

Bureau of Economic Analysis Advisory Committee (BEAAC) to fill upcoming vacancies. The Director will consider nominations received in response to this notice, as well as from other sources.

**DATES:** Please submit nominations by September 30, 2022. The Bureau of Economic Analysis will retain nominations received after this date for consideration should additional vacancies occur.

**ADDRESSES:** Please submit nominations by email to [Gianna.Marrone@bea.gov](mailto:Gianna.Marrone@bea.gov) (subject line "BEAAC Nominations").

**FOR FURTHER INFORMATION CONTACT:** Gianna Marrone, Committee Management Official, Department of Commerce, Bureau of Economic Analysis, telephone: 301-278-9282, email: [Gianna.Marrone@bea.gov](mailto:Gianna.Marrone@bea.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The BEAAC was established September 2, 1999, and advises the Director of BEA on matters related to the development and improvement of BEA's national, regional, industry, and international economic accounts, with a focus on new and rapidly growing areas of the U.S. economy. The BEAAC functions solely as an advisory committee to the Director of BEA, in accordance with the Federal Advisory Committee Act (FACA), and advises BEA on topics selected by BEA in consultation with the Committee chairperson. The BEAAC provides recommendations from the perspectives of the economics profession, business, and government as well as recommendations for current and proposed BEA projects. This is the most effective means of obtaining valuable feedback on new data products and improvements to BEA's existing statistics.

**Description of BEAAC Membership and Duties**

The BEAAC will consist of approximately 15 members who are appointed by and serve at the discretion of the Director of BEA. The Committee chairperson will be selected by the Director of BEA. Members will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance. Committee members will be from business, academia, research, government, and international organizations, and they must be acknowledged experts in relevant fields, such as economics, statistics, and economic accounting. Committee members will be considered "special government employees" (SGEs) and,

therefore, will be subject to the ethical standards applicable to SGEs.

Committee members will serve for a term up to three years. All members will be reevaluated at the conclusion of the term with the prospect of renewal for an additional term. Active attendance and participation in meetings and activities (e.g., conference calls and assignments) will be factors considered when determining term renewal or membership continuance. Members may be appointed for no more than three consecutive terms. Appointments may be for one, two, or three years to provide staggered terms.

The BEAAC meets once or twice a year, budget permitting. Additional meetings may be held as deemed necessary by the Director or the Designated Federal Official. All meetings are open to the public in accordance with FACA the Freedom of Information Act, 5 U.S.C. 552.

Members shall not reference or otherwise utilize their membership on this committee in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the BEAAC, BEA, or the Department of Commerce. Committee members shall serve without compensation, but may, upon request, be reimbursed travel expenses, including per diem, as authorized by 5 U.S.C. 5701 *et seq.* Because Committee members will not have access to classified information, no security clearances are required.

**Solicitation of Nominations**

The Committee is currently filling one or more positions on the BEAAC. The Director will consider nominations of all qualified individuals to ensure that the Committee includes the areas of experience noted above. Individuals may nominate themselves or other individuals, and professional associations and organizations may nominate one or more qualified persons for membership on the Committee. Nominations shall state that the nominee is willing to serve as a member and carry out the duties of the Committee. A nomination package should include the following information for each nominee:

1. A letter of nomination stating the name, affiliation, and contact information for the nominee, the basis for the nomination (*i.e.*, what specific attributes recommend him/her for service in this capacity), and the nominee's field(s) of experience;
2. A biographical sketch of the nominee and a copy of his/her curriculum vitae; and

3. The name, return address, email address, and daytime telephone number at which the nominator can be contacted.

The Committee aims to have a balanced representation among its members, considering such factors as geography, age, sex, race, ethnicity, technical expertise, community involvement, and knowledge of programs and/or activities related to BEAAC. Individuals will be selected based on their expertise in or representation of specific areas as needed by BEAAC.

*Authority:* Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., app.

Dated: August 26, 2022.

**Ryan Noonan,**

*Designated Federal Official, Bureau of Economic Analysis Advisory Committee, Bureau of Economic Analysis.*

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**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

[B-38-2022]

**Foreign-Trade Zone (FTZ) 45—Portland, Oregon, Notification of Proposed Production Activity, Epson Portland, Inc. (Inkjet Ink Printer Bottles (Empty and Filled) for Retail Sale), Hillsboro, Oregon**

Epson Portland, Inc. (Epson) submitted a notification of proposed production activity to the FTZ Board (the Board) for its facility in Hillsboro, Oregon within Subzone 45F. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on August 23, 2022.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz). The proposed finished product(s) and material(s)/component(s) would be added to the production authority that the Board previously approved for the operation, as reflected on the Board's website.

The proposed finished products include empty plastic bottles, plastic caps for bottles, and filled color and

black inkjet ink bottles for retail sale (duty rate ranges from 1.8% to 5.3%).

The proposed foreign-status materials and components include plastic shrink film, plastic caps for bottles, plastic pouches, and silicone slit valves (duty rate ranges from 3% to 5.3%). The request indicates that certain materials/components are subject to duties under Section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: [ftz@trade.gov](mailto:ftz@trade.gov). The closing period for their receipt is October 11, 2022.

A copy of the notification will be available for public inspection in the "Online FTZ Information System" section of the Board's website.

For further information, contact Diane Finver at [Diane.Finver@trade.gov](mailto:Diane.Finver@trade.gov).

Dated: August 25, 2022.

**Andrew McGilvray,**  
Executive Secretary.

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## 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 the Results of Antidumping Administrative Review; Notice of Amended Final Results**

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

**SUMMARY:** On August 24, 2022, the U.S. Court of International Trade (CIT) issued its final judgment in *Hyundai Steel Company v. United States*, Consol. Court No. 18-00154, sustaining the U.S. Department of Commerce (Commerce)'s fourth remand results pertaining to the administrative review of the antidumping duty (AD) order on circular welded non-alloy steel pipe from the Republic of Korea (Korea) covering the period November 1, 2015, through October 31, 2016. 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 margins

assigned to Hyundai Steel Company and SeAH Steel Corporation.

**DATES:** Applicable September 3, 2022.

**FOR FURTHER INFORMATION CONTACT:** Thomas Schauer, 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) 482-0410.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On June 13, 2018, Commerce published its *Final Results* in the 2015-2016 AD administrative review of circular welded non-alloy steel pipe from Korea. Commerce found that a particular market situation (PMS) existed in Korea and calculated weighted-average dumping margins of 30.85 percent for Hyundai Steel Company and 19.28 percent for SeAH Steel Corporation.<sup>1</sup> Commerce also calculated a combined assessment rate for Hyundai's affiliated importers.

Hyundai Steel Company and SeAH Steel Corporation appealed Commerce's *Final Results*. On November 25, 2019, the CIT remanded the *Final Results* to Commerce, finding that: (1) Commerce's determination of the existence of a PMS in the *Final Results* is unsupported by substantial evidence and remanded the issue to Commerce for further proceedings; and (2) Commerce's departure from its normal practice of calculating importer-specific assessment rates with respect to Hyundai Steel Company was unsupported by substantial evidence and remanded the issue to Commerce for further proceedings.<sup>2</sup> In its first remand redetermination, issued on February 26, 2020, Commerce further considered its PMS determination and recalculated Hyundai Steel Company's assessment rates on an importer-specific basis.<sup>3</sup>

The CIT remanded for a second time, ordering Commerce to explain the statutory authority to conduct a cost-based PMS analysis when normal value is based on home market sales and to adjust the cost of production (COP) for purposes of the sales-below-cost test.<sup>4</sup> In

its second remand redetermination, issued on February 2, 2021, Commerce provided its interpretation of the statutory authority in accordance with the Court's order.<sup>5</sup>

The CIT remanded for a third time, ordering Commerce to reconsider its PMS determination and adjustment in light of its opinion that Commerce may not adjust the COP when using normal value based on home market sales, and that Commerce is not authorized to adjust the COP for purposes of the sales-below-cost test.<sup>6</sup> In its third remand redetermination, issued on September 8, 2021, Commerce recalculated the weighted-average dumping margin of Hyundai Steel Company with no adjustment to account for the PMS that Commerce had found to have existed during the period of review; Commerce also recalculated the rate for the second mandatory respondent, Husteel Co., Ltd., for the sole purpose of calculating the rate for SeAH Steel Corporation, the non-examined company which is a party to this litigation but, in recalculating Husteel Co., Ltd.'s rate, Commerce continued to apply a PMS adjustment for normal value in situations where normal value was determined based on constructed value.<sup>7</sup>

The CIT remanded for a fourth time, holding that Commerce calculated SeAH Steel Corporation's dumping margin improperly using an average of dumping rates based, in part, on a PMS determination that was unsupported by substantial evidence, and ordering Commerce to recalculate SeAH Steel Corporation's dumping margin in accordance with its opinion.<sup>8</sup> In its final remand redetermination, issued in August 2022, Commerce, under respectful protest, recalculated the weighted-average dumping margin for SeAH Steel Corporation without making a cost-based PMS adjustment.<sup>9</sup> The CIT

<sup>5</sup> See *Final Results of Redetermination Pursuant to Court Remand Circular Welded Non-Alloy Steel Pipe from the Republic of Korea*, Consolidated Court No. 18-00154, Slip Op. 20-168 (CIT November 23, 2020), dated February 2, 2021 (*Second Remand*), available at <https://access.trade.gov/Resources/remands/20-168.pdf>.

<sup>6</sup> See *Hyundai Steel Company v. United States*, 531 F. Supp. 3d 1344 (CIT 2021).

<sup>7</sup> See *Final Results of Redetermination Pursuant to Court Remand*, Consolidated Court No. 18-00154, Slip Op. 21-88 (CIT July 19, 2021), dated September 8, 2021 (*Third Remand*), available at <https://access.trade.gov/resources/remands/21-88.pdf>.

<sup>8</sup> See *Hyundai Steel Company v. United States*, Court No. 18-00154, Slip Op. 22-67 (CIT June 15, 2022).

<sup>9</sup> See *Final Results of Redetermination Pursuant to Court Remand Circular Welded Non-Alloy Steel Pipe from the Republic of Korea*, Consolidated Court No. 18-00154, Slip Op. 22-67 (CIT June 15,

<sup>1</sup> See *Circular Welded Non-Alloy Steel Pipe from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2015-2016*, 83 FR 27541 (June 13, 2018) (*Final Results*).

<sup>2</sup> See *Hyundai Steel Company v. United States*, 415 F. Supp. 3d 1293 (CIT 2019).

<sup>3</sup> See *Final Results of Redetermination Pursuant to Court Remand Circular Welded Non-Alloy Steel Pipe from the Republic of Korea*, Consolidated Court No. 18-00154, Slip Op. 19-148 (CIT November 25, 2019), dated February 26, 2020 (*First Remand*), available at <https://access.trade.gov/resources/remands/19-148.pdf>.

<sup>4</sup> See *Hyundai Steel Company v. United States*, 483 F. Supp. 3d 1273 (CIT 2020).