

their Certified Trade Mission fee if they participate in the mission.

- **Featured U.S. Exporter:** Listings are typically provided for up to 5 markets. However, they an additional individual market can be provided for \$30 for small businesses, \$50 for medium-sized enterprises and \$70 for large companies. The annual renewal fee is \$75 for small businesses, \$175 for medium-sized enterprises and \$250 for large companies.

- **Initial Market Check:** Is a required precursor for more time intensive services if staff is uncertain about a client's market potential. Fees paid for the Initial Market Check will then be applied to any follow-on service if the results are positive. The fee is assessed on a per country basis.

- **International Company Profile—Partial:** Does not include a site visit.

- **Webinars** will be archived and made available to the general public, so the requirement to recover ITA's costs does not apply; however, a minimal fee is required to help ensure the suitability of participants and cover the cost of any special benefit that may derive from attending in real-time, such as question and answer opportunities. Uniform pricing is listed because the enforcement of pricing by size standards for each registrant creates an administrative burden. Some webinars will be provided at no charge when the purpose is primarily to promote ITA or other United States Government events, activities, etc.

### Determining the Cost of Performing Each Service

The cost of service methodology developed by ITA was designed to bring the organization closer to full cost recovery guidance set forth in OMB Circular A-25. To set user fees that are "self-sustaining," ITA had to determine the true cost of providing various export and investment promotion services.

Federal Accounting Standards permit ITA to use an activity-based costing model to determine the true cost of services listed in the proposed User Fee Schedule. The activities were defined in accordance with the list of services offered by ITA, including both standard and customized services.

As part of the cost of service study, ITA conducted a workload survey to obtain a more accurate estimate of the true cost for delivery of specific services. The workload survey was designed and distributed to all ITA international and domestic field units. The data submitted by various field units was then aggregated to determine the global average of workload for each standard or customized service. Using

FY2015 ITA budget data, fringe benefits and non-labor related costs (*e.g.*, materials, supplies, rent, utilities, and equipment) were prorated to determine the burdening rate that was to be added to the hourly rate. This resulted in an hourly rate that accounts for all applicable labor and non-labor costs specifically related to the delivery of services, which is consistent with federal accounting standards.

### Conclusion

Based on the information provided above, ITA believes its fee schedules are consistent with both the mission to promote "exports of goods and services from the United States, particularly by small businesses and medium-sized businesses," and the objective of OMB Circular A-25 to "promote efficient allocation of the nation's resources by establishing charges for special benefits provided to the recipient that are at least as great as the cost to the U.S. Government of providing the special benefits." Public comments were reviewed, and addressed through amendments to the original proposal and are reflected in the current fee schedule. ITA will reassess the fee schedule after the first year of implementation and, in accordance with OMB Circular A-25, at least every two years thereafter.

Dated: June 28, 2017.

**Stephanie Smedile,**

*Acting Director, Office of Strategic Planning,  
International Trade Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-831]

#### **Fresh Garlic From the People's Republic of China: Initiation of Semiannual Antidumping Duty New Shipper Review; 2016-2017**

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

**SUMMARY:** On May 19, 2017, the Department received a timely request for a semiannual new shipper review (NSR) from Qingdao Doo Won Foods Co., Ltd. (Doo Won). The Department of Commerce (Department) has determined that the request for a NSR of the antidumping duty order on Fresh Garlic from the People's Republic of China (PRC) meets the statutory and regulatory requirements for initiation. The period

of review (POR) is November 1, 2016, through April 30, 2017.

**DATES:** Effective July 10, 2017.

**FOR FURTHER INFORMATION CONTACT:** Alexander Cipolla, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4956.

**SUPPLEMENTARY INFORMATION:**

### Background

The Department published the antidumping duty order on fresh garlic from the PRC in the **Federal Register** on November 16, 1994.<sup>1</sup> On May 19, 2017, the Department received a timely request for a NSR from Doo Won.<sup>2</sup> Doo Won certified that it is the exporter and producer of the fresh garlic upon which the request for a NSR is based. Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Doo Won certified that it did not export fresh garlic for sale to the United States during the period of investigation (POI).<sup>3</sup> Moreover, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Doo Won certified that, since the investigation was initiated, it never has been affiliated with any exporter or producer who exported the subject merchandise to the United States during the POI, including those not individually examined during the investigation.<sup>4</sup> Further, as required by 19 CFR 351.214(b)(2)(iii)(B), it certified that its export activities are not controlled by the central government of the PRC.<sup>5</sup> Doo Won also certified it had no subsequent shipments of subject merchandise.<sup>6</sup>

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), Doo Won submitted documentation establishing the following: (1) The date of its first sale to an unaffiliated customer in the United States; (2) the date on which the fresh garlic was first entered; and (3) the volume of that shipment.<sup>7</sup>

The Department queried the database of U.S. Customs and Border Protection (CBP) in an attempt to confirm that the shipment reported by Doo Won had entered the United States for

<sup>1</sup> See *Antidumping Duty Order: Fresh Garlic from the People's Republic of China*, 59 FR 59209 (November 16, 1994).

<sup>2</sup> See Doo Won's Letter, "Fresh garlic from the People's Republic of China: Request for New-Shipper Review," (November 30, 2016).

<sup>3</sup> *Id.* at Attachment 1.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at 2.

<sup>7</sup> *Id.* at Attachment 2.

consumption and that liquidation had been properly suspended for antidumping duties. The information which the Department examined was consistent with that provided by Doo Won in its request.<sup>8</sup> In particular, the CBP data confirmed the price and quantity reported by Doo Won for the sale that forms the basis for this NSR request.

#### Period of Review

Pursuant to 19 CFR 351.214(c), an exporter or producer may request a NSR within one year of the date on which its subject merchandise was first entered. Moreover, 19 CFR 351.214(d)(1) states that if the request for the review is made during the six-month period ending with the end of the semiannual anniversary month, the Secretary will initiate a NSR in the calendar month immediately following the semiannual anniversary month. Further, 19 CFR 351.214(g)(1)(i)(B) states that if the NSR was initiated in the month immediately following the semiannual anniversary month, the POR will be the six-month period immediately preceding the semiannual anniversary month. Doo Won made the request for a NSR, which included all documents and information required by the statute and regulations, within one year of the date on which its fresh garlic first entered. Its request was filed in May, which is the semiannual anniversary month of the order. Therefore, the POR is November 1, 2016, through April 30, 2017.<sup>9</sup>

#### Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(b), and the information on the record, the Department finds that Doo Won's request meets the threshold requirements for initiation of a NSR and, therefore, is initiating a NSR of Doo Won. The Department intends to issue the preliminary results within 180 days after the date on which this review is initiated and the final results within 90 days after the date on which we issue the preliminary results.<sup>10</sup>

It is the Department's usual practice in cases involving non-market economies to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate (*i.e.*, a separate rate) provide evidence of *de jure* and *de facto* absence of government control over the

company's export activities.<sup>11</sup> Accordingly, the Department will issue questionnaires to Doo Won, which will include a section requesting information with regard to its export activities for the purpose of establishing its eligibility for a separate rate. The review will proceed if the responses provide sufficient indication that Doo Won is not subject to either *de jure* or *de facto* government control with respect to its exports of fresh garlic.

On February 24, 2016, the President signed into law the "Trade Facilitation and Trade Enforcement Act of 2015," H.R. 644, which made several amendments to section 751(a)(2)(B) of the Act. We will conduct this new shipper review in accordance with section 751(a)(2)(B) of the Act, as amended by the Trade Facilitation and Trade Enforcement Act of 2015.<sup>12</sup>

Interested parties requiring access to proprietary information in this proceeding should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: July 3, 2017.

**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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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Judges Panel of the Malcolm Baldrige National Quality Award

**AGENCY:** National Institute of Standards and Technology, Department of Commerce.

**ACTION:** Notice of closed meeting.

**SUMMARY:** The Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet in closed session on Wednesday, August

23, 2017, from 9:00 a.m. to 3:30 p.m. Eastern time. The purpose of this meeting is to review the results of examiners' scoring of written applications. Panel members will vote on which applicants merit site visits by examiners to verify the accuracy of quality improvements claimed by applicants. The meeting is closed to the public in order to protect the proprietary data to be examined and discussed.

**DATES:** The meeting will be held on Wednesday, August 23, 2017, from 9:00 a.m. to 3:30 p.m. Eastern time. The entire meeting will be closed to the public.

**ADDRESSES:** The meeting will be held at the National Institute of Standards and Technology, 100 Bureau Drive, Gaithersburg, MD 20899.

**FOR FURTHER INFORMATION CONTACT:** Robert Fangmeyer, Director, Baldrige Performance Excellence Program, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899-1020, telephone number (301) 975-2360, email [robert.fangmeyer@nist.gov](mailto:robert.fangmeyer@nist.gov).

#### SUPPLEMENTARY INFORMATION:

**Authority:** 15 U.S.C. 3711a(d)(1) and the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the Judges Panel of the Malcolm Baldrige National Quality Award will meet on Wednesday, August 23, 2017, from 9:00 a.m. to 3:30 p.m. Eastern time. The Judges Panel is composed of twelve members, appointed by the Secretary of Commerce, with a balanced representation from U.S. service, manufacturing, nonprofit, education, and health care industries. Members are selected for their familiarity with quality improvement operations and competitiveness issues of manufacturing companies, service companies, small businesses, health care providers, and educational institutions. Members are also chosen who have broad experience in for-profit and nonprofit areas. The purpose of this meeting is to review the results of examiners' scoring of written applications. Panel members will vote on which applicants merit site visits by examiners to verify the accuracy of quality improvements claimed by applicants. The meeting is closed to the public in order to protect the proprietary data to be examined and discussed.

The Chief Financial Officer and Assistant Secretary for Administration,

<sup>8</sup> See Memorandum, "New Shipper Review of the Antidumping Duty Order on Fresh Garlic from the People's Republic of China: U.S. Customs and Border Protection Entry Data," dated June 21, 2017.

<sup>9</sup> See 19 CFR 351.214(g)(1)(i)(B).

<sup>10</sup> See section 751(a)(2)(B)(iv) of the Act.

<sup>11</sup> See Import Administration Policy Bulletin, Number: 05.1. (<http://ia.ita.doc.gov/policy/bull05-1.pdf>).

<sup>12</sup> The Trade Facilitation and Trade Enforcement Act of 2015 removed from section 751(a)(2)(B) of the Act the provision directing the Department to instruct Customs and Border Protection to allow an importer the option of posting a bond or security in lieu of a cash deposit during the pendency of a new shipper review.