

respective home market sale prices.⁸ Commerce also reasserted its affirmative cost-based PMS determination and emphasized that “the clear intent of Congress” was for Commerce to remedy a PMS, despite its inability to provide such a remedy because of the CIT’s order.⁹ On September 17, 2021, the CIT issued an opinion sustaining Commerce’s *Second Redetermination*.¹⁰ The CIT held that Commerce’s continued PMS finding in the *Second Redetermination* was moot because Commerce’s recalculation of the respondents’ weighted-average dumping

margins, without a cost-based PMS adjustment, was consistent with the CIT’s order and the affirmative PMS determination would have no practical significance.¹¹

Timken Notice

In its decision in *Timken*,¹² as clarified by *Diamond Sawblades*,¹³ the U.S. Court of Appeals for the Federal Circuit held that, pursuant to sections 516A(c) and (e) of the Act, Commerce must publish a notice of court decision that is not “in harmony” with a Commerce determination and must suspend liquidation of entries pending

a “conclusive” court decision. The CIT’s September 17, 2021, judgment constitutes a final decision of the CIT that is not in harmony with Commerce’s *Final Results*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Results

Because there is now a final court judgment, Commerce is amending its *Final Results* with respect to Pacific Pipe, Saha Thai, and Thai Premium. The revised dumping margins are as follows:

| Exporter/producer | Final results of review: weighted-average dumping margin (percent) | Final results of redetermination: weighted-average dumping margin (percent) |
|--|--|---|
| Pacific Pipe Public Company Limited | 30.61 | 7.38 |
| Saha Thai Steel Pipe (Public) Company, Ltd. | 28.00 | 0.00 |
| Thai Premium Pipe Company Ltd. | 30.98 | 5.23 |

Cash Deposit Requirements

Because Pacific Pipe, Saha Thai, and Thai Premium each have a superseding cash deposit rate, *i.e.*, there have been final results published in a subsequent administrative review, we will not issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP). These amended final results of review will not affect the current cash deposit rates.

Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that: were produced and exported by Pacific Pipe, Saha Thai, and Thai Premium, and were entered, or withdrawn from warehouse, for consumption during the period March 1, 2016, through February 28, 2017. These entries will remain enjoined unless the injunction is lifted by the court, pursuant to the terms of the injunction, during the pendency of any appeals process.

In the event the CIT’s ruling is upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess antidumping duties on all appropriate entries covered by this review from Pacific Pipe, Saha Thai, and Thai Premium when the importer-

specific *ad valorem* assessment rate is not zero or *de minimis*. Where either the respondent’s weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific *ad valorem* assessment rate is zero or *de minimis*, we intend to instruct CBP to liquidate the appropriate entries without regard antidumping duties.¹⁴

Commerce’s “reseller policy” will apply to entries of subject merchandise during the POR produced by companies included in these final results of review for which the reviewed companies did not know that the merchandise they sold to the intermediary (*e.g.*, a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.¹⁵

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: September 8, 2022.

Lisa W. Wang,
Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2022–19859 Filed 9–13–22; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

United States-Mexico-Canada Agreement (USMCA), Article 10.12: Binational Panel Review: Notice of Request for Panel Review

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

ACTION: Notice of USMCA request for panel review.

SUMMARY: A Request for Panel Review was filed on behalf of the Government of Canada; Conseil de l’industrie forestière du Québec, Ontario Forest Industries Association; Canfor Corporation, Fontaine, Inc., Mobilier Rustique (Beauce) Inc., Resolute FP Canada Inc., Tolko Marketing and Sales Ltd., Tolko Industries Ltd., Gilbert Smith Forest Products, and West Fraser

⁸ See *Final Results of Redetermination Pursuant to Court Remand, Saha Thai Steel Pipe Pub. Co. Ltd. v. United States*, Court No. 18–00214, Slip Op. 20–181, dated March 15, 2020 (*Second Redetermination*).

⁹ *Id.* at 2–3.

¹⁰ See *Saha Thai III*.

¹¹ *Id.*, 538 F. Supp. 3d at 1353–54.

¹² See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

¹³ See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

¹⁴ See 19 CFR 351.106(c)(2).

¹⁵ For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

Mills Ltd. with the United States Section of the USMCA Secretariat on September 8, 2022, pursuant to USMCA Article 10.12. Panel Review was requested of the U.S. International Trade Administration's Final Results in the 2020 Antidumping Duty Administrative Review of Certain Softwood Lumber Products From Canada, which was published in the **Federal Register** on August 9, 2022. The USMCA Secretariat has assigned case number USA-CDA-2022-10.12-02 to this request.

FOR FURTHER INFORMATION CONTACT:

Vidya Desai, United States Secretary, USMCA Secretariat, Room 2061, 1401 Constitution Avenue NW, Washington, DC 20230, 202-482-5438.

SUPPLEMENTARY INFORMATION: Article 10.12 of Chapter 10 of USMCA 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 USMCA Rules of Procedure for Article 10.12 (Binational Panel Reviews), which were adopted by the three governments for panels requested pursuant to Article 10.12(2) of USMCA which requires Requests for Panel Review to be published in accordance with Rule 40. For the complete Rules, please see https://can-mex-usa-sec.org/secretariat/agreement-accord-acuerdo/usmca-aceum-tmec/rules-regles-reglas/article-articulo-articulo_10_12.aspx?lang=eng.

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 44 no later than 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is October 11, 2022);

(b) A Party, an investigating authority or other interested person who does not file a Complaint but who intends to participate in the panel review shall file a Notice of Appearance in accordance with Rule 45 no later than 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is October 24, 2022);

(c) The panel review will 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: September 9, 2022.

Vidya Desai,

U.S. Secretary, USMCA Secretariat.

[FR Doc. 2022-19879 Filed 9-13-22; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-953]

Narrow Woven Ribbons With Woven Selvedge From the People's Republic of China: Final Results of Countervailing Duty Administrative Review; 2020

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that certain producers/exporters of narrow woven ribbons with woven selvedge (ribbons) from the People's Republic of China (China) received countervailable subsidies during the period of review (POR) January 1, 2020, through December 31, 2020.

DATES: Applicable September 14, 2022.

FOR FURTHER INFORMATION CONTACT:

Terre Keaton Stefanova, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1280.

SUPPLEMENTARY INFORMATION:

Background

On June 9, 2022, Commerce published the *Preliminary Results* of this review and invited interested parties to comment.¹ We received no comments from interested parties on the *Preliminary Results*. Commerce conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The products covered by the order are narrow woven ribbons with woven selvedge from China. The merchandise subject to this order is classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) statistical

¹ See *Narrow Woven Ribbons with Woven Selvedge from the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review, Rescission in Part; 2020*, 87 FR 35158 (June 9, 2022) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

categories 5806.32.1020; 5806.32.1030; 5806.32.1050 and 5806.32.1060. Subject merchandise also may enter under subheadings 5806.31.00; 5806.32.20; 5806.39.20; 5806.39.30; 5808.90.00; 5810.91.00; 5810.99.90; 5903.90.10; 5903.90.25; 5907.00.60; and 5907.00.80 and under statistical categories 5806.32.1080; 5810.92.9080; 5903.90.3090; and 6307.90.9891. The HTSUS statistical categories and subheadings are provided for convenience and customs purposes; however, the written description of the merchandise under the order is dispositive.²

Final Results of Review

We received no comments from interested parties on the *Preliminary Results* and, therefore, have made no changes in the final results of this review. Accordingly, we continue to base the rate for the sole mandatory respondent, Yama Ribbons and Bows Co., Ltd. (Yama), entirely on facts available.³ As a result, we have continued to assign to the non-individually examined respondents the rate calculated for Yama in the 2018 administrative review.⁴ Thus, we determine the following net countervailable subsidy rates exist for the period January 1, 2020, through December 31, 2020:

| Company | Subsidy rate (percent <i>ad valorem</i>) |
|--|---|
| Stribbons (Guangzhou) Ltd. aka MNC Stribbons | 42.20 |
| Xiamen Lude Ribbons and Bows Co., Ltd. | 42.20 |
| Yama Ribbons and Bows Co., Ltd. | 176.95 |

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with the final results of review within five days of a public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because we have made no changes from the *Preliminary Results*, there are no calculations to disclose.

² For a full description of the scope of the order, see the *Preliminary Results* PDM at 3-5.

³ See *Preliminary Results*, 87 FR at 35159.

⁴ See *Narrow Woven Ribbons with Woven Selvedge from the People's Republic of China: Final Results of Countervailing Duty Administrative Review; 2018*, 86 FR 40462 (July 28, 2021).