

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 engaging 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 from any other activity subject to the Regulations.

*Second*, 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.

*Third*, pursuant to Section 1760(e) of the Export Control Reform Act (50 U.S.C. 4819(e)) and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Junior Joseph by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

*Fourth*, in accordance with Part 756 of the Regulations, Junior Joseph 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.

*Fifth*, a copy of this Order shall be delivered to Junior Joseph and shall be published in the **Federal Register**.

*Sixth*, this Order is effective immediately and shall remain in effect until April 12, 2026.

**Hillary Hess**,

*Acting Director, Office of Exporter Services.*

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**BILLING CODE 3510-DT-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Order Denying Export Privileges; In the Matter of: **Jimy Joseph, 5764 Grand Canyon Drive, Orlando, FL 32810**

On May 22, 2019, in the U.S. District Court for the Southern District of Florida, Jimy Joseph was convicted of violating 18 U.S.C. 371 and 18 U.S.C. 554(a). Specifically, Jimy Joseph was convicted of conspiring to illegally export and send firearms and ammunition from the United States to Haiti without having obtained the required authorization, license, or approval, in violation of 18 U.S.C. 371; and for fraudulently and knowingly exporting, sending, and attempting to export AR-15 Type Rifles, Glock semi-automatic pistols, and ammunition from the United States to Haiti, in violation 18 U.S.C. 554. Jimy Joseph was sentenced to 16 months in prison, three years of supervised release, and a \$200 assessment.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),<sup>1</sup>

<sup>1</sup> ECRA was enacted as part of the John S. McCain National Defense Authorization Act for Fiscal Year

the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 371 and 18 U.S.C. 554(a), may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e) (Prior Convictions). In addition, any Bureau of Industry and Security (BIS) licenses or other authorizations issued under ECRA in which the person had an interest at the time of the conviction may be revoked. *Id.*

BIS received notice of Jimy Joseph’s conviction for violating 18 U.S.C. 371 and 18 U.S.C. 554(a), and has provided notice and opportunity for Jimy Joseph to make a written submission to BIS, as provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”). 15 CFR 766.25.<sup>2</sup> BIS has received written submissions from Jimy Joseph.

Based upon my review of the record, including Jimy Joseph’s written submissions, and consultations with BIS’s Office of Export Enforcement, including its Director, and the facts available to BIS, I have decided to deny Jimy Joseph’s export privileges under the Regulations for a period of seven years from the date of Jimy Joseph’s conviction. I have also decided to revoke any BIS-issued licenses in which Jimy Joseph had an interest at the time of his conviction.

Accordingly, it is hereby *ordered*:

*First*, from the date of this Order until May 22, 2026, Jimy Joseph, with a last known address of 5764 Grand Canyon Drive, Orlando, FL 32810, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter

2019, and as amended is codified at 50 U.S.C. 4801-4852. Jimy Joseph’s conviction post-dates ECRA’s enactment on August 13, 2018.

<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2020). The Regulations originally issued under the Export Administration Act of 1979, as amended, 50 U.S.C. 4601-4623 (Supp. III 2015) (“EAA”), which lapsed on August 21, 2001. The President, through Executive Order 13,222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), which was extended by successive Presidential Notices, continued the Regulations in full force and effect under the International Emergency Economic Powers Act, 50 U.S.C. 1701, *et seq.* (2012) (“IEEPA”). Section 1768 of ECRA, 50 U.S.C. 4826, provides in pertinent part that all rules and regulations that were made or issued under the EAA, including as continued in effect pursuant to IEEPA, and were in effect as of ECRA’s date of enactment (August 13, 2018), shall continue in effect according to their terms until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA. *See* note 1, *supra*.

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 engaging 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 from any other activity subject to the Regulations.

*Second*, 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.

*Third*, pursuant to Section 1760(e) of the Export Control Reform Act (50 U.S.C. 4819(e)) and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Jimmy Joseph by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

*Fourth*, in accordance with Part 756 of the Regulations, Jimmy Joseph 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.

*Fifth*, a copy of this Order shall be delivered to Jimmy Joseph and shall be published in the **Federal Register**.

*Sixth*, this Order is effective immediately and shall remain in effect until May 22, 2026.

**Hillary Hess**,

*Acting Director, Office of Exporter Services.*

[FR Doc. 2020–24000 Filed 10–28–20; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–135]

#### **Certain Chassis and Subassemblies Thereof From the People’s Republic of China: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation**

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

**DATES:** Applicable October 29, 2020.

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla at (202) 482–3477 or Jason Willoughby at (202) 482–5509, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On August 19, 2020, the Department of Commerce (Commerce) initiated a less-than-fair-value (LTFV) investigation of imports of certain chassis and subassemblies thereof (chassis) from the People’s Republic of China.<sup>1</sup> Currently,

<sup>1</sup> See *Certain Chassis and Subassemblies Thereof from the People’s Republic of China: Initiation of*

the deadline for the preliminary determination is January 6, 2021.

#### **Postponement of Preliminary Determination**

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in an LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which Commerce initiated the investigation if: (A) The petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On September 17, 2020, the petitioner<sup>2</sup> submitted a timely request that Commerce postpone the preliminary determination in this LTFV investigation.<sup>3</sup> The petitioner stated that it requests postponement in order to collect the necessary information for determining the most accurate possible dumping margins, and that Commerce will need additional time to fully review questionnaire responses and issue supplementary questionnaire responses.<sup>4</sup> Additionally, Commerce granted the petitioner’s September 4, 2020, request<sup>5</sup> that Commerce issue additional quantity and value questionnaires to Chinese producers of in-scope merchandise. The petitioner claims that additional time will be necessary for Commerce to issue these additional questionnaires and follow up on any responses. The petitioner requests that Commerce fully extend the preliminary determination by 50 days.

*Less-Than-Fair-Value Investigation*, 85 FR 52552 (August 26, 2020).

<sup>2</sup> The petitioner is the Coalition of American Chassis Manufacturers.

<sup>3</sup> See Petitioner’s Letter, “Certain Chassis and Subassemblies Thereof from the People’s Republic of China: Request for Postponement of Preliminary Determination,” dated September 17, 2020.

<sup>4</sup> *Id.*

<sup>5</sup> See Petitioner’s Letter, “Certain Chassis and Subassemblies Thereof from the People’s Republic of China: Request for Additional Quantity and Value Questionnaires,” dated September 4, 2020.