

“Regulations”) <sup>1</sup> 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 EAA [Export Administration Act], 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 pursuant to the Export Administration Act (“EAA” or “the Act”) or the Regulations in which the person had an interest at the time of his/her conviction.

BIS has received notice of Stribling’s conviction for violating Section 38 of the AECA, and has provided notice and an opportunity for Stribling to make a written submission to BIS, as provided in Section 766.25 of the Regulations. BIS has not received a submission from Stribling.

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 Stribling’s export privileges under the Regulations for a period of five (5) years from the date of Stribling’s conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Stribling had an interest at the time of his conviction.

Accordingly, it is hereby *ordered*:

*First*, from the date of this Order until July 6, 2021, John Francis Stribling,

with a last known address of Inmate Number: 87652–083, FCI Loretto, P.O. Box 1000, Loretto, PA 15940, 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 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 Stribling 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, Stribling 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 Stribling and shall be published in the **Federal Register**.

*Sixth*, this Order is effective immediately and shall remain in effect until July 6, 2021.

Issued this 28th day of September 2017.

**Karen H. Nies-Vogel,**

*Director, Office of Exporter Services.*

[FR Doc. 2017–21471 Filed 10–4–17; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–489–817]

#### Oil Country Tubular Goods From the Republic of Turkey: Amendment of Countervailing Duty Order

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

**SUMMARY:** On May 30, 2017, the United States Court of Appeals for the Federal Circuit (CAFC) affirmed the Department of Commerce’s (the Department) remand redetermination concerning the countervailing duty (CVD) investigation of oil country tubular goods (OCTG) from the Republic of Turkey (Turkey). This judgment was not appealed within the 90-day deadline, and became final and conclusive on August 28, 2017. The Department previously notified the public that the final judgment in this case by the U.S. Court of International

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2017). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. 4601–4623 (Supp. III 2015) (available at <http://uscode.house.gov>)) (“EAA” or “the Act”). 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 15, 2017 (82 FR 39005 (Aug. 16, 2017)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)).

Trade (CIT) is not in harmony with the Department's final determination in the CVD investigation of OCTG from Turkey. Because the judgment in this case is now final and conclusive, the Department is amending its CVD order on OCTG from Turkey covering the period of investigation of January 1, 2012, through December 31, 2012, to exclude Tosyali Dis Ticaret A.S., Tosçelik Profil ve Sac Endustrisi A.S., Tosyali Elektrik Enerjisi Tiptan Satis Ith. Ihr. A.S., Tosyali Demir Celik San. A.S., and Tosyali Holding A.S. (collectively, Tosçelik) from the order, and to revise the net countervailing subsidy rate for Borusan Istikbal Ticaret, Borusan Mannesmann Boru Sanayi, Borusan Mannesmann Boru Yatirim Holding A.S., and Borusan Holding A.S. (collectively, Borusan) and the "all others" rate.

**DATES:** Applicable March 3, 2016.

**FOR FURTHER INFORMATION CONTACT:** Aimee Phelan or Jennifer Shore, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-0697 or (202) 482-2778, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 18, 2014, the Department published its final affirmative CVD determination and final affirmative critical circumstances determination in this proceeding.<sup>1</sup> The Department reached affirmative determinations for mandatory respondents Borusan and Tosçelik. On September 2, 2014, the International Trade Commission notified the Department of its affirmative determination that an industry in the U.S. was materially injured by reason of OCTG that were subsidized by the Government of Turkey (GOT).<sup>2</sup> On September 10, 2014,

the Department published the CVD orders on OCTG from India and the Republic of Turkey.<sup>3</sup> The petitioner, Maverick Tube Corporation, and Borusan, each appealed the *Final Determination* to the CIT.<sup>4</sup> In *Borusan*, the CIT remanded for further consideration the Department's finding of distortion in the Turkish hot-rolled steel (HRS) market, the Department's selection of a HRS benchmark, and the Department's application of facts available with adverse inferences with respect to purchases of HRS by respondent Borusan. In *Maverick*, the CIT remanded issues pertaining to the Department's HRS benchmark calculations as well and, in addition, the Department's benchmark valuation for a parcel of land that the GOT granted to Tosçelik in 2008 for less than adequate remuneration.

On August 31, 2015, the Department issued its *Remand Redetermination* in accordance with the CIT's Order.<sup>5</sup> On remand, the Department revised the net countervailable subsidy rates for Borusan, Tosçelik, and the "all others" rate. On February 22, 2016, the CIT affirmed the Department's *Remand Redetermination*.<sup>6</sup> In response to the CIT's February 22, 2016, decision, the Department published a notice of court decision not in harmony with the final

*Tubular Goods from India, Korea, Philippines, Taiwan, Thailand, Turkey, Ukraine, and Vietnam* (Investigation Nos. 701-TA-499-500 and 731-TA-1215-1217 and 1219-1223 (Final) USITC Publication 4489, September 2014).

<sup>3</sup> See *Certain Oil Country Tubular Goods from India and the Republic of Turkey: Countervailing Duty Orders and Amended Affirmative Final Countervailing Duty Determination for India*, 79 FR 53688 (September 10, 2014) (Orders).

<sup>4</sup> See *Borusan Mannesmann Boru Sanayi Ve Ticaret A.S. v. United States*, 61 F. Supp. 3d 1306 (CIT 2015) (*Borusan*); and *Maverick Tube Corporation v. United States*, Consol. Court No. 14-00229, Slip Op. 15-59 (CIT 2015) (*Maverick*). On June 22, 2015, the CIT granted a motion to consolidate Court No. 14-00214 into Consolidated Court No. 14-00229.

<sup>5</sup> See Final Results of Remand Redetermination, *Borusan Mannesmann Boru Sanayi Ve Ticaret A.S. and Borusan Istikbal Ticaret v. United States; Maverick Tube Corporation v. United States*, Consol. Ct. No. 14-00229, 61 F. Supp. 3d 1306 and Slip Op. 15-59, dated August 31, 2017 (*Remand Redetermination*).

<sup>6</sup> See *Maverick Tube Corporation v. United States*, CIT Consol. Court No. 14-00229, Slip Op. 16-16 (February 22, 2016).

determination of the CVD investigation, and amended its *Final Determination* with respect to Borusan, Tosçelik, and the "all others" rate.<sup>7</sup> The revised net countervailable subsidy rates for Tosçelik and Borusan are 0.95 percent and 2.39 percent, respectively. The revised "all others" rate is 2.39 percent. Because neither Tosçelik nor Borusan had a superseding cash deposit rate (e.g., from an administrative review), the Department issued amended cash deposit instructions to U.S. Customs and Border Protection (CBP) on March 16, 2016.<sup>8</sup>

Borusan appealed, and Maverick cross-appealed, the CIT's decision to the CAFC, which affirmed the Department's *Remand Redetermination* on May 30, 2017.<sup>9</sup> Parties had 90 days, until August 28, 2017, to appeal the CAFC's decision by filing a petition for *writ of certiorari* with the United States Supreme Court. No party appealed.

**Amendment of the Order on OCTG From Turkey**

The period to appeal the CAFC's decision has passed, and a final and conclusive court decision has been reached in this case. Therefore, the Department is amending the CVD order on OCTG from Turkey<sup>10</sup> to exclude from the order subject merchandise produced and exported by Tosçelik<sup>11</sup> because the revised net countervailable subsidy rate is *de minimis*.

**Net Countervailable Subsidy Rates**

The net countervailable subsidy rates are as follows:

<sup>7</sup> See *Oil Country Tubular Goods from Turkey: Notice of Court Decision not in Harmony with the Final Determination of the Countervailing Duty Investigation*, 81 FR 12691 (March 10, 2016) (*Timken Notice*).

<sup>8</sup> See Message No. 6076302, dated March 16, 2016 (Message No. 6076302).

<sup>9</sup> See *Maverick Tube Corporation v. United States*, 857 F.3d 1353 (Fed. Cir. 2017).

<sup>10</sup> See Orders.

<sup>11</sup> The Department determined that Tosyali Dis Ticaret A.S., Tosçelik Profil ve Sac Endustrisi A.S., Tosyali Elektrik Enerjisi Tiptan Satis Ith. Ihr. A.S., Tosyali Demir Celik San. A.S., and Tosyali Holding A.S. are cross-owned. See *Final Determination* and accompanying Issues and Decision Memorandum, at 6-8.

<sup>1</sup> See *Certain Oil Country Tubular Goods from the Republic of Turkey: Final Affirmative Countervailing Duty Determination and Final Affirmative Critical Circumstances Determination*, 79 FR 41964 (July 18, 2014) (*Final Determination*).

<sup>2</sup> See Letter from the ITC to the Department, dated September 2, 2014; see also *Certain Oil Country*

Producer/exporter	Net subsidy rate (percent)
Borusan Istikbal Ticaret, Borusan Mannesmann Boru Sanayi, Borusan Mannesmann Boru Yatirim Holding A.S., and Borusan Holding A.S. <sup>12</sup>	2.39
Tosyali Dis Ticaret A.S., Tosçelik Profil ve Sac Endustrisi A.S., Tosyali Elektrik Enerjisi Toptan Satıs İth. Ihr. A.S., Tosyali Demir Celik San. A.S., and Tosyali Holding A.S.	* 0.95
All Others	2.39

\* *De minimis*.

### Continuation of Suspension of Liquidation, in Part

In accordance with section 705(c)(1)(B) of the Tariff Act of 1930, as amended (the Act), the Department has instructed CBP to continue to suspend liquidation on all relevant entries of OCTG from Turkey.<sup>13</sup> These instructions suspending liquidation will remain in effect until further notice. However, because the revised countervailable subsidy rate for Tosçelik is *de minimis*, the Department is directing CBP to liquidate all entries produced and exported by Tosçelik currently suspended without regard to countervailing duties, and to discontinue the suspension of liquidation of entries of subject merchandise where Tosçelik acted as both the producer and exporter. Entries of subject merchandise exported to the United States by any other producer and exporter combination involving Tosçelik are not entitled to this exclusion from suspension of liquidation and are subject to the cash deposit rate for the “all others” entity.

Because the net countervailable subsidy rate determined for Tosçelik is *de minimis*, consistent with the requirement under section 705(c)(5)(A) of the Act that the calculation of the “all others” rate excludes zero or *de minimis* rates calculated for the companies individually investigated, the Department revised the “all others” rate.<sup>14</sup> Therefore, for purposes of the amended CVD order with respect OCTG from Turkey, the “all others” cash deposit rate is amended to Borusan’s revised calculated subsidy rate of 2.39 percent.

### Notification to Interested Parties

This notice constitutes the amended CVD order with respect OCTG from Turkey. This notice is issued and

published in accordance with sections 516A(e) and 706(a) of the Act.

Dated: September 27, 2017.

**Carole Showers,**

*Executive Director, Office of Policy performing the duties of the Deputy Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–533–502, A–549–502, and A–489–501]

### Certain Welded Carbon Steel Pipes and Tubes From India, Thailand, and Turkey: Final Results of the Expedited Fourth Sunset Reviews of the Antidumping Duty Orders

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

**SUMMARY:** As a result of this sunset review, the Department of Commerce (the Department) finds that revocation of the antidumping duty (AD) orders on certain welded carbon steel pipes and tubes (pipes and tubes) from India, Thailand, and Turkey would likely lead to a continuation or recurrence of dumping. Further, the magnitude of the margins of dumping that are likely to prevail are identified in the “Final Results of Review” section of this notice.

**DATES:** Applicable October 5, 2017.

#### FOR FURTHER INFORMATION CONTACT:

Catherine Cartsos or Minoo Hatten, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–1757 and (202) 482–1690, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

In 1986, the Department published the AD orders on pipes and tubes from India, Thailand, and Turkey.<sup>1</sup> On June

2, 2017, the Department published the notice of initiation of the fourth sunset review of the AD orders on pipes and tubes pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup>

For each of these sunset reviews the Department received notice of intent to participate on behalf of Bull Moose Tube, TMK IPSCO Tubulars, Zekelman Industries, and EXLTUBE (collectively, the domestic interested parties) within the 15-day period specified in 19 CFR 351.218(d)(1)(i). The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as producers in the United States of the domestic like product.

On June 30, 2017, the Department received complete substantive responses to the *Initiation* from the domestic interested parties within the 30-day period, as specified in 19 CFR 351.218(d)(3)(i).<sup>3</sup> We received no substantive responses from respondent interested parties. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department is conducting expedited (120-day) sunset reviews of the AD orders on pipe and tube from India, Thailand, and Turkey.

#### Scope of the Orders

See the Appendix to this notice.

#### Analysis of Comments Received

All issues raised in these sunset reviews, including the likelihood of

<sup>1</sup> 51 FR 17384 (May 12, 1986); *Antidumping Duty Order; Circular Welded Carbon Steel Pipes and Tubes from Thailand*, 51 FR 8341 (March 11, 1986); and *Antidumping Duty Order; Welded Carbon Steel Standard Pipe and Tube Products from Turkey*, 51 FR 17784 (May 15, 1986).

<sup>2</sup> See *Initiation of Five-Year (“Sunset”) Reviews*, 82 FR 25599 (June 2, 2017) (*Initiation*).

<sup>3</sup> See Letters from domestic interested parties regarding, “Fourth Five-Year (“Sunset”) Review Of Antidumping Duty Order On Welded Carbon Steel Pipe And Tube from India: Domestic Industry’s Substantive Response,” dated June 30, 2017; “Fourth Five-Year (“Sunset”) Review Of Antidumping Duty Order On Certain Circular Welded Carbon Steel Pipes and Tubes from Thailand: Domestic Industry’s Substantive Response,” dated June 30, 2017; and Fourth Five-Year (“Sunset”) Review Of Antidumping Duty Order On Certain Circular Welded Carbon Steel Pipes and Tubes from Turkey: Domestic Industry’s Substantive Response,” dated June 30, 2017.

<sup>12</sup> The Department determined that Borusan Istikbal Ticaret, Borusan Mannesmann Boru Sanayi, Borusan Mannesmann Boru Yatirim Holding A.S., and Borusan Holding A.S. are cross owned. Id. at 4–6.

<sup>13</sup> Id., 79 FR at 53690; see also Message No. 4260305, dated September 17, 2014, and Message No. 6076302, dated March 16, 2016.

<sup>14</sup> See *Timken Notice*, 81 FR, at 12692.

<sup>1</sup> See *Antidumping Duty Order; Certain Welded Carbon Steel Standard Pipes and Tubes from India*,