DEPARTMENT OF COMMERCE
Bureau of Industry and Security
Emerging Technology and Research Advisory Committee; Notice of Partially Closed Meeting

The Emerging Technology and Research Advisory Committee (ETRAC) will meet on March 23–24, 2017, 8:30 a.m., Room 3884, at the Herbert C. Hoover Building, 14th Street between Pennsylvania and Constitution Avenues NW., Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration on emerging technology and research activities, including those related to deemed exports.

Agenda

Open Session

1. Welcome Remarks & Update of ETRAC activities
2. Update on Export Control Issues
3. Review: Emerging Technologies in the News:
   - Regulatory uncertainty and the associated business risk for emerging technologies” by Robert A. Hoerr
   - “China’s $9 billion effort to beat the U.S. in genetic testing” Washington Post December 30, 2016
   - “Encourage governments to need scientific advice” by ETRAC member William Colglazier
   - “3D Graphene” TechConnect interviews
   - “Airborne Optics and Photonics” photonics.com
4. Discussion of recent export control and emerging technologies activities
   - Council on Government Relations—Research Compliance and Administration
   - Committee
   - Association of University Technology Managers—Global Issues session at AUTM Annual Meeting in March, 2017
   - Advanced Design and Production Technologies at Sandia National Laboratories
   - JASON—Scientific group that advises government on matters of science, technology and national security
   - The National Academies of Sciences, Engineering, Medicine—Dual Use Research of Concern: Options for Future Management—January 4, 2017
5. Discussion on Industry Sectors being reviewed by the ETRAC
   - Electronics & Graphene Circuits
   - Graphene metamaterials
   - Robotics and Big Data
   - Optoelectronics & Photonics
   - Additive Manufacturing
   - Advanced materials
   - Autonomous Technology
   - Hypersonics
6. Comments from the Public
7. Industry presentations

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 sessions will be accessible via teleconference to 25 participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Yvette Springer at Yvette.Springer@bis.doc.gov no later than, March 16, 2017.
   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. Springer via email.
   The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on February 22, 2017, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended, that the portion of the meeting dealing with matters the of which would be likely to frustrate significantly implementation of a proposed agency action as described in 5 U.S.C. 552b(c)(9)(B) 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 parts of the meeting will be open to the public.
   For more information, call Yvette Springer at (202) 482–2813.
Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at https://access.trade.gov, and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at http://enforcement.trade.gov/frn/. The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The product covered by this investigation is rebar from Turkey. For a complete description of the scope of this investigation, see Appendix I.

Scope Comments

In accordance with the preamble to the Department’s regulations,³ the Initiation Notice set aside a period of time for parties to raise issues regarding product coverage (i.e., scope).⁴ No interested party commented on the scope of the investigation as it appeared in the Initiation Notice. However, because the instant investigation pertains to the less-than-fair-value investigation of rebar from Turkey, the Department preliminarily modified the scope language as it appeared in the Initiation Notice to remove the language pertaining to the countervailing duty investigation of rebar from Turkey. See the scope in Appendix I to this notice.

Methodology

The Department is conducting this investigation in accordance with section 731 of the Act. The Department has calculated export prices in accordance with section 772(a) of the Act. Normal value (NV) is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying the preliminary determination, see the Preliminary Decision Memorandum.

All-Others Rate

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that in the preliminary determination the Department shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and de minimis margins, and any margins determined entirely under section 776 of the Act.

In this investigation, the Department calculated estimated weighted-average dumping margins for Habas Sinai ve Tibbi Gazlar Istitfah Endustriyasi A.S. (Habas) and Icdas Celik Enerji Tersane ve Ulasm Sanayi A.S. (Icdas) that are not zero, de minimis, or based entirely on facts otherwise available. The Department calculated the all-others’ rate using a weighted average of the estimated weighted-average dumping margins calculated for the examined respondents using each company’s publicly-ranked values for the merchandise under consideration.⁵

Preliminary Determination

The Department preliminarily determines that the following estimated weighted-average dumping margins exist:

<table>
<thead>
<tr>
<th>Exporter/producer</th>
<th>Estimated weighted-average dumping margin (percent)</th>
<th>Cash deposit rate (adjusted for subsidy offsets) (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Habas Sinai ve Tibbi Gazlar Istitfah Endustriyasi A.S</td>
<td>5.29</td>
<td>5.15</td>
</tr>
<tr>
<td>Icdas Celik Enerji Tersane ve Ulasm Sanayi A.S</td>
<td>7.07</td>
<td>6.90</td>
</tr>
<tr>
<td>All-Others</td>
<td>6.20</td>
<td>6.03</td>
</tr>
</tbody>
</table>

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the Federal Register. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) The cash deposit rate for the respondents listed above will be equal to the company-specific estimated weighted-average dumping margins determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

The Department normally adjusts cash deposits for estimated antidumping duties by the amount of export subsidies countervalued in a companion countervailing duty (CVD) proceeding, when CVD provisional measures are in effect. Accordingly, where the Department preliminarily made an affirmative determination for countervailable export subsidies, the Department has offset the estimated weighted-average dumping margin by the appropriate CVD rate.⁶ Any such respondents. For a complete analysis of the data, please see the All-Others’ Rate Calculation Memorandum.

³ See Antidumping Duties: Countervailing Duties, 62 FR 27296, 27323 (May 19, 1997).

⁴ See Initiation Notice.

⁵ With two respondents under examination, the Department normally calculates (A) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents; (B) a simple average of the estimated weighted-average dumping margins calculated for the examined respondents; and (C) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents using each company’s publicly-ranked U.S. sale quantities for the merchandise under consideration. The Department then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. See Ball Bearings and Parts Thereof From France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part, 75 FR 53661, 53663 (September 1, 2010). As complete publicly-ranged sales data was available, the Department based the all-others rate on the publicly-ranged sales data of the mandatory respondents.

⁶ See Memorandum to the File, “Antidumping Duty Investigation of Steel Concrete Reinforcing Bar From the Republic of Turkey: Preliminary Determination: Calculation Memorandum for Habas Sinai ve Tibbi Gazlar Istitfah Endustriyasi A.S.,” dated concurrently with this Notice; See also Memorandum to the File, “Antidumping Duty Investigation of Steel Concrete Reinforcing Bar From the Republic of Turkey: Preliminary Determination.”
adjusted cash deposit rate may be found in the Preliminary Determination section above.

Should provisional measures in the companion CVD investigation expire prior to the expiration of provisional measures in this LTFV investigation, the Department will direct CBP to begin collecting estimated antidumping duty cash deposits unadjusted for countervailed export subsidies at the time that the provisional CVD measures expire.

These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

The Department intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Verification

As provided in section 782(j)(1) of the Act, the Department intends to verify the information relied upon in making its preliminary determination.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs. Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain the party’s name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Final Determination

Section 735(a)(1) of the Act and 19 CFR 351.210(b)(1) provide that the Department will issue the final determination within 75 days after the date of its preliminary determination. Accordingly, the Department will make its final determination no later than 75 days after the signature date of this preliminary determination.

International Trade Commission Notification

In accordance with section 733(f) of the Act, the Department will notify the International Trade Commission (ITC) of its preliminary determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c). Dated: February 28, 2017.

Ronald K. Lorentzen,
Acting Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise subject to this investigation is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof. Subject merchandise includes deformed steel wire with bar markings (e.g., mill mark, size, or grade) and which has been subjected to an elongation test. The subject merchandise includes rebar that has been further processed in the subject country or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the rebar.

Specifically excluded are plain rounds (i.e., nondeformed or smooth rebar). Also excluded from the scope is deformed steel wire meeting ASTM A1064/A1064M with no bar markings (e.g., mill mark, size, or grade) and without being subject to an elongation test.

The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000.

HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Scope of the Investigation
V. Discussion of the Methodology
   A. Determination of the Comparison Method
   B. Results of the Differential Pricing Analysis
VI. Date of Sale
VII. Product Comparisons
VIII. Export Price and Constructed Export Price
IX. Normal Value
   A. Home Market Viability
   B. Level of Trade
   C. Cost of Production (COP) Analysis
      1. Calculation of COP
      2. Test of Comparison Market Sales Prices
      3. Results of the COP Test
D. Calculation of NV Based on Comparison Market Price
X. Adjustment to Cash Deposit Rate for Export Subsidies
XI. Currency Conversion
XII. Conclusion

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DEPARTMENT OF COMMERCE

International Trade Administration

[570–010]


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