

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Document No. AMS-ST-21-0082]

Plant Variety Protection Board Meeting on December 14, 2021

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), the Agricultural Marketing Service (AMS) is announcing a meeting of the Plant Variety Protection Board (Board). The meeting is being held to discuss a variety of topics including, but not limited to, regulation updates, subcommittee activities, and program activities. The meeting is open to the public. This notice sets forth the schedule and location for the meeting.

DATES: Tuesday, December 14, 2021, 12:00 p.m.–3:00 p.m.

ADDRESSES: The meeting will be conducted through teleconference.

FOR FURTHER INFORMATION CONTACT: Jeffery Haynes, Commissioner, Plant Variety Protection Office, USDA, AMS, Science and Technology Program; Telephone: (202) 720-1066; or Email: Jeffery.Haynes@usda.gov.

SUPPLEMENTARY INFORMATION: Pursuant to the provisions of section 10(a) of the FACA (5 U.S.C., Appendix 2), this notice informs the public that the Plant Variety Protection Office (PVPO) is sponsoring a meeting of the Board on December 6, 2021. The Plant Variety Protection Act (PVPA) (7 U.S.C. 2321 *et seq.*) provides legal protection in the form of intellectual property rights to developers of new varieties of plants. A certificate of Plant Variety Protection is awarded to an owner of a crop variety after an examination shows that it is new, distinct from other varieties, genetically uniform and stable through successive generations. The term of

protection is 20 years for most crops and 25 years for trees and vines. The PVPA also provides for a statutory Board (7 U.S.C. 2327). The Board is composed of 14 individuals who are experts in various areas of development and represent the seed industry sector, academia and government. The duties of the Board are to: (1) Advise the Secretary concerning the adoption of rules and regulations to facilitate the proper administration of the FACA; (2) provide advisory counsel to the Secretary on appeals concerning decisions on applications by the PVP Office and on requests for emergency public-interest compulsory licenses; and (3) advise the Secretary on any other matters under the Regulations and Rules of Practice and on all questions under Section 44 of the FACA, “Public Interest in Wide Usage” (7 U.S.C. 2404).

Meeting Agenda: The purpose of the meeting will be to discuss the PVPO 2021 and 2022 program activities, the electronic application system, and the working group update. The Board plans to discuss program activities that encourage the development of new plant varieties. The meeting will be open to the public. Those wishing to participate are encouraged to pre-register by November 29, 2021, by contacting Jeffery Haynes, Commissioner, at Telephone: (202) 720-1066; or Email: Jeffery.Haynes@usda.gov.

Meeting Accommodation: The meeting at USDA will provide reasonable accommodation to individuals with disabilities where appropriate. If you need reasonable accommodation to participate in this public meeting, please notify Jeffery Haynes at: Telephone: (202) 720-1066; or Email: Jeffery.Haynes@usda.gov.

Determinations for reasonable accommodation will be made on a case-by-case basis. Minutes of the meeting will be available for public review 30 days following the meeting on the internet at <http://www.ams.usda.gov/PVPO>.

Dated: October 25, 2021.

Cikena Reid,

USDA Committee Management Officer, White House Liaison Office, Office of the Secretary.

[FR Doc. 2021-23462 Filed 10-27-21; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments are requested regarding; whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency’s estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by November 29, 2021 will be considered. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such person are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Office of the Chief Financial Officer

Title: Request to Change FEHB Enrollment or to Receive Plan Brochures for Spouse Equity/Temporary Continuation of Coverage Enrollees/Direct Pay Annuitants (DPRS 2809).

OMB Control Number: 0505-0024.

Summary of Collection: Title 5, U.S. Code, chapter 89, sections 8905 and

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.

[FR Doc. 2021-23513 Filed 10-27-21; 8:45 am]

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.¹ 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.² 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.³

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.⁴ The CIT remanded for a second time, after granting Commerce's request for a partial voluntary remand to reconsider

¹ 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).

² See *Final Results* IDM at Comment 1.

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

⁴ 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.⁵

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.⁶ The CIT sustained Commerce's Second Remand Redetermination.⁷

Timken Notice

In its decision in *Timken*,⁸ as clarified by *Diamond Sawblades*,⁹ 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:

⁵ 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.

⁶ 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).

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

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

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