

to go to the Commission's Web site, [www.usccr.gov](http://www.usccr.gov), or to contact the Central Regional Office at the above email or street address.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission and FACA.

Dated in Washington, DC, March 13, 2013.

**David Mussatt,**

*Acting Chief, Regional Programs  
Coordination Unit.*

[FR Doc. 2013-06151 Filed 3-15-13; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### **In the Matter of: Dan Tran Dang, 1010 W. Moore Street, Santa Ana, CA 92707; Order Denying Export Privileges**

On April 17, 2012, in the U.S. District Court, Central District of California, Dan Tran Dang ("Dang") was convicted of violating Section 38 of the Arms Export Control Act (22 U.S.C. 2778 (2006 & Supp. IV 2010)) ("AECA"). Specifically, Dang was convicted of aiding and abetting and willfully exporting Generation 3 Night Vision Goggles, defense articles listed on the United States Munitions List, from the United States to Vietnam, without first obtaining from the U.S. Department of State a license or written authorization for such export. Dang was sentenced to one day of prison, (credit for time served), followed by three years of supervised release, and fined a special assessment of \$500. Dang is also listed on the U.S. Department of State Debarred List.

Section 766.25 of the Export Administration Regulations ("EAR" or "Regulations")<sup>1</sup> provides, in pertinent part, that "[t]he Director of the Office of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny the export privileges of any person who has been convicted of a violation of the Export Administration Act ("EAA"), the EAR, or any order, license or authorization

issued thereunder; any regulation, license, or order issued under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706); 18 U.S.C. 793, 794 or 798; section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b)), or section 38 of the Arms Export Control Act (22 U.S.C. 2778)." 15 CFR 766.25(a); *see also* Section 11(h) of the EAA, 50 U.S.C. app. § 2410(h). The denial of export privileges under this provision may be for a period of up to 10 years from the date of the conviction. 15 CFR 766.25(d); *see also* 50 U.S.C. app. § 2410(h). In addition, Section 750.8 of the Regulations states that the Bureau of Industry and Security's Office of Exporter Services may revoke any Bureau of Industry and Security ("BIS") licenses previously issued in which the person had an interest in at the time of his conviction.

I have received notice of Dang's conviction for violating the AECA, and have provided notice and an opportunity for Dang to make a written submission to BIS, as provided in Section 766.25 of the Regulations. I have not received a submission from Dang. Based upon my review and consultations with BIS's Office of Export Enforcement, including its Director, and the facts available to BIS, I have decided to deny Dang's export privileges under the Regulations for a period of 10 years from the date of Dang's conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Dang had an interest at the time of his conviction.

Accordingly, it is hereby ordered:

I. Until April 17, 2022, Dan Tran Dang, with a last known address at: 1010 W. Moore Street, Santa Ana, CA 92707, and when acting for or on behalf of Dang, his representatives, assigns, agents or employees (the "Denied Person"), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any

other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

II. No person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

III. After notice and opportunity for comment as provided in Section 766.23 of the Regulations, any other person, firm, corporation, or business organization related to Dang by affiliation, ownership, control or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order if necessary to prevent evasion of the Order.

IV. This Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2012). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. app. §§ 2401-2420 (2000)) ("EAA"). Since August 21, 2001, the EAA has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2012 (77 FR 49699 (August 16, 2012)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2006 & Supp. IV 2010)).

V. This Order is effective immediately and shall remain in effect until April 17, 2022.

VI. In accordance with Part 756 of the Regulations, Dang may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

VII. A copy of this Order shall be delivered to Dang. This Order shall be published in the **Federal Register**.

Issued this 12th day of March, 2013.

**Bernard Kritzer,**

*Director, Office of Exporter Services.*

[FR Doc. 2013-06135 Filed 3-15-13; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-909]

#### **Certain Steel Nails From the People's Republic of China; Final Results of Third Antidumping Duty Administrative Review; 2010-2011**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce ("the Department") published its *Preliminary Results* of the antidumping duty order on certain steel nails from the People's Republic of China ("PRC") on September 4, 2012.<sup>1</sup> The period of review ("POR") is August 1, 2010, through July 31, 2011. We gave interested parties an opportunity to comment on the *Preliminary Results*. Based upon our analysis of the comments and information received, we made changes to the margin calculations for these final results. The final dumping margins are listed below in the "Final Results of the Review" section of this notice.

**DATES:** *Effective Date:* March 18, 2013.

**FOR FURTHER INFORMATION CONTACT:** Julia Hancock or Javier Barrientos, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1394 or (202) 482-2243, respectively.

#### **SUPPLEMENTARY INFORMATION:**

<sup>1</sup> See *Certain Steel Nails from the People's Republic of China: Preliminary Results and Partial Rescission of the Third Antidumping Duty Administrative Review*, 77 FR 53845 (September 4, 2012) ("Preliminary Results").

## Background

On September 4, 2012, the Department published the *Preliminary Results* of this administrative review.<sup>2</sup> The Department extended the deadline based on requests from interested parties, once for submission of case briefs and twice for rebuttal briefs.<sup>3</sup> On September 24, 2012, and October 2, 2012, interested parties submitted surrogate value ("SV") comments and SV rebuttal comments.<sup>4,5</sup> On October 19, 2012, Petitioner, Stanley,<sup>6</sup> Hongli,<sup>7</sup> and Itochu<sup>8</sup> submitted case briefs.<sup>9</sup> On October 26, 2012, Petitioner, Stanley, Itochu, and Hongli submitted rebuttal briefs.<sup>10</sup>

As explained in the memorandum from the Assistant Secretary for Import Administration, the Department has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 29 through October 30, 2012.<sup>11</sup> Thus, all

<sup>2</sup> See *id.*

<sup>3</sup> See Memorandum for All Interested Parties, "Antidumping Administrative Review of Certain Steel Nails from the People's Republic of China: Revised Case and Rebuttal Briefs Schedule," (September 13, 2012); see also, Memorandum to the File, Antidumping Administrative Review of Certain Steel Nails from the People's Republic of China: Revised Case and Rebuttal Briefs Schedule, (October 26, 2012).

<sup>4</sup> See "Itochu Building Products Co., Inc. and Tianjin Jinghai County Hongli Industry & Business Co., Ltd., ("GDLSK Respondents") Post-Preliminary Surrogate Value Submission: Third Antidumping Duty Administrative Review of Certain Steel Nails from the People's Republic of China," (September 24, 2012); "Stanley's Certain Steel Nails from the People's Republic of China, Third Administrative Review; Post-Preliminary Results Surrogate Value Data," (September 24, 2012); and "Mid-Continent Nail Corporation's ("Petitioner")'s Post-Preliminary Surrogate Value Submission," (September 24, 2012).

<sup>5</sup> See "GDLSK Respondents' Post-Preliminary Surrogate Value Rebuttal Submission: Third Antidumping Duty Administrative Review of Certain Steel Nails from the People's Republic of China," (October 2, 2012); "Stanley's Certain Steel Nails from the People's Republic of China, Third Administrative Review; Post-Preliminary Results Rebuttal Surrogate Value Submission," (October 2, 2012); and "Petitioner's Certain Steel Nails from the People's Republic of China: Submission of Rebuttal Surrogate Value Information" (October 2, 2012).

<sup>6</sup> The Stanley Works (Langfang) Fastening Systems Co., Ltd., and Stanley Black & Decker, Inc. (collectively "Stanley").

<sup>7</sup> Tianjin Jinhai County Hongli Industry & Business Co., Ltd. ("Hongli").

<sup>8</sup> Itochu Building Products Co., Ltd. ("Itochu").

<sup>9</sup> See Stanley's Case Brief, (October 19, 2012); Itochu's and Hongli's Case Brief, (October 19, 2012); and Petitioner's Case Brief, (October 19, 2012).

<sup>10</sup> See Petitioners' Rebuttal Brief, (October 26, 2012); Stanley's Rebuttal Brief, (October 26, 2012); and Itochu's and Hongli's Rebuttal Brief, (October 26, 2012).

<sup>11</sup> See Memorandum to the Record from Paul Piquado, Assistant Secretary for Import Administration, regarding "Tolling of Administrative Deadlines as a Result of the Government Closure During the Recent Hurricane; (October 31, 2012).

deadlines in this segment of the proceeding have been extended by two days.<sup>12</sup> Additionally, on December 11, 2012, the Department extended the deadline in this proceeding by 60 days.<sup>13</sup> The revised deadline for the final results of this review is now March 5, 2013.

## Scope of the Order

The merchandise covered by the order includes certain steel nails having a shaft length up to 12 inches. Certain steel nails subject to the order are currently classified under the Harmonized Tariff Schedule of the United States ("HTSUS") subheadings 7317.00.55, 7317.00.65 and 7317.00.75. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.<sup>14</sup>

For a full description of the scope, see "Certain Steel Nails from the People's Republic of China: Issues and Decision Memorandum for the Final Results of the Third Antidumping Duty Administrative Review," dated concurrently with this notice ("Issues and Decision Memorandum").

## Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties are addressed in the Issues and Decision Memorandum. A list of the issues which parties raised is attached to this notice as Appendix I. The Issues and Decision Memorandum is a public document and is on file in the Central Records Unit ("CRU"), Room 7046 of the main Department of Commerce building, as well as electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System ("IA ACCESS"). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the CRU. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/ia/>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

<sup>12</sup> See Memorandum to the Record from Paul Piquado, AS for Import Administration, regarding "Tolling of Administrative Deadlines as a Result of the Government Closure During the Recent Hurricane Sandy"; (October 31, 2012).

<sup>13</sup> See Memorandum to Christian Marsh, "Certain Steel Nails from the People's Republic of China: Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated December 11, 2012.

<sup>14</sup> See *Notice of Antidumping Duty Order: Certain Steel Nails From the People's Republic of China*, 73 FR 44961 (August 1, 2008).