

**FOR FURTHER INFORMATION CONTACT:**

James Terpstra, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3965.

**SUPPLEMENTARY INFORMATION:****Background**

On June 18, 2008, section 805 of Title VIII of the Tariff Act of 1930 (the Softwood Lumber Act of 2008) was enacted into law. Under this provision, the Secretary of Commerce is mandated to submit to the appropriate Congressional committees a report every 180 days on any subsidy provided by countries exporting softwood lumber or softwood lumber products to the United States, including stumpage subsidies.

The Department submitted its last subsidy report on December 16, 2015. As part of its newest report, the Department intends to include a list of subsidy programs identified with sufficient clarity by the public in response to this notice.

**Request for Comments**

Given the large number of countries that export softwood lumber and softwood lumber products to the United States, we are soliciting public comment only on subsidies provided by countries whose exports accounted for at least one percent of total U.S. imports of softwood lumber by quantity, as classified under Harmonized Tariff Schedule code 4407.1001 (which accounts for the vast majority of imports), during the period July 1, 2015 through December 31, 2015. Official U.S. import data published by the United States International Trade Commission Tariff and Trade DataWeb indicate that only two countries, Canada and Chile, exported softwood lumber to the United States during that time period in amounts sufficient to account for at least one percent of U.S. imports of softwood lumber products. We intend to rely on similar previous six-month periods to identify the countries subject to future reports on softwood lumber subsidies. For example, we will rely on U.S. imports of softwood lumber and softwood lumber products during the period January 1, 2016 through June 30, 2016, to select the countries subject to the next report.

Under U.S. trade law, a subsidy exists where an authority: (i) Provides a financial contribution; (ii) provides any form of income or price support within the meaning of Article XVI of the GATT 1994; or (iii) makes a payment to a funding mechanism to provide a financial contribution to a person, or entrusts or directs a private entity to

make a financial contribution, if providing the contribution would normally be vested in the government and the practice does not differ in substance from practices normally followed by governments, and a benefit is thereby conferred.<sup>1</sup>

Parties should include in their comments: (1) The country which provided the subsidy; (2) the name of the subsidy program; (3) a brief description (at least 3–4 sentences) of the subsidy program; and (4) the government body or authority that provided the subsidy.

**Submission of Comments**

Persons wishing to comment should file comments by the date specified above. Comments should only include publicly available information. The Department will not accept comments accompanied by a request that a part or all of the material be treated confidentially due to business proprietary concerns or for any other reason. The Department will return such comments or materials to the persons submitting the comments and will not include them in its report on softwood lumber subsidies. The Department requests submission of comments filed in electronic Portable Document Format (PDF) submitted on CD-ROM or by email to the email address of the EC Webmaster, below.

The comments received will be made available to the public in PDF on the Enforcement and Compliance Web site at the following address: <http://enforcement.trade.gov/sla2008/sla-index.html>. Any questions concerning file formatting, access on the Internet, or other electronic filing issues should be addressed to Laura Merchant, Enforcement and Compliance Webmaster, at (202) 482-0367, email address: [webmaster\\_support@trade.gov](mailto:webmaster_support@trade.gov).

All comments and submissions in response to this Request for Comment should be received by the Department no later than 5 p.m. Eastern Standard Time on the above-referenced deadline date.

Dated: April 21, 2016.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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<sup>1</sup> See section 771(5)(B) of the Tariff Act of 1930, as amended.

**DEPARTMENT OF COMMERCE****International Trade Administration****Submission for OMB Review; Comment Request**

**AGENCY:** Committee for the Implementation of Textile Agreements, International Trade Administration, Commerce.

On behalf of the Committee for the Implementation of Textile Agreements (CITA), the Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Title:* Interim Procedures for Considering Requests from the Public for Textile and Apparel Safeguard Actions on Imports from Panama.

*Form Number(s):* N/A.

*OMB Control Number:* 0625-0274.

*Type of Request:* Regular submission.

*Burden Hours:* 24.

*Number of Respondents:* 6 (1 for Request; 5 for Comments).

*Average Hours per Response:* 4 hours for a Request; and 4 hours for each Comment.

*Average Annual Cost to Public:* \$960.

*Needs and Uses:* Title III, Subtitle B, Section 321 through Section 328 of the United States-Panama Trade Promotion Agreement Implementation Act (the "Act") [Pub. L. 112-43] implements the textile and apparel safeguard provisions, provided for in Article 3.24 of the United States-Panama Trade Promotion Agreement (the "Agreement"). This safeguard mechanism applies when, as a result of the elimination of a customs duty under the Agreement, a Panamanian textile or apparel article is being imported into the United States in such increased quantities, in absolute terms or relative to the domestic market for that article, and under such conditions as to cause serious damage or actual threat thereof to a U.S. industry producing a like or directly competitive article. In these circumstances, Article 3.24 permits the United States to increase duties on the imported article from Panama to a level that does not exceed the lesser of the prevailing U.S. normal trade relations (NTR)/most-favored-nation (MFN) duty rate for the article or the U.S. NTR/MFN duty rate in effect on the day the Agreement entered into force.

The Statement of Administrative Action accompanying the Act provides that the Committee for the Implementation of Textile Agreements (CITA) will issue procedures for

requesting such safeguard measures, for making its determinations under section 322(a) of the Act, and for providing relief under section 322(b) of the Act.

In Proclamation No. 8894 (77 FR 66507, November 5, 2012), the President delegated to CITA his authority under Subtitle B of Title III of the Act with respect to textile and apparel safeguard measures.

CITA must collect information in order to determine whether a domestic textile or apparel industry is being adversely impacted by imports of these products from Panama, thereby allowing CITA to take corrective action to protect the viability of the domestic textile or apparel industry, subject to section 322(b) of the Act.

**Affected Public:** Individuals or households; businesses or other for-profit organizations.

**Frequency:** On occasion.

**Respondent's Obligation:** Voluntary.

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to OIRA *Submission@omb.eop.gov* or fax to (202) 395-5806.

**Glenna Mickelson,**

*Management Analyst, Office of the Chief Information Officer.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-045]

#### 1-Hydroxyethylidene-1, 1-Diphosphonic Acid From the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation

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

**DATES:** *Effective Date:* April 20, 2016.

**FOR FURTHER INFORMATION CONTACT:** Javier Barrientos at (202) 482-2243 or Paul Walker (202) 482-0413, AD/CVD Operations, Enforcement & Compliance, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### The Petition

On March 31, 2016, the Department of Commerce (the Department) received an

antidumping duty (AD) petition concerning imports of 1-hydroxyethylidene-1, 1-diphosphonic acid (HEDP) from the People's Republic of China (PRC), filed in proper form on behalf of Compass Chemical International LLC (Compass or Petitioner).<sup>1</sup> The AD petition was accompanied by a countervailing duty (CVD) petition for the PRC.<sup>2</sup> Petitioner is a domestic producer of HEDP.<sup>3</sup>

On April 5, 2016, the Department requested additional information and clarification of certain areas of the Petition.<sup>4</sup> Petitioner filed responses to these requests on April 7, 8, and 14, 2016.<sup>5</sup>

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), Petitioner alleges that imports of HEDP from the PRC are being, or are likely to be, sold in the United States at less-than-fair value within the meaning of section 731 of the Act, and that such imports are materially injuring, or threatening material injury to, an industry in the United States. Also, consistent with section 732(b)(1) of the Act, the Petition is accompanied by information reasonably available to Petitioner supporting its allegations.

The Department finds that Petitioner filed this Petition on behalf of the domestic industry because Petitioner is an interested party as defined in section 771(9)(C) of the Act. The Department

<sup>1</sup> See the Petition for the Imposition of Antidumping and Countervailing Duties on Imports of 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China, dated March 31, 2016 (the Petition) at Volumes I and II.

<sup>2</sup> *Id.*, at Volume III.

<sup>3</sup> See Volume I of the Petition at 2.

<sup>4</sup> See the letters from the Department to Petitioner entitled, "Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of 1-Hydroxyethylidene-1, 1-Diphosphonic Acid (HEDP) from the People's Republic of China: Supplemental Questions," dated April 5, 2016 (General Issues Supplemental Questionnaire) and "Petition for the Imposition of Antidumping Duties on Imports of 1-Hydroxyethylidene-1, 1-Diphosphonic Acid (HEDP) from the People's Republic of China: Supplemental Questions" dated April 5, 2016.

<sup>5</sup> See the letter from Petitioner to the Department entitled, "Petition for the Imposition of Antidumping and Countervailing Duties, Supplemental Submission, Petition Volume I: 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China," dated April 7, 2016 (General Issues Supplement); see also the letter from Petitioner to the Department entitled, "Petition for the Imposition of Antidumping and Countervailing Duties, Supplemental Submission, Petition Volume II: 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China," dated April 8, 2016 (AD Supplemental Response); see also the letter from Petitioner to the Department entitled, "Petition for the Imposition of Antidumping and Countervailing Duties, Supplemental Submission, Petition Volume II: 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China," dated April 8, 2016 (Second AD Supplemental Response).

also finds that Petitioner demonstrated sufficient industry support with respect to the initiation of the AD investigation that Petitioner is requesting.<sup>6</sup>

#### Period of Investigation

Because the Petition was filed on March 31, 2016, pursuant to 19 CFR 351.204(b)(1), the period of investigation (POI) is July 1, 2015 through December 31, 2015.

#### Scope of the Investigation

The product covered by this investigation is HEDP from the PRC. For a full description of the scope of this investigation, see the "Scope of the Investigation," in Appendix I of this notice.

#### Comments on Scope of the Investigation

During our review of the Petition, the Department issued questions to, and received responses from, Petitioner pertaining to the proposed scope to ensure that the scope language in the Petition would be an accurate reflection of the products for which the domestic industry is seeking relief.<sup>7</sup>

As discussed in the preamble to the Department's regulations,<sup>8</sup> we are setting aside a period for interested parties to raise issues regarding product coverage (scope). The Department will consider all comments received from parties and, if necessary, will consult with parties prior to the issuance of the preliminary determination. If scope comments include factual information (see 19 CFR 351.102(b)(21)), all such factual information should be limited to public information. In order to facilitate preparation of its questionnaires, the Department requests all interested parties to submit such comments by 5:00 p.m. Eastern Time (ET) on Tuesday,

May 10, 2016, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. ET on Friday, May 20, 2016.

The Department requests that any factual information the parties consider relevant to the scope of the investigation be submitted during this time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party may contact the Department and request permission to submit the additional

<sup>6</sup> See the "Determination of Industry Support for the Petition" section below.

<sup>7</sup> See General Issues Supplemental Questionnaire at 2; see also General Issues Supplement at 2.

<sup>8</sup> See *Antidumping Duties; Countervailing Duties*, 62 FR 27296, 27323 (May 19, 1997).