

# Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF COMMERCE

### U.S. Census Bureau

#### Proposed Information Collection; Comment Request; Advance Monthly Retail Trade Survey

**AGENCY:** U.S. Census Bureau, Department of 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, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** To ensure consideration, written comments must be submitted on or before June 1, 2012.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230, (202) 482-0336, (or via the Internet at [JJessup@doc.gov](mailto:JJessup@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to: Karla Allen, U.S. Census Bureau, SSSD HQ-8K183A, 4600 Silver Hill Road, Washington, DC 20233-6500, (301) 763-7208 (or via the Internet at [Karla.l.Allen@census.gov](mailto:Karla.l.Allen@census.gov)).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The Advance Monthly Retail Trade Survey (MARTS) provides an early indication of monthly sales for firms located in the United States and classified in the Retail Trade or Food Services sectors as defined by the North

American Industry Classification System (NAICS).

The MARTS sample is comprised of approximately 5,000 firms selected from the larger Monthly Retail Trade Survey sample of about 12,000 firms (OMB Control Number: 0607-0717). Firms are selected into the MARTS sample using a stratified design where the strata are defined by industry and size. The MARTS sample is re-selected, generally at 2 1/2 to 3 year intervals, to ensure it is representative of the target population.

The survey requests sales and e-commerce sales for the month just ending. If reporting data for a period other than the calendar month, the survey asks for the period's length (4 or 5 weeks) and date on which the period ended. The survey also asks for the number of establishments covered by the data provided and whether or not the sales data provided are estimates or more accurate "book" figures.

Survey results are available approximately 9 working days after the end of the reference month. The Bureau of Economic Analysis (BEA) uses the survey results as critical inputs to the calculation of the Gross Domestic Product (GDP). Policymakers such as the Federal Reserve Board (FRB) need to have the timeliest estimates in order to anticipate economic trends and act accordingly. The Council of Economic Advisors (CEA) and other government agencies and businesses use the survey results to formulate and make decisions about economic policy. These estimates have a high priority because of their timeliness. There would be approximately a one-month delay in the availability of these results if the survey were not conducted.

##### II. Method of Collection

We will collect this information by mail, fax, telephone follow-up, and Internet (during the second half of 2012).

##### III. Data

*OMB Control Number:* 0607-0104.  
*Form Number:* SM-44(06)A, SM-44(06)AE, SM-44(06)AS, and SM-72(06)A.

*Type of Review:* Regular Submission.  
*Affected Public:* Retail and Food Services firms in the United States.

*Estimated Number of Respondents:* 5,000.

*Estimated Time Per Response:* 5 minutes.

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### Estimated Total Annual Burden

*Hours:* 5,000.

*Estimated Total Annual Cost:* The cost to the respondents for the fiscal year 2012 is estimated to be \$165,750.

*Respondent's Obligation:* Voluntary.  
*Legal Authority:* Title 13, United States Code, Section 182.

### 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.

Dated: March 27, 2012.

**Glenna Mickelson,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2012-7736 Filed 3-30-12; 8:45 am]

**BILLING CODE 3510-07-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

**Marc Knapp, Inmate #—06450—015, FCI Safford, P.O. Box 9000, Safford, AZ 85548; Order Denying Export Privileges**

On September 13, 2011, in the U.S. District Court, District of Delaware, Marc Knapp, ("Knapp") was convicted of one count of violating the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.* (2000)) ("IEEPA") and one count of violating Section 38 of the Arms Export Control Act (22 U.S.C. 2778 (2000)) ("AECA"). Specifically, Knapp pled guilty to: knowingly and willfully attempting to export from the United States to the Islamic Republic of Iran;

causing the attempted export to the Islamic Republic of Iran; and causing the attempted supply to the Islamic Republic of Iran, of an F-5B Tiger II fighter jet and other defense articles without obtaining the required authorization from the Office of Foreign Assets Control, Department of the Treasury, in violation of IEEPA. Knapp also pled guilty to knowingly and willfully attempting to export from the United States to the Islamic Republic of Iran, and causing the attempted export to the Islamic Republic of Iran, of an F-5B Tiger II fighter jet and other defense articles, which are designated as a defense articles on the United States Munitions List, without having first obtained from the Department of State a license for such exports or written authorization for such exports, in violation of the AECA. Knapp was sentenced to 46 months imprisonment and ordered to serve three years of supervised release.

Section 766.25 of the Export Administration Regulations (“EAR” or “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 [Export Administration Act (“EAA”)], 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. app. 2410(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. app. 2410(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 in which the

person had an interest in at the time of his conviction.

I have received notice of Knapp’s conviction for violating IEEPA and AECA, and have provided notice and an opportunity for Knapp to make a written submission to BIS, as provided in Section 766.25 of the Regulations. I have not received a submission from Knapp. 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 Knapp’s export privileges under the Regulations for a period of ten years from the date of Knapp’s conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Knapp had an interest at the time of his conviction.

Accordingly, it is hereby  
*Ordered*

I. Until September 13, 2021, Marc Knapp, with the last known address at:

Inmate #—06450–015, FCI Safford, P.O. Box 9000, Safford, AZ 85548, and when acting for or on behalf of Knapp, his representatives, assigns, agents or employees (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 in any other activity subject to the Regulations; or

C. Benefiting 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 in any other activity subject to the Regulations.

II. 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.

III. 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 Knapp by affiliation, ownership, control or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order if necessary to prevent evasion of the Order.

IV. This Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

V. This Order is effective immediately and shall remain in effect until September 13, 2021.

VI. In accordance with Part 756 of the Regulations, Knapp 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.

VII. A copy of this Order shall be delivered to the Knapp. This Order shall be published in the **Federal Register**.

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730–774 (2011). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. app. 2401–2420 (2000)) (“EAA”). Since August 21, 2001, the EAA 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 12, 2011 (76 Fed. Reg. 50661 (August 16, 2011)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.* (2000)).

Issued this 27th day of March, 2012.

**Bernard Kritzer,**

*Director, Office of Exporter Services.*

[FR Doc. 2012-7803 Filed 3-30-12; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-351-838, A-533-840, A-549-822]

#### Certain Frozen Warmwater Shrimp from Brazil, India, and Thailand: Notice of Initiation of Antidumping Duty Administrative Reviews and Request for Revocation of Order in Part

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

**SUMMARY:** The Department of Commerce (Department) received timely requests to conduct administrative reviews of the antidumping duty orders on certain frozen warmwater shrimp (shrimp) from Brazil, India, and Thailand. The anniversary month of these orders is February. In accordance with 19 CFR 351.221, we are initiating these administrative reviews. The Department received a request to revoke one antidumping duty order in part.

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

**FOR FURTHER INFORMATION CONTACT:** Kate Johnson at (202) 482-4929 (Brazil), Henry Almond at (202) 482-0049 (India), and Holly Phelps at (202) 482-0656 (Thailand), AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230.

#### Background

During the anniversary month of February 2012, the Department received timely requests for administrative reviews of the antidumping duty orders on shrimp from Brazil, India, and Thailand from the Ad Hoc Shrimp Trade Action Committee (hereinafter, Domestic Producers), the American Shrimp Processors Association (ASPA), and certain individual companies, in accordance with 19 CFR 351.213(b). The Department is now initiating administrative reviews of these orders covering multiple companies for Brazil, India, and Thailand, as noted in the "Initiation of Reviews" section of this notice. The Department also received a

timely request to revoke in part the antidumping duty order on certain frozen warmwater shrimp from India with respect to three exporters.

All deadlines for the submission of various types of information, certifications, or comments or actions by the Department discussed below refer to the number of calendar days from the applicable starting time.

#### Notice of No Sales

If a producer or exporter named in this notice of initiation had no exports, sales, or entries during the period of review (POR), it must notify the Department within 60 days of publication of this notice in the **Federal Register**. All submissions must be filed electronically at <http://iaaccess.trade.gov> in accordance with 19 CFR 351.303. See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011). Such submissions are subject to verification in accordance with section 782(i) of the Tariff Act of 1930, as amended (Act).

#### Respondent Selection

In the event the Department limits the number of respondents for individual examination in these administrative reviews, the Department intends to select respondents based on U.S. Customs and Border Protection (CBP) data for U.S. imports during the POR. We intend to release the CBP data under Administrative Protective Order (APO) to all parties having an APO within seven days of publication of this initiation notice and to make our decision regarding respondent selection within 21 days of publication of this **Federal Register** notice. The Department invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the applicable review.

In general, the Department has found that determinations concerning whether particular companies should be "collapsed" (i.e., treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, the Department will not conduct collapsing analyses at

the respondent selection phase of these reviews and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of these antidumping proceedings (i.e., investigation, administrative review, or changed circumstances review) or in a proceeding under Section 129 of the Uruguay Round Agreements Act. For any company subject to these reviews, if the Department determined, or continued to treat, that company as collapsed with others, the Department will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, the Department will not collapse companies for purposes of respondent selection. Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed.

#### Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that has requested a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that the Department may extend this time if it is reasonable to do so. In order to provide parties additional certainty with respect to when the Department will exercise its discretion to extend this 90-day deadline, interested parties are advised that, with regard to reviews requested on the basis of anniversary months on or after August 2011, the Department does not intend to extend the 90-day deadline unless the requestor demonstrates that an extraordinary circumstance has prevented it from submitting a timely withdrawal request. Determinations by the Department to extend the 90-day deadline will be made on a case-by-case basis.

#### Initiation of Reviews

In accordance with section 751(a)(1) of the Act, we are initiating administrative reviews of the antidumping duty orders on shrimp from Brazil, India and Thailand. We intend to issue the final results of these reviews by February 28, 2013.