

Grace, IC Liaison, Bureau of Industry and Security, phone 202-482-8093 or by email at [mark.crace@bis.doc.gov](mailto:mark.crace@bis.doc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

This information collection comprises two rarely used short supply activities: “Registration of U.S. Agricultural Commodities for Exemption from Short Supply Limitations on Export (USAG)”, and “Petitions for the Imposition of Monitoring or Controls on Recyclable Metallic Materials; Public Hearings (Petitions).” Under provisions of sections 754.6 and 754.7 of the Export Administration Regulations (EAR), agricultural commodities of U.S. origin purchased by or for use in a foreign country and stored in the United States for export at a later date may voluntarily be registered with the Bureau of Industry and Security for exemption from any quantitative limitations on export that may subsequently be imposed under the EAR for reasons of short supply.

**II. Method of Collection**

Any entity, including a trade association, firm or certified or recognized union or group of workers, which is representative of an industry or a substantial segment of an industry which processes metallic materials capable of being recycled with respect to which an increase in domestic prices or a domestic shortage, either of which results from increased exports, has or may have a significant adverse effect on the national economy or any sector thereof, may submit a written petition to BIS requesting the monitoring of exports, or the imposition of export controls, or both, with respect to such materials.

**III. Data**

*OMB Control Number:* 0694-0102.

*Form Number(s):* None.

*Type of Review:* Extension of a current information collection.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 2.

*Estimated Time per Response:* 100.5 hours.

*Estimated Total Annual Burden*

*Hours:* 201.

*Estimated Total Annual Cost to Public:* 0.

*Respondent's Obligation:* Voluntary.

*Legal Authority:* 754.6 and 754.7 of the Export Administration Regulations (EAR).

**IV. Request for Comments**

We are soliciting public comments to permit the Department/Bureau to: (a)

Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.*

[FR Doc. 2021-00931 Filed 1-14-21; 8:45 am]

**BILLING CODE 3510-33-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Notice of Discontinuation of Policy To Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings**

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

**ACTION:** Notice; discontinuance.

**SUMMARY:** The U.S. Department of Commerce (Commerce) is announcing that, effective immediately upon publication of this notice, it is discontinuing its policy to issue liquidation instructions in certain segments of antidumping duty (AD) and countervailing duty (CVD) administrative proceedings to U.S. Customs and Border Protection (CBP) 15 days after publication or mailing, whichever applies, of final administrative determinations where no

statutory injunction was requested, which was announced on its website August 14, 2002, revised in November 2006, and again modified by an announcement on its website November 9, 2010. Such timeframes for AD/CVD administrative proceedings involving subject merchandise from Canada and Mexico were not affected by the 15-day policy.

**DATES:** Applicable January 15, 2021.

**FOR FURTHER INFORMATION CONTACT:** Wendy Frankel, Director, Customs Liaison Unit, Enforcement & Compliance, Department of Commerce, (202) 482-5849, or Elisabeth Urfer, Associate Director, Customs Liaison Unit, Enforcement & Compliance, Department of Commerce (202) 482-0414.

**SUPPLEMENTARY INFORMATION:** In 2002, Commerce instituted its 15-day policy in response to *International Trading Co. v. United States*, 281 F.3d 1268 (Fed. Cir. 2002), in which the six-month deemed liquidation deadline in 19 U.S.C. 1504(d) was made applicable to administrative reviews of AD/CVD orders. The policy, as modified, has required parties to seek consent from the government for statutory injunctions under section 516A(c)(2) of the Tariff Act of 1930, as amended (the Act), no later than 15 days after publication or mailing of applicable final administrative determinations by Commerce, or Commerce will issue liquidation instructions to CBP. The policy has provided CBP with over five months to ensure liquidation at the assessed rate, lessening the risk that entries will be deemed liquidated. Since 2002, parties challenging Commerce's final determinations in AD/CVD administrative proceedings conducted under applicable provisions of Title VII of the Act at the U.S. Court of International Trade who missed the 15-day deadline have run the risk that some or all of their entries would liquidate before receiving any court-ordered statutory injunction.

Notwithstanding any language in preliminary determinations in applicable AD/CVD administrative proceedings indicating Commerce's intent to apply the 15-day policy in corresponding final determinations that have not yet been issued, Commerce is discontinuing this policy immediately upon publication of this notice to effectively administer and enforce the AD/CVD laws. Because the 15-day policy has not applied to AD/CVD administrative proceedings involving subject merchandise from Canada and Mexico, this notice has no effect on AD/

CVD proceedings involving subject merchandise from those countries.

Dated: January 11, 2021.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XY117]

#### Fisheries of the Exclusive Economic Zone off Alaska; Application for an Exempted Fishing Permit

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; receipt of application for exempted fishing permit.

**SUMMARY:** This notice announces NMFS' receipt of an application and the public comment period for an exempted fishing permit (EFP) from the Alaska Seafood Cooperative. If issued, this permit would allow the applicant to test methods to minimize bycatch of halibut using an excluder device in the North Pacific's Amendment 80 flatfish fishery. The objective of this EFP, if issued, would be to develop a halibut excluder design that avoids high target species losses with more significant reductions in halibut bycatch. Field testing would be conducted between August 2021 and December 2022. This experiment would have the potential to promote the objectives of the Magnuson-Stevens Fishery Conservation and Management Act.

**DATES:** Comments on this EFP application must be submitted to NMFS on or before February 12, 2021. The North Pacific Fishery Management Council (Council) will consider the application at its meeting from February 1, 2021 through February 12, 2021.

**ADDRESSES:** The Council meeting will be held virtually. The agenda for the Council meeting is available at <http://www.npfmc.org>. In addition to submitting public comments during the Council meeting through the Council website, you may submit your comments, identified by NOAA–NMFS–2020–0156, by either of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/](http://www.regulations.gov/)

*#/docketDetail;D=NOAA-NMFS-2020-0156*, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Records Office. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.

*Instructions:* Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address) submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Electronic copies of the EFP application and the basis for a categorical exclusion under the National Environmental Policy Act may be obtained from [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Megan Mackey, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the domestic groundfish fisheries in the Bering Sea and Aleutian Islands (BSAI) management area under the Fishery Management Plan for Groundfish of the BSAI Management Area (FMP), which the Council prepared under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing the BSAI groundfish fisheries appear at 50 CFR parts 600 and 679. The FMP and the implementing regulations at §§ 600.745(b) and 679.6 allow the NMFS Regional Administrator to authorize, for limited testing and experimental purposes, fishing or target or incidental harvest of species managed under an FMP that would otherwise be prohibited. Procedures for issuing EFPs are contained in the implementing regulations.

#### Background and Need for Exempted Fishing Permit

Flatfish fishing is a significant component of the Bering Sea groundfish fishery, annually producing approximately 200,000 metric tons of sole, founders, and plaice. Amendment 80, implemented in 2008, allocates BSAI yellowfin sole, flathead sole, rock sole, Atka mackerel, and Aleutian Islands Pacific ocean perch to trawl catcher processor sector, and allows

qualified vessels to form cooperatives. Prior to 2008, halibut prohibited species catch bycatch tended to constrain harvest of much of the total allowable flatfish catches. Bycatch or incidental catch include fish species that are not targeted but are caught and discarded. Certain species taken incidentally in Alaska's groundfish fisheries are called Prohibited Species Catch (PSC). Since 2008, the Amendment 80 sector has been able to make significant improvements to reduce halibut and other bycatch and has increased target fish yields. This has been achieved because the new management program allows fishermen to fish when and where it makes most sense and to make better use of bycatch reduction tools like sharing information to avoid bycatch “hot spots,” bycatch avoidance agreements, and gear modifications.

In 2015, following the sector's success under Amendment 80 and in response to a decline in halibut biomass in the Bering Sea, the Council approved a 25 percent reduction in the sector's halibut bycatch mortality cap, which is the total amount of permitted halibut bycatch. To help prevent a return to leaving a large fraction of flatfish un-harvested, the Council approved and NMFS implemented halibut deck sorting on November 14, 2019 (84 FR 55044; October 15, 2019). Through this new program, savings in halibut mortality from deck sorting have been significant. However, over the last two fishing years (possibly due to warming sea temperatures and lack of the cold pool thermal front that tended to spatially separate flatfish from halibut), encounter rates for halibut by the Amendment 80 fleet have increased. The sector is concerned that its ability to continue to fish for flatfish and other groundfish could be impacted by increasing rates of halibut bycatch.

Over the last two decades, Bering Sea flatfish trawlers have been developing and using halibut excluders, which are modifications to the intermediate section of the trawl intended to allow halibut to escape while retaining sufficient levels of target species for operational efficiency. The design of these excluders has been refined over time, but now that halibut bycatch rates have increased in recent years, the sector is interested in further refinement and testing of excluder design.

An initial analysis by the EFP applicant of current halibut excluder designs indicates current excluders are resulting in high loss rates of target fish and less reduction in halibut bycatch than what might be achieved through an improved design. This includes results from a 2006 EFP that was issued to