

collection, tabulation, and analysis of federal economic statistics.

3. Individuals, groups, and/or organizations may submit nominations on behalf of an individual candidate. A summary of the candidate's qualifications (reAE1sumeAE1 or curriculum vitae) must be included along with the nomination letter. Nominees must be able to actively participate in the tasks of the Committee, including, but not limited to regular meeting attendance, committee meeting discussant responsibilities, and review of materials, as well as participation in conference calls, webinars, working groups, and special committee activities.

4. The Department of Commerce is committed to equal opportunity in the workplace and seeks diverse Committee membership.

Dated: March 22, 2013.

Thomas L. Mesenbourg, Jr.,

Senior Advisor Performing the Duties of the Director, Bureau of the Census.

[FR Doc. 2013-07344 Filed 3-28-13; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-26-2013]

Foreign-Trade Zone 236—Palm Springs, California; Application for Reorganization and Expansion Under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the City of Palm Springs, grantee of FTZ 236, requesting authority to reorganize and expand the zone under the alternative site framework (ASF) adopted by the Board (15 CFR 400.2(c)). The ASF is an option for grantees for the establishment or reorganization of zones and can permit significantly greater flexibility in the designation of new subzones or "usage-driven" FTZ sites for operators/users located within a grantee's "service area" in the context of the Board's standard 2,000-acre activation limit for a zone. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally docketed on March 25, 2013.

FTZ 236 was approved by the Board on February 3, 1999 (Board Order 1013, 64 FR 7854, 02/17/1999). The current zone includes the following sites: *Site 1* (902 acres)—Palm Springs International Airport, 3400 E. Tahquitz Canyon Way,

410 N. Farrell Drive, 820 Research Drive and adjacent Gene Autry Business Park, Palm Springs; and, *Site 2* (14 acres)—within the 18-acre Palm Springs Rail Station, 63950 Palm Springs Station Road, Palm Springs.

The grantee's proposed service area under the ASF would be a portion of eastern Riverside County, California, as described in the application. If approved, the grantee would be able to serve sites throughout the service area based on companies' needs for FTZ designation. The proposed service area is within and adjacent to the Palm Springs U.S. Customs and Border Protection port of entry.

The applicant is requesting authority to reorganize its existing zone project to include existing Site 1 as a "magnet" site. The ASF allows for the possible exemption of one magnet site from the "sunset" time limits that generally apply to sites under the ASF, and the applicant proposes that Site 1 be so exempted. In addition, the applicant is also requesting the approval of the following new magnet site: *Proposed Site 3* (26.72 acres)—Dowling Orchard Business Park, 415 Nicholas Road, 920 4th Street and 4th Street and Nicholas Road, Beaumont (Riverside County). The applicant is also requesting as part of the reorganization that Site 2 be removed from the zone project.

In accordance with the Board's regulations, Christopher Kemp of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is *May 28, 2013*. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to June 12, 2013.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via www.trade.gov/ftz. For further information, contact Christopher Kemp at Christopher.Kemp@trade.gov or (202) 482-0862.

Dated: March 25, 2013.

Andrew McGilvray,
Executive Secretary.

[FR Doc. 2013-07395 Filed 3-28-13; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Nexiant, LLC, 2531 West Maryland Avenue, Tampa, FL 33629; Order Denying Export Privileges

On October 18, 2012, in the U.S. District Court, Middle District of Florida, Tampa Division, Nexiant, LLC ("Nexiant") was convicted of violating the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2006 & Supp. IV 2010)) ("IEEPA"). Specifically, Nexiant was convicted of one count of violating IEEPA by knowingly and willfully conspiring with other individuals to violate IEEPA and the Iranian Transactions Regulations (31 CFR 560.203 and 560.204) by exporting computer and related equipment from the United States through the U.A.E. to Iran without first having obtained the required license from the Office of Foreign Assets Control. Nexiant was sentenced to 12 months of unsupervised probation and a fine of \$400.00.

Section 766.25 of the Export Administration Regulations ("EAR" or "Regulations")¹ 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

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2012). 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 15, 2012 (77 FR 49699 (August 16, 2012)), has continued the Regulations in effect under the IEEPA.

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 Nexiant's conviction for violating the IEEPA, and have provided notice and an opportunity for Nexiant to make a written submission to BIS, as provided in Section 766.25 of the Regulations. I have not received a submission from Nexiant. 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 Nexiant's export privileges under the Regulations for a period of 10 years from the date of Nexiant's conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Nexiant had an interest at the time of its conviction.

Accordingly, it is hereby *ordered*

I. Until October 18, 2022, Nexiant, LLC ("Nexiant"), with a last known address at: 2531 West Maryland Avenue, Tampa, FL 33629, and when acting for or on behalf of Nexiant, its successors or 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. 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 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 Nexiant 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 October 18, 2022.

VI. In accordance with Part 756 of the Regulations, Nexiant 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 Nexiant. This Order shall be published in the **Federal Register**.

Issued this 22nd day of March, 2013.

Bernard Kritzer,

Director, Office of Exporter Services.

[FR Doc. 2013-07277 Filed 3-28-13; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Richard Phillips, Currently Incarcerated at: Inmate No. 81783-079, FCI Ray Brook Federal Correctional Institution, P.O. Box 300, Ray Brook, NY 12977 and with An Address At: 6045 Spencer Avenue, Bronx, NY 11471

Order Denying Export Privileges

On June 21, 2012, in the U.S. District Court, Eastern District of New York, Richard Phillips ("Phillips") was convicted of violating the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2006 & Supp. IV 2010)) ("IEEPA"). Specifically, Phillips was convicted of knowingly, intentionally and willfully attempting to export, reexport, sell and supply, directly and indirectly, a spindle of Carbon Fiber (Toray T800SC-12K-50C) from the United States to Iran without obtaining the required export license from the Department of the Treasury. Phillips was sentenced to 92 months in prison followed by three years of supervised release, and fined \$100.00.

Section 766.25 of the Export Administration Regulations ("EAR" or "Regulations")¹ 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

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730-774 (2012). 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 15, 2012 (77 FR 49699 (August 16, 2012)), has continued the Regulations in effect under the IEEPA.