

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[Docket No. FD 35623]

**Cleveland Commercial Railroad Company, LLC—Continuance in Control Exemption—Cleveland Harbor Belt Railroad**

Cleveland Commercial Railroad Company, LLC (CCR), a Class III rail carrier, has filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to continue in control of Cleveland Harbor Belt Railroad (CHB), upon CHB's becoming a Class III rail carrier. CCR has established CHB as a limited liability company and has the entire ownership interest in CHB.

This transaction is related to a concurrently filed verified notice of exemption in *Cleveland Harbor Belt Railroad—Operation Exemption—Cleveland-Cuyahoga County Port Authority*, Docket No. FD 35624, wherein CHB seeks Board approval to operate approximately one mile of terminal railroad trackage currently owned by Cleveland-Cuyahoga County Port Authority (the Port), in Cleveland, Ohio, and operated as exempt private trackage by CSX Transportation, Inc. (CSXT) and Norfolk Southern Railway. The transaction may be consummated on or after June 7, 2012 (30 days after the notice of exemption was filed).

CCR represents that: (1) The rail line to be operated by CHB will not connect with the lines currently operated by CCR; (2) the continuance in control is not part of a series of anticipated transactions that would result in such a connection; and (3) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than May 31, 2012 (at least

7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35623, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John D. Heffner, 1700 K Street NW., Suite 640, Washington, DC 20006.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: May 21, 2012.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Derrick A. Gardner,**  
*Clearance Clerk.*

[FR Doc. 2012-12711 Filed 5-23-12; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[Docket No. FD 35624]

**Cleveland Harbor Belt Railroad—Operation Exemption—Cleveland-Cuyahoga County Port Authority**

Cleveland Harbor Belt Railroad (CHB), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate approximately one mile of terminal railroad trackage<sup>1</sup> currently owned by Cleveland-Cuyahoga County Port Authority (the Port)<sup>2</sup> and operated as exempt private trackage by CSX Transportation, Inc. (CSXT) and Norfolk Southern Railway (NS). CHB will replace the service formerly provided by CSXT and NS, and will be operating trackage over rail facilities that are currently being expanded by the Port as part of a vastly expanded port facility.<sup>3</sup>

This transaction is related to a concurrently filed verified notice of exemption in *Cleveland Commercial Railroad Company, LLC—Continuance in Control Exemption—Cleveland Harbor Belt Railroad*, Docket No. FD 35623, in which CCR seeks to continue in control of CHB, upon CHB's becoming a Class III rail carrier.

The transaction may be consummated on or after June 7, 2012 (30 days after the notice of exemption was filed).

<sup>1</sup> CHB states there are no mileposts on the line.

<sup>2</sup> Cleveland Commercial Railroad Company, LLC (CCR), and its wholly owned assignee, CHB, have filed a copy of the operating agreement with the Port, a noncarrier. See *Anthony Macrie—Continuance in Control Exemption—N.J. Seashore Lines, Inc.*, FD 35296, slip op. at 3-4 (STB served Aug. 31, 2010).

<sup>3</sup> CHB states that there are no agreements applicable to the line imposing any interchange commitments.

CHB certifies that its projected annual revenues as a result of this transaction will not result in CHB's becoming a Class I or Class II rail carrier and will not exceed \$5 million.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than May 31, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35624, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on John D. Heffner, 1700 K Street NW., Suite 640, Washington, DC 20006.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: May 21, 2012.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Derrick A. Gardner,**  
*Clearance Clerk.*

[FR Doc. 2012-12712 Filed 5-23-12; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF THE TREASURY****Office of Foreign Assets Control****Designation of 2 Individuals Pursuant to Executive Order 13224 of September 23, 2001: Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism**

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Treasury Department's Office of Foreign Assets Control ("OFAC") is publishing the names of 2 individuals whose property and interests in property are blocked pursuant to Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism."

**DATES:** The designations by the Director of OFAC of the 2 individuals in this notice, pursuant to Executive Order 13224, are effective on May 17, 2012.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director, Compliance

Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622-2490.

**SUPPLEMENTARY INFORMATION:**

**Electronic and Facsimile Availability**

This document and additional information concerning OFAC are available from OFAC's Web site ([www.treas.gov/ofac](http://www.treas.gov/ofac)) or via facsimile through a 24-hour fax-on-demand service, tel.: 202/622-0077.

**Background**

On September 23, 2001, the President issued Executive Order 13224 (the "Order") pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701-1706, and the United Nations Participation Act of 1945, 22 U.S.C. 287c. In the Order, the President declared a national emergency to address grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the September 11, 2001 terrorist attacks in New York, Pennsylvania, and at the Pentagon. The Order imposes economic sanctions on persons who have committed, pose a significant risk of committing, or support acts of terrorism. The President identified in the Annex to the Order, as amended by Executive Order 13268 of July 2, 2002, 13 individuals and 16 entities as subject to the economic sanctions. The Order was further amended by Executive Order 13284 of January 23, 2003, to reflect the creation of the Department of Homeland Security.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in or hereafter come within the United States or the possession or control of United States persons, of: (1) Foreign persons listed in the Annex to the Order; (2) foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of the Department of Homeland Security and the Attorney General, to have committed, or to pose a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States; (3) persons determined by the Director of OFAC, in consultation with the Departments of State, Homeland Security and Justice, to be owned or controlled by, or to act for or on behalf of those persons listed in the Annex to the Order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of the Order; and (4) except as provided in section 5 of the Order and after such consultation, if any, with

foreign authorities as the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of the Department of Homeland Security and the Attorney General, deems appropriate in the exercise of his discretion, persons determined by the Director of OFAC, in consultation with the Departments of State, Homeland Security and Justice, to assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism or those persons listed in the Annex to the Order or determined to be subject to the Order or to be otherwise associated with those persons listed in the Annex to the Order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of the Order.

On May 17, 2012 the Director of OFAC, in consultation with the Departments of State, Homeland Security, Justice and other relevant agencies, designated, pursuant to one or more of the criteria set forth in subsections 1(b), 1(c) or 1(d) of the Order, 2 individuals whose property and interests in property are blocked pursuant to Executive Order 13224.

The listings for these individuals on OFAC's list of Specially Designated Nationals and Blocked Persons appear as follows:

**Individuals**

1. BARI, Abdul Baqi (a.k.a. AL-BAKI, 'Abd; a.k.a. AL-BARI, 'Abd; a.k.a. BAKI, Abdul; a.k.a. BAQI, Abdul; a.k.a. BARI, Haji Abdul; a.k.a. BARI, Abdul; a.k.a. IBRAHIM, 'Abd Al-Baqi Muhammad; a.k.a. IBRAHIM, 'Abd Labaqi Muhammad; a.k.a. ISHAQZAI, Rais Abdul Bari; a.k.a. "ABDELBAKI"); DOB 1 Jan 1953; alt. DOB 1952; POB Kandahar, Afghanistan; Passport 306749 (Afghanistan) expires 28 Jun 2014; alt. Passport 47168 (Afghanistan) (individual) [SDGT]

2. GUL, Bakht (a.k.a. BAHAR, Bakht Gul; a.k.a. GUL, Bakhta; a.k.a. "SHUQIB"), Miram Shah, North Waziristan, Federally Administered Tribal Areas, Pakistan; DOB 1980; POB Aki Village, Zadran District, Paktiya Province, Afghanistan; nationality Afghanistan (individual) [SDGT]

Dated: May 17, 2012.

**Barbara C. Hammerle,**

*Acting Director, Office of Foreign Assets Control.*

[FR Doc. 2012-12534 Filed 5-23-12; 8:45 am]

**BILLING CODE 4810-AL-P**

**DEPARTMENT OF THE TREASURY**

**Office of Foreign Assets Control**

**Additional Identifying Information Associated With Persons Whose Property and Interests in Property Are Blocked Pursuant to Executive Order 13606 of April 22, 2012: Blocking Property and Suspending Entry Into United States of Certain Persons With Respect to Grave Human Rights Abuses by Governments of Iran and Syria via Information Technology**

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Treasury Department's Office of Foreign Assets Control ("OFAC") is publishing additional identifying information associated with the one individual and six entities listed in the Annex to Executive Order 13606 of April 22, 2012 "Blocking the Property and Suspending Entry Into the United States of Certain Persons With Respect to Grave Human Rights Abuses by the Governments of Iran and Syria via Information Technology," whose property and interests in property are blocked.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, Tel.: 202/622-2490.

**SUPPLEMENTARY INFORMATION:**

**Electronic and Facsimile Availability**

This document and additional information concerning OFAC are available from OFAC's Web site (<http://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>) or via facsimile through a 24-hour fax-on-demand service, Tel.: 202/622-0077.

**Background**

On April 22, 2012, the President issued Executive Order 13606, "Blocking the Property and Suspending Entry Into the United States of Certain Persons With Respect to Grave Human Rights Abuses by the Governments of Iran and Syria via Information Technology," (the "Order") pursuant to, *inter alia*, the International Emergency Economic Powers Act (50 U.S.C. 1701-06). In the Order, the President took additional steps with respect to the national emergencies declared in Executive Order 12957 of March 15, 1995 and Executive Order 13338 of May 11, 2004.