

**DEPARTMENT OF COMMERCE****International Trade Administration****19 CFR Part 351**

[Docket Number: 200507–0129]

RIN 0625–AB19

**Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period**

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

**ACTION:** Temporary final rule; extension of effective period.

**SUMMARY:** In March, the Department of Commerce (Commerce) implemented temporary modifications to its service regulations to enable non-U.S. Government personnel responsible for serving documents in the Enforcement & Compliance's (E&C) antidumping and countervailing duty (AD/CVD) cases to work remotely. Through this extension notice, Commerce extends the duration of these temporary modifications. Accordingly, the temporary modifications will be effective through July 17, 2020, unless extended.

**DATES:** The expiration date of the temporary final rule published on March 26, 2020 (85 FR 17006), is extended through 17:00 hours EST, July 17, 2020.

**FOR FURTHER INFORMATION CONTACT:** Evangeline D. Keenan, Director, APO/ Dockets Unit, at 202–482–3354.

**SUPPLEMENTARY INFORMATION:****Background**

On March 26, 2020, E&C published a temporary final rule in the **Federal Register**, temporarily modifying certain requirements for serving documents containing business proprietary information in AD/CVD proceedings administered by E&C until May 19, 2020, unless extended. *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19*, 85 FR 17006 (March 26, 2020) (*Temporary Final Rule*). The temporary modifications were implemented to facilitate the effectuation of service through electronic means, with the goal of promoting public health and slowing the spread of COVID–19 while at the same time permitting the continued administration of AD/CVD proceedings. E&C explained that the service requirements in its regulations are often effectuated by hand delivery or by U.S. mail delivery of hard copy documents, which frequently takes place in an office setting. In turn, this could pose a risk to

the personnel tasked with serving or accepting service by hand or mail, as well as those around them. Based on these circumstances, E&C announced that it would temporarily deem service of submissions containing business proprietary information (BPI) to be effectuated when the BPI submissions are filed by parties in ACCESS, with certain exceptions. The aforementioned circumstances are still present. Therefore, with the continued goal of promoting public health and slowing the spread of COVID–19 while at the same time permitting the continued administration of AD/CVD proceedings, E&C is extending the date through which the modified service requirements in the *Temporary Final Rule* will be in effect.

**Extension**

The modified service requirements announced in the *Temporary Final Rule* will remain in effect through 17:00 EST, July 17, 2020, unless extended.

**Classification***Administrative Procedure Act*

The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking and the opportunity for public participation are waived for good cause because they would be impracticable and contrary to the public interest. (See 5 U.S.C. 553(b)(B)). Interested parties participating in E&C's AD/CVD proceedings are generally required to serve other interested parties with documents they submit to E&C. If notice and comment were to be allowed, parties submitting documents containing BPI information to E&C likely either would be unable to serve other parties in the manners prescribed in E&C's regulations, or potentially would put their health and safety at risk in doing so. COVID–19 was unexpected and this circumstance could not have been foreseen; therefore E&C could not have prepared ahead of time for this set of circumstances. The provision of the Administrative Procedure Act otherwise requiring a 30-day delay in effectiveness is also waived for those same reasons, which constitute good cause. (5 U.S.C. 553(d)(3)).

*Executive Order 12866*

The Office of Management and Budget (OMB) has determined that this temporary rule is not significant for purposes of Executive Order 12866.

*Executive Order 13771*

This temporary rule is not expected to be subject to the requirements of Executive Order 13771 because this

temporary rule is not significant for purposes of Executive Order 12866.

*Paperwork Reduction Act*

This temporary rule contains no new collection of information subject to the Paperwork Reduction Act, 44 U.S.C. chapter 35.

*Executive Order 13132*

This temporary rule does not contain policies with federalism implications as that term is defined in section 1(a) of Executive Order 13132, dated August 4, 1999 (64 FR 43255 (August 10, 1999)).

*Regulatory Flexibility Act*

The analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable because no general notice of proposed rulemaking was required for this action. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

**Authority:** 5 U.S.C. 301; 19 U.S.C. 1202 note; 19 U.S.C. 1303 note; 19 U.S.C. 1671 *et seq.*; and 19 U.S.C. 3538.

Dated: May 7, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[Docket Number USCG–2017–0448]

RIN 1625–AA87

**Security Zone; Potomac River, Montgomery County, MD**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is finalizing regulations for a security zone for certain waters of the Potomac River to prevent waterside threats and incidents while persons protected by the United States Secret Service (USSS) are at the Trump National Golf Club at Potomac Falls, VA. This regulation prohibits vessels and people from entering the security zone unless specifically exempt under the provisions in this rule or granted specific permission from the COTP Maryland-National Capital Region or a designated representative. This regulation also governs activities of vessels and persons already in the security zone when it is activated.