

arguments made in the application. The score aims to assess how the specific digital transition purpose fits with the unique need of the television station as it moves all of its equipment through the digital transition. This score is intended to capture, from the rural public's standpoint, the necessity and usefulness of the proposed project. This scoring category will also recognize that at a specific time, some transition purposes are perceived to be more essential than others and that, over time, this perception changes. For example, during the transition from analog to digital transmitters, which concluded on June 12, 2009, a first time transition of a primary transmitter was the most essential project that could be undertaken for most stations and would have been scored accordingly. Now that all transmitters have completed the transition to digital, the focus may shift to some of the other eligible purposes such as translators, studio and production equipment, and master control equipment. But what equipment specifically is most essential may vary from station to station. For example, local production equipment can be a high priority especially if it produces an area's only local news or if the station has been historically active in producing local programming. Repositioning a digital transmitter on a tower can also be a high priority in cases where the original analog coverage area was not adequately replicated after the transition. In addition to being a subjective score, the Critical Need score is also relative since each application is scored in comparison to other applications in the competition. These various factors explain why a similar application may receive a different Critical Need score in different years of this program.

## VI. Award Administration Information

### A. Award Notices

The Agency generally notifies applicants whose projects are selected for awards by faxing an award letter or emailing a PDF facsimile of the award letter. The Agency follows the award letter with a grant agreement that contains the terms and conditions for the grant. A copy of the standard agreement is posted on the RUS Web site at [http://www.rurdev.usda.gov/UTP\\_DTVResources.html](http://www.rurdev.usda.gov/UTP_DTVResources.html).

An applicant must execute and return the grant agreement, accompanied by any additional items required by the grant agreement.

### B. Administrative and National Policy Requirements.

The items listed in the program regulation at 7 CFR 1740.9(j) implement the appropriate administrative and national policy requirements.

### C. Reporting

1. All recipients of Public Television Station Digital Transition Grant Program financial assistance must provide semiannual performance activity reports to RUS until the project is complete and the funds are expended. A final performance report is also required; the final report may serve as the last semiannual report. The final report must include an evaluation of the success of the project.

### 2. Recipient and Subrecipient Reporting

The applicant must have the necessary processes and systems in place to comply with the reporting requirements for first-tier sub-awards and executive compensation under the Federal Funding Accountability and Transparency Act of 2006 in the event the applicant receives funding unless such applicant is exempt from such reporting requirements pursuant to 2 CFR part 170, § 170.110(b). The reporting requirements under the Transparency Act pursuant to 2 CFR part 170 are as follows:

a. First Tier Sub-Awards of \$25,000 or more in non-Recovery Act funds (unless they are exempt under 2 CFR part 170) must be reported by the Recipient to <http://www.fsrs.gov> no later than the end of the month following the month the obligation was made. Please note that currently underway is a consolidation of eight federal procurement systems, including the Sub-award Reporting System (FSRS), into one system, the System for Award Management (SAM). As result the FSRS will soon be consolidated into and accessed through SAM at <https://www.sam.gov/portal/public/SAM/>.

b. The Total Compensation of the Recipient's Executives (5 most highly compensated executives) must be reported by the Recipient (if the Recipient meets the criteria under 2 CFR part 170) to [www.sam.gov](http://www.sam.gov) by the end of the month following the month in which the award was made.

c. The Total Compensation of the Subrecipient's Executives (5 most highly compensated executives) must be reported by the Subrecipient (if the Subrecipient meets the criteria under 2 CFR part 170) to the Recipient by the end of the month following the month in which the sub-award was made.

### 3. Systems Necessary to Meet Reporting Requirements

The applicant must have the necessary processes and systems in place to comply with the reporting requirements for first-tier sub-awards and executive compensation under the Federal Funding Accountability and Transparency Act of 2006 in the event the applicant receives funding unless such applicant is exempt from such reporting requirements pursuant to 2 CFR part 170, § 170.110(b).

## VII. Agency Contacts

A. Web site: <http://www.usda.gov/rus/>. The Web site maintains up-to-date resources and contact information for the Public Television Station Digital Transition Grant Program.

B. Phone: (202) 690-4493.

C. Fax: (202) 720-1051.

D. Main points of contact: Petra Schultze, Financial Analyst, Advanced Services Division, Telecommunications Program, RUS, telephone: (202) 690-4493, fax: (202) 720-1051, or email: [petra.schultze@wdc.usda.gov](mailto:petra.schultze@wdc.usda.gov). Additional point of contact at the same telephone number, or email: [norberto.esteves@wdc.usda.gov](mailto:norberto.esteves@wdc.usda.gov): Norberto Esteves, Acting Director, Advanced Services Division.

Dated: June 19, 2013.

**John Charles Padalino,**

*Administrator, Rural Utilities Service.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-967; C-570-968]

### Aluminum Extrusions 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

**SUMMARY:** On June 20, 2013, the United States Court of International Trade ("CIT" or "Court") sustained the Department of Commerce's ("Department") final results of remand redetermination, in which it determined that T-Series and M-Series components for automotive heating/cooling systems ("components for automotive heating/cooling systems") imported by Valeo, Inc., Valeo Engine Cooling Inc., and Valeo Climate Control Corp. (collectively, "Valeo") are subassemblies that meet the description of excluded "finished goods" and are not covered by the scope of the

antidumping and countervailing duty orders on aluminum extrusions from the People's Republic of China,<sup>1</sup> pursuant to the CIT's remand order in *Valeo, Inc., Valeo Engine Cooling, Inc., and Valeo Climate Control Corp. v. United States*, Court No. 12–00381 (CIT February 13, 2013).<sup>2</sup>

Consistent with the decision of the United States Court of Appeals for the Federal Circuit (“CAFC”) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (“*Timken*”), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (“*Diamond Sawblades*”), the Department is notifying the public that the final CIT judgment in this case is not in harmony with the Department's Final Scope Ruling on Automotive Heating and Cooling Systems<sup>3</sup> and is amending its final scope ruling.

**DATES:** *Effective Date:* July 1, 2013.

**FOR FURTHER INFORMATION CONTACT:** Brooke Kennedy, Office 8, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3818.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 16, 2012, Valeo submitted a scope request claiming that two distinct types of automotive heating and cooling components are outside the scope of the *Orders*. The Department issued its Final Scope Ruling on Automotive Heating and Cooling Systems on October 31, 2012. In that ruling, the Department determined that Valeo's components for automotive heating/cooling systems are covered by the scope of the *Orders*.

On November 26, 2012, Valeo filed a complaint with the CIT. On February 12, 2013, the Department asked that the Court grant a voluntary remand to allow the Department to re-examine its determination in the Final Scope Ruling on Automotive Heating and Cooling Systems. On February 13, 2013, the

Court granted the Department's request for a voluntary remand. In the Remand Results, the Department determined that Valeo's components for automotive heating/cooling systems, at the time of importation, contain all of the necessary parts required for integration into a larger system. The Department applied the “subassemblies test” developed in the Side Mount Valve Controls Scope Ruling,<sup>4</sup> and determined that Valeo's components for automotive heating/cooling systems are subassemblies that constitute excluded “finished goods,” as described in the *Orders*, and are not covered by the scope. On June 20, 2013, the CIT sustained the Department's Remand Results.<sup>5</sup>

**Timken Notice**

In its decision in *Timken*, as clarified by *Diamond Sawblades*, the CAFC has held that, pursuant to section 516A(c) of the Tariff Act of 1930, as amended (“the Act”), the Department must publish a notice of a court decision that is not “in harmony” with a Department determination and must suspend liquidation of entries pending a “conclusive” court decision. The CIT's June 20, 2013, judgment in this case constitutes a final decision of that court that is not in harmony with the Department's Final Scope Ruling on Automotive Heating and Cooling Systems. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of components for automotive heating/cooling systems pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision.

**Amended Final Scope Ruling**

Because there is now a final court decision with respect to this case, the Department is amending its final scope ruling and finds that the scope of the *Orders* does not cover Valeo's components for automotive heating/cooling systems. The Department will instruct U.S. Customs and Border Protection (“CBP”) that the cash deposit rate will be zero percent for Valeo's components for automotive heating/

cooling systems. In the event that the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, the Department will instruct CBP to liquidate entries of Valeo's components for automotive heating/cooling system without regard to antidumping and/or countervailing duties, and to lift suspension of liquidation of such entries.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: July 10, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A–533–840]

**Certain Frozen Warmwater Shrimp From India: Final Results of Antidumping Duty Administrative Review and Final No Shipment Determination; 2011–2012**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** On March 12, 2013, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain frozen warmwater shrimp from India.<sup>1</sup> The period of review (POR) is February 1, 2011, through January 31, 2012. Based on our analysis of the comments received, we have made certain changes in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled “Final Results of the Review.” Further, we find that two companies had no shipments of subject merchandise during the POR.

**DATES:** *Effective Date:* July 16, 2013.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Eastwood or David Crespo, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC, 20230;

<sup>1</sup> See *Certain Frozen Warmwater Shrimp From India; Preliminary Results of Antidumping Duty Administrative Review; 2011–2012*, 78 FR 15691 (Mar. 12, 2013) and accompanying Decision Memorandum (*Preliminary Results*).

<sup>1</sup> See *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order*, 76 FR 30650 (May 26, 2011) and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30653 (May 26, 2011) (“*Orders*”).

<sup>2</sup> See Final Results of Redetermination Pursuant to Court Remand, *Valeo, Inc., Valeo Engine Cooling, Inc., and Valeo Climate Control Corp. v. United States*, Court No. 12–00381 (May 13, 2013) (“*Remand Results*”).

<sup>3</sup> See the Department's memorandum regarding: Antidumping and Countervailing Duty Orders on Aluminum Extrusions from the People's Republic of China—Final Scope Ruling on Valeo's Automotive Heating and Cooling Systems, dated October 31, 2012 (“*Final Scope Ruling on Automotive Heating and Cooling Systems*”).

<sup>4</sup> See the Department's memorandum regarding: Final Scope Ruling on Side Mount Valve Controls, dated October 26, 2012 (“*SMVCs Scope Ruling*”); see also the Department's memorandum regarding: Antidumping Duty (AD) and Countervailing Duty (CVD) Orders: Aluminum Extrusions from the People's Republic of China (PRC), Initiation and Preliminary Scope Ruling on Side Mount Valve Controls, dated September 24, 2012.

<sup>5</sup> See *Valeo Inc., et al. v. United States*, Court No. 12–00381 (CIT June 20, 2013) (judgment sustaining Remand Results).