

8905a specifies the opportunities and conditions under which a retiree, survivor annuitant, separated employee, former spouse or former dependent child of a retiree, employee, or separated employee is eligible to change enrollment in the Federal Employees Health Benefits (FEHB) Program. DPRS-2809 is completed by the enrollee to make an open season enrollment change.

**Need and Use of the Information:** The DPRS-2809 is administered by the U.S. Department of Agriculture's National Finance Center (NFC) for use by separated employees or former spouses and former dependent children of active or separated employees. NFC determines whether all conditions permitting change in enrollment are met and implements the enrollment change. NFC also informs the FEHB carriers of the action. If this information were not collected, NFC could not comply with the provisions of title 5, U.S. Code, chapter 89.

**Description of Respondents:**  
Individuals.

**Number of Respondents:** 45,000.

**Frequency of Responses:** Reporting:  
Other (One time).

**Total Burden Hours:** 33,750.

**Ruth Brown,**

Departmental Information Collection  
Clearance Officer.

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BILLING CODE 3410-KS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-809]

#### Circular Welded Non-Alloy Steel Pipe From the Republic of Korea: Notice of Court Decision Not in Harmony With Final Results of Administrative Review of the Antidumping Duty Order and Notice of Amended Final Results of Review

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

**SUMMARY:** On October 19, 2021, the U.S. Court of International Trade (the CIT) issued its final judgment in *Husteel Co., Ltd. v. United States*, Consol. Court no. 19-00107, sustaining the Department of Commerce (Commerce)'s second remand results pertaining to the administrative review of the antidumping duty (AD) order on circular welded non-alloy steel pipe (CWP) from the Republic of Korea (Korea). Commerce is notifying the public that the CIT's final judgment is

not in harmony with Commerce's final results of the administrative review, and that Commerce is amending the final results with respect to the dumping margin assigned to Husteel Co., Ltd., Hyundai Steel Company, and the non-examined companies (SeAH Steel Corporation and NEXTEEL Co., Ltd.).

**DATES:** Applicable October 29, 2021.

**FOR FURTHER INFORMATION CONTACT:** Theodore Pearson, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2631.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 6, 2019, Commerce published its *Final Results* in the 2016-2017 AD administrative review of CWP from Korea.<sup>1</sup> Commerce determined in the *Final Results* that a particular market situation (PMS) existed in Korea with regard to the respondents' purchases of hot-rolled coil, the primary input for the production of subject merchandise and, accordingly, we made an adjustment to the cost of production for the purposes calculating normal value when based upon home market sales and for the purposes of the sales-below-cost test.<sup>2</sup> Husteel Co., Ltd., Hyundai Steel Company, SeAH Steel Corporation, and NEXTEEL Co., Ltd. appealed Commerce's *Final Results*. On October 19, 2020, the CIT remanded the *Final Results* to Commerce, holding that Commerce does not have statutory authority to address a PMS when determining normal value using home market sales by adjusting the cost of production for purposes of the sales-below-cost test.<sup>3</sup>

In its First Remand Redetermination, issued in December 2020, to address the PMS, rather than basing normal value on home market sales, Commerce based normal value on constructed value and continued to make PMS adjustments to calculate the respondents' costs when calculating constructed value.<sup>4</sup> The CIT remanded for a second time, after granting Commerce's request for a partial voluntary remand to reconsider

<sup>1</sup> See *Circular Welded Non-Alloy Steel Pipe from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2016-2017*, 84 FR 26401 (June 6, 2019) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

<sup>2</sup> See *Final Results* IDM at Comment 1.

<sup>3</sup> See *Husteel Co., Ltd. v. United States*, 476 F. Supp. 3d 1363 (CIT 2020) (*Husteel I*).

<sup>4</sup> See *Final Results of Redetermination Pursuant to Court Order Husteel Co., Ltd., et al. v. United States*, Court No. 19-00107, Slip Op. 20-147 (CIT October 19, 2020), dated December 17, 2020 (First Remand Redetermination).

its approach of basing normal value on constructed value and making certain PMS adjustments to address the PMS.<sup>5</sup>

In its Second Remand Redetermination, issued in June 2021, Commerce, under protest, determined normal value once again using home market sales, removed the PMS adjustments it applied in both the *Final Results* and the First Remand Redetermination, and recalculated the dumping margins.<sup>6</sup> The CIT sustained Commerce's Second Remand Redetermination.<sup>7</sup>

##### Timken Notice

In its decision in *Timken*,<sup>8</sup> as clarified by *Diamond Sawblades*,<sup>9</sup> the 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 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 October 19, 2021, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results*. Thus, 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 Husteel Co., Ltd., Hyundai Steel Company, and the non-examined companies (SeAH Steel Corporation and NEXTEEL Co., Ltd.) as follows:

<sup>5</sup> See *Husteel Co., Ltd. v. United States*, 517 F. Supp. 3d 1342, 1348 (CIT 2021) (*Husteel II*). Commerce requested a partial voluntary remand in light of the Court's decision in *Saha Thai II*. See *Saha Thai Steel Pipe Pub. Co. Ltd. v. United States*, 487 F. Supp. 3d 1323 (CIT 2020) (*Saha Thai II*). In that case, the CIT found that "Commerce's exclusion of home market sales due to distortions in the cost of production is not authorized by statute," and found that "Commerce had not met the precondition of calculating constructed value when it made a particular market situation determination based on distorted cost of production." *Saha Thai II*, 487 F. Supp. 3d at 1331-34. The methodology that the Court rejected in *Saha Thai II* was the same methodology Commerce had applied in the First Remand Redetermination.

<sup>6</sup> See *Final Results of Redetermination Pursuant to Court Order Husteel Co., Ltd., et al. v. United States*, Court No. 19-00107, Slip Op. 21-51 (CIT May 3, 2021), dated June 22, 2021 (Second Remand Redetermination).

<sup>7</sup> See *Husteel Co., Ltd. v. United States*, Consol. Court No. 19-00107, Slip Op. 21-147 (CIT October 19, 2021) (*Husteel III*).

<sup>8</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>9</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

Company	Weighted average dumping margin (percent)
Husteel Co., Ltd .....	6.44
Hyundai Steel Company .....	4.82
Non-Examined Companies (SeAH Steel Corporation and NEXTEEL Co., Ltd.) .....	5.63

### Amended Cash Deposit Rates

Because Husteel Co., Ltd., Hyundai Steel Company, and the non-examined companies (SeAH Steel Corporation and NEXTEEL Co., Ltd.) have a superseding cash deposit rate, *i.e.*, there have been final results published in a subsequent administrative review,<sup>10</sup> we will not issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP). This notice will not affect the current cash deposit rate.

### Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that: Were produced and/or exported by Husteel Co., Ltd., Hyundai Steel Company or Hyundai Steel (Pipe Division), NEXTEEL Co., Ltd., or SeAH Steel Corporation, and were entered, or withdrawn from warehouse, for consumption during the period November 1, 2016, through October 31, 2017. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event 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 Husteel Co., Ltd., Hyundai Steel Company, and the non-examined companies (SeAH Steel Corporation and NEXTEEL Co., Ltd.) 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 import-specific *ad valorem* assessment rate is zero or *de minimis*,<sup>11</sup> we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

<sup>10</sup> See, e.g., *Circular Welded Non-Alloy Steel Pipe from the Republic of Korea: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018–2019*, 86 FR 53631 (September 28, 2021).

<sup>11</sup> See 19 CFR 351.106(c)(2).

### Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e)(1), 751(b), and 777(i)(1) of the Act.

Dated: October 22, 2021.

#### Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2021–23465 Filed 10–27–21; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XB539]

#### Workshop on the Management Strategy Evaluation for Atlantic Bluefin Tuna

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of workshop.

**SUMMARY:** NMFS is holding a public workshop via webinar for the Advisory Committee to the U.S. Section to the International Commission for the Conservation of Atlantic Tunas (ICCAT) and interested stakeholders to discuss the progress of development of the Management Strategy Evaluation for Atlantic bluefin tuna.

**DATES:** A virtual workshop that is open to the public will be held on November 4, 2021, from 2 p.m. to 4 p.m. EDT.

**ADDRESSES:** Please register to attend the workshop at: <https://forms.gle/9tkjiYw5VMvGAsjZ7>. Registration will close on November 3, 2021, at 5 p.m. EDT. Instructions for accessing the virtual workshop will be emailed to registered participants.

**FOR FURTHER INFORMATION CONTACT:** Rachel O'Malley, Office of International Affairs and Seafood Inspection, (301) 427–8373 or at [Rachel.O'Malley@noaa.gov](mailto:Rachel.O'Malley@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Management strategy evaluation (MSE) is a process that allows fishery managers and stakeholders (e.g., industry, scientists, and non-governmental organizations) to assess how well different strategies achieve specified management objectives for a fishery. ICCAT has been engaged in developing an MSE for bluefin tuna for several years. NMFS, and the United States more broadly, participates in this MSE development process and has been

engaging stakeholders and considering their input throughout the process through various means, including consultation with the Advisory Committee to the U.S. Section to ICCAT. The United States also participates in the development of the bluefin tuna MSE through active participation by U.S. scientists in ICCAT's Standing Committee on Research and Statistics (SCRS).

The November 4 workshop is intended to update stakeholders on the MSE approach being developed by ICCAT, including an update on preliminary candidate management procedures that will help to illustrate management tradeoffs for Atlantic bluefin tuna. The workshop will primarily be informational and educational. No binding decisions or formal, consensus-based recommendations will be made. While discussions at the workshop will help to inform U.S. scientists who are participating in work of the SCRS, recommendations directly affecting the development of the U.S. position relative to the bluefin tuna MSE will occur through established means, including consultation with the Advisory Committee. This workshop is intended to complement, not replace, existing opportunities for U.S. stakeholder input.

*Authority:* 16 U.S.C. 971 *et seq.*; 16 U.S.C. 1801 *et seq.*

Dated: October 25, 2021.

#### Alexa Cole,

*Director, Office of International Affairs and Seafood Inspection, National Marine Fisheries Service.*

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**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Partner Probabilistic Snowfall Messaging Survey

**AGENCY:** National Oceanic & Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of information collection, request for comment.

**SUMMARY:** The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on