

this analysis, concluding that the value of information produced by the ABS outweighs the costs. The Census Bureau submitted a request to OMB on January 5, 2018, formally requesting approval of the ABS under the Paperwork Reduction Act (PRA). The request included information about the cost to administer the ABS and the cost imposed on respondents in terms of their time to respond. The request also documented the many uses of the data. The request demonstrated that the ABS has practical utility, *i.e.*, that the value of information produced outweighs the cost. As noted in the Paperwork Reduction Act section below, OMB approved the ABS on March 7, 2018 (OMB control number 0607–1004).

Furthermore, the ABS will provide data required by Executive Order 11458 (March 5, 1969), “Prescribing Arrangements for Developing and Coordinating a National Program For Minority Business Enterprise” (<http://www.presidency.ucsb.edu/ws/?pid=60475>). Executive Order 11458 prompted the Census Bureau to create the Survey of Minority Business Enterprises (SMOBE) and the Survey of Women Business Enterprises (SWOBE). The data previously collected in these two surveys was later collected in the SBO and the ASE, surveys that the ABS will now replace. Without the ABS, there will be no survey that complies with the executive order. The Minority Business Development Agency and Small Business Administration also rely on the Census Bureau to annually produce these data, including data on business ownership by gender, ethnicity, race, and veteran status as well as economic characteristics of businesses.

The Census Bureau has designed the ABS survey to collect the required data while balancing the burden on businesses. The ABS is designed to combine Census Bureau firm-level collections to reduce respondent burden, increase data quality, reduce operational costs, and operate more efficiently.

Paperwork Reduction Act

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) (44 U.S.C., Chapter 45) unless that collection of information displays a currently valid OMB control number. In accordance with the PRA, OMB approved the ABS under OMB control number 0607–1004 on March 7, 2018.

Based upon the foregoing, I have directed that the current mandatory business surveys be conducted for the purpose of collecting these data.

Dated: May 31, 2018.

Ron S. Jarmin,

*Associate Director for Economic Programs,
Performing the Non-Exclusive Functions and
Duties of the Director, Bureau of the Census.*

[FR Doc. 2018–12356 Filed 6–7–18; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–010]

Crystalline Silicon Photovoltaic Products From the People’s Republic of China: Notice of Court Decision Not in Harmony With Final Determination of the Less Than Fair Value Investigation

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

SUMMARY: On May 25, 2018, the United States Court of International Trade (the Court) entered final judgment sustaining the final results of the second remand redetermination by the Department of Commerce (Commerce) pertaining to the antidumping duty (AD) investigation of certain crystalline silicon photovoltaic products from the People’s Republic of China (China). Commerce is notifying the public that the final judgment in this case is not in harmony with Commerce’s final determination in the AD investigation of certain crystalline silicon photovoltaic products from China.

DATES: Applicable June 4, 2018.

FOR FURTHER INFORMATION CONTACT: Eli Lovely, 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) 482–1593.

SUPPLEMENTARY INFORMATION:

Background

Subsequent to the December 23, 2014, publication of the *Final Determination* in the AD investigation of certain crystalline silicon photovoltaic products from China,¹ and the February 18, 2015 publication of the AD order,²

¹ See *Certain Crystalline Silicon Photovoltaic Products from the People’s Republic of China: Final Determination of Sales at Less than Fair Value*, 79 FR 76970 (December 23, 2014) (*Final Determination*).

² See *Certain Crystalline Silicon Photovoltaic Products from the People’s Republic of China:*

SolarWorld Americas, Inc. (SolarWorld), the petitioner, filed a complaint with the Court challenging, among other things, Commerce’s determination that South African import data under subheading 8548.10, of the United States Harmonized Tariff Schedule (HTS), constituted the best available information for valuing Changzhou Trina Solar Energy Co., Ltd.’s (Trina) byproduct offset for scrapped solar modules.³

In *Jinko Solar I*, the Court remanded Commerce’s use of South African import data under HTS subheading 8548.10, to value Trina’s byproduct offset for scrapped solar modules when calculating normal value. The Court found that Commerce did not adequately explain how its decision was reasonable in light of the record as a whole.⁴ Further, the Court found that two arguments made before the Court constituted post hoc rationalizations and directed Commerce to make those rationalizations explicit and identify supporting evidence for them, if either of the rationalizations informed Commerce’s decision to rely on HTS subheading 8548.10 to value Trina’s byproduct offset for scrapped solar modules.⁵

On August 2, 2017, Commerce issued its First Remand Results, in which it determined that it would continue to value Trina’s byproduct offset for scrapped solar modules with South African import data under HTS 8548.10 and explained its decision to do so.⁶ The Court, in *Jinko Solar II*, held that Commerce’s determination remained unsupported by substantial evidence and that Commerce did not explain how its selected surrogate value was a representative surrogate value for the scrapped modules.⁷ The Court directed Commerce to reconsider or further explain its decision to use South African import data under HTS subheading 8548.10 to value the byproduct offset for scrapped solar

Antidumping Duty Order; and Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order, 80 FR 8592 (February 18, 2015).

³ See SolarWorld’s Complaint, No. 15–00086, ECF No. 10 (CIT April 17, 2015).

⁴ See *Jinko Solar Co., Ltd. v. United States*, 229 F. Supp. 3d 1333, 1353–1355 (CIT 2017) (*Jinko Solar I*).

⁵ *Id.* at 1355.

⁶ See Final Results of Redetermination Pursuant to Court Remand, *Jinko Solar Co., Ltd. v. United States*, Court No. 15–00080, Slip Op. 17–62 (Court of International Trade May 18, 2017) (August 2, 2017) (First Remand Results).

⁷ See *Jinko Solar Co., Ltd. v. United States*, 279 F. Supp. 3d 1253, 1261–1264 (CIT 2017) (*Jinko Solar II*).

modules when calculating normal value.⁸

On March 12, 2018, Commerce issued its Second Remand Results, wherein, considering the Court's order, and under respectful protest, Commerce selected Thai import data under HTS category 2804.69 to value Trina's byproduct offset for scrapped solar modules for purposes of its normal value calculations.⁹

On May 25, 2018, the Court issued its decision in *Jinko Solar III* sustaining Commerce's Second Remand Results.¹⁰

Timken Notice

In its decision in *Timken*,¹¹ as clarified by *Diamond Sawblades*,¹² the United States Court of Appeals for the Federal Circuit held that, pursuant to section 516A(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 May 25, 2018, final judgment sustaining Commerce's Second Remand Redetermination constitutes a final decision of the Court that is not in harmony with Commerce's *Final Determination*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, Commerce 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. We have not amended the *Final Determination* because valuing Trina's scrapped solar modules using Thai import data under HTS category 2804.69 rather than South African import data under HTS subheading 8548.10 did not result in a change to the weighted average dumping margin calculated for Trina in the *Final Determination*.

Notification to Interested Parties

This notice is issued and published in accordance with section 516A(e)(1) of the Act.

⁸ *Id.* at 1264.

⁹ See Final Results of Second Redetermination Pursuant to Court Order, *Jinko Solar Co., Ltd., et al. v. United States*, Court No. 15-00080, Slip Op. 17-165 (Court of International Trade December 13, 2017) (March 12, 2018) (Second Remand Results).

¹⁰ See *Jinko Solar Co., Ltd. v. United States*, No. 15-00080, Slip Op. 18-61 (CIT May 25, 2018) (*Jinko Solar III*).

¹¹ See *Timken Co. v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990).

¹² See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010).

Dated: June 4, 2018.

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.

[FR Doc. 2018-12481 Filed 6-7-18; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG280

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's (Council) Mackerel-Squid-Butterfish (MSB) Monitoring Committee will meet via webinar to develop recommendations for future MSB specifications.

DATES: The meeting will be held Monday, June 25, 2018 at 9 a.m. and end by noon.

ADDRESSES: The meeting will be held via webinar with a telephone-only connection option: <http://mafmc.adobeconnect.com/moncom2018plusfmat/>.

Council address: Mid-Atlantic Fishery Management Council, 800 N. State St. Suite 201, Dover, DE 19901; telephone: (302) 674-2331.

FOR FURTHER INFORMATION CONTACT:

Christopher M. Moore, Ph.D. Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 526-5255. The Council's website, www.mafmc.org will also have details on webinar access and any background materials.

SUPPLEMENTARY INFORMATION: The Council's MSB Monitoring Committee will develop recommendations for future MSB specifications. The MSB Monitoring Committee will meet jointly with the Fishery Management Action Team (FMAT), which is developing analyses for the Council's Atlantic mackerel rebuilding framework to set 2019-2021 Atlantic mackerel specifications. The Council will review previously-set 2019 longfin squid, *Illex* squid, and butterfish specifications and take final action on the Atlantic mackerel rebuilding framework at its August 2018 Council Meeting (<http://www.mafmc.org/meetings/>).

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526-5251, at least 5 days prior to the meeting date.

Dated: June 4, 2018.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2018-12305 Filed 6-7-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Atlantic Highly Migratory Species Vessel and Gear Marking.

OMB Control Number: 0648-0373.

Form Number(s): None.

Type of Request: Regular (extension of a currently approved information collection).

Number of Respondents: 3,282.

Average Hours per Response: Vessels, 45 minutes; gear, 15 minutes per piece.

Burden Hours: 3,894.

Needs and Uses: This request is for an extension of a current information collection. These requirements apply to vessel owners in the Atlantic highly migratory species (HMS) Fishery.

Under current regulations at 50 CFR 635.6, fishing vessels permitted for Atlantic HMS fisheries must display their official vessel numbers on their vessels. Flotation devices and high-flyers attached to certain fishing gears must also be marked with the vessel's number to identify the vessel to which the gear belongs. These requirements are necessary for identification, law enforcement, and monitoring purposes.

Specifically, all vessel owners that hold a valid Atlantic HMS permit under 50 CFR 635.4, other than an Atlantic HMS Angling permit, are required to display their vessel identification number. Numbers must be permanently affixed to, or painted on, the port and starboard sides of the deckhouse or hull and on an appropriate weather deck, so as to be clearly visible from an