

information.⁴⁹ Parties must use the certification formats provided in 19 CFR 351.303(g).⁵⁰ Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in this investigation should ensure that they meet the requirements of 19 CFR 351.103(d) (e.g., by filing the required letter of appearance). Note that Commerce has modified its regulations to make permanent certain changes to its service procedures that were adopted on a temporary basis due to COVID-19, as well as to make additional clarifications and corrections to its AD/CVD regulations.⁵¹

This notice is issued and published pursuant to sections 732(c)(2) and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: November 6, 2023.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix—Scope of the Investigation

The scope of the investigation covers truck and bus tires. Truck and bus tires are new pneumatic tires, of rubber, with a truck or bus size designation. Truck and bus tires covered by the scope may be tube-type, tubeless, radial, or non-radial (also known as bias construction or bias-ply).

Subject tires have, at the time of importation, the symbol “DOT” on the sidewall, certifying that the tire conforms to applicable motor vehicle safety standards. Subject tires may also have one of the following suffixes in their tire size designation, which also appear on the sidewall of the tire:

TR—Identifies tires for service on trucks or buses to differentiate them from similarly sized passenger car and light truck tires; and

HC—Identifies a 17.5 inch rim diameter code for use on low platform trailers.

All tires with a “TR” or “HC” suffix in their size designations are covered by the scope regardless of their intended use.

In addition, all tires that lack one of the above suffix markings are included in the scope, as well as all tires that include any other prefix or suffix in their sidewall markings, are included in the scope, regardless of their intended use, as long as the tire is of a size that fits trucks or busses. Sizes that fit trucks and busses include, but are not limited to, the numerical size designations listed in the “Truck-Bus” section of the *Tire and Rim Association Year Book*, as updated annually. The scope includes all tires that are of a size that fits trucks or busses, unless the tire falls within one of the specific exclusions set out below.

Truck and bus tires, whether or not mounted on wheels or rims, are included in the scope. However, if a subject tire is imported mounted on a wheel or rim, only the tire is covered by the scope. Subject merchandise includes truck and bus tires produced in the subject country whether mounted on wheels or rims in the subject country or in a third country. Truck and bus tires are covered whether or not they are accompanied by other parts, e.g., a wheel, rim, axle parts, bolts, nuts, etc. Truck and bus tires that enter attached to a vehicle are not covered by the scope.

Specifically excluded from the scope are the following types of tires: (1) pneumatic tires, of rubber, that are not new, including recycled and retreaded tires; (2) non-pneumatic tires, such as solid rubber tires; and (3) tires that exhibit each of the following physical characteristics: (a) the designation “MH” is molded into the tire’s sidewall as part of the size designation; (b) the tire incorporates a warning, prominently molded on the sidewall, that the tire is for “Mobile Home Use Only;” and (c) the tire is of bias construction (also known as non-radial construction) as evidenced by the fact that the construction code included in the size designation molded into the tire’s sidewall is not the letter “R.”

The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4011.20.1015 and 4011.20.5020. Tires meeting the scope description may also enter under the following HTSUS subheadings: 4011.90.1010, 4011.90.1050, 4011.90.2010, 4011.90.2050, 4011.90.8010, 4011.90.8050, 8708.70.4530, 8708.70.4546, 8708.70.4548, 8708.70.4560, 8708.70.6030, 8708.70.6045, 8708.70.6060, and 8716.90.5059.

While HTSUS subheadings are provided for convenience and for customs purposes, the written description of the subject merchandise is dispositive.

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DEPARTMENT OF COMMERCE

International Trade Administration

Meeting of the President’s Export Council

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice of an open meeting.

SUMMARY: The President’s Export Council (Council) will hold a meeting to deliberate on recommendations related to promoting the expansion of U.S. exports. Meeting topics will include strengthening U.S. leadership in clean technologies and climate solutions, promoting U.S. agricultural trade, and enhancing U.S. manufacturing competitiveness. The final agenda will be posted at least one week in advance of the meeting on the President’s Export Council website at <https://www.trade.gov/presidents-export-council>.

DATES: November 29, 2023 at 9:30 a.m. ET.

ADDRESSES: The President’s Export Council meeting will be broadcast via live webcast on the internet. Please visit the Council’s website at <https://www.trade.gov/presidents-export-council> for the link to the live webcast on the day of the meeting.

FOR FURTHER INFORMATION CONTACT: Tricia Van Orden, Designated Federal Officer, President’s Export Council, Room 3424, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: 202–482–5876, email: tricia.vanorden@trade.gov.

Press inquiries should be directed to the International Trade Administration’s Office of Public Affairs, telephone: 202–482–3809.

SUPPLEMENTARY INFORMATION:

Background: The President’s Export Council was first established by Executive Order on December 20, 1973 to advise the President on matters relating to U.S. export trade and to report to the President on its activities and recommendations for expanding U.S. exports. The President’s Export Council was renewed most recently by Executive Order 14109 of September 29, 2023, for the two-year period ending September 30, 2025. This Committee is governed in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. 1001 *et seq.*

Public Submissions: The public is invited to submit written statements to the President’s Export Council. Statements must be received by 5 p.m. ET on November 27, 2023 by the following methods:

a. Electronic Submissions

Submit statements electronically to Tricia Van Orden, Designated Federal Officer, President’s Export Council via email: tricia.vanorden@trade.gov.

⁴⁹ See section 782(b) of the Act.

⁵⁰ See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*). Answers to frequently asked questions regarding the *Final Rule* are available at http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.

⁵¹ Effective October 30, 2023, these changes will apply to all AD/CVD proceedings that are ongoing on the effective date and all AD/CVD proceedings initiated on or after the effective date. See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069 (September 29, 2023).

b. Paper Submissions

Send paper statements to Tricia Van Orden, Designated Federal Officer, President's Export Council, Room 3424, 1401 Constitution Avenue NW, Washington, DC 20230.

Statements will be posted on the President's Export Council website (<https://www.trade.gov/presidents-export-council>) without change, including any business or personal information provided such as names, addresses, email addresses, or telephone numbers. All statements received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. You should submit only information that you wish to make publicly available.

Meeting minutes: Copies of the Council's meeting minutes will be available within ninety (90) days of the meeting.

Dated: November 8, 2023.

Tricia Van Orden,

Designated Federal Officer, President's Export Council.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-051]

Certain Hardwood Plywood Products From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Determination of Antidumping Duty Investigation; Notice of Amended Determination Pursuant to Court Decision; and Notice of Revocation of Antidumping Duty Order, in Part

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

SUMMARY: On October 10, 2023, the U.S. Court of International Trade (CIT) issued its final judgment in *Linyi Chengen Import and Export Co., Ltd., et al., v. United States*, Consol. Court no. 18-00002, sustaining the U.S. Department of Commerce (Commerce)'s fifth remand results of redetermination pertaining to the less-than-fair-value (LTFV) antidumping duty investigation of certain hardwood plywood products (hardwood plywood) 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 final LTFV determination. Consequently, the final antidumping duty margin calculated for mandatory

respondent Linyi Chengen Import and Export Co., Ltd. (Chengen) is now zero percent and the rate assigned to the companies who received separate rates and are party to this litigation (Separate Rate Plaintiffs) is the rate assigned to Chengen, zero percent. In addition, because the final margin assigned to Chengen and the two companies that requested voluntary respondent treatment and submitted all of the threshold information necessary to be eligible for voluntary respondent treatment, Zhejiang Dehua TB Import & Export Co. (Dehua TB) and Xuzhou Jiangyang Wood Industries, Co., Ltd. (Jiangyang), is zero, Chengen, Dehua TB, and Jiangyang, in the exporter-producer combinations assigned in the investigation, are excluded from the *Order*.

DATES: Applicable October 20, 2023.

FOR FURTHER INFORMATION CONTACT: Kabir Archuletta, 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) 482-2953.

SUPPLEMENTARY INFORMATION:

Background

On December 8, 2016, Commerce initiated an LTFV investigation on plywood from China,¹ and we issued our *Final Determination* in this investigation in November 2017.² In the *Final Determination*, Commerce calculated the normal value (NV) for mandatory respondent Chengen by applying the "intermediate input" methodology and valuing Chengen's consumption of wood veneers,³ rather than by valuing Chengen's consumption of wood logs.⁴ Commerce further

¹ See *Certain Hardwood Plywood Products from the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation*, 81 FR 91125 (December 16, 2016).

² See *Certain Hardwood Plywood Products from the People's Republic of China: Final Determination of Sales at Less Than Fair Value, and Final Affirmative Determination of Critical Circumstances, in Part*, 82 FR 53460 (November 16, 2017) (*Final Determination*), and accompanying Issues and Decision Memorandum (IDM).

³ Commerce's general practice in non-market economy proceedings, consistent with section 773(c)(1)(B) of the Tariff Act of 1930, as amended (the Act), is to calculate NV using the factors of production (FOP) that a respondent consumes to produce a unit of the subject merchandise. There are circumstances, however, in which Commerce will modify its standard FOP methodology, choosing instead to apply a surrogate value to an intermediate input instead of the individual FOPs used to produce that intermediate input. See *Final Determination IDM* at Comment 2.

⁴ See *Final Determination IDM*; see also *Certain Hardwood Plywood Products from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order*, 83 FR 504 (January 4, 2018) (*Order*).

assigned to the companies eligible for a separate rate, in combination with their suppliers, an estimated weighted-average dumping margin based on Chengen's estimated weighted-average dumping margin.⁵

In *Linyi Chengen Imp. & Exp. Co. v. United States*, 391 F. Supp. 3d 1283 (CIT 2019) (*Remand Order I*), the CIT requested further explanation regarding our *Final Determination*. On remand, Commerce provided further explanation and continued to apply the intermediate input methodology, as in the underlying *Final Determination*, and made no change to the estimated weighted-average dumping margin calculated for Chengen and assigned to the Separate Rate Plaintiffs.⁶

In its *Remand Order II*, the CIT found Commerce's explanation contrary to law and instructed it to accept certain information previously not permitted on the record.⁷ On remand and under respectful protest, Commerce accepted this new factual information from Chengen, reconsidered the application of the intermediate input methodology to Chengen, and calculated an estimated weighted-average dumping margin based on the valuation of Chengen's log FOPs, which resulted in an estimated weighted-average dumping margin for Chengen of zero percent.⁸ Because Chengen received a zero percent rate, Commerce explained that it intended to exclude hardwood plywood produced by Linyi Dongfangjuxin Wood Co., Ltd. (Dongfangjuxin) and exported by Chengen from the *Order*.⁹ In addition, Commerce revised the estimated weighted-average dumping margin for the China-wide entity to be equal to the highest dumping margin alleged in the Petition, 114.72 percent,¹⁰ and revised the estimated weighted-average dumping margin assigned to the Separate Rate Plaintiffs by averaging Chengen's zero percent rate with the

⁵ See *Final Determination*, 82 FR at 53462.

⁶ See *Final Results of Redetermination Pursuant to Court Remand, Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, Court No. 18-00002, Slip Op. 19-67 (CIT June 3, 2019), dated August 23, 2019. For a list of these companies, see Appendix to this notice; see also *Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, 487 F. Supp. 3d 1349 (CIT 2020) (*Remand Order III*).

⁷ See *Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, 433 F. Supp. 3d 1278, 1286 (CIT 2020) (*Remand Order II*), at 1.

⁸ See *Final Results of Redetermination Pursuant to Court Remand, Linyi Chengen Import and Export Co., Ltd., et al. v. United States*, Court No. 18-00002, Slip Op. 20-22 (CIT February 20, 2020), dated June 18, 2020 (*Redetermination II*).

⁹ See *Redetermination II* at 53.

¹⁰ *Id.* at 15 and Issue 3; see also Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties," dated November 18, 2016 (Petition).