

the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). These regulations require any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. The regulations, at 19 CFR 351.301, also provide specific time limits for such factual submissions based on the type of factual information being submitted. Please review the *Final Rule*,¹⁴ available at <https://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt>, prior to submitting factual information in this segment. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until July 17, 2020, unless extended.¹⁵

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information using the formats provided at the end of the *Final Rule*.¹⁶ Commerce intends to reject factual submissions in any proceeding segments if the submitting party does not comply with applicable certification requirements.

Extension of Time Limits Regulation

Parties may request an extension of time limits before a time limit established under Part 351 expires, or as otherwise specified by Commerce.¹⁷ In general, an extension request will be considered untimely if it is filed after the time limit established under Part 351 expires. For submissions which are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. on the due date. Examples include, but are not limited to: (1) Case and rebuttal briefs, filed pursuant to 19 CFR 351.309; (2) factual

information to value factors under 19 CFR 351.408(c), or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2), filed pursuant to 19 CFR 351.301(c)(3) and rebuttal, clarification and correction filed pursuant to 19 CFR 351.301(c)(3)(iv); (3) comments concerning the selection of a surrogate country and surrogate values and rebuttal; (4) comments concerning CBP data; and (5) Q&V questionnaires. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, Commerce will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. This policy also requires that an extension request must be made in a separate, stand-alone submission, and clarifies the circumstances under which Commerce will grant untimely-filed requests for the extension of time limits. Please review the *Final Rule*, available at <https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>, prior to submitting factual information in these segments.

These initiations and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: July 6, 2020.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-817]

Certain Oil Country Tubular Goods From the Socialist Republic of Vietnam: 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) finds that exporters of oil country tubular goods (OCTG) from the Socialist Republic of Vietnam (Vietnam) did not sell subject merchandise in the United States at prices below normal value during the period of review (POR) September 1, 2017 through August 31, 2018.

DATES: Applicable July 10, 2020.

FOR FURTHER INFORMATION CONTACT: Fred Baker, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2924.

SUPPLEMENTARY INFORMATION:

Background

Commerce is conducting an administrative review of the antidumping duty order on OCTG from Vietnam in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Commerce initiated this review on November 15, 2018.¹ On November 15, 2019, Commerce published the *Preliminary Results* of this administrative review.² At that time, we invited interested parties to comment on the *Preliminary Results*. On December 16, 2019, we received case briefs from U.S. Steel (the petitioner), Maverick Tube Corporation and Tenaris Bay City, Inc. (the domestic interested parties), and SeAH Steel VINA Corporation (SSV).³ However, on April 10, 2020, we rejected the case briefs from the petitioner and the domestic interested parties because they contained new factual information filed after the due date for filing new factual information.⁴ The petitioner and the domestic interested parties submitted redacted versions of their case briefs on April 14, 2020.⁵ On December 30, 2019,

¹ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 83 FR 57411 (November 15, 2018).

² See *Certain Oil Country Tubular Goods from the Socialist Republic of Vietnam: Preliminary Results of Antidumping Duty Administrative Review*, 84 FR 62504 (November 15, 2019) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

³ See Petitioner's Case Brief, "Oil Country Tubular Goods from the Socialist Republic of Vietnam: Case Brief of United States Steel Corporation," dated December 16, 2019; Domestic Interested Parties' Case Brief, Oil Country Tubular Goods from the Socialist Republic of Vietnam: Case Brief of Maverick Tube Corporation and Tenaris Bay City, Inc.," dated December 16, 2019; SSV's Case Brief, "Administrative Review of the Antidumping Duty Order on Certain Oil Country Tubular Goods from Vietnam—Case Brief of SeAH Steel VINA Corporation and Pusan Pipe America, Inc.," dated December 16, 2019.

⁴ See Commerce's Letter to the Petitioner, "Certain Oil Country Tubular Goods from the Socialist Republic of Vietnam: Rejection of Case Brief," dated April 10, 2020; and Commerce Letter to Domestic Interested Parties, "Certain Oil Country Tubular Goods from the Socialist Republic of Vietnam: Rejection of Case Brief," dated April 10, 2020.

⁵ See Petitioner's Case Brief, "Oil Country Tubular Goods from the Socialist Republic of Vietnam: Resubmission of December 16th Case Brief of United States Steel Corporation," dated April 14, 2020; Domestic Interested Party's Case Brief, "Oil Country Tubular Goods from the

¹⁴ See *Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*); see also the frequently asked questions regarding the *Final Rule*, available at https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.

¹⁵ See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 29615 (May 18, 2020).

¹⁶ See section 782(b) of the Act; see also *Final Rule*; and the frequently asked questions regarding the *Final Rule*, available at https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.

¹⁷ See 19 CFR 351.302.

the domestic interested parties and SSV submitted rebuttal briefs.⁶ On April 10, 2020, Commerce rejected SSV's rebuttal brief because it contained new factual information filed after the due date for filing new factual information.⁷ SSV submitted a redacted version of its rebuttal brief on April 14, 2020.⁸ On March 12, 2020, Commerce extended the deadline for the final results of review until May 13, 2020.⁹ On April 24, 2020, Commerce tolled all deadlines in administrative reviews by 50 days, thereby extending the deadline for these results until July 2, 2020.¹⁰

Scope of the Order

The merchandise covered by the order is OCTG from Vietnam. For a full description of the merchandise covered by the scope of the antidumping duty order on OCTG from Vietnam, see the Issues and Decision Memorandum.¹¹

Analysis of Comments Received

All issues raised in the case and rebuttal briefs filed by parties in this review and addressed in the Issues and Decision Memorandum are listed in the 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 <https://access.trade.gov>. 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

Socialist Republic of Vietnam: Resubmission of Case Brief of Maverick Tube Corporation and Tenaris Bay City, Inc., dated April 14, 2020.

⁶ See Domestic Interested Parties' Rebuttal Brief, "Oil Country Tubular Goods from the Socialist Republic of Vietnam: Rebuttal Brief of Maverick Tube Corporation and Tenaris Bay City, Inc.," dated December 30, 2019.

⁷ See Commerce's Letter, "Certain Oil Country Tubular Goods from the Socialist Republic of Vietnam: Rejection of Rebuttal Brief," dated April 10, 2020.

⁸ See SSV Rebuttal Brief, "Administrative Review of the Antidumping Order on Certain Oil Country Tubular Goods from Vietnam—Redacted Case (sic) Brief," dated April 14, 2020.

⁹ See Memorandum, "Oil Country Tubular Goods from the Socialist Republic of Vietnam: Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated March 12, 2020.

¹⁰ See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews in Response to Operational Adjustments Due to COVID-19," dated April 24, 2020.

¹¹ See Memorandum, "Issues and Decision Memorandum for the Final Results of the 2017–2018 Administrative Review of the Antidumping Duty Order on Oil Country Tubular Goods from the Socialist Republic of Vietnam," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on our analysis of the comments received, we have made certain changes to the margin calculation for the respondent. For a discussion of these changes, see the "Margin Calculations" section of the Issues and Decision Memorandum.

Final Results of Review

Commerce determines that the following weighted-average dumping margin exists for the period September 1, 2017 through August 31, 2018:

Exporter	Weighted-average dumping margin (percent)
SeAH Steel VINA Corporation ¹²	0.00

Assessment

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Commerce intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of this administrative review in the **Federal Register**.

Consistent with Commerce's assessment practice in non-market economy cases, for entries that were not reported in the U.S. sales database submitted by companies individually examined during the administrative review, Commerce will instruct CBP to liquidate such entries at the Vietnam-wide rate. Additionally, if Commerce determines that an exporter under review had no shipments of subject merchandise, any suspended entries that entered under the exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the Vietnam-wide rate.¹³

Cash Deposit Requirements

The following cash deposit requirements will be effective upon

¹² Commerce initiated a review of both SSV and Pusan Pipe America, Inc. (Pusan Pipe), but the record shows that Pusan Pipe is a U.S. importer of OCTG that is affiliated with SSV, and does not produce OCTG. See SSV's December 19, 2018 Section A Questionnaire Response at 1. Therefore, we have not calculated a rate for Pusan Pipe.

¹³ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

publication of the final results of this administrative review for all shipments of the subject merchandise from Vietnam entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For SSV, a zero cash deposit rate; (2) for previously investigated or reviewed Vietnamese and non-Vietnamese exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the exporter-specific rate published for the most-recently completed segment of this proceeding in which the exporter was reviewed; (3) for all Vietnamese exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the rate established for the Vietnam-wide entity, which is 111.47 percent;¹⁴ and (4) for all non-Vietnamese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Vietnamese exporter that supplied that non-Vietnamese exporter with the subject merchandise. These deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure

We intend to disclose the calculations performed for these final results of review within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

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 POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification Regarding Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the

¹⁴ See *Certain Oil Country Tubular Goods from India, the Republic of Korea, Taiwan, the Republic of Turkey, and the Socialist Republic of Vietnam: Antidumping Duty Orders; and Certain Oil Country Tubular Goods from the Socialist Republic of Vietnam: Amended Final Determination of Sales at Less Than Fair Value*, 79 FR 53691 (September 10, 2014).

disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment 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 the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: July 2, 2020.

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. Margin Calculations
- V. Discussion of the Issues
 - Comment 1: Brokerage and Handling
 - Comment 2: Surrogate Value for Water
 - Comment 3: Differential Pricing
 - Comment 4: Financial Statements
 - Comment 5: Particular Market Situation
 - Comment 6: Ministerial Errors
- VI. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-932]

Certain Steel Threaded Rod From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Results of Administrative Review and Notice of Amended Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On June 22, 2020, the United States Court of International Trade (CIT) sustained the final results of redetermination pertaining to the fifth administrative review of the antidumping duty order on certain steel threaded rod (steel threaded rod) from the People's Republic of China (China) covering the period of review (POR) April 1, 2013 through March 31, 2014. The Department of Commerce

(Commerce) is notifying the public that the CIT's final judgment in this case is not in harmony with the final results of the administrative review, and that Commerce is amending the final results with respect to the dumping margin calculated for Jiaxing Brother Fastener Co., Ltd. (a/k/a Jiaxing Brother Standard Parts, Co., Ltd.), IFI & Morgan Ltd., and RMB Fasteners Ltd. (collectively, RMB/IFI Group).

DATES: Applicable July 2, 2020.

FOR FURTHER INFORMATION CONTACT:

Benito Ballesteros, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-7425.

SUPPLEMENTARY INFORMATION:

Background

On November 12, 2015, Commerce published its *Final Results* in the 2013-2014 administrative review of steel threaded rod from China.¹ During the review, Commerce selected Thailand as the primary surrogate country, finding that data from Thailand provided the best available information on the record to value the RMB/IFI Group's reported factors of production (FOPs).

Commerce valued hours of labor with data from the National Statistical Office of Thailand's Labor Force Survey of the Whole Kingdom (NSO or NSO data) from the second and third quarters of 2013, because it found the data to be more industry-specific and contemporaneous with the POR than the alternative data on the record, *i.e.*, International Labor Organization Chapter 6A data.² In addition, Commerce derived surrogate financial ratios from the financial statements of three Thai companies. In the calculation of surrogate financial ratios, Commerce categorized selling, general, and administrative (SG&A) labor-related line items as SG&A expenses. As a result, the SG&A surrogate financial ratio numerator included these line items' values, along with other SG&A expenses, and the denominator represented the total cost of manufacturing, *i.e.*, the sum of raw materials, manufacturing labor, energy, manufacturing overhead, and finished goods.³

¹ See *Certain Steel Threaded Rod from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2013-2014*, 80 FR 69938 (November 12, 2015) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

² See *Jiaxing Brother Fastener Co., Ltd. et al. v. United States*, Court No. 15-00313, Slip Op. 20-11 (CIT January 29, 2020) (Remand Order) at 20.

³ *Id.* at 20-21.

The RMB/IFI Group challenged the *Final Results*, contesting Commerce's selection of Thailand as the primary surrogate country, selection of Global Trade Atlas data from Thailand to value steel threaded rod inputs, and decision not to adjust the surrogate financial ratios.⁴ On January 29, 2020, the CIT issued the Remand Order, in which it sustained Commerce's selection of Thailand as the primary surrogate country and calculation of the RMB/IFI Group's steel threaded rod FOP.⁵ However, the CIT held that Commerce's decision not to make any adjustments to the calculation of the surrogate financial ratios was inadequately explained,⁶ and it remanded Commerce's calculation of the surrogate financial ratios as related to labor for further explanation or reconsideration. In particular, the CIT directed Commerce to explain "the basis for finding record evidence that allows it to conclude that it could capture, and not overstate, labor costs by applying the NSO quarterly data and, as a result, decline to adjust the surrogate financial ratios."⁷ The CIT also stated that "{o}n remand, Commerce may wish to reopen the record."⁸

On February 25 and 26, 2020, Commerce opened the record and placed additional reports from Thailand's NSO on the record. Commerce received no comments on these reports.

On April 23, 2020, Commerce issued the *Final Remand Results*⁹ and determined that, because the NSO data were industry-specific and contemporaneous with the POR, it was appropriate to rely on the NSO data to value labor, and to treat labor-related SG&A costs in the same manner as the surrogate companies did in their financial statements. Moreover, we found that the NSO data did not provide the information necessary to accurately adjust the surrogate financial ratios to account for any potential overstatement in labor costs because the record lacked evidence to support a finding as to what extent, or by what percentage, the NSO data also covered SG&A labor.¹⁰ Moreover, given that the RMB/IFI Group did not report labor hours associated with SG&A staff, we declined to assume

⁴ *Id.* at 2.

⁵ *Id.* at 25.

⁶ *Id.* at 21.

⁷ *Id.* at 24.

⁸ *Id.*

⁹ See *Final Results of Redetermination Pursuant to Court Remand in Jiaxing Brother Fastener Co., Ltd. (a/k/a Jiaxing Brother Standard Part Co., Ltd.), IFI & Morgan Ltd., and RMB Fasteners Ltd. v. United States*, Consol. Ct. No. 15-00313 (April 23, 2020) (*Final Remand Results*).

¹⁰ *Id.* at 8-10.