

In the Third Remand Results, the Department found, in accordance with the Court's instructions in *Meridian IV*, under respectful protest, that Meridian's trim kits are excluded from the scope of the *Orders* as finished goods kits because at the time of importation, the kits contained all the parts necessary to assemble a final finished good—a complete trim kit.<sup>9</sup> In *Meridian V*,<sup>10</sup> the Court sustained the Third Remand Results in its entirety.<sup>11</sup> Subsequently, the Department published a *First Amended Final Scope Ruling* in which the Department found that Meridian's refrigerator/freezer trim kits are not covered by the scope of the *Orders*.<sup>12</sup> Consistent with the decision of the Federal Circuit in *Timken*,<sup>13</sup> as clarified by *Diamond Sawblades*,<sup>14</sup> the *First Amended Final Scope Ruling* additionally provided notice to the public of the CIT's final judgment in *Meridian V* not in harmony with the Department's Final Scope Ruling on Refrigerator Trim Kits and of the continuation of the suspension of liquidation of the trim kits at issue pending a final and conclusive court decision, if appealed.<sup>15</sup>

On March 28, 2017, the Federal Circuit reversed the CIT and sustained the Department's original scope ruling in which it found that Meridian's refrigerator/freezer trim kits did not satisfy the finished goods kit exclusion under the *Orders*. In *Meridian VI*,<sup>16</sup> the Federal Circuit found that the plain language of the exclusion language, when appropriately read as a whole, supported the Department's interpretation. The Federal Circuit further held that the Department's prior scope rulings, one of the 19 CFR 351.225(k)(1) sources, further supported the Department's interpretation. Finally, the Federal Circuit looked to other aspects of the scope language, including the similar finished merchandise exclusion, which supported the division of products into two categories: (1)

Products which contained only aluminum extrusions and fasteners (not excluded); and (C2) products which incorporated non-aluminum extrusion components beyond fasteners (excluded).<sup>17</sup>

### Second Amended Final Scope Ruling

Because there is now a final and conclusive court decision which reinstates the Department's original scope ruling, we are amending the *First Amended Final Scope Ruling* with respect to Meridian's refrigerator/freezer trim kits. Based on the Federal Circuit's holding in *Meridian VI*, Meridian's refrigerator/freezer trim kits are subject to the *Orders*.

Accordingly, the Department will instruct Customs and Border Protection to continue to suspend liquidation of Meridian's refrigerator/freezer trim kits until appropriate liquidation instructions are sent. As of the date of publication of this notice in the **Federal Register**, the cash deposit rate for entries of Meridian's refrigerator/freezer trim kits entries will be the applicable cash deposit rate of the exporters of the merchandise from the PRC to the United States.

This notice is issued and published in accordance with sections 516A(c)(1) and (e)(1) of the Tariff Act of 1930, as amended.

Dated: July 11, 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 Oceanic and Atmospheric Administration

**RIN 0648-XF536**

#### Marine Mammals; File No. 21018

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Brent Stewart, Ph.D., Hubbs-SeaWorld Research Institute, 2595 Ingraham Street, San Diego, CA 92109 has applied in due form for a permit to conduct research on pinnipeds in California.

**DATES:** Written, telefaxed, or email comments must be received on or before August 17, 2017.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the "Features" box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 21018 from the list of available applications.

These documents are available upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376.

Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301) 713-0376, or by email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include the File No. in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Sara Young or Carrie Hubbard, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The applicant requests a five-year permit to study three species of pinnipeds in California. The objectives of the research are to continue long-term research on the comparative ecology, demography, community ecology, foraging patterns, pathology and phenology of California pinnipeds and to further characterize the resource and habitats used by each species, including patterns of spatial and temporal similarities and differences California sea lions (*Zalophus californianus*), northern elephant seals (*Mirounga angustirostris*), and harbor seals (*Phoca vitulina*) would be captured and sampled at several sites including San Nicolas Island, San Miguel Island, Santa Rosa Island, Santa Cruz Island, Piedras Blancas, Cape San Martin, and Gorda. Some animals would only receive a flipper tag or a dye mark. Other animals

<sup>9</sup> See Third Remand Results at 14.

<sup>10</sup> See *Meridian LLC v. United States*, Court No. 13-00018, Slip Op. 16-5 (CIT January 20, 2016) (*Meridian V*).

<sup>11</sup> See *Meridian V*, Slip Op. 16-5 at 4.

<sup>12</sup> See *Aluminum Extrusions From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision*, 81 FR 7749 (February 16, 2016) (*First Amended Final Scope Ruling*).

<sup>13</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>14</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>15</sup> See *First Amended Final Scope Ruling*, 81 FR at 7749-7750.

<sup>16</sup> See *Meridian Prods., LLC v. United States*, 851 F.3d 1375 (Fed. Cir. Mar. 28, 2017) (*Meridian VI*).

<sup>17</sup> *Id.*, at 1383-85.

would be physically or chemically restrained; measured and weighed; have a variety of samples taken, including: blood, skin, blubber, and mucus membrane swabs; and have tracking or data recording instruments attached. For proposed take numbers by species and location and details on sampling methodologies, see the application. The applicant has requested authorization for the unintentional research related mortality of up to four animals of each species annually.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: July 12, 2017.

**Donna S. Wieting,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

[FR Doc. 2017-15039 Filed 7-17-17; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Recreational Angler Survey of Sea Turtle Interactions

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

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before September 18, 2017.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental

Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at [pracomments@doc.gov](mailto:pracomments@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Melissa Cook, NOAA's National Marine Fisheries Service (NMFS), Southeast Fisheries Science Center (SFSC), 3209 Frederic Street, Pascagoula, MS, 39567, (228) 549-1628, or [melissa.cook@noaa.gov](mailto:melissa.cook@noaa.gov), or Ellen Keane, NOAA's NMFS, Greater Atlantic Regional Fisheries Office (GARFO), 55 Great Republic Drive, Gloucester, MA, 01930, (978) 282-8476, or [ellen.keane@noaa.gov](mailto:ellen.keane@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

#### I. Abstract

NOAA NMFS would like to conduct an intercept survey to assess the extent of interactions between recreational anglers on piers and other shore-based fishing structures, and sea turtles. This survey will also assess the feasibility of an intercept survey for this purpose in terms response rates and data collection. The survey will be administered on piers and other fixed structures nationwide, but focused within NOAA Fisheries Greater Atlantic Region and Southeast Region, and will survey approximately 36,000 individual recreational fishermen. The respondents will be verbally asked a series of questions, no longer than 5 minutes, and the interviewer will record answers.

#### II. Method of Collection

The survey will be implemented through verbal interviews.

#### III. Data

*OMB Control Number:* 0648-XXXX.  
*Form Number(s):* None.  
*Type of Review:* Regular submission.  
*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 36,000.

*Estimated Time per Response:* 5 minutes.

*Estimated Total Annual Burden Hours:* 3,000.

*Estimated Total Annual Cost to Public:* \$0 in recordkeeping/recording costs.

#### IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information

is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: July 12, 2017.

**Sarah Brabson,**

*NOAA PRA Clearance Officer.*

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**BILLING CODE 3510-22-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 17-33]

#### Arms Sales Notification

**AGENCY:** Defense Security Cooperation Agency, Department of Defense.

**ACTION:** Notice.

**SUMMARY:** The Department of Defense is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Valadez, (703) 697-9217 or Pamela Young, (703) 697-9107; DSCA/DSA-RAN.

**SUPPLEMENTARY INFORMATION:** This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17-33 with attached Policy Justification and Sensitivity of Technology.

Dated: July 13, 2017.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*