



A-580-883

Administrative Review
POR: 10/1/2017-9/30/2018**Public Document**

E&C/V: GC

July 21, 2020

MEMORANDUM TO: The Record

FROM: Jeffrey I. Kessler
Assistant Secretary
for Enforcement and Compliance

SUBJECT: Tolling of Deadlines for Antidumping and Countervailing Duty
Administrative Reviews

On April 24, 2020, Enforcement & Compliance (E&C) tolled by 50 days deadlines for all antidumping (AD) and countervailing duty (CVD) administrative reviews conducted pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended (the Act), that were before E&C as of that date.¹ Operational considerations due to COVID-19, which served as a basis for our April 2020 decision to toll certain deadlines, continue to exist. Based on those considerations, in conjunction with a recent surge in the filing of new AD and CVD petitions and corresponding investigations, E&C has decided to again toll certain deadlines. Specifically, E&C has decided to uniformly toll statutory deadlines for all preliminary and final results in administrative reviews conducted pursuant to section 751(a)(1) of the Act, by a total of 60 days.²

This determination applies to every AD/CVD administrative review segment before E&C as of the date of this memorandum, including administrative reviews of AD/CVD orders as well as administrative reviews of suspension agreements. However, this determination applies only to deadlines for preliminary and final determinations in AD/CVD administrative reviews. It does not apply to pending deadlines for actions by parties to administrative reviews (such as the submission of AD/CVD questionnaire responses, supplemental questionnaire responses, and case and rebuttal briefs). Commerce will continue to consider timely extension requests for individual submissions on a case-by-case basis.

This determination does not apply to any segment of a proceeding other than administrative reviews. For example, it does not apply to AD/CVD investigations being conducted pursuant to sections 701 *et seq.* and 731 *et seq.* of the Act. It also does not apply to deadlines for court-

¹ See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews," dated April 24, 2020.

² The tolling of administrative review deadlines by 60 days is in addition to the previous tolling of administrative reviews by 50 days.



ordered redeterminations and the associated administrative (remand) proceedings, which will continue along the same deadlines as previously established by the court and by Commerce. Thus, AD/CVD investigations and remand proceedings are continuing on schedule. This determination also does not apply to scope inquiries, anti-circumvention proceedings, changed circumstances reviews, or sunset reviews. It does not apply to new shipper reviews, unless a pending new shipper review has been aligned with an administrative review pursuant to 19 CFR 351.214(j).

By tolling deadlines in administrative reviews, E&C is responding to operational adjustments due to current circumstances. Tolling administrative review deadlines makes available resources and personnel needed to continue performing E&C's other functions, such as reviewing new petitions and conducting AD/CVD investigations in accordance with statutory deadlines, as well as conducting remand proceedings in accordance with deadlines established by the courts. This decision is based on a current assessment of operational considerations, including workload demands and staffing availability.

Interested parties should contact the E&C staff assigned to a specific administrative review if there are further questions.