

**COMMISSION ON CIVIL RIGHTS**

**Notice of Public Meeting of the Alaska Advisory Committee**

**AGENCY:** U.S. Commission on Civil Rights.

**ACTION:** Announcement of meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA) that a meeting of the Alaska Advisory Committee (Committee) to the Commission will be held at 1:00 p.m. (Alaska Time) Thursday, September 27, 2018. The purpose of the meeting is to debrief after hearing, review report schedule and review the introduction section of the Alaska report.

**DATES:** The meeting will be held on Thursday, September 27, 2018, at 1:00 p.m. AKT.

*Public Call Information:* Dial: 1-877-260-1479. Conference ID: 1249970.

**FOR FURTHER INFORMATION CONTACT:** Ana Victoria Fortes (DFO) at *afortes@usccr.gov* or (213) 894-3437.

**SUPPLEMENTARY INFORMATION:** This meeting is available to the public through the following toll-free call-in number: 1-877-260-1479, conference ID number: 1249970. Any interested member of the public may call this number and listen to the meeting. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1-800-877-8339 and

providing the Service with the conference call number and conference ID number.

Members of the public are entitled to make comments during the open period at the end of the meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments may be mailed to the Western Regional Office, U.S. Commission on Civil Rights, 300 North Los Angeles Street, Suite 2010, Los Angeles, CA 90012. They may be faxed to the Commission at (213) 894-0508, or emailed Ana Victoria Fortes at *afortes@usccr.gov*. Persons who desire additional information may contact the Regional Programs Unit at (213) 894-3437.

Records and documents discussed during the meeting will be available for public viewing prior to and after the meeting at <https://facadatabase.gov/committee/meetings.aspx?cid=234>. Please click on the "Meeting Details" and "Documents" links. Records generated from this meeting may also be inspected and reproduced at the Regional Programs Unit, as they become available, both before and after the meeting. Persons interested in the work of this Committee are directed to the Commission's website, <https://www.usccr.gov>, or may contact the Regional Programs Unit at the above email or street address.

**Agenda**

- I. Welcome
- II. Review Report Schedule
- III. Review Introduction Section of AK SAC Report
- IV. Debrief Web Hearings
- V. Public Comment
- VI. Next Steps

VII. Adjournment

*Exceptional Circumstance:* Pursuant to 41 CFR 102-3.150, the notice for this meeting is given less than 15 calendar days prior to the meeting because of the exceptional circumstance of staffing limitations that require immediate action.

Dated: September 19, 2018.

**David Mussatt,**  
*Supervisory Chief, Regional Programs.*

[FR Doc. 2018-20691 Filed 9-21-18; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**Economic Development Administration**

**Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance**

**AGENCY:** Economic Development Administration, U.S. Department of Commerce.

**ACTION:** Notice and opportunity for public comment.

**SUMMARY:** The Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each of the firms contributed importantly to the total or partial separation of the firms' workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

**SUPPLEMENTARY INFORMATION:**

**LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE**

[08/30/2018 through 09/17/2018]

Firm name	Firm address	Date accepted for investigation	Product(s)
Select Fabricators, Inc .....	5310 North Street, Canandaigua, NY 14424.	9/5/2018	The firm manufactures radio-frequency and electro-magnetic interference shielded tents, pouches, and curtains.
Arlington Machine & Welding, Inc ..	20621 67th Avenue NE, Arlington, WA 98223.	9/6/2018	The firm manufactures custom machined aluminum and steel parts.
Williams Tool, Inc .....	9372 Elm Street, Chadwicks, NY 13319.	9/10/2018	The firm manufactures custom machined metal parts.
Plastic Resources, Inc .....	495 North 1000 West, Logan, UT 84323.	9/17/2018	The firm manufactures plastic products, especially through plastic extrusion.

Any party having a substantial interest in these proceedings may request a public hearing on the matter.

A written request for a hearing must be submitted to the Trade Adjustment Assistance Division, Room 71030,

Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten

(10) calendar days following publication of this notice. These petitions are received pursuant to section 251 of the Trade Act of 1974, as amended.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.9 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

**Irette Patterson,**  
Program Analyst.

[FR Doc. 2018-20654 Filed 9-21-18; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-580-882]

#### Certain Cold-Rolled Steel Flat Products From the Republic of Korea: Notice of Court Decision Not in Harmony With Amended Final Determination of the Countervailing Duty Investigation

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

**SUMMARY:** On September 10, 2018, the United States Court of International Trade (CIT or Court) sustained the final remand results pertaining to the countervailing duty (CVD) investigation on certain cold-rolled steel flat products from the Republic of Korea covering the period January 1, 2014, through December 31, 2014. The Department of Commerce (Commerce) is notifying the public that the final judgement in this case is not in harmony with the *Amended Final Determination* of the CVD investigation and that Commerce is amending the *Amended Final Determination* with respect to the CVD rate assigned to POSCO.

**DATES:** Applicable September 20, 2018.

**FOR FURTHER INFORMATION CONTACT:** Yasmin Bordas at (202) 482-3813, 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 July 29, 2016, Commerce published its *Final Determination*.<sup>1</sup> Upon consideration of ministerial error allegations, Commerce issued an *Amended Final Determination* and

calculated a subsidy rate of 59.72 percent for POSCO.<sup>2</sup>

On March, 8, 2018, the CIT remanded various aspects of the *Amended Final Determination* to Commerce.<sup>3</sup> In its *Remand Order*, the Court held that “substantial evidence supports Commerce’s decision to apply facts available.”<sup>4</sup> The Court held that the record demonstrated that POSCO “withheld information, failed to timely provide information, and impeded the proceeding,” and that POSCO’s “failure to supply the requested information” reflected a failure to act to the best of its ability.<sup>5</sup>

However, the Court also held that Commerce had not conducted an “evaluation of the specific situation,” under the relatively new statutory language of section 776(d)(2) of the Tariff Act of 1930, as amended (the Act) and had not explained “why this case justified its selection of the highest rates.”<sup>6</sup> In addition, the Court concluded that the 1.64 percent rate from *Refrigerators from Korea* was “derived from estimates Commerce made on the basis of an adverse inference,” and, therefore, was not corroborated, under section 776(c) of the Act.<sup>7</sup> The Court, therefore, instructed

<sup>2</sup> See *Countervailing Duty Investigation of Certain Cold-Rolled Steel Flat Products from the Republic of Korea: Final Affirmative Determination*, 81 FR 49943 (July 29, 2016) (*Final Results*) and accompanying Memorandum, entitled “Issues and Decision Memorandum for the Final Determination in the Countervailing Duty Investigation of Certain Cold-Rolled Steel Flat Products from the Republic of Korea” (Issues and Decision Memorandum); see also “Countervailing Duty Investigation of Certain Cold-Rolled Steel Flat Products from the Republic of Korea: Final Determination Calculation Memorandum for POSCO, dated July 20, 2016 (POSCO Final Analysis Memorandum). On September 20, 2016, the Commerce published its amended final results upon consideration of various ministerial error allegations. See *Certain Cold-Rolled Steel Flat Products from Brazil, India, and the Republic of Korea: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order (the Republic of Korea) and Countervailing Duty Orders (Brazil and India)*, 81 FR 64436 (September 20, 2016) (*Amended Final Results*); see also “Response to Ministerial Error Comments Filed by Hyundai Steel Co. Ltd. and POSCO,” dated August 24, 2016 (Ministerial Error Memo); and “Countervailing Duty Investigation of Certain Cold-Rolled Steel Flat Products from the Republic of Korea: Amended Final Determination Calculation Memorandum for POSCO,” dated August 24, 2016 (POSCO Amended Final Analysis Memorandum).

<sup>3</sup> See *POSCO et al., and AK Steel Corporation, et al., v. United States and Steel Dynamic Inc., et al.*, Consol. Court No. 16-00225, Slip Op. 18-18 (CIT 2018) (*Remand Order*).

<sup>4</sup> See *Remand Order* at 26.

<sup>5</sup> *Id.* at 26-27.

<sup>6</sup> *Id.* at 49.

<sup>7</sup> *Id.* at 57-58. See also *Bottom Mount Combination Refrigerator-Freezers from the Republic of Korea: Final Affirmative Countervailing Duty Determination*, 77 FR 17410 (March 26, 2012) (*Refrigerators from Korea Final Determination*) and

Commerce to reconsider its selection of this rate.<sup>8</sup> On the other hand, the Court found that Commerce’s corroboration and selection of the 1.05 percent rate from *Washers from Korea* was supported by substantial evidence.<sup>9</sup>

Pursuant to the *Remand Order*, Commerce issued its Final Redetermination, which addressed the Court’s holdings and revised the CVD rate for POSCO to 42.61 percent.<sup>10</sup> On September 10, 2018, the CIT sustained in whole Commerce’s Final Redetermination.<sup>11</sup>

#### Timken Notice

In its decision in *Timken*,<sup>12</sup> as clarified by *Diamond Sawblades*,<sup>13</sup> the Court of Appeals for the Federal Circuit held that, pursuant to section 516A(e) of the Act, Commerce must publish a notice of court decision that is not “in harmony” with Commerce’s determination and must suspend liquidation of entries pending a “conclusive” court decision. The CIT’s September 10, 2018 final judgement, ordering Commerce to proceed with replacing POSCO’s 1.64 percent subsidy rate for programs that were calculated on the basis of adverse facts available with the 1.05 percent rate from *Washers from Korea* constitutes a final decision of that court that is not in harmony with the *Final Amended Determination*. This notice is published in fulfillment of the publication requirements of *Timken*.

This notice is issued and published in accordance with sections 516A(e)(1), 705(c)(1)(B), and 777(i)(1) of the Act.

accompanying Issues and Decision Memorandum (*Refrigerators from Korea* Issues and Decision Memorandum).

<sup>8</sup> *Id.* at 58.

<sup>9</sup> *Id.* See also *Large Residential Washers from the Republic of Korea: Final Affirmative Countervailing Duty Determination*, 77 FR 75975 (December 26, 2012) (*Washers from Korea Final Results*), and accompanying Issues and Decision Memorandum (*Washers from Korea* Issues and Decision Memorandum).

<sup>10</sup> See Memorandum *POSCO et al., and AK Steel Corporation, et al., v. United States and Steel Dynamic Inc., et al.*; Consol. Court No. 16-00225, Slip Op. 18-18 (CIT March 8, 2018); Final Results of Redetermination Pursuant to Court Remand, dated June 6, 2018, at 26.

<sup>11</sup> See *POSCO et al., and AK Steel Corporation, et al., v. United States and Steel Dynamic Inc., et al.*; Consol. Court No. 16-00225, Slip Op. 18-1115 (CIT September 10, 2018).

<sup>12</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>13</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>1</sup> See *Final Determination*, 81 FR 49943.