

may listen to the meetings. At the meetings, an open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meetings will include a list of persons who are present at the meetings. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email [ebohor@usccr.gov](mailto:ebohor@usccr.gov) at least 10 business days prior to the meetings.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meetings. Written comments may be emailed to Barbara Delaviez at [bdelaviez@usccr.gov](mailto:bdelaviez@usccr.gov). Persons who desire additional information may contact the Regional Programs Coordination Unit at 1-312-353-8311.

Records generated from these meetings may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meetings. Records of meetings will be available via [www.facadatabase.gov](http://www.facadatabase.gov) under the Commission on Civil Rights, Colorado Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Regional Programs Coordination Unit at [ebohor@usccr.gov](mailto:ebohor@usccr.gov).

#### Agenda for Both Meeting Dates

- I. Welcome and Roll Call
- II. Report Stage: Public School Attendance Zones
- III. Discuss Next Steps
- IV. Public Comment
- V. Adjournment

Dated: February 23, 2024.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*  
[FR Doc. 2024-04120 Filed 2-27-24; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-970]

#### Multilayered Wood Flooring From the People's Republic of China: Notice of Court Decision Not in Harmony With the Results of Antidumping Duty Administrative Review; Notice of Amended Final Results

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

**SUMMARY:** On February 8, 2024, the U.S. Court of International Trade (CIT) issued its final judgment in *American Manufacturers of Multilayered Wood Flooring v. United States*, Court No. 21-00595, Slip Op. 24-13 (CIT February 8, 2024), sustaining the U.S. Department of Commerce's (Commerce) remand results pertaining to the administrative review of the antidumping duty (AD) order on multilayered wood flooring (MLWF) from the People's Republic of China (China) covering the period December 1, 2018, through November 30, 2019. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results of the administrative review, and that Commerce is amending the final results with respect to the dumping margin assigned to certain non-individually-examined companies.

**DATES:** Applicable February 18, 2024.

**FOR FURTHER INFORMATION CONTACT:** David Williams, 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) 482-4338.

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 6, 2020, Commerce published the notice of initiation of the 2018-2019 AD administrative review of the Order.<sup>1</sup> Commerce subsequently received a separate rate certification (SRC) from Dalian Qianqiu Wooden Product Co., Ltd., Fusong Jinlong Wooden Group Co., Ltd., Fusong Jinqiu Wooden Product Co., Ltd., and Fusong Qianqiu Wooden Products Co., Ltd.

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 85 FR 6896 (February 6, 2020) (*Initiation Notice*); see also *Multilayered Wood Flooring from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 76 FR 76690 (December 8, 2011) (*Order*).

(collectively, Jinlong),<sup>2</sup> among other companies. Commerce selected Jinlong and Senmao Bamboo and Wood Industry Co., Ltd. (Senmao) as mandatory respondents and issued AD questionnaires to both companies.<sup>3</sup> On April 14, 2020, Jinlong notified Commerce that it did not intend to participate in the administrative review.<sup>4</sup>

On October 29, 2021, Commerce published its *Final Results*, in which Commerce determined that Jinlong did not establish eligibility for a separate rate because it failed to respond to Section A of Commerce's AD questionnaire, which included questions relevant to demonstrating eligibility for a separate rate.<sup>5</sup> Although Jinlong submitted an SRC on the record, Commerce explained that, consistent with its *Initiation Notice* and prior practice, companies that file SRCs and are later selected as mandatory respondents are not considered eligible for a separate rate unless they respond to the AD questionnaire.<sup>6</sup> In denying Jinlong a separate rate, Commerce found that Jinlong was part of the China-wide entity which was subject to a weighted-average dumping margin of 85.13 percent. Commerce calculated a zero percent weighted-average dumping margin for Senmao.<sup>7</sup> Commerce assigned a zero percent weighted-average dumping margin to each of the separate-rate companies not individually examined in the review.

The American Manufacturers of Multilayered Wood Flooring (AMMWF) appealed Commerce's *Final Results*. On March 21, 2023, the CIT remanded the *Final Results* to Commerce, directing Commerce to reconsider whether Jinlong was eligible for a separate rate based on its SRC, notwithstanding its failure to respond to Commerce's AD questionnaire.<sup>8</sup> The CIT held that,

<sup>2</sup> See Jinlong's Letter, "Separate Rate Certification," dated March 9, 2020.

<sup>3</sup> See *Multilayered Wood Flooring from the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review, Preliminary Determination of No Shipments, Preliminary Successor in-Interest Determination, and Rescission of Review, in Part; 2018-2019*, 86 FR 22016 (April 26, 2021), and accompanying Preliminary Decision Memorandum.

<sup>4</sup> See Jinlong's Letter, "Jinlong Notice of Intent Not to Participate," dated April 14, 2020.

<sup>5</sup> See *Multilayered Wood Flooring from the People's Republic of China: Final Results of Antidumping Duty Administrative Review, Final Determination of No Shipments, and Partial Rescission; 2018-2019*, 86 FR 59987 (October 29, 2021) (*Final Results*), and accompanying Issues and Decision Memorandum at Comment 1.

<sup>6</sup> *Id.*

<sup>7</sup> See *Final Results*, 86 FR at 59988.

<sup>8</sup> See *American Manufacturers of Multilayered Wood Flooring v. United States*, Court No. 21-00595 (March 21, 2023).

because Commerce accepted SRCs for other non-individually examined respondents as sufficient evidence to grant separate rates, this disparate treatment of respondents who appear to be similarly situated is arbitrary and capricious.<sup>9</sup>

In its final remand redetermination, issued in August 2023, Commerce (1) evaluated Jinlong's eligibility for a separate rate based on its SRC and assigned Jinlong a weighted-average dumping margin based on adverse facts available (AFA) in accordance with sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act), because Jinlong did not cooperate to the best of its ability by failing to respond to the AD questionnaire; and (2) recalculated the dumping margin assigned to the eligible separate-rate companies not selected for individual examination.<sup>10</sup> Commerce assigned the simple average of Jinlong's AFA-based margin and Senmao's zero percent margin (*i.e.*, 42.57 percent) to eligible separate-rate companies.<sup>12</sup> The CIT sustained Commerce's final redetermination.<sup>11</sup>

#### Timken Notice

In its decision in *Timken*,<sup>12</sup> as clarified by *Diamond Sawblades*,<sup>13</sup> the Court of Appeals for the Federal Circuit held that, pursuant to sections 516A(c) and (e) of 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 February 8, 2024, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

#### Amended Final Results

Because there is now a final court judgment, Commerce is amending its *Final Results* with respect to the eligible

separate-rate companies not selected for individual examination as follows:

Exporter	Dumping margin (percent)
Non-Individually-Examined Companies <sup>14</sup> .....	42.57

#### Cash Deposit Requirements

Because certain separate rate respondents have a superseding cash deposit rate, *i.e.*, there have been final results published in a subsequent administrative review, Commerce will not issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP) for those companies. However, Commerce will issue revised cash deposit instructions to CBP for the separate rate respondents that do not have a superseding cash deposit rate.<sup>15</sup>

#### Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that were exported by the non-individually-examined separate rate respondents<sup>16</sup> and were entered, or withdrawn from warehouse, for consumption during the period December 1, 2018, through November 30, 2019. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event the CIT's ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess antidumping duties on unliquidated entries of subject merchandise exported by the non-individually examined separate rate respondents in accordance with 19 CFR 351.212(b), where appropriate. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review at the AD rate noted in the table above.

#### Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: February 20, 2024.

**Ryan Majerus,**

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

#### Appendix I

##### Non-Individually-Examined Companies Receiving a Separate Rate

Arte Mundi (Shanghai) Aesthetic Home Furnishings Co., Ltd. (successor-in-interest to Scholar Home (Shanghai) New Material Co., Ltd.)  
Dalian Jiahong Wood Industry Co., Ltd.  
Dongtai Fuan Universal Dynamics, LLC  
Dunhua City Hongyuan Wood Industry Co., Ltd.  
Hailin Linjing Wooden Products Co., Ltd.  
Hunchun Xingjia Wooden Flooring Inc.  
Huzhou Chenghang Wood Co., Ltd.  
Huzhou Sunergy World Trade Co., Ltd.  
Jiangsu Keri Wood Co., Ltd.  
Jiangsu Mingle Flooring Co., Ltd.  
Jiangsu Simba Flooring Co., Ltd.  
Jiashan On-Line Lumber Co., Ltd.  
Kingman Floors Co., Ltd.  
Linyi Youyou Wood Co., Ltd.  
Pinge Timber Manufacturing (Zhejiang) Co., Ltd.  
Sino-Maple (Jiangsu) Co., Ltd.  
Suzhou Dongda Wood Co., Ltd.  
Tongxiang Jisheng Import and Export Co., Ltd.  
Zhejiang Longsen Lumbering Co., Ltd.

#### Appendix II

##### Companies Subject to Injunction

A&W (Shanghai) Woods Co., Ltd.  
Arte Mundi (Shanghai) Aesthetic Home Furnishings Co., Ltd. (successor-in-interest to Scholar Home (Shanghai) New Material Co., Ltd.)  
Benxi Wood Company  
Dalian Jiahong Wood Industry Co., Ltd.  
Dalian Kemian Wood Industry Co., Ltd.  
Dalian Penghong Floor Products Co., Ltd./Dalian Shumaike Floor Manufacturing Co., Ltd.  
Dongtai Fuan Universal Dynamics, LLC  
Dun Hua Sen Tai Wood Co., Ltd.  
Dunhua City Hongyuan Wood Industry Co., Ltd.  
Dunhua Shengda Wood Industry Co., Ltd.  
Hailin Linjing Wooden Products Co., Ltd.  
Hunchun Xingjia Wooden Flooring Inc.  
Huzhou Chenghang Wood Co., Ltd.  
Huzhou Fulinmen Imp. & Exp. Co., Ltd.  
Huzhou Jesonwood Co., Ltd.  
Huzhou Sunergy World Trade Co., Ltd.  
Jiangsu Guyu International Trading Co., Ltd.  
Jiangsu Keri Wood Co., Ltd.  
Jiangsu Mingle Flooring Co., Ltd.  
Jiangsu Simba Flooring Co., Ltd.

<sup>9</sup> *Id.*

<sup>10</sup> As explained in the final remand redetermination, we determined Jinlong is eligible for a separate rate "for the sole purpose of calculating the rate for the separate rate respondents that have entries enjoined for this period of review because Jinlong is not a party to this litigation and does not have entries enjoined for this period of review." See *Final Results of Remand Redetermination, American Manufacturers of Multilayered Wood Flooring v. United States*, CIT Court No. 21-00595, dated August 8, 2023.

<sup>11</sup> See *American Manufacturers of Multilayered Wood Flooring v. United States*, Slip Op. 24-13, dated February 8, 2024.

<sup>12</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>13</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>14</sup> See Appendix II for a list of these companies.

<sup>15</sup> See Appendix I.

<sup>16</sup> See Appendix II.

Jiashan HuiJiaLe Decoration Material Co., Ltd  
 Jiashan On-Line Lumber Co., Ltd.  
 Jiaxing Hengtong Wood Co., Ltd  
 Kemian Wood Industry (Kunshan) Co., Ltd.  
 Kingman Floors Co., Ltd.  
 Linyi Youyou Wood Co., Ltd.  
 Metropolitan Hardwood Floors, Inc.  
 Pinge Timber Manufacturing (Zhejiang) Co., Ltd.  
 Sino-Maple (Jiangsu) Co., Ltd  
 Suzhou Dongda Wood Co., Ltd.  
 Tongxiang Jisheng Import and Export Co., Ltd.  
 Yihua Lifestyle Technology Co., Ltd.  
 (successor-in-interest to Guangdong Yihua Timber Industry Co., Ltd.)  
 Zhejiang Dadongwu Greenhome Wood Co., Ltd.  
 Zhejiang Fuerjia Wooden Co., Ltd  
 Zhejiang Longsen Lumbering Co., Ltd.  
 [FR Doc. 2024-04074 Filed 2-27-24; 8:45 am]  
**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application No. 90-9A007]

#### Export Trade Certificate of Review

**ACTION:** Notice of application for an amended Export Trade Certificate of Review for the United States Surimi Commission, Application No. 90-9A007.

**SUMMARY:** The Secretary of Commerce, through the Office of Trade and Economic Analysis (OTEA) of the International Trade Administration, has received an application for an amended Export Trade Certificate of Review (Certificate). This notice summarizes the proposed application and seeks public comments on whether the Certificate should be issued.

#### FOR FURTHER INFORMATION CONTACT:

Joseph Flynn, Director, OTEA, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or email at [etca@trade.gov](mailto:etca@trade.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4011-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations

implementing Title III are found at 15 CFR part 325. OTEA is issuing this notice pursuant to 15 CFR 325.6(a), which requires the Secretary of Commerce to publish a summary of the application in the **Federal Register**, identifying the applicant and each member and summarizing the proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

Written comments should be sent to [ETCA@trade.gov](mailto:ETCA@trade.gov). An original and two (2) copies should also be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number No. 90-9A007."

#### Summary of the Application

**Applicant:** United States Surimi Commission, c/o Mundt MacGregor L.L.P., 271 Wyatt Way NE, Suite 106, Bainbridge Island, Washington USA 98110.

**Contact:** Duncan R. McIntosh, Attorney at Law, Mundt MacGregor L.L.P.

**Application No.:** 90-9A007.

**Date Deemed Submitted:** February 13, 2024.

**Proposed Amendment:** United States Surimi Commission seeks to amend its Certificate as follows:

1. Add the following entities as Members of the Certificate within the meaning of section 325.2(l) of the Regulations (15 CFR 325.2(l)):

- Arctic Fjord II LLC
- Arctic Storm Holding Company LLC
- Coastal Alaska Premier Seafoods, LLC
- F/V Neahkahnne LLC
- Fishery Investments, Ltd.

- Phoenix Processor Limited Partnership

2. Remove the following companies as Members of the Certificate:

- AF International, Inc.
- Aleutian Spray Fisheries, Inc
- Fjord Seafoods LLC
- Fjord Fisheries General Partnership
- NWPI, Inc.
- Starbound LLC

*United States Surimi Commission's proposed amendment of its Certificate would result in the following Membership list:*

1. American Seafoods Company LLC, Seattle, WA
2. American Seafoods Japan, Ltd., Seattle, WA
3. AS Europe ApS, Seattle, WA
4. American Seafoods China (Dalian) Ltd., Seattle, WA
5. Arctic Storm, Inc., Seattle, WA
6. Arctic Storm International, Inc., Seattle, WA
7. Arctic Fjord, Inc., Seattle, WA
8. Arctic Fjord II LLC, Seattle, WA
9. F/V Neahkahnne LLC, Seattle, WA
10. Arctic Storm Management Group LLC, Seattle, WA
11. Arctic Storm Holding Company LLC, Seattle, WA
12. Glacier Fish Company LLC, Seattle, WA
13. ASM Export Co., Seattle, WA
14. Coastal Alaska Premier Seafoods, LLC, Anchorage, AK
15. Phoenix Processor Limited Partnership, Seattle, WA
16. Fishery Investments, Ltd., Seattle, WA

Dated: February 23, 2024.

**Joseph Flynn,**

*Director, Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce.*

[FR Doc. 2024-04083 Filed 2-27-24; 8:45 am]

**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-909]

#### Certain Steel Nails From the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Determination of No Shipments; 2021-2022

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that Shanghai Yueda Nails Co., Ltd., a.k.a. Shanghai Yueda Nails Industry Co., Ltd.