

*Third*, that, after notice and opportunity for comment as provided in section 766.23 of the EAR, any other person, firm, corporation, or business organization related to a Denied Person by ownership, control, position of responsibility, affiliation in the conduct of trade or business may also be made subject to the provisions of this Order.

*Fourth*, that this Order does not prohibit any export, reexport, or other transaction subject to the EAR where the only items involved that are subject to the EAR are the foreign-produced direct product of U.S.-origin technology.

In accordance with the provisions of Sections 766.24(e) of the EAR, Mahan Airways, Al Naser Airlines, Ali Abdullah Alhay, and/or Bahar Safwa General Trading may, at any time, appeal this Order by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202-4022. In accordance with the provisions of Sections 766.23(c)(2) and 766.24(e)(3) of the EAR, Pejman Mahmood Kosarayanifard, Mahmoud Amini, Kerman Aviation, Sirjanco Trading LLC, Mahan Air General Trading LLC, Mehdi Bahrami, Sky Blue Bird Group, and/or Issam Shammout may, at any time, appeal their inclusion as a related person by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202-4022.

In accordance with the provisions of Section 766.24(d) of the EAR, BIS may seek renewal of this Order by filing a written request not later than 20 days before the expiration date. A renewal request may be opposed by Mahan Airways, Al Naser Airlines, Ali Abdullah Alhay, and/or Bahar Safwa General Trading as provided in Section 766.24(d), by filing a written submission with the Assistant Secretary of Commerce for Export Enforcement, which must be received not later than seven days before the expiration date of the Order.

A copy of this Order shall be provided to Mahan Airways, Al Naser Airlines, Ali Abdullah Alhay, and Bahar Safwa General Trading and each related person, and shall be published in the **Federal Register**.

This Order is effective immediately and shall remain in effect for 180 days.

**P. Lee Smith,**

*Performing the Non-exclusive Functions and Duties, of the Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. 2020-26434 Filed 11-30-20; 8:45 am]

**BILLING CODE 3510-DT-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

[Docket No. 201118-0304]

RIN 0694-XC070

#### **Impact of the Implementation of the Chemical Weapons Convention (CWC) on Legitimate Commercial Chemical, Biotechnology, and Pharmaceutical Activities Involving "Schedule 1" Chemicals (Including "Schedule 1" Chemicals Produced as Intermediates) During Calendar Year 2020**

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Notice of inquiry.

**SUMMARY:** The Bureau of Industry and Security is seeking public comments on the impact that implementation of the Chemical Weapons Convention, through the Chemical Weapons Convention Implementation Act of 1998 and the Chemical Weapons Convention Regulations, has had on commercial activities involving "Schedule 1" chemicals during calendar year 2020. The purpose of this notice of inquiry is to collect information to assist BIS in its preparation of the annual certification to the Congress on whether the legitimate commercial activities and interests of chemical, biotechnology, and pharmaceutical firms are harmed by such implementation. This certification is required under Condition 9 of Senate Resolution 75 (April 24, 1997), in which the Senate gave its advice and consent to the ratification of the CWC.

**DATES:** Comments must be received by December 31, 2020.

**ADDRESSES:** You may submit comments by any of the following methods (please refer to RIN 0694-XC070 in all comments and in the subject line of email comments):

- Federal rulemaking portal (<http://www.regulations.gov>). You can find this notice by searching under its regulations.gov docket number, which is BIS-2020-0039;

- *Email: PublicComments@bis.doc.gov*. Include RIN 0694-XC070 in the subject line of the message.

All filers using the portal or email should use the name of the person or

entity submitting the comments as the name of their files, in accordance with the instructions below. Parties submitting business confidential information should clearly identify the business confidential portion at the time of submission, file a statement justifying nondisclosure and referring to the specific legal authority claimed, and also provide a non-confidential submission.

For comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters "BC." Any page containing business confidential information must be clearly marked "BUSINESS CONFIDENTIAL" on the top of that page. The corresponding non-confidential version of those comments must be clearly marked "PUBLIC." The file name of the non-confidential version should begin with the character "P." The "BC" and "P" should be followed by the name of the person or entity submitting the comments or rebuttal comments. Any submissions with file names that do not begin with a "P" or "BC" will be assumed to be public and will be made publicly available through <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** For questions on the Chemical Weapons Convention requirements for "Schedule 1" chemicals, contact Douglas Brown, Treaty Compliance Division, Office of Nonproliferation and Treaty Compliance, Bureau of Industry and Security, U.S. Department of Commerce, Email: [Douglas.Brown@bis.doc.gov](mailto:Douglas.Brown@bis.doc.gov). For questions on the submission of comments, contact Willard Fisher, Regulatory Policy Division, Office of Exporter Services, Bureau of Industry and Security, U.S. Department of Commerce, Email: [RPD2@bis.doc.gov](mailto:RPD2@bis.doc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

In providing its advice and consent to the ratification of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and Their Destruction, commonly called the Chemical Weapons Convention (CWC or "the Convention"), the Senate included, in Senate Resolution 75 (S. Res. 75, April 24, 1997), several conditions to its ratification. Condition 9, titled "Protection of Advanced Biotechnology," calls for the President to certify to Congress on an annual basis that "the legitimate commercial activities and interests of chemical, biotechnology, and pharmaceutical

firms in the United States are not being significantly harmed by the limitations of the Convention on access to, and production of, those chemicals and toxins listed in Schedule 1." On July 8, 2004, President Bush, by Executive Order 13346, delegated his authority to make the annual certification to the Secretary of Commerce.

The CWC is an international arms control treaty that contains certain verification provisions. In order to implement these verification provisions, the CWC established the Organization for the Prohibition of Chemical Weapons (OPCW). In order to achieve the object and purpose of the Convention and the implementation of its provisions, the CWC imposes certain obligations on countries that have ratified the Convention (*i.e.*, States Parties), among which are the enactment of legislation to prohibit the production, storage, and use of chemical weapons and the establishment of a National Authority to serve as the national focal point for effective liaison with the OPCW and other States Parties. The CWC also requires each State Party to implement a comprehensive data declaration and inspection regime to provide transparency and to verify that both the public and private sectors of the State Party are not engaged in activities prohibited under the CWC. In the United States, the Chemical Weapons Convention Implementation Act of 1998, 22 U.S.C. 6701 *et seq.*, implements the provisions of the CWC.

"Schedule 1" chemicals consist of those toxic chemicals and precursors set forth in the CWC "Annex on Chemicals" and in "Supplement No. 1 to part 712—SCHEDULE 1 CHEMICALS" of the Chemical Weapons Convention Regulations (CWCR) (15 CFR parts 710–722). The CWC identified these toxic chemicals and precursors as posing a high risk to the object and purpose of the Convention.

The CWC (Part VI of the "Verification Annex") restricts the production of "Schedule 1" chemicals for protective purposes to two facilities per State Party: A single small-scale facility (SSSF) and a facility for production in quantities not exceeding 10 kg per year. The CWC Article-by-Article Analysis submitted to the Senate in Treaty Doc. 103–21 defined the term "protective purposes" to mean "used for determining the adequacy of defense equipment and measures." Consistent with this definition and as authorized by Presidential Decision Directive (PDD) 70 (December 17, 1999), which specifies agency and departmental responsibilities as part of the U.S. implementation of the CWC, the

Department of Defense (DOD) was assigned the responsibility to operate these two facilities. DOD maintains strict controls on "Schedule 1" chemicals produced at its facilities in order to ensure accountability for such chemicals, as well as their proper use, consistent with the object and purpose of the Convention. Although this assignment of responsibility to DOD under PDD–70 effectively precluded commercial production of "Schedule 1" chemicals for "protective purposes" in the United States, it did not establish any limitations on "Schedule 1" chemical activities that are not prohibited by the CWC.

The provisions of the CWC that affect commercial activities involving "Schedule 1" chemicals are implemented in the CWCR (*see* 15 CFR part 712) and in the Export Administration Regulations (EAR) (*see* 15 CFR 742.18 and 15 CFR part 745), both of which are administered by the Bureau of Industry and Security (BIS). Pursuant to CWC requirements, the CWCR restrict commercial production of "Schedule 1" chemicals to research, medical, or pharmaceutical purposes. The CWCR prohibit commercial production of "Schedule 1" chemicals for "protective purposes" because such production is effectively precluded per PDD–70, as described above. *See* 15 CFR 712.2(a).

The CWCR also contain other requirements and prohibitions that apply to "Schedule 1" chemicals and/or "Schedule 1" facilities. Specifically, the CWCR:

- (1) Prohibit the import of "Schedule 1" chemicals from States not Party to the Convention (15 CFR 712.2(b));
- (2) Require annual declarations by certain facilities engaged in the production of "Schedule 1" chemicals in excess of 100 grams aggregate per calendar year (*i.e.*, declared "Schedule 1" facilities) for purposes not prohibited by the Convention (15 CFR 712.5(a)(1) and (a)(2));
- (3) Provide for government approval of "declared Schedule 1" facilities (15 CFR 712.5(f));
- (4) Require 200 days advance notification of the establishment of new "Schedule 1" production facilities producing greater than 100 grams aggregate of "Schedule 1" chemicals per calendar year (15 CFR 712.4);
- (5) Provide that "declared Schedule 1" facilities are subject to initial and routine inspection by the OPCW (15 CFR 712.5(e) and 716.1(b)(1));
- (6) Require advance notification and annual reporting of all imports and exports of "Schedule 1" chemicals to, or from, other States Parties to the

Convention (15 CFR 712.6, 742.18(a)(1) and 745.1); and

(7) Prohibit the export of "Schedule 1" chemicals to States not Party to the Convention (15 CFR 742.18(a)(1) and (b)(1)(ii)).

For purposes of the CWCR (*see* 15 CFR 710.1), "production of a Schedule 1 chemical" means the formation of "Schedule 1" chemicals through chemical synthesis, as well as processing to extract and isolate "Schedule 1" chemicals. The phrase "production of a schedule 1 chemical" includes, in its meaning, the formation of a chemical through chemical reaction, including by a biochemical or biologically mediated reaction. "Production of a Schedule 1 chemical" is understood, for CWCR declaration purposes, to include intermediates, by-products, or waste products that are produced and consumed within a defined chemical manufacturing sequence, where such intermediates, by-products, or waste products are chemically stable and therefore exist for a sufficient time to make isolation from the manufacturing stream possible, but where, under normal or design operating conditions, isolation does not occur.

#### Request for Comments

In order to assist in determining whether the legitimate commercial activities and interests of chemical, biotechnology, and pharmaceutical firms in the United States are significantly harmed by the limitations of the Convention on access to, and production of, "Schedule 1" chemicals as described in this notice, BIS is seeking public comments on any effects that implementation of the CWC, through the Chemical Weapons Convention Implementation Act of 1998 and the CWCR, has had on commercial activities involving "Schedule 1" chemicals during calendar year 2020. To allow BIS to properly evaluate the significance of any harm to commercial activities involving "Schedule 1" chemicals, public comments submitted in response to this notice of inquiry should include both a quantitative and qualitative assessment of the impact of the CWC on such activities.

#### Submission of Comments

All comments must be submitted to one of the addresses indicated in this notice and in accordance with the instructions provided herein. BIS will

consider all comments received on or before December 31, 2020.

**Matthew S. Borman,**

*Deputy Assistant Secretary for Export Administration.*

[FR Doc. 2020–26437 Filed 11–30–20; 8:45 am]

**BILLING CODE 3510–33–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–133]

#### **Certain Metal Lockers and Parts 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 December 1, 2020.

**FOR FURTHER INFORMATION CONTACT:** Laurel LaCivita or Patrick Barton, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4243 or (202) 482–0012, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On July 29, 2020, the Department of Commerce (Commerce) initiated a less-than-fair-value (LTFV) investigation of imports of certain metal lockers and parts thereof (metal lockers) from the People’s Republic of China (China).<sup>1</sup> Currently, the preliminary determination is due no later than December 16, 2020.

##### **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)(A)(b)(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 November 20, 2020, the petitioners<sup>2</sup> submitted a timely request that Commerce postpone the preliminary determination in the LTFV investigation.<sup>3</sup> The petitioners state that a postponement is necessary to provide Commerce with adequate time to collect and analyze questionnaire responses from Zhejiang Xingyi Metal Products Co., Ltd. (Zhejiang Xingyi) and Hangzhou Xline Machinery & Equipment Co., Ltd. (Hangzhou Xline), review data to identify deficiencies, and to fully investigate the extent to which Zhejiang Xingyi and Hangzhou Xline have engaged in less-than-fair-value sales of the subject merchandise based on a comprehensive preliminary record.<sup>4</sup>

For the reasons stated above and because there are no compelling reasons to deny the request, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determination by 50 days (*i.e.*, 190 days after the date on which this investigation was initiated). As a result, Commerce will issue its preliminary determination no later than February 4, 2020. In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: November 24, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2020–26488 Filed 11–30–20; 8:45 am]

**BILLING CODE 3510–DS–P**

<sup>2</sup> The petitioners are List Industries, Inc.; Penco Products, Inc.; DeBourgh Manufacturing Co.; and Tensco LLC (collectively, the petitioners).

<sup>3</sup> See Petitioners’ Letter, “Certain Metal Lockers and Parts Thereof from the People’s Republic of China—Petitioners’ Request to Postpone Preliminary Determination,” dated November 20, 2020.

<sup>4</sup> *Id.* at 2.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–051]

#### **Certain Hardwood Plywood Products From the People’s Republic of China: Final Results of Antidumping Duty Administrative Review; 2017–2018**

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

**SUMMARY:** The Department of Commerce (Commerce) determines that certain producers and exporters of certain hardwood plywood products (hardwood plywood) from the People’s Republic of China (China) made sales of the subject merchandise at prices below normal value (NV) during the period of review (POR), June 23, 2017 through December 31, 2018.

**DATES:** Applicable December 1, 2020.

**FOR FURTHER INFORMATION CONTACT:** Kabir Archuletta, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2593.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Commerce is conducting an administrative review of the antidumping duty order on hardwood plywood from China in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).<sup>1</sup> On February 7, 2020, Commerce published in the **Federal Register** the *Preliminary Results* of this administrative review.<sup>2</sup> On June 29, 2020, we received case briefs from Linyi Chengen Import and Export Co., Ltd. (Chengen), the sole mandatory respondent in this review,<sup>3</sup> and Canusa Wood Products Ltd. a/k/a Canusa Wood Products Limited, Richmond International Forest Products LLC, Taraca Pacific Inc., and Concannon Corp. (collectively, the Importers Coalition).<sup>4</sup> On June 30, 2020, we

<sup>1</sup> See *Certain Hardwood Plywood Products from the People’s Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order*, 83 FR 504 (January 4, 2018) (*Order*).

<sup>2</sup> See *Certain Hardwood Plywood Products from the People’s Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Rescission of Review, In Part 2017–2018*, 85 FR 7270 (February 7, 2020) (*Preliminary Results*).

<sup>3</sup> See Chengen’s Letter, “Hardwood Plywood Products from the People’s Republic of China: Case Brief,” dated June 29, 2020.

<sup>4</sup> See Importers Coalition’s Letter, “Administrative Review of the Antidumping Duty Order on Plywood Products from the People’s

Continued

<sup>1</sup> See *Certain Metal Lockers and Parts Thereof from the People’s Republic of China: Initiation of Less-Than-Fair-Value Investigation*, 85 FR 47343 (August 5, 2020).