

I have considered all of Balli's arguments and with the exception of the argument involving Aircraft 4–6 find them without merit. I find that the evidence presented by BIS convincingly demonstrates that the Respondents have violated the EAR and the TDO involving re-exports of aircraft to Iran, that such violations have been significant, deliberate and covert, and that there is a likelihood of future violations. As such, a TDO is needed to give notice to persons and companies in the United States and abroad that they should continue to cease dealing with the Respondents in export transactions involving items subject to the EAR. Such a TDO is consistent with the public interest to prevent or preclude violations of the EAR.

Accordingly, I find pursuant to Section 766.24, that renewal of the TDO for 180 days against Balli Group PLC, Balli Aviation, Balli Holdings, Vahid Alaghband, Hassan Alaghband, Blue Sky One Ltd., Blue Sky Two Ltd., Blue Sky Three Ltd., Blue Airways and Mahan Airways and both Related Persons is necessary in the public interest to prevent an imminent violation of the EAR.

### III. Order

*It is therefore ordered:*

*First*, that the Respondents, BALLI GROUP PLC, 5 Stanhope Gate, London, UK, W1K 1AH; BALLI AVIATION, 5 Stanhope Gate, London, UK, W1K 1AH; BALLI HOLDINGS, 5 Stanhope Gate, London, UK, W1K 1AH; VAHID ALAGHBAND, 5 Stanhope Gate, London, UK, W1K 1AH; HASSAN ALAGHBAND, 5 Stanhope Gate, London, UK, W1K 1AH; BLUE SKY ONE LTD., 5 Stanhope Gate, London, UK, W1K 1AH; BLUE SKY TWO LTD., 5 Stanhope Gate, London, UK, W1K 1AH; BLUE SKY THREE LTD., BLUE AIRWAYS, 8/3 D Angaght Street, 376009 Yerevan, Armenia; and MAHAN AIRWAYS, Mahan Tower, No. 21, Azadegan St., M.A. Jenah Exp. Way, Tehran, Iran (each a "Denied Person" and collectively the "Denied Persons"), and BLUE AIRWAYS FZE, a/k/a Blue Airways, #G22 Dubai Airport Free Zone, P.O. Box 393754 DAFZA, Dubai, United Arab Emirates and BLUE AIRWAYS, Riqab Road, Dubai 52404, United Arab Emirates (each a "Related Person" and collectively the "Related Persons") 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 Export Administration Regulations

("EAR"), or in any other activity subject to the EAR including, but not limited to:

A. Applying for, obtaining, or using any license, 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, or in any other activity subject to the EAR; 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 in any other activity subject to the EAR.

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

A. Export or reexport to or on behalf of the Denied Persons or Related Persons any item subject to the EAR;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Persons or Related Persons 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 the Denied Persons or Related Persons acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Persons or Related Persons of any item subject to the EAR that has been exported from the United States;

D. Obtain from the Denied Persons or Related Persons 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; 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 the Denied Persons or Related Persons, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Persons or Related Persons if such service involves the use of any item subject to the EAR that has been or will be exported from the United States. 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 any of the Denied Persons by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of this Order.

*Fourth*, that this Order does not prohibit any export, reexport, or other transaction subject to the EAR where the only items involved that are subject to the EAR are the foreign-produced direct product of U.S.-origin technology.

In accordance with the provisions of Section 766.24(e) of the EAR, the Respondents 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. The Respondents may oppose a request to renew this Order 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 served on the Respondents and the Related Persons and shall be published in the **Federal Register**.

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

Entered this 16th day of March 2009.

**Kevin Delli-Colli,**

*Acting Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. E9–6607 Filed 3–24–09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN: 0648–XO35**

### Gulf of Mexico Fishery Management Council; Public Meetings

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meetings.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will convene public meetings.

**DATES:** The meetings will be held April 14–17, 2009.

**ADDRESSES:** The meetings will be held at the W New Orleans, 333 Poydras St., New Orleans, LA 70130.

*Council address:* Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

**FOR FURTHER INFORMATION CONTACT:** Dr. Richard Leard, Interim Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

**SUPPLEMENTARY INFORMATION:**

**Council**

*Thursday, April 16, 2009*—The Council meeting will begin at 1:30 p.m. with a review of the agenda and minutes.

*From 1:45 p.m.–2:45 p.m.*, the Council will receive public testimony on exempted fishing permits (EFPs), if any; and Open Public Comment Period regarding any fishery issue of concern. People wishing to speak before the Council should complete a public comment card prior to the comment period.

*From 2:45 p.m.–5 p.m.*, the Council will review and discuss the report of the committee meetings as follows: Budget/Personnel; Data Collection; Sustainable Fisheries/Ecosystem; CLOSED SESSION—AP Selection and SSC Selection.

*Friday, April 17, 2009*

*From 8:30 a.m.–12 p.m. and 1:30 p.m.–2 p.m.*, the Council will continue to review and discuss reports from the committee meetings as follows: Administrative Policy; Outreach & Education; AP Selection; SSC Selection; and Reef Fish Management.

*From 2 p.m.–2:30 p.m.*, Other Business items will follow. The Council will conclude its meeting at approximately 2:30 p.m.

**Committees**

*Tuesday, April 14, 2009*

*8:30 a.m.–10 a.m.*—CLOSED SESSION—The AP Selection Committee will meet to select members of Council Advisory Panels.

*10 a.m.–12 p.m.*—CLOSED SESSION—The SSC Selection Committee will meet to review the SSC Job Description and select members of the Scientific and Statistical Committees.

*1:30 p.m.–2 p.m.*—The Budget/Personnel Committee will meet to review the 2009 Budget.

*2 p.m.–5:30 p.m.*—The Data Collection Committee will listen to presentations on Olfish/Environmental Defense Electronic Logbook Pilot

Project; North Carolina Text Message Based Reporting Pilot Project and CLS America's Satellite Based Environmental Data Collection, as well as, report from the GSMFC FIN Committee Meeting.

*Wednesday, April 15, 2009*

*8:30 a.m.–9:30 a.m.*—The Sustainable Fisheries/Ecosystem Committee will meet to discuss a Paper for Generic ACL/AM Amendment and select Scoping Hearing Locations.

*9:30 a.m.–12 p.m. and 1:30 p.m.–5:30 p.m.*—The Reef Fish Management Committee will meet to discuss the Draft Reef Fish Amendment 31/DEIS to address Longline/Turtle Interactions; SEP Meeting Report; Allocation of Species in Reef Fish Amendments 30A & 30B; a Status Report from the Gag/Red Grouper Update Assessment workshop; a potential Reef Fish IFQ Amendment and a potential New Recreational Catch Accountability and Reporting AP.

*5:30 p.m.–6:30 p.m.*—There will be an Informal Open Public Question and Answer Session.

*Thursday, April 16, 2009*

*8:30 a.m.–10:30 a.m.*—The Administrative Policy Committee will discuss Draft Changes to SOPPs from MSRA.

*10:30 a.m.–12 p.m.*—The Outreach & Education Committee will meet to discuss the Report from the Outreach and Education AP Meeting.

Although other non-emergency issues not on the agendas may come before the Council and Committees for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during these meetings. Actions of the Council and Committees will be restricted to those issues specifically identified in the agendas and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency. The established times for addressing items on the agenda may be adjusted as necessary to accommodate the timely completion of discussion relevant to the agenda items. In order to further allow for such adjustments and completion of all items on the agenda, the meeting may be extended from, or completed prior to the date established in this notice.

**Special Accommodations**

These meetings are physically accessible to people with disabilities.

Requests for sign language interpretation or other auxiliary aids should be directed to Tina O'Hern at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: March 20, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XO15**

**Taking and Exporting Marine Mammals; Taking Marine Mammals Incidental to the Knik Arm Crossing**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; withdrawal of application.

**SUMMARY:** Notice is hereby given that the Knik Arm Bridge Toll Authority (KABATA), 550 West 7th Ave, Suite 1850, Anchorage, Alaska, 99501, has withdrawn its application for regulations and subsequent Letters of Authorization (LOAs) regarding the harassment of marine mammals incidental to construction of the Knik Arm Crossing.

**ADDRESSES:** The documents related to this action are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521; and

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7221; fax (907) 586-7249.

**FOR FURTHER INFORMATION CONTACT:** Jaclyn Daly, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** On August 23, 2006, a notice was published in the **Federal Register** (71 FR 49433) that an application for regulations governing the incidental take of marine mammals had been filed by KABATA. The Knik Arm Crossing is a proposed bridge across Knik Arm, linking Anchorage and the Matanuska-Susitna Borough. Construction of the bridge would result in the harassment of marine mammals, including, but not limited to, the endangered Cook Inlet beluga whale (*Deephinapterus leucas*). On March 12,