

Commerce extended the deadline for the final determination of this circumvention inquiry to May 24, 2023.² For a summary of events that occurred since Commerce published the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for the final determination, see the Issues and Decision Memorandum.³ 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 <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Scope of the Order⁴

For a full description of the scope of the *Order*, see the Issues and Decision Memorandum.

Merchandise Subject to the Circumvention Inquiry

This circumvention inquiry covers SSWire completed in Vietnam using Korea-origin SSWR and subsequently exported from Vietnam to the United States during the period of inquiry January 1, 2020, through December 31, 2021.

Methodology

Commerce is conducted this circumvention inquiry in accordance with section 781(c) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.226. See the *Preliminary Determination* PDM for a full description of the methodology.⁵ We have continued to apply this methodology for this final determination.⁶

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this inquiry are addressed in the Issues and Decision Memorandum. A list of the issues raised is attached to this notice at the appendix.

² See Commerce's Letter, "Second Extension of Deadline for Final Results of Circumvention Inquiry," dated April 4, 2023.

³ See Memorandum, "Decision Memorandum for the Final Negative Determination of Circumvention Inquiry of the Antidumping Duty Order on Stainless Steel Wire Rod from the Republic of Korea," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁴ See *Order*.

⁵ See *Preliminary Determination* PDM at 4–19.

⁶ See Issues and Decision Memorandum.

Final Negative Determination of Circumvention

As detailed in the Issues and Decision Memorandum, Commerce determines that the imports of SSWire completed in Vietnam using Korea-origin SSWR and subsequently exported from Vietnam to the United States are not circumventing the *Order* on a country-wide basis. Accordingly, Commerce is making a negative finding of circumvention of the *Order*.

Administrative Protective Order

This notice will serve as the only reminder to all parties subject to an administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversation 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

This determination is issued and published in accordance with section 781(c) of the Act and 19 CFR 351.226(g)(1).

Dated: May 22, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Merchandise Subject to the Circumvention Inquiry
- IV. Scope of the *Order*
- V. Period of Circumvention Inquiry
- VI. Discussion of the Issues
 - Comment 1: Whether Prior Agency Determinations Are Relevant to Whether Circumvention Has Occurred in this Case
 - Comment 2: Whether Commerce Should Analyze if SSWire Is a Substitute for SSWR
- VII. Recommendation

[FR Doc. 2023–11312 Filed 5–25–23; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–489–819]

Steel Concrete Reinforcing Bar From the Republic of Turkey: Final Results of Countervailing Duty Administrative Review and Rescission, in Part; 2020

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that certain producers/exporters of steel concrete reinforcing bar (rebar) from the Republic of Turkey (Turkey) received countervailable subsidies during the period of review (POR) January 1, 2020, through December 31, 2020.

Additionally, we are rescinding the review for 21 companies that had no shipments of subject merchandise to the United States during the POR.

DATES: Applicable May 26, 2023.

FOR FURTHER INFORMATION CONTACT: John McGowan, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0461.

SUPPLEMENTARY INFORMATION:

Background

Commerce published the *Preliminary Results* on December 1, 2022,¹ and invited comments from interested parties. For a description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.²

Scope of the Order³

The merchandise covered by the *Order* is rebar. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised by interested parties in case briefs are addressed in the Issues and Decision Memorandum

¹ See *Steel Concrete Reinforcing Bar from the Republic of Turkey: Preliminary Results of Countervailing Duty Administrative Review and Intent to Rescind in Part*; 2020, 87 FR 73750 (December 1, 2022) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

² See Memorandum, "Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Steel Concrete Reinforcing Bar from the Republic of Turkey; 2020," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

³ See *Steel Concrete Reinforcing Bar from the Republic of Turkey: Countervailing Duty Order*, 79 FR 65926 (November 6, 2014) (*Order*).

accompanying this notice. A list of issues raised by the interested parties, and to which Commerce responded in the Issues and Decision Memorandum, are provided in Appendix I 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>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Changes Since the Preliminary Results

Based on a review of the record and the comments received from interested parties, we revised the calculation of the net countervailable subsidy rates for Colakoglu Dis Ticaret A.S. (Colakoglu) and Kaptan Demir Celik Endustrisi ve Ticaret A.S. (Kaptan). For a discussion of the issues, see the Issues and Decision Memorandum.

Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we find that there is a subsidy, *i.e.*, a government-provided

financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.⁴ For a description of the methodology underlying all of Commerce's conclusions, see the Issues and Decision Memorandum.

Rescission of Administrative Review, in Part

It is Commerce's practice to rescind an administrative review of a countervailing duty order, pursuant to 19 CFR 351.213(d)(3), when there are no reviewable entries of subject merchandise during the POR for which liquidation is suspended.⁵ Normally, upon completion of an administrative review, the suspended entries are liquidated at the countervailing duty assessment rate calculated for the review period.⁶ Therefore, for an administrative review of a company to be conducted, there must be a reviewable, suspended entry that Commerce can instruct U.S. Customs and Border Protection (CBP) to liquidate at the countervailing duty assessment rate calculated for the review period.⁷

According to the CBP import data, except for the two mandatory respondents and the non-selected company, the remaining 21 companies subject to this review did not have reviewable entries of subject merchandise during the POR for which liquidation is suspended.⁸ There is no evidence on the record of this segment

of the proceeding to indicate that these companies had entries, exports, or sales of subject merchandise to the United States during the POR. Further, in response to the *Preliminary Results*, no party submitted information to contradict the information on the record. Therefore, in accordance with 19 CFR 351.213(d)(3), we are rescinding the administrative review with respect to the companies listed in Appendix II.

Rate for Non-Selected Companies Under Review

There is one company, Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S. (Icdas), for which a review was requested but which was not selected as a mandatory respondent or found to be cross-owned with a mandatory respondent. We made no changes to the methodology for determining a rate for companies not selected for individual examination from the Preliminary Results. However, due to changes in calculations for Colakoglu and Kaptan, the non-selected rate changed. Thus, for Icdas, the non-selected company in this review, we are applying an *ad valorem* subsidy rate of 2.15 percent.

Final Results of the Administrative Review

We find the following net countervailable subsidy rates for the POR January 1, 2020, through December 31, 2020:

Company	Subsidy rate (percent <i>ad valorem</i>)
Kaptan Demir Celik Endustrisi ve Ticaret A.S., Kaptan Metal Dis Ticaret ve Nakliyat A.S., and their cross-owned affiliates ⁹	2.15
Colakoglu Dis Ticaret A.S., Colakoglu Metalurji A.S. ¹⁰	* 0.07
Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S., and its cross-owned affiliates ¹¹	2.15

* *De minimis*.

Disclosure

We intend to disclose the calculations and analysis 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).

Assessment Requirements

In accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review. Commerce intends to issue assessment instructions to CBP no earlier than 35

days after publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

⁴ See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

⁵ See, e.g., *Lightweight Thermal Paper from the People's Republic of China: Notice of Rescission of Countervailing Duty Administrative Review*; 2015, 82 FR 14349 (March 20, 2017); and *Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Rescission of Countervailing Duty Administrative Review*; 2017, 84 FR 14650 (April 11, 2019).

⁶ See 19 CFR 351.212(b)(2).

⁷ See 19 CFR 351.213(d)(3).

⁸ See Appendix II and *Preliminary Results* PDM at 5.

⁹ Commerce finds the following companies to be cross-owned with Kaptan: Martas Marmara Ereglisi Liman Tesisleri A.S.; Aset Madencilik A.S.; Kaptan Is Makinalari Hurda Alim Satim Ltd. Sti.; Efesan Demir San. Ve Tic. A.S.; and Nur Gemicilik ve Tic. A.S.

¹⁰ Commerce finds Colakoglu Dis Ticaret A.S. and Colakoglu Metalurji A.S. to be cross-owned companies.

¹¹ In the last review Commerce found the following companies to be cross-owned with Icdas:

Mardas Marmara Deniz Isletmeciligi A.S.; Oraysan Insaat Sanayi ve Ticaret A.S.; Artim Demir Insaat Turizm Sanayi Ticaret Ltd. Sti.; Anka Entansif Hayvancilik Gida Tarim Sanayi ve Ticaret A.S.; Karsan Gemi Insaat Sanayi Ticaret A.S.; Artmak Denizcilik Ticaret Ve Sanayi A.S.; and Eras Tasimacilik Taahhut Ins.Tic A.S. See *Steel Concrete Reinforcing Bar from the Republic of Turkey: Final Results of Countervailing Duty Administrative Review and Rescission, in Part*; 2019, 87 FR 21640 (April 12, 2022).

Cash Deposit Requirements

In accordance with section 751(a)(1) of the Act, we also intend to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown above for the above-listed companies with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review. For all non-reviewed firms, CBP will continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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 Interested Parties

The final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4) and 19 CFR 351.221(b)(5).

Dated: May 22, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Rescission of Administrative Review, in Part
- V. Non-Selected Rate
- VI. Subsidies Valuation Information
- VII. Analysis of Programs
- VIII. Analysis of Comments
 - Comment 1: Whether Commerce Should Use Kaptan's Land Benchmark, Not the Petitioner's Land Benchmark
 - Comment 2: Whether Commerce Should Revise its Finding That General BITT Exemptions Are Not Countervailable
 - Comment 3: Whether Commerce Should Include Geri Donusum's Benefits and Total POR Sales in the Benefit Calculation for BITT Exemptions

Comment 4: Whether Commerce Should Rely on Respondents' Revised and Adjusted Sales Data

Comment 5: Whether Commerce Should Tie Benefits Received Under the Assistance To Offset Costs Related to Antidumping Duty (AD)/CVD Investigations Program to Export Sales of Subject Merchandise

IX. Recommendation

Appendix II

List of Rescinded Companies

1. Acemar International Limited
2. A G Royce Metal Marketing
3. Agir Haddecilik A.S.
4. Ans Kargo Lojistik Tas ve Tic.
5. As Gaz Sinai ve Tibbi Gazlar A.S.
6. Asil Celik Sanayi ve Ticaret A.S.
7. Bastug Metalurji Sanayi AS.
8. Baykan Dis Ticaret
9. Demirsan Haddecilik Sanayi Ve Ticaret A.S.
10. Diler Dis Ticaret A.S.
11. Ege CelikEndustrisi Sanayi ve Ticaret A.S.
12. Izmir Demir Celik Sanayi A.S.
13. Kibar dis Ticaret A.S.
14. Kocaer Haddecilik Sanayi Ve Ticar A.S.
15. Meral Makina Iml Ith Ihr Gida.
16. Mettech Metalurji Madencilik Muhendislik Uretim Danismanlik ve Ticaret Limited Sirketi.
17. MMZ Onur Boru Profil A.S.
18. Ozkan Demir Celik Sanayi A.S.
19. Sami Soybas Demir Sanayi ve Ticaret
20. Wilmar Europe Trading BV
21. Yucel

[FR Doc. 2023–11311 Filed 5–25–23; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC935]

Pacific Island Fisheries; Marine Conservation Plan for Pacific Insular Areas other Than American Samoa, Guam, and the Northern Mariana Islands; Western Pacific Sustainable Fisheries Fund

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

ACTION: Notice of agency decision.

SUMMARY: NMFS announces approval of a Marine Conservation Plan (MCP) for Pacific Insular Areas other than American Samoa, Guam, and the Northern Mariana Islands.

DATES: This agency decision is effective from August 4, 2023, through August 3, 2026.

ADDRESSES: You may obtain a copy of the MCP, identified by NOAA–NMFS–2023–0056, from the Federal e-

Rulemaking Portal, <https://www.regulations.gov/docket/NOAA-NMFS-2023-0056>, or from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, 808–522–8220, <https://www.wpcouncil.org>.

FOR FURTHER INFORMATION CONTACT:

Keith Kamikawa, Sustainable Fisheries, NMFS Pacific Islands Regional Office, 808–725–5177.

SUPPLEMENTARY INFORMATION: Section 204(e) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) authorizes the Secretary of State, with the concurrence of the Secretary of Commerce (Secretary), and in consultation with the Council, to negotiate and enter into a Pacific Insular Area fishery agreement (PIAFA). A PIAFA would allow foreign fishing within the U.S. Exclusive Economic Zone (EEZ) adjacent to a Pacific Insular Area other than American Samoa, Guam, or the Northern Mariana Islands, that is, in the EEZ around the Pacific Remote Island Areas (PRIA). The PRIA are Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Island, Palmyra Atoll, and Wake Island. Before entering into a PIAFA for the PRIA, the Council must develop and submit to the Secretary a 3-year MCP that details the uses for funds collected by the Secretary under the PIAFA. NMFS is the designee of the Secretary for MCP review and approval.

The Magnuson-Stevens Act requires payments received under a PIAFA, and any funds or contributions received in support of conservation and management objectives for the MCP, to be deposited into the Western Pacific Sustainable Fisheries Fund (Fund) for use by the Council. Additionally, in the case of violations by foreign fishing vessels in the EEZ around the PRIA, amounts received by the Secretary attributable to fines and penalties imposed under the Magnuson-Stevens Act, including sums collected from the forfeiture and disposition or sale of property seized subject to its authority, are deposited into the Fund for use by the Council, after direct costs of the enforcement action are subtracted. Section 204(e)(7)(C) of the Magnuson-Stevens Act also authorizes the Council to use the Fund to meet conservation and management objectives in the State of Hawaii, if funds remain available.

An MCP must be consistent with the Council's fishery ecosystem plans (FEPs), must identify conservation and management objectives (including criteria for determining when such objectives have been met), and must