

characteristics are excluded from the scope of the *Order*: Novelty jumbo pencils that are octagonal in shape, approximately ten inches long, one inch in diameter before sharpening, and three-and-one eighth inches in circumference, composed of turned wood encasing one-and-one half inches of sharpened lead on one end and a rubber eraser on the other end. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the merchandise covered by the scope of the *Order* is dispositive.

#### Continuation of the Order

As a result of the determinations by the Department and the ITC that revocation of the *Order* would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), the Department hereby orders the continuation of the *Order* on certain cased pencils from the PRC. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *Order* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the *Order* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

This five-year sunset review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: August 28, 2017.

#### Gary Taverman,

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-122-857]

#### Certain Softwood Lumber Products From Canada: Postponement of Final Determination of Less-Than-Fair-Value Investigation and Extension of Provisional Measures

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

**SUMMARY:** The Department of Commerce (the Department) is postponing until November 13, 2017, the deadline for issuing the final determination in the less-than-fair-value (LTFV) investigation of certain softwood lumber products (softwood lumber) from Canada, and is extending the provisional measures from a four-month period to a period of not more than six months. As the deadline for the final determination of the countervailing duty (CVD) investigation of softwood lumber from Canada is aligned with the deadline for the final determination of the LTFV investigation, the final CVD determination will also be issued no later than November 13, 2017.

**DATES:** Applicable September 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Stephen Bailey, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0193.

#### SUPPLEMENTARY INFORMATION:

##### Background

On April 28, 2017, and June 30, 2017, respectively, the Department published its preliminary determinations in the CVD and LTFV investigations of softwood lumber from Canada.<sup>1</sup> In the *CVD Preliminary Determination*, at the request of the petitioner,<sup>2</sup> the Department aligned the final deadline for the CVD investigation with the final determination of the LTFV investigation.<sup>3</sup>

<sup>1</sup> See *Certain Softwood Lumber Products from Canada: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination with Final Antidumping Duty Determination*, 82 FR 19657 (April 28, 2017) (*CVD Preliminary Determination*) and *Certain Softwood Lumber Products from Canada: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 82 FR 29833 (June 30, 2017) (*LTFV Preliminary Determination*).

<sup>2</sup> The Committee Overseeing Action for Lumber International Trade Investigations or Negotiations (the petitioner).

<sup>3</sup> See *CVD Preliminary Determination*, 82 FR at 19657-19658.

On May 26, 2017, and June 26, 2017, Canfor Corporation (Canfor), Resolute FP Canada Inc. (Resolute), Tolko Marketing and Sales Ltd. and Tolko Industries Ltd. (Tolko), and West Fraser Mills Ltd., (West Fraser) (collectively, the Company Respondents), requested that the Department fully extend the deadline for the final LTFV determination, and extend the application of the provisional measures from a four-month period to a period of not more than six months.<sup>4</sup>

#### Postponement of Final LTFV Determination and Aligned Final CVD Determination

Given the complexity of these investigations and the volume of information on the records of these proceedings that needs to be analyzed, the Department finds that postponement is warranted in the LTFV investigation and the aligned CVD investigation covering softwood lumber from Canada. Further, because of the ongoing discussions between the Governments of the United States and Canada focusing on a durable solution to this long-standing trade dispute, postponement of these aligned investigations is also warranted. This additional time will afford the Department the time to both address the factual and legal matters on the records of these proceedings, as well as continue discussions on this broader cross-border trade dispute.

Therefore, pursuant to 735(a)(2)(A) of the Tariff Act of 1930, as amended, the Department is (1) postponing the LTFV final determination until no later than November 13, 2017, which is 135 days after the date of the publication of the *LTFV Preliminary Determination*, and (2) extending the provisional measures from a four-month period to a period of not more than six months. Further, as noted above, because the CVD investigation is aligned with the LTFV investigation, the Department will also issue its final determination in the CVD investigation no later than November 13, 2017.<sup>5</sup>

This notice is issued and published pursuant to 19 CFR 351.210(g).

<sup>4</sup> See Letters from Canfor, Resolute, Tolko, and West Fraser dated May 26, 2017, June 26, 2017, May 26, 2017, and May 26, 2017, respectively.

<sup>5</sup> Postponing the final determinations to 135 days after the publication of the *LTFV Preliminary Determination* would place the deadline on Sunday, November 12, 2017. The Department's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

Dated: August 28, 2017.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, Performing the Non-Exclusive Functions and Duties of the Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-602-807, A-351-842, A-570-022, C-570-023, A-560-828, C-560-829, A-471-807]

### Certain Uncoated Paper From Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Affirmative Final Determination of Circumvention of the Antidumping and Countervailing Duty Orders

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

**DATES:** Applicable September 1, 2017.

**SUMMARY:** The Department of Commerce (Department) determines that imports of uncoated paper with a GE brightness of 83 ±1% (83 Bright paper), otherwise meeting the description of in-scope merchandise, from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal constitute merchandise "altered in form or appearance in minor respects" from in-scope merchandise are subject to the antidumping duty (AD) and countervailing duty (CVD) orders on certain uncoated paper (uncoated paper).

**FOR FURTHER INFORMATION CONTACT:** William Miller at (202) 482-3906, AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

#### Background

On June 9, 2017, the Department published the *Preliminary Determination* of the anti-circumvention inquiry of 83 Bright paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal.<sup>1</sup> A summary of the events that occurred since the Department published the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision

<sup>1</sup> See *Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Affirmative Preliminary Determination of Circumvention of the Antidumping and Countervailing Duty Orders*; 82 FR 26778 (June 9, 2017).

Memorandum which is hereby adopted by this notice.<sup>2</sup>

#### Scope of the Orders

The merchandise covered by the *Orders*<sup>3</sup> is uncoated paper. Uncoated paper subject to the *Orders* is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. The HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the *Orders* is dispositive.<sup>4</sup>

#### Scope of the Anti-Circumvention Inquiry

The merchandise subject to this anti-circumvention inquiry consists of 83 Bright paper with a GE brightness of 83 ±1%, and otherwise meeting the description of the scope of the *Orders*. On August 1, 2016, the petitioners clarified that, consistent with 19 CFR 351.225(m), they intended for the Department to conduct a single anti-circumvention inquiry and issue a single ruling applicable to each of the *Orders*. Therefore, in accordance with 19 CFR 351.225(m), we find it appropriate to apply the results of this inquiry to each of the *Orders*.<sup>5</sup>

<sup>2</sup> See Memorandum, "Issues and Decision Memorandum for the Final Affirmative Determination of Circumvention of the Antidumping and Countervailing Duty Orders on Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal" (Issues and Decision Memorandum), dated concurrently with this determination and hereby adopted by this notice.

<sup>3</sup> See *Certain Uncoated Paper from Australia, Brazil, Indonesia, the People's Republic of China, and Portugal: Amended Final Affirmative Antidumping Determinations for Brazil and Indonesia and Antidumping Duty Orders*; 81 FR 11174 (March 3, 2016) and *Certain Uncoated Paper from Indonesia and the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order (Indonesia) and Countervailing Duty Order (People's Republic of China)*; 81 FR 11187, (March 3, 2016) (collectively, the *Orders*).

<sup>4</sup> A full description of the scope of the *Orders* is contained in the Issues and Decision Memorandum.

<sup>5</sup> See *Certain Uncoated Paper from Australia, Brazil, Indonesia, the People's Republic of China, and Portugal: Initiation of Anti-Circumvention Inquiry*, 81 FR 78117 (November 7, 2016).

#### Methodology

The Department conducted this anti-circumvention determination in accordance with section 781(c) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.225(i). For a full description of the methodology underlying our conclusions, see the Issues and Decision Memorandum. A list of the topics discussed is attached to this notice in the Appendix.

The Issues and Decision Memorandum is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered user at <https://access.trade.gov> and is available to all parties in the Central Records Unit, Room B-8024 of the main Department of Commerce building. In addition, a complete public version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

#### Final Affirmative Determination of Circumvention

As detailed in the Issues and Decision Memorandum, we determine, pursuant to section 781(c) of the Act and 19 CFR 351.225(i), that imports of 83 Bright paper, otherwise meeting the description of in-scope merchandise, constitute merchandise "altered in form or appearance in minor respects" from in-scope merchandise and are subject to the *Orders*.

#### Suspension of Liquidation

In accordance with 19 CFR 351.225(l)(2), we are directing U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of entries of 83 Bright paper entered, or withdrawn from warehouse, for consumption on or after November 7, 2016, the date of publication of the initiation of this inquiry, until appropriate liquidation instructions are issued. We will also instruct CBP to continue to require a cash deposit of estimated duties at the applicable rates for each unliquidated entry of the product entered, or withdrawn from warehouse, for consumption on or after November 7, 2016, in accordance with 19 CFR 351.225(l)(2).