

written description of the merchandise under investigation is dispositive.¹⁰

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BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 92-17A001]

Export Trade Certificate of Review

ACTION: Notice of application for an amended Export Trade Certificate of Review by Aerospace Industries Association of America, Inc. (AIA), Application No. 92-17A001.

SUMMARY: The Secretary of Commerce, through the Office of Trade and Economic Analysis (OTEA) of the International Trade Administration, received an application for an amended Export Trade Certificate of Review (Certificate). This notice summarizes the proposed application and requests comments relevant to whether the amended Certificate should be issued.

FOR FURTHER INFORMATION CONTACT:

Joseph Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4011-21) (the Act) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations implementing Title III are found at 15 CFR part 325. OTEA is issuing this notice pursuant to 15 CFR 325.6(a), which requires the Secretary of Commerce to publish a summary of the application in the **Federal Register**, identifying the applicant and each member and summarizing the proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a Certificate should be issued. If the comments include any privileged

or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

Written comments should be sent to ETCA@trade.gov. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should also be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 92-17A001."

A summary of the application follows.

Summary of the Application

Applicant: AIA, 1000 Wilson Boulevard, Suite 1700, Arlington, VA 22209.

Contact: Matthew F. Hall, General Counsel, Dunaway & Cross, P.C.

Application No.: 92-17A001.

Date Deemed Submitted: December 26, 2023

Proposed Amendment: AIA seeks to amend its Certificate as follows:

1. Add the following companies as new Members of the Certificate within the meaning of section 325.2(l) of the Regulations (15 CFR 325.2(l)):

- Albany Engineered Composites; Rochester, NH (controlling entity Albany International Corp.; Rochester, NH)
- ALTEN Technology USA, Inc.; Troy, MI (controlling entity The ALTEN Group; Boulogne-Billancourt, France)
- Archer Aviation Inc.; Palo Alto, CA
- ATLAS Space Operations, Inc.; Traverse City, MI
- Bain & Company, Inc.; Boston, MA
- BlackSky Technology Inc.; Herndon, VA
- Chicago Precision, Inc.; Elk Grove Village, IL
- Cre8tive Technology and Design, Inc.; San Diego, CA
- Deltek, Inc.; Herndon, VA
- Epirus, Inc.; Los Angeles, CA
- Estes Energetics; Penrose, CO
- ExoAnalytic Solutions Inc.; Foothill Ranch, CA
- GKN Aerospace North America; Westlake, TX (controlling entity GKN

Aerospace Services Limited Solihull, UK)

- GXA Consulting LLC; Ely, IA
- Ivis Technologies, LLC; Phoenix, AZ
- Janes Capital Partners, Inc.; Irvine, CA
- LeoLabs, Inc.; Menlo Park, CA
- LOAR Group; White Plains, NY
- MapLarge, Inc.; Atlanta, GA
- Merlin Labs, Inc.; Boston, MA
- Overair, Inc.; Santa Ana, CA
- Primer AI; Arlington, VA
- RCM Technologies, Inc.; Pennsauken, N.J.
- Riveron Consulting, LLC; Dallas, TX
- Rocket Lab USA, Inc.; Long Beach, CA
- Shift5; Rosslyn, VA
- Slingshot Aerospace, Inc.; Austin, TX
- The Haskell Company; Jacksonville, FL
- TransDigm Group, Inc.; Cleveland, OH
- True Anomaly; Centennial, CO
- TTM Technologies Inc.; Santa Ana, CA
- United Launch Alliance; Centennial, CO
- Ursa Major Technologies, Inc.; Berthoud, CO
- Weldaloy Specialty Forgings; Warren, MI
- Westinghouse Electric Company LLC; Cranberry Township, PA

2. Remove the following companies as Members of AIA's Certificate:

- ADDMAN Tech Production Center
- Aernnova Aerospace
- Aerojet Rocketdyne
- AMETEK Pacific Design Technologies
- Apex International Management Company
- Astronics Corporation
- Avascent
- CAE USA
- ENSCO, Inc.
- Ferra Aerospace, Inc.
- IBM Corporation
- Metis Flight Research Associates
- Microsoft Azure
- MTI Motion
- Net-Inspect, LLC
- Plexus Corporation
- PTC Inc.
- SB Technology, Inc.
- Sunbelt Design and Development, Inc.
- SysArc Inc.
- Tip Technologies
- Virgin Orbit Holdings, Inc.

3. Change in names or addresses for the following Members:

- ATI Defense of Pittsburgh, PA is now ATI Inc. located in Dallas, TX.
- AUSCO, Inc. of Port Washington, NY is now located in Farmingdale, NY.
- Exosonic, Inc. of Los Angeles, CA is now located in Torrance, CA
- General Electric Aviation of Cincinnati, OH is now GE Aerospace at the same location.

¹⁰ See *Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Final Results of Antidumping Duty Administrative Review*, 2018-2019, 86 FR 6302 (January 21, 2020).

- Parker Meggitt USA Inc. of Simi Valley, CA is now Parker Aerospace at the same location.
 - Raytheon Technologies Corporation of Arlington, VA is now RTX Corporation at the same location.
 - Securitas Critical Information Services, Inc. of Springfield, VA is now located in Herndon, VA.
 - Sierra Space Corporation of Broomfield, CO is now Sierra Nevada Corporation located in Sparks, NV.
 - Verify, Inc. of Irvine, CA is now located in Costa Mesa, CA.
- AIA's proposed amendment of its Export Trade Certificate of Review would result in the following membership list:
- 3M Company; St. Paul, MN
 - AAR Corp.; Wood Dale, IL
 - Accenture; Chicago, IL
 - Acorn Growth Companies, LLC; Oklahoma City, OK
 - Acutec Precision Aerospace, Inc.; Meadville, PA
 - ACUTRONIC USA, Inc.; Pittsburgh, PA
 - ADI American Distributors LLC; Randolph, NJ
 - Advanced Logistics for Aerospace (ALA); Bethpage, NY
 - AeroMed Group; Charlotte, NC
 - Aero-Mark, LLC; Ontario, CA
 - AeroVironment, Inc.; Arlington, VA
 - Aireon LLC; McLean, VA
 - Albany Engineered Composites; Rochester, NH
 - AlixPartners, LLP; New York, NY
 - Allied Telesis, Inc.; Bothell, WA
 - ALTEN Technology USA, Inc.; Troy, MI
 - Alvarez & Marsal Holdings, LLC; New York, NY
 - Amazon.com Inc.; Seattle, WA
 - American Pacific Corporation; Cedar City, UT
 - Ansys, Inc.; Canonsburg, PA
 - Applied Composites; Lake Forest, CA
 - Archer Aviation Inc.; Palo Alto, CA
 - Astronautics Corporation of America; Oak Hill, WI
 - Astroscale U.S. Inc.; Denver, CO
 - AT Kearney Public Sector and Defense Services; Arlington, VA
 - Athena Manufacturing, LP; Austin, TX
 - ATI Inc.; Dallas, TX
 - ATLAS Space Operations, Inc.; Traverse City, MI
 - Aura Network Systems, Inc.; McLean, VA
 - AUSCO, Inc.; Farmingdale, NY
 - Aviation Management Associates, Inc.; Washington, DC
 - BAE Systems, Inc.; Falls Church, VA
 - Bain & Company, Inc.; Boston, MA
 - Ball Aerospace & Technologies Corp.; Boulder, CO
 - Belcan Corporation; Cincinnati, OH
 - Beta Technologies; South Burlington, VT
 - BlackSky Technology Inc.; Herndon, VA
 - Boom Technology, Inc.; Denver, CO
 - Booz Allen Hamilton; McClean, VA
 - Boston Consulting Group; Boston, MA
 - BRPH Architects Engineers, Inc.; Melbourne, FL
 - Burns & McDonnell Engineering Corporation, Inc.; Kansas City, MO
 - BWX Technologies, Inc.; Lynchburg, VA
 - CADENAS PARTSolutions, LLC; Cincinnati, OH
 - Cadence Design Systems, Inc.; San Jose, CA
 - Capewell Aerial Systems; South Windsor, CT
 - Capgemini; New York, NY
 - Celestica Inc.; Toronto, Canada
 - Chicago Precision, Inc.; Elk Grove Village, IL
 - Click Bond, Inc.; Carson City, NV
 - Cobham Advanced Electronic Solutions (CAES); Arlington, VA
 - COMSPOC Corporation; Exton, PA
 - CPI Aerostructures, Inc.; Edgewood, NY
 - Crane Aerospace & Electronics; Lynnwood, WA
 - Cre8tive Technology and Design, Inc.; San Diego, CA
 - Deloitte Consulting LLP; New York, NY
 - Deltek, Inc.; Herndon, VA
 - Ducommun Incorporated; Santa Ana, CA
 - DXC Technology Company, Ashburn, VA
 - Eaton Corporation; Cleveland, OH
 - Elbit Systems of America, LLC; Fort Worth, TX
 - Electra.aero; Manassas, VA
 - Embraer Aircraft Holding Inc.; Fort Lauderdale, FL
 - Enjet Aero, LLC; Overland Park, KS
 - Epirus, Inc.; Los Angeles, CA
 - EPS Corporation; Tinton Falls, NJ
 - Ernst & Young LLP; New York, NY
 - Estes Energetics; Penrose, CO
 - ExoAnalytic Solutions Inc.; Foothill Ranch, CA
 - Exosonic, Inc.; Torrance, CA
 - Exostar LLC; Herndon, VA
 - FTG Circuits, Inc.; Chatsworth, CA
 - GE Aerospace; Cincinnati, OH
 - General Atomics Aeronautical Systems, Inc.; Poway, CA
 - General Dynamics Corporation; Reston, VA
 - GKN Aerospace North America; Westlake, TX
 - Google, LLC; Mountain View, CA
 - GSE Dynamics, Inc.; Hauppauge, NY
 - GXA Consulting LLC; Ely, IA
 - HCL America Inc.; Sunnyvale, CA
 - HEICO Corporation; Hollywood, FL
 - Hexcel Corporation; Stamford, CT
 - Honeywell Aerospace; Phoenix, AZ
 - Howmet Aerospace Inc.; Pittsburgh, PA
 - Huntington Ingalls Industries, Inc.; Newport News, VA
 - Infosys; Richardson, TX
 - Interos, Inc.; Arlington, VA
 - Iron Mountain, Inc.; Boston, MA
 - Ivis Technologies, LLC; Phoenix, AZ
 - Jabil Defense & Aerospace Services LLC; St. Petersburg, FL
 - Janes Capital Partners, Inc.; Irvine, CA
 - Joby Aviation, Inc.; Santa Cruz, CA
 - Kaman Corporation; Bloomfield, CT
 - KPMG LLP; New York, NY
 - Kratos Defense & Security Solutions, Inc.; Round Rock, TX
 - L3Harris Technologies, Inc.; Melbourne, FL
 - Leidos, Inc.; Reston, VA
 - LeoLabs, Inc.; Menlo Park, CA
 - LOAR Group; White Plains, NY
 - LS Technologies, LLC; Fairfax, VA
 - MapLarge, Inc.; Atlanta, GA
 - Marotta Controls, Inc.; Montville, NJ
 - Mercury Systems, Inc.; Andover, MA
 - Merlin Labs, Inc.; Boston, MA
 - Microchip Technology Incorporated; Chandler, AZ
 - National Technical Systems, Inc.; Calabasas, CA
 - New England Air Foil Products, Inc.; Farmington, CT
 - Nimbis Services, Inc.; Oro Valley, AZ
 - Nokia US; Murray Hill, NJ
 - Norsk Titanium US Inc.; Plattsburgh, NY
 - Northrop Grumman Corporation; Falls Church, VA
 - Oliver Wyman Inc.; New York, NY
 - O'Neil & Associates, Inc.; Miamisburg, OH
 - Overair, Inc.; Santa Ana, CA
 - Pacific Forge Incorporated; Fontana, CA
 - Parker Aerospace; Simi Valley, CA
 - PCX Aerosystems; Santa Ana, CA
 - Perryman Company; Houston, PA
 - PPG Aerospace-Sierracin Corporation; Sylmar, CA
 - Primer AI; Arlington, VA
 - PWC Aerospace & Defense Advisory Services; McLean, VA
 - RCM Technologies, Inc.; Pennsauken, NJ
 - RTX Corporation; Arlington, VA
 - Reaction Engines, Inc.; Denver, CO
 - Relativity Space, Inc.; Long Beach, CA
 - Reliable Robotics Corporation; Mountain View, CA
 - Rhinestahl Corporation; Mason, OH
 - Riveron Consulting, LLC; Dallas, TX
 - Rocket Lab USA, Inc.; Long Beach, CA
 - Rolls-Royce North America Inc.; Reston, VA
 - Salesforce, Inc.; San Francisco, CA
 - SAP America, Inc.; Newtown Square, PA

- Securitas Critical Infrastructure Services, Inc.; Herndon, VA
- Shift5; Rosslyn, VA
- SI2 Technologies; North Billerica, MA
- Siemens Government Technologies, Inc.; Reston, VA
- Sierra Nevada Corporation; Sparks, NV
- SkyThread Corporation; Irvine, CA
- Slingshot Aerospace, Inc.; Austin, TX
- Solvay; Alpharetta, GA
- Spartronics LLC; Williamsport, PA
- Special Aerospace Services, LLC; Boulder, CO
- Spirit AeroSystems; Wichita, KS
- Spright; Gilbert, AZ
- Stratolaunch LLC; Mojave, CA
- Supernal LLC; Washington, DC
- SupplyOn North America, Inc.; Greer, SC
- Synergetic Technologies Group, Inc.; La Verne, CA
- Tata Consultancy Services; Edison, NJ
- Textron Inc.; Providence, RI
- The Aerospace Corporation, Civil Systems Group; El Segundo, CA
- The Boeing Company; Chicago, IL
- The Haskell Company; Jacksonville, FL
- The Lundquist Group LLC; New York, NY
- The Padina Group, Inc.; Lancaster, PA
- Therm, Incorporated; Ithaca, NY
- TransDigm Group, Inc.; Cleveland, OH
- Tribus Aerospace Corporation; Poway, CA
- TriMas Aerospace; Irvine, CA
- Triumph Group, Inc.; Berwyn, PA
- True Anomaly; Centennial, CO
- TTM Technologies Inc.; Santa Ana, CA
- Umbra Lab, Inc.; Santa Barbara, CA
- Unitech Composites Inc.; Hayden, ID
- United Launch Alliance; Centennial, CO
- Ursa Major Technologies, Inc.; Berthoud, CO
- Verify, Inc.; Costa Mesa, CA
- VIASAT, INC.; Carlsbad, CA
- Virgin Galactic, LLC; Las Cruces, NM
- Weldaloy Specialty Forgings; Warren, MI
- Westinghouse Electric Company LLC; Cranberry Township, PA
- Wisk Aero LLC; Mountain View, CA
- Woodward, Inc.; Fort Collins, CO
- World View Enterprises, Inc.; Tucson, AZ

Dated: January 5, 2024.

Joseph Flynn,

Director, Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-428-844]

Certain Carbon and Alloy Steel Cut-to-Length Plate From the Federal Republic of Germany: Notice of Court Decision Not in Harmony With the Amended Final Determination of Antidumping Investigation; Notice of Second Amended Final Determination

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

SUMMARY: On December 21, 2023, the U.S. Court of International Trade (CIT) issued its final judgment in *AG der Dillinger Hüttenwerke v. United States*, Court No. 17-00158, sustaining the U.S. Department of Commerce's (Commerce) fourth final results of redetermination pertaining to the antidumping duty (AD) investigation of certain carbon and alloy steel cut-to-length plate (CTL plate) from the Federal Republic of Germany (Germany) covering the period April 1, 2015, through March 31, 2016. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's amended final determination and Commerce is amending the amended final determination with respect to the dumping margins assigned to AG Der Dillinger Hüttenwerke (Dillinger) and all other producers and exporters of subject merchandise.

DATES: Applicable December 31, 2023.

FOR FURTHER INFORMATION CONTACT: Adam Simons, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6172.

SUPPLEMENTARY INFORMATION:

Background

On April 4, 2017, Commerce published its final determination in the AD investigation of CTL plate from Germany.¹ After correcting ministerial errors in the *Final Determination*, on May 25, 2017, Commerce published the *Amended Final Determination*, calculating estimated weighted-average dumping margins of: 5.52 percent for Dillinger; 22.90 percent for Ilsenburger Grobblech GmbH, Salzgitter Mannesmann Grobblech GmbH, Salzgitter Flachstahl GmbH, and

Salzgitter Mannesmann International GmbH (collectively, Salzgitter); and 21.04 percent for all other producers and exporters.² In this same notice, Commerce published its AD order on CTL plate from Germany.

Dillinger and Salzgitter appealed Commerce's *Amended Final Determination*. On July 16, 2019, the CIT remanded to Commerce to reconsider its application of partial adverse facts available (AFA) to certain downstream home market sales reported by Dillinger.³ Pursuant to *Dillinger Germany I*, Commerce reconsidered how it applied partial AFA to these sales.⁴

On August 18, 2021, in *Dillinger Germany II*, the CIT remanded to Commerce to consider its reallocation of costs between prime and non-prime steel plate for Dillinger, among other Dillinger cost issues, as well as the application of a partial AFA methodology to certain downstream home market sales reported by Salzgitter.⁵ In parallel with *Dillinger Germany II*, the CIT issued a separate memorandum and order sustaining Commerce's rejection of Dillinger's proposed quality code for sour service pressure vessel plate and staying Dillinger's challenge to Commerce's rejection of the proposed quality code for sour service petroleum transport plate pending the outcome of the cost issues on remand.⁶

On September 23, 2022, in *Dillinger Germany III*, the CIT remanded to Commerce to again reconsider its selection of the facts otherwise available for determining the cost of production of Dillinger's non-prime products.⁷ On June 23, 2023, in *Dillinger Germany IV*, the CIT sustained Commerce's determination to assign the "likely

² See *Certain Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, and Taiwan: Amended Final Affirmative Antidumping Determinations for France, the Federal Republic of Germany, the Republic of Korea and Taiwan, and Antidumping Duty Orders*, 82 FR 24096 (May 25, 2017) (*Amended Final Determination*).

³ See *AG der Dillinger Hüttenwerke v. United States*, 399 F. Supp. 3d 1247 (CIT 2019) (*Dillinger Germany I*).

⁴ See *Final Results of Redetermination Pursuant to Court Remand, Certain Carbon and Alloy Steel Cut-to-Length Plate from Germany*, Court No. 17-00158, Slip Op. 19-87 (CIT July 16, 2019), dated October 8, 2019, available at <https://access.trade.gov/resources/remands/index.html>.

⁵ See *AG der Dillinger Hüttenwerke v. United States*, 534 F. Supp. 3d 1403 (CIT 2021) (*Dillinger Germany II*).

⁶ See *Memorandum and Order*, ECF No. 121 (August 18, 2021).

⁷ See *AG der Dillinger Hüttenwerke v. United States*, 592 F. Supp. 3d 1344 (CIT 2022) (*Dillinger Germany III*).

¹ See *Certain Carbon and Alloy Steel Cut-to-Length Plate from the Federal Republic of Germany: Final Determination of Sales at Less Than Fair Value*, 82 FR 16360 (April 4, 2017) (*Final Determination*).