

representatives to appear before the agency in representative capacities and have regulated their appearance without requiring an application or a license to do so and without restricting the issues covered by either type of representative. This rule does not change that practice in any respect. The rule expressly identifies persons who may appear before the agency, including both attorneys and non-attorney representatives, and identifies possible sanctions for misconduct by such representatives. Nothing presently precludes the Department from disciplining any representatives including attorneys who appear before it. Indeed, both attorneys and non-attorney representatives have been subject to possible discipline for years for violation of the Department's APO procedures. The Department recognizes that some agencies require certain non-attorney practitioners to enroll to practice before them (for instance, ATF). Trade remedies, however, is not a regulated industry warranting such enrollment.

The Department shares the concern expressed by one commenter that this rule may not remedy misconduct by all practitioners, specifically those who do not operate in the United States. To the extent a foreign non-attorney representative (a foreign attorney, not licensed in the United States, a U.S. possession or territory, may not appear as an attorney in Department proceedings and may only appear as a non-attorney representative) is found to have violated the rule, he or she will be subject to the same disciplinary sanctions by the Department as U.S. non-attorney representatives. Depending upon the nature of the misconduct, such an individual may thus receive a reprimand, a suspension for a period of time or disbarment from appearing before the agency and with respect to the latter two, would not be permitted to appear before the Department or sign submissions filed with the Department. To the extent a commenter is concerned that the suspended or disbarred foreign non-attorney representative could then begin to work for other companies behind the scenes, we agree that the Department's ability to police such matters is limited; however, the Department expects that any such cases would be exceptional and will seek to address them consistent with their particular facts.

With respect to disciplining attorneys who appear before the Department, many federal agencies undertake similar endeavors. We agree that relevant Bar associations and Bar counsel are well able to discipline attorneys and the

Department expects to refer the names of attorneys that the Department determines have engaged in misconduct to the appropriate Bar counsel.

#### Classification

##### *Executive Order 12866*

This final rule has been determined to be not significant for purposes of Executive Order 12866.

##### *Regulatory Flexibility Act*

In accordance with the Regulatory Flexibility Act, 5 USC 601 *et seq.*, the Chief Counsel for Regulation at the Department of Commerce certified to the Chief Counsel for Advocacy, Small Business Administration, at the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. No comments were received regarding the economic impact of this rule. As a result, the conclusion in the proposed rule remains unchanged and a final regulatory flexibility analysis is not required and none has been prepared.

##### **List of Subjects in 19 CFR Part 351**

Administrative practice and procedure, Antidumping duties, Countervailing duties.

Dated: April 11, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

For the reasons stated above, the Department amends 19 CFR part 351 as follows:

#### **PART 351—ANTIDUMPING AND COUNTERVAILING DUTIES**

■ 1. The authority citation for 19 CFR part 351 continues to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 1202 note; 19 U.S.C. 1303 note; 19 U.S.C. 1671 *et seq.*; and 19 U.S.C. 3538.

■ 2. Add § 351.313 to subpart C to read as follows:

##### **§ 351.313 Attorneys or representatives.**

*In general.* No register of attorneys or representatives who may practice before the Department is maintained. No application for admission to practice is required. Any person desiring to appear as attorney or representative before the Department may be required to show to the satisfaction of the Secretary his acceptability in that capacity. Any attorney or representative practicing before the Department, or desiring so to practice, may for good cause shown be suspended or barred from practicing before the Department, or have imposed on him such lesser sanctions (e.g., public or private reprimand) as the

Secretary deems appropriate, but only after he has been accorded an opportunity to present his views in the matter. The Department will maintain a public register of attorneys and representatives suspended or barred from practice. "Attorney" pursuant to this subpart and "legal counsel" in § 351.303(g) have the same meaning. "Representative" pursuant to this subpart and in § 351.303(g) has the same meaning.

[FR Doc. 2013-09041 Filed 4-16-13; 8:45 am]

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#### **DEPARTMENT OF HOMELAND SECURITY**

##### **Coast Guard**

##### **33 CFR Part 100**

[Docket No. USCG-2013-0161]

##### **Special Local Regulations; Recurring Marine Events in the Seventh Coast Guard District; St. Croix, U.S.V.I.**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the special local regulation for the Ironman St. Croix 70.3 Triathlon from 5 a.m. until 10 a.m. on May 5, 2013. This action is necessary to ensure safety of life on navigable waters of the United States during the Ironman St. Croix 70.3 Triathlon. During the enforcement period, the special local regulation will consist of a race area, which will exclude the presence of any and all non race participants and non safety vessels. Non-participants and non safety vessels will be prohibited from entering, transiting through, anchoring in, or remaining within the area unless authorized by the Captain of the Port San Juan or a designated representative. **DATES:** This regulation will be enforced from 5 a.m. until 10 a.m. on May 5, 2013.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email CWO Anthony Cassisa, Sector San Juan Prevention Department, Coast Guard; telephone (787) 289-2073, email [Anthony.J.Cassisa@uscg.mil](mailto:Anthony.J.Cassisa@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the special local regulation pertaining to a Half Ironman Triathlon on the first Sunday in May for the annual Ironman St. Croix 70.3 Triathlon, located in 33 CFR 100.701 Table 1 from 5 a.m. until 10 a.m. on May 5, 2013. The 2013 event is sponsored by Project St. Croix, Inc.

Under the provisions of 33 CFR 100.701, a vessel may not enter the regulated area, unless it receives permission from the COTP. Vessels may safely transit outside the regulated area, but may not anchor, block, loiter in, or impede the race participants or official patrol vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 100.701 and 5 U.S.C. 552 (a). The Coast Guard will provide notice of the regulated areas by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

Dated: April 5, 2013.

**D.M. Flaherty,**

*Captain, U.S. Coast Guard, Acting Captain of the Port, San Juan.*

[FR Doc. 2013-09033 Filed 4-16-13; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2013-0086]

RIN 1625-AA00

#### **Safety Zone; Corp. Event Finale UHC, St. Thomas Harbor; St. Thomas, U.S.V.I.**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a safety zone on the waters of St. Thomas Harbor in St. Thomas, U.S. Virgin Islands during the Corp. Event Finale UHC, a firework display. The event is scheduled to take place on Wednesday, April 24, 2013, and will entail a barge being positioned near the St. Thomas Harbor channel from which fireworks will be lit. The safety zone is necessary to ensure the safety of vessels, spectators, and the public on the navigable waters of the United States during the event. Persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the safety zone unless authorized by the Captain of the Port San Juan.

**DATES:** This rule is effective from 8:00 p.m. until 10:00 p.m. on April 24, 2013.

**ADDRESSES:** Documents mentioned in this preamble are part of docket USCG-2013-0086. To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket

number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Chief Warrant Officer Anthony Cassisa, Sector San Juan Prevention Department, Coast Guard; telephone (787) 289-2073, email [Anthony.J.Cassisa@uscg.mil](mailto:Anthony.J.Cassisa@uscg.mil). If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone (202) 366-9826.

#### **SUPPLEMENTARY INFORMATION:**

##### **Table of Acronyms**

DHS Department of Homeland Security

FR Federal Register

NPRM Notice of Proposed Rulemaking

#### **A. Regulatory History and Information**

The Coast Guard published a notice of proposed rulemaking (NPRM) on March 14, 2013, in the **Federal Register** (78 FR 16211). The Coast Guard received no public comments in the docket and no requests for public meetings.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The Coast Guard did not receive information from the event sponsor early enough to both publish a NPRM and allow 30 days after publication before making this rule effective. The Coast Guard chose to notify the public and seek comment on this rule by publishing a NPRM. As such, it is impracticable to delay the effective date by 30 days. This final rule is necessary to protect the public and commercial traffic during the firework display, and therefore, must be effective by the start of the event on April 24, 2013.

#### **B. Basis and Purpose**

The legal basis for the rule is the Coast Guard's authority to establish regulated navigation areas and other limited access areas: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

On April 24, 2013, Fireworks by Grucci and Left Lane Productions are

sponsoring the Corp. Event Finale UHC, a firework display event. The event will be held on the waters of St. Thomas Harbor, St. Thomas, U. S. Virgin Islands. The fireworks will be launched from a barge stationed near the St. Thomas Harbor channel.

The purpose of the rule is to protect the public from the hazards associated with the launching of fireworks over navigable waters of the United States.

#### **C. Discussion of Comments, Changes and the Final Rule**

The Coast Guard received no comments in the docket for this rulemaking. We made no changes to the regulation as originally proposed.

This safety zone encompasses waters in St. Thomas Harbor. The zone is effective from 8 p.m. until 10 p.m. on April 24, 2013. Persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the safety zone unless authorized by the Captain of the Port.

Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the safety zone by contacting the Captain of the Port San Juan or a designated representative. If authorization to enter, transit through, anchor in, or remain within the safety zone is granted, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port San Juan or a designated representative.

The Coast Guard will provide notice of the safety zone by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

#### **D. Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

##### **1. Regulatory Planning and Review**

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

The economic impact of this rule is not significant for the following reasons: (1) The safety zone will be enforced for