

Food Ingredient Inc. (“Join”) in the context of the antidumping duty order on Fresh Garlic from the People’s Republic of China (PRC). The period of review (POR) is November 1, 2015, through October 31, 2016.

**DATES:** Effective December 29, 2016.

**FOR FURTHER INFORMATION CONTACT:** Chien-Min Yang, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-5484.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Department published the antidumping duty order on fresh garlic from the PRC in the **Federal Register** on November 16, 1994.<sup>1</sup> On November 30, 2016, the Department received a timely request for a NSR from Join.<sup>2</sup> Join certified that it is the exporter and producer of the fresh garlic upon which the request for a NSR is based.<sup>3</sup> Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Join certified that it did not export fresh garlic for sale to the United States during the period of investigation (POI).<sup>4</sup> Moreover, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Join certified that, since the investigation was initiated, it has never been affiliated with any exporter or producer which exported the subject merchandise to the United States during the POI, including those not individually examined during the investigation.<sup>5</sup> Further, as required by 19 CFR 351.214(b)(2)(iii)(B), it certified that its export activities are not controlled by the central government of the PRC.<sup>6</sup> Join also certified it had no shipments of subject merchandise subsequent to the POR.<sup>7</sup>

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), Join submitted documentation establishing the following: (1) The date of its first sale to an unaffiliated customer in the United States; (2) the date on which the fresh garlic was first entered; and (3) the volume of that shipment.<sup>8</sup>

<sup>1</sup> See *Antidumping Duty Order: Fresh Garlic from the People’s Republic of China*, 59 FR 59209 (November 16, 1994).

<sup>2</sup> See Join’s request for a NSR dated November 30, 2016.

<sup>3</sup> *Id.* at Exhibit 1.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at page 2.

<sup>8</sup> *Id.* at Exhibit 2.

The Department queried the database of U.S. Customs and Border Protection (CBP) in an attempt to confirm that the shipment reported by Join had entered the United States for consumption and that liquidation had been properly suspended for antidumping duties. The information which the Department examined was consistent with that provided by Join in its request.<sup>9</sup>

**Period of Review**

Pursuant to 19 CFR 351.214(c), an exporter or producer may request a NSR within one year of the date on which its subject merchandise was first entered. Moreover, 19 CFR 351.214(d)(1) states that if the request for the review is made during the twelve-month period ending with the end of the anniversary month, the Secretary will initiate a NSR in the calendar month immediately following the anniversary month. Further, 19 CFR 315.214(g)(1)(i)(A) states that if the NSR was initiated in the month immediately following the anniversary month, the POR will be 12-month period immediately preceding the anniversary month. Join made the request for a NSR, that included all documents and information required by the statute and regulations, within one year of the date on which its fresh garlic first entered. Its request was filed in November, which is the anniversary month of the order. Therefore, the POR is November 1, 2015, through October 31, 2016. *Id.*

**Initiation of New Shipper Review**

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(b), and the information on the record, the Department finds that Join’s request meets the threshold requirements for initiation of a NSR for shipments of fresh garlic from the PRC produced and exported by Join, and, therefore, is initiating a NSR of Join. Absent a determination that the new shipper review is extraordinarily complicated, the Department intends to issue the preliminary results within 180 days after the date on which this review is initiated and the final results within 90 days after the date on which we issue the preliminary results.<sup>10</sup> If the information supplied by Join is found to be incorrect or insufficient during the course of this proceeding, the Department may rescind the review for Join or apply facts available pursuant to

<sup>9</sup> See Memorandum to the File from Chien-Min Yang, “New Shipper Review of the Antidumping Duty Order on Fresh Garlic from the People’s Republic of China: Customs Entries from November 1, 2015, to October 31, 2016,” dated December 13, 2016.

<sup>10</sup> See section 751(a)(2)(B)(iv) of the Act.

section 776 of the Act, depending on the facts on the record.

It is the Department’s usual practice in cases involving non-market economies to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate (*i.e.*, a separate rate) provide evidence of *de jure* and *de facto* absence of government control over the company’s export activities.<sup>11</sup> Accordingly, the Department will issue questionnaires to Join, which will include a section requesting information with regard to its export activities for the purpose of establishing its eligibility for a separate rate. The review will proceed if the responses provide sufficient indication that Join is not subject to either *de jure* or *de facto* government control with respect to its exports of fresh garlic from the PRC.

On February 24, 2016, the President signed into law the “Trade Facilitation and Trade Enforcement Act of 2015,” H.R. 644, which made several amendments to section 751(a)(2)(B) of the Act. We will conduct this new shipper review in accordance with section 751(a)(2)(B) of the Act, as amended by the Trade Facilitation and Trade Enforcement Act of 2015.<sup>12</sup>

Interested parties requiring access to proprietary information in this proceeding should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: December 22, 2016.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**U.S.-Nigeria Commercial and Investment Dialogue**

**AGENCY:** International Trade Administration (ITA), U.S. Department of Commerce (DOC).

<sup>11</sup> See Import Administration Policy Bulletin, Number: 05.1. (<http://ia.ita.doc.gov/policy/bull05-1.pdf>).

<sup>12</sup> The Trade Facilitation and Trade Enforcement Act of 2015 removed from section 751(a)(2)(B) of the Act the provision directing the Department to instruct Customs and Border Protection to allow an importer the option of posting a bond or security in lieu of a cash deposit during the pendency of a new shipper review.

**ACTION:** Notice of an opportunity to apply to participate in the U.S.-Nigeria Commercial and Investment Dialogue.

**Authority:** 22 U.S.C. 2395(b).

**SUMMARY:** The U.S. Department of Commerce is currently seeking applications for members of the U.S. private sector to participate in the newly established U.S.-Nigeria Commercial and Investment Dialogue (CID). The purpose of the CID is to deepen the trade and investment ties between the U.S. and Nigeria and to foster sustained engagement between our governments on concrete issues of importance to our private sectors.

**DATES:** All applications for immediate consideration for appointment must be received by the Office of Africa by 5:00 p.m. Eastern Standard Time (EST) on January 10, 2017. After that date, ITA will continue to accept applications under this notice for a period of up to three years from

**ADDRESSES:** Please submit applications by email to [Karen.Burress@trade.gov](mailto:Karen.Burress@trade.gov), attention: Karen Burress, Office of Africa or by mail to Karen Burress, Office of Africa, 1401 Constitution Avenue NW., Suite 22004, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:** The CID has two key objectives which include: (1.) Encourage and promote deeper commercial and investment ties between the U.S. and Nigerian private sectors; and (2.) examine key regulatory reforms and policy elements that can help attract U.S. businesses and investors. Currently, the CID has five key areas of focus which are infrastructure, agriculture, digital economy, investment and regulatory reform.

The participants shall contribute information, analysis, and recommendations based on current in-country experience in the Nigerian market that address the five key areas of focus. The Department particularly seeks applicants who are active executives (Chief Executive Officer, Executive Chairman, President or comparable level of responsibility); however, for large companies, a person having substantial responsibility for the company's commercial activities in Nigeria will also be considered.

For eligibility purposes, a "U.S. company" is a for-profit firm incorporated in the United States or with its principal place of business in the United States that is (a) majority controlled (more than 50 percent ownership interest and/or voting stock) by U.S. citizens or by another U.S. entity or (b) majority controlled (more

than 50 percent ownership interest and/or voting stock) directly or indirectly by a foreign parent company. Members are not required to be a U.S. citizen; however, members may not be registered as a foreign agent under the Foreign Agents Registration Act. Additionally, no member shall represent a company that is majority owned or controlled by a foreign government entity or entities.

Private sector participants will be selected, in accordance with applicable Department of Commerce guidelines, based on their ability to carry out the objectives of the CID as set forth above.

Private sector participants shall serve in a representative capacity, representing the views and interests of their particular industry sector. The private sector participants are not special government employees, and will receive no compensation for their participation in the CID activities. The private sector participants participating in CID meetings and events will be responsible for their travel, living and other personal expenses. Meetings will be held twice annually on an alternating basis between Washington, DC, and Nigeria. Teleconference meetings may also be held as needed.

To be considered, submit the following information by 5:00 p.m. EDT on January 10, 2017 to the email or mailing address listed in the **ADDRESSES** section:

1. Name and title of the individual requesting consideration.
2. The applicant's personal resume and short bio (less than 300 words).
3. Brief statement describing how the applicant will contribute to the work of the U.S.-Nigeria Commercial and Investment Dialogue based on his or her unique experience and perspective (not to exceed 100 words).
4. An affirmative statement that the applicant meets all eligibility criteria, including an affirmative statement that the applicant is not required to register as a foreign agent under the Foreign Agents Registration Act of 1938, as amended.
5. Information regarding the ownership and control of the company, including the stock holdings as appropriate, signifying compliance with the criteria set forth above.
6. The company's size, product or service line, and major markets in which the company operates.
7. A profile of the company's trade, investment, development, finance, partnership, or other commercial activities in or with African markets.

*Statutory Authority:* This program is funded under Section 632(a) of the Foreign Assistance Act of 1961, as

amended (the "FAA"), and the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Pub. L. 111-117) to carry out the provisions of the FAA and the FREEDOM Support Act, as amended.

Dated: December 22, 2016.

**Fred Stewart,**

*Director, Office of Africa, U.S. Department of Commerce.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Nautical Discrepancy Reporting System

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before February 27, 2017.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at [Jjessup@doc.gov](mailto:Jjessup@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Dawn Forsythe, 301-713-2780 ext. 144, or [Dawn.Forsythe@noaa.gov](mailto:Dawn.Forsythe@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This request is for extension of a currently approved information collection.

National Oceanic and Atmospheric Administration (NOAA) Office of Coast Survey is the nation's nautical chartmaker, maintaining and updating over a thousand charts covering the 3.5 million square nautical miles of coastal waters in the U.S. Exclusive Economic