

2778) (“AECA”). Specifically, Li was convicted of knowingly and willfully attempting to export from the United States to China, a Harris Falcon III AN/PRC 152A Radio, which is designated as a defense article on the United States Munitions List, without the required licenses or written authorization from the State Department. As a result of his conviction, the Court sentenced Li to 36 months of confinement, three years of supervised release and \$100 assessment. Li was also placed on U.S. Department of State’s debarred list.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”), the export privileges of any person who has been convicted of certain offenses, including, but not limited to, Section 38 of the AECA, may be denied for a period of up to ten (10) years from the date of his/her conviction. *See* 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Li’s conviction for violating Section 38 of the AECA. BIS provided notice and opportunity for Li to make a written submission to BIS, as provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”). 15 CFR 766.25.<sup>2</sup> BIS has not received a written submission from Li.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Li’s export privileges under the Regulations for a period of 10 years from the date of Li’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Li had an interest at the time of his conviction.<sup>3</sup>

Accordingly, it is hereby *ordered*:

*First*, from the date of this Order until June 12, 2030, Qingshan Li, with a last known address of Room 201 NO106 Lane 24, Chengshan Rd., Pudong District, Shanghai, China 200126, 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 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, reexport, or transfer (in-country) 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*, pursuant to Section 1760(e) of ECRA (50 U.S.C. 4819(e)) and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Li 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, Li 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 Li and shall be published in the **Federal Register**.

*Sixth*, this Order is effective immediately and shall remain in effect until June 12, 2030.

**John Sonderman**,

*Director, Office of Export Enforcement.*

[FR Doc. 2023–03985 Filed 2–27–23; 8:45 am]

**BILLING CODE 3510-DT-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Transportation and Related Equipment Technical Advisory Committee; Notice of Open Meeting

The Transportation and Related Equipment Technical Advisory Committee will meet on March 15, 2023, 11:30 a.m., Eastern Standard Time, via teleconference. The Committee advises the Office of the Assistant Secretary for Export Administration with respect to technical questions that affect the level of export controls applicable to transportation and related equipment or technology.

#### Agenda

##### Public Session

1. Welcome and Introductions.
2. Status reports by working group chairs.
3. Public comments and Proposals.

To join the conference, submit inquiries to Ms. Yvette Springer at [Yvette.Springer@bis.doc.gov](mailto:Yvette.Springer@bis.doc.gov) no later than March 8, 2023.

To the extent time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate distribution of public presentation materials to

<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2022).

<sup>3</sup> The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders, pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Springer via email.

For more information, contact Ms. Springer via email.

**Yvette Springer,**  
Committee Liaison Officer.

[FR Doc. 2023-04105 Filed 2-27-23; 8:45 am]

BILLING CODE P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-124, C-570-125]

#### Certain Vertical Shaft Engines Between 99cc and Up To 225cc, and Parts Thereof, From the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping and Countervailing Duty Orders—Dual-Piston Engines

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that imports of dual-piston engines with a single, common combustion chamber, of the type designed by FNA Group, Inc. (FNA), produced in, and exported from the People's Republic of China (China), constitute later-developed merchandise that is circumventing the antidumping duty (AD) and countervailing duty (CVD) orders on certain vertical shaft engines between 99cc and up to 225cc, and parts thereof (small vertical engines), from China. Commerce is also applying this affirmative circumvention finding on a country-wide basis.

**DATES:** Applicable February 28, 2023.

**FOR FURTHER INFORMATION CONTACT:** Paul Gill, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5673.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 29, 2022, Commerce published the *Preliminary Determination* of the circumvention inquiry of the AD and CVD orders on small vertical engines from China<sup>1</sup> with respect to imports of dual-piston engines with a single, common

<sup>1</sup> See *Certain Vertical Shaft Engines Between 99cc and Up To 225cc, and Parts Thereof from the People's Republic of China: Antidumping and Countervailing Duty Orders*, 86 FR 23675 (May 4, 2021) (*Orders*).

combustion chamber, of the type designed by FNA, produced in, and exported from China.<sup>2</sup> We invited parties to comment on the *Preliminary Determination*. For a complete description of the events that followed the *Preliminary Determination*, see the Issues and Decision Memorandum.<sup>3</sup>

#### Scope of the Orders

The merchandise subject to the *Orders* is small vertical engines from China. For a complete description of the scope of the *Orders*, see the Issues and Decision Memorandum.

#### Merchandise Subject to the Circumvention Inquiry

This circumvention inquiry covers dual-piston engines with a single, common combustion chamber, of the type designed by FNA, produced in, and exported from China, that otherwise meet the scope of the *Orders*. The dual-piston engines subject to this circumvention inquiry have a common combustion chamber shared by two cylinders that contain pistons working in unison.<sup>4</sup>

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues raised is attached in the appendix to this notice. The Issues and Decision Memorandum is a public document and is filed electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

<sup>2</sup> See *Certain Vertical Shaft Engines Between 99cc and Up To 225cc, and Parts Thereof, from the People's Republic of China: Affirmative Preliminary Determination of Circumvention of the Antidumping and Countervailing Duty Orders—Dual-Piston Engines; Rescission in Part*, 87 FR 59059 (September 29, 2022) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>3</sup> See Memorandum, "Certain Vertical Shaft Engines Between 99cc and 225cc from the People's Republic of China: Issues and Decision Memorandum for Circumvention Inquiry—Dual-Piston Engines," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>4</sup> See Petitioner's Letter, "Request for Anti-Circumvention Inquiry Pursuant to Section 781(c) and/or Section 781(d) of the Tariff Act of 1930," dated March 4, 2022, at 2-3.

#### Affirmative Final Determination of Circumvention

Consistent with the *Preliminary Determination*,<sup>5</sup> Commerce continues to determine that imports of dual-piston engines with a single, common combustion chamber, of the type designed by FNA, produced in, and exported from China, constitute later-developed merchandise that is circumventing the *Orders*, pursuant to section 781(d) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.226(k). Commerce also continues to apply this affirmative circumvention finding on a country-wide basis.

#### Liquidation of Entries

In the *Preliminary Determination*, Commerce stated it would instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of, and collect cash deposits on, imports of dual-piston engines with a single, common combustion chamber, of the type designed by FNA, produced in, and exported from China, that were entered, or withdrawn from warehouse, for consumption on or after April 25, 2022 (*i.e.*, the date of the initiation of this inquiry).<sup>6</sup> On October 26, 2022, Commerce rescinded the administrative review of the AD order for the period July 23, 2020, through April 30, 2022.<sup>7</sup> Accordingly, the administrative review covering entries that would have been suspended had they entered from April 25, 2022, through April 30, 2022, has been rescinded.

For any unliquidated entries of dual-piston engines with a single, common combustion chamber, of the type designed by FNA, produced in, and exported from China, that entered as non-AD/CVD type entries (*e.g.*, type 01) that were shipped and/or entered, or withdrawn from warehouse, for consumption in the United States after April 25, 2022, importers should file a Post Summary Correction with CBP, in accordance with CBP's regulations regarding the conversion of such entries from non-AD/CVD case numbers to AD/CVD type entries (*e.g.*, type 01 to type 03). For such shipments, the Post Summary Corrections should be completed as soon as practicable, but no later than 45 days after the publication of this notice in the **Federal Register**. Importers should report those AD/CVD type entries of merchandise under the AD/CVD case numbers of the *Orders* on small vertical engines from China (*i.e.*,

<sup>5</sup> See *Preliminary Determination* PDM.

<sup>6</sup> *Id.*, 87 FR at 59060.

<sup>7</sup> See *Rescission of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 64764 (October 26, 2022).