DEPARTMENT OF COMMERCE
International Trade Administration

19 CFR Part 351
Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions

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

ACTION: Notification and guidance.

SUMMARY: On September 20, 2021, the Department of Commerce (Commerce) published the final rule entitled “Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws” in the Federal Register (Final Rule). In the Final Rule, Commerce explained that it would make available an application for parties to fill out and submit to request a scope inquiry and ruling and that it would provide additional instruction on the procedures for the annual inquiry service list, as appropriate. This document provides further information on the availability of the scope ruling application through Commerce’s website and the additional procedures to request placement on the annual inquiry service list. In addition, Commerce is notifying the public that it intends to place additional information on its website and hold informational sessions on the Final Rule.

DATES: Effective September 27, 2021.

See SUPPLEMENTARY INFORMATION for further information on relevant dates for the annual inquiry service list.

FOR FURTHER INFORMATION CONTACT: Any questions related to the annual inquiry service list should be submitted to the APO/Dockets Unit (Attention: Evangeline Keenan) at (202) 482–4920 or APOSupport@trade.gov. Electronic filing questions should be submitted to access@trade.gov. For all other questions regarding the Final Rule, please contact the Enforcement & Compliance Communications office (Attention: Dana Moreland) at (202) 482–0063 or ECCCommunications@trade.gov.

SUPPLEMENTARY INFORMATION:

Background

On August 13, 2020, Commerce published proposed amendments to its existing regulations, 19 CFR part 351, to strengthen and improve the administration and enforcement of the antidumping and countervailing duty laws.1 On September 20, 2021, Commerce published the Final Rule.2 In the Final Rule, Commerce established revised regulations (19 CFR 351.225) which describe the applicable procedures and standards concerning scope inquiries and scope rulings regarding whether a product is covered by the scope of a particular antidumping or countervailing duty order. In addition, Commerce established new regulations for circulation inquiries conducted under section 781 of the Tariff Act of 1930, as amended (the Act) (new 19 CFR 351.226).

Scope Ruling Application

Revised section 351.225(c) details the procedures and requirements for an interested party to fill out and submit a scope ruling application, and further provides that Commerce will make a scope ruling application available to the public. In accordance with revised section 351.225(d), if a completed scope ruling application is accepted, Commerce will initiate a scope inquiry. Commerce is notifying parties that the scope ruling application may be found at https://www.trade.gov/review-or-submit-adcvd-proceedings-documents or https://access.trade.gov/Resources/ADCVD_Resources.aspx.

Annual Inquiry Service List

Revised § 351.225(c) and (n)(1) provide that an interested party that submits a scope ruling application must serve a copy of the application on all persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin, as described in revised section 351.225(m)(2). Revised § 351.225(n)(2) and (3) describe the procedures for the “annual inquiry service list,” discussed further below. Similarly, new § 351.226(c) and (n)(1) state that an interested party that submits a request for a circulation inquiry must serve a copy of the request on all persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin, as described in new § 351.226(m)(2). Lastly, revised section 351.225(n)(4) and new § 351.226(n)(2) provide that once a scope or circulation inquiry has

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2 See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws, 86 FR 52300 (September 20, 2021) (Final Rule).
Annual Inquiry Service Lists.\(^4\) Upon publication of this document, Commerce will begin to create an annual inquiry service list for each active antidumping and countervailing duty order.\(^3\) The annual inquiry service list will be saved in ACCESS, available at https://access.trade.gov. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called “AISL-Annual Inquiry Service List.”\(^4\)

**Establishment of the Annual Inquiry Service Lists**

Beginning September 27, 2021, and until October 27, 2021, an interested party may request to be added to the annual inquiry service list by submitting in ACCESS an entry of appearance in the annual inquiry service list segment of any order in which it qualifies as an interested party under 19 CFR 351.102(b)(2)(i) through (ix). Instructions on how to submit an entry of appearance are available at https://access.trade.gov/help/Rel_4_External_User_Guide.pdf. No later than November 4, 2021 (the effective date of the Final Rule for 19 CFR 351.225 (scope) and 19 CFR 351.226 (circuitvention)), Commerce will generate an annual inquiry service list for each order and suspended investigation based on the entries of appearance submitted by the interested parties. As discussed further below, to be included in the initial creation of the annual inquiry service list, all interested parties, including petitioners and governments of foreign countries must follow these procedures and submit an initial entry of appearance.

**Annual Updates to the Annual Inquiry Service Lists**

After the initial creation of the annual inquiry service lists for all active orders and suspended investigations, Commerce will update each annual inquiry service list on an annual basis beginning January 2022. Each year during the anniversary month of an order or suspended investigation, Commerce will include in the monthly Notice of Opportunity to Request Administrative Review published in the *Federal Register* (Opportunity Notice), a notification to all interested parties of their opportunity to submit an entry of appearance to be placed on the annual inquiry service list for those orders included in that month’s Opportunity Notice. Any interested party that did not previously appear on the annual inquiry service list can submit a new entry of appearance at this time.

In accordance with 19 CFR 351.225(n)(3), with the exception of petitioners and foreign governments (discussed below), all interested parties who previously appeared on an annual inquiry service list and wish to appear on the list for the next year will need to submit an amended entry of appearance in ACCESS after the Opportunity Notice publishes. Commerce will change the status of all entries of appearance filed in ACCESS during the initial creation of the annual inquiry service list from “Active” to “Needs Amendment.” Each interested party may take this opportunity to make any necessary amendments (e.g., changes to client list, lead attorney or contact person) at this time. If no amendments are needed, but the interested party wishes to be added to the list for the next year, it must indicate in the electronic entry of appearance form that it is renewing its request to be added to the annual inquiry service list for the next year, and then submit it. At that time, the status will be changed to “In Progress.” When Commerce approves the amended entry of appearance, it will change the status to “Active” and add the interested party to the annual inquiry service list. Similar to the deadlines to submit requests for administrative review set out in the Opportunity Notice, interested parties will have until the last day of the anniversary month to submit a new entry of appearance for the annual inquiry service list or to amend its existing entry of appearance to be included in the new annual inquiry service list. If an interested party does not amend or update its existing entry of appearance, the status will be set to “Inactive,” and the interested party will be omitted from the annual inquiry service list for the next year. No later than five business days after the last day of the anniversary month, Commerce will update the annual inquiry service lists for all orders included in the Opportunity Notice.

**Special Instructions for Petitioners and Foreign Governments**

In the Final Rule, Commerce stated that, “after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be included on the annual inquiry service list in the years that follow.” Accordingly, as stated above, petitioners and foreign governments should submit their initial entry of appearance after publication of this notice in order to appear in the first annual inquiry service list for those orders for which they qualify as an interested party. Pursuant to 19 CFR 351.225(n)(3), petitioners and foreign governments will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service. However, petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

**Other Information**

For new orders and suspended investigations whose *Federal Register* notices are published after the date of this document, Commerce will create an annual inquiry service list segment in ACCESS within five business days of publication of the notice of order or suspended investigation. Interested parties will have 30 days after the date of publication to submit an entry of appearance to be added to the new annual inquiry service list, and Commerce will finalize the annual inquiry service list for the next year. Any interested party that did not previously appear on an annual inquiry service list for a given proceeding, it is reasonable to automatically add them in each subsequent year to the list when the annual service list for the proceeding is updated. To be clear, the first time a petitioner or foreign government wishes to be included on an annual inquiry service list, it will be incumbent upon the petitioner or foreign government to request Commerce to include them on the list. However, after that first time, inclusion for them will be automatic. Additionally, in the initial inquiry service list, it is also incumbent upon the petitioner or foreign government to notify Commerce of any changes to its information.

\(^3\) Id., 86 FR 52300 at 52335–36 ("Commerce intends to provide additional instruction to interested parties on the procedures for the annual inquiry service list, as appropriate, with special instructions for petitioners and foreign governments. Specifically, once the petitioners and foreign governments have submitted their initial requests to be added to the first annual inquiry service list for a given proceeding, it is reasonable to automatically add them in each subsequent year to the list when the annual service list for the proceeding is updated. To be clear, the first time a petitioner or foreign government wishes to be included on an annual inquiry service list, it will be incumbent upon the petitioner or foreign government to request Commerce to include them on the list. However, after that first time, inclusion for them will be automatic. Additionally, in the initial inquiry service list, it is also incumbent upon the petitioner or foreign government to notify Commerce of any changes to its information.")
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 982 and 983
[Docket No. FR–6243–N–01]

Section 8 Housing Choice Vouchers: Revised Implementation of the HUD-Veterans Affairs Supportive Housing Program

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Implementation guidance.

SUMMARY: This document sets forth the policies and procedures for the administration of tenant-based and project-based Section 8 Housing Choice Voucher (HCV) rental assistance under the HUD-Veterans Affairs Supportive Housing (HCV–VASH) program administered by local public housing agencies (PHAs) that have partnered with local Veterans Affairs (VA) medical facilities or other entities as designated by the Secretary of the Department of Veteran Affairs. This document updates the definition for the term VA medical center (VAMC) to also include designated service providers (DSP). This document also includes new waivers and program flexibilities as well as additional general guidance.

DATES: The guidance is effective September 27, 2021.

FOR FURTHER INFORMATION CONTACT: Ryan Jones, Director, Housing Voucher Management and Operations Division, Department of Housing and Urban Development, 451 Seventh Street SW, Room 4216, Washington, DC 20410, telephone number 202 708–0477. (This is not a toll-free number.) Individuals with hearing or speech impediments may access this number via TTY by calling the Federal Relay during working hours at 800–877–8339. (This is a toll-free number.)

SUPPLEMENTARY INFORMATION:

I. Background

II. Special Rules for the HUD–VASH Voucher Program
  a. Family Eligibility and Selection
  b. Income Eligibility
  c. Initial Term of the HCV
  d. Initial Lease Term
  e. Ineligible Housing
  f. Mobility and Portability of HUD–VASH Vouchers
  g. Case Management Requirements
  h. Termination of Assistance
     i. Turnover of HUD–VASH Vouchers
     j. MTW Agencies
     k. Project-Based Assistance
     l. Section Eight Management Assessment Program (SEMAP)
     m. Reallocation of HUD–VASH Vouchers
     n. HQS Inspections
  o. Exception Payment Standards
  p. Special Housing Types
  q. Maximum Family Share at Initial Occupancy

II. Reporting Requirements

Since 2008, HCV program funding has provided rental assistance under a supportive housing program for homeless veterans authorized by section 8(o)(19) of the United States Housing Act of 1937, 42 U.S.C. 1437f(o)(19). The HUD–VASH program combines HUD HCV rental assistance for homeless veterans with case management and clinical services provided at VA Medical Centers, Community-Based Outpatient Clinics, or through a designated service provider (DSP) as approved by the VA Secretary (herein referred to generally as VAMC or DSP). Through the HUD–VASH program, HUD and VA increase access to affordable housing for homeless veterans and provide the support necessary to obtain and maintain permanent housing in the community.

Based on a review of existing permanent supportive housing (PSH) models, typical acuity levels of veterans in the program, and the availability of providers within VAMCs and in the community who can augment care provided by HUD–VASH case managers, the Secretaries of HUD and VA jointly determined that the appropriate caseload ratio in HUD–VASH is a weighted average of 25 veterans per case manager. However, actual caseload sizes can vary considerably, based primarily on the needs of the veterans being served. Veterans in HUD–VASH are weighted based on their stage in the program, with higher weightings applied to veterans in more intensive stages of the program, and lower weightings applied to those who have stabilized. These weightings and target caseload ratios ensure that all veterans in receipt of a HUD–VASH voucher are seen as needed by their case manager.

The initiative known as the HUD–VASH program was authorized pursuant to Division K, Title II, of the Consolidated Appropriations Act, 2008 (Pub. L. 110–161) (“2008 Appropriation Act”) enacted on December 26, 2007 (see proviso (7) under the heading “Tenant-Based Rental Assistance”). All Congressional Appropriations Acts since 2008 have continued to authorize this program. Therefore, the implementation requirements will remain in effect until the HUD–VASH program is no longer authorized by Congress or the authorization requirements change.