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Man K. Cho,

Deputy Director, Office of Energy and Environmental Industries.

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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: Notice of Court Decision Not in Harmony With the Results of Countervailing Duty Administrative Review; Notice of Amended Final Results

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

SUMMARY: On August 5, 2024, the U.S. Court of International Trade (CIT) issued its final judgment in *Yama Ribbons and Bows Co., Ltd. v. United States*, Court No. 20-00059, sustaining the U.S. Department of Commerce's (Commerce) second remand results pertaining to the administrative review of the countervailing duty order on narrow woven ribbons with woven selvedge (ribbons) from the People's Republic of China (China) covering the period January 1, 2017, through December 31, 2017. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results of the administrative review, and that Commerce is amending the final results with respect to the countervailable subsidy rate assigned to Yama Ribbons and Bows Co., Ltd. (Yama).

DATES: Applicable August 15, 2024.

FOR FURTHER INFORMATION CONTACT: Ajay K. Menon, 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) 482-0208.

SUPPLEMENTARY INFORMATION:

Background

On February 25, 2020, Commerce published its final results in the 2017 countervailing duty administrative review of ribbons from China.¹ Commerce assigned Yama an overall subsidy rate of 31.87 percent,² including a rate based on an adverse facts available (AFA) rate of 10.54 percent for the export buyer's credit program (EBCP).

Yama appealed Commerce's *Final Results*. On December 23, 2022, the CIT sustained, in part, and remanded, in part, the *Final Results*, instructing Commerce to: (1) reconsider its use of the 10.54 percent rate as AFA for the EBCP; and (2) explain why the rate it decided to use is appropriate under section 776(d) of the Tariff Act of 1930, as amended (the Act), given that an unreasonably high AFA rate could unduly prejudice Yama, which fully cooperated during the review.³

In its first final remand redetermination, issued in February 2023, Commerce reexamined its application of the countervailing duty AFA hierarchy and provided further explanation of why the 10.54 percent subsidy rate calculated for the preferential policy lending program in *Coated Paper from China*⁴ was appropriate to use as AFA for the EBCP.⁵ However, on April 10, 2024, the CIT remanded Commerce's rate selection for a second time, ordering that Commerce reconsider its decision to use 10.54 percent subsidy rate from the preferential policy lending program to the coated paper industry in *Coated Paper from China* as the rate selected as AFA for the EBCP.⁶

In its second final remand redetermination issued in June 2024,⁷

¹ See *Narrow Woven Ribbons with Woven Selvedge from the People's Republic of China: Final Results of Countervailing Duty Administrative Review; 2017*, 85 FR 10653 (February 25, 2020) (*Final Results*).

² *Id.*, 85 FR at 10654.

³ See *Yama Ribbons and Bows Co., v. United States*, 611 F. Supp. 3d 1394, 1403 (CIT 2022).

⁴ See *Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet Fed Presses from the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 75 FR 59212 (September 27, 2010) (*Coated Paper from China*), and accompanying Issues and Decision Memorandum (IDM) at 12.

⁵ See *Final Results of Redetermination Pursuant to Court Remand, Yama Ribbons and Bows Co., v. United States*, Court No. 20-00059, Slip Op. 22-157 (CIT December 23, 2022), dated February 14, 2023, available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

⁶ See *Yama Ribbons and Bows Co. v. United States*, Court No. 20-00059, Slip. Op. 24-43 (CIT April 10, 2024).

⁷ See *Final Results of Redetermination Pursuant to Court Remand, Yama Ribbons and Bows Co., v.*

Commerce reconsidered using the 10.54 percent rate from the preferential lending program in *Coated Paper from China* as AFA for the EBCP, and instead, used the 0.87 percent subsidy rate calculated for the Export Seller's Credit program in *Chloro Isos from China*.⁸ Accordingly, Commerce calculated a revised subsidy rate for Yama of 22.20 percent. On August 5, 2024, the CIT sustained Commerce's final redetermination.⁹

Timken Notice

In its decision in *Timken*,¹⁰ as clarified by *Diamond Sawblades*,¹¹ the U.S. Court of Appeals for the Federal Circuit held that, pursuant to section 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 August 5, 2024, 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 Yama as follows:

Company	Subsidy rate (percent ad valorem)
Yama Ribbons and Bows Co., Ltd	22.20

Cash Deposit Requirements

Because Yama has a superseding cash deposit rate, *i.e.*, there have been final results published in a subsequent administrative review, we will not issue

United States, Court No. 20-00059, Slip Op. 24-43 (CIT April 10, 2024), dated June 10, 2024, available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

⁸ See *Countervailing Duty Investigation of Chlorinated Isocyanurates from the People's Republic of China: Preliminary Determination and Alignment of Final Determination With Final Antidumping Determination*, 79 FR 10097 (February 24, 2014), and accompanying Preliminary Decision Memorandum at 15, unchanged in *Chlorinated Isocyanurates from the People's Republic of China: Final Affirmative Countervailing Duty Determination; 2012*, 79 FR 56560 (September 22, 2014) (*Chloro Isos from China*), and accompanying IDM at 14.

⁹ See *Yama Ribbons and Bows Co. v. United States*, Court No. 20-00059, Slip Op. 24-89, dated August 5, 2024.

¹⁰ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

¹¹ See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

revised cash deposit instructions to U.S. Customs and Border Protection (CBP). This notice will not affect the current cash deposit rate for Yama.

Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that: were produced and/or exported by Yama that were the subject of Commerce's *Final Results*, and that were entered, or withdrawn from warehouse, for consumption, during the period January 1, 2017, through December 31, 2017. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event the CIT's ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess countervailing duties on unliquidated entries of subject merchandise produced and/or exported by Yama in accordance with 19 CFR 351.212(b). We will instruct CBP to assess countervailing duties on all appropriate entries covered by this review when 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: August 13, 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. 2024-18589 Filed 8-19-24; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-922, A-570-160]

2,4-Dichlorophenoxyacetic Acid From India and the People's Republic of China: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations

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

DATES: Applicable August 20, 2024.

FOR FURTHER INFORMATION CONTACT: Grant Fuller at (202) 482-6228 (India);

Anjali Mehindiratta at (202) 482-9127 (the People's Republic of China (China)), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On April 23, 2024, the U.S. Department of Commerce (Commerce) initiated less-than-fair-value (LTFV) investigations of imports of 2,4-Dichlorophenoxyacetic Acid (2,4-D) from India and China.¹ On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.² The deadline for these preliminary determinations is now September 17, 2024.

Postponement of Preliminary Determinations

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1)(A)(b)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which Commerce initiated the investigation if: (A) the petitioner³ makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On August 7, 2024, the petitioner submitted a timely request that Commerce postpone the preliminary determinations in these LTFV investigations.⁴ The petitioners stated that it requests postponement "because

¹ See *2,4-Dichlorophenoxyacetic Acid from the People's Republic of China and India: Initiation of Less-Than-Fair-Value Investigations*, 89 FR 34200 (April 30, 2024) (*Initiation Notice*).

² See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated July 22, 2024.

³ The petitioner is Corteva Agriscience LLC.

⁴ See Petitioner's Letter, "Request for Postponement of Preliminary Determination," dated August 7, 2024.

{these} investigation{s} involve{ } complex and novel issues, which require additional time to investigate completely."⁵

For the reason stated above and because there are no compelling reasons to deny the request, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determinations by 50 days (*i.e.*, 190 days after the date on which these investigations were initiated). As a result, Commerce will issue its preliminary determinations no later than November 6, 2024.⁶ In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75 days after the date of the preliminary determinations, unless postponed at a later date.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: August 13, 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.

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

National Artificial Intelligence Advisory Committee

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of Open Meeting.

SUMMARY: The National Institute of Standards and Technology (NIST) announces that the National Artificial Intelligence Advisory Committee (NAIAC or Committee) will hold a virtual meeting with briefing sessions. This meeting will be held via web conference on Wednesday, September 4, 2024, from 2:00 p.m.–5:00 p.m. Eastern Time. The primary purpose of this meeting is for NAIAC to receive a briefing by outside panelists on AI in the workforce and a separate briefing from the Law Enforcement Subcommittee on topics related to AI in law enforcement specific to facial recognition technology. The final agenda will be posted on the NIST

⁵ *Id.* at 1–2.

⁶ This deadline has been tolled by seven days. See footnote 2, *supra*.

¹² See 19 CFR 351.106(c)(2).