

(1) Pattern of Trade

The petitioners state that the record evidence demonstrates that, since the imposition of the *Orders*, a pattern of trade illustrates circumvention because imports of sheeter rolls from countries subject to the *Orders* have increased, while imports of uncoated paper sheets have decreased.⁴³ Publicly-available import data submitted by the petitioners show that, prior to the imposition of the *Orders*, exports of paper rolls under the HTS code which includes sheeter rolls from Brazil, Indonesia, and Portugal to the United States were very low.⁴⁴ Exports of paper rolls from Australia and China to the United States were relatively high. Imports of paper rolls into the United States from Australia, Brazil, Indonesia, and Portugal have increased since the imposition of the *Orders*.⁴⁵

(2) Affiliation

The petitioners provided no information indicating potential affiliation between producers of sheeter rolls from countries subject to the *Orders* and companies in the United States with facilities to convert sheeter rolls into uncoated paper sheets. In affidavits, the petitioners indicated that the foreign producers are believed to have contracted with converters in the United States for conversion services.⁴⁶

(3) Imports after Initiation of the Investigation

The petitioners presented import data indicating that shipments of paper rolls from Australia, Brazil, Indonesia, and Portugal have increased since the initiation of the investigation, whereas shipments of uncoated paper sheets from Australia, Indonesia, and Portugal have steadily declined.⁴⁷

Conclusion

Based on our analysis of the petitioners' anti-circumvention inquiry request, Commerce determines that the petitioners have satisfied the criteria under section 781(a) of the Act to warrant the initiation of an anti-circumvention inquiry on sheeter rolls of uncoated paper from Australia, Brazil, China, and Indonesia which are further processed into sheets of uncoated paper and sold in the United States. Accordingly, we are initiating an anti-circumvention inquiry on sheeter rolls of uncoated paper from Australia,

Brazil, China, and Indonesia pursuant to section 781(a) of the Act.

Further, we decline to initiate an anti-circumvention inquiry for sheeter rolls of uncoated paper from Portugal. The import data submitted by the petitioners for patterns of trade is a basket category that includes both web and sheeter rolls and, as such, these data do not establish that Portuguese sheeter rolls specifically are being exported to the United States for conversion into sheets.⁴⁸ Moreover, there is no additional evidence that U.S. imports of sheeter rolls from Portugal are being converted into and sold as sheets. As noted above, the ship manifest data on the record for Portugal indicated that imports from Portugal were entering U.S. ports, but those shipments' final destination was Mexico.⁴⁹ Therefore, we find that the petitioners did not provide sufficient evidence to support their claim that sheeter rolls from Portugal are being converted and sold as sheets which are physically identical to the subject merchandise, as they did in their request for the other countries. However, this decision does not preclude the petitioners from re-filing their request with respect to Portugal at a later time with additional evidence.

In connection with this anti-circumvention inquiry, in order to determine: (1) The extent to which sheeter rolls sourced from Australia, Brazil, China, and Indonesia are further processed into uncoated sheets of paper in the United States; (2) the extent to which a country-wide finding applicable to all such exports might be warranted, as alleged by the petitioners; and (3) whether the process of turning sheeter rolls sourced from countries subject to the *Orders* into finished uncoated paper sheets in the United States is minor or insignificant, Commerce intends to issue questionnaires to solicit information from producers and exporters in Australia, Brazil, China, and Indonesia concerning shipments of sheeter rolls to the United States. Commerce also intends to establish a schedule for questionnaires and comments for this inquiry. Companies failing to respond completely and timely to Commerce's questionnaire may be deemed uncooperative and an adverse inference may be applied in determining whether such companies are circumventing the *Orders*.⁵⁰

Commerce will not order the suspension of liquidation of entries of any additional merchandise at this time.

⁴³ *Id.* at 23.

⁴⁴ *See supra*, fn. 25.

⁴⁵ *Id.* at Exhibit 2.

⁴⁶ *Id.* at Exhibits 1 and 3.

⁴⁷ *Id.* at Exhibit 2.

In accordance with 19 CFR 351.225(1)(2), if Commerce issues an affirmative preliminary determination of circumvention, we will then instruct U.S. Customs and Border Protection to suspend liquidation and require cash deposits of estimated antidumping duties, at the applicable rates, for each unliquidated entry of the merchandise at issue, entered or withdrawn from warehouse for consumption on or after the date of initiation of the inquiry.

In the event we issue a preliminary affirmative determination of circumvention pursuant to section 781(a) of the Act (further manufactured in the United States), we intend to notify the International Trade Commission, in accordance with section 781(e)(1) of the Act and 19 CFR 351.225(f)(7)(i)(C), if applicable.

In accordance with section 781(f) of the Act and 19 CFR 351.225(f)(5), Commerce intends to issue its final determination within 300 days of the date of publication of this notice.

This notice is published in accordance with section 781(a) of the Act and 19 CFR 351.225(g).

Dated: October 10, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

Developing the Administration's Approach To Supporting Economic Recovery in Venezuela

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice; request for public comments.

SUMMARY: On behalf of the U.S. Administration, the International Trade Administration (ITA) is requesting comments on ways the Administration can support economic recovery following leadership transition in Venezuela. This request supplements on-going outreach the Administration is conducting with the private sector intended to inform our engagement going forward.

DATES: Comments should be received by 11:59 p.m. Eastern Daylight Time on October 29, 2019.

ADDRESSES: Written comments may be submitted by email to *SUPPORTVENEZUELA@trade.gov*. Comments submitted by email should

⁴⁸ *See Petitioners' August 23 Response at 3.*

⁴⁹ *Id.* at Exhibit 14.

⁵⁰ *See section 776 of the Act.*

be machine readable and should not be copy protected. Written comments also may be submitted by mail to the International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 32019, Attn: SUPPORTVENEZUELA REQUEST FOR COMMENTS, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: SUPPORTVENEZUELA@trade.gov. Please address your written comments to Lynn Costa at 202-482-5027.

SUPPLEMENTARY INFORMATION: On January 23, 2019 the United States recognized Juan Guaido as the interim President of Venezuela and called on Nicolas Maduro to step aside in favor of a legitimate leader. The United States and more than fifty-three other countries have now recognized Juan Guaido as the Interim President of Venezuela.

On January 25, 2019, President Donald J. Trump issued Executive Order 13857, which laid out additional steps that the United States is taking to address the national emergency with respect to Venezuela. In that Executive Order, President Trump highlighted “actions by persons affiliated with the illegitimate Maduro regime, including human rights violations and abuses in response to anti-Maduro protests, arbitrary arrest and detention of anti-Maduro protestors, curtailment of press freedom, harassment of political opponents, and continued attempts to undermine the Interim President of Venezuela and undermine the National Assembly, the only legitimate branch of government duly elected by the Venezuelan people.”

On January 25, 2019 Secretary of State Michael R. Pompeo certified the authority of Venezuela’s interim President Juan Guaido to receive and control certain property in accounts of the Government of Venezuela or Central Bank of Venezuela held by the Federal Reserve Bank of New York or any other U.S. insured banks, in accordance with Section 25B of the Federal Reserve Act. In order to facilitate the transition to a post-Maduro government in Venezuela, the Administration is considering steps it can take to assist Venezuela’s economic recovery after the illegitimate Maduro regime has left Caracas, and we are seeking public input from policy experts, the business community, and others regarding steps this Administration should take.

Instructions for Commenters: This is a general solicitation of comments from the public. We invite comments on the issue presented by this RFC and on issues that are not specifically raised.

Comments that contain references to specific court cases, studies, and/or research should include copies of the referenced materials along with the submitted comments. Commenters should include the name of the person or organization filing the comment, as well as a page number on each page of the submissions. All personal identifying information (for example, name or address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

Dates: October 9, 2019.

Anthony Diaz,
Program Analyst.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XR049

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Construction Activities for the Statter Harbor Improvement Project

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

ACTION: Notice; proposed incidental harassment authorization; request for comments on proposed authorization and possible renewal.

SUMMARY: NMFS has received a request from the City of Juneau for authorization to take marine mammals incidental to vibratory and impact pile driving, vibratory pile removal, and down the hole drilling in Auke Bay, Alaska. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-year renewal that could be issued under certain circumstances and if all requirements are met, as described in *Request for Public Comments* at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorizations and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than November 18, 2019.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service. Physical comments should be sent to 1315 East-West Highway, Silver Spring, MD 20910 and electronic comments should be sent to *ITP.Young@noaa.gov*.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Sara Young, Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:

Background

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed incidental take authorization may be provided to the public for review.