

Materials and May Participate in the Certification Process  
V. Recommendation

[FR Doc. 2018-02515 Filed 2-7-18; 8:45 am]

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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 100- to 150-Seat Large Civil Aircraft from Canada: Final Affirmative Countervailing Duty Determination (Secretariat File Number: USA-CDA-2018-1904-01).

**SUMMARY:** Requests for Panel Review were filed with the United States Section of the NAFTA Secretariat on behalf of Bombardier Inc. and C Series Aircraft Limited Partnership, the Government of Canada, and the Government of Québec on January 19, 2018, as well as on behalf of the Government of the United Kingdom and the European Commission on January 24, 2018, pursuant to NAFTA Article 1904. Panel Review was requested of the Department of Commerce's final countervailing duty determination regarding 100- to 150-Seat Large Civil Aircraft from Canada. The final determination was published in the *Federal Register* on December 27, 2017 (82 FR 61,252). The NAFTA Secretariat has assigned case number USA-CDA-2018-1904-01 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 February 20, 2018);

(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 March 5, 2018); 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: February 2, 2018.

**Paul E. Morris,**

*U.S. Secretary, NAFTA Secretariat.*

[FR Doc. 2018-02474 Filed 2-7-18; 8:45 am]

BILLING CODE 3510-GT-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-533-825]

#### Polyethylene Terephthalate Film, Sheet, and Strip From India: Final Results of Countervailing Duty Administrative Review; 2015

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

**SUMMARY:** The Department of Commerce (Commerce) determines that Jindal Poly Films Limited of India (Jindal) and SRF Limited (SRF), exporters of polyethylene terephthalate film, sheet, and strip (PET film) from India, received countervailable subsidies during the period of review (POR) January 1, 2015, through December 31, 2015.

**DATES:** Effective February 8, 2018.

**FOR FURTHER INFORMATION CONTACT:** Elfi Blum, AD/CVD Operations, Office VII, Enforcement and Compliance, U.S.

Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0197.

#### SUPPLEMENTARY INFORMATION:

##### Background

Commerce published the preliminary results of this administrative review of PET film from India on August 3, 2016.<sup>1</sup> We invited interested parties to comment on the *Preliminary Results 2015*. On November 27, 2017, Commerce postponed the final results of review until January 30, 2018. On September 5, 2017, Commerce received a timely filed case brief from Jindal, and on September 18, 2017, Commerce received timely filed case briefs from the Government of India (GOI) and from SRF. On September 25, 2017, Commerce received timely rebuttal comments from the petitioners, DuPont Teijin Films, Mitsubishi Polyester Film, Inc., and SKC, Inc. (collectively, the petitioners). Based on an analysis of the comments received, Commerce has made no changes to the subsidy rate determined for respondents. The final subsidy rates are listed in the "Final Results of Administrative Review" section below.

Commerce exercised its discretion to toll all deadlines affected by the closure of the Federal Government from January 20 through 22, 2018. If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the final results of this review is now February 2, 2018.<sup>2</sup>

##### Scope of the Order

For the purposes of the order, the products covered are all gauges of raw, pretreated, or primed polyethylene terephthalate film, sheet and strip, whether extruded or coextruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer of more than 0.00001 inches thick. Imports of PET film are classifiable in the Harmonized Tariff Schedule of the United States

<sup>1</sup> See *Polyethylene Terephthalate Film, Sheet and Strip from India: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review; 2015*, 82 FR 36124 (August 3, 2016) (*Preliminary Results 2015*).

<sup>2</sup> See Memorandum for The Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (Tolling Memorandum), dated January 23, 2018. All deadlines in this segment of the proceeding have been extended by 3 days.