

issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act.

#### Assessment Rates

If a respondent's weighted-average dumping margin is above *de minimis* in the final results of this review, we will calculate an importer-specific assessment rate based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of the sales in accordance with 19 CFR 351.212(b)(1).<sup>8</sup> If a respondent's weighted-average dumping margin or an importer-specific assessment rate is zero or *de minimis* in the final results of this review, we will instruct U.S. Customs and Border Protection (CBP) to liquidate the appropriate entries without regard to antidumping duties in accordance with the *Final Modification for Reviews*.<sup>9</sup> The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future deposits of estimated duties, where applicable.

For entries of subject merchandise during the POR produced by Dongkuk or Hyundai Steel, which Dongkuk or Hyundai (as applicable) did not know was destined for the United States, we will instruct CBP to liquidate these entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

For the companies identified above that were not selected for individual examination, we will instruct CBP to liquidate entries at the rates listed above.

We intend to issue liquidation instructions to CBP 15 days after publication of the final results of this review.

#### Cash Deposit Requirements

The following cash deposit requirements for estimated antidumping duties will be effective upon publication of the notice of final results of this

review for all shipments of CTL plate from Korea entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for companies subject to this review will be equal to the weighted-average dumping margins established in the final results of the review; (2) for merchandise exported by companies not covered in this review but covered in a prior segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation but the producer is, then the cash deposit rate will be the rate established for the most recently completed segment for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 0.98 percent,<sup>10</sup> the all-others rate established in the LTFV investigation, adjusted for the export-subsidy rate in the companion countervailing duty investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Notification to Interested Parties

Commerce is issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(4).

Dated: December 12, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Rates for Non-Examined Companies

<sup>10</sup> See, e.g., *Certain Cut-to-Length Carbon-Quality Steel Plate Products from the Republic of Korea: Final Results of Antidumping Duty Administrative Review: 2016–2017*, 83 FR 32629, 32630 (July 13, 2018).

- V. Discussion of the Methodology
- VI. Currency Conversion
- VII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–806]

#### Silicon Metal From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2017–2018

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

**SUMMARY:** The Department of Commerce (Commerce) determines that Yunnan Fuyang Trade Co., Ltd. (Fuyang) did not make a *bona fide* sale during the period of review (POR) June 1, 2017 through May 31, 2018. Therefore, we are rescinding this administrative review.

**DATES:** Applicable December 18, 2019.

**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

On August 14, 2019, Commerce published the *Preliminary Results* of this review in the **Federal Register**<sup>1</sup> and invited parties to comment on the *Preliminary Results*. On September 13, 2019, we received case briefs from Yunnan Fuyang Trade Co., Ltd. (Fuyang) and the petitioner (*i.e.*, Globe Specialty Metals, Inc.). On September 23, 2019, we received rebuttal briefs from Fuyang and the petitioner.

##### Scope of the Order

The product covered by the order is silicon metal containing at least 96.00 but less than 99.99 percent of silicon by weight, and silicon metal with a higher aluminum content containing between 89 and 96 percent silicon by weight. For the full text of the scope of the order, see the Issues and Decision Memorandum.<sup>2</sup>

<sup>1</sup> See *Silicon Metal From the People's Republic of China: Preliminary Rescission of the Antidumping Duty Administrative Review; 2017–2018*, 84 FR 40395 (August 14, 2019) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty

Continued

<sup>8</sup> In these preliminary results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

<sup>9</sup> See *Final Modification for Reviews*, 77 FR at 8103; see also 19 CFR 351.106(c)(2).

### Analysis of the Comments Received

All issues raised in the case and rebuttal briefs submitted in this review are addressed in the Issues and Decision Memorandum. A list of the issues raised is attached as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov> and to all parties in the Central Records Unit, Room B8024 of the main Commerce building. In addition, a complete 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.

### Bona Fides Analysis

We preliminarily found that Fuyang's sale of subject merchandise to the United States during the POR is not a *bona fide* sale.<sup>3</sup> After analyzing parties' comments, we continue to find that Fuyang's sale is not a *bona fide* sale. We reached this conclusion based on multiple issues, including: (a) The atypical nature of both the price and quantity of the sale; (b) factors calling into question whether the sale was made at arm's-length; and (c) other relevant factors.

Because we have determined that Fuyang had no *bona fide* sales during the POR, we are rescinding this administrative review.

### Assessment

Because Commerce is rescinding this administrative review, we have not calculated a company-specific dumping margin for Fuyang. Fuyang remains part of the China-wide entity and entries of its subject merchandise during the POR will be assessed antidumping duties at the China-wide entity rate. The China-wide entity rate is 139.49 percent.

### Cash Deposit Requirements

As noted above, Commerce is rescinding this administrative review. Thus, we have not calculated a company-specific dumping margin for Fuyang. Therefore, entries of Fuyang's

Order on Silicon Metal from the People's Republic of China: 2017–2018," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>3</sup> See Memorandum, "2017–2018 Antidumping Duty Administrative Review of Silicon Metal from the People's Republic of China: Preliminary *Bona Fide* Sales Analysis for Yunnan Fuyang Trade Co., Ltd.," dated August 6, 2019.

subject merchandise continue to be subject to the China-wide entity cash deposit rate of 139.49 percent. This cash deposit requirement shall remain in effect until further notice.

### Administrative Protective Order

This notice also serves as a reminder to parties subject to Administrative Protective Order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in these segments of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

### Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(h) and 351.221(b)(5).

Dated: December 11, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Issues
  - Comment: Whether Fuyang's Sole U.S. Sale During the Period of Review is *Bona Fide*
    - i. Whether Sale Price Weighs in Favor of Finding Fuyang's Sale Was Not *Bona Fide*
    - ii. Whether Sale Quantity Weighs in Favor of Finding Fuyang's Sale Was Not *Bona Fide*
    - iii. Whether Sale Timing Weighs in Favor of Finding Fuyang's Sale Was Not *Bona Fide*
    - iv. Whether the Goods were Resold at a Profit

- v. Whether the Sale was Made on an Arm's-Length Basis
  - vi. Other Relevant Factors
- V. Recommendation

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## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

[Docket Number DARS–2019–0063]

### Information Collection Requirement; Covered Defense Telecommunications Equipment or Services; Request for OMB Emergency Clearance; Comment Request

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Notice.

**SUMMARY:** DoD is requesting the Office of Management and Budget provide emergency clearance of collections of information under the provisions of the Paperwork Reduction Act.

**DATES:** Consideration will be given to all comments received by January 17, 2020.

**SUPPLEMENTARY INFORMATION:** DoD is requesting the Office of Management and Budget (OMB) provide emergency clearance of collections of information associated with an interim rule to be published in the **Federal Register** under the title "Covered Defense Telecommunications Equipment or Services (DFARS Case 2018–D022)."

Consistent with 5 CFR 1320.13, DoD has determined the following conditions have been met:

- a. The collection of information is needed prior to the expiration of time periods normally associated with a routine submission for review under the provisions of the Paperwork Reduction Act in view of the restrictions imposed by section 1656 of the National Defense Authorization Act (NDAA) for Fiscal year (FY) 2018 (Pub. L. 115–91), which was signed into law on December 12, 2017. Subsequently, section 889(a)(1)(A) of the NDAA for FY 2019 (Pub. L. 115–232), was signed into law on August 13, 2018, and established a similar Governmentwide prohibition. The interim DFARS rule implements the section 1656 and DoD-specific procedures associated with the section 889(a)(1)(A) prohibitions for DoD, and is structured to align with and supplement the higher-level Federal Acquisition Regulation (FAR) implementation of the section 889(a)(1)(A) Governmentwide prohibition. Immediate action is