

For more information, contact Yvette Springer on 202-482-2813.

Dated: November 17, 2013.

Kevin J. Wolf,

Assistant Secretary for Export Administration.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Emerging Technology and Research Advisory Committee; Notice of Open Meeting

The Emerging Technology and Research Advisory Committee (ETRAC) will meet on December 19, 2013, 8:30 a.m., Room 3884, at the Herbert C. Hoover Building, 14th Street between Pennsylvania and Constitution Avenues NW., Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration on emerging technology and research activities, including those related to deemed exports.

Agenda

Thursday, December 19

Open Session

1. Opening Remarks and Comments
2. Discussion on status of the Export Control Reform Initiative
3. Emerging Technology Issues
 - Harmonization of definitions: ITAR and EAR
 - Massive On-Line Instruction
 - OY521 and Emerging Technology
 - Exceptions: GOV and Technology Software Unrestricted (TSU)
4. Guest Speaker—National Academies
5. Guest Speaker—National Institutes of Health—Export Controls and Medical Research
6. Public Comments, Suggestions

The open session will be accessible via teleconference to 20 participants on a first come, first serve basis. To the conference, submit inquiries to Ms. Yvette Springer at Yvette.Springer@bis.doc.gov, no later than December 12, 2013.

A limited number of seats will be available for the public session. Reservations are not accepted. To the extent that time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate the distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation

materials prior to the meeting to Ms. Springer via email.

For more information, call Yvette Springer at (202) 482-2813.

Dated: November 20, 2013.

Yvette Springer,

Committee Liaison Officer.

[FR Doc. 2013-28400 Filed 11-26-13; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-913]

Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Notice of Decision of the Court of International Trade Not in Harmony and Notice of Amended Final Determination

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

SUMMARY: On October 30, 2013, the United States Court of International Trade (CIT) entered final judgment sustaining a remand redetermination of the Department of Commerce (Department) relating to the countervailing duty (CVD) investigation on certain new pneumatic off-the-road tires (OTR tires) from the People's Republic of China.¹ 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 affirmative determination in the CVD investigation of OTR tires from the PRC and is amending its final determination with respect to the total net countervailable subsidy rate calculated for Tianjin United Tire & Rubber International Co., Ltd. (TUTRIC).

DATES: *Effective Date:* November 9, 2013.

FOR FURTHER INFORMATION CONTACT: Jun Jack Zhao, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-1396.

¹ See *GPX Int'l Tire Corp. v. United States*, Consol. Ct. No. 08-00285, Slip Op. 13-132 (Ct. Int'l Trade Oct. 30, 2013) (*GPX VIII*).

SUPPLEMENTARY INFORMATION: In July 2008, the Department published a final determination in which it found that countervailable subsidies are being provided to producers/exporters of OTR tires from the PRC.² As part of the *Final Determination*, the Department calculated a CVD rate for TUTRIC of 6.85 percent.³ A summary of that determination and resulting domestic litigation can be found in *Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Notice of Decision of the Court of International Trade Not in Harmony*, 75 FR 62505 (October 12, 2010) (2010 *Timken Notice*).

In May 2012, the CAFC vacated and remanded the earlier final judgment of the CIT referenced in the 2010 *Timken Notice*.⁴ The CIT subsequently ordered the Department to reconsider several methodological and calculation issues from the *Final Determination*.⁵ On remand, the Department recalculated the subsidy rate for TUTRIC's debt forgiveness as well as its total countervailable subsidy rate.⁶ The CIT sustained the Department's Remand Redetermination in *GPX VIII*.

Timken Notice

In its decision in *Timken*, as clarified by *Diamond Sawblades*, the CAFC 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 October 30, 2013, judgment in *GPX VIII* constitutes a final decision of that court that is not in harmony with the Department's final determination. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. Since the *Final Determination*, the Department has established a new cash deposit rate

² See *Certain New Pneumatic Off-The-Road-Tires From the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Negative Determination of Critical Circumstances*, 73 FR 40480 (July 15, 2008) (*Final Determination*).

³ *Id.*, 73 FR 40483.

⁴ See *GPX Int'l Tire Corp. v. United States*, 678 F.3d 1308 (Fed. Cir. 2012).

⁵ See *GPX Int'l Tire Corp. v. United States*, 893 F. Supp. 2d 1296 (Ct. Int'l Trade 2013).

⁶ See Final Results of Redetermination Pursuant to Remand, CIT Consol. Court No. 08-00285 (April 16, 2013) (Remand Redetermination).

for TUTRIC.⁷ Therefore, this amended final determination does not change TUTRIC's cash deposit rate.

Amended Final Determination

Because there is now a final CIT judgment with respect to the *Final Determination*, the revised total net countervailable subsidy rate for TUTRIC is 3.93 percent.⁸

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

Dated: November 20, 2013.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2013-28552 Filed 11-26-13; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-988]

Final Determination of Sales at Less Than Fair Value: Silica Bricks and Shapes From the People's Republic of China

AGENCY: Enforcement & Compliance, formerly Import Administration, International Trade Administration, Department of Commerce

DATES: *Effective Date:* November 27, 2013.

SUMMARY: On June 20, 2013, the Department of Commerce ("Department") published its preliminary determination of sales at less than fair value ("LTFV") in the antidumping duty investigation of silica bricks and shapes from the People's Republic of China ("PRC").¹ The Department invited interested parties to comment on the *Preliminary Determination*. Based on the Department's analysis of the comments received, the Department made changes to the *Preliminary Determination*. The Department determines that silica bricks and shapes from the PRC are being, or are likely to be, sold in the United States

at LTFV, as provided in section 735 of the Tariff Act of 1930, as amended (the "Act"). The final weighted-average dumping margins for this investigation are listed in the "Final Determination" section below.

FOR FURTHER INFORMATION CONTACT:

Jonathan Hill, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3518.

SUPPLEMENTARY INFORMATION:

Background

The Department published its *Preliminary Determination* on June 20, 2013.² Between June 24, 2013 and July 1, 2013, the Department conducted verification of the mandatory respondent Tianjin New Century Refractories Co., Ltd.; Tianjin New World Import & Export Trading Co., Ltd.; and XinYi American Advanced Material Co., Ltd. (collectively, "New Century Group")³ and its unaffiliated producer, Dengfeng Yuzhong Refractories Co. Ltd. ("Dengfeng Yuzhong").⁴

On July 15, 2013, Utah Refractories Corporation ("Petitioner") requested that the Department reject as untimely the unsolicited submission of new factual information filed on July 5, 2013 by New Century Group.⁵ The Department did not reject this submission as it was information requested by the Department during verification of New Century Group and which the Department asked that New Century Group submit to the record.

On July 30, 2013, New Century Group submitted surrogate value comments. On August 12, 2013, Utah Refractories Corporation ("Petitioner") submitted rebuttal surrogate value comments.

On August 17, 2013 and August 19, 2013, the New Century Group and Fedmet Resources Corporation, respectively, submitted case briefs. On

September 3, 2013, Petitioner submitted a rebuttal brief.

As explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013.⁶ Therefore, all deadlines in this proceeding have been extended by 16 days. If the new deadline falls on a non-business day, in accordance with the Department's practice, the deadline will become the next business day. Thus, the revised deadline for the final determination in this investigation is November 20, 2013.

Period of Investigation

The period of investigation ("POI") is April 1, 2012, through September 30, 2012. This period corresponds to the two most recent fiscal quarters prior to the month of the filing of the petition, which was November 2012.⁷

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this investigation are addressed in the Issues and Decision Memorandum.⁸ A list of the issues which the parties raised and to which the Department responded in the Issues and Decision Memorandum is attached to this notice as an Appendix. 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 (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and it is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

⁷ See *Implementation of Determinations Under Section 129 of the Uruguay Round Agreements Act: Certain New Pneumatic Off-the-Road Tires; Circular Welded Carbon Quality Steel Pipe; Laminated Woven Sacks; and Light-Walled Rectangular Pipe and Tube From the People's Republic of China*, 77 FR 52683 (August 30, 2012).

⁸ Total net countervailable subsidy rates for other respondents identified in the *Final Determination* remain unchanged. See *Final Determination*, 73 FR 40483.

¹ See *Silica Bricks and Shapes from the People's Republic of China: Preliminary Determination of Antidumping Duty Investigation and Postponement of Final Determination*, 78 FR 37203 (June 20, 2013) ("*Preliminary Determination*").

² See *Preliminary Determination*.

³ In the *Preliminary Determination*, the Department determined to treat these companies as a single entity and continues to do so. See the memorandum from Rebecca Pandolph, International Trade Analyst, AD/CVD Operations, Office 4 through Howard Smith, Program Manager, AD/CVD Operations, Office 4 to Abdelali Elouaradia, Office Director, AD/CVD Operations, Office 4, "Silica Bricks and Shapes from the People's Republic of China: Affiliation and Single Entity Status," dated June 13, 2013.

⁴ See the "Verification" section below.

⁵ See Letter from Petitioner to the Secretary of Commerce, "Silica Bricks and Shapes from the People's Republic of China Request to Reject Untimely Additional Factual Information," dated July 15, 2013.

⁶ See Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (October 18, 2013).

⁷ See 19 CFR 351.204(b)(1).

⁸ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Issues and Decision Memorandum for the Final Determination of Sales at Less-Than-Fair-Value: Silica Bricks and Shapes from the People's Republic of China," dated concurrently with this notice ("Issues and Decision Memorandum").