

second year following the date the loan note guarantee was issued.

As set forth in 7 CFR 5001.454(d), each fiscal year, the Agency shall establish a limit on the maximum portion of B&I guarantee authority available for that fiscal year that may be used to guarantee loans with a reduced guarantee fee. The Agency has established that not more than 12 percent of the Agency's B&I guarantee authority will be reserved for loan guarantee requests with a reduced fee. Once this limit is reached, all additional loans will be at the standard fee.

Unless precluded by a subsequent FY 2025 appropriation, these rates will apply to all guaranteed loans obligated in FY 2025. The amount of the periodic retention fee on each guaranteed loan will be determined by multiplying the periodic retention fee rate by the outstanding principal loan balance as of December 31, multiplied by the percentage of guarantee.

Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA Programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA through the 711 Relay Service. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, a complainant should complete a Form, AD-3027, *USDA Program Discrimination Complaint Form*, which can be obtained online at <https://www.usda.gov/sites/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the

alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

(1) *Mail*: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410; or

(2) *Fax*: (833) 256-1665 or (202)690-7442; or

(3) *Email*: program.intake@usda.gov.
USDA is an equal opportunity provider, employer, and lender.

Basil I. Gooden,

Under Secretary, Rural Development.

[FR Doc. 2024-13895 Filed 6-24-24; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-011]

Certain Crystalline Silicon Photovoltaic Products From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Results of the Countervailing Duty Administrative Review; Notice of Amended Final Results

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

SUMMARY: On March 21, 2024, the U.S. Court of International Trade (the Court) issued its final judgment in *Trina Solar (Changzhou) Science & Technology Co., Ltd., et al. v. United States*, Court No. 23-00219 (CIT March 21, 2024), sustaining the U.S. Department of Commerce's (Commerce) final remand results pertaining to the countervailing duty administrative review on certain crystalline silicon photovoltaic products (solar products) from the People's Republic of China (China), covering the period of review (POR) January 1, 2021, through December 31, 2021. Commerce is notifying the public that the Court's final judgment is not in harmony with the final results of the administrative review, and that Commerce is amending its final results.

DATES: Applicable March 31, 2024.

FOR FURTHER INFORMATION CONTACT:

Gene H. Calvert, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3586.

SUPPLEMENTARY INFORMATION:

Background

On September 13, 2023, Commerce published its final results of the 2021 administrative review of solar products from China.¹ Commerce reached an affirmative determination for Trina Solar (Changzhou) Science & Technology Co., Ltd. and its cross-owned affiliates (collectively, Trina Solar). In the *Final Results*, Commerce exclusively relied on freight rates published by The Descartes Systems Group Inc. (Descartes) when determining ocean freight rates for calculating the subsidy rates for several programs pursuant to which the Government of China provided goods for less than adequate remuneration (LTAR).² Trina Solar filed a complaint concerning this issue.

Subsequently, and considering the Court's holding in *Risen Energy I* and *Risen Energy II*,³ Commerce requested that the issue be remanded for further consideration. On December 12, 2023, the Court granted Commerce's motion for voluntary remand with additional guidance.⁴ Specifically, the Court instructed Commerce to consider its rulings in *Risen Energy I* and *Risen Energy II* and to use a multiple route database in keeping with the statutory preference for relying on a broadly based ocean freight rate, in the absence of "the ability to concretely explain a strong reason for a single rate source."⁵ Upon reconsideration of this issue, Commerce determined not to rely on the Descartes database for the base rates for ocean freight in constructing world market benchmarks for LTAR programs under 19 CFR 351.511(a)(2)(ii). Instead, Commerce relied on ocean freight rates published by Xeneta AS (Xeneta) exclusively for the base ocean freight rates and then made certain adjustments to the Xeneta data to account for any missing ocean freight surcharges, relying on the Descartes data.⁶ On

¹ See *Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Final Results of Countervailing Duty Administrative Review; 2021*, 88 FR 62770 (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

² *Id.* at Comment 5.

³ See *Risen Energy Co., v. United States*, 570 F. Supp. 3d 1369, 1372 (CIT 2022) (*Risen Energy I*); see also *Risen Energy Co. v. United States*, Slip Op. 23-48 (CIT April 11, 2023) (*Risen Energy II*).

⁴ See *Trina Solar (Changzhou) Science & Technology Co., Ltd. v. United States*, Court No. 23-00219, Slip Op. No. 23-174 (CIT December 12, 2023).

⁵ *Id.*

⁶ See *Trina Solar (Changzhou) Science & Technology Co., Ltd. v. United States*, Court No. 23-00219, "Final Results of Redetermination Pursuant

February 22, 2024, Commerce issued its final results of redetermination calculating an estimated countervailable subsidy rate of 9.02 percent *ad valorem* for Trina Solar,⁷ and on March 21, 2024, the Court sustained Commerce’s *Final Redetermination*.⁸

Timken Notice

In its decision in *Timken*,⁹ as clarified by *Diamond Sawblades*,¹⁰ the U.S. Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of a court decision that is not “in harmony” with a Commerce determination and must suspend liquidation of entries pending a “conclusive” court decision. The Court’s March 21, 2024, judgment constitutes a final decision of the Court that is not in harmony with Commerce’s *Final Results*. 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 Trina Solar’s countervailable subsidy rate for the period January 1, 2021, through December 31, 2021, as follows:

Producer/exporter	Subsidy rate (percent <i>ad valorem</i>)
Trina Solar (Changzhou) Science & Technology Co., Ltd. ¹¹	9.02

Cash Deposit Requirements

Commerce intends to issue revised cash deposit instructions to U.S.

to Court Order,” dated February 22, 2024 (*Final Redetermination*).

⁷ *Id.*
⁸ See *Trina Solar (Changzhou) Science & Technology Co., Ltd., et al., v. United States*, Court No. 23–00219 (CIT March 21, 2024).

⁹ See *Timken Co., v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

¹⁰ See *Diamond Sawblades Mfrs. Coal. v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

¹¹ Commerce found Trina Solar (Changzhou) Science & Technology Co., Ltd. to be cross-owned, within the meaning of 19 CFR 351.525(b)(6)(vi), among and across the following companies: Yancheng Trina Solar Guoneng Science & Technology Co., Ltd.; Trina Solar (Su Qian) Technology Co., Ltd.; Trina Solar Yiwu Technology Co., Ltd.; Trina Solar Co., Ltd.; Trina Solar (Yancheng Dafeng) Co., Ltd.; Trina Solar Science & Technology (Yancheng) Co., Ltd.; Trina Solar (Suqian) Optoelectronics Co., Ltd.; Trina Solar (Changzhou) Optoelectronic Device Co., Ltd.; Changzhou Trina Solar Yabang Energy Co., Ltd.; Hubei Trina Solar Energy Co., Ltd.; Turpan Trina Solar Energy Co., Ltd.; Trina Solar (Hefei) Science and Technology Co., Ltd.; Changzhou Hesai PV

Customs and Border Protection (CBP) for the entries indicated above. The revised cash deposit rate, indicated above, will be effective March 31, 2024.

Liquidation of Suspended Entries

Commerce intends to instruct CBP to assess countervailing duties on unliquidated entries of subject merchandise produced and/or exported by Trina Solar in accordance with 19 CFR 351.212(b). We will instruct CBP to assess countervailing duties on all appropriate entries covered by this administrative review where the *ad valorem* rate is not zero or *de minimis*. Where an *ad valorem* subsidy rate is zero or *de minimis*,¹² we will instruct CBP to liquidate the appropriate entries without regard to countervailing duties.

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: June 18, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2024–13841 Filed 6–24–24; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–552–801]

Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Final Results of Antidumping Duty New Shipper Review; 2022–2023

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

SUMMARY: The U.S. Department of Commerce (Commerce) has conducted a new shipper review of Co May Import-Export Company Limited (Co May) regarding the antidumping duty order on certain frozen fish fillets (fish fillets) from the Socialist Republic of Vietnam (Vietnam). The period of review (POR) is August 1, 2022, through January 31, 2023. Based on our analysis, Commerce finds that Co May did not make sales of subject merchandise at prices below normal value during the POR.

DATES: Applicable June 25, 2024.

Ribbon Materials Co., Ltd.; Changzhou Hwei New Material Technology Co., Ltd.; Changzhou Trina Hezhong PV Co., Ltd.; and Changzhou Trina PV Ribbon Materials Co., Ltd. See *Final Results*.

¹² See 19 CFR 351.106(c)(2).

FOR FURTHER INFORMATION CONTACT: Javier Barrientos, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2243.

SUPPLEMENTARY INFORMATION:

Background

On January 30, 2024, Commerce published the *Preliminary Results* of this new shipper review and invited interested parties to comment.¹ On April 5, 2024, Commerce extended the deadline for issuance of these final results to June 14, 2024.² On May 17, 2024, the petitioners³ submitted a case brief.⁴ On May 22, 2024, Co May submitted a rebuttal brief.⁵ On May 30, 2024, Commerce held a public hearing.⁶ For a complete description of the events that occurred subsequent to the *Preliminary Results*, see the Issues and Decision Memorandum.⁷

Scope of the Order⁸

The products covered by the *Order* are fish fillets from Vietnam. For a complete description of the scope of this order, see the Issues and Decision Memorandum.

Analysis of Comments Received

We addressed all issues raised in the case and rebuttal briefs filed by interested parties in the Issues and Decision Memorandum. A list of the

¹ See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Preliminary Results of New Shipper Review; 2022–2023*, 89 FR 5862 (January 30, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

² See Memorandum, “Extension of Deadline for Final Results of Antidumping Duty New Shipper Review,” dated April 5, 2024.

³ The petitioners are the Catfish Farmers of America and individual U.S. catfish processors America’s Catch, Inc., Alabama Catfish, LLC d/b/a Harvest Select Catfish, Inc., Consolidated Catfish Companies, LLC d/b/a Country Select Catfish, Delta Pride Catfish, Inc., Guidry’s Catfish, Inc., Heartland Catfish Company, Magnolia Processing, Inc. d/b/a Pride of the Pond, and Simmons Farm Raised Catfish, Inc.

⁴ See Petitioners’ Letter, “Case Brief,” dated May 17, 2024.

⁵ See Co May’s Letter, “Rebuttal Brief of Co May Import Export Company Limited,” dated May 22, 2024.

⁶ See Hearing Transcript, “Public Hearing in the Matter of: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam, New Shipper Review,” dated May 30, 2024.

⁷ See Memorandum, “Decision Memorandum for the Final Results of the New Shipper Review of the Antidumping Duty Order on Certain Frozen Fish Fillets from the Socialist Republic of Vietnam; 2022–2023,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁸ See *Notice of Antidumping Duty Order: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam*, 68 FR 47909 (August 12, 2003) (*Order*).