

Notices

Federal Register

Vol. 86, No. 138

Thursday, July 22, 2021

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. 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. 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.

[FR Doc. 2021-15561 Filed 7-21-21; 8:45 am]

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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.¹

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*.² 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.³

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

¹ 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*).

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

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

on nails from China.⁴ The CIT sustained Commerce's final redetermination.⁵

Timken Notice

In its decision in *Timken*,⁶ as clarified by *Diamond Sawblades*,⁷ the CAFC held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's July 12, 2021, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Scope Ruling*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Scope Ruling

In accordance with the CIT's July 12, 2021, final judgment, Commerce is amending its *Final Scope Ruling* and finds that the scope of the AD order on nails from China does not cover the products addressed in the *Final Scope Ruling*.

Liquidation of Suspended Entries

Commerce will instruct U.S. Customs and Border Protection (CBP) that, pending any appeals, Fastenal's zinc and nylon anchors will not be subject to a cash deposit requirement. In the event that the CIT's final judgment is not appealed or is upheld on appeal, Commerce will instruct CBP to liquidate entries of Fastenal's zinc and nylon anchors without regard to antidumping duties and to lift suspension of liquidation of such entries.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) of the Act.

Dated: July 16, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2021-15584 Filed 7-21-21; 8:45 am]

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⁴ See Final Results of Redetermination Pursuant to *Fastenal Company Purchasing v. United States*, Court No. 17-00269, ECF No. 41 (CIT November 12, 2020), dated February 9, 2021.

⁵ See *Fastenal Company Purchasing v. United States*, Slip Op. 21-85, Court No. 17-00269 (CIT 2021).

⁶ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

⁷ See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

DEPARTMENT OF COMMERCE

International Trade Administration

Rutgers, The State University of New Jersey, et. al.; Notice of Decision on Application for Duty-Free Entry of Scientific Instruments

This is a decision pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301). On June 24, 2021, the Department of Commerce published a notice in the **Federal Register** requesting public comment on whether instruments of equivalent scientific value, for the purposes for which the instruments identified in the docket(s) below are intended to be used, are being manufactured in the United States. See *Application(s) for Duty-Free Entry of Scientific Instruments*, 86 FR33223-24, June 24, 2021 (*Notice*). We received no public comments.

Docket Number: 19-018. **Applicant:** Rutgers, The State University of New Jersey, Physics and Astronomy Department, 136 Frelinghuysen Road, Piscataway, NJ 08854. **Instrument:** Tube Furnace, Box furnace, Sic Heater, MoSi2 Heater. **Manufacturer:** He Nan Nobody Materials Science and Technology, China. **Intended Use:** According to the applicant, the instrument will be used to study various physical properties in strongly correlated materials such as high-temperature superconductors, topological insulators or multiferroics. New materials will be conducted that have unique electric and magnetic properties using various crystal growth techniques such as flux, solid reaction, or chemical vapor transport. To identify grown materials X-ray diffraction and Laue diffraction will be employed. High-quality crystals will be further investigated with a physical property measurement system and a magnetic property measurement system to obtain their electric and magnetic properties in varying conditions of temperature, electric and magnetic fields.

Docket Number: 20-001. **Applicant:** Rutgers, The State University of New Jersey, Physics and Astronomy Department, 136 Frelinghuysen Road, Piscataway, NJ 08854. **Instrument:** CZekalski furnace (Crystal grower). **Manufacturer:** Sipat Co., Ltd., China. **Intended Use:** According to the applicant, the instrument will be used to study the physical properties of oxide and/or metallic materials and various physical phenomena based on strongly correlated materials such as high temperature superconductors,

topological insulators or multiferroics. Electronic and/or magnetic properties of new oxide and/or metallic materials will be investigated. The growth of new materials will be conducted which have unique electric and magnetic properties using purchased crystal grower. To identify grown materials X-ray diffraction and Laue diffraction will be employed. The magnetic property measurement system obtains its electric and magnetic properties in varying conditions of temperature, electric and magnetic fields.

Docket Number: 20-013. **Applicant:** Fermi Research Alliance, FRA.

Instrument: Linac Coherent Light Source (LCLS-II) Upper Cold Mass Assemblies and Vacuum Vessels.

Manufacturer: Wuxi Creative Technologies Company LTD WXCX, China. **Intended Use:** According to the applicant, the instrument will be used to study the cryomodels that will be used for scientific research, including the studies of elementary particles. Each assembly is an essential component necessary to build a cryomodel. LCLS-II upgrade includes three types of components (1) vacuum vessels for the 1.2 GHz cryomodels; (2) cold-mass assemblies for the 1.3 GHz; and (3) cold-mass assemblies for the cryomodels. These components will also be included in the complete assembly of the LCLS-II cryogenic cooling system, which insulates, provides and refreshes liquified helium gas. LCLS-II is a planned upgrade project for the free-electron laser facility located at SLAC. LCLS-II will consist of thirty-five (35) 1.3 GHz and two (2) 3.9 GHz superconducting radio frequency (RF) continuous wave (CW) cryomodels that Fermilab and Jefferson Lab are producing in collaboration with SLAC. The LCLS-II will enable new experiments and research in six broad areas: (1) Fundamental dynamics of energy and charge in atoms and molecules; (2) catalysis, photo-catalysis, environmental, and coordination chemistry; (3) quantum materials; (4) non-scale heterogeneity, fluctuations, and dynamics of functional materials; (5) matter in extreme environments; and (6) biological function on natural length and time scales.

Dated: July 16, 2021.

Richard Herring,

Director, Subsidies Enforcement, Enforcement and Compliance.

[FR Doc. 2021-15581 Filed 7-21-21; 8:45 am]

BILLING CODE 3510-DS-P