

the comments must be received within 30 days following the meeting. Written comments may be emailed to David Barreras at dbarreras@usccr.gov. Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 656-8937.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available via www.facadatabase.gov under the Commission on Civil Rights, Nevada 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 the above phone number.

Agenda

- I. Welcome & Roll Call
- II. Panelists Remarks
- III. Committee Q&A
- IV. Public Comment
- V. Adjournment

Dated: March 19, 2023.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2023-05942 Filed 3-22-23; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-853]

Certain Crystalline Silicon Photovoltaic Products From Taiwan: Notice of Court Decision Not in Harmony With the Final Results in the Antidumping Duty Administrative Review; Notice of Amended Final Results

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

SUMMARY: On March 10, 2023, the U.S. Court of International Trade (CIT)

issued its final judgment in *JA Solar International Limited and JA Solar USA Inc. v. United States*, Court No. 21-00514, sustaining the U.S. Department of Commerce's (Commerce) remand results pertaining to the fifth administrative review of the antidumping duty order on crystalline silicon photovoltaic products (solar products) from Taiwan covering the period of review (POR), February 1, 2019, through January 31, 2020. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results in the administrative review and that Commerce is amending the final results with respect to dumping margins assigned to Inventec Solar Energy Corporation (ISEC) and E-TON Solar Tech Co., Ltd. (E-TON).

DATES: Applicable March 20, 2023.

FOR FURTHER INFORMATION CONTACT: Thomas Martin, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC, 20230; telephone: (202) 482-3936.

SUPPLEMENTARY INFORMATION:

Background

On September 3, 2021, Commerce published the final results of the antidumping administrative review on solar products from Taiwan, covering the period February 1, 2019, through January 31, 2020.¹

JA Solar International Limited and JA Solar USA Inc., (together, JA Solar) appealed Commerce's *Final Results* to the CIT. On December 19, 2022, the CIT remanded the *Final Results* to Commerce to reconsider: (1) its determination that ISEC lacked actual knowledge of the U.S. destination of certain sales, based on the parties' change to the final contract language in light of record evidence suggesting that before the adoption of the final contract, sales were made with an express understanding that the final destination was the United States; (2) the

reasonableness of its inference that ISEC lacked actual knowledge of the U.S. destination at the adoption of the final contract because the contract price did not change; and (3) whether ISEC had reason to know of the U.S. destination (*i.e.*, "constructive knowledge") should Commerce continue to find lack of actual knowledge for any of the sales at issue.

In its final remand redetermination, issued on March 2, 2023, Commerce determined: (1) to include ISEC's sales to JA Solar in our analysis of ISEC's U.S. sales; (2) to recalculate ISEC's weighted-average dumping margin for the 2019-2020 review period; and (3) to calculate an assessment rate applicable to solar products imports by JA Solar into the United States produced by ISEC.² As a result, Commerce calculated a revised weighted-average dumping margin for ISEC and E-TON of 7.42 percent and assigned an importer-specific assessment rate to JA Solar. On March 10, 2023, the CIT sustained Commerce's remand redetermination.³

Timken Notice

In its decision in *Timken*,⁴ as clarified by *Diamond Sawblades*,⁵ the U.S. Court of Appeals for the Federal Circuit 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 a 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 March 10, 2023, judgment in this case constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results*. 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 ISEC and E-TON as follows:

Exporter/producer	Weighted-average dumping margin (percent)
Inventec Solar Energy Corporation and E-TON Solar Tech Co., Ltd	7.42

¹ See *Certain Crystalline Silicon Photovoltaic Products from Taiwan: Final Results of Antidumping Duty Administrative Review; Partial Rescission of Antidumping Duty Administrative Review; Final Determination of No Shipments; 2019-2020*, 86 FR 49509 (September 3, 2021) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

² See *Final Results of Redetermination Pursuant to Court Remand, JA Solar International Limited and JA Solar USA Inc. v. United States*, Court No. 21-00514 (CIT 2022), dated March 2, 2023.

³ See *JA Solar International Limited and JA Solar USA Inc. v. United States*, Slip Op. 23-30, Court No. 21-00514 (CIT 2023).

⁴ See *Timken Co. v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990) (*Timken*).

⁵ See *Diamond Sawblades Mfrs. Coal. v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

Cash Deposit Requirements

Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP) for ISEC. In the *Final Results*, Commerce determined to treat ISEC and E-TON as a single entity for the purposes of this administrative review, in accordance with 19 CFR 351.401(f).⁶ However, the cash deposit will remain specific to ISEC, given the fact that E-TON ceased to exist during the POR.⁷

Liquidation of Suspended Entries

At this time, Commerce remains enjoined by the CIT order from liquidating entries that were produced and/or exported by ISEC and E-TON, and imported by JA Solar, that were entered, or withdrawn from warehouse, for consumption during the period February 1, 2019, through January 31, 2020. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event that 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 produced and/or exported by ISEC and E-TON, and imported by JA Solar, in accordance with 19 CFR 351.212(b). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem* assessment rate is not zero or *de minimis*. Where an importer-specific *ad valorem* assessment rate is zero or *de minimis*,⁸ we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

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: March 17, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2023-06093 Filed 3-21-23; 4:15 pm]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-823-815]

Oil Country Tubular Goods From Ukraine: Final Results of Antidumping Duty Administrative Review; 2020–2021

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that oil country tubular goods (OCTG) from Ukraine were sold at prices below normal value during the period of review (POR) July 1, 2020, through June 30, 2021.

DATES: Applicable March 23, 2023.

FOR FURTHER INFORMATION CONTACT: Toni Page, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1398.

SUPPLEMENTARY INFORMATION:

Background

On September 19, 2022, Commerce published the *Preliminary Results* of this administrative review.¹ Interpipe,² the sole mandatory respondent, was the only interested party to comment on the *Preliminary Results*. For a description of the events since the *Preliminary Results*, as well as a full discussion of the issues raised by parties for these final results, see the Issues and Decision Memorandum.³ Commerce conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order⁴

The products covered by the *Order* are OCTG from Ukraine. For a full

¹ See *Oil Country Tubular Goods from Ukraine: Preliminary Results of Antidumping Duty Administrative Review; 2020–2021*, 87 FR 57176 (September 19, 2022) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

² Commerce has previously determined that Interpipe Europe S.A.; Interpipe Ukraine LLC; PJSC Interpipe Nizhnedneprovsky Tube Rolling Plant; and LLC Interpipe Niko Tube are affiliated and treated as a single entity (*i.e.*, Interpipe). See *Preliminary Results* PDM at “Summary.”

³ See Memorandum, “Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review: Oil Country Tubular Goods from Ukraine, 2019–2020,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁴ See *Termination of the Suspension Agreement on Certain Oil Country Tubular Goods from Ukraine, Rescission of Administrative Review, and Issuance of Antidumping Duty Order*, 84 FR 33918 (July 16, 2019) (*Order*).

description of the scope, see the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in Interpipe's case brief are addressed in the Issues and Decision Memorandum. A list of these issues is attached as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Changes Since the Preliminary Results

Based on our analysis of the comments received from Interpipe regarding our *Preliminary Results*, we made certain changes to the calculation of the weighted-average dumping margin for Interpipe in these final results.⁵

Final Results of Review

We have calculated the following weighted-average dumping margin for Interpipe for the period July 1, 2020, through June 30, 2021:

Exporter or producer	Weighted-average dumping margin (percent)
Interpipe Europe S.A./Interpipe Ukraine LLC/PJSC Interpipe Nizhnedneprovsky Tube Rolling Plant/LLC Interpipe Niko Tube	1.55

Disclosure

We intend to disclose the calculations performed for these final results within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.⁶ For

⁵ See Issues and Decision Memorandum.

⁶ See *Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

⁶ See *Final Results* IDM at Comment 3.

⁷ *Id.*

⁸ See 19 CFR 351.106(c)(2).