeting on the President's Export Council Web site at <http://trade.gov/pec>.

DATES: December 11, 2014 at 9:30 a.m. (ET).

ADDRESSES: The President's Export Council meeting will be broadcast via live webcast on the Internet at <http://whitehouse.gov/live>.

FOR FURTHER INFORMATION CONTACT: Tricia Van Orden, Executive Secretary, President's Export Council, Room 4043, 1401 Constitution Avenue NW., Washington, DC, 20230, telephone: 202-482-5876, email: tricia.vanorden@trade.gov.

SUPPLEMENTARY INFORMATION:

Background: The President's Export Council was first established by Executive Order on December 20, 1973 to advise the President on matters relating to U.S. export trade and to report to the President on its activities and recommendations for expanding

U.S. exports. The President's Export Council was renewed most recently by Executive Order 13652 of September 30, 2013, for the two-year period ending September 30, 2015. This Committee is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.

Public Submissions: The public is invited to submit written statements to the President's Export Council. Statements must be received by C.O.B. December 5, 2014 by either of the following methods:

a. Electronic Submissions

Submit statements electronically to Tricia Van Orden, Executive Secretary, President's Export Council via email: tricia.vanorden@trade.gov.

b. Paper Submissions

Send paper statements to Tricia Van Orden, Executive Secretary, President's Export Council, Room 4043, 1401 Constitution Avenue NW., Washington, DC 20230.

Statements will be posted on the President's Export Council Web site (<http://trade.gov/pec>) without change, including any business or personal information provided such as names, addresses, email addresses, or telephone numbers. All statements received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. You should submit only information that you wish to make publicly available.

Meeting minutes: Copies of the Council's meeting minutes will be available within ninety (90) days of the meeting.

Dated: November 13, 2014.

Tricia Van Orden,

Executive Secretary, President's Export Council.

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DEPARTMENT OF COMMERCE

International Trade Administration

Ports and Marine Technology Trade Mission to India

February 2-6, 2015.

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Amendment.

SUMMARY: The United States Department of Commerce, International Trade Administration, Industry and Analysis is amending the notice published at 79 FR 24674, May 1, 2014, for the *India*

Ports and Marine Technology Trade Mission to India to notify potential U.S. delegates that the trade mission application deadline is extended to November 21, 2014 and to add a second optional stop to an Eastern port, Visakhapatnam (Vizag), India. The fee for the optional stop to Vizag will be \$700 per participant for the first representative and \$200 for any additional representative, provided there are a number of 5 participants traveling to Vizag.

SUPPLEMENTARY INFORMATION:

Amendment to Revise the Application Deadline and add an optional stop

Background

Recruitment for this Mission began in February 28, 2014.

In addition, since recruitment commenced, new opportunities have been identified for American firms in Vizag, India. Recruitment for the mission will continue, and conclude on November 21, 2014. The U.S. Department of Commerce will review applications and make selection decisions on a rolling basis until the maximum of 20 participants is selected. Applications received after November 21, 2014, will be considered only if space and scheduling constraints permit.

Amendments

For the reasons stated above, the last paragraph of the Timeframe for Recruitment and Application section of the notice 79 FR 24674, May 1, 2014, for the *India Ports and Marine Technology Trade Mission to India* is amended to allow for applications to be accepted to November 21, 2014. "Recruitment for this mission will conclude no later than November 21, 2014. The U.S. Department of Commerce will review applications and make selection decisions on a rolling basis until the maximum of 20 participants is selected. Applications received after November 21, 2014, will be considered only if space and scheduling constraints permit.

For the reasons stated above, the Optional Visit to Goa section of the Notice 79 FR 24674, May 1, 2014, for the *India Ports and Marine Technology Trade Mission to India*, are amended as follows:

The header will read: Optional Visit to Goa and Visakhapatnam (Vizag). For an additional fee, participants in the mission can visit the port of Vizag, an Eastern port of India. The port city, often called "The Jewel of the East Coast" faces the Bay of Bengal.

For the reason stated above, the Fees and Expenses, section of the Notice 79