

Notices

Federal Register

Vol. 79, No. 194

Tuesday, October 7, 2014

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.

APPALACHIAN STATES LOW-LEVEL RADIOACTIVE WASTE COMMISSION

Annual Meeting

TIME AND DATE: 10:00 a.m.–12:00 p.m.
November 5, 2014

PLACE: Harrisburg Hilton and Towers,
One North Second Street, Harrisburg,
PA 17101

STATUS: The meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Portions Open to the Public: The primary purpose of this meeting is to (1) Review the independent auditors' report of Commission's financial statements for fiscal year 2013–2014; (2) Review the Low-Level Radioactive Waste (LLRW) generation information for 2013; (3) Consider a proposed budget for fiscal year 2015–2016; (4) Review recent regional and national developments regarding LLRW management and disposal; and (5) Elect the Commission's Officers.

Portions Closed to the Public: Executive Session, if deemed necessary, will be announced at the meeting.

CONTACT PERSON FOR MORE INFORMATION: Rich Janati, Administrator of the Commission, at 717–787–2163.

Rich Janati,
Administrator, Appalachian Compact Commission.

[FR Doc. 2014–23877 Filed 10–6–14; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Meeting Notice

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of special meeting.

DATES: *Date and Time:* Friday, October 10, 2014; 9:30 a.m. EDT.

ADDRESSES: *Place:* 1331 Pennsylvania Ave. NW., (entrance on F Street NW.) Suite 1150, Washington, DC 20425.

FOR FURTHER INFORMATION CONTACT:

Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376–8591.

Hearing-impaired persons who will attend the briefing and require the services of a sign language interpreter should contact Pamela Dunston at (202) 376–8105 or at signlanguage@usccr.gov at least seven business days before the scheduled date of the meeting.

SUPPLEMENTARY INFORMATION:

Business Meeting Agenda

- I. Approval of the Agenda
- II. Management and Operations
 - Discussion on Personnel Matters
- III. Adjournment of Meeting

Dated: October 2, 2014.

Marlene Sallo,
Staff Director.

[FR Doc. 2014–23971 Filed 10–3–14; 11:15 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Membership of the Economic Development Administration Performance Review Board

AGENCY: Economic Development Administration, Department of Commerce.

ACTION: Notice of Membership on the Economic Development Administration's Performance Review Board Membership.

SUMMARY: In accordance with 5 U.S.C. 4314(c)(4), the Economic Development Administration (EDA), Department of Commerce (DOC), announce the appointment of those individuals who have been selected to serve as members of EDA's Performance Review Board. The Performance Review Board is responsible for (1) reviewing performance appraisals and rating of Senior Executive Service (SES) members and (2) making recommendations to the appointing authority on other performance management issues, such as pay adjustments, bonuses and Presidential Rank Awards for SES members. The appointment of these members to the Performance Review Board will be for a period of twenty-four (24) months.

DATES: The period of appointment for those individuals selected for EDA's Performance Review Board begins on October 7, 2014.

FOR FURTHER INFORMATION CONTACT:

Jennifer Munz, U.S. Department of Commerce, Office of Human Resources Management, Office of Executive Resources, 14th and Constitution Avenue NW., Room 51010, Washington, DC 20230, at (202) 482–4051.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 4314(c)(4), the Economic Development Administration (EDA), Department of Commerce (DOC), announce the appointment of those individuals who have been selected to serve as members of EDA's Performance Review Board. The Performance Review Board is responsible for (1) reviewing performance appraisals and rating of Senior Executive Service (SES) members and (2) making recommendations to the appointing authority on other performance management issues, such as pay adjustments, bonuses and Presidential Rank Awards for SES members. The appointment of these members to the Performance Review Board will be for a period of twenty-four (24) months.

DATES: The period of appointment for those individuals selected for EDA's Performance Review Board begins on October 7, 2014. The name, position title, and type of appointment of each member of EDA's Performance Review Board are set forth below by organization:

1. *Department of Commerce, Office of the Secretary, Office of General Counsel (OS/OGC)* Stephen D. Kong, Chief Counsel for Economic Development, Career SES, serves as Chairperson (New Member)
2. *Department of Commerce, International Trade Administration (ITA)* Kenneth J.E. Hyatt, Deputy Under Secretary for International Trade, Career SES; Chandra F. Brown, Deputy Assistant Secretary for Manufacturing, Non-Career SES, Political Advisor (New Member)
3. *Department of Commerce, Minority Business Development Agency (MBDA)* Edith J. McCloud, Associate Director for Management, Career SES
4. *Department of Commerce, Office of the Secretary (OS)* Gordon T. Alston, Director, Financial Reporting and Internal Controls, Career SES.

5. *Department of Commerce, National Oceanic and Atmospheric Administration (NOAA)* Holly A. Bamford, Assistant Administrator for Ocean Services and Coastal Zone Management, Career SES (New Member); Russell F. Smith, III, Deputy Assistant Secretary for International Fisheries, Non-Career SES, Political Advisor (New Member)
6. *Department of Commerce, National Telecommunications and Information Administration (NTIA)* Angela M. Simpson, Deputy Assistant Secretary for Communications and Information, Non-Career SES, Political Advisor (New Member)

Dated: October 1, 2014.

Denise A. Yaag,

Director, Office of Executive Resources, Office of Human Resources Management, Office of the Secretary/Office of the CFO/ASA, Department of Commerce.

[FR Doc. 2014-23948 Filed 10-6-14; 8:45 am]

BILLING CODE 3510-25-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Order Temporarily Denying Export Privileges

X-TREME Motors LLC a/k/a XTREME Motors, 2496 South 1900 West, West Haven, Utah 84401
and

XTREME Outdoor Store a/k/a XTREME Outdoors, 2496 South 1900 West, West Haven, Utah 84401
and

Tyson Preece, 3930 West Old Highway Road, Morgan, Utah 84050
and

Corey Justin Preece a/k/a Corey Preece a/k/a Justin Preece, 1245 South Morgan Valley Drive, Morgan, Utah 84050
and

Toby Green, 480 West 175 North, Morgan, Utah 84050

Pursuant to Section 766.24 of the Export Administration Regulations (the “Regulations” or “EAR”),¹ the Bureau of Industry and Security (“BIS”), U.S. Department of Commerce, through its Office of Export Enforcement (“OEE”), has requested that I issue an Order temporarily denying, for a period of 180

days, the export privileges under the Regulations of: X-TREME Motors LLC, also known as XTREME Motors; XTREME Outdoor Store, also known as XTREME Outdoors; Tyson Preece; Corey Justin Preece, also known as Corey Preece or Justin Preece; and Toby Green. Corporate filings with the Utah Secretary of State list both Preeces and Green as officers of X-TREME Motors LLC. X-TREME Motors LLC is a Utah-based company that holds itself out as selling all-terrain vehicle, dirt bike and snowmobile parts. XTREME Outdoors Store is an on-line vendor for tactical gear and equipment such as rifle scopes, and shares the same address and phone number with X-TREME Motors LLC. Corey Justin Preece is listed as the registrant of XTREME Outdoor Store’s Web site using the name Justin Preece.

Pursuant to Section 766.24, BIS may issue an order temporarily denying a respondent’s export privileges upon a showing that the order is necessary in the public interest to prevent an “imminent violation” of the Regulations. 15 CFR 766.24(b)(1) and 776.24(d). “A violation may be ‘imminent’ either in time or degree of likelihood.” 15 CFR 766.24(b)(3). BIS may show “either that a violation is about to occur, or that the general circumstances of the matter under investigation or case under criminal or administrative charges demonstrate a likelihood of future violations.” *Id.* As to the likelihood of future violations, BIS may show that the violation under investigation or charge “is significant, deliberate, covert and/or likely to occur again, rather than technical or negligent [.]” *Id.* A “lack of information establishing the precise time a violation may occur does not preclude a finding that a violation is imminent, so long as there is sufficient reason to believe the likelihood of a violation.” *Id.*

In its request, BIS has presented evidence that X-TREME Motors LLC and XTREME Outdoors (collectively “X-TREME”) have repeatedly engaged in conducted prohibited by the Regulations by exporting items controlled for Crime Control reasons without the required licenses to various destinations, including Russia and China. In order to evade detection by law enforcement, X-TREME has intentionally provided false information on Customs Declarations by stating the packages contain various ATV parts. Since September 1, 2014, the U.S. Government has identified over 200 shipments exported or intended for export where X-TREME mislabeled the contents. The U.S. Government has detained approximately 50 of those shipments, including approximately 20

shipments of rifle scopes to destinations that would require an export license from BIS. A search of BIS’s licensing database reveals no licensing history as to any of these shipments of riflescopes.

For example, one detained shipment from on or about September 4, 2014, included a Model XPS-3 holographic weapon sight classified under ECCN 0A987 and controlled for Crime Control reasons. The shipment was destined for Russia, and as such required a Department of Commerce license pursuant to Section 742.7 of the Regulations. The Customs Declaration submitted to the United States Postal Service falsely labeled the contents of the shipment as “ATV GRIPS.” X-TREME MOTORS LLC was listed as the shipper. Affixed to the product box containing the XPS-3 weapon sight is a manufacturer’s sticker warning that the item “is controlled under the Export Administration Regulations (EAR) [ECCN 0A987]” and may not be exported without U.S. Department of Commerce authorization. (Parenthetical and brackets in original). Despite having notice that a license was required to export the item, no license was sought or obtained for this attempted export.

On or about September 10, 2014, the U.S. Government detained another shipment destined for Russia containing a Taser Model C2 stun gun, classified under ECCN 0A985, and controlled for Crime Control reasons. A Department of Commerce license was required to export the item to Russia pursuant to Section 742.7 of the Regulations. The Customs Declaration listed the shipper as X-TREME MOTORS LLC and again falsely indicated that the contents of the shipment were “ATV GRIPS.” Similarly, no license was obtained.

A third example involves a shipment detained on or about September 4, 2014, which included two 16-ounce cans of Oleoresin Capsicum Spray (or pepper spray), classified under ECCN 1A984, and controlled for Crime Control reasons. The Customs Declaration indicated that the shipment was destined for Russia. The export therefore required a Department of Commerce license pursuant to Section 742.7 of the Regulations. The Customs Declaration identified X-TREME MOTORS LLC as the shipper, and again falsely stated that the contents of the shipment were “ATV GRIPS.” As with the other exports and attempted exports referenced above, no license was obtained.

I find that the evidence presented by BIS demonstrates that a violation of the Regulations is imminent in both time and degree of likelihood. The numerous repeated and willful violations of the

¹ The Regulations are currently codified at 15 CFR parts 730–774 (2014). The EAR issued under the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401–2420 (2000)) (“EAA”). 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 7, 2014 (79 FR 46959 (Aug. 11, 2014)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.*) (2006 & Supp. IV 2010).