

as they become available, both before and after the meeting. Records of the meeting will be available via [www.facatabase.gov](http://www.facatabase.gov) under the Commission on Civil Rights, North Carolina Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Regional Programs Coordination Unit at the above phone number.

#### Agenda

- I. Welcome & Roll Call
- II. Committee Discussion
- III. Public Comment
- IV. Next Steps
- V. Adjournment

Dated: October 13, 2022.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

[FR Doc. 2022-22652 Filed 10-18-22; 8:45 am]

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### COMMISSION ON CIVIL RIGHTS

#### Notice of Public Meeting of the North Carolina Advisory Committee to the U.S. Commission on Civil Rights

**AGENCY:** U.S. Commission on Civil Rights.

**ACTION:** Announcement of virtual business meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the North Carolina Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a virtual business meeting via Zoom at 2 p.m. ET on Monday, December 5, 2022, to discuss their report on Legal Financial Obligations in the state.

**DATES:** The meeting will take place on Monday, December 5, 2022, from 2:00 p.m.–3:30 p.m. ET.

*Link To Join (Audio/Visual): <https://tinyurl.com/mirywssx2>.*

*Telephone (Audio Only): Dial (833) 435–1820 USA Toll Free; Meeting ID: 160 690 9210.*

**FOR FURTHER INFORMATION CONTACT:**

Victoria Moreno, DFO, at [vmoreno@usccr.gov](mailto:vmoreno@usccr.gov) or (434) 515–0204.

**SUPPLEMENTARY INFORMATION:**

Committee meetings are available to the public through the conference link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. If joining via

phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges.

Individuals who are deaf, deafblind, and hard of hearing may also follow the proceedings by first calling the Federal Relay Service at (800) 877–8339 and providing the Service with the conference details found through registering at the web link above. To request additional accommodations, please email [vmoreno@usccr.gov](mailto:vmoreno@usccr.gov) at least ten (10) days prior to the meeting.

Members of the public are also entitled to submit written comments; the comments must be received within 30 days following the meeting. Written comments may be emailed to Liliana Schiller at [lschiller@usccr.gov](mailto:lschiller@usccr.gov). Persons who desire additional information may contact the Regional Programs Coordination Unit at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit, as they become available, both before and after the meeting. Records of the meeting will be available via [www.facatabase.gov](http://www.facatabase.gov) under the Commission on Civil Rights, North Carolina Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Regional Programs Coordination Unit at the above phone number.

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### DEPARTMENT OF COMMERCE

#### Bureau of Industry and Security

#### Order Temporarily Denying Export Privileges; URAL Airlines JSC, Utrenniy Lane 1-g, Yekaterinburg, Russia 620025

Pursuant to section 766.24 of the Export Administration Regulations, 15 CFR parts 730–774 (2021) (“EAR” or “the Regulations”),<sup>1</sup> the Bureau of

<sup>1</sup>On August 13, 2018, the President signed into law the John S. McCain National Defense

Industry and Security (“BIS”), U.S. Department of Commerce, through its Office of Export Enforcement (“OEE”), has requested the issuance of an Order temporarily denying, for a period of 180 days, the export privileges under the Regulations of Russian airline URAL Airlines JSC (“URAL”). OEE’s request and related information indicates that URAL is headquartered in Yekaterinburg, Russia.

#### I. Legal Standard

Pursuant to section 766.24, BIS may issue an order temporarily denying a respondent’s export privileges upon a showing that the order is necessary in the public interest to prevent an “imminent violation” of the Regulations, or any order, license or authorization issued thereunder. 15 CFR 766.24(b)(1) and 766.24(d). “A violation may be ‘imminent’ either in time or degree of likelihood.” 15 CFR 766.24(b)(3). BIS may show “either that a violation is about to occur, or that the general circumstances of the matter under investigation or case under criminal or administrative charges demonstrate a likelihood of future violations.” *Id.* As to the likelihood of future violations, BIS may show that the violation under investigation or charge “is significant, deliberate, covert and/or likely to occur again, rather than technical or negligent[.]” *Id.* A “lack of information establishing the precise time a violation may occur does not preclude a finding that a violation is imminent, so long as there is sufficient reason to believe the likelihood of a violation.” *Id.*

#### II. OEE’s Request for a Temporary Denial Order (“TDO”)

The U.S. Commerce Department, through BIS, responded to the Russian Federation’s (“Russia’s”) further invasion of Ukraine by implementing a sweeping series of stringent export controls that severely restrict Russia’s access to technologies and other items

Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, 50 U.S.C. 4801–4852 (“ECRA”). While section 1766 of ECRA repeals the provisions of the Export Administration Act, 50 U.S.C. app. 2401 *et seq.* (“EAA”), (except for three sections which are inapplicable here), section 1768 of ECRA provides, in pertinent part, that all orders, rules, regulations, and other forms of administrative action that were made or issued under the EAA, including as continued in effect pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.* (“IEEPA”), and were in effect as of ECRA’s date of enactment (August 13, 2018), shall continue in effect according to their terms until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA. Moreover, section 1761(a)(5) of ECRA authorizes the issuance of temporary denial orders. 50 U.S.C. 4820(a)(5).

that it needs to sustain its aggressive military capabilities. These controls primarily target Russia's defense, aerospace, and maritime sectors and are intended to cut off Russia's access to vital technological inputs, atrophy key sectors of its industrial base, and undercut Russia's strategic ambitions to exert influence on the world stage. Effective February 24, 2022, BIS imposed expansive controls on aviation-related (e.g., Commerce Control List Categories 7 and 9) items to Russia, including a license requirement for the export, reexport or transfer (in-country) to Russia of any aircraft or aircraft parts specified in Export Control Classification Number (ECCN) 9A991 (section 746.8(a)(1) of the EAR).<sup>2</sup> BIS will review any export or reexport

license applications for such items under a policy of denial. See section 746.8(b). Effective March 2, 2022, BIS excluded any aircraft registered in, owned, or controlled by, or under charter or lease by Russia or a national of Russia from being eligible for license exception Aircraft, Vessels, and Spacecraft (AVS) (section 740.15 of the EAR).<sup>3</sup> Accordingly, any U.S.-origin aircraft or foreign aircraft that includes more than 25% controlled U.S.-origin content, and that is registered in, owned, or controlled by, or under charter or lease by Russia or a national of Russia, is subject to a license requirement before it can travel to Russia.

OEE's request is based upon facts indicating that URAL engaged in

conduct prohibited by the Regulations by operating multiple aircraft subject to the EAR and classified under ECCN 9A991, including but not limited to those below, on international flights, including from Bishkek, Kyrgyzstan; Dushanbe, Tajikistan; Khudzhand, Tajikistan and Tamchy, Kyrgyzstan to Russia after March 2, 2022, without the required BIS authorization. Pursuant to section 746.8 of the EAR, all of these flights would have required export or reexport licenses from BIS. URAL flights would not be eligible to use license exception AVS. No BIS authorizations were either sought or obtained by URAL for these exports or reexports to Russia.

The information about these international and domestic flights includes the following:

Tail No.	Serial No.	Aircraft type	Departure/arrival cities	Dates
RA-73817 .....	5055	A320-232	Bishkek, KG/Samara, RU .....	October 6, 2022.
RA-73817 .....	5055	A320-232	Dushanbe, TJ/Irkutsk, RU .....	September 10, 2022.
RA-73817 .....	5055	A320-232	Khudzhand, TJ/Sochi, RU .....	September 6, 2022.
RA-73817 .....	5055	A320-232	Tamchy, KG/Moscow, RU .....	September 5, 2022.
RA-73817 .....	5055	A320-232	Bishkek, KG/Yekaterinburg, RU .....	September 3, 2022.
RA-73817 .....	5055	A320-232	Dushanbe, TJ/Krasnoyarsk, RU .....	September 1, 2022.
RA-73818 .....	2376	A320-232	Khudzhand, TJ/Yekaterinburg, RU .....	October 6, 2022.
RA-73818 .....	2376	A320-232	Khudzhand, TJ/Yekaterinburg, RU .....	September 12, 2022.
RA-73818 .....	2376	A320-232	Dushanbe, TJ/Mineralnye Vode, RU .....	September 9, 2022.
RA-73818 .....	2376	A320-232	Tamchy, KG/Moscow, RU .....	September 9, 2022.
RA-73818 .....	2376	A320-232	Dushanbe, TJ/Chelyabinsk, RU .....	September 5, 2022.
RA-73818 .....	2376	A320-232	Bishkek, KG/Sochi, RU .....	September 5, 2022.
RA-73844 .....	1941	A321-231	Khudzhand, TJ/Moscow, RU .....	October 5, 2022.
RA-73844 .....	1941	A321-231	Bishkek, KG/Moscow, RU .....	September 12, 2022.
RA-73844 .....	1941	A321-231	Khudzhand, TJ/Moscow, RU .....	September 11, 2022.
RA-73844 .....	1941	A321-231	Bishkek, KG/Moscow, RU .....	September 8, 2022.
RA-73844 .....	1941	A321-231	Bishkek, KG/Moscow, RU .....	August 29, 2022.
RA-73844 .....	1941	A321-231	Bishkek, KG/Moscow, RU .....	August 25, 2022.

Based upon the on-going violations by URAL, there are heightened concerns of future violations of the EAR, especially given that any subsequent actions taken with regard to any of the listed aircraft, or other URAL aircraft exported or reexported to Russia after March 2, 2022, may violate the EAR. Such actions include, but are not limited to, refueling, maintenance, repair, or the provision of spare parts or services. *Id.*

Moreover, additional concerns of future violations of the Regulations are raised by public information on URAL's website, available as of the date of this order, indicating that URAL intends to continue its domestic and international flight routes. Specifically, URAL's website continues to advertise flights within Russia,<sup>4</sup> as well as international flights from Moscow, Russia to Bishkek and Osh, cities in Kyrgyzstan, and

Kulyab, Tajikistan.<sup>5</sup> Given BIS's review policy of denial under section 746.8(a) of the Regulations for exports and reexports to Russia, it is foreseeable that URAL will attempt to evade the Regulations in order to obtain new or additional aircraft parts for or service its existing aircraft that were exported or reexported to Russia in violation of section 746.8 of the Regulations in order to continue operating on domestic routes in Russia.

### III. Findings

Under the applicable standard set forth in section 766.24 of the Regulations and my review of the entire record, I find that the evidence presented by BIS convincingly demonstrates that URAL took actions in apparent violation of the Regulations by operating the aircraft cited above,

among many others, on flights into Russia after March 2, 2022, without the required BIS authorization. Moreover, the continued operation of these aircraft by URAL and the company's on-going need to acquire replacement parts and components, many of which are U.S.-origin, presents a high likelihood of imminent violations warranting imposition of a TDO. I further find that such apparent violations have been "significant, deliberate, covert and/or likely to occur again, rather than technical or negligent[.]" Therefore, issuance of the TDO is necessary in the public interest to prevent imminent violation of the Regulations and to give notice to companies and individuals in the United States and abroad that they should avoid dealing with URAL, in connection with export and reexport transactions involving items subject to

<sup>2</sup> 87 FR 12226 (Mar. 3, 2022). Additionally, BIS published a final rule effective April 8, 2022, which imposed licensing requirements on items controlled on the Commerce Control List ("CCL") under Categories 0–2 that are destined for Russia or

Belarus. Accordingly, now all CCL items require export, reexport, and transfer (in-country) licenses if destined for or within Russia or Belarus. 87 FR 22130 (Apr. 14, 2022).

<sup>3</sup> 87 FR 13048 (Mar. 8, 2022).

<sup>4</sup> [https://www.uralairlines.ru/en/special\\_offers/#42905](https://www.uralairlines.ru/en/special_offers/#42905).

<sup>5</sup> [https://www.uralairlines.ru/en/special\\_offers/#8188](https://www.uralairlines.ru/en/special_offers/#8188).

the Regulations and in connection with any other activity subject to the Regulations.

This Order is being issued on an *ex parte* basis without a hearing based upon BIS's showing of an imminent violation in accordance with section 766.24 and 766.23(b) of the Regulations.

#### IV. Order

*It is therefore ordered:*

*First*, URAL Airlines JSC, Utrenny Lane 1-g, Yekaterinburg, Russia 620025 when acting for or on their behalf, any successors or assigns, agents, or employees 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 EAR, or in any other activity subject to the EAR including, but not limited to:

A. Applying for, obtaining, or using any license (except directly related to safety of flight), 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 EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations; or

C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or from any other activity subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations.

*Second*, that no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of URAL any item subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by URAL of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby URAL acquires or attempts to acquire such ownership,

possession or control except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from URAL of any item subject to the EAR that has been exported from the United States except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations;

D. Obtain from URAL in the United States any item subject to the EAR with knowledge or reason to know that the item will be, or is intended to be, exported from the United States except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations; or

E. Engage in any transaction to service any item subject to the EAR that has been or will be exported from the United States and which is owned, possessed or controlled by URAL, or service any item, of whatever origin, that is owned, possessed or controlled by URAL if such service involves the use of any item subject to the EAR that has been or will be exported from the United States except directly related to safety of flight and authorized by BIS pursuant to section 764.3(a)(2) of the Regulations. For purposes of this paragraph, servicing means installation, maintenance, repair, modification, or testing.

*Third*, that, after notice and opportunity for comment as provided in section 766.23 of the EAR, any other person, firm, corporation, or business organization related to URAL 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 accordance with the provisions of sections 766.24(e) of the EAR, URAL may, at any time, appeal this Order by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202-4022.

In accordance with the provisions of section 766.24(d) of the EAR, BIS may seek renewal of this Order by filing a written request not later than 20 days before the expiration date. A renewal request may be opposed by URAL as provided in section 766.24(d), by filing a written submission with the Assistant Secretary of Commerce for Export Enforcement, which must be received not later than seven days before the expiration date of the Order.

A copy of this Order shall be provided to URAL and shall be published in the *Federal Register*.

This Order is effective immediately and shall remain in effect for 180 days.

**Matthew S. Axelrod,**

*Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. 2022-22675 Filed 10-18-22; 8:45 am]

**BILLING CODE 3510-DT-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Notice Requesting Nominations for the Advisory Committee on Commercial Remote Sensing

**AGENCY:** National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Request for membership nominations.

**SUMMARY:** The Department of Commerce is seeking 3 to 5 representatives of key stakeholders in the commercial space-based remote sensing industry and among users of space-based remote sensing data to serve on the Advisory Committee on Commercial Remote Sensing (ACCRES). The Committee is comprised of representatives of leaders in the commercial space-based remote sensing industry, space-based remote sensing data users, government, and academia. The **SUPPLEMENTARY INFORMATION** section of this notice provides committee and membership criteria.

**FOR FURTHER INFORMATION CONTACT:** Tashaun Pierre, Commercial Remote Sensing Regulatory Affairs Office, NOAA Satellite and Information Services, telephone (301) 713-7047, email *Tashaun.pierre@noaa.gov*.

**SUPPLEMENTARY INFORMATION:** ACCRES was established by the Secretary of Commerce on May 21, 2002, to advise the Secretary, through the Under Secretary of Commerce for Oceans and Atmosphere, on matters relating to the U.S. commercial remote sensing industry and NOAA's activities to carry out responsibilities of the Department of Commerce as set forth in the National and Commercial Space Programs Act of 2010 (the Act), Title 51 U.S.C. 60101 *et seq.*

Committee members serve in a representative capacity for a term of two years and may serve additional terms, if reappointed. No more than 20 individuals at a time may serve on the Committee. ACCRES will have a fairly