

Dated: April 5, 2017.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2017-07103 Filed 4-7-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Order Denying Export Privileges In the Matter of: Sam Rafic Ghanem, 6714 Forsythia Street, Springfield, VA 22150

On August 12, 2015, in the U.S. District Court for the District of Maryland, Sam Rafic Ghanem (“Ghanem”), was convicted of violating section 38 of the Arms Export Control Act (22 U.S.C. 2778 (2012)) (“AECA”). Specifically, Ghanem willfully attempted to export and cause the exportation of firearms parts and accessories designated as defense articles under Category I of the United States Munitions List from the United States to Lebanon without having first obtained the required license or authorization from the U.S. Department of State, Directorate of Defense Trade Controls. Ghanem was sentenced 18 months in prison, three years of supervised release, a criminal fine of \$70,734.24, and a \$200 assessment.

Section 766.25 of the Export Administration Regulations (“EAR” or “Regulations”)¹ 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. 4610(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. 4610(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.

BIS has received notice of Ghanem’s conviction for violating the AECA, and has provided notice and an opportunity for Ghanem to make a written submission to BIS, as provided in section 766.25 of the Regulations. Ghanem requested an extension of time to make a written submission to BIS, which was granted, but BIS did not receive a submission from Ghanem.

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 Ghanem’s export privileges under the Regulations for a period of 10 years from the date of Ghanem’s conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Ghanem had an interest at the time of his conviction.

Accordingly, it is hereby *Ordered*:

First, from the date of this Order until August 12, 2025, Sam Rafic Ghanem, with a last known address of 6714 Forsythia Street, Springfield, VA 22150, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (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.

Second, 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.

Third, 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 Ghanem by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with part 756 of the Regulations, Ghanem 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.

Fifth, a copy of this Order shall be delivered to the Ghanem. This Order shall be published in the **Federal Register**.

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2016). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. 4601–4623 (Supp. III 2015) (available at <http://uscode.house.gov>)). Since August 21, 2001, the Act 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 4, 2016 (81 FR 52,587 (Aug. 8, 2016)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2006 & Supp. IV 2010)).

Sixth, this Order is effective immediately and shall remain in effect until August 12, 2025.

Issued: March 31, 2017.

Hillary Hess,

Acting Director, Office of Exporter Services.

[FR Doc. 2017-06813 Filed 4-7-17; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-964]

Seamless Refined Copper Pipe and Tube From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Results of the Antidumping Duty Administrative Review; 2012-2013

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

SUMMARY: On March 22, 2017, the United States Court of International Trade (“CIT”) issued its final judgment in litigation pursuant to the third antidumping duty administrative review of seamless refined copper pipe and tube from the People’s Republic of China, sustaining the final results of remand redetermination pursuant to court order by the Department of Commerce (“the Department”). The Department is notifying the public that the final judgment in this case is not in harmony with the Department’s final results of the antidumping administrative review, and the Department is amending those final results with respect to the weighted-average dumping margin assigned to Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., and Golden Dragon Holding (Hong Kong) International, Ltd. (collectively, “Golden Dragon”).

DATES: *Effective Date:* April 3, 2017.

FOR FURTHER INFORMATION CONTACT: Maisha Cryor, AD/CVD Operations, Office IV, Enforcement and Compliance—International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-2769.

SUPPLEMENTARY INFORMATION:

Background

On June 15, 2015, the Department published the *Final Results*.¹ On June

¹ See *Seamless Refined Copper Pipe and Tube from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012-2013*, 80 FR 32087 (June 5, 2015) (“*Final Results*”).

24, 2015, Golden Dragon, the respondent in the underlying proceeding, timely filed a complaint with the CIT to challenge certain aspects of the *Final Results*. On July 21, 2016, the CIT remanded the *Final Results* to the Department to further explain or reconsider the application of the value-added tax (“VAT”) adjustment to the export price of Golden Dragon.² On February 7, 2017, the Department issued its *Remand Results*, in which the Department determined that all of the copper cathode inputs used by Golden Dragon in the production of subject merchandise were VAT-exempt.³

On March 22, 2017, the CIT sustained the Department’s *Remand Results*, and entered final judgment.⁴

Timken Notice

In its decision 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 Court of Appeals for the Federal Circuit 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 March 22, 2017, judgment sustaining the Department’s *Remand Results* constitutes a final decision of that court that is not in harmony with the Department’s *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal, or if appealed, pending a final and conclusive court decision.

Amended Final Results

Because there is now a final court decision, the Department is amending its *Final Results* with respect to Golden

² See *Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., Golden Dragon Holding (Hong Kong) International, Ltd., and GD Copper (U.S.A.) Inc., v. United States*, Slip Op. 16-73, Court No. 15-00177 (CIT 2016).

³ See *Final Results of Redetermination Pursuant to Court Order, Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., Golden Dragon Holding (Hong Kong) International, Ltd., and GD Copper (U.S.A.) Inc., v. United States*, Consol. Court No. 15-00177 (February 7, 2017) (“*Remand Results*”).

⁴ See *Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., Golden Dragon Holding (Hong Kong) International, Ltd., and GD Copper (U.S.A.) Inc., v. United States*, Slip Op. 17-29, Court No. 15-00177 (CIT 2017).

Dragon’s weighted-average dumping margin. The revised weighted-average dumping margin for Golden Dragon during the period November 1, 2012, through October 31, 2013, is as follows:

Exporter	Weighted-average dumping margin (%)
Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., and Golden Dragon Holding (Hong Kong) International, Ltd	6.09

In the event the CIT’s ruling is not appealed or, if appealed, is upheld by a final and conclusive court decision, the Department will instruct the U.S. Customs and Border Protection to assess antidumping duties on unliquidated entries of subject merchandise based on the revised rate calculated by the Department in the *Remand Results*, and listed above.

Cash Deposit Requirements

Because there have been subsequent administrative reviews for Golden Dragon, the cash deposit rate will remain the rate published in the *2013-2014 Final Results*, which is 0.00 percent.⁵

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

Dated: April 4, 2017.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2017-07105 Filed 4-7-17; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

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

SUMMARY: The Department of Commerce (“the Department”) has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with February anniversary dates. In accordance with the Department’s

⁵ See *Seamless Refined Copper Pipe and Tube from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2013-2014*, 81 FR 39893, 39894 (June 20, 2016).