

issues impacting foreign direct investment into the United States, including investment opportunities across U.S. regions, regulations and visas, in addition to other topics. The agenda may change to accommodate Council business. The final agenda will be posted on the Department of Commerce Web site for the Council at <http://trade.gov/IAC>, at least one week in advance of the meeting.

**DATES:** Tuesday, June 21, 2016, 9 a.m.–12 p.m. EDT.

**ADDRESSES:** The United States Investment Advisory Council meeting will be broadcast via live webcast on the Internet at <http://whitehouse.gov/live>.

**FOR FURTHER INFORMATION CONTACT:** Li Zhou, the United States Investment Advisory Council, Room 4043, 1401 Constitution Avenue NW., Washington, DC 20230, telephone: 202–482–4501, email: [IAC@trade.gov](mailto:IAC@trade.gov).

**SUPPLEMENTARY INFORMATION:**

*Background:* The Council advises the Secretary of Commerce on matters relating to the promotion and retention of foreign direct investment in the United States.

*Public Participation:* The public is invited to submit written statements to the United States Investment Advisory Council. Statements must be received by 5:00 p.m. EDT June 14, 2016 by either of the following methods:

a. Electronic Submissions

Submit statements electronically to Li Zhou, Executive Secretary, United States Investment Advisory Council via email: [IAC@trade.gov](mailto:IAC@trade.gov).

b. Paper Submissions

Send paper statements to Li Zhou, Executive Secretary, United States Investment Advisory Council, Room 4043, 1401 Constitution Avenue NW., Washington, DC 20230. Statements will be posted on the United States Investment Advisory Council Web site (<http://trade.gov/IAC>) without change, including any business or personal information provided such as names, addresses, email addresses, or telephone numbers. All statements received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. You should submit only information that you wish to make publicly available.

*Meeting minutes:* Copies of the Council's meeting minutes will be available within ninety (90) days of the meeting.

Dated: June 1, 2016.

**Li Zhou,**

*Executive Secretary, United States Investment Advisory Council.*

[FR Doc. 2016–13284 Filed 6–3–16; 8:45 am]

**BILLING CODE 3510–DR–P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C–489–502]

**Circular Welded Carbon Steel Pipes and Tubes From Turkey: Notice of Court Decision Not in Harmony With Final Results of Countervailing Duty Administrative Review and Notice of Amended Final Results of Countervailing Duty Administrative Review; 2012**

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

**SUMMARY:** On May 11, 2016, the United States Court of International Trade (the Court) issued *Toscelik II*,<sup>1</sup> which sustained the Final Remand Results<sup>2</sup> that the Department of Commerce (the Department) issued in connection with *Toscelik I*,<sup>3</sup> concerning the Department's final results of administrative review of the countervailing duty order on circular welded carbon steel pipes and tubes from Turkey covering the period of review January 1, 2012, through December 31, 2012 (POR).<sup>4</sup>

Consistent with the decision of the United States Court of Appeals for the Federal Circuit (CAFC) in *Timken*,<sup>5</sup> as clarified by *Diamond Sawblades*,<sup>6</sup> the Department is notifying the public that the final judgment in this case is not in harmony with the Department's 2012 *Final Results*. The Department is also amending the 2012 *Final Results* with

<sup>1</sup> See *Toscelik Profil Ve SAC Endustrisi A.S. v. United States*, Court No. 14–00211, Slip. Op. 16–50 (CIT May 11, 2016) (*Toscelik II*).

<sup>2</sup> See Final Results Of Redetermination Pursuant To Court Remand, Court No. 14–00211, Slip Op. 16–50 (May 11, 2016, May 11, 2016) (Final Remand Results), which is available at <http://enforcement.trade.gov/remands/index.html>.

<sup>3</sup> See *Toscelik Profil Ve SAC Endustrisi A.S. v. United States*, Court No. 14–00211, Slip. Op. 15–144 (CIT December 21, 2015) (*Toscelik I*).

<sup>4</sup> See *Circular Welded Carbon Steel Pipes and Tubes From Turkey: Final Results of Countervailing Duty Administrative Review; Calendar Year 2012 and Rescission of Countervailing Duty Administrative Review, in Part*, 79 FR 51140 (Aug. 27, 2014) and accompanying Issues and Decisions Memorandum (2012 *Final Results*).

<sup>5</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>6</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

respect to *Toscelik Profil Ve SAC Endustrisi A.S.* (*Toscelik*).

**DATES:** Effective May 21, 2016.

**FOR FURTHER INFORMATION CONTACT:** John Conniff, AD/CVD Operations Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–1009.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 27, 2014, the Department issued the 2012 *Final Results*.<sup>7</sup> In the 2012 *Final Results*, the Department assigned *Toscelik* the total net subsidy rate it had calculated for *Toscelik* in the prior review of that company, the 2011 *Final Results*.<sup>8</sup> *Toscelik* had challenged its rate in the 2011 *Final Results* at the Court and, as a result of remand redetermination and the Court's affirmance thereof, *Toscelik*'s rate from the 2011 *Final Results* decreased.<sup>9</sup> *Toscelik* then challenged the Department's 2012 *Final Results*, contending that the results of its challenge to the rate from the 2011 *Final Results* should extend to the rate the Department assigned *Toscelik* for the 2012 POR. At issue in the instant litigation was whether the Department should apply the rate the Department determined in the 2011 *Amended Final Results* to the 2012 *Final Results*, instead of the rate originally assigned to *Toscelik*, notwithstanding that *Toscelik* failed to exhaust its administrative remedies on this issue.

The Court held that absent the administrative record underlying the 2011 subsidy rate (pulled forward to 2012), *Toscelik* lacked an argument “that could have resulted in redress of the error in the eleventh review.”<sup>10</sup> The Court further held that the 2012 determination with regard to *Toscelik* represented a “derivative action” that “turns wholly on the lawfulness *vel non* of the {2011 review}.”<sup>11</sup> The Court, thus, considered that in this case the law did not require *Toscelik* to file an administrative brief merely to preserve the right to appeal and directed Commerce to consider in its remand the

<sup>7</sup> See 2012 *Final Results*.

<sup>8</sup> See *Circular Welded Carbon Steel Pipes and Tubes From Turkey: Final Results of Countervailing Duty Administrative Review; Calendar Year 2011*; 78 FR 64916, dated October 30, 2013.

<sup>9</sup> See *Circular Welded Carbon Steel Pipes and Tubes From Turkey Toscelik Profil ve Sac Endustrisi AS v. United States* Court No. 13–00371; Slip Op. 14–126 (CIT 2014), dated February 13, 2015.

<sup>10</sup> See *Toscelik I*, at 10.

<sup>11</sup> *Id.* at 11.

amended final results of the 2011 review.

On April 15, 2016, the Department filed the Final Remand Results with the Court, in which it assigned Toscelik for the 2012 review Toscelik's amended *de minimis* rate from the 2011 Amended Final Results, which was *de minimis*.<sup>12</sup> On May 11, 2016, the Court entered judgment sustaining the Final Remand Results.<sup>13</sup>

#### Timken Notice

In *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, 626 F.3d at 1381, the CAFC held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (the Act), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. The Court's judgment in *Toscelik II* sustaining the Final Remand Results constitutes a final decision of the Court that is not in harmony with the Department's 2012 Final Results. This notice is published in fulfillment of the publication requirement of *Timken*.

#### Amended Final Results

Because there is now a final court decision, the Department is amending the 2012 Final Results with respect to Toscelik. The revised net subsidy rate for Toscelik during the period January 1, 2012, through December 31, 2012, is as follows:

Producer/exporter	Total net subsidy rate
Toscelik Profil ve Sac Endustrisi A.S.	0.44 percent, <i>de minimis</i> .

Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. In the event the Court's ruling is not appealed or, if appealed, upheld in a final and conclusive court decision, the Department will instruct U.S. Customs and Border Protection to assess antidumping duties on unliquidated entries of subject merchandise exported by the above listed exporters at the rate listed above.

#### Cash Deposit Requirements

Since the 2012 Final Results, the Department has established a new cash

deposit rate for Toscelik.<sup>14</sup> Therefore, the cash deposit rate for Toscelik does not need to be updated as a result of these amended final results.

#### Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e), 751(a)(1), and 777(i)(1) of the Act.

Dated: May 27, 2016.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2016-13282 Filed 6-3-16; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Initiation of Antidumping and Countervailing Duty Administrative Reviews

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

**SUMMARY:** The Department of Commerce ("the Department") has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with April anniversary dates. In accordance with the Department's regulations, we are initiating those administrative reviews.

**DATES:** *Effective Dates:* June 6, 2016.

**FOR FURTHER INFORMATION CONTACT:** Brenda E. Waters, Office of AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482-4735.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various antidumping and countervailing duty orders and findings with April anniversary dates.

All deadlines for the submission of various types of information, certifications, or comments or actions by the Department discussed below refer to the number of calendar days from the applicable starting time.

<sup>14</sup> See *Circular Welded Carbon Steel Pipes and Tubes From Turkey: Final Results of Countervailing Duty Administrative Review; Calendar Year 2013 and Rescission of Countervailing Duty Administrative Review, in Part*, 80 FR 61361 (October 13, 2015).

#### Notice of No Sales

If a producer or exporter named in this notice of initiation had no exports, sales, or entries during the period of review ("POR"), it must notify the Department within 30 days of publication of this notice in the **Federal Register**. All submissions must be filed electronically at <http://access.trade.gov> in accordance with 19 CFR 351.303.<sup>1</sup> Such submissions are subject to verification in accordance with section 782(i) of the Tariff Act of 1930, as amended ("the Act"). Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy must be served on every party on the Department's service list.

#### Respondent Selection

In the event the Department limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, the Department intends to select respondents based on U.S. Customs and Border Protection ("CBP") data for U.S. imports during the period of review. We intend to place the CBP data on the record within five days of publication of the initiation notice and to make our decision regarding respondent selection within 30 days of publication of the initiation **Federal Register** notice. Comments regarding the CBP data and respondent selection should be submitted seven days after the placement of the CBP data on the record of this review. Parties wishing to submit rebuttal comments should submit those comments five days after the deadline for the initial comments.

In the event the Department decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

In general, the Department has found that determinations concerning whether particular companies should be "collapsed" (*i.e.*, treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, the Department will not conduct collapsing analyses at the respondent selection phase of this review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping

<sup>1</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

<sup>12</sup> See Final Remand Results at 5-6. While subject to the 2011 review, Toscelik was not selected for individual examination.

<sup>13</sup> See *Toscelik II* at 1.