For further information contact: Karen Nies-Vogel, Chair, End-User Review Committee, Office of the Assistant Secretary, Export Administration, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–5991, Fax: (202) 482–3911, Email: ERC@bis.doc.gov.

Summary: This rule amends the Export Administration Regulations (EAR) by adding eighteen persons to the Entity List (Supplement No. 4 to Part 744) under nineteen entries. These persons have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States on the basis of § 744.11 of the EAR. These persons will be listed on the Entity List under China, Germany, Hong Kong, Ukraine, and United Arab Emirates.

Effective 30 May 2013
Dallas, TX, Dallas Love Field, ILS OR LOC RWY 31R, Amdt SB
[FR Doc. 2013–06793 Filed 3–27–13; 8:45 am]
BILLING CODE 4910–13–P
employed by the company (Baet Alhoreya and certain individuals ERC has determined that Liberty House, negative. Based on their actions, the ERC has determined that these five persons are engaged in activities contrary to U.S. national security and foreign policy interests and pose a high risk of involvement in violations of the EAR.

Pursuant to § 744.11(b)(3) and (b)(5) of the EAR, the ERC determined that the above conduct raises sufficient concern that prior review of exports, reexports, or transfers (in-country) of items subject to the EAR involving these eighteen persons under nineteen entries being listed on the Entity List, and the possible imposition of license conditions or license denials, will enhance BIS’s ability to prevent violations of the EAR. For the eighteen persons under nineteen entries being added to the Entity List, the ERC specified a license requirement for all items subject to the EAR and established a license application review policy of a presumption of denial. The license requirement applies to any transaction in which items are to be exported, reexported, or transferred (in-country) to such persons or in which such persons acts as purchaser, intermediate consignee, ultimate consignee, or end-user. In addition, no license exceptions are available for exports, reexports, or transfers (in-country) to the eighteen persons under nineteen entries being added to the Entity List.

This final rule adds the following eighteen persons under nineteen entries to the Entity List:

China

(1) Jadeshine.
R1102 B Tianyuangang Center, Dong San Bei Lu Bing 2, Chaoyang District, Beijing, China;

(2) Jadeshine Engineering HK Co., Shanghai, China; and Langfang, China, Germany

(1) Manufacturers Equipment Organization (MEO), a.k.a. the following one alias:
—MEO GMBH
P.O Box 501168, D–42904, Wernelskirchen, Germany; and Neuenhaus 96, 42929, Wernelskirchen, Germany.

Hong Kong

(1) Giant Base Asia Limited,
Room 2205, 22/F, Kowloon Building, 555 Nathan Road, Hong Kong;

(2) Jadeshine Engineering (HK) Co., Room 702, Boss Commercial Centre, Ferry Street 38, Kowloon, Hong Kong;

(3) Jadeshine Engineering HK Co., G/F Blk C, 255 Tai Wai, DD 123 Lot, Yuen Long, Hong Kong;

(4) Jason Shuai, a.k.a. the following one alias:
—Jason Shine
Hong Kong.

Ukraine

(1) Ukrspetexport,
36 Degtiarivska Blvd., Ukraine 04119 Kyiv.

United Arab Emirates

(1) abensa FZ LLC, a.k.a. the following one alias:
—BiotaGroup Company
Al Thuraya Tower 1, 9th Floor, Office 907, P.O. Box: 500097, Dubai, U.A.E.; and
Al Thuraya Tower 1, Media City, Dubai, U.A.E.;

(2) Afarsi General Trading LLC,
Mezzanine F1, No. M–7, Al Bakht Centre, Abu-Bakr Rd, Deira, Dubai, U.A.E.; and
No. 405, Albahiki Centre, Abu-Bakr, AE-Dubai, U.A.E.; and
P.O. Box 40150, Al Bakht Centre, Messanine Floor, M–7, Deira, Dubai, U.A.E.;

(3) Alex Ardalan,
Al Thuraya Tower 1, 9th Floor, Office 907, P.O. Box: 500097, Dubai, U.A.E.;

(4) David Khayam,
Apt #1811 Manchester Tower, Dubai Marina, Dubai, U.A.E.; and
PO Box 111831, Al Daghaya, Dubai, U.A.E.; and
Dubai Shopping Center, Office 13, Dubai, U.A.E.;

(5) Dr. Artush Parsi,
No. 75 Noor Mohammed Taleb Building, Opposite to Ascot Hotel, Khaled-bin-Valid Rd, Bur Dubai, Dubai, U.A.E.; and
No. 7 Noor Mohammad Taleb Bldg. Opp. Ascot Hotel Khalid Bin Rd, Dubai, U.A.E.; and
No. 705, Noor Mohammad Taleb Bldg, Bin Valid Road, Dubai, U.A.E.; and
P.O. Box 122114, Dubai, U.A.E.; and
P.O. 111837, Dubai, U.A.E.;

(6) Ghasem Afarsi,
No. 405, Albahiki Centre, Abu-Bakr, AE-Dubai, U.A.E.; and
P.O. Box 40150, Al Bakht Centre, Messanine Floor, M–7, Deira, Dubai, U.A.E.; and
Mezzanine F1, No. M–7, Al Bakht Centre, Abu-Bakr Rd, Deira, Dubai, U.A.E.; and
Dubai Shopping Center, Office 13, PO Box 111831, Al Daghaya, Dubai, Apt #1811 Manchester Tower, Dubai Marina, Dubai, U.A.E.; and 

Dubai Shopping Center, Office 13, Dubai Marina, Dubai, U.A.E.; and 

No. 705, Noor Mohammad Taleb Bldg, Bin Valid Road, Dubai, U.A.E.; and 
P.O. Box 122114, Dubai, U.A.E.; and 
P.O. 111837, Dubai, U.A.E.; 

(7) Hamid Rashed, 
Apt #1811 Manchester Tower, Dubai Marina, Dubai, U.A.E.; and 
P.O. Box 111831, Al Daghaya, Dubai, U.A.E.; 

(8) Liberty House Trading LLC, a.k.a. the following two aliases: 
—Baet Alhoreya Electronics Trading; and 
—Baet Alhoreya, 
Apt #1811 Manchester Tower, Dubai Marina, Dubai, U.A.E.; and 
P.O Box 111831, Al Daghaya, Dubai, U.A.E.; and 

Dubai Shopping Center, Office 13, Dubai, U.A.E.; 

(9) Moh Khoman, 
No. 405, Albakhit Centre, Abu Bakr, AE-Dubai, U.A.E.; and 
P.O. Box 40150, Al Bakhit Centre, Messanine Floor, M–7, Deira, Dubai, U.A.E.; and 

(10) Mohamad Javad, 
No. 405, Albakhit Centre, Abu Bakr, AE-Dubai, U.A.E.; and 
P.O. Box 40150, Al Bakhit Centre, Messanine Floor, M–7, Deira, Dubai, U.A.E.; and 

(11) Next Gulf Trading LLC, 
No. 75 Noor Mohammed Taleb Building, Opposite to Ascot Hotel, Khalied-bin-Valid Rd, Bur Dubai, Dubai, U.A.E.; and 

No. 705, Noor Mohammad Taleb Bldg, Opp. Ascot Hotel Khalid Bin Rd, Dubai, U.A.E.; and 
No. 705, Noor Mohammad Taleb Bldg, Bin Valid Road, Dubai, U.A.E.; and 
P.O. Box 122114, Dubai, U.A.E.; and 
P.O. 111837, Dubai, U.A.E.; 

Modification to the Entity List 

On the basis of a decision made by the ERC, in addition to the eighteen persons under nineteen entries described above, this rule amends one entry currently on the Entity List under Germany. The amendment provides two alternate addresses for this listed person, as follows: 

Germany 

(1) Christof Schneider, 
Margaretenweg #10, 42929 Wermelskirchen, Germany; and 
P.O Box 501168, D–42904, 
Wermelskirchen, Germany; and 
Neuenhaus 96, 42929, Wermelskirchen, Germany. 

Removal From the Entity List 

This rule implements an ERC decision to remove one person, Atlas Electronic Systems, located in Canada, from the Entity List as a result of the person’s successful request for removal. Based upon the review of the information provided in the removal request in accordance with §744.16 (Procedure for requesting removal or modification of an Entity List entry), and after review by the ERC’s member agencies, the ERC determined that Atlas Electronic Systems should be removed from the Entity List. 

The ERC’s decision to remove Atlas Electronic Systems took into account its cooperation with the U.S. Government, as well as its assurances of future compliance with the EAR. In accordance with §744.16(c), the Deputy Assistant Secretary for Export Administration has sent written notification to Atlas Electronic Systems, informing it of the ERC’s decision to remove them from the Entity List. This final rule implements the decision to remove the following person from the Entity List: 

Canada 

(1) Atlas Electronic Systems (AES), 7320 St. Jacques St., W. Montreal, QC, H4B1W1, Canada. 

The removal of the above-referenced entity on the basis of a §744.16 removal request that was approved by the ERC, eliminates the existing license requirements in Supplement No. 4 to part 744 for exports, reexports, and transfers (in-country) to this entity. However, the removal of this entity from the Entity List does not relieve persons of the other obligations under part 744 of the EAR or under other parts of the EAR. Neither the removal of an entity from the Entity List nor the removal of Entity List-based license requirements relieves persons of their obligations under General Prohibition 5 in §736.2(b)(5) of the EAR which provides that, “you may not, without a license, knowingly export or reexport any item subject to the EAR to an end-user or end-use that is prohibited by part 744 of the EAR.” Additionally, this removal does not relieve persons of their obligation to apply for export, reexport, or in-country transfer licenses required by other provisions of the EAR. BIS strongly urges the use of Supplement No. 3 to part 732 of the EAR, “BIS’s ‘Know Your Customer’ Guidance and Red Flags,” when persons are involved in transactions that are subject to the EAR. 

Annual Review of the Entity List 

This rule also provides notice that the ERC has concluded annual reviews of the Entity List for entities located in five countries, in accordance with the procedures outlined in Supplement No. 5 to part 744 (Procedures for End-User Review Committee Entity List Decisions). The ERC has concluded its annual review for entities located in Afghanistan, Greece, India, Russia, and Ukraine. No changes are made to the Entity List as a result of these reviews. The changes from the annual review of the Entity List that are approved by the ERC are implemented in stages as the ERC completes its review of entities listed under different destinations on the Entity List. 

Savings Clause 

Shipments of items removed from eligibility for a License Exception or export or reexport without a license (NLR) as a result of this regulatory action that were en route aboard a carrier to a port of export or reexport, on March 28, 2013, pursuant to actual orders for export or reexport to a foreign destination, may proceed to that destination under the previous eligibility for a License Exception or export or reexport without a license (NLR). 

Although the Export Administration Act expired on August 20, 2001, the President, through Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as amended by Executive Order 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013), and as extended by the Notice of August 15, 2012, 77 FR 49699 (August 16, 2012), has continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act. BIS continues to carry out the provisions of the Export Administration Act, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222. 

Rulemaking Requirements 

1. This rule has been determined to be not significant for purposes of Executive Order 12866.
2. Notwithstanding any other provision of law, no person is required to respond to nor be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.) (PRA), unless that collection of information displays a currently valid OMB Control Number. This regulation involves collections previously approved by the OMB under control numbers 0694–0088, “Multi-Purpose Application,” which carries a burden hour estimate of 43.8 minutes for a manual or electronic submission. This rule does not alter any information collection requirements; therefore, total burden hours associated with the PRA and OMB control number 0694–0088 are not expected to increase as a result of this rule. You may send comments regarding the collection of information associated with this rule, including suggestions for reducing the burden, to Jasmeet K. Seehra, Office of Management and Budget (OMB), by email to Jasmeet.K.Seehra@omb.eop.gov, or by fax to (202) 395–7285.

3. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public comment, and a 30-day delay in effective date are inapplicable because this regulation involves a military or foreign affairs function of the United States. (See 5 U.S.C. 553(a)(1)). BIS implements this rule to protect U.S. national security or foreign policy interests by preventing items from being exported, reexported, or transferred (in country) to the persons being added to the Entity List. If this rule were delayed to allow for notice and comment and a delay in effective date, then entities being added to the Entity List by this action would continue to be able to receive items without a license and to conduct activities contrary to the national security or foreign policy interests of the United States. In addition, because these parties may receive notice of the U.S. Government’s intention to place these entities on the Entity List once a final rule was published it would create an incentive for these persons to either accelerate receiving items subject to the EAR to conduct activities that are contrary to the national security or foreign policy interests of the United States and/or to take steps to set up additional aliases, change addresses, and take other steps to try to limit the impact of the listing on the Entity List once a final rule was published. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., are not applicable.

List of Subject in 15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

Accordingly, part 744 of the Export Administration Regulations (15 CFR parts 730–774) is amended as follows:

PART 744—[AMENDED]

1. The authority citation for 15 CFR part 744 continues to read as follows:


2. Supplement No. 4 to part 744 is amended:

a. By removing under Canada, one Canadian entity: “Atlas Electronic Systems (AES), 7320 St. Jacques St., W. Montreal, QC, H4B1W1, Canada.”;

b. By adding under China, in alphabetical order, two Chinese entities;

c. By revising under Germany, one German entity;

d. By adding under Germany, in alphabetical order, four Hong Kong entities;

e. By adding under Hong Kong, in alphabetical order, four Hong Kong entities;

f. By adding under Ukraine, in alphabetical order, four Hong Kong entities;

g. By adding under United Arab Emirates, in alphabetical order, eleven Emirati entities.

The revisions read as follows:

Supplement No. 4 to Part 744—Entity List

<table>
<thead>
<tr>
<th>Country</th>
<th>Entity</th>
<th>License requirement</th>
<th>License review policy</th>
<th>Federal Register citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHINA</td>
<td>*</td>
<td>*</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Jadeshine, R1102 B Tainyuang</td>
<td>For all items subject to the EAR. (See § 744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>78 FR [INSERT FR PAGE NUMBER] 3/28/13.</td>
</tr>
<tr>
<td></td>
<td>Center, Dong San Bei Lu Bing 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shanghai, China; Langfang,</td>
<td></td>
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<tr>
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<td>Co., and alternate address</td>
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<td></td>
<td>under Hong Kong.</td>
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<tr>
<td>GERMANY</td>
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<td></td>
</tr>
<tr>
<td>Country</td>
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</tr>
<tr>
<td>*</td>
<td>Christof Schneider, Margaretenweg #10, 42929 Wermelskirchen, Germany; and P.O Box 501168, D-42904, Wermelskirchen, Germany; and Neuenhaus 96, 42929, Wermelskirchen, Germany.</td>
<td>For all items subject to the EAR. (See § 744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>74 FR 35797 7/21/09 78 FR [INSERT FR PAGE NUMBER ] 3/28/13.</td>
</tr>
<tr>
<td></td>
<td>Manufacturers Equipment Organization (MEO), a.k.a. the following one alias: -MEO GMBH P.O Box 501168, D-42904, Wermelskirchen, Germany; and Neuenhaus 96, 42929, Wermelskirchen, Germany.</td>
<td>For all items subject to the EAR. (See § 744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>78 FR [INSERT FR PAGE NUMBER ] 3/28/13.</td>
</tr>
<tr>
<td>HONG KONG</td>
<td>Giant Base Asia Limited Room 2205, 22/F, Kowloon Building, 555 Nathan Road, Hong Kong.</td>
<td>For all items subject to the EAR. (See § 744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>78 FR [INSERT FR PAGE NUMBER ] 3/28/13.</td>
</tr>
<tr>
<td></td>
<td>Jason Shuai a.k.a. the following one alias: -Jason Shine Hong Kong.</td>
<td>For all items subject to the EAR. (See § 744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>78 FR [INSERT FR PAGE NUMBER ] 3/28/13.</td>
</tr>
<tr>
<td>UNITED ARAB EMIRATES</td>
<td>aBensa FZ LLC, a.k.a. the following one alias: -BiotaGroup Company Al Thuraya Tower 1, 9th Floor, Office 907, P.O. Box: 500097, Dubai, U.A.E.; and Al Thuraya Tower 1, Media City, Dubai, U.A.E..</td>
<td>For all items subject to the EAR. (See § 744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>78 FR [INSERT FR PAGE NUMBER ] 3/28/13.</td>
</tr>
</tbody>
</table>

For all items subject to the EAR. (See §744.11 of the EAR).
Presumption of denial.

Alex Ardalan, Al Thuraya Tower 1, 9th Floor, Office 907, P.O. Box: 500097, Dubai, U.A.E.

For all items subject to the EAR. (See §744.11 of the EAR).
Presumption of denial.

David Khayam, Apt #1811 Manchester Tower, Dubai Marina, Dubai, U.A.E.; and PO Box 111831, Al Daghaya, Dubai, U.A.E.; and Dubai Shopping Center, Office 13, Dubai, U.A.E.

For all items subject to the EAR. (See §744.11 of the EAR).
Presumption of denial.

Dr. Artush Parsi, No. 75 Noor Mohammed Taleb Building, Opposite to Ascot Hotel, Khaleed-bin-Valid Rd, Bur Dubai, Dubai, U.A.E.; and No. 7 Noor Mohammad Taleb Bldg. Opp. Ascot Hotel Khalid Bin Rd, Dubai, U.A.E.; and No. 705, Noor Mohammad Taleb Bldg, Bin Valid Road, Dubai, U.A.E.; and No. 7 Noor Mohammad Taleb Bldg, Opp. Ascot Hotel Khalid Bin Rd, Dubai, U.A.E.; and P.O. Box 122114, Dubai, U.A.E.; and P.O. 111837, Dubai, U.A.E.

For all items subject to the EAR. (See §744.11 of the EAR).
Presumption of denial.

Ghasem Afsari, No. 405, Al Bakhit Centre, Abu-Bakr, AE-Dubai, U.A.E.; and P.O. Box 40150, Al Bakhit Centre, Messanine Floor, M–7, Deira, Dubai, U.A.E.; and No. 75 Noor Mohammed Taleb Building, Opposite to Ascot Hotel, Khaleed-bin-Valid Rd, Bur Dubai, Dubai, U.A.E.; and No. 7 Noor Mohammad Taleb Bldg, Opp. Ascot Hotel Khalid Bin Rd, Dubai, U.A.E.; and No. 705, Noor Mohammad Taleb Bldg, Bin Valid Road, Dubai, U.A.E.; and P.O. 111837, Dubai, U.A.E.

For all items subject to the EAR. (See §744.11 of the EAR).
Presumption of denial.

Hamid Rashed, Apt #1811 Manchester Tower, Dubai Marina, Dubai, U.A.E.; and PO Box 111831, Al Daghaya, Dubai, U.A.E.; and Dubai Shopping Center, Office 13, Dubai, U.A.E.

For all items subject to the EAR. (See §744.11 of the EAR).
Presumption of denial.
<table>
<thead>
<tr>
<th>Country</th>
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<th>License requirement</th>
<th>License review policy</th>
<th>Federal Register citation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Liberty House Trading LLC, a.k.a. the following two aliases: -Baet Alhoreya Electronics Trading; and -Baet Alhoreya, Apt #1811 Manchester Tower, Dubai Marina, Dubai, U.A.E.; and PO Box 111831, Al Daghaya, Dubai, U.A.E.; and Dubai Shopping Center, Office 13, Dubai, U.A.E.</td>
<td>For all items subject to the EAR. (See §744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>78 FR [INSERT FR PAGE NUMBER] 3/28/13.</td>
</tr>
</tbody>
</table>

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 774

[Docket No. 121025585–3248–01]

RIN 0694–AF73

Amendment to the Export Administration Regulations: List of Items Classified Under Export Control Classification 0Y521 Series—Biosensor Systems

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Interim final rule with request for comments.

SUMMARY: In this interim final rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) to make certain items subject to the EAR and to impose on those items a license requirement for export and reexport to all destinations, except Canada. Specifically, this rule classifies specified biosensor systems, “software” and “technology” under Export Control Classification Numbers (ECCNs) 0A521, 0D521 and 0E521, respectively, on the Commerce Control List (CCL). As described in the final rule that established the 0Y521 series and that was published in the Federal Register on April 13, 2012 (77 FR 22191), items are added to the 0Y521 series upon a determination by the Department of Commerce, with the concurrence of the Departments of Defense and State, that the items should...