

Advisory Committee Act as amended (5 U.S.C. App.).

**Cathleen Lawrence,**  
*Director of Administration.*

**Determination to Close Meetings of the Director's Advisory Committee**

The Director's Advisory Committee (DirAC) will hold meetings in Washington, D.C., on May 27 and 28, 1997.

The entire agenda of these meetings will be devoted to specific national security policy and arms control issues. In accordance with section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463), it has been determined that discussions during the meetings will necessarily involve consideration of matters recognized as not subject to public disclosure under 5 U.S.C. 552b(c)(1). Materials to be discussed at the meetings have been properly classified and are specifically authorized under criteria established by Executive Order 12958 to be kept secret in the interests of national defense and foreign policy.

Therefore, in accordance with section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), I have determined that, because of the need to protect the confidentiality of such national security matters, the meetings should be closed to the public.

John D. Holum,  
*Director.*

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**DEPARTMENT OF COMMERCE**

**Bureau of Export Administration**

**Action Affecting Export Privileges;  
Aluru J. Prasad; Order Denying  
Permission To Apply for or Use Export  
Licenses**

On December 9, 1996, following a plea of no contest, Aluru J. Prasad (Prasad) was convicted in the United States District Court for the District of Massachusetts of violating Section 793(b) of the Espionage Act (18 U.S.C.A. 792-799 (1976 & Supp. 1997)). Prasad was convicted of knowingly and willfully attempting to obtain classified information connected with the national defense of the United States for the Union of Soviet Socialist Republics.

Section 11(h) of the Export Administration Act of 1979, as amended (50 U.S.C.A. app. §§ 2401-2420 (1991 & Supp. 1997)) (the Act,<sup>1</sup> provides that, at the discretion of the Secretary of

Commerce,<sup>2</sup> no person convicted of violating the Espionage Act, or certain other provisions of the United States Code, shall be eligible to apply for or use any license, including any License Exception, issued pursuant to, or provided by, the Act or the Export Administration Regulations (61 FR 12734-13041, March 25, 1996, to be codified at 15 C.F.R. Parts 730-774) (the Regulations), for a period of up to 10 years from the date of the conviction. In addition, any license issued pursuant to the Act in which such a person had any interest at the time of conviction may be revoked.

Pursuant to Sections 766.25 and 750.8(a) of the Regulations, upon notification that a person has been convicted of violating the Espionage Act, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person permission to apply for or use any license, including any License Exception, issued pursuant to, or provided by, the Act and the Regulations, and shall also determine whether to revoke any license previously issued to such a person.

Having received notice of Prasad's conviction for violating the Espionage Act, and following consultations with the Acting Director, Office of Export Enforcement, I have decided to deny Prasad permission to apply for or use any license, including any License Exception, issued pursuant to, or provided by, the Act and the Regulations, for a period of 10 years from the date of his conviction. The 10-year period ends on December 9, 2006. I have also decided to revoke all licenses pursuant to the Act in which Prasad had an interest at the time of his conviction.

Accordingly, it is hereby ordered;

I. Until December 9, 2006, Aluru J. Prasad, Road #10, Benjara Hills, Hyderabad, India, 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, or in any other activity 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 person, firm, corporation, or business organization related to Prasad 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.

<sup>1</sup> The Act expired on August 20, 1994. Executive Order 12924 (3 C.F.R., 1994 Comp. 917 (1995)), extended by Presidential Notices of August 15, 1995 (3 C.F.R., 1995 Comp. 501 (1996)) and August 14, 1996 (61 FR 42527, August 15, 1996), continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C.A. §§ 1701-1706 (1991 & Supp. 1997)).

<sup>2</sup> Pursuant to appropriate delegations of authority, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary by Section 11(h) of the Act.

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 December 9, 2006.

VI. A copy of this Order shall be delivered to Prasad.

This Order shall be published in the **Federal Register**.

Dated: April 30, 1997.

**Eileen M. Albanese,**

*Director, Office of Exporter Services.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-835]

#### Oil Country Tubular Goods From Japan; Notice of Partial Rescission of Antidumping Duty Administrative Review and Preliminary Results of Antidumping Administrative Review

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

**ACTION:** Notice of partial rescission and preliminary results of antidumping duty administrative review.

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on oil country tubular goods from Japan. This review was initiated in response to requests by importers, Helmerich & Payne, Inc. (H&P) and Caprock Pipe and Supply (Caprock), for a review of NKK Corporation of Japan (NKK) and HEBRA AS (HEBRA), respectively. Although we initiated a review of both NKK and HEBRA, we are rescinding the review with respect to HEBRA because Caprock timely withdrew its request for review. This review covers one producer/exporter and entries of drill pipe during the period August 11, 1995 through July 31, 1996, and entries of oil country tubular goods (OCTG) other than drill pipe during the period February 2, 1995 through July 31, 1996.

Because NKK did not submit a complete response to our questionnaire, we have preliminarily determined that facts available will be used. Interested parties who submit comments are requested to submit with each comment a statement of the issue and a brief summary of the comment.

**EFFECTIVE DATE:** May 12, 1997.

#### FOR FURTHER INFORMATION CONTACT:

Steve Bezirgianian or John Kugelman, AD/CVD Enforcement Group III—Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230; telephone (202) 482-1395 or 482-0649, respectively.

#### Applicable Statute

Unless otherwise indicated, all citations to the statute refer to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act), by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the **Federal Register** on May 11, 1995 (60 FR 25130).

#### SUPPLEMENTARY INFORMATION:

##### Scope of the Review

The merchandise covered by this order is oil country tubular goods (OCTG), hollow steel products of circular cross-section, including only oil well casing, tubing and drill pipe, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, whether or not conforming to American Petroleum Institute (API) or non-API specifications, whether finished or unfinished (including green tubes and limited service OCTG products). This scope does not cover casing, tubing, or drill pipe containing 10.5 percent or more of chromium. The OCTG subject to this order are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7304.29.10.10, 7304.29.10.20, 7304.29.10.30, 7304.29.10.40, 7304.29.10.50, 7304.29.10.60, 7304.29.10.80, 7304.29.20.10, 7304.29.20.20, 7304.29.20.30, 7304.29.20.40, 7304.29.20.50, 7304.29.20.60, 7304.29.20.80, 7304.29.30.10, 7304.29.30.20, 7304.29.30.30, 7304.29.30.40, 7304.29.30.50, 7304.29.30.60, 7304.29.30.80, 7304.29.40.10, 7304.29.40.20, 7304.29.40.30, 7304.29.40.40, 7304.29.40.50, 7304.29.40.60, 7304.29.40.80, 7304.29.50.15, 7304.29.50.30, 7304.29.50.45, 7304.29.50.60, 7304.29.50.75, 7304.29.60.15, 7304.29.60.30, 7304.29.60.45, 7304.29.60.60, 7304.29.60.75, 7304.21.30.00, 7304.21.60.30, 7304.21.60.45, 7304.21.60.60, 7305.20.20.00, 7305.20.40.00, 7305.20.60.00,

7305.20.80.00, 7306.20.10.30, 7306.20.10.90, 7306.20.20.00, 7306.20.30.00, 7306.20.40.00, 7306.20.60.10, 7306.20.60.50, 7306.20.80.10, and 7306.20.80.50.

Please note that many of these HTS numbers have changed since the less-than-fair value (LTFV) investigation. Although the *Harmonized Tariff Schedule of the United States* (HTSUS) subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

#### Background

In its final determination of sales at LTFV on OCTG from Japan, 60 FR 33560 (June 28, 1995), the Department determined that the two respondents, Nippon Steel Corp. and Sumitomo Metal Industries, Ltd., refused to cooperate by failing to respond to the Department's questionnaire. Therefore, in accordance with § 776(b) of the Act and its standard practice, the Department assigned the highest margin in the petition, 44.20 percent, to both respondents, and assigned the same rate to all others.

On August 2, 1995, in accordance with section 735(d) of the Act, the U.S. International Trade Commission (ITC) notified the Department of its final determination in this investigation. In its determination the ITC found two like products, (1) drill pipe, and (2) OCTG other than drill pipe (*i.e.*, casing and tubing). The ITC determined that imports of drill pipe from Japan threatened material injury to a U.S. industry. However, the ITC did not determine that, but for the suspension of liquidation of entries of drill pipe from Japan, the domestic industry would have been materially injured, pursuant to section 735(b)(4)(B) of the Act.

When the ITC finds threat of material injury, and makes a negative "but for" finding, the "Special Rule" provision of section 736(b)(2) of the Act applies. Therefore, all unliquidated entries of drill pipe from Japan, entered or withdrawn from warehouse, for consumption, on or after the date on which the ITC published its notice of final determination of threat of material injury in the **Federal Register**, are liable for the assessment of antidumping duties.

On August 11, 1995, we published an antidumping duty order on the subject merchandise (60 FR 41058). Pursuant to section 736(b)(2) of the Act, the Department directed the U.S. Customs Service to terminate the suspension of liquidation for entries of drill pipe imported from Japan and entered, or withdrawn from warehouse, for