

Community Relations in Missouri.
(February 23, 2015 St. Louis;
August 20, 2015 Kansas City)

Open Comment
Recommendations and Next Steps

DATES: The meeting will be held on
Thursday, April 21, 2016, at 11:30 a.m.
CDT

Public Call Information:

Dial: 888-587-0615

Conference ID: 4444578

FOR FURTHER INFORMATION CONTACT:
Melissa Wojnaroski, DFO, at 312-353-
8311 or *mwojnaroski@uscrr.gov*.

Dated: March 10, 2016.

David Mussatt,

Chief, Regional Programs Unit.

[FR Doc. 2016-05844 Filed 3-15-16; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-890]

Wooden Bedroom Furniture 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 February 29, 2016, the
United States Court of International
Trade ("CIT" or "Court") sustained the
Department of Commerce's
("Department") final results of
redetermination¹ in which the
Department determined, under protest,
that four chests of Ethan Allen
Operations, Inc. ("Ethan Allen") are not
subject to the scope of the *WBF Order*,²
pursuant to the CIT's remand order in
*Ethan Allen Operations, Inc. v. United
States*, Consol. Court No. 14-00147
(December 1, 2015) ("*Ethan Allen*").

Consistent with the decision of the
United States Court of Appeals for the
Federal Circuit ("CAFC") in *Timken*,³ as

clarified by *Diamond Sawblades*,⁴ the
Department is notifying the public that
the Court's final judgment in this case
is not in harmony with the Department's
Ethan Allen Scope Ruling and is
therefore amending its final scope
ruling.⁵

DATES: *Effective Date:* March 10, 2016.

FOR FURTHER INFORMATION CONTACT: Cara
Lofaro, Office IV, Enforcement and
Compliance, International Trade
Administration, U.S. Department of
Commerce, 14th Street and Constitution
Avenue NW., Washington, DC, 20230;
telephone: (202) 482-5720.

SUPPLEMENTARY INFORMATION:

Background

On May 27, 2014 the Department
issued the *Ethan Allen Scope Ruling*, in
which it determined that Ethan Allen's
Marlene, Nadine, and Serpentine chests
were subject to the *WBF Order* based on
an analysis under 19 CFR 351.225(k)(1),
and that the Vivica chest was also
subject merchandise based on an
analysis of the factors under both 19
CFR 351.225(k)(1) and (k)(2) (the "(k)(2)
analysis"). The Department then
requested a voluntary remand to allow
further notice to, and comment from,
parties on its (k)(2) analysis of the
Vivica chest, which the Court granted.
In the *Voluntary Remand Results*, the
Department responded to the arguments
of the parties to the dispute and
determined, again, based on a (k)(2)
analysis, that Ethan Allen's Vivica chest
is subject to the scope of the *WBF
Order*.⁶

On December 1, 2015, the Court
issued its opinion on the *Ethan Allen
Scope Ruling*, remanding each of the
Department's determinations back to the
agency for further analysis,⁷ as
discussed in further detail in the *Final
Remand Results*.⁸ Specifically, the Court
held that with respect to the Vivica
chest, "because the (k)(1) factors are
dispositive as to the Vivica chest and
demonstrate that the Vivica chest is not
within the scope of the *WBF Order*, the
court does not proceed to an analysis of
the (k)(2) factors and remands to
Commerce to issue a ruling consistent

with this opinion."⁹ The Court further
held that with respect to the Marlene,
Nadine, and Serpentine chests "because
the (k)(1) factors are non-dispositive {in
the *Ethan Allen Scope Ruling* the
Department determined that the
Marlene, Nadine, and Serpentine chests
were covered by the *WBF Order* after
analyzing the criteria listed in 19 CFR
351.225(k)(1)}, Commerce should
evaluate the (k)(2) factors consistent
with this decision," in which the Court
noted, in part, that "the proper inquiry
should focus on the intended function
of the product, *i.e.*, whether it was
intended and designed for use in the
bedroom."¹⁰

Accordingly, the Department issued
the *Final Remand Results* and,
consistent with the Court's analysis,
determined that the Vivica chest is not
subject to the *WBF Order*. Furthermore,
in accordance with the Court's holding
that the Marlene, Nadine, and
Serpentine chests should be evaluated
using a (k)(2) analysis, Commerce
conducted such an analysis and
determined that "the weight of the
record evidence supports a
determination that the Nadine, Marlene,
and Serpentine chests are not covered
by the scope of the *WBF Order*."¹¹

In *Ethan Allen II*, the Court sustained
the Department's *Final Remand Results*
in its entirety.¹²

Timken Notice

In its decision in *Timken*¹³ as
clarified by *Diamond Sawblades*, the
CAFC held that, pursuant to sections
516A(c) and (e) 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
February 29, 2016, judgment in *Ethan
Allen II*, sustaining the Department's
decision in the *Final Remand Results*
that the four chests at issue are not
covered by the scope of the *WBF Order*,
constitutes a final decision of that court
that is not in harmony with the *Ethan
Allen Scope Ruling*. This notice is
published in fulfillment of the
publication requirements of *Timken*.
Accordingly, the Department will
continue the suspension of liquidation
of the chests at issue pending expiration
of the period to appeal or, if appealed,

¹ *Ethan Allen Operations, Inc. v. United States*,
Court No. 14-000147, Slip Op. 16-19 (CIT February
29, 2016) ("*Ethan Allen II*"), which sustained the
Final Results of Redetermination Pursuant to Court
Order, *Ethan Allen Operations, Inc. v. United
States*, dated February 11, 2016 ("*Final Remand
Results*").

² See *Notice of Amended Final Determination of
Sales at Less Than Fair Value and Antidumping
Duty Order: Wooden Bedroom Furniture from the
People's Republic of China*, 70 FR 329 (January 4,
2005) ("*WBF Order*").

³ See *Timken Co. v. United States*, 893 F.2d 337
(Fed. Cir. 1990) ("*Timken*").

⁴ See *Diamond Sawblades Mfrs. Coalition v.
United States*, 626 F.3d 1374 (Fed. Cir. 2010)
("*Diamond Sawblades*").

⁵ See Memorandum to Christian Marsh, Deputy
Assistant Secretary for Antidumping and
Countervailing Duty Operations, "Wooden
Bedroom Furniture from the People's Republic of
China: Scope Ruling on Ethan Allen Operations
Inc.'s Chests" (May 27, 2014) ("*Ethan Allen Scope
Ruling*").

⁶ See Final Results of Voluntary Redetermination
Pursuant To Court Order, dated November 26, 2014,
("*Voluntary Remand Results*").

⁷ See *Ethan Allen*.

⁸ See *Final Remand Results* at 1-2.

⁹ See *Ethan Allen* at 16.

¹⁰ *Id.* at 13.

¹¹ See *Final Remand Results* at 14.

¹² See *Ethan Allen II*.

¹³ See *Timken*, 893 F.2d at 341.

pending a final and conclusive court decision.

Amended Final Determination

Because there is now a final court decision with respect to the *Ethan Allen Scope Ruling*, the Department is amending its final scope ruling. The Department finds that the scope of the *WBF Order* does not cover the products addressed in the *Ethan Allen Scope Ruling*. The Department will instruct U.S. Customs and Border Protection (“CBP”) that the cash deposit rate will be zero percent for the four chests imported by Ethan Allen. 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 Ethan Allen’s four chests at issue 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: March 9, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2016–05942 Filed 3–15–16; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–867]

Large Power Transformers From the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2013–2014

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

SUMMARY: On September 4, 2015, the Department published the preliminary results of the administrative review of the antidumping duty order on large power transformers from the Republic of Korea.¹ The review covers five producers/exporters of the subject merchandise, Hyosung Corporation (Hyosung), Hyundai Heavy Industries Co., Ltd. (Hyundai), ILJIN, ILJIN Electric Co., Ltd. (ILJIN Electric), and LSIS Co., Ltd. (LSIS). ILJIN, ILJIN Electric, and LSIS, were not selected for individual examination. The period of review

¹ See *Large Power Transformers From the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review; 2013–2014*, 80 FR 53496 (September 4, 2015) (*Preliminary Results*).

(POR) is August 1, 2013, through July 31, 2014. As a result of our analysis of the comments and information received, these final results differ from the *Preliminary Results*. For the final weighted-average dumping margins, see the “Final Results of Review” section below.

DATES: *Effective Date:* March 16, 2016.

FOR FURTHER INFORMATION CONTACT:

Brian Davis (Hyosung) or Edythe Artman (Hyundai), AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–7924 or (202) 482–3931, respectively.

SUPPLEMENTARY INFORMATION:

Background

On September 4, 2015, the Department published the *Preliminary Results*. In accordance with 19 CFR 351.309(c)(1)(ii), we invited parties to comment on our *Preliminary Results*.² On October 16, 2015, Hyundai timely submitted a case brief and on October 19, 2015, Hyosung and ABB Inc. (Petitioner) timely submitted case briefs.³ Rebuttal briefs were also timely filed by Hyosung, Hyundai, and Petitioner, on October 27, 2015.⁴ On December 22, 2015, the Department issued a memorandum extending the time period for issuing the final results of this administrative review from January 4, 2016 to February 24, 2016.⁵ On February 29, 2016, the Department further extended the final results to March 8, 2016.⁶

² The Department issued the briefing schedule in a Memorandum to the File, dated September 9, 2015. This briefing schedule was later extended at the request of interested parties to October 16, 2015 for briefs and October 26, 2015 for rebuttal briefs.

³ See Case Brief from Petitioner regarding Hyundai, (Petitioner Brief Hyundai), Brief from Petitioner regarding Hyosung (Petitioner Brief Hyosung), and Hyosung Brief, all dated October 19, 2015, and Hyundai Brief, dated October 16, 2015.

⁴ See Hyosung Rebuttal Brief, Hyundai Rebuttal Brief and Petitioner Rebuttal Brief: All dated October 26, 2015. Petitioner requested an extension for the briefing schedule to 30 days after Hyundai’s submission of a post-verification supplemental questionnaire and an extension for filing rebuttal briefs, which the Department partially granted for all parties in a letter dated September 29, 2015 and extended in a letter dated October 13, 2015. See Letter to Petitioner dated September 29, 2015 and Letter to Petitioner dated October 13, 2015.

⁵ See Memorandum to Christian Marsh, Deputy Assistant Secretary for AD/CVD Operations, “Large Power Transformers from the Republic of Korea: Extension of Deadline for Final Results of Antidumping Duty Administrative Review; 2013–2014” (December 22, 2015).

⁶ See Memorandum to Christian Marsh, Deputy Assistant Secretary for AD/CVD Operations, “Large Power Transformers from the Republic of Korea:

Scope of the Order

The scope of this order covers large liquid dielectric power transformers (LPTs) having a top power handling capacity greater than or equal to 60,000 kilovolt amperes (60 megavolt amperes), whether assembled or unassembled, complete or incomplete. The merchandise subject to the order is currently classified in the Harmonized Tariff Schedule of the United States at subheadings 8504.23.0040, 8504.23.0080 and 8504.90.9540.7

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the Issues and Decision Memorandum.⁸ A list of the issues that parties raised and to which we responded is attached to this notice as an Appendix. The Issues and Decision Memorandum is a public document and is on-file electronically via ACCESS. ACCESS is available to registered users at <http://access.trade.gov> and in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://enforcement.ita.doc.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties regarding our *Preliminary Results*, we recalculated Hyosung’s and

Extension of Deadline for Final Results of Antidumping Duty Administrative Review; 2013–2014” (February 29, 2016); see also Memorandum to the Record from Ron Lorentzen, Acting Assistant Secretary for Enforcement & Compliance, regarding “Tolling of Administrative Deadlines As a Result of the Government Closure During Snowstorm Jonas,” dated January 27, 2016. As explained in this memorandum, the Department has exercised its discretion to toll all administrative deadlines due to the recent closure of the Federal Government. All deadlines in this segment of the proceeding have been extended by four business days. The revised deadline for the final determination is now March 8, 2016.

⁷ For a full description of the scope of the order, see the Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, titled “Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Large Power Transformers from the Republic of Korea; 2013–2014” (Issues and Decision Memorandum), which is issued concurrently with, and hereby adopted by, this notice.

⁸ *Id.*