

Civil Rights in Nebraska: Prisons and
Mental Health
Future Plans and Actions
Public Comment
Adjournment

Dated: March 12, 2019.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2019-04950 Filed 3-15-19; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

**Amended Order Denying Export
Privileges**

In the Matter of: Shavkat Abdullaev,
Inmate Number: 73083-279, Moshannon
Valley Correctional Institution, 555 Geo
Drive, Philipsburg, PA 16866.

On December 1, 2016, in the U.S. District Court for the Eastern District of New York, Shavkat Abdullaev (“Abdullaev”) was convicted of violating the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)) (“IEEPA”). Specifically, Abdullaev was convicted of knowingly and intentionally exporting from the United States to Russia microelectronics without the required U.S. Department of Commerce licenses. Abdullaev was sentenced to 36 months in prison, two years of supervised release, and a \$400 assessment.

On December 31, 2018, I issued an Order denying Abdullaev’s export privileges pursuant to Section 766.25 of the Export Administration Regulations (“EAR” or “Regulations”), for a period of five (5) years from the date of his conviction.¹ In addition, pursuant to

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730-774 (2018). The Regulations originally issued under the Export Administration Act of 1979, as amended, 50 U.S.C. 4601-4623 (Supp. III 2015) (“EAA”), which lapsed on August 21, 2001. The President, through Executive Order 13,222 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 8, 2018 (83 FR 39871 (Aug. 13, 2018)), continued the Regulations in full force and effect under the International Emergency Economic Powers Act, 50 U.S.C. 1701, *et seq.* (2012) (“IEEPA”). On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, Title XVII, Subtitle B of Public Law 115-232, 132 Stat. 2208 (“ECRA”). While Section 1766 of ECRA repeals the provisions of the EAA (except for three sections which are inapplicable here), Section 1768 of ECRA provides, in pertinent part, that all rules and regulations that were made or issued under the EAA, including as continued in effect pursuant to IEEPA, and were in effect as of ECRA’s date of enactment (August 13, 2018), shall continue in effect according to their terms until modified, superseded, set aside, or revoked

Section 750.8 of the Regulations, the Order also revoked any licenses issued by the Bureau of Industry and Security (“BIS”) in which Abdullaev had an interest at the time of his conviction.

Prior to issuance of the December 31, 2018 Order, BIS, in accordance with Section 766.25 of the Regulations, provided Abdullaev notice of the proposed action and an opportunity to make a written submission opposing it. Unknown to BIS at the time, Abdullaev had mailed a submission, dated December 19, 2018, opposing the proposed action. Due apparently to the partial U.S. Government shutdown, BIS did not receive Abdullaev’s submission until January 30, 2019. It is possible that, but for the shutdown, the submission may have been received by BIS in timely fashion.

In light of the foregoing, I have reviewed and considered Abdullaev’s submission² and the record as a whole. Based upon review and consideration Abdullaev’s submission and all available facts, in addition to my consultations with BIS’s Office of Export Enforcement and its Director, I hereby affirm my decision denying Abdullaev’s export privileges under the Regulations for a period of five years from the date of Abdullaev’s conviction, and revoking any BIS-issued licenses in which Abdullaev had an interest at the time of his conviction. Thus, in sum, the terms of the December 31, 2018 Order are hereby affirmed, except as amended herein to reflect receipt and consideration of Abdullaev’s written submission.

Accordingly, it is hereby *ordered*:

First, from the date of this Order until December 1, 2021, Shavkat Abdullaev with a last known address of Inmate Number: 73083-279, Moshannon Valley Correctional Institution, 555 Geo Drive, Philipsburg, PA 16866, 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,

through action undertaken pursuant to the authority provided under ECRA.

² In his one-page submission, Abdullaev ultimately contended that he did not intend to violate or circumvent the law and that his conviction was accordingly on appeal. His conviction has since been affirmed by the U.S. Court of Appeals for the Second Circuit, by summary order dated February 7, 2019. *United States v. Abdullaev*, No. 17-104-cr (L), 2019 U.S. App. LEXIS 3772 (2d Cir. Feb. 7, 2019) (summary order). In affirming his conviction, the Second Circuit held “that there was ample evidence from which the jury could conclude that Abdullaev acted with knowledge that his conduct was unlawful when he prepared fraudulent documentation for each charged export.” *Id.* at *5-6.

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 engaging 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 from 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 Abdullaev 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, Abdullaev 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 Abdullaev and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until December 1, 2021.

Issued on March 8, 2019.

Karen H. Nies-Vogel,

Director, Office of Exporter Services.

[FR Doc. 2019-04907 Filed 3-15-19; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Proposed Information Collection; Comment Request; BIS Program Evaluation

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: To ensure consideration, written comments must be submitted on or before May 17, 2019.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, 1401 Constitution Avenue NW, Room 6616, Washington, DC 20230 (or via the internet at PRAComments@doc.gov.)

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be

directed to Mark Crace, BIS ICB Liaison, (202) 482-8093 or at mark.crace@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

This collection of information is necessary to obtain feedback from seminar participants. This information helps BIS determine the effectiveness of its programs and identifies areas for improvement. The gathering of performance measures on the BIS seminar program is also essential in meeting the agency's responsibilities under the Government Performance and Results Act (GPRA).

II. Method of Collection

Paper and Electronic

III. Data

OMB Control Number: 0694-0125.

Form Number(s): 0694-0125.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 3,000.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden Hours: 500 hours.

Estimated Total Annual Cost to Public: \$0.

Respondent's Obligation: Voluntary.

Legal Authority: Government Performance and Results Act (GPRA).

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Sheleen Dumas,

Departmental Lead PRA Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2019-04929 Filed 3-15-19; 8:45 am]

BILLING CODE 3510-07-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-557-816]

Certain Steel Nails From Malaysia: Final Results of Antidumping Duty Administrative Review; 2016-2017

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

SUMMARY: The Department of Commerce (Commerce) determines that Region International Co. Ltd. and Region System Sdn. Bhd. (collectively, Region) made sales of certain steel nails (steel nails) from Malaysia at less than normal value during the period of review (POR) July 1, 2016, through June 30, 2017, and that Inmax Sdn. Bhd. and Inmax Industries Sdn. Bhd. (collectively, Inmax) did not.

DATES: Applicable March 18, 2019.

FOR FURTHER INFORMATION CONTACT:

Edythe Artman (Inmax) or Madeline Heeren (Region), 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) 482-3931 or (202) 482-9179, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 9, 2018, Commerce published the *Preliminary Results* of the 2016-2017 antidumping duty administrative review of steel nails from Malaysia.¹ Commerce conducted verification of Inmax's sales information from September 17 through 21, 2018. We invited interested parties to comment on the *Preliminary Results* and the verification report. For Region, we received case briefs from Mid Continent Steel & Wire, Inc. (the petitioner) and Region on December 14, 2018,² and a rebuttal brief from Region on December 21, 2018.³ For Inmax, we received a case brief from the petitioner

¹ See *Certain Steel Nails from Malaysia: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2016-2017*, 83 FR 39422 (August 9, 2018) and accompanying Preliminary Decision Memorandum (*Preliminary Results*).

² See Letter, "Certain Steel Nails from Malaysia: Case Brief on Region," dated December 14, 2018 (Petitioner Case Brief—Region); see also Region's Letter, "Certain Steel Nails from Malaysia: Case Brief," dated December 12, 2018 (Region Case Brief).

³ Letter, "Steel Nails from Malaysia: Rebuttal Brief," dated December 21, 2018 (Region's Rebuttal Brief).