

### Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties, and for the reasons explained in the Issues and Decision Memorandum, we made changes to the *Preliminary Results*.<sup>7</sup> For these final results, Commerce is now applying facts available with an adverse inference (AFA) to HengTong.<sup>8</sup> Accordingly, we are applying the highest rate from any segment of this proceeding, *i.e.*, 235.93 percent, as AFA.<sup>9</sup> For a discussion of this change, *see* the “Discussion of the Issue” section of the Issues and Decision Memorandum.

### Final Results of Administrative Review

We are assigning the following dumping margin to the firm listed below for the POR, August 31, 2018, through April 30, 2020:

Exporter	Weighted-average dumping margin (percent)
Yuncheng Jiangxian Economic Development Zone HengTong Casting Co., Ltd (aka HengTong Casting Co., Ltd.) .....	235.93

### Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with the final results of a review within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results, in accordance with 19 CFR 351.224(b). However, because Commerce applied a rate based on total AFA to the mandatory respondent in this review, in accordance with section 776 of Tariff Act of 1930, as amended (the Act), there are no calculations to disclose.

### Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. We intend to issue appropriate assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will

direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

For the final results, we will instruct CBP to apply an *ad valorem* assessment rate equal to the dumping margin shown above to all entries of subject merchandise during the POR which were exported by HengTong. We intend to instruct CBP to take into account the “provisional measures deposit cap,” in accordance with 19 CFR 351.212 (d).

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of the subject merchandise 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 HengTong, the cash deposit rate will be equal to the dumping margin assigned in the final results of this review; (2) for previously investigated or reviewed China and non-China exporters not listed above that, at the time of entry are eligible for a separate rate based on a prior completed segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific cash deposit rate; (3) for all China exporters of subject merchandise that have not been found to be entitled to a separate rate at the time of entry, the cash deposit rate will be that for the China-wide entity (*i.e.*, 235.93 percent);<sup>10</sup> and (4) for all non-China exporters of subject merchandise which at the time of entry are not eligible for a separate rate, the cash deposit rate will be the rate applicable to the China exporter that supplied that non-China exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice also serves as a final 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 the POR. Failure to comply with this requirement could result in Commerce’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

### Administrative Protective Order (APO)

This notice also serves as a reminder to parties subject to APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

### Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: December 15, 2021.

**Ryan Majerus,**

*Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-Exclusive Functions and Duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Issue
  - Comment 1: Application of AFA to HengTong
- V. Recommendation

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Hydrographic Services Review Panel

**AGENCY:** National Ocean Service, National Oceanic and Atmospheric Administration (NOAA).

**ACTION:** Notice of call for nominations for NOAA’s Hydrographic Services Review Panel (HSRP) federal advisory committee.

**SUMMARY:** The National Oceanic and Atmospheric Administration is seeking nominations for members to serve on the Hydrographic Services Review Panel with nominations due by April 15, 2022.

**DATES:** Nominations are sought for submission by April 15, 2022, and will be kept on file to be used for future HSRP vacancies. Five vacancies will occur on January 1, 2023, for a four-year term. Current members who may be eligible for a second term in 2023 must reapply. HSRP maintains an active pool

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *See Cast Iron Soil Pipe from the People’s Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value*, 84 FR 6767, 6769 (February 28, 2019).

<sup>10</sup> *Id.*

of candidates and advertises once a year to fulfill the Hydrographic Services Improvement Act (HSIA) requirement on membership solicitation.

**ADDRESSES:** Nominations will be accepted by email and should be sent to: [Hydroservices.panel@noaa.gov](mailto:Hydroservices.panel@noaa.gov), [Melanie.Colantuno@noaa.gov](mailto:Melanie.Colantuno@noaa.gov) and [Lynne.Mersfelder@noaa.gov](mailto:Lynne.Mersfelder@noaa.gov). You will receive a confirmation response.

**FOR FURTHER INFORMATION CONTACT:** Lynne Mersfelder-Lewis, NOAA HSRP program manager, email [Lynne.Mersfelder@noaa.gov](mailto:Lynne.Mersfelder@noaa.gov) or phone: 240-533-0064.

**SUPPLEMENTARY INFORMATION:** In accordance with the HSIA, (33 U.S.C. 892c), the Administrator of the National Oceanic and Atmospheric Administration (NOAA) is required to solicit nominations for membership once a year for the HSRP. The HSRP, a Federal advisory committee, advises the NOAA Administrator on matters related to the responsibilities and authorities set forth in section 303 of the HSIA, the "charts and related information for the safe navigation of marine and air commerce, and to provide basic data for engineering and scientific purposes and for other commercial and industrial needs" as is set forth in section 883a (Surveys and other activities) of the Coast and Geodetic Survey Act of 1947, as amended (33 U.S.C. 883a *et seq.*), and such other appropriate matters as the Administrator refers to the Panel for review and advice. Those responsibilities and authorities include, but are not limited to: Acquiring and disseminating hydrographic data and providing hydrographic services, as those terms are defined in the HSIA; promulgating standards for hydrographic data and services; ensuring comprehensive geographic coverage of hydrographic services; and testing, developing, and operating vessels, equipment, and technologies necessary to ensure safe navigation and maintain operational expertise in hydrographic data acquisition and hydrographic services.

The HSIA states "the voting members of the Panel shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more of the disciplines and fields relating to hydrographic data and hydrographic services, marine transportation, port administration, vessel pilotage, coastal and fishery management, and other disciplines as determined appropriate by the Administrator." The NOAA Administrator seeks individuals with expertise in marine navigation and technology, port administration, marine

shipping or other intermodal transportation industries, cartography and geographic information systems, geodesy, physical oceanography, coastal resource management, including coastal preparedness and emergency response, and other related fields.

In accordance with applicable Department of Commerce guidance, NOAA seeks a balanced membership and members are selected on a standardized basis. Subject matter expertise, as specified in the HSIA, is the primary criteria considered in the evaluation process. Professional sector representation (academia, industry, research, scientific institution, state and local government, tribal interests, consultant, non-governmental organization, etc.), geographic expertise, experience working productively with committees and working groups, and leadership with navigation, observations, and positioning are other criteria that will be considered. The diverse membership of the HSRP assures expertise reflecting the full breadth of the HSRP's responsibilities. Where possible, NOAA will also consider the ethnic, racial, and gender diversity of the United States. NOAA is an equal opportunity employer.

Nominees are required to submit four items including a cover letter that responds to the five short response questions below. The entire nomination package should include all components, be submitted in word and PDF, and be no longer than eight pages.

(1) A cover letter that responds to the five questions listed below and serves as a statement of interest to serve on the panel. Please see "Five Short Response Questions" below. Please be sure to highlight the nominee's specific area(s) of expertise relevant to the purpose of the HSRP from the list in the **Federal Register Notice**.

(2) A short biography of 300–400 words.

(3) A resume of no more than 2–3 pages.

(4) The nominee's full work and home contact information including: Full name, work title, institutional affiliation, work and home mailing addresses, email(s), phones, and fax. Please note preferred email, phone number and mailing address.

*Five Short Response Questions for the Cover Letter:*

(1) List your area(s) of expertise, from the list above.

(2) List the geographic region(s) of the country with which you primarily associate your expertise.

(3) Describe your leadership or professional experiences which you

believe will contribute to the effectiveness of the HSRP panel.

(4) Describe your familiarity and experience with NOAA National Ocean Service (NOS) navigation, observations and positioning data, products, and services.

(5) Generally describe the breadth and scope of your knowledge of stakeholders, users, or other groups who interact with NOAA and whose views and input you believe you can share with the panel.

#### **Information on NOS and HSRP Members Responsibilities**

Under 33 U.S.C. 883a *et seq.*, NOAA's NOS is responsible for providing nautical charts and related information for safe navigation. NOS collects and compiles hydrographic, tidal and current, geodetic, and a variety of other data in order to fulfill this responsibility. The HSRP provides advice on current and emerging oceanographic and marine science technologies relating to operations, research and development; and dissemination of data pertaining to:

- (a) Hydrographic surveying;
- (b) Shoreline surveying;
- (c) Nautical charting;
- (d) Water level measurements;
- (e) Current measurements;
- (f) Geodetic measurements;
- (g) Geospatial measurements;
- (h) Geomagnetic measurements; and
- (i) Other oceanographic/marine related sciences.

The HSRP has fifteen voting members appointed by the NOAA Administrator in accordance with 33 U.S.C. 892c. Two NOAA employees, the Directors of the National Geodetic Survey and the Center for Operational Oceanographic Products and Services, and the Co-Directors of the Center for Coastal and Ocean Mapping/Joint Hydrographic Center serve as non-voting members. The Director, NOAA Office of Coast Survey, serves as the Designated Federal Officer (DFO) along with two Alternate DFOs.

Voting members are individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more disciplines relating to hydrographic surveying, tides, currents, geodetic and geospatial measurements, marine transportation, port administration, vessel pilotage, coastal or fishery management, and other oceanographic or marine science areas as deemed appropriate by the Administrator. Full-time officers or employees of the United States may not be appointed as a voting member. Any voting member of the Panel who is an applicant for, or beneficiary of (as

determined by the Administrator) any assistance under 33 U.S.C. 892c shall disclose to the Panel that relationship, and may not vote on any other matter pertaining to that assistance.

Voting members of the Panel serve a four-year term, except that vacancy appointments are for the remainder of the unexpired term of the vacancy. Members serve at the discretion of the Administrator and are subject to government ethics standards. Any individual appointed to a partial or full term may be reappointed for one additional full term. A voting member may serve until his or her successor has taken office. The Panel selects one voting member to serve as the Chair and another to serve as the Vice Chair. The Vice Chair acts as Chair in the absence or incapacity of the Chair but will not automatically become the Chair if the Chair resigns. Public meetings occur at least twice a year, and at the call of the Chair or upon the request of a majority of the voting members or of the Administrator. Voting members receive compensation at a rate established by the Administrator, not to exceed the maximum daily rate payable under section 5376 of title 5, United States Code, when engaged in performing duties for the Panel during the public meeting. Members are reimbursed for actual and reasonable travel expenses incurred in performing such duties according to the Federal Travel Regulation.

Additional HSRP information and past HSRP public meeting summary reports, agendas, presentations, transcripts, webinars, and other information is available online at:

*Membership:* <https://www.nauticalcharts.noaa.gov/hsrp/panel.html>

*Recommendations:* <https://www.nauticalcharts.noaa.gov/hsrp/recommendations.html>

*Public meeting materials:* <https://www.nauticalcharts.noaa.gov/hsrp/meetings.html>

#### **Individuals Selected for Panel Membership**

Upon selection and agreement to serve on the HSRP Panel, you become a Special Government Employee (SGE) of the United States Government. An SGE, as defined in 18 U.S.C. 202(a), is an officer or employee of an agency who is retained, designated, appointed, or employed to perform temporary duties, with or without compensation, not to exceed 130 days during any period of 365 consecutive days, either on a full time or intermittent basis. After the selection process is complete, applicants selected to serve on the Panel

must complete the following actions before they can be appointed as a Panel member:

(a) Security Clearance (online Background Security Check process and fingerprinting conducted through NOAA's Office of Security and Office of Human Capital Services); and

(b) Confidential Financial Disclosure Report. SGEs are required to file a Confidential Financial Disclosure Report to avoid involvement in a real or apparent conflict of interest. You may find information on the Confidential Financial Disclosure Report: <https://www.oge.gov/Web/oge.nsf/Resources/OGE+Form+450>.

**Kathryn L. Ries,**

*Deputy Director, Office of Coast Survey, National Ocean Service, National Oceanic and Atmospheric Administration.*

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#### **COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

##### **Determination Under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement**

**AGENCY:** The Committee for the Implementation of Textile Agreements.

**ACTION:** Determination to add a product in unrestricted quantities to Annex 3.25 of the CAFTA-DR Agreement.

**DATES:** *Applicable Date:* December 23, 2021.

**SUMMARY:** The Committee for the Implementation of Textile Agreements ("CITA") has determined that certain 100% polyester 3-layered bonded fabric, as specified below, is not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

**FOR FURTHER INFORMATION CONTACT:** Thomas Newberg, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 510-3982.

*For Further Information On-line:* <https://itaprodingress.eastus.cloudapp.azure.com/otexacapublicsite/requests/cafta> under "Approved Requests," Reference number: CA2021002.

#### **SUPPLEMENTARY INFORMATION:**

*Authority:* The CAFTA-DR Agreement; Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement

Implementation Act ("CAFTA-DR Implementation Act"), Public Law 109-53; the Statement of Administrative Action, accompanying the CAFTA-DR Implementation Act; and Presidential Proclamation 7987 (February 28, 2006).

*Background:* The CAFTA-DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA-DR Agreement have determined are not available in commercial quantities in a timely manner in the territory of any Party. The CAFTA-DR Agreement provides that this list may be modified pursuant to Article 3.25.4 and 3.25.5, when the United States determines that a fabric, yarn, or fiber is not available in commercial quantities in a timely manner in the territory of any Party. See Annex 3.25 of the CAFTA-DR Agreement; see also section 203(o)(4)(C) of the CAFTA-DR Implementation Act.

The CAFTA-DR Implementation Act requires the President to establish procedures governing the submission of a request and providing opportunity for interested entities to submit comments and supporting evidence before a commercial availability determination is made. In Presidential Proclamation 7987, the President delegated to CITA the authority under section 203(o)(4) of CAFTA-DR Implementation Act for modifying the Annex 3.25 list. Pursuant to this authority, on September 15, 2008, CITA published modified procedures it would follow in considering requests to modify the Annex 3.25 list of products determined to be not commercially available in the territory of any Party to CAFTA-DR (*Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement*, 73 FR 53200) ("CITA's procedures").

On November 15, 2021, the Chairman of CITA received a request for a Commercial Availability determination ("Request") from Sandler, Travis and Rosenberg, P.A., on behalf of VF Corp. for certain 100% polyester 3-layered bonded fabric. On November 17, 2021, in accordance with CITA's procedures, CITA notified interested parties of the Request, which was posted on the dedicated website for CAFTA-DR Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply ("Response") must be submitted by November 30, 2021, and any Rebuttal Comments to a Response must be submitted by December 6, 2021, in accordance with sections 6 and 7 of CITA's procedures. No interested entity