

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2011–13–05, Amendment 39–16728 (76 FR 40222, July 8, 2011), and adding the following new AD:

2012–18–18 Turbomeca S.A.: Amendment 39–17195; Docket No. FAA–2011–0115; Directorate Identifier 2010–NE–40–AD.

(a) Effective Date

This airworthiness directive (AD) is effective October 24, 2012.

(b) Affected ADs

This AD supersedes AD 2011–13–05, Amendment 39–16728 (76 FR 40222, July 8, 2011).

(c) Applicability

This AD applies to Turbomeca S.A. Arriel 2B, 2B1, 2S2, and 2C2 turboshaft engines not modified by TU166 modification.

(d) Unsafe Condition

This AD was prompted by reports of an accident involving a twin-engine helicopter powered by two Arriel 2S2 engines. We are issuing this AD to prevent rupture of a gas generator (GG) turbine blade, which could result in an uncommanded in-flight shutdown and a forced landing or accident.

(e) Compliance

Comply with this AD within the compliance times specified, unless already done.

(1) For Arriel 2B and 2B1 turboshaft engines, accomplish the TU166 modification in accordance with the instructions specified within Turbomeca Alert Mandatory Service Bulletin (MSB) No. A292 72 3166 Version B, dated September 20, 2010, when the GG Turbine is replaced or when the engine or Module M03 is going through overhaul or repair, or within 676 cycles-in-service (CIS)

after the effective date of this AD, whichever occurs first.

(2) For Arriel 2S2 turboshaft engines, accomplish the TU166 modification in accordance with the instructions specified within Turbomeca Alert MSB No. A292 72 4166 Version A, dated March 23, 2012, when the GG Turbine is replaced or when the engine or Module M03 is going through overhaul or repair, or within 500 CIS after the effective date of this AD, whichever occurs first.

(3) For Arriel 2C2 turboshaft engines, accomplish the TU166 modification in accordance with the instructions specified within Turbomeca Alert MSB No. A292 72 5166 Version A, dated June 18, 2012, when the GG Turbine is replaced or when the engine or Module M03 is going through overhaul or repair or within 650 engine hours after the effective date of this AD, whichever occurs first.

(f) Credit for Actions Accomplished in Accordance With Previous Service Information

(1) For Arriel 2B and 2B1 turboshaft engines, if you performed the TU166 modification before the effective date of this AD using Turbomeca Alert MSB No. A292 72 3166 Version A, dated August 17, 2010, you met the requirements of paragraph (e)(1) of this AD.

(2) For Arriel 2C2 and 2S2 turboshaft engines, if you performed the TU166 modification before the effective date of this AD using Turbomeca Alert MSB No. A292 72 2166 Version A, dated March 30, 2009, Version B, dated September 4, 2009, Version C, dated June 15, 2010, Version D, dated July 28, 2010, Version E, dated October 4, 2010, Version F, dated May 13, 2011, or Version G, dated March 26, 2012, you met the requirements of paragraph (e)(2) or (e)(3) as applicable, of this AD.

(g) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

(h) Related Information

(1) For more information about this AD, contact Rose Len, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781–238–7772; fax: 781–238–7199; email: rose.len@faa.gov.

(2) European Aviation Safety Agency AD 2012–0054, dated April 2, 2012, and AD 2012–0124, dated July 9, 2012, also pertain to this AD.

(i) Material Incorporated by Reference

(1) The Director of the **Federal Register** approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(3) The following service information was approved for IBR on October 24, 2012.

(i) Turbomeca Alert Mandatory Service Bulletin No. A292 72 4166 Version A, dated March 23, 2012.

(ii) Turbomeca Alert Mandatory Service Bulletin No. A292 72 5166 Version A, dated June 18, 2012.

(4) The following service information was approved for IBR on August 12, 2011 (76 FR 40222, July 8, 2011).

(i) Turbomeca Alert Mandatory Service Bulletin (MSB) No. A292 72 3166 Version B, dated September 20, 2010.

(ii) Reserved.

(5) For Turbomeca service information identified in this AD, contact Turbomeca, 40220 Tarnos, France; phone: 33 (0)5 59 74 40 00; telex: 570 042; fax: 33 (0)5 59 74 45 15.

(6) You may view this service information at FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

(7) You may view this service information at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Burlington, Massachusetts, on September 6, 2012.

Robert G. Mann,

Acting Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2012–22536 Filed 9–18–12; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2006–24785; Directorate Identifier 2006–NE–20–AD; Amendment 39–17196; AD 2012–19–01]

RIN 2120–AA64

Airworthiness Directives; Lycoming Engines Reciprocating Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding an existing airworthiness directive (AD) for certain Lycoming Engines (L)O–360, (L)IO–360, AEIO–360, O–540, IO–540, AEIO–540, (L)TIO–540, IO–580, and IO–720 series reciprocating engines. That AD currently requires replacing certain crankshafts in the affected engines. This AD continues to require replacing certain crankshafts, corrects the start date of affected engine models in Lycoming Mandatory Service Bulletin (MSB) No. 569A to the start date in Supplement No. 1 to Lycoming MSB No. 569A, dated May 27, 2009, and

includes additional (formerly experimental) IO-390, AEIO-390, and AEIO-580 series engine models having affected crankshafts. This AD was prompted by Lycoming Engines discovering that the start date of affected engine models in MSB No. 569A is incorrect and the need to include additional engine models having the affected crankshafts. We are issuing this AD to prevent failure of the crankshaft, which will result in total engine power loss, in-flight engine failure, and possible loss of the aircraft.

DATES: This AD is effective October 24, 2012.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of October 24, 2012.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in the AD as of November 3, 2006 (71 FR 57407, September 29, 2006).

ADDRESSES: For service information identified in this AD, contact Lycoming, 652 Oliver Street, Williamsport, PA 17701; phone: 570 323-6181; fax: 570-327-7101, or on the internet at www.Lycoming.Textron.com. You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Norm Perenson, Aerospace Engineer, New York Aircraft Certification Office, FAA, Engine & Propeller Directorate, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516-228-7337; fax: 516-794-5531; email: norman.perenson@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (SNPRM) to

amend 14 CFR part 39 to supersede AD 2006-20-09, amendment 39-14778 (71 FR 57407, September 29, 2006). That AD applies to the specified products. The SNPRM published in the **Federal Register** on April 6, 2012 (77 FR 20743). The original NPRM (76 FR 50152, August 12, 2011) proposed to retain the requirements of AD 2006-20-09 to replace certain crankshafts and to correct the start date of MSB No. 569A from March 1, 1997 to January 1, 1997, which is the start date in Supplement No. 1 to Lycoming MSB No. 569A, dated May 27, 2009. The SNPRM proposed to add IO-390, AEIO-390, and AEIO-580 series engine models that have the affected crankshafts to the applicability of the AD. The SNPRM also proposed to change Service Instruction No. 1009AS, dated May 25, 2006, to Service Instruction No. 1009AU, dated November 18, 2009, because Lycoming updated this service instruction. The changes to Service Instruction 1009AS do not affect the engine overhaul time.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comment received on the proposal and the FAA's response to that comment.

Request To Determine if AD Applies to IO-360 Engine

A commenter asked if the AD applies to the Lycoming Engine IO-360-A3B6D. We reply that this engine is listed in Lycoming MSB No. 569A, so if the crankshaft serial number of that engine is also listed in Table 5 of MSB No. 569A, then the AD applies.

Changes to Previous Credit Paragraph

We reviewed our previous credit paragraph in the SNPRM (77 FR 20743, April 6, 2012) and found that not all the ADs and service bulletins (SBs) listed in paragraphs (f)(1) and (f)(2) of the SNPRM resolved the unsafe conditions. Accordingly, we changed the Credit for Previous Actions paragraphs, paragraphs (g)(1) and (g)(2) of this AD, retaining only Lycoming MSB No. 569A and AD 2006-20-09 (71 FR 57407, September 29, 2006) in the AD to resolve the unsafe condition and deleting all other ADs and SBs referenced in the SNPRM. Paragraphs (g)(1) and (g)(2) now read: "(1) If you previously complied with AD 2006-20-09 (71 FR 57407, September 29, 2006), no further action is required. (2) If you previously accomplished Lycoming MSB No. 569A, no further action is required."

Costs of Compliance Paragraph

We reviewed the cost estimate made in AD 2006-20-09 (71 FR 57407, September 29, 2006) when we added the new affected engine models to the SNPRM (77 FR 20743, April 6, 2012). We found that the cost estimate in AD 2006-20-09 included the number of affected engines worldwide rather than those installed only on aircraft of U.S. registry. We also found that the cost estimate in AD 2006-20-09 already included the engine models that we have now added to the applicability of this AD. Accordingly, we changed the number of affected engine models from 3,774 to 2,831 and the overall cost estimate from \$60,384,000 to \$45,288,000.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

Costs of Compliance

We estimate that this AD affects 2,831 engines installed on airplanes of U.S. registry. Because the AD compliance interval coincides with engine overhaul or other engine maintenance, we estimate no additional labor hours will be needed to comply with this AD. Required parts will cost about \$16,000 per engine. Based on these figures, we estimate the total cost of the AD to be \$45,288,000. Our estimate is independent of any possible warranty coverage.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2006–20–09, Amendment 39–14778 (71 FR 57407), and adding the following new AD:

2012–19–01 Lycoming Engines:

Amendment 39–17196; Docket No. FAA–2006–24785; Directorate Identifier 2006–NE–20–AD.

(a) Effective Date

This AD is effective October 24, 2012.

(b) Affected ADs

This AD supersedes AD 2006–20–09 (71 FR 57407, September 29, 2006).

(c) Applicability

This AD applies to Lycoming Engines (L)O–360, (L)IO–360, AEIO–360, IO–390, AEIO–390, O–540, IO–540, AEIO–540, (L)TIO–540, IO–580, AEIO–580, and IO–720 series reciprocating engines listed by engine model number and serial number in Table 1, Table 2, Table 3, or Table 4 of Lycoming Mandatory Service Bulletin (MSB) 569A, dated April 11, 2006, and those engines with

crankshafts listed by crankshaft serial number in Table 5 of Lycoming MSB 569A, dated April 11, 2006. These applicable engines are manufactured new, rebuilt, overhauled, or had a crankshaft installed after January 1, 1997, according to Supplement No. 1 to Lycoming MSB No. 569A, dated May 27, 2009.

(d) Unsafe Condition

This AD results from Lycoming Engines discovering that the March 1, 1997 start date of affected engine models in Lycoming MSB No. 569A, is incorrect. This AD also results from the need to include the IO–390, AEIO–390, and AEIO–580 series engine models having affected crankshafts. We are issuing this AD to prevent failure of the crankshaft, which will result in total engine power loss, in-flight engine failure, and possible loss of the aircraft.

(e) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified unless the actions have already been done.

(f) Engines For Which Action Is Required

If you did not previously comply with AD 2006–20–09 or with MSB No. 569A, do the following:

- (1) If Table 1, Table 2, Table 3, or Table 4 of Lycoming MSB No. 569A, dated April 11, 2006, lists your engine serial number (S/N), and Table 5 of MSB No. 569A, dated April 11, 2006, lists your crankshaft S/N, replace the affected crankshaft with a crankshaft that is not listed in Table 5 of MSB No. 569A at the earliest of the following:

- (i) The time of the next engine overhaul as specified in Lycoming Service Instruction No. 1009AU, dated November 18, 2009; or
- (ii) The next separation of the crankcase, or
- (iii) No later than 12 years from the time the crankshaft first entered service or was last overhauled, whichever is later.

- (2) If Table 1, Table 2, Table 3, or Table 4 of Lycoming MSB No. 569A, dated April 11, 2006, does not list your engine S/N, and Table 5 of MSB No. 569A does list your crankshaft S/N (an affected crankshaft was installed as a replacement), replace the affected crankshaft with a crankshaft that is not listed in Table 5 of MSB No. 569A at the earliest of the following:

- (i) The time of the next engine overhaul as specified in Lycoming Service Instruction No. 1009AU, dated November 18, 2009; or
- (ii) The next separation of the crankcase, or
- (iii) No later than 12 years from the time the crankshaft first entered service or was last overhauled, whichever is later.

(g) Credit for Previous Actions

- (1) If you previously complied with AD 2006–20–09 (71 FR 57407, September 29, 2006), no further action is required.
- (2) If you previously accomplished Lycoming MSB No. 569A, no further action is required.
- (3) If Lycoming Engines manufactured new, rebuilt, overhauled, or repaired your engine, or replaced the crankshaft in your engine before January 1, 1997, and you have

not had the crankshaft replaced, no further action is required.

- (4) If Table 1, Table 2, Table 3, or Table 4 of Lycoming MSB No. 569A, dated April 11, 2006, lists your engine S/N, and Table 5 of MSB No. 569A, dated April 11, 2006, does not list your crankshaft S/N, no further action is required.

- (5) For engine model TIO–540–U2A, S/N L–4641–61A, no action is required.

(h) Prohibition Against Installing Certain Crankshafts

After the effective date of this AD, do not install any crankshaft that has a S/N listed in Table 5 of Lycoming MSB No. 569A, dated April 11, 2006, into any engine.

(i) Alternative Methods of Compliance (AMOC)

The Manager, New York Aircraft Certification Office, may approve AMOCs to this AD. Use the procedures in 14 CFR 39.19 to make your request. AMOCs approved for AD 2002–19–03 (67 FR 59139, September 20, 2002) and AD 2006–20–09 (71 FR 57407, September 29, 2006) are approved as AMOCs for this AD.

(j) Related Information

For more information about this AD, contact Norm Perenson, Aerospace Engineer, New York Aircraft Certification Office, FAA, Engine & Propeller Directorate, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7337; fax: 516–794–5531; email: norman.perenson@faa.gov.

(k) Material Incorporated by Reference

- (1) The Director of the Federal Register approved the incorporation by reference (IBR) of the following service information under 5 U.S.C. 552(a) and 1 CFR part 51.

- (2) You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise.

- (3) The following service information was approved for IBR on October 24, 2012.

- (i) Lycoming Service Instruction No. 1009AU, dated November 18, 2009.

- (ii) Lycoming Mandatory Service Bulletin, Supplement No. 1 to Service Bulletin No. 569A, dated May 27, 2009.

- (4) The following service information was approved for IBR on November 3, 2006 (71 FR 57407, September 29, 2006).

- (i) Lycoming Mandatory Service Bulletin No. 569A, dated April 11, 2006.

- (ii) Reserved.

- (5) For service information identified in this AD, contact Lycoming, 652 Oliver Street, Williamsport, PA 17701; phone: 570 323–6181; fax: 570–327–7101, or on the Internet at www.Lycoming.Textron.com.

- (6) You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

- (7) You may view this service information at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Burlington, Massachusetts, on August 27, 2012.

Colleen M. D'Alessandro,
Assistant Manager, Engine & Directorate,
Aircraft Certification Service.

[FR Doc. 2012-22924 Filed 9-18-12; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[Docket No. 120813330-2330-01]

RIN 0694-AF74

Addition of Certain Persons to the Entity List; Removal of Person From the Entity List Based on Removal Request; and Implementation of Entity List Annual Review Changes

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: This rule amends the Export Administration Regulations (EAR) by adding six persons under eight entries to the Entity List. The 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 persons will be listed on the Entity List under Iran and the United Arab Emirates (U.A.E.).

In addition, this rule removes one person from the Entity List, as the result of a request for removal submitted by the person, a review of information provided in the removal request in accordance with the EAR, and further review conducted by the End-User Review Committee (ERC).

Lastly, this rule amends the Entity List on the basis of the annual review conducted by the ERC. The ERC conducts annual reviews to determine if any entries on the Entity List should be removed or modified. This rule reflects the results of the annual review of entities located in Belarus, Canada, the People's Republic of China (China), Egypt, Germany, Hong Kong, Ireland, Israel, Kuwait, Lebanon, Malaysia, Pakistan, Singapore, South Africa, Taiwan, and the United Kingdom. On the basis of the annual review, this rule removes fourteen entries, adds three entries, and amends thirty-six other entries. The Entity List provides notice to the public that certain exports, reexports, and transfers (in-country) to entities identified on the Entity List require a license from the Bureau of Industry and Security (BIS) and that

availability of license exceptions in such transactions is limited.

DATES: *Effective Date:* This rule is effective September 19, 2012.

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.

SUPPLEMENTARY INFORMATION:

Background

The Entity List (Supplement No. 4 to Part 744) provides notice to the public that certain exports, reexports, and transfers (in-country) to entities identified on the Entity List require a license from BIS and that the availability of license exceptions in such transactions is limited. Entities are placed on the Entity List on the basis of certain sections of part 744 (Control Policy: End-User and End-Use Based) of the EAR.

The ERC, composed of representatives of the Departments of Commerce (Chair), State, Defense, Energy and, when 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 six persons under eight entries to the Entity List on the basis of Section 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 eight entries, two of which are alternate addresses of two of the persons being added to the Entity List, consist of two entries in Iran and six entries in the U.A.E.

The ERC reviewed Section 744.11(b) (Criteria for revising the Entity List) in making the determination to add these persons to the Entity List. Under that paragraph, persons for which there is reasonable cause to believe, based on specific and articulable facts, that the persons have been involved, are involved, or pose a significant risk of being or becoming involved in activities that are contrary to the national security or foreign policy interests of the United States and those acting on behalf of such persons may be added to the Entity List pursuant to Section 744.11. Paragraphs

(b)(1)–(b)(5) of Section 744.11 include an illustrative list of activities that could be contrary to the national security or foreign policy interests of the United States.

The six persons being added to the Entity List under this rule have been determined by the ERC to be involved in activities that are contrary to the national security or foreign policy interests of the United States. Two of the persons being added to the Entity List under this rule, Seyed Mahdi Mousavi (“Mousavi”) and his company, Seyed Mousavi Trading, are located in the U.A.E. and in Iran. BIS’s investigation of Mousavi and his company, Seyed Mousavi Trading, indicates that he, individually, and by and through his company, knowingly acquired U.S.-origin items for transshipment to Iran through the U.A.E. and Hong Kong. Further, the investigation indicates that the shipments to Iran included shipments to a person on the Denied Persons List (see section 764.3(a)(2) of the EAR). Therefore, pursuant to Section 744.11(b)(5) of the EAR, the ERC determined that Mousavi and Seyed Mousavi Trading are knowingly and willfully engaging in the transshipment of U.S.-origin equipment subject to the EAR, without the required Department of Commerce or Department of the Treasury, Office of Foreign Assets Control (OFAC) export licenses, for use in Iran in violation of the embargo against Iran as specified in the Iranian Transactions Regulations (31 CFR Part 560). Iran has been designated by the Secretary of State as a country that has repeatedly provided support for acts of international terrorism. In addition, pursuant to paragraph (b) of Supplement No. 1 to Part 764 of the EAR, no person may, directly or indirectly, export or reexport any item subject to the EAR to or on behalf of a denied person.

The other four persons being added to the Entity List under this rule, Fajr Almadeena Electronics (FAE) and its owners, Alex Nouri Zadeh, Mohammad Nayeb, and Jamal Hasan are all located in the U.A.E. BIS’s investigation indicates that FAE was listed as a recipient of hundreds of U.S.-origin items. Although FAE claims that the items it receives remain in the U.A.E. and that it is the end-user of record, FAE principals have not been able to provide information on the items’ current location or end-use. Moreover, BIS’s investigation indicates that FAE’s office space is inappropriate for end-use in situ of the items shipped. Therefore, pursuant to Section 744.11(b)(4) and (b)(5) of the EAR, the ERC determined