

Company	Subsidy rate (percent <i>ad valorem</i> )
Taihan Electric Wire Co., Ltd	0.59
Union Steel Co., Ltd .....	0.59

### Assessment and Cash Deposit Requirements

In accordance with 19 CFR 351.212(b)(2), Commerce intends to issue appropriate instructions to U.S. Customs and Border Protection (CBP) 15 days after publication of these final results to liquidate shipments of subject merchandise. Because we have calculated a *de minimis* countervailable subsidy rate for Hyundai Steel, we will instruct CBP to liquidate the appropriate entries without regard to countervailing duties in accordance with 19 CFR 351.212. We will instruct CBP to liquidate shipments of subject merchandise produced and/or exported by POSCO and the above listed companies, entered or withdrawn from warehouse for consumption from January 1, 2017 through December 31, 2017, at the *ad valorem* rates listed above for each respective company.

In accordance with section 751(a)(2)(C) of the Act, we intend also to instruct CBP to collect cash deposits of estimated countervailing duties, in the amounts shown above, with the exception of Hyundai Steel, on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. Because the countervailable subsidy rate for Hyundai Steel is *de minimis*, Commerce will instruct CBP to collect cash deposits at a rate of zero for Hyundai Steel for all shipments of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most-recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Administrative Protective Order

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment

of proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

### Disclosure

We will disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding, in accordance with 19 CFR 351.224(b).

These final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: June 22, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. List of Issues
- III. Background
- IV. Changes Since the Preliminary Results
- V. Scope of the Order
- VI. Period of Review
- VII. Rate for Non-Examined Companies
- VIII. Subsidies Valuation Information
- IX. Use of Facts Otherwise Available
- X. Analysis of Programs
- XI. Discussion of Comments
  - Comment 1: Whether the Electricity for Less Than Adequate Remuneration Upstream Subsidy Allegation Confers a Benefit
  - Comment 2: Whether POSCO Plantec Co., Ltd. (POSCO Plantec) is POSCO's Cross-Owned Input Supplier
  - Comment 3: Whether POSCO Plantec Received Countervailable Benefits Through Its Debt Restructuring Program
  - Comment 4: Whether the Application of Adverse Facts Available is Warranted for Sungjin Geotec Co., Ltd.'s Non-Recurring Subsidies Received During the Average Useful Life Period
- XII. Recommendation

[FR Doc. 2020-13813 Filed 6-25-20; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-918]

### Steel Wire Garment Hangers From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results of Antidumping Duty Administrative Review; Notice of Amended Final Results of Review Pursuant to Court Decision; 2012-2013

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

**SUMMARY:** On June 11, 2020, the United States Court of International Trade (CIT) sustained the final results of redetermination pertaining to the administrative review of the antidumping duty order on steel wire garment hangers from the People's Republic of China (China) covering the period of review (POR) October 1, 2012 through September 31, 2013. The Department of Commerce (Commerce) is notifying the public that the CIT's final judgment in this case is not in harmony with the final results of the administrative review, and that Commerce is amending the final results with respect to Shanghai Wells Hanger Co., Ltd. (Shanghai Wells).

**DATES:** Applicable June 21, 2020.

**FOR FURTHER INFORMATION CONTACT:** Kabir Archuletta, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2593.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 13, 2015, Commerce published its *Final Results* in the 2012-2013 administrative review of steel wire garment hangers from China.<sup>1</sup> During the review, Commerce selected Thailand as the primary surrogate country, finding that data from Thailand provided the best available information on the record to value Shanghai Wells' reported factors of production (FOPs). In particular, Commerce found that the import data (including the surrogate value (SV) for wire rod, the primary material input FOP) and the labor SV for Thailand were superior to the SV data available from the Philippines, and the

<sup>1</sup> See *Steel Wire Garment Hangers from the People's Republic of China: Final Results of Antidumping Duty Administrative Review, 2012-2013*, 80 FR 13332 (March 13, 2015) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

Thai financial statements were usable.<sup>2</sup> Therefore, Commerce selected Thailand as the primary surrogate country, consistent with section 773(c) of the Act of 1930, as amended (the Act) and used the Thai SV data as the basis for its dumping analysis.<sup>3</sup>

Shanghai Wells challenged the *Final Results*, and, on March 2, 2017, the CIT remanded that determination to Commerce, questioning Commerce's decision to rely on "usable" Thai financial statements based on a preference to "stay within the primary surrogate country," because Commerce must first "evaluate the available data {sources}, which includes an acknowledgement that on this record a reasonable mind would not select the Thai financial statements as better than the Philippine {financial} statements."<sup>4</sup>

On June 7, 2017, Commerce issued the *First Redetermination Results*,<sup>5</sup> continuing to select Thailand as the primary surrogate country and to value all FOPs with data from the primary surrogate country, in accordance with the established regulatory preference.<sup>6</sup>

On February 7, 2020, the CIT granted Commerce's request for a voluntary remand in order to further examine concerns raised by the CIT and the parties to this litigation.<sup>7</sup> In the *Second Redetermination Results*, Commerce determined that the Philippine financial statements on the record were the best available information for valuing the financial FOPs and recalculated the weighted-average dumping margin for Shanghai Wells.<sup>8</sup> On June 11, 2020, the CIT sustained Commerce's *Second Redetermination Results*.<sup>9</sup>

#### Timken Notice

In its decision in *Timken*,<sup>10</sup> as clarified by *Diamond Sawblades*,<sup>11</sup> the

<sup>2</sup> See *Final Results*, and accompanying IDM at Comments 2 and 3.

<sup>3</sup> *Id.*

<sup>4</sup> See *Shanghai Wells Hanger Co. v. United States*, 211 F. Supp. 3d 1377, 1381 (CIT 2017).

<sup>5</sup> See *Final Results of Redetermination Pursuant to Court Remand in Shanghai Wells Co., Ltd. v. United States*, Consol. Court No. 15-00103, CIT Slip Op. 17-24, dated June 7, 2017 (*First Redetermination Results*).

<sup>6</sup> See 19 CFR 351.408(c)(2); see also *First Redetermination Results* at 2, 4-12.

<sup>7</sup> See *Shanghai Wells Co., Ltd. v. United States*, Consol. Court No. 15-00103, Order (CIT, February 7, 2020).

<sup>8</sup> See *Final Results of Redetermination Pursuant to Court Remand in Shanghai Wells Co., Ltd. v. United States*, Consol. Court No. 15-00103 (*Second Redetermination Results*).

<sup>9</sup> See *Shanghai Wells Co., Ltd. et al. v. United States*, Consol. Court No. 15-00103, Slip Op 20-82 (CIT, June 11, 2020).

<sup>10</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>11</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

Court of Appeals for the Federal Circuit held that, pursuant to section 516A of the Act, Commerce must publish notice of a court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision.<sup>12</sup> The CIT's June 11, 2020 judgment sustaining the *Second Redetermination Results* constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken* and section 516A of the Act.

#### Amended Final Results of Review

Because there is now a final CIT decision, Commerce is amending its *Final Results* with respect to Shanghai Wells for the POR as follows:

Exporter	Weighted-average dumping margin (percent)
Shanghai Wells Hanger Co., Ltd. <sup>13</sup> .....	2.26

#### Assessment Instructions

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 U.S. Customs and Border Protection (CBP) to assess antidumping duties on unliquidated entries of subject merchandise exported by Shanghai Wells in accordance with 19 CFR 351.212(b)(1). Commerce will calculate importer-specific *ad valorem* assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem* assessment rate calculated is not zero or *de minimis*. Where an importer-specific *ad valorem* assessment rate is zero or *de minimis*,<sup>14</sup> we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Pursuant to Commerce's assessment practice, for entries that were not reported in the U.S. sales data submitted

<sup>12</sup> See section 516A(c) and (e) of the Act.

<sup>13</sup> Shanghai Wells consists of Shanghai Wells Hanger Co., Ltd., and Hong Kong Wells Ltd. See *Final Results*, 80 FR at 13333.

<sup>14</sup> See 19 CFR 351.106(c)(2).

by Shanghai Wells during this review, Commerce will instruct CBP to liquidate such entries at the China-wide entity rate.<sup>15</sup>

#### Cash Deposit Requirements

The cash deposit rate for Shanghai Wells has been superseded by cash deposit rates calculated in intervening administrative reviews of the antidumping duty order on steel wire garment hangers from China. Thus, we will not alter Shanghai Wells' cash deposit rate as a result of these amended final results of review.

#### Notification to Interested Parties

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

Dated: June 19, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2020-13814 Filed 6-25-20; 8:45 am]

BILLING CODE 3510-DS-P

#### DEPARTMENT OF COMMERCE

#### National Telecommunications and Information Administration

#### Commerce Spectrum Management Advisory Committee Meeting

**AGENCY:** National Telecommunications and Information Administration, U.S. Department of Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a public meeting of the Commerce Spectrum Management Advisory Committee (Committee). The Committee provides advice to the Assistant Secretary of Commerce for Communications and Information and the National Telecommunications and Information Administration (NTIA) on spectrum management policy matters.

**DATES:** The meeting will be held July 30, 2020, from 1:00 p.m. to 4:00 p.m., Eastern Daylight Time (EDT).

**ADDRESSES:** This meeting will be conducted in an electronic format and open to the public via audio teleconference (866-652-3435 participant code 28570198). Public comments may be emailed to [dreed@ntia.gov](mailto:dreed@ntia.gov) or mailed to Commerce Spectrum Management Advisory Committee, National Telecommunications and Information Administration, 1401 Constitution

<sup>15</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).