

access to an investigative file could interfere with investigative and enforcement proceedings; co-defendants of a right to a fair trial; constitute an unwarranted invasion of personal privacy of others; disclose the identity of confidential sources and reveal confidential information supplied by these sources; and disclose investigative techniques and procedures.

(3) 5 U.S.C. 552a(e)(4)(I) requires the publication of the categories of sources of records in each system of records. The application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality. This would compromise the ability to conduct investigations, and to make fair and objective decisions on questions of suitability for Federal employment and related issues.

(4) 5 U.S.C. 552a(e)(1) requires each agency to maintain in its records only such information about an individual that is relevant and necessary to accomplish a purpose of the agency required by statute or Executive Order. An exemption from the foregoing is needed:

a. Because it is not possible to detect relevance or necessity of specific information in the early stages of an investigation.

b. Relevance and necessity are questions of judgment and timing. What appears relevant and necessary when collected may ultimately be determined to be unnecessary. It is only after that information is evaluated that the relevance and necessity of such information can be established.

c. In any investigation the Inspector General may obtain information concerning the violations of laws other than those within the scope of his or her jurisdiction. In the interest of effective law enforcement, the Inspector General should retain this information as it may aid in establishing patterns of criminal activity, and provide leads for those law enforcement agencies charged with enforcing other segments of criminal or civil law.

d. In interviewing persons, or obtaining other forms of evidence during an investigation, information may be supplied to the investigator which relate to matters incidental to the main purpose of the investigation but which may relate to matters under investigative jurisdiction of another agency. Such information cannot readily be segregated.

Dated: December 16, 2011.

**Jonathan R. Cantor,**  
Chief Privacy Officer, Department of  
Commerce.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**[A-583-803]**

#### Light-Walled Welded Rectangular Carbon Steel Tubing From Taiwan: Continuation of Antidumping Duty Order

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

**SUMMARY:** As a result of the determinations by the Department of Commerce (the Department) and the International Trade Commission (ITC) that revocation of the antidumping duty order on light-walled welded rectangular carbon steel tubing from Taiwan would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of the antidumping duty order.

**DATES:** *Effective Date:* February 2, 2012.

**FOR FURTHER INFORMATION CONTACT:** Jerrold Freeman or Minoo Hatten, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0180 or (202) 482-1690, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 1, 2011, the Department initiated, and the ITC instituted, the sunset review of the antidumping duty order<sup>1</sup> on light-walled welded rectangular carbon steel tubing from Taiwan pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). *See Initiation of Five-Year ("Sunset") Review*, 76 FR 38613 (July 1, 2011) and *Certain Pipe and Tube From Brazil, India, Korea, Mexico, Taiwan, Thailand, and Turkey*, 76 FR 38691 (July 1, 2011).

As a result of this sunset review, the Department determined that revocation of the antidumping duty order on light-walled welded rectangular carbon steel tubing from Taiwan would be likely to lead to continuation or recurrence of

dumping and notified the ITC of the magnitude of the margins likely to prevail should the order be revoked. *See Light-Walled Welded Rectangular Carbon Steel Tubing From Taiwan: Final Results of the Expedited Sunset Review of the Antidumping Duty Order*, 76 FR 64312 (October 18, 2011).

On January 24, 2012, pursuant to section 752(a) of the Act, the ITC published its determination that revocation of the antidumping duty order on light-walled welded rectangular carbon steel tubing from Taiwan would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See Light-Walled Rectangular Pipe and Tube From Taiwan*, 77 FR 3497 (January 24, 2012), and ITC Publication 4301 (January 2012) entitled *Light-Walled Rectangular Pipe and Tube From Taiwan (Investigation No. 731-TA-410 (Third Review))*.

#### Scope of the Order

The product covered by the order is light-walled welded carbon steel pipe and tube of rectangular (including square) cross-section having a wall thickness of less than 0.156 inch. This merchandise is classified under item number 7306.61.5000 of the Harmonized Tariff Schedule (HTS). It was formerly classified under item number 7306.60.5000. The HTS item numbers are provided for convenience and customs purposes only. The written product description remains dispositive.

#### Continuation of the Order

As a result of the determinations by the Department and the ITC that revocation of this antidumping duty order would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty order on light-walled welded rectangular carbon steel tubing from Taiwan.

U.S. Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of this order will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of this order not later than 30 days prior to the fifth anniversary of the effective date of continuation.

<sup>1</sup> *Antidumping Duty Order; Light-Walled Welded Rectangular Carbon Steel Tubing From Taiwan*, 54 FR 12467 (March 27, 1989).

This five-year sunset review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: January 25, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## **BUREAU OF CONSUMER FINANCIAL PROTECTION**

### **No FEAR Act Notice; Notice of Rights and Protections Available Under the Federal Antidiscrimination and Whistleblower Protection Laws**

**AGENCY:** The Bureau of Consumer Financial Protection. **ACTION:** Notice.

**SUMMARY:** The Bureau of Consumer Financial Protection (CFPB or the Bureau) is providing notice to its employees, former employees, and applicants for Federal employment about the rights and remedies available to them under the Federal antidiscrimination, whistleblower protection, and retaliation laws. This notice fulfills CFPB's initial notification obligation under the Notification and Federal Employees Antidiscrimination and Retaliation Act (No FEAR Act), as implemented by Office of Personnel Management (OPM) regulations.

**FOR FURTHER INFORMATION CONTACT:** Liza Strong, Office of Human Capital, 1700 G Street, NW Washington, DC 20037, (202) 435-7655. Additional information can be found on CFPB's Web site at <http://www.consumerfinance.gov>.

**SUPPLEMENTARY INFORMATION:** On May 15, 2002, Congress enacted the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174, 116 Stat. 566 (5 U.S.C. 2301 note). The Act is intended to hold Federal agencies accountable for violations of antidiscrimination and whistleblower protection laws. In support of this purpose, Congress found that "agencies cannot be run effectively if those agencies practice or tolerate discrimination." Sec. 101(1), Public Law 107-174, 116 Stat. 566. The Act requires CFPB to inform its employees, former employees, and applicants for employment of the rights and protections available under Federal antidiscrimination, whistleblower protection, and retaliation laws. OPM requires agencies to publish the initial notice required by the No FEAR Act in the **Federal Register**. 5 CFR 724.202.

### **Antidiscrimination Laws**

A Federal agency may not discriminate against an employee or applicant with respect to the terms, conditions, or privileges of employment on the basis of race, color, religion, national origin, sex, (including pregnancy and gender identity), age (40 and above), disability, genetic information, marital status, parental status, sexual orientation, political affiliation, military service, or any other non-merit factor. Discrimination on these bases is prohibited by Federal statutes and Executive Orders. 5 U.S.C. 2302(b)(1); 29 U.S.C. 206(d); 29 U.S.C. 631; 29 U.S.C. 633a; 29 U.S.C. 791; 38 U.S.C. 4301-35; 42 U.S.C. 2000e-16; 42 U.S.C. 2000ff-1; E.O. 13087; E.O. 13145; E.O. 13152.

If you believe that you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, national origin, disability, or genetic information, you must contact an Equal Employment Opportunity (EEO) counselor within 45 calendar days of the alleged discriminatory action, or, in the case of a personnel action, within 45 calendar days of the effective date of the action, before you may file a formal complaint of discrimination with your agency. *See, e.g.,* 29 CFR part 1614.

If you believe that you have been the victim of unlawful discrimination on the basis of age, you must either contact an EEO counselor or give notice of your intent to sue to the Equal Employment Opportunity Commission (EEOC) within 180 calendar days of the alleged discriminatory action.

If you are alleging discrimination based on sexual orientation, marital status, parental status, political affiliation, or any other non-merit factor you may file a written complaint with the U.S. Office of Special Counsel (OSC).

If you are alleging discrimination based on military service, you may request assistance from the Veterans' Employment and Training Service (VETS) at the Department of Labor (DOL), the Merit Systems Protection Board (MSPB), or OSC, depending on the circumstances.

### **Whistleblower Protection Laws**

A Federal employee with authority to take, direct others to take, recommend, or approve a personnel action must not use that authority to take or fail to take, or threaten to take or fail to take, a personnel action against an employee or applicant because of disclosure of information by that individual that is reasonably believed to be evidence of violations of law, rule or regulation;

gross mismanagement; gross waste of funds; abuse of authority; or substantial and specific danger to public health or safety, unless disclosure of such information is specifically prohibited by law or such information is specifically required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs.

Retaliation against an employee or applicant for making a protected disclosure is prohibited by 5 U.S.C. 2302(b)(8). If you believe that you have been the victim of whistleblower retaliation, you may file a written complaint (Form OSC-11) with OSC at 1730 M Street NW., Suite 218, Washington, DC 20036-4505 or online through the OSC Web site at <http://www.osc.gov>.

### **Retaliation for Engaging in Protected Activity**

A Federal agency may not retaliate against an employee or applicant because that individual exercises his or her rights under any of the Federal antidiscrimination or whistleblower protection laws listed in this Notice. If you believe that you are the victim of retaliation for engaging in protected activity, you must follow the procedures described in the Antidiscrimination Laws and Whistleblower Protection Laws sections of this Notice in order to pursue a legal remedy.

### **Disciplinary Actions**

Each agency has the right to discipline a Federal employee for conduct that is inconsistent with Federal antidiscrimination and whistleblower protection laws up to and including removal from the federal service. If OSC has initiated an investigation under 5 U.S.C. 1214, however, according to 5 U.S.C. 1214(f), agencies must seek approval from the Special Counsel to discipline employees for, among other activities, engaging in prohibited retaliation. Nothing in the No FEAR Act alters existing laws or permits an agency to take unfounded disciplinary action against a Federal employee or to violate the procedural rights of a Federal employee who has been accused of discrimination.

### **Additional Information**

For further information regarding the No FEAR Act regulations, please see 5 CFR part 724, and contact the Office of Human Capital at CFPB. Additional information regarding Federal antidiscrimination, whistleblower protection, and retaliation laws can be found on the EEOC Web site at <http://www.eeoc.gov>, on the OSC Web site at <http://www.osc.gov>, on the DOL Web