

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Competitive Enhancement Needs Assessment Survey Program

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on March 23, 2021, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

*Agency:* Bureau of Industry and Security, Department of Commerce.

*Title:* Competitive Enhancement Needs Assessment Survey Program.  
*OMB Control Number:* 0694-0083.

*Form Number(s):* None.

*Type of Request:* Regular submission. Extension of a current information collection.

*Number of Respondents:* 2,400.

*Average Hours per Response:* 1 hour.

*Burden Hours:* 2,400.

*Needs and Uses:* The Defense Production Act of 1950, as amended, and Executive Order 12919, authorizes the Secretary of Commerce to assess the capabilities of the defense industrial base to support the national defense. They also develop policy alternatives to improve the international competitiveness of specific domestic industries and their abilities to meet

defense program needs. The information collected from voluntary surveys will be used to assist small- and medium-sized firms in defense transition and in gaining access to advanced technologies and manufacturing processes available from Federal Laboratories. The goal is to improve regions of the country adversely affected by cutbacks in defense spending and military base closures.

*Frequency:* On Occasion.

*Respondent's Obligation:* Voluntary.

*Legal Authority:* Pub. L. 81-774 Sec 2151, DPA 1950, E.O. 12919.

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0694-0083.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-909]

#### Certain Steel Nails From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision

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

**SUMMARY:** On July 12, 2021, the U.S. Court of International Trade (CIT) issued its final judgment in *Fastenal Company Purchasing v. United States*, Court No. 17-00269, sustaining the Department of Commerce (Commerce)'s

remand redetermination pertaining to a scope ruling in which Commerce found Fastenal Company Purchasing's (Fastenal's) zinc and nylon anchors to be outside the scope of the antidumping duty (AD) order on certain steel nails (nails) from the People's Republic of China (China). Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's scope ruling, and that Commerce is amending the scope ruling to find that zinc and nylon anchors are not covered by the order.

**DATES:** Applicable July 22, 2021.

#### FOR FURTHER INFORMATION CONTACT:

Kelsie Hohenberger, 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) 482-2517.

#### Background

On October 13, 2017, Commerce found Fastenal's zinc and nylon anchors, which consist of a zinc, steel, or nylon body component and a steel pin component, to be within the scope of the AD order on nails from China.<sup>1</sup>

Fastenal appealed Commerce's *Final Scope Ruling*. On June 11, 2018, the CIT stayed the case pending a final and conclusive determination from the U.S. Court of Appeals for the Federal Circuit (CAFC) in *OMG*.<sup>2</sup> In light of the CAFC's decision, Commerce requested that the CIT remand this matter for further consideration. On November 12, 2020, the CIT remanded the *Final Scope Ruling* to Commerce.<sup>3</sup>

In its final remand redetermination, issued in February 2021, Commerce found Fastenal's zinc and nylon anchors to be outside the scope of the AD order

<sup>1</sup> See Memorandum, "Antidumping and Countervailing Duty Orders on Certain Steel Nails from the People's Republic of China: Final Scope Ruling on Fastenal Company Purchasing's Anchors," dated October 13, 2017 (*Final Scope Ruling*).

<sup>2</sup> See *OMG, Inc. v. United States*, 972 F.3d 1358 (Fed. Cir. 2020) (*OMG*).

<sup>3</sup> See *Fastenal Company Purchasing v. United States*, Court No. 17-00269, ECF No. 41 (CIT November 12, 2020).