

DEPARTMENT OF COMMERCE

Submission for OMB Review;
Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: Report of Building or Zoning Permits Issued for New Privately-Owned Housing Units (Building Permits Survey).

OMB Control Number: 0607-0094.

Form Number(s): C-404.

Type of Request: Extension of a currently approved collection.

Number of Respondents: 19,875.

Average Hours per Response: 9.34 minutes.

Burden Hours: 16,918.

Needs and Uses: The Census Bureau requests a three-year extension of a currently approved collection of the Form C-404, otherwise known as the Building Permits Survey (BPS). This survey collects data on new residential buildings from state and local permit-issuing offices. The key estimates from the survey are the numbers of new housing units authorized by building permits; data are also collected on the valuation of the housing units.

The Census Bureau produces statistics used to monitor activity in the large and dynamic construction industry. Given the importance of this industry, several of the statistical series have been designated by the Office of Management and Budget as Principal Economic Indicators. Two such indicators are directly dependent on the key estimates from the BPS: (1) New Residential Construction (which includes Housing Units Authorized by Building Permits, Housing Starts, and Housing Completions), and (2) New Residential Sales. These statistics help state, local, and federal governments, as well as private industry, analyze this important sector of the economy. The building permit series are available monthly based on a sample of building permit offices, and annually based on the entire universe of permit offices. Published data from the survey can be found on the Census Bureau's Web site at www.census.gov/permits.

The Census Bureau collects these data primarily by mail using the Form C-404 or online using an online version of the same questionnaire. Some data are also collected via receipt of electronic files. Form C-404 collects information on changes to the geographic coverage of

the permit-issuing place, the number, and valuation of new residential housing units authorized by building permits, and additional information on residential permits valued at \$1 million or more. The form is titled "Report of Building or Zoning Permits Issued for New Privately-Owned Housing Units."

The Census Bureau uses the Form C-404 to collect data that provide estimates of the number and valuation of new residential housing units authorized by building permits. About one-half of the permit offices are requested to report monthly. The remaining offices are surveyed once per year. We use the data, a component of the Conference Board's Index of Leading Economic Indicators, to estimate the number of housing units authorized, started, completed, and sold (single-family only). In addition, the Census Bureau uses the detailed geographic data in the development of annual population estimates that are used by government agencies to allocate funding and other resources to local areas, inform policy, and aid in city planning. Policymakers, planners, businesses, and others use the detailed geographic data to monitor growth and plan for local services, and to develop production and marketing plans. The BPS is the only source of statistics on residential construction for states, counties, and smaller geographic areas. Because building permits are public records, we can release data for individual jurisdictions, and annual data are published for every permit-issuing jurisdiction.

Affected Public: State, local, or Tribal governments.

Frequency: Monthly and annually.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13, United States Code, Sections 131 and 182.

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to OIRA_Submission@omb.eop.gov or fax to (202) 395-5806.

Sheleen Dumas,

Departmental PRA Lead, Office of the Chief Information Officer.

[FR Doc. 2015-31415 Filed 12-14-15; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-958]

Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Determination of Sales at Less Than Fair Value and Notice of Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision

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

SUMMARY: On November 23, 2015, the United States Court of International Trade ("CIT") issued its final judgment¹ sustaining the Department of Commerce's (the "Department") final results of redetermination² issued pursuant to the CIT's remand order in *Gold East Paper (Jiangsu) Co. v. United States*, Court No. 10-00371, Slip Op. 15-37 (CIT 2015) ("*Gold East III*"), with respect to the Department's amended final determination³ of the antidumping duty investigation of certain coated paper suitable for high-quality print graphics using sheet-fed presses ("coated paper") from the People's Republic of China. Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) ("*Diamond Sawblades*"), the Department is notifying the public that the final judgment in this case is not in harmony with the Department's *Final Determination* and is amending the *Final Determination* with respect to the dumping margin determined for Gold East Paper (Jiangsu) Co., Ltd., Gold Huasheng Paper Co., Ltd., Gold East

¹ See *Gold East Paper (Jiangsu) Co. v. United States*, Court No. 10-00371, Slip Op. 15-131 (CIT November 23, 2015) ("*Gold East IV*").

² See Final Results of Redetermination Pursuant to Court Remand, *Gold East Paper (Jiangsu) Co. v. United States*, Court No. 10-00371, Slip Op. 15-37 (CIT 2015), dated July 10, 2015 ("*Remand Redetermination III*").

³ See *Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses From the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 75 FR 59217 (September 27, 2010), as amended by *Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses From the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Order*, 75 FR 70203 (November 17, 2010), (collectively, "*Final Determination*").

(Hong Kong) Trading Co., Ltd., Ningbo Zhonghua Paper Co., Ltd., Ningbo Asia Pulp and Paper Co., Ltd. (collectively, “APP-China”), exporters and producers of subject merchandise.

DATES: *Effective Date:* December 3, 2015.

FOR FURTHER INFORMATION CONTACT: Eve Wang, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6231.

SUPPLEMENTARY INFORMATION:

Subsequent to the publication of the *Final Determination*, APP-China filed a complaint with the CIT challenging aspects of the methodology used to determine its dumping margin in the *Final Determination*.

On June 17, 2013, the CIT issued *Gold East I*, instructing the Department to revisit its decision on multiple issues in the underlying investigation.⁴ On January 13, 2014, the Department issued its Remand Redetermination I.⁵ Consistent with the CIT’s instructions in *Gold East I*, the Department (1) recalculated the value of certain inputs using only market economy purchase (“MEP”) prices, (2) used prices from Korea and Thailand for purposes of valuing certain other inputs; (3) corrected certain programming errors in the targeted dumping calculation; (4) continued to classify certain of APP-China’s sales as export price (“EP”), and (5) applied the average-to-average methodology to all of APP-China’s sales.⁶

On July 2, 2014, the CIT sustained in part, and remanded in part the Department’s first remand redetermination.⁷ On November 26, 2014, the Department issued its Remand Redetermination II.⁸ Pursuant to the CIT’s instructions in *Gold East II*, the Department used APP-China’s prices for inputs from Thailand and did not use APP-China’s prices for inputs from South Korea to calculate its dumping margin.⁹ Additionally, the Department continued to apply the average-to-average methodology without zeroing to all of APP-China’s sales.¹⁰

On April 22, 2015, the CIT issued its decision in *Gold East III*, in which it remanded the Department’s conclusion that no information generally available to it at the time of the *Final Determination* supports a finding that the MEP prices for certain inputs from Thailand during the period of investigation may have been distorted because of countervailable export subsidies.¹¹ Additionally, the CIT instructed the Department to explain its decision not to rely on the differential pricing (“DP”) analysis in complying with the CIT’s order to apply the previously withdrawn targeted dumping regulation.¹² On July 10, 2015, the Department reversed its decision of relying on APP-China’s prices for inputs from Thailand and, consistent with the CIT order, applied the average-to-transaction methodology in its targeted dumping analysis to APP-China’s sales which were found to be targeted.¹³

On November 23, 2015, the CIT issued its decision in *Gold East IV*, in

which it sustained the Department’s Remand Redetermination III, finding that the Department’s determination that the presumption of the continued existence of a broadly-available, non-industry-specific program that may have distorted APP-China’s Thai suppliers’ prices was reasonable and supported by the record as a whole, and that the targeted dumping methodology the Department employed was reasonable.¹⁴

Timken Notice

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the CAFC held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (“the Act”), the Department must publish a notice of a court decision that is not “in harmony” with a Department determination and must suspend liquidation of entries pending a “conclusive” court decision. The CIT’s November 23, 2015, judgment in this case constitutes a final court decision that is not in harmony with the Department’s *Final Determination*. This notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Results

Because there is now a final court decision with respect to this case, the Department is amending the *Final Determination* with respect to APP-China’s weighted-average dumping margin, effective December 3, 2015. The revised dumping margin is as follows:

Exporter	Producer	Final percent margin
Gold East Paper (Jiangsu) Co., Ltd.; Gold Huasheng Paper Co., Ltd.; Ningbo Zhonghua Paper Co., Ltd.; Ningbo Asia Pulp and Paper Co., Ltd.; Gold East (Hong Kong) Trading Co., Ltd.	Gold East Paper (Jiangsu) Co., Ltd.; Gold Huasheng Paper Co., Ltd.; Ningbo Zhonghua Paper Co., Ltd.; Ningbo Asia Pulp and Paper Co., Ltd.	3.64

Accordingly, the Department will continue the suspension of liquidation pending the expiration of the period of appeal or if appealed, pending a final and conclusive court decision.

Cash Deposit Requirements

Since the *Final Determination*, the Department has not established a new

cash deposit rate for the above-listed APP-China companies. As a result, in accordance with section 735(c)(1)(B) of the Act, the Department will instruct CBP to collect a cash deposit of 3.64 percent for entries of subject merchandise exported and produced by APP-China, effective December 3, 2015.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e), 735(d), and 777(i)(1) of the Act.

⁴ See *Gold East Paper (Jiangsu) Co. v. United States*, 918 F. Supp. 2d 1317 (CIT 2013) (“*Gold East I*”).

⁵ See Final Results of Redetermination Pursuant to Court Remand, *Gold East Paper (Jiangsu) Co. v. United States*, Court Order No. 10–00371, Slip Op. 13–74 (CIT 2013), dated January 13, 2014 (“Remand Redetermination I”).

⁶ See Remand Redetermination I at 2.

⁷ See *Gold East Paper (Jiangsu) Co. v. United States*, 991 F. Supp. 2d 1357 (CIT 2014) (“*Gold East II*”).

⁸ See Final Results of Redetermination Pursuant to Court Remand, *Gold East Paper (Jiangsu) Co. v. United States*, Court Order No. 10–00371, Slip Op.

14–79 (CIT 2014), dated November 26, 2014 (“Remand Redetermination II”).

⁹ *Id.*

¹⁰ *Id.*

¹¹ See *Gold East III*.

¹² *Id.*

¹³ See Remand Redetermination III.

¹⁴ See *Gold East IV*.

Dated: December 9, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2015-31559 Filed 12-14-15; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-351-841]

Polyethylene Terephthalate Film, Sheet and Strip From Brazil: Final Results of Antidumping Duty Administrative Review; 2013-2014

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

SUMMARY: On August 12, 2015, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on polyethylene terephthalate film, sheet and strip (PET film) from Brazil for the period November 1, 2013 through November 9, 2013.¹ For the final results, we continue to find that respondent Terphane Ltda and Terphane, Inc. (collectively, Terphane) made no shipments of subject merchandise during the period of review (POR). We made no changes to the *Preliminary Results*.

DATES: *Effective Date:* December 15, 2015.

FOR FURTHER INFORMATION CONTACT: Tyler Weinhold or Robert James, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1121 and (202) 482-0649, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 12, 2015, the Department published the *Preliminary Results* in the **Federal Register**.² In the *Preliminary Results*, the Department preliminarily determined that Terphane made no shipments during the POR. We invited parties to comment on the *Preliminary Results*. We received no comments.

Scope of the Order

The products covered by the order are all gauges of raw, pre-treated, or primed

PET film, whether extruded or co-extruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer more than 0.00001 inches thick. Also excluded is roller transport cleaning film which has at least one of its surfaces modified by application of 0.5 micrometers of SBR latex. Tracing and drafting film is also excluded. PET film is classifiable under subheading 3920.62.00.90 of the Harmonized Tariff Schedule of the United States (HTSUS). While HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

Determination of No Shipments

As noted in the *Preliminary Results*, we received a no-shipment claim from Terphane, and we confirmed this claim with U.S. Customs and Border Protection (CBP). Because no party commented on our preliminary results, we continue to find that the record indicates that Terphane did not export subject merchandise to the United States during the POR and that it had no reviewable transactions during the POR.

Assessment

Pursuant to 19 CFR 356.8(a), the Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review. On May 6, 2003, the Department clarified its "automatic assessment" regulation.³ This clarification will apply to entries of subject merchandise during the POR for which the reviewed company did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For any entries by Terphane, we will instruct CBP to assess antidumping duties in accordance with the reseller policy.

Cash Deposit Requirements

As this order has been revoked in full, and the suspension of liquidation of entries of PET film from Brazil has been lifted, we do not intend to issue cash deposit instructions.⁴

³ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (reseller policy).

⁴ See *Polyethylene Terephthalate Film, Sheet, and Strip From Brazil, the People's Republic of China and the United Arab Emirates: Continuation and Revocation of Antidumping Duty Orders*, 80 FR 6689 (February 6, 2015).

Notifications

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. 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 the terms of an APO is a sanctionable violation.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: December 9, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2015-31564 Filed 12-14-15; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Creel Survey of Private Boat Recreational Fishing in the U.S. Virgin Islands.

OMB Control Number: 0648-xxxx.

Form Number(s): None.

Type of Request: Regular (request for a new information collection).

Number of Respondents: 250.