

prevention of conditions. Medical consumables include but are not limited to: medical/surgical instruments (e.g., syringes, needles, infusion (IV) pumps, forceps, scalpels); medical/surgical supplies (e.g., intravenous (IV) bags, catheters, tracheostomy tubes, anesthesia equipment, gauze/bandages, sutures, diagnostic and laboratory reagents); and related medical parts and components. Pharmaceuticals, such as prescription drugs, over-the-counter drugs, biologics, and specialty drugs, will not be covered under this investigation as those imports are being examined in a separate Section 232 investigation.

Medical equipment refers broadly as durable equipment, tools, and machines used in healthcare to support patient care. Examples include but are not limited to: carriages and wheelchairs; crutches; and hospital beds.

A medical device is any instrument, apparatus, or machine used in the diagnosis, monitoring, or treatment of medical conditions. Examples include but are not limited to: pacemakers; insulin pumps; coronary stents; heart valves; hearing aids; robotic and non-robotic prosthetics; blood glucose monitors; orthopedic appliances; electromedical apparatus (e.g., computed tomography scanners, magnetic resonance imaging machines); electrosurgical apparatus; x-ray apparatus/other radiation equipment; respiratory machines (e.g., ventilators, respirators, oxygen apparatus); and MRI machines.

The Department is particularly interested in comments and information directed at the criteria listed in § 705.4 of the regulations as they affect national security, including the following:

(i) The current and projected demand for PPE, medical consumables, and medical equipment, including devices, in the United States;

(ii) the extent to which domestic production of PPE, medical consumables, and medical equipment, including devices, can meet domestic demand;

(iii) the role of foreign supply chains, particularly of major exporters, in meeting United States demand for PPE, medical consumables, and medical equipment, including devices;

(iv) the concentration of U.S. imports of PPE, medical consumables, and medical equipment, including devices, from a small number of suppliers or foreign nations and the associated risks;

(v) the impact of foreign government subsidies and predatory trade practices on the competitiveness of PPE, medical consumables, and medical equipment,

including devices, manufacturers, in the United States;

(vi) the economic impact of artificially suppressed prices of PPE, medical consumables, and medical equipment, including devices, due to foreign unfair trade practices and state-sponsored overproduction;

(vii) the potential for export restrictions by foreign nations, including the ability of foreign nations to weaponize their control over supplies of PPE, medical consumables, and medical equipment (including devices);

(viii) the feasibility of increasing domestic capacity for PPE, medical consumables, and medical equipment, including devices, to reduce import reliance;

(ix) the impact of current trade policies on domestic production of PPE, medical consumables, and medical equipment, including devices, and whether additional measures, including tariffs or quotas, are necessary to protect national security;

(x) the potential for foreign control or exploitation of supply chains for PPE, medical consumables, and medical equipment, including devices, supply chain;

(xi) the ability of foreign persons to weaponize the capabilities or attributes of foreign-built PPE, medical consumables, and medical equipment, including devices; and

(xii) any other relevant factors.

Material submitted by members of the public that is business confidential information will be exempted from public disclosure as provided for by § 705.6 of the regulations (see the **ADDRESSES** section of this notice). Communications from agencies of the United States Government will not be made available for public inspection. BIS does not maintain a separate public inspection facility. Requesters should first view the Bureau's web page, which can be found at: <https://efoia.bis.doc.gov/> (see "Electronic FOIA" heading). If requesters cannot access the website, they may call (202) 482-0795 for assistance. The records related to this assessment are made accessible in accordance with the regulations published at 15 CFR 4.1, *et seq.*

**Julia A. Khersonsky,**

*Deputy Assistant Secretary for Strategic Trade.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-553-002]

#### **Silicon Metal From the Lao People's Democratic Republic: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of silicon metal from the Lao People's Democratic Republic (Laos). The period of investigation (POI) is January 1, 2024, through December 31, 2024. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable September 26, 2025.

**FOR FURTHER INFORMATION CONTACT:** Shane Subler or Laurel Smalley, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6241 and (202) 482-3456, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on May 21, 2025.<sup>1</sup> On June 30, 2025, Commerce postponed the preliminary determination of this investigation, and the revised deadline is now September 22, 2025.<sup>2</sup>

For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.<sup>3</sup> A list of topics discussed in the Preliminary Decision

<sup>1</sup> See *Silicon Metal From Australia, the Lao People's Democratic Republic, Norway, and Thailand: Initiation of Countervailing Duty Investigations*, 90 FR 21746 (May 21, 2025) (*Initiation Notice*).

<sup>2</sup> See *Silicon Metal From Australia, the Lao People's Democratic Republic, Norway, and Thailand: Postponement of Preliminary Determinations in the Countervailing Duty Investigations*, 90 FR 27837 (June 30, 2025).

<sup>3</sup> See Memorandum, "Decision Memorandum for the Preliminary Affirmative Determination in the Countervailing Duty Investigation of Silicon Metal from the Lao People's Democratic Republic," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Memorandum is included as Appendix II to this notice. The Preliminary 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 Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Scope of the Investigation

The product covered by this investigation is silicon metal. For a complete description of the scope of this investigation, see Appendix I.

### Scope Comments

In accordance with the *Preamble* to Commerce's regulations,<sup>4</sup> the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage, (*i.e.*, scope).<sup>5</sup> No interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice*.

### Methodology

Commerce is conducting this investigation in accordance with section 701 of the Act. For each of the subsidy programs found to be countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.*, a financial contribution by an "authority" that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>6</sup>

Commerce notes that, in making these findings, it relied, in part, on facts available and, because it finds that one or more respondents did not act to the best of their ability to respond to Commerce's requests for information, it drew an adverse inference where appropriate in selecting from among the facts otherwise available.<sup>7</sup> For further information, see the "Use of Facts Otherwise Available and Adverse Inferences" section in the Preliminary Decision Memorandum.

For a full description of the methodology underlying our preliminary determination, see the Preliminary Decision Memorandum.

### Alignment

As noted in the Preliminary Decision Memorandum, in accordance with

section 705(a)(1) of the Act and 19 CFR 351.210(b)(4), Commerce is aligning the final CVD determination with the final determination in the companion antidumping duty (AD) investigation of silicon metal from Laos based on a request made by Ferroglobe USA, Inc. and Mississippi Silicon LLC (collectively, the petitioners).<sup>8</sup> Consequently, the final CVD determination will be issued on the same date as the final AD determination, which is currently scheduled to be issued no later than December 15, 2025, unless postponed.

### All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act state that Commerce shall determine an estimated all-others rate for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually investigated, excluding any zero and *de minimis* countervailable subsidy rates, and any rates determined entirely under section 776 of the Act.

Pursuant to section 705(c)(5)(A)(ii) of the Act, if the individual estimated countervailable subsidy rates established for all exporters and producers individually examined are zero, *de minimis*, or determined based entirely on facts otherwise available, Commerce may use any reasonable method to establish the estimated subsidy rate for all other producers and/or exporters. Commerce has preliminarily determined the individually estimated subsidy rate for the sole individually examined respondent entirely under section 776 of the Act. Consequently, as a reasonable method, Commerce is determining the all-others rate based on the rate determined for Lao Silicon Co., Ltd. (Lao Silicon), the sole mandatory respondent under investigation, as determined under section 776 of the Act, as this is the only rate available in this proceeding.<sup>9</sup> For a full description of the methodology underlying Commerce's analysis, see the Preliminary Decision Memorandum.

<sup>8</sup> See Petitioners' Letter, "Petitioners' Request to Align Final Countervailing Duty Determination With the Less-Than-Fair-Value Final Determination," dated September 12, 2025.

<sup>9</sup> See, e.g., *Melamine From Germany: Final Affirmative Countervailing Duty Determination*, 89 FR 97586 (December 9, 2024); see also *Overhead Door Counterbalance Torsion Springs From the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Critical Circumstances Determination in Part*, 90 FR 39374 (August 15, 2025).

### Preliminary Determination

Commerce preliminarily determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent <i>ad valorem</i> )
Lao Silicon Co., Ltd. ....	* 240.00
All Others .....	240.00

\* This rate is based on facts available with adverse inferences.

### Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of its public announcement, or if there is no public announcement, within five days of the date of this notice in accordance with 19 CFR 351.224(b).

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

### Suspension of Liquidation

In accordance with sections 703(d)(1)(B) and (d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of silicon metal from Laos, as described in Appendix I to this notice, entered, or withdrawn from warehouse, for consumption on or after the date of the publication of this notice in the **Federal Register**. Further, pursuant to 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the rates indicated above.

### Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

### Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this

<sup>4</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997).

<sup>5</sup> See *Initiation Notice*.

<sup>6</sup> 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.

<sup>7</sup> See sections 776(a) and (b) of the Act.

investigation.<sup>10</sup> Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.<sup>11</sup> Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>12</sup>

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>13</sup> Further, we request that interested parties limit their public, executive summary of each issue to no more than 450 words, not including citations. We intend to use the public, executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the public, executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>14</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

<sup>10</sup> See 19 CFR 351.309(c)(1)(i); *see also* 19 CFR 351.303 (for general filing requirements).

<sup>11</sup> See 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

<sup>12</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>13</sup> We use the term "issue" here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

<sup>14</sup> See *APO and Service Final Rule*.

## U.S. International Trade Commission (ITC) Notification

In accordance with section 703(f) of the Act, Commerce will notify the ITC of its determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of silicon metal from Laos are materially injuring, or threaten material injury to, the U.S. industry.<sup>15</sup>

### Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act, and 19 CFR 351.205(c).

Dated: September 22, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### Scope of the Investigation

The scope of this investigation covers all forms and sizes of silicon metal, including silicon metal powder. Silicon metal contains at least 85.00 percent but less than 99.99 percent silicon, and less than 4.00 percent iron, by actual weight. Semiconductor grade silicon (merchandise containing at least 99.99 percent silicon by actual weight and classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2804.61.0000) is excluded from the scope of this investigation.

Silicon metal is currently classifiable under subheadings 2804.69.1000 and 2804.69.5000 of the HTSUS. While the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope remains dispositive.

### Appendix II

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

- I. Summary
- II. Background
- III. Injury Test
- IV. Diversification of Laos's Economy
- V. Use of Facts Otherwise Available and Adverse Inferences
- VI. Subsidies Valuation Information
- VII. Analysis of Programs
- VIII. Recommendation

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<sup>15</sup> See section 705(b)(2) of the Act.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–403–807]

### Silicon Metal From Norway: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination with Final Antidumping Duty Determination

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of silicon metal from Norway. The period of investigation (POI) is January 1, 2024, through December 31, 2024. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable September 26, 2025.

**FOR FURTHER INFORMATION CONTACT:** Stefan Smith, 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) 482–4342.

### SUPPLEMENTARY INFORMATION:

#### Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this countervailing duty (CVD) investigation on May 21, 2025.<sup>1</sup> On June 30, 2025, Commerce postponed the preliminary determination of this investigation until September 22, 2025.<sup>2</sup>

For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.<sup>3</sup> A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically

<sup>1</sup> See *Silicon Metal from Australia, the Lao People's Democratic Republic, Norway, and Thailand: Initiation of Countervailing Duty Investigations*, 90 FR 21746 (May 21, 2025) (*Initiation Notice*).

<sup>2</sup> See *Silicon Metal from Australia, the Lao People's Democratic Republic, Norway, and Thailand: Postponement of Preliminary Determinations in the Countervailing Duty Investigations*, 90 FR 27837 (June 30, 2025).

<sup>3</sup> See Memorandum, "Decision Memorandum for the Preliminary Affirmative Determination of the Countervailing Duty Investigation of Silicon Metal from Norway," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).