

administrative review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (2) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity, 112.64 per cent; 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 that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: November 15, 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.*

#### Appendix

##### List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Scope of the Order
4. Discussion of the Methodology
  - a. Preliminary Determination of No Shipments
  - b. NME Country Status
  - c. Separate Rates
5. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free Trade Agreement (NAFTA), Article 1904 Binational Panel Review: Notice of Request for Panel Review

**AGENCY:** United States Section, NAFTA Secretariat, International Trade Administration, Department of Commerce.

**ACTION:** Notice of NAFTA Request for Panel Review in the matter of Certain Softwood Lumber Products From Canada: Final Affirmative Countervailing Duty Determination (Secretariat File Number: USA-CDA-2017-1904-02).

**SUMMARY:** A Request for Panel Review was filed on behalf of the Government of Canada, the Government of Alberta, the Government of British Columbia, the Government of Manitoba, the Government of New Brunswick, the Government of Ontario, the Government of Québec, the Government of Saskatchewan, Alberta Softwood Lumber Trade Council ("ASLTC"), British Columbia Lumber Trade Council ("BCLTC"), Conseil de l'Industrie forestiere du Québec ("CIFQ"), Ontario Forest Industries Association ("OFIA"), New Brunswick Lumber Producers ("NBLP"), Canfor Corporation ("Canfor"), J.D. Irving, Limited ("JDI"), Resolute FP Canada Inc. ("Resolute"), Tolko Marketing and Sales Ltd. and Tolko Industries Ltd. ("Tolko"), and West Fraser Mills Ltd. ("West Fraser") with the United States Section of the NAFTA Secretariat on November 14, 2017, pursuant to NAFTA Article 1904. Panel Review was requested of the Department of Commerce's final countervailing duty determination regarding Certain Softwood Lumber Products from Canada. The final determination was published in the **Federal Register** on November 8, 2017 (82 FR 51814). The NAFTA Secretariat has assigned case number USA-CDA-2017-1904-02 to this request.

**FOR FURTHER INFORMATION CONTACT:** Paul E. Morris, United States Secretary, NAFTA Secretariat, Room 2061, 1401 Constitution Avenue NW., Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of Article 1904 of NAFTA provides a dispute settlement mechanism involving trade remedy determinations issued by the Government of the United States, the Government of Canada, and the Government of Mexico. Following a Request for Panel Review, a Binational Panel is composed to review the trade

remedy determination being challenged and issue a binding Panel Decision. There are established NAFTA Rules of Procedure for Article 1904 Binational Panel Reviews, which were adopted by the three governments for panels requested pursuant to Article 1904(2) of NAFTA which requires Requests for Panel Review to be published in accordance with Rule 35. For the complete Rules, please see <https://www.nafta-sec-alena.org/Home/Texts-of-the-Agreement/Rules-of-Procedure/Article-1904>.

*The Rules provide that:*

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is December 14, 2017);

(b) A Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is December 29, 2017); and

(c) The panel review shall be limited to the allegations of error of fact or law, including challenges to the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and to the procedural and substantive defenses raised in the panel review.

Dated: November 15, 2017.

**Paul E. Morris,**

*U.S. Secretary, NAFTA Secretariat.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Subsidy Programs Provided by Countries Exporting Softwood Lumber and Softwood Lumber Products to the United States; Request for Comment

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

**SUMMARY:** The Department of Commerce (Commerce) seeks public comment on any subsidies, including stumpage subsidies, provided by certain countries exporting softwood lumber or softwood lumber products to the United States during the period January 1, 2017, through June 30, 2017.

**DATES:** Comments must be submitted by December 21, 2017.

**ADDRESSES:** See the Submission of Comments section below.

**FOR FURTHER INFORMATION CONTACT:**

James Terpstra or Brendan Quinn, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3965 or (202) 482-5848, respectively.

**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.

Commerce submitted its last subsidy report on June 20, 2017. As part of its newest report, Commerce intends to include a list of subsidy programs identified with sufficient clarity by the public in response to this notice.<sup>1</sup>

**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 the exports of which 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 January 1, 2017, through June 30, 2017. Official U.S. import data published by the United States International Trade Commission Tariff and Trade DataWeb indicate that three countries, Canada, Germany 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 July 1, 2017 through December 31, 2017, 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>2</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. Commerce 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. Any such comments or materials will be returned to the submitter and will not be considered in Commerce's report. Comments must be 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 Moustapha Sylla, Enforcement and Compliance Webmaster, at (202) 482-8104, 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 Commerce no later than 5 p.m. Eastern Standard Time on the above-referenced deadline date.

Dated: November 17, 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**

**International Trade Administration**

[A-580-894]

**Certain Tapered Roller Bearings From the Republic of Korea: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation**

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

**DATES:** Applicable November 21, 2017.

**FOR FURTHER INFORMATION CONTACT:**

Blaine Wiltse at 202-482-6345, or Manuel Rey at 202-482-5518, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 18, 2017, the Department of Commerce (the Department) initiated a less-than-fair value (LTFV) investigation of imports of certain tapered roller bearings from the Republic of Korea.<sup>1</sup> Currently, the preliminary determination is due no later than December 5, 2017.

**Postponement of the Preliminary Determination**

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the preliminary determination in a LTFV investigation within 140 days after the date on which the Department initiated the investigation. However, section 733(c)(1) of the Act permits the Department to postpone the preliminary determination until no later than 190 days after the date on which the Department initiated the investigation if: (A) The petitioner makes a timely request for a postponement; or (B) the Department concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is

<sup>1</sup> On November 1, 2017, the Department issued its final determination in the countervailing duty investigation involving Certain Softwood Lumber Products from Canada. See *Certain Softwood Lumber Products From Canada: Final Affirmative Countervailing Duty Determination, and Final Negative Determination of Critical Circumstances*, 82 FR 51814 (November 8, 2017).

<sup>2</sup> See section 771(5)(B) of the Tariff Act of 1930, as amended.

<sup>1</sup> See *Certain Tapered Roller Bearings from the Republic of Korea: Initiation of Less-Than-Fair-Value Investigation*, 82 FR 34477 (July 25, 2017).