

completion of the administrative review, Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Instructions

In accordance with section 751(a)(2)(C) of the Act, Commerce also intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amount shown above for Yama, on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, Commerce will instruct CBP to continue to collect cash deposits at the most recent company-specific or all-others rate applicable to the company, as appropriate. Accordingly, the cash deposit requirements that will be applied to companies covered by this order, but not examined in this administrative review, are those established in the most recently completed segment of the proceeding for each company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or 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 sanctionable violation.

### Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: July 22, 2021.

**Christian Marsh,**

*Acting Assistant Secretary for Enforcement and Compliance.*

### Appendix

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

- I. Summary
- II. Background
- III. Use of Adverse Facts Available
- IV. Subsidies Valuation Information
- V. Programs Determined To Be Countervailable
- VI. Programs Determined Not To Provide Measurable Benefits During the POR
- VII. Programs Determined Not To Be Used During the POR
- VIII. Analysis of Comments
  - Comment 1: Application of Adverse Facts Available (AFA) to the Provision of Synthetic Yarn and Caustic Soda for Less-than-Adequate-Remuneration (LTAR) Programs
  - Comment 2: Application of AFA to the Provision of Electricity for LTAR Program
  - Comment 3: Application of AFA to the Export Buyer's Credit Program
  - Comment 4: Application of AFA to Other Subsidy Programs
- IX. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Renewal of Information Collection; Comment Request; Swiss-U.S. Privacy Shield; Invitation for Applications for Inclusion on the Supplemental List of Arbitrators

**AGENCY:** International Trade Administration, U.S. Department of 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 proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

**DATES:** To ensure consideration, comments regarding this proposed information collection must be received on or before September 27, 2021.

**ADDRESSES:** Interested persons are invited to submit written comments by email to Towanda Carey, ITA Paperwork Clearance Officer, Department of Commerce, International Trade Administration at [PRAComments@doc.gov](mailto:PRAComments@doc.gov). Please reference OMB Control Number 0625-0278 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or specific questions related to collection activities should be directed to David Ritchie, Senior Policy Advisor, Department of Commerce, International Trade Administration via email at [privacyshield@trade.gov](mailto:privacyshield@trade.gov), or tel. 202-482-1512. More information on the arbitration mechanism may be found at <https://www.privacyshield.gov/servlet/servlet.FileDownload?file=015t000000079Gr>.

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The Swiss-U.S. Privacy Shield Framework was designed by the U.S. Department of Commerce (Department) and the Swiss Administration to provide companies in both Switzerland and the United States with a mechanism to comply with data protection requirements when transferring personal data from Switzerland to the United States in support of transatlantic commerce. On January 12, 2017, the Swiss Administration deemed the Swiss-U.S. Privacy Shield Framework adequate to enable data transfers under Swiss law, and on April 12, 2017, the Department began accepting self-certifications from U.S. companies to join the program (82 FR 16375; April 12, 2017).

On September 8, 2020 the Federal Data Protection and Information Commissioner (FDPIC) of Switzerland issued an opinion concluding that the Swiss-U.S. Privacy Shield Framework does not provide an adequate level of protection for data transfers from Switzerland to the United States pursuant to Switzerland's Federal Act on Data Protection (FADP). As a result of that opinion, organizations wishing to rely on the Swiss-U.S. Privacy Shield to transfer personal data from Switzerland to the United States should seek guidance from the FDPIC or legal counsel. That opinion does not relieve participants in the Swiss-U.S. Privacy Shield of their obligations under the Swiss-U.S. Privacy Shield Framework. The Department continues to administer the Privacy Shield program while those

discussions proceed. For more information on the Privacy Shield, visit <https://www.privacyshield.gov/welcome>.

As described in Annex I of the Swiss-U.S. Privacy Shield Framework, the Department and the Swiss Administration committed to implement an arbitration mechanism to provide Swiss individuals with the ability to invoke binding arbitration to determine, for residual claims, whether an organization has violated its obligations under the Privacy Shield. Organizations voluntarily self-certify to the Swiss-U.S. Privacy Shield Framework and, upon certification, the commitments the organization has made to comply with the Swiss-U.S. Privacy Shield Framework become legally enforceable under U.S. law. Organizations that self-certify to the Swiss-U.S. Privacy Shield Framework commit to binding arbitration of residual claims if a Swiss individual chooses to exercise that option. Under the arbitration option, a Privacy Shield Panel (consisting of one or three arbitrators, as agreed by the parties) has the authority to impose individual-specific, non-monetary equitable relief (such as access, correction, deletion, or return of the Swiss individual's data in question) necessary to remedy the violation of the Swiss-U.S. Privacy Shield Framework only with respect to the individual. The parties will select the arbitrators from the list of arbitrators described below.

The Department and the Swiss Administration seek to maintain a list of up to five arbitrators to supplement the list of arbitrators developed under the EU-U.S. Privacy Shield Framework.<sup>1</sup> To be eligible for inclusion on the supplemental list, applicants must be admitted to practice law in the United States and have expertise in both U.S. privacy law and European or Swiss data protection law. Applicants shall not be subject to any instructions from, or be affiliated with, any Privacy Shield

<sup>1</sup> On July 16, 2020, the Court of Justice of the European Union (CJEU) issued a judgment declaring as "invalid" the European Commission's decision on the adequacy of the protection provided by the EU-U.S. Privacy Shield and as a result the EU-U.S. Privacy Shield Framework is no longer a valid mechanism to comply with EU data protection requirements when transferring personal data from the European Union to the United States. That judgment does not relieve participants in the EU-U.S. Privacy Shield of their obligations under the EU-U.S. Privacy Shield Framework. The Department and the Commission are discussing the potential for an enhanced EU-U.S. Privacy Shield Framework to comply with the July 16, 2020 judgment by the CJEU. The Department continues to administer the Privacy Shield program while those discussions proceed. For more information on the Privacy Shield, visit <https://www.privacyshield.gov/welcome>.

organization, or the U.S., Switzerland, EU, or any EU Member State or any other governmental authority, public authority or enforcement authority.

The Department previously requested and obtained approval of this information collection (OMB Control No. 0625-0278), which expires on 10/31/2021, and now seeks renewal of this information collection. Although the Department is not currently seeking additional applications, it may do so in the future as appropriate.

To be considered for inclusion on the Swiss-U.S. Privacy Shield Supplemental List of Arbitrators, eligible individuals will be evaluated on the basis of independence, integrity, and expertise:

- Independence
- Freedom from bias and prejudice.
- Integrity
  - Held in the highest regard by peers for integrity, fairness and good judgment.
  - Demonstrates high ethical standards and commitment necessary to be an arbitrator.

Expertise Required:

- Admission to practice law in the United States.
  - Level of demonstrated expertise in U.S. privacy law and European or Swiss data protection law.
- Other expertise that may be considered includes any of the following:
- Relevant educational degrees and professional licenses.
  - Relevant professional or academic experience or legal practice.
  - Relevant training or experience in arbitration or other forms of dispute resolution.

Evaluation of applications for inclusion on the list of arbitrators will be undertaken by the Department and the Swiss Administration. Selected applicants will remain on the list for a period of three years, absent exceptional circumstances; change in eligibility, or for cause, renewable for one additional period of three years.

The Department selected the International Centre for Dispute Resolution-American Arbitration Association (ICDR-AAA) as administrator for Privacy Shield arbitrations brought under either the EU-U.S. Privacy Shield Framework or the Swiss-U.S. Privacy Shield Framework. Among other things, the ICDR-AAA facilitates arbitrator fee arrangements, including the collection and timely payment of arbitrator fees and other expenses.

Arbitrators are expected to commit their time and effort when included on the Swiss-U.S. Privacy Shield Supplemental List of Arbitrators and to

take reasonable steps to minimize the costs or fees of the arbitration.

Arbitrators are subject to a code of conduct consistent with Annex I of the Swiss-U.S. Privacy Shield Framework and generally accepted ethical standards for arbitrators. The Department and the Swiss Administration agreed to adopt an existing, well-established set of U.S. arbitral procedures to govern the arbitral proceedings, subject to considerations identified in Annex I of the Swiss-U.S. Privacy Shield Framework, including that materials submitted to arbitrators will be treated confidentially and will only be used in connection with the arbitration. For more information, please visit <https://www.privacyshield.gov/article?id=G-Arbitration-Procedures> where you can find information on the arbitration procedures. (Please note that the Arbitration procedures apply to both the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework)

#### Applications

Applications must be typewritten and should be headed "Application for Inclusion on the Swiss-U.S. Privacy Shield Supplemental List of Arbitrators." Applications should include the following information, and each section of the application should be numbered as indicated:

- Name of applicant.
- Address, telephone number, and email address.
- 1. Independence
  - Description of the applicant's affiliations with any Privacy Shield organization, or the U.S., Switzerland, any EU Member State or any other governmental authority, public authority, or enforcement authority.
- 2. Integrity
  - On a separate page, the names, addresses, telephone, and fax numbers of three individuals willing to provide information concerning the applicant's qualifications for service, including the applicant's character, reputation, reliability, and judgment.
  - Description of the applicant's willingness and ability to make time commitments necessary to be an arbitrator.
- 3. Expertise
  - Demonstration of admittance to practice law in the United States.
  - Relevant academic degrees and professional training and licensing.
  - Current employment, including title, description of responsibility, name and address of employer, and

- name and telephone number of supervisor or other reference.
- Employment history, including the dates and addresses of each prior position and a summary of responsibilities.
- Description of expertise in U.S. privacy law and European or Swiss data protection law.
- Description of training or experience in arbitration or other forms of dispute resolution, if applicable.
- A list of publications, testimony, and speeches, if any, concerning U.S. privacy law and European or Swiss data protection law, with copies appended.

## II. Method of Collection

As stated above, the Department is not currently seeking additional applications, but may do so in the future as appropriate. The Department previously requested and obtained approval of this information collection (OMB Control No. 0625–0278), which expires on 10/31/2021, and now seeks renewal of this information collection. Future applications would be submitted to the Department by email. More information on the arbitration mechanism may be found at <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>.

## III. Data

*OMB Control Number:* 0625–0278.  
*Form Number(s):* None.  
*Type of Review:* Regular submission, revision of a current information collection.  
*Affected Public:* Private individuals.  
*Estimated Number of Respondents:* 20.  
*Estimated Time per Response:* 240 minutes.  
*Estimated Total Annual Burden Hours:* 80.  
*Estimated Total Annual Cost to Public:* \$0.  
*Respondent's Obligation:* Required to obtain or retain benefits.  
*Legal Authority:* The Department's statutory authority to foster, promote, and develop the foreign and domestic commerce of the United States (15 U.S.C. 1512).

## IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection,

including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this information collection request (ICR). Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–580–882]

#### Certain Cold-Rolled Steel Flat Products From the Republic of Korea: Final Results of Countervailing Duty Administrative Review; 2018

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

**SUMMARY:** The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of certain cold-rolled steel flat products (cold-rolled steel) from the Republic of Korea. The period of review (POR) is January 1, 2018, through December 31, 2018.

**DATES:** Applicable July 28, 2021.

**FOR FURTHER INFORMATION CONTACT:** Moses Song or Tyler Weinholt, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–7885 or (202) 482–1121, respectively.

**SUPPLEMENTARY INFORMATION:**

## Background

Commerce published the *Preliminary Results* of this review on January 26, 2021.<sup>1</sup> On April 8, 2021, Commerce extended the deadline for the final results of this administrative review until July 23, 2021.<sup>2</sup> On May 25, 2021, Commerce issued a post-preliminary analysis on the electricity for less than adequate remuneration allegation and the equity infusions that Dongbu Steel Co., Ltd. (Dongbu Steel) received.<sup>3</sup> For a description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>4</sup>

## Scope of the Order

The product covered by this order is cold-rolled steel. For a complete description of the scope of this order, see the Issues and Decision Memorandum.

## Analysis of Comments Received

All issues raised in interested parties' case briefs are addressed in the Issues and Decision Memorandum accompanying this notice. A list of the issues raised by parties, and to which Commerce responded in the Issues and Decision Memorandum, is provided in Appendix I to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>.

## Changes Since the Preliminary Results

Based on the comments received and record evidence, we made certain changes to the *Preliminary Results* with

<sup>1</sup> See *Certain Cold-Rolled Steel Flat Products from the Republic of Korea: Preliminary Results of Countervailing Duty Administrative Review; 2018*, 86 FR 7063 (January 26, 2021) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Certain Cold-Rolled Steel Flat Products from the Republic of Korea; Countervailing Duty Administrative Review; 2018: Extension of Deadline for Final Results," dated April 8, 2021.

<sup>3</sup> See Memorandum, "Countervailing Duty Administrative Review of Certain Cold-Rolled Steel Flat Products from the Republic of Korea: Post-Preliminary Analysis Memorandum—Electricity for Less than Adequate Remuneration and Equity Infusions," dated May 25, 2021.

<sup>4</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the 2018 Administrative Review of the Countervailing Duty Order on Certain Cold-Rolled Steel Flat Products from the Republic of Korea," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).