

CHAPTER 4

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LIST OF ACRONYMS & ABBREVIATIONS

AD	ANTIDUMPING
CEP	CONSTRUCTED EXPORT PRICE
CFR	CODE OF FEDERAL REGULATIONS
COP	COST OF PRODUCTION
CV	CONSTRUCTED VALUE
DOC	DEPARTMENT OF COMMERCE
EC	EXPORTING COUNTRY
EP	EXPORT PRICE
GATT	GENERAL AGREEMENT ON TARIFFS AND TRADE
GNP	GROSS NATIONAL PRODUCT
IA	IMPORT ADMINISTRATION
NME	NON-MARKET ECONOMY
NV	NORMAL VALUE
OA	OFFICE OF ACCOUNTING
OP	OFFICE OF POLICY
PIERS	PORT IMPORT EXPORT REPORTING SERVICE

LIST OF ACRONYMS & ABBREVIATIONS

PM	PROGRAM MANAGER
POI	PERIOD OF INVESTIGATION
POR	PERIOD OF REVIEW
SAA	STATEMENT OF ADMINISTRATIVE ACTION
ANTIDUMPING AGREEMENT	AGREEMENT ON THE INTERPRETATION OF ARTICLE VI OF THE GATT
THE ACT	THE TARIFF ACT OF 1930, AS AMENDED

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References:

The Tariff Act of 1930, as amended (the Act)

Section 777A - sampling for the selection of exporters and producers

Section 782 - treatment of voluntary responses; difficulties in meeting reporting requirements

Department of Commerce (DOC) Regulations

19 CFR 351.204 - **period of investigation** (POI) and appropriate recipients

19 CFR 351.213 - requests for **administrative reviews**

19 CFR 351.301 - time limits for responses

19 CFR 351.302 - extension of response dates

SAA

Section C.4 - evidentiary and procedural requirements for antidumping proceedings

Antidumping Agreement

Article 6.1 - questionnaires

Article 6.1.1 - questionnaire response time and extensions

Article 6.10 - limiting the number of respondents

I. PREPARATION

Following the initiation of an antidumping duty investigation or **administrative review**, the analyst's next major project is the preparation of an antidumping duty questionnaire. If time permits during the initiation of an investigation, the analyst may be able to get started on it. For **administrative reviews**, the analyst should refer to the questionnaire used during the investigation or the last review, as appropriate, as a starting point in tailoring the standard questionnaire for the review in question. The questionnaire should describe all the essential information necessary to conduct the investigation or review for the individual respondent that is involved. Consequently, it is vital that we identify all the relevant information we will need.

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A. The Questionnaire Format

We have four different basic questionnaires, two for investigations and two for **administrative reviews**. For both investigations and **administrative reviews**, we have one questionnaire for market-economy cases, and one for non-market-economy (NME) cases. The POI for a market- economy investigation normally covers the four most recently completed fiscal quarters as of the month preceding the month in which the petition is filed. For non-market-economy investigations, the POI normally covers the two most recently completed fiscal quarters. The DOC may, however, examine any additional or alternate period deemed appropriate. See 19 CFR 351.204(b).

The **period of review** (POR) for an **administrative review** is usually 16-17 months for a first review (because it normally includes the investigative time period between the suspension of liquidation of entries of the merchandise (preliminary determination) and the antidumping duty order as well as the 12 months following the antidumping duty order) and 12 months for all subsequent reviews. Alternative PORs are extremely rare.

Generally, all antidumping questionnaires follow the format outlined below.

1. Section A

This section requests general information concerning the investigated company's corporate structure and business practices, the merchandise under investigation or review that it sells, and the quantity and value of sales of the merchandise in all markets. More specifically, the type of information requested in this section of the questionnaire should enable us to:

- o establish the size of the various markets to determine the best measure of **normal value** (NV) - exporting-country (EC) market prices, third-country prices, or **constructed value** (CV) (see Chapter 8 for information on NV);
- o determine the appropriate basis for export price (EP) or **constructed export**

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price (CEP) (see Chapter 7 on EP and CEP);

- o become familiar with the corporate organization (including relationships with other companies that may affect the investigation or review), the distribution systems, the sales process (including the methodology the company used to determine the appropriate **date of sale**), and accounting practices;
 - o define the merchandise sold in the United States and identify any identical or **similar merchandise** sold in other markets;
 - o determine the extent of further manufacture or assembly in the United States; and
 - o determine if the product was exported through intermediate countries and if the product was supplied by an unaffiliated producer.
- o determination if the exporting country was undergoing high inflation during the POI/POR.

2. Section B

This section requests a listing of the sales transactions for use in determining the NV of the **foreign like product**. We ask for data for all the **subject merchandise** sold during the POI or POR in the **comparison market**, which could be either the EC market or an appropriate third-country market if the EC market is not viable.

Our request is generally comprised of two parts. First, we ask for a sales listing on computer tape with complete sales details, including product and customer identifiers, sale dates, quantities, prices, and adjustments to be made to the prices. Second, we ask for a narrative description for most

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elements of the sales listing. Normally, the narrative should cover the following:

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- o product and customer identification
 - o terms of sale
 - o dates of sale
 - o **discounts and rebates**
 - o **level of trade adjustment**
 - o movement charges (freight, pre-sale warehouse, insurance), direct expenses (such as commissions, **credit expenses**, post-sale warehouse, royalties and certain advertising, warranty, and **technical service expenses**)
 - o **indirect expenses** (such as **inventory carrying costs** and product liability insurance)
 - o packing costs
 - o **difference in merchandise adjustments**
 - o taxes
 - o any other expenses and/or special factors to be taken into account for determining NV

For investigations and **administrative reviews**, the questionnaire may only request a sample of EC market sales. Consult your supervisor or program manager (PM) if a respondent requests reporting of a sample of sales or if you feel reporting by sample is appropriate. Also see section 777A of the Act. Note that Section B is not included in NME questionnaires.

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3. Section C

For investigations, this section requests a listing of the U.S. sales transactions for the POI for use in determining EP and/or CEP of the merchandise. For **administrative reviews**, we request sales information and information on entries (shipments if entry information is not available) for the POR (see Chapter 18). We ask for the same type of information and in the same format as for Section B described above. Generally, however, we request more data for U.S. sales to cover such items as:

- o international movement charges (ocean freight, marine insurance, brokerage and handling, duties, etc.)
- o duty drawback (i.e., rebated foreign duties applied to raw material imports later exported in a finished form)
- o whether or not the selling expenses reported for CEP transactions relate to economic activity in the United States.

If a company sells to the United States on both an EP and a CEP basis, each class of sales must be reported separately.

4. Section D

This section requests **cost of production** (COP) and CV information. Unlike the previous three sections of the questionnaire, which focus on the sales of the subject merchandise, this portion focuses on the manufacture of the merchandise. In NME cases, the respondents are always required to respond to a specially-tailored version of this section so that we can determine the **factors of production** to which surrogate values are applied. In market-economy cases we notify the respondent in the cover letter to the questionnaire if the respondent is required to respond to this section. Sometimes, however, you will have to analyze a respondent's answers to Section A questions before

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you will be able to determine if answers to section D questions are required. In market-economy cases we request a response to section D if CV is, or is likely to be, used as NV and/or if we decide to investigate whether foreign market sales are made at prices below the COP. This part of the questionnaire is modified in the case of economies with high inflation. For investigations, Section D questionnaires are almost always prepared by an accountant in the Office of Accounting (OA) or by a financial analyst (see Chapter 8 for more information on COP/CV).

5. Section E

This section requests information about value added in the United States prior to delivery to unaffiliated U.S. customers. The information regarding further manufacturing or assembly in the United States is necessary to determine the value added by these operations so that we can make appropriate price comparisons. Although this section is included in the questionnaire, we usually do not ask the respondent to answer these questions until we analyze the answers to pertinent Section A questions. For investigations, Section E questionnaires are almost always prepared by accountants in the OA or a senior financial analyst (see Chapter 7 for more information on further manufacture in the United States).

6. Questionnaire Appendixes

To supplement the other parts of the questionnaire, we include:

- o a detailed glossary of terms (Appendix I);
- o instructions for submitting computer data (Appendix II);
- o a description of the merchandise under investigation (Appendix III);

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- o formats for a certificate of service for the delivery of the submission on other interested parties and a certificate from a company official as to the completeness and accuracy of the submission (Appendix IV); and
- o any categorization of the merchandise we will require and product matching criteria (Appendix V).

B. Drafting the Questionnaire

Our antidumping questionnaire is compiled in a standard format that is tailored to suit the requirements of an investigation or review. Check with your supervisor or program manager (PM) to ensure that you are using a current and approved version. The Office of Policy in IA is responsible for maintaining and updating all current AD questionnaires.

1. Modifications to Standard Questionnaires

After selecting the appropriate questionnaire for use as a model, it must be modified to reflect the product under investigation or review. As part of the initiation process, the product should have been precisely defined for the purpose of our investigation. In an investigation, any refinements to the product scope should be made at this point in Appendix III. Note that only product-specific modifications can be made to the master AD questionnaire without approval. Any substantive changes to the questionnaire dealing with statutory, regulatory, or policy requirements must be cleared with your supervisor or PM and the Office of Policy for questionnaire changes. The product definition for **administrative review** should be based on the investigation or the most recent review unless a scope ruling has changed or clarified it.

In most investigations and **administrative reviews**, the subject merchandise has different control numbers to identify the product. The control numbers are assigned to each unique product reported in the sales response. Identical

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products are assigned the same control number in both the foreign market and U.S. sales files. Even if products in the U.S. and comparison markets possess all of the product characteristics specified in the comparison criteria in Appendix V, it does not mean that they are identical. The comparison criteria are usually used to establish what is the most similar comparison to a given U.S. product. If identical products are reported, check with your supervisor or PM to determine if additional questions should be asked in a supplemental questionnaire.

To help us with the description and categorization of the product for an investigation, we solicit and review comments from the petitioner and any prospective respondents. On occasion, we have involved product experts from elsewhere within the DOC or the federal government to assist in defining and classifying products. Check with your supervisor or PM if you feel such outside consultation is warranted in the case. A visit to the petitioner's production facility may also be an effective way to gain product and trade information. Check with your supervisor or PM to determine whether this type of trip is warranted for your investigation or review. If a trip is taken, you must place a detailed memo in the file describing what you learned.

Other sources for product-specific questionnaire modifications are past cases. We may have already investigated the particular product before, from the same or other countries. Check in the Central Records Unit of Import Administration (IA) to review the questionnaire and product information for these cases. The previous case may help to define the computer variables and market factors. You may find that during the course of the other proceeding certain information not originally requested in the questionnaire was needed later on in the case and, therefore, this information should be incorporated in the questionnaire for the current case. If the particular product has not been investigated before, try to review questionnaires issued on similar products. For example, if the product is aluminum sheet and there has been no investigation on it before, try steel or brass sheet and strip cases for questionnaire ideas.

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In investigations and reviews, usually limited to those involving a multitude of models or complex merchandise, we send out Section A of the questionnaire in advance of the other sections. We receive a response in time to incorporate the information received into the rest of the questionnaire. The analyst must review the Section A response in that light. In particular, look at the market **viability** of the EC - are there enough sales (generally at least 5 percent of all U.S. sales) to use the EC as the basis for determining NV or should third-country markets or CV be considered (See Chapter 8 for more information on market viability)? Review the sections on merchandise descriptions for additional product information that may need to be incorporated. The information on discounts, rebates, sales and distribution systems should also provide some ideas on tailoring the questionnaire to the investigation or review.

Either in the Section A response or in other submissions, a potential respondent in an investigation, as well as the petitioner, may recommend altering the POI. 19 CFR 351.204(b)(1) gives us the authority to change the POI when appropriate. An example of this situation can be found in the large newspaper printing presses from Japan investigation (see the October 27, 1995, memorandum on this subject in the case file).

Once the analyst has incorporated all necessary questionnaire modifications and prepared a draft for the investigation or review, the draft should be reviewed by the IA team and case attorney and the supervisor for comments and changes. After this step, for investigations we generally allow the petitioner (or in special circumstances the respondent, e.g., concerns about high inflationary accounting systems) to comment on our draft. We usually grant the petitioner a 24-to-48-hour review period. There is no requirement to seek comments on questionnaires for reviews. Because review questionnaires are more standardized, given IA's experience with the product, they are not circulated to outside parties prior to issuance. Note that outside comments may prove useful as an aid, but we are under no obligation to incorporate any of the petitioner's comments into our final version of the questionnaire.

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After all comments are received and considered, the analyst should finalize the draft. Team members should be given the opportunity to review the final version for any further comment, and they must initial the final version to indicate their concurrence in its use. Once the supervisor or PM has approved it, the questionnaire is ready for presentation.

2. Special-Circumstances Questionnaires

- a. Cases involving NME countries (generally any former Soviet republic, Eastern European country (except Poland), or the People's Republic of China) require special methodologies to determine NV (see Chapter 8 on NV). Whenever it appears that an NME is involved, the analyst should advise the OP, and request a determination on whether the subject country is an NME. This determination is required in every investigation or review involving one of the above-referenced countries, even if it appears obvious that the country is an NME or the country has previously been deemed an NME. In making an NME determination, the OP looks at such factors as whether the government, rather than the market, sets prices. Once it is determined that the country in question is an NME country, the OP, upon written request, provides us with a list of potential surrogate countries that are at a comparable GNP-per-capita level to the NME country and that are significant producers of the merchandise under investigation or review. The list is used to find values for the respondent's factors of production (i.e., the amount of materials, labor, overhead and other expenses necessary to produce the foreign like product) which are reported in the questionnaire response. Always consult with your team members and supervisor or PM in selecting surrogate countries for NME investigations and reviews.

In NME investigations and reviews, the questionnaire for the producers will only request U.S. sales and factors of production information for the merchandise under consideration. To find appropriate values for the factors of production, we conduct our own research as well as allow the petitioner and the respondent to supply values. See the July 25, 1995 memo on

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surrogate country selection in the circular welded non-alloy steel pipe from Romania investigation for an example of this process. Other examples of NME treatment include Pure Magnesium and Alloy Magnesium from the Russian Federation, 60 FR 16440 (March 30, 1995), and Polyvinyl Alcohol from the People's Republic of China, 61 FR 14057 (March 29, 1996).

- b. Cases involving economies that have experienced high inflation rates during or around the POI or POR may require special methodologies involving **home market** pricing, COP, CV, difference in merchandise adjustments, and currency exchange. Supporting information may be required in the questionnaire. Cases which demonstrate the use of these methodologies include Small Diameter Circular Seamless Carbon and Alloy Steel, Standard, Line and Pressure Pipe from Brazil, 60 FR 31960 (June 19, 1995), and Certain Pasta from Turkey, 61 FR 30309 (June 14, 1996).

II. PRESENTATION

A. Identifying the Appropriate Recipients of a Questionnaire

19 CFR 351.204(c)(1) requires us to examine, where practicable, each known exporter and producer of the subject merchandise during the POI in an investigation. However, if both the respondent and the petitioner agree, we may decline to investigate some (see Preliminary Determination of Sales at Less Than Fair Value: Polyvinyl Alcohol from Japan, 60 FR 52650 (October 10, 1995)). If it is not practicable to examine all known exporters/producers in an investigation or, in an **administrative review**, all parties for which we received a request for review because of the large number of exporters or producers, the DOC may determine the weighted-average **dumping** margins for a reasonable number of exporters or producers by limiting its examination to

1. a sample of exporters, producers, or types of products that is statistically valid based on the information available to the administering authority at the time of selection, or

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2. exporters and producers accounting for the largest volume of the subject merchandise from the exporting country that can be reasonably examined.

To determine which companies in a given country will be examined in an investigation, we request certain commercial information from the appropriate U.S. embassy. The following information should be requested during the initiation process or, at the latest, immediately after the initiation of the investigation:

1. The names of the manufacturers producing the investigated product, the U.S. quantities sold, the value of these sales, and the number of the sales for the most recently completed calendar year, and, to the extent available, the same data for the current calendar year up to the filing of the petition and for the POI specifically. Check with your supervisor or PM to see if additional information is required.
2. Any relationships between manufacturers and importers.
3. Any relationships between manufacturers and resellers (such as trading companies). If there are such relationships, a reseller portion must be added to the questionnaire.
4. Total value, quantity and number of EC or third-country market sales of the like product for each company for the POI.

This request is sent via cable to the the Commercial Service officer at the embassy in the foreign capital. These cables must be cleared by the "desk officer" and any other appropriate official in the Market Analysis and Compliance unit of International Trade Administration. See a recent case initiation file for an example of the cable format to be used and the clearances that are required. We request a reply to our cable within 10 days. For Japanese cases, we do not send a cable but instead send a letter to the Ministry of International Trade and Industry (MITI) official at the Japanese Embassy here in Washington to obtain this information. For cases involving the People's Republic of China, we send our queries to the Ministry of Foreign Trade and Economics

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(MOFTEC).

In some instances, when we are unsure whether companies are exporting to the United States, we send a "mini-A" questionnaire to all known producers. The "mini-A" questionnaire requests the same information requested in the cable we send to our embassy. Additionally, we ask the producers/exporters to assist us in identifying any other producers/exporters of the subject merchandise under investigation. Once we receive responses to the "mini-A" questionnaires, we can determine the proper recipients of the entire questionnaire. The proper recipients can be confirmed by comparing the list of companies acquired in the petition, from the CS, and from the mini-A to the companies listed in "Port Import Export Reporting Service"(PIERS) and U.S. Customs data. PIERS data is accumulated from entries on ships' manifests, and can be requested in the seventh-floor reference room of the DOC building. U.S. Customs data can be requested from the computer support staff. This data is proprietary and may not be placed on the record or released to outside parties. It is only to be used to corroborate information already on the record. Always consult your supervisor before requesting U.S. Customs data as very restrictive rules apply to its use (see Chapter 7, section IX for more information on the selection of exporters or producers).

For **administrative reviews** questionnaires for the POR are sent based on requests by petitioners, importers, or respondent resellers or manufacturers of the subject merchandise. In a review, each and every U.S. sale made by every firm under review must be examined unless a decision is made to examine a sample of sales. See the file for any recent antifriction bearings (other than tapered roller bearings) from France, Germany, Italy, Japan, Singapore, Sweden, or the United Kingdom **administrative review** for information on the sampling of sales. The CAFC has ruled that a "sale" is a transfer "for consideration". Thus zero price sample "sale" are not used to calculate NV. See *NSK vs. United States*, count number 96-1359, August 10, 1997.

B. Voluntary Respondents

For investigations and **administrative reviews** where we are unable to examine all exporters or producers, the companies we do not select as officially designated

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respondents may request to be voluntary respondents. We should furnish these companies with a questionnaire. In our cover letter, we should advise these companies that, if their responses are accepted for analysis, they will be accorded the same treatment as all officially designated respondents in the investigation or review. This includes the application of **facts available**, if necessary. Voluntary responses will be accepted if 1) these responses are timely filed, and 2) the number of mandatory respondents is not so large as to make analysis of the voluntary responses unduly burdensome for the DOC (see section 782 of the Act and 19 CFR 351.204(d)(2) for guidelines on the treatment of voluntary responses).

C. Presenting the Questionnaire

Normally, for an investigation, questionnaires are issued shortly after the International Trade Commission's preliminary injury determination which occurs 45 days after the date on which the petition is filed. For **administrative reviews**, questionnaires should be issued as soon as practicable after initiation, usually by the 45th day after the last day of the anniversary month. Since most respondent companies are represented by legal counsel, presentations are most often made to attorneys at our offices in the DOC. We notify the respondent's counsel that the questionnaire is ready to be picked up, and that we are available to meet with them and their client to discuss the contents. If a meeting is requested, we use it to go over the questionnaire with them, highlight any special requirements (particularly product descriptions and product matching criteria), and answer their questions.

A memorandum on the meeting, covering all special requests and/or modifications to the questionnaire requests, must be made and placed in the official record. Any changes to the reporting requirements or other portions of the questionnaire that the respondent wishes must be requested in writing and approved by your supervisor or PM. If we decide to modify reporting requirements, we will respond in writing. Under no circumstances should we orally agree to change questionnaire reporting requirements. If a respondent is not represented by counsel, we will present the questionnaire directly to the respondent. For an investigation, if the respondent cannot send someone to Washington to accept this presentation, we may be able to make an on-site presentation,

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depending on the magnitude of the case. More often, for investigations and reviews, the questionnaire is delivered via mail or international air express. Questions may be handled by phone, by mail, or by fax. Be certain that any requests for modifications of the reporting requirements are in writing and documented for the official record. Remember that you may not orally change reporting requirements. You should always consult with your supervisor or PM if a request is made to modify the questionnaire. When questionnaires are sent by express mail, you should contact the express company one week later to verify acceptance by the firm. For expressed and mailed packages, you should make telephonic contact with the firm one week after sending them to ensure that the questionnaire has found its way to the right individual at the company. At that time you should request written confirmation of receipt of the package and attempt to answer any questions the respondent may have. You should also go over our service, certification, and **administrative protective order** procedures. Always document the preceding activities by placing a memo in the file.

III. SUPPLEMENTAL QUESTIONNAIRES

The antidumping duty questionnaire presented to respondents in the early stages of the investigation or **administrative review** is generally not our sole request for information. A review of just about any case file will normally uncover a number of requests for further information. These requests are generally sent out to obtain information previously requested and not received, to clarify information submitted to the DOC, or to obtain new information based on data submitted or changed circumstances of the investigation or review.

The first and most common vehicle used to request additional information is a supplemental questionnaire. In Chapter 5, we discuss how to analyze a questionnaire response. In many cases, responses reveal the need for additional information. While the respondent may have covered all the points in the questionnaire, some areas may lack complete explanations or supporting documentation such as worksheets for expenses. The analyst will examine the questionnaire response and develop a list of these areas. This list, in turn, will be reworked into the questionnaire format, following the order of the original questionnaire.

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In addition to the omissions found, the analyst should also include any requests for clarification where the interpretation of the response is not readily understandable. Ask the respondent to be specific and state in writing exactly what an item means. If you are not sure whether the respondent has reported costs in dollars or the foreign currency, ask the respondent to state which currency was used.

Finally, include any requests for new information if a response raises new questions. For example, if the response refers to **exporting country market** sales to Trading Company A, it would be prudent to follow up and ask whether the respondent knows if A then exports the merchandise. If so, does the respondent know the ultimate destination of goods sold to A? Is A related to the respondent? Answers to these questions will help establish whether the respondent has reported its sales, distribution channels, and corporate relationships correctly and completely.

If a CV and/or COP questionnaire response is also involved, and OA is responsible for that analysis in your case, coordinate the supplemental questionnaire with OA. Their supplemental list of questions should be combined with ours and sent out as part of a single document that has been reviewed and signed by your supervisor or PM.

Since a questionnaire response will include a computer tape (in some instances, diskettes are received), we must be certain that the tape we received has been successfully "loaded" onto our data processing facility. Check with the computer support team for your office on whether any problems were encountered with the computer tape. If so, include the programmer's corrective instructions with the rest of the supplemental questionnaire. A computer tape that is not successfully integrated into our system is useless and renders the questionnaire response useless as well (see Chapter 9 for information on computer tape responses).

When the analyst has completed the draft supplemental questionnaire and cover letter (which will include a due date for the response - see section IV below), the team should review and comment on it. After that step, the supervisor or PM will review and sign the document.

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Because of the short statutory deadlines for our preliminary determinations for investigations and results for reviews and the need to give respondents adequate time to reply, the analyst should try to draft a supplemental questionnaire within one or two weeks after the receipt of the questionnaire response. On the other hand, the analyst needs to take sufficient time to thoroughly analyze the response and incorporate any appropriate comments made by petitioner. Before you finalize your supplemental questionnaire in an investigation, always contact petitioners to determine if they will be submitting comments on the initial questionnaire responses. While we have sent out two or more supplemental questionnaires for investigations and reviews in the past, our strong preference is to send out one consolidated and comprehensive supplemental questionnaire. Accordingly, the analyst needs to balance timeliness with thoroughness before issuing the supplemental questionnaire. Nearly all antidumping case files will contain examples of supplemental information requests.

IV. DUE DATES

Time limits for submitting factual information, including questionnaire responses for investigations and **administrative reviews**, are described in 19 CFR 351.301. Under subsection (c)(2)(ii), we are given the authority to set the time limit for the response. Pursuant to 19 CFR 351.302, a party may request an extension. This extension request must be in writing and provide the reasons for the request. An extension request must be approved in writing.

Typically, for investigations and reviews, respondents are given 21 days from the issuance of the questionnaire to complete the Section A portion and 37 days from the issuance for the remainder. Extensions are usually for no more than 14 days. For supplemental questionnaires, our deadline will depend on the time remaining before a preliminary determination or **verification** for an investigation or the verification for an **administrative review**. Generally, we try to grant about 10 working days.

According to 19 CFR 351.301(b)(1), factual information relevant to an investigation should be submitted not later than seven days before the scheduled date of verification. However, 19 CFR 351.301(c)(2) allows the DOC to request information at any time.

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For an **administrative review**, factual information should be submitted no later than 140 days after the last day of the anniversary month except that verifying officials can request data to be submitted by seven days after the completion of the verification. See 19 CFR 351.301(b)(2), and 19 CFR 351.301(b)(3)(4) and (5) for information on due dates for questionnaire responses for sunset reviews, new shipper reviews, and expedited antidumping reviews. See 19CFR 351.301(Cc)(3) for dead lines on NME surrogate factor valuation data. In practice, for investigations, we do not make major requests following verification, or even following the preliminary determination. Additional supplemental requests for information for other than technical corrections or clarifications of data should be limited to instances where information developed in the course of the investigation indicates that further, relevant information is needed in order for us to make our final determination.

The regulations provide for rejection of untimely filed documents. Under 19 CFR 351.302(d), if a respondent does not meet the deadline we set, we will return the late documents to the submitter, along with written notice stating the reasons for the return. One copy of the submission is retained on the record, however, with a cover memorandum saying that we did not review the document. This is done solely for purposes of establishing and documenting the basis for returning the document to the submitter (see 19 CFR 351.104(a)(2)). In this regard, the analyst should emphasize to the respondent in the questionnaire cover letter the necessity of a timely response. Always consult with your supervisor or PM in these situations.

As noted above, the submission of factual information under 19 CFR 351.301(b) is sometimes tied to the date that the verification commences or ends. If a respondent has both foreign and U.S., the date of its first verification is used to calculate the submission date for pre-verification submissions in investigations. The date of the last verification for a company is used to calculate its date for post-verification submissions in reviews.