

section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”). 15 CFR 766.25.<sup>1</sup> BIS has received and considered a written submission from Danso.

Based upon my review of the record, including Danso’s submission, and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Danso’s export privileges under the Regulations for a period of five years from the date of Danso’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Danso had an interest at the time of his conviction.<sup>2</sup>

Accordingly, it is hereby *ordered*:

First, from the date of this Order until September 15, 2025, Ronald Adjei Danso, with a last known address of 961 West Prosperity Avenue, Salt Lake City, UT 84116, 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 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, reexport, or transfer (in-country) 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 ECRA (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 Danso 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, Danso 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 Danso and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until September 15, 2025.

**John Sonderman,**

*Director, Office of Export Enforcement.*

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**BILLING CODE 3510-DT-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Deep Seabed Mining: Approval of Exploration License Extensions

**AGENCY:** Office for Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Notice of extension of deep seabed hard mineral exploration licenses.

**SUMMARY:** NOAA is announcing the approval of a five-year extension request for two deep seabed hard mineral exploration licenses issued under the Deep Seabed Hard Mineral Resources Act (DSHMRA). The decision to approve the extensions follows a review of the request and activities performed by the Licensee pursuant to the exploration plan for the licenses, the proposed exploration plan, comments submitted on the request, and a determination that the Licensee has substantially complied with the licenses, their terms, conditions and restrictions, and the associated exploration plan. No at-sea exploration activities are authorized by these extensions without prior written authorization and further environmental review by NOAA.

**FOR FURTHER INFORMATION CONTACT:**

Kerry Kehoe, 240–560–8518, [Kerry.Kehoe@noaa.gov](mailto:Kerry.Kehoe@noaa.gov).

**SUPPLEMENTARY INFORMATION:** On January 31, 2022, Lockheed Martin Corporation (Licensee or “LMC”) requested that NOAA extend LMC’s two DSHMRA exploration licenses. The licenses are known as USA–1 and USA–4.

When originally issued by NOAA in 1984, USA–1 and USA–4 were for a term of ten years. DSHMRA requires that requests to extend exploration licenses be approved every five years if the licensee has substantially complied with the licenses, their terms, conditions and restrictions, and the associated exploration plan.

On March 18, 2022, NOAA published a **Federal Register** notice (FRN) announcing the receipt of LMC’s extension request for USA–1 and USA–4, and soliciting comments on whether the Licensee has met the statutory requirement of showing substantial compliance (87 FR 15408). NOAA also solicited comments from the Western Pacific Fisheries Management Council (WPFMC) and the U.S. Department of

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2022).

<sup>2</sup> The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders, pursuant to recent amendments to the Regulations (85 FR 73411, November 18, 2020).

State. NOAA's response to comments is included in this notice.

Upon determining that the Licensee has substantially complied with the licenses, their terms, conditions and restrictions, and the associated exploration plan, and that the extension of these licenses qualifies for a categorical exclusion pursuant to National Environmental Policy Act (NEPA), NOAA has approved a five-year extension of the licenses through June 2, 2027. The extension maintains the proprietary interests that the licenses confer upon the Licensee but does not authorize LMC to conduct at-sea exploration activities pursuant to the licenses. Prior written authorization and further environmental review by NOAA is required before any at-sea exploration may be undertaken pursuant to these licenses.

*Response to Comments:* As noted above, in addition to the FRN requesting comments on the extension request, comments were solicited from WPFMC and the U.S. Department of State. No comments were received from the WPFMC. The Department of State reviewed the request and had no objections or comments.

NOAA received one response to the FRN request for comments which was a joint letter by various organizations opposed to deep seabed mining and urging NOAA to deny the extension request and cancel the exploration licenses. The comments focused on three themes, all of which are asserted to support the conclusion that NOAA should deny the extension request and cancel the exploration licenses: (1) the environmental impacts of deep seabed mining are unacceptable; (2) there is too little known about the deep seabed environment and ecosystem to determine whether impacts would be acceptable; and (3) the designation by the International Seabed Authority of an Area of Particular Environmental Interest that partially overlaps with the USA-1 exploration license should preclude exploration activities in that area of the license. The comments are summarized below with responses by the NOAA Office for Coastal Management.

*Comment:* Deep seabed mining poses innumerable risks to the ocean environment and the fragile ecology of the deep sea, and the Biden administration should decline to extend these licenses due to the lasting and permanent damage they could inflict on the world's oceans.

*Response:* NOAA agrees that deep seabed mining may pose risks to the ocean environment and ecology of the deep sea, and that any proposal to

conduct deep seabed mining needs to be carefully considered; however, these DSHMRA exploration licenses do not authorize mining. As noted in the FRN announcing the extension request and soliciting comments, no at-sea activities may be conducted pursuant to these exploration licenses without further environmental review and additional prior written authorization by NOAA. Further, pursuant to the applicable requirements of DSHMRA, NOAA is obligated to extend existing exploration licenses where, as here, a licensee has "substantially complied with the license and exploration plan and has requested an extension of the license." See 30 U.S.C. 1417.

*Comment:* Deep sea mining poses a very large risk. We may not understand its environmental impacts until after it has caused long-lasting damage to the marine environment. There are few categories of publicly available scientific knowledge comprehensive enough to enable evidence-based decision-making regarding environmental management. Marine scientists are just on the forefront of understanding deep sea species and environmental function, and there remains little known about how far species range, how populations are connected, and the potential impacts of spreading sediment plumes. Further information on deep-sea environmental baselines and mining impacts is critical for this emerging industry. Closing the scientific gaps related to deep seabed mining is a monumental task that is essential to fulfilling the overarching obligation to prevent serious harm and ensure effective protection, and will require clear direction, substantial resources, and robust coordination and collaboration. DSHMRA requires that any exploration and recovery activities "protect the quality of the environment." There is insufficient information for NOAA to proceed with issuance of deep seabed mining licenses and permits.

*Response:* Exploration activities and their effects are distinct from mining for commercial recovery. Exploration is a means to close scientific gaps so that licensees and decision makers can be better informed if and when mining for commercial recovery is actually proposed. In addition, as noted above, no at-sea activities may be conducted pursuant to these exploration licenses without further environmental review and authorization by NOAA. Any additional authorization by NOAA would occur only after a determination that proposed activities cannot reasonably be expected to result in a significant adverse effect on the quality

of the environment. See 30 U.S.C. 1415(a)(4).

NOAA supports the development of additional scientific knowledge to better inform evidence-based decision-making for deep seabed mining. Decision-making on seabed mining should be guided by the best available scientific information on the marine environment and ecosystem, and the risks posed by mining and associated operational practices. Where information is lacking, NOAA will seek to support necessary data collection and synthesis, leveraging Federal, non-Federal, and Indigenous expertise and partnerships, and ensure resulting Federal data and information are publicly accessible and transparent.

*Comment:* The areas at issue in Lockheed Martin's licenses, USA-1 and USA-4, are particularly sensitive and are not suitable for deep sea mining. At the December 2021, meeting of the International Seabed Authority (ISA), the ISA's Legal and Technical Commission recommended that four areas within the Clarion Clipperton Zone be added to a network of "Areas of Particular Environmental Interest" (APEI), also known as protected areas. These areas would be added to nine existing APEIs which would not be subject to exploitation contracts through the ISA. One of the new protected areas (APEI-13) overlaps with one of Lockheed's leases under DSHMRA, and calls into question whether the United States should continue to authorize mining in an area that the ISA has determined to be an important ecosystem of unique biodiversity. Upon this backdrop, and because there is no way deep sea mining can be done safely, we urge NOAA to deny Lockheed Martin's request for extension of its licenses in the Clarion Clipperton Zone of the Pacific Ocean.

*Response:* The overlapping designation of an Area of Particular Environmental Interest by the International Seabed Authority will be considered if and when at-sea exploration activities are proposed by the Licensee. Again, additional activities will be allowed only if NOAA determines that those activities cannot reasonably be expected to result in significant adverse effect on the quality of the environment.

*Comment:* If the Biden Administration aspires towards becoming a party to the United Nations Convention on the Law of the Sea in order to participate more fully and actively in the activities of the International Seabed Authority, NOAA must cancel Lockheed Martin's licenses under DSHMRA. This action is consistent with the mandate of

DSHMRA to protect the environment, and signals a willingness to the international community to abide by the international standards of protection that will preserve the marine environment from the harmful impacts of mining activities.

**Response:** As noted above, NOAA is statutorily obligated to approve extension requests for exploration licenses for five years upon a finding that the licensee has met the terms and conditions of the licenses, and associated exploration plan.

NOAA recognizes the importance of a stable, science-based, internationally recognized regulatory framework for seabed mining that is harmonious with the U.S. seabed mining regulatory regime and ensures effective protection for the marine environment from harmful effects of seabed mining activities.

**Nicole R. LeBoeuf,**

Assistant Administrator for Ocean Services and Coastal Zone Management, National Ocean Service, National Oceanic and Atmospheric Administration.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XC294]

**Endangered and Threatened Species; Take of Anadromous Fish**

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

**ACTION:** Notice of receipt of applications; for 14 permit renewals and 3 new permits.

**SUMMARY:** Notice is hereby given that NMFS has received 17 scientific research permit application requests relating to Pacific salmon, steelhead, green sturgeon, and eulachon. The proposed research is intended to increase knowledge of species listed under the Endangered Species Act (ESA) and to help guide management and conservation efforts. The applications may be viewed online at: [https://apps.nmfs.noaa.gov/preview/preview\\_open\\_for\\_comment.cfm](https://apps.nmfs.noaa.gov/preview/preview_open_for_comment.cfm).

**DATES:** Comments or requests for a public hearing on the applications must be received at the appropriate address (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time on September 28, 2022.

**ADDRESSES:** All written comments on the applications should be sent by email to [nmfs.wcr-apps@noaa.gov](mailto:nmfs.wcr-apps@noaa.gov) (please include the permit number in the subject line of the email).

**FOR FURTHER INFORMATION CONTACT:** Diana Dishman, Portland, OR (ph.: 503-736-4466), email: [Diana.Dishman@noaa.gov](mailto:Diana.Dishman@noaa.gov). Permit application instructions are available from the address above, or online at <https://apps.nmfs.noaa.gov>.

**SUPPLEMENTARY INFORMATION:**

**Species Covered in This Notice**

The following listed species are covered in this notice:

Chinook salmon (*Oncorhynchus tshawytscha*): Threatened Puget Sound (PS); threatened Snake River (SnkR) spring/summer-run; endangered Upper Columbia River (UCR) spring-run; threatened Upper Willamette River (UWR), threatened Central Valley spring-run (CVS); endangered Sacramento River (SacR) winter-run; threatened California Coastal (CC).

Steelhead (*O. mykiss*): Threatened Middle Columbia River (MCR); threatened PS; threatened SnkR; threatened UCR; threatened UWR; threatened Central California Coast (CCC); threatened California Central Valley (CCV); threatened South-Central California Coast (S-CCC).

Chum salmon (*O. keta*): Threatened Hood Canal Summer-run (HCS).

Coho salmon (*O. kisutch*): Threatened Oregon Coast (OC); endangered Central California Coast (CCC).

Sockeye salmon (*O. nerka*): Endangered SnkR.

Eulachon (*Thaleichthys pacificus*): Threatened southern (S).

Green sturgeon (*Acipenser medirostris*): Threatened southern Distinct Population Segment (SDPS).

**Authority**

Scientific research permits are issued in accordance with section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et. seq*) and regulations governing listed fish and wildlife permits (50 CFR 222-226). NMFS issues permits based on findings that such permits: (1) are applied for in good faith; (2) if granted and exercised, would not operate to the disadvantage of the listed species that are the subject of the permit; and (3) are consistent with the purposes and policy of section 2 of the ESA. The authority to take listed species is subject to conditions set forth in the permits.

Anyone requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be

appropriate (see **ADDRESSES**). Such hearings are held at the discretion of the Assistant Administrator for Fisheries, NMFS.

**Applications Received**

**Permit 1124-7R**

Under permit 1124-7R, the Idaho Department of Fish and Game (IDFG) is seeking to renew for 5 years a permit that would authorize them to continue five research projects they have been conducting in the Snake River basin for over 20 years. The permit would continue to cover the following actions: one general fish population inventory; one project designed to monitor SnkR spr/sum Chinook salmon natural production; one project researching kokanee and SnkR sockeye salmon populations in three lakes in the upper Salmon River subbasin; one project monitoring salmon and steelhead fish health; and one project monitoring natural steelhead production. Under the permit, the IDFG would continue to take adult and juvenile SnkR spr/sum Chinook salmon, SnkR steelhead, and SnkR sockeye salmon in mainstem and tributary habitat throughout the Snake, Clearwater, and Salmon River subbasins.

Juveniles would be collected via screw trap, hook-and-line angling, backpack electrofishing and, in the Stanley Basin lakes, midwater trawls. Juvenile fish would be captured, handled (anesthetized, weighed, measured, and checked for marks or tags), and released. A subsample of captured juveniles would be anesthetized, tissue sampled and implanted with passive integrated transponder (PIT) tags before being released. A further subsample of captured sockeye juveniles would be intentionally sacrificed for genetic analysis. Adults captured at traps and weirs would be handled (anesthetized, weighed, measured, and checked for marks or tags), and released. In addition, tissues may be collected from carcasses encountered during spawning surveys. Other than the juveniles that would be sacrificed for genetic analysis, the researchers are not planning to kill any additional listed fish, however a further small number may be killed as an inadvertent result of the proposed activities.

**Permit 1585-5R**

Under permit 1585-5R the Washington Department of Natural Resources (WDNR) is seeking to renew for 5 years a permit that would authorize them to continue to take juvenile PS Chinook salmon, PS