A carrier may enter into a lease or trade of an Operating Authorization to another carrier for any consideration. Notice of a lease or trade under this paragraph must be submitted in writing to the FAA Slot Administration Office, facsimile (202) 267–7277 or email 7-AWASlotadmin@faa.gov, and must come from a designated representative of each carrier. The FAA must confirm and approve these transactions in writing prior to the effective date of the transaction. The FAA will approve transfers between carriers under the same marketing control up to five business days after the actual operation, but only to accommodate operational disruptions that occur on the same day of the scheduled operation. The FAA’s approval of a trade or lease does not constitute a commitment by the FAA to grant the associated historical rights to any operator in the event that slot controls continue at JFK after this order expires.

8. A carrier may not buy, sell, trade, or transfer an Operating Authorization, except as described in paragraph seven.

9. Historical rights to Operating Authorizations and withdrawal of those rights due to insufficient usage will be determined on a seasonal basis and in accordance with the schedule approved by the FAA prior to the commencement of the applicable season.

a. For each day of the week that the FAA has approved an operating schedule, any Operating Authorization not used at least 80% of the time over the time-frame authorized by the FAA under this paragraph will be withdrawn by the FAA for the next applicable season except:

i. The FAA will treat as used any Operating Authorization held by a carrier on Thanksgiving Day, the Friday following Thanksgiving Day, and the period from December 24 through the first Saturday in January.

ii. The Administrator of the FAA may waive the 80% usage requirement in the event of a highly unusual and unpredictable condition which is beyond the control of the carrier and which affects carrier operations for a period of five consecutive days or more.

b. Each carrier holding an Operating Authorization must forward in writing to the FAA Slot Administration Office a list of all Operating Authorizations held by the carrier along with a listing of the Operating Authorizations and:

i. The dates within each applicable season it intends to commence and complete operations.

A. For each winter scheduling season, the report must be received by the FAA no later than August 15 during the preceding summer.

B. For each summer scheduling season, the report must be received by the FAA no later than January 15 during the preceding winter.

ii. The completed operations for each day of the applicable scheduling season:

A. No later than September 1 for the summer scheduling season.

B. No later than January 15 for the winter scheduling season.

iii. The completed operations for each day of the scheduling season within 30 days after the last day of the applicable scheduling season.

10. In the event that a carrier surrenders to the FAA any Operating Authorization assigned to it under this Order or if there are unallocated Operating Authorizations, the FAA will determine whether the Operating Authorizations should be reallocated. The FAA may temporarily allocate an Operating Authorization at its discretion. Such temporary allocations will not be entitled to historical status for the next applicable scheduling season under paragraph 9.

11. If the FAA determines that an involuntary reduction in the number of allocated Operating Authorizations is required to meet operational needs, such as reduced airport capacity, the FAA will conduct a weighted lottery to withdraw Operating Authorizations to meet a reduced hourly or half-hourly limit for scheduled operations. The FAA will provide at least 45 days’ notice unless otherwise required by operational needs. Any Operating Authorization that is withdrawn or temporarily suspended will, if reallocated, be reallocated to the carrier from which it was taken, provided that the carrier continues to operate scheduled service at JFK.

12. The FAA will enforce this Order through an enforcement action seeking a civil penalty under 49 U.S.C. 46301(a). A carrier that is not a small business as defined in the Small Business Act, 15 U.S.C. 632, will be liable for a civil penalty of up to $25,000 for every day that it violates the limits set forth in this Order. A carrier that is a small business as defined in the Small Business Act will be liable for a civil penalty of up to $10,000 for every day that it violates the limits set forth in this Order. The FAA also could file a civil action in U.S. District Court, under 49 U.S.C. 46106, 46107, seeking to enjoin any air carrier from violating the terms of this Order.

13. The FAA may modify or withdraw any provision in this Order on its own or on application by any carrier for good cause shown.

Issued in Washington, DC on June 15, 2016.

Daniel E. Smiley,
Vice President, System Operations Services.

[FR Doc. 2016–14631 Filed 6–20–16; 8:45 am]
UVL, when BIS or federal officials acting on BIS’s behalf have been unable to verify a foreign person’s bona fides (i.e., legitimacy and reliability relating to the end use and end user of items subject to the EAR) because an end-use check, such as a pre-license check (PLC) or a post-shipment verification (PSV), cannot be completed satisfactorily for such purposes for reasons outside the U.S. Government’s control.

End-use checks cannot be completed for a number of reasons, including reasons unrelated to the cooperation of the foreign party subject to the end-use check. For example, BIS sometimes initiates end-use checks and cannot find a foreign party at the address indicated on export documents, and cannot locate the party by telephone or email. Additionally, BIS sometimes is unable to conduct end-use checks when host government agencies do not respond to requests to conduct end-use checks, are prevented from scheduling such checks by a party to the transaction other than the foreign party that is the proposed subject of the end-use check or refuse to schedule them in a timely manner. Under these circumstances, although BIS has an interest in informing the public of its inability to verify the foreign party’s bona fides, there may not be sufficient information to add the foreign persons at issue to the Entity List under §744.11 of the EAR (Criteria for revising the Entity List). In such circumstances, BIS may add the foreign persons to the UVL.

Furthermore, BIS sometimes conducts end-use checks but cannot verify the bona fides of a foreign party. For example, BIS may be unable to verify bona fides if during the conduct of an end-use check a recipient of items subject to the EAR is unable to produce those items for visual inspection or provide sufficient documentation or other evidence to confirm the disposition of those items. The inability of foreign persons subject to end-use checks to demonstrate their bona fides raises concerns about the suitability of such persons as participants in future exports, reexports, or transfers (in-country) of items subject to the EAR and indicates a risk that such items may be diverted to prohibited end uses and/or end users. However, BIS may not have sufficient information to establish that such persons are involved in activities described in part 744 of the EAR, preventing the placement of the persons on the Entity List. In such circumstances, the foreign persons may be added to the Unverified List.

Changes to the EAR
Supplement No. 6 to Part 744 (“the Unverified List” or “UVL”)

This rule adds thirty-six (36) persons to the UVL by amending Supplement No. 6 to Part 744 of the EAR to include their names and addresses. BIS adds these persons in accordance with the criteria for revising the UVL set forth in §744.15(c) of the EAR. The new entries consist of one person located in Finland, twenty-five persons located in Hong Kong, one person located in India, one person located in Latvia, one person located in Singapore, one person located in Switzerland, and six persons located in the United Arab Emirates. Each listing is grouped within the UVL by country with each party’s name(s) listed in alphabetical order under the country; each entry includes available alias(es) and address(es), as well as the Federal Register citation and the date the person was added to the UVL. The UVL is included in the Consolidated Screening List, available at www.export.gov.

This rule also adds a new address for a current UVL person in Hong Kong: Hong Kong Ustar Electronics Technology Co., Ltd. BIS has determined that this person changed its registered address from that originally included in the UVL entry.

Savings Clause

Shipments (1) removed from license exception eligibility or that are now subject to requirements in §744.15 of the EAR as a result of this regulatory action, (2) eligible for export, reexport, or transfer (in-country) without a license before this regulatory action, and (3) on dock, lighter, laden, or en route aboard a carrier, are not subject to a license requirement.

Export Administration Act

Since August 21, 2001, the Export Administration Act of 1979, as amended, has been in lapse. However, 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 7, 2015 (80 FR 48233 (Aug. 11, 2015)) has continued the EAR in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.). 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 as amended by Executive Order 13637.

Rulemaking Requirements

1. Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866.

2. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public comment and a delay in effective date are inapplicable to this rule, which is adding 36 persons and updating the address of 1 Hong Kong listed company on the UVL, because this regulation involves military or foreign affairs under 5 U.S.C. 553(a)(1). BIS implements this rule to protect U.S. national security or foreign policy interests by requiring a license or, where no license is required, a UVL statement for items being exported, reexported, or transferred (in
country) involving a party or parties to the transaction who are listed on the UVL. If this rule were delayed to allow for notice and comment and a delay in effective date, the entities being added to the UVL by this action and the entity operating at previously unlisted addresses would continue to be able to receive items without additional oversight by BIS and to conduct activities contrary to the national security or foreign policy interests of the United States. In addition, publishing a proposed rule would give these parties notice of the U.S. Government’s intention to place them on the UVL or amend their current entry on the UVL, and create an incentive for these persons to accelerate receiving items subject to the EAR in furtherance of activities contrary to the national security or foreign policy interests of the United States, and/or take steps to set up additional aliases, change addresses, and other measures to try to limit the impact of the listing 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. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

3. Notwithstanding any other provision of law, no person is required to respond to, nor is 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 Office of Management and Budget (OMB) Control Number. This regulation involves collections previously approved by OMB under the following control numbers: 0694–0088, 0694–0122, 0694–0134, and 0694–0137.

This rule slightly increases public burden in a collection of information approved by OMB under control number 0694–0088, which authorizes, among other things, export license applications. The removal of license exceptions for listed persons on the Unverified List will result in increased license applications being submitted to BIS by exporters. Total burden hours associated with the Paperwork Reduction Act and OMB control number 0694–0088 are expected to increase minimally, as the suspension of license exceptions will only affect transactions involving persons listed on the Unverified List and not all export transactions. Because license exceptions are restricted from use, this rule decreases public burden in a collection of information approved by OMB under control number 0694–0137 minimally, as this will only affect specific individual listed persons. The increased burden under 0694–0088 is reciprocal to the decrease of burden under 0694–0137, and results in no change of burden to the public. This rule also increases public burden in a collection of information under OMB control number 0694–0122, as a result of the exchange of UVL statements between private parties, and under OMB control number 0694–0134, as a result of appeals from persons listed on the UVL for removal of their listing. The total increase in burden hours associated with both of these collections is expected to be minimal, as they involve a limited number of persons listed on the UVL.

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

List of Subjects 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. 6 to Part 744 is amended by:

a. Adding one entry for “Finland”;

b. Adding 25 entries, in alphabetical order, under “Hong Kong”;

c. Revising the entry for “Hong Kong U.Star Electronics Technology Co., Ltd” under “Hong Kong”;

d. Adding one entry for “India”;

e. Adding one entry for “Latvia”;

f. Adding one entry for “Singapore”;  
g. Adding one entry for “Switzerland”; and  
h. Adding 6 entries, in alphabetical order, under the “United Arab Emirates”.

The additions and revisions read as follows:

SUPPLEMENT NO. 6 TO PART 744—UNVERIFIED LIST

<table>
<thead>
<tr>
<th>Country</th>
<th>Listed person and address</th>
<th>Federal Register citation and date of publication</th>
</tr>
</thead>
<tbody>
<tr>
<td>FINLAND</td>
<td>Sav-Inter OY Ltd., Nuolitie 20, Vantaa, Finland; and Mantaalaitie 5, Vantaa, Finland; and Virkalie 1, Vantaa, Finland.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
</tr>
<tr>
<td>HONG KONG</td>
<td>Advent International Limited, Room 1303 Goldfield Tower, 53-59 Wuhu Street, Kung Hom, Kowloon, Hong Kong; and Flat F, 13/F, Block 1, Hong Sing Garden, Tsuen Kwan O, New Territories, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
</tr>
<tr>
<td>Country Listed person and address</td>
<td>Federal Register citation and date of publication</td>
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<tr>
<td>Boqur International Ltd., Room 1203, 12/F, International Trade Centre, 11–19 Sha Tsui Road, Tsuen Wan, New Territories, Hong Kong; and Room 19C, Lockhart Centre, 301–307 Lockhart Road, Wan Chai, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Carry Goldstar Ltd., 15A, 15/F, Cheuk Nang Plaza, 250 Hennessy Road, Wan Chai, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER AND DATE OF PUBLICATION].</td>
<td></td>
</tr>
<tr>
<td>Central Right Investments Ltd., Room 1019, 10/F, 1 Hung To Road, Kwan Tong, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>CITI Hong Kong Ltd., Unit F, 7/F, Haribest Industry Building, 45–47 Au Pui Wan Street, Fo Tan, New Territories, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>CST Source Industrial Co., Ltd., Rooms 5–15, 13/F, South Tower, World Finance Centre, Harbour City, 17 Canton Road, Tsim Sha Tsui, Kowloon, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Fuiyen Technology Ltd., 6/F, Block H, East Sun Industrial Centre, 16 Shing Yip Street, Kwan Tong, Kowloon, Hong Kong; and Room 1405, Lucky Centre, 165–171 Wan Chai Road, Wan Chai, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Fussion Electronics Co., Ltd., 11/F, International Trade Centre, 11–19 Sha Tsui Road, Tsuen Wan, New Territories, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Global Sourcing Electronics (HK) Ltd., Unit 4, 7/F, Bright Way Tower, No. 33 Mong Kok Road, Mong Kok, Kowloon, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Globe Communication (HK) Ltd., Flat 01A2, 10/F, Carnival Commercial Building, 18 Java Road, North Point, Hong Kong; and Flat C, 9/F, Winning House, 72–74 Wing Lok Street, Sheung Wan, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Haofeng Industrial Co., Ltd., Room 1101, 11/F, San Toi Building, 139 Connaught Road, Central, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Hong Kong Energy Technology Co., a.k.a. Hong Kong Energy Technology Co., a.k.a. SZ Energy Technology Co., a.k.a. SZ Energy Technology Co., Workshop 15, 2/F, Cardinal Industrial Building, 17 On Lok Mun Street, Fanling, New Territories, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Hong Kong U.Star Electronics Technology Co., Ltd., Room 28, 8/F, Shing Yip Industrial Building, 19–21 Shing Yip Street, Kwan Tong, Kowloon, Hong Kong; and Unit 5, 27/F, Richmond Commercial Building, 109 Argyle Street, Mong Kok, Kowloon, Hong Kong; and Room 704, 7/F, Bright Way Tower, 33 Mong Kok Road, Mong Kok, Kowloon, Hong Kong.</td>
<td>80 FR 4781, January 29, 2015; 81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Jin Yan Technology &amp; Development Co., Ltd., Workshop 11, 8/F, Block A, Delya Industrial Centre, 7 Shek Pai Tau Road, Tuen Mun, New Territories, Hong Kong; and Room 1, Fook Cheung Building, 42 Ka Shin Street, Tai Kok Tsui, Kowloon, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>KingV Ltd., a.k.a. Jinnway Data Ltd., Room 31, 9/F, Shing Yip Industrial Building, 19–21 Shing Yip Street, Kwan Tong, Kowloon, Hong Kong; and 11/F, Front Block, Hang Lok Building, 130 Wing Lok Street, Sheung Wan, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Master-Uni Industry Co., Ltd., Room 602, 6/F, 168 Queens Road, Central, Hong Kong.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
<td></td>
</tr>
<tr>
<td>Country</td>
<td>Listed person and address</td>
<td>Federal Register citation and date of publication</td>
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</tr>
<tr>
<td>INDIA</td>
<td>Conduit Technologies Pvt., Ltd., Office 201, 2/F, Lunkad Sky Station, Konark Naga, Mhada Colony, Viman Nagar, Pune, India; and Office UG21, East Court, Phoenix Market City, Viman Nagar, Pune, India.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
</tr>
<tr>
<td>LATVIA</td>
<td>Alfa Photonics, 21 Krisjana Valdemara Iela, Riga, Latvia; and 151–11 Krisjana Valdemara Iela, Riga, Latvia; and 52–66 Darza Iela, Riga, Latvia; and Nordic Technology Park, 15/25 Jurkalnes Iela, Riga, Latvia.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
</tr>
<tr>
<td>SINGAPORE</td>
<td>Dorado Network Pte., Ltd., 128 Joo Seng Road, DP Computers Building 04–04, Singapore; and 629 Aljunied Road, Cititech Industrial Building, Singapore; and 512 Woodlands Drive 14, Singapore.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
</tr>
<tr>
<td>SWITZERLAND</td>
<td>Light Range AG, Stutzstrasse 13C, Schindellegi, Switzerland; and Lowenstrasse 20, Zurich, Switzerland; and Via Delle Scuole 34E, Figino, Switzerland.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
</tr>
<tr>
<td>UNITED ARAB EMIRATES</td>
<td>Abu Trade LLC, Lot Number 155, Al Zaroni Yard, Al Wasi Road, Dubai, UAE.</td>
<td>81 FR [INSERT Federal Register PAGE NUMBER, 6/21/16].</td>
</tr>
</tbody>
</table>
Dated: June 15, 2016.
Matthew S. Borman,
Deputy Assistant Secretary for Export Administration.

FOR FURTHER INFORMATION CONTACT: 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.

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[FR Doc. 2016–14514 Filed 6–20–16; 8:45 am]

Additions to the Entity List

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: This final rule amends the Export Administration Regulations (EAR) by adding twenty-eight persons under thirty-one entries to the Entity List. The twenty-eight persons who are added to the Entity List have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States. These twenty-eight persons will be listed on the Entity List under the destinations of Afghanistan, Austria, China, Hong Kong, Iran, Israel, Panama, Taiwan, and the United Arab Emirates (U.A.E.).

This final rule also removes three entries from the Entity List under the destinations of Finland, Pakistan and Turkey as the result of requests for removal received by BIS pursuant to the section of the EAR used for requesting removal or modification of an Entity List entry and the End-User Review Committee's (ERC) review of the information provided in the removal requests.

DATES: This rule is effective June 21, 2016.

The ERC, composed of representatives of the Departments of Commerce (Chair), State, Defense, Energy and, where appropriate, the Treasury, makes all decisions regarding additions to, removals from, or other modifications to the Entity List. The ERC makes all decisions to add an entry to the Entity List by majority vote and all decisions to remove or modify an entry by unanimous vote.

ERC Entity List Decisions

Additions to the Entity List

This rule implements the decision of the ERC to add twenty-eight persons under thirty-one entries to the Entity List. These twenty-eight persons are being added on the basis of §744.11 (License requirements that apply to entities acting contrary to the national security or foreign policy interests of the United States) of the EAR. The thirty-one entries added to the entity list consist of one entry in Afghanistan, one entry in Austria, two entries in China, six entries in Hong Kong, four entries in Iran, eight entries in Israel, one entry in Panama, four entries in Taiwan, and four entries in the U.A.E. There are thirty-one entries for the twenty-eight persons because three persons are listed in multiple locations, resulting in three additional entries.

The ERC reviewed §744.11(b) (Criteria for revising the Entity List) in making the determination to add these twenty-eight persons under thirty-one entries to the Entity List. Under that paragraph, persons and those acting on behalf of such persons may be added to the Entity List if there is reasonable cause to believe, based on specific and articulable facts, that they have been