

Done at Washington, DC on: March 2, 2010.

**Alfred V. Almanza,**  
Administrator.

[FR Doc. 2010-4781 Filed 3-5-10; 8:45 am]

BILLING CODE 3410-DM-P

## ARCTIC RESEARCH COMMISSION

[USARC 10-018]

### 92nd Meeting

February 16, 2010.

Notice is hereby given that the U.S. Arctic Research Commission will hold its 92nd meeting in Miami, FL, on March 15, 2010. The business session, open to the public, will convene at 8:30 a.m.

*The Agenda items include:*

- (1) Call to order and approval of the agenda.
- (2) Approval of the minutes from the 91st meeting.
- (3) Commissioners and staff reports.
- (4) Discussion and presentations concerning Arctic research activities.

The focus of the meeting will be reports and updates on programs and research projects affecting the Arctic.

Any person planning to attend this meeting, who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission of those needs in advance of the meeting.

Contact person for further information: John Farrell, Executive Director, U.S. Arctic Research Commission, 703-525-0111 or TDD 703-306-0090.

**John Farrell,**

*Executive Director.*

[FR Doc. 2010-4685 Filed 3-5-10; 8:45 am]

BILLING CODE 7555-01-M

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### **Action Affecting Export Privileges; Mohamad M. Elkateb; In the Matter of: Mohamad M. Elkateb, 29256 Marilyn Dr., Canyon Country, CA 91387. Respondent; Order Relating to Mohamad M. Elkateb**

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS") has notified Mohamad M. Elkateb ("Elkateb") of its intention to initiate an administrative proceeding against Elkateb pursuant to Section 766.3 of the Export Administration Regulations (the

"Regulations"),<sup>1</sup> and Section 13(c) of the Export Administration Act of 1979, as amended (the "Act"),<sup>2</sup> through issuance of a Proposed Charging Letter to Elkateb that alleged that he committed one violation of the Regulations. Specifically, the charge is:

#### **Charge 1 15 CFR 764.2(d)—Conspiracy**

Between on or about July 9, 2004, and continuing through on or about August 16, 2004, Elkateb conspired and acted in concert with others, known and unknown, to violate the Regulations and to bring about an act that constituted a violation of the Regulations. The purpose of the conspiracy was to cause the export of U.S.-origin lab equipment from the United States to Syria, via Indonesia, without the required U.S. Government authorization. Pursuant to General Order No. 2 of May 14, 2004, set forth in Supplement No. 1 to Part 736 of the Regulations, authorization was required from BIS before the lab equipment, items subject to the Regulations,<sup>3</sup> could be exported from the United States to Syria. In furtherance of the conspiracy, Elkateb and his co-conspirators devised and employed a scheme to purchase U.S.-origin lab equipment for a customer in Syria from a foreign distributor of the U.S. manufacturer. This scheme was developed after Elkateb was informed by the U.S. manufacturer that there were restrictions on exporting to Syria. By engaging in this activity, Elkateb committed one violation of Section 764.2(d) of the Regulations.

Whereas, BIS and Elkateb have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein, and

Whereas, I have approved of the terms of such Settlement Agreement; It is therefore ordered:

First, that for a period of one year from the date of issuance of the Order, Mohamad M. Elkateb, 29256 Marilyn Dr., Canyon Country, CA 91387, and when acting on behalf of Elkateb, his representatives, assigns, or agents ("Denied Person") may not participate,

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730-774 (2009). The charged violation occurred in 2004. The Regulations governing the violation at issue are found in the 2004 version of the Code of Federal Regulations (15 CFR Parts 730-774 (2004)). The 2009 Regulations set forth the procedures that apply to this matter.

<sup>2</sup> 50 U.S.C. app. 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR 2001 Comp. 783 (2002)), as extended most recently by the Notice of August 13, 2009 (74 FR 41325 (Aug. 14, 2009)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*).

<sup>3</sup> EAR99 is a designation for items subject to the Regulations but not listed on the Commerce Control List. 15 CFR 734.3(c) (2004).

directly or indirectly, 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 Regulations, or in any other activity subject to the Regulations, 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 Regulations, or in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

Second, that no person may, directly or indirectly, do any of the actions described below with respect to an item that is subject to the Regulations and that has been, will be, or is intended to be exported or reexported from the United States:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person 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 Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations 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 Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or

controlled by the Denied Person if such service involves the use of any item subject to the Regulations 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 Regulations, any person, firm, corporation, or business organization related to Elkateb 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 the Order.

Fourth, that the proposed charging letter, the Settlement Agreement, and this Order shall be made available to the public.

Fifth, that this Order shall be served on the Denied Person and on BIS, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Issued this 26th day of February 2010.

**David W. Mills,**

*Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. 2010-4776 Filed 3-5-10; 8:45 am]

**BILLING CODE 3510-DT-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**DEPARTMENT OF THE INTERIOR**

**Office of Insular Affairs; Allocation of Duty-Exemptions for Calendar Year 2010 for Watch Producers Located in the United States Virgin Islands**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce; Office of Insular Affairs, Department of the Interior.

**ACTION:** Notice.

**SUMMARY:** This action allocates calendar year 2010 duty exemptions for watch assembly producers (“program producers”) located in the United States Virgin Islands (“USVI”) pursuant to Public Law 97-446, as amended by Public Law 103-465, Public Law 106-36 and Public Law 108-429 (“the Act”).

**FOR FURTHER INFORMATION CONTACT:** Gregory Campbell, Statutory Import Programs; phone number: (202) 482-2239; fax number: (202) 501-7952; and e-mail address: [Gregory.Campbell@trade.gov](mailto:Gregory.Campbell@trade.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to the Act, the Departments of the Interior and Commerce (“the Departments”) share responsibility for the allocation of duty exemptions among program producers in the United States insular possessions and the Northern Mariana Islands. In accordance with section 303.3(a) of the regulations (15 CFR 303.3(a)), the total quantity of duty-free insular watches and watch movements for calendar year 2010 is 1,866,000 units for the USVI. This amount was established in *Changes in Watch, Watch Movement and Jewelry Program for the U.S. Insular Possessions*, 65 FR 8048 (February 17, 2000). There are currently no program producers in Guam, American Samoa or the Northern Mariana Islands.

The criteria for the calculation of the calendar year 2010 duty-exemption allocations among program producers within a particular territory are set forth in Section 303.14 of the regulations (15 CFR 303.14). The Departments have verified and, where appropriate, adjusted the data submitted in application form ITA-334P by USVI program producers and have inspected these producers’ operations in accordance with Section 303.5 of the regulations (15 CFR 303.5).

In calendar year 2009, USVI program producers shipped 73,096 watches and watch movements into the customs territory of the United States under the Act. The dollar amount of corporate income taxes paid by USVI program producers during calendar year 2009, and the creditable wages and benefits paid by these producers during calendar year 2009 to residents of the territory was a combined total of \$1,501,892.

The calendar year 2010 USVI annual duty exemption allocations, based on the data verified by the Departments, are as follows:

Program producer	Annual allocation
Belair Quartz, Inc .....	500,000

The balance of the units allocated to the USVI is available for new entrants into the program or existing program producers who request a supplement to their allocation.

Dated: March 2, 2010.

**Carole Showers,**

*Acting Deputy Assistant Secretary For Import Administration, Department of Commerce.*

Dated: March 2, 2010.

**Nikolao Pula,**

*Acting Deputy Assistant Secretary for Insular Affairs, Department of the Interior.*

[FR Doc. 2010-4862 Filed 3-5-10; 8:45 am]

**BILLING CODE 3510-DS-P; 4310-93-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XU87**

**Marine Mammals; File No. 15126**

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

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

**SUMMARY:** Notice is hereby given that NMFS National Marine Mammal Laboratory, (Responsible Party: Dr. John Bengtson, Director), Seattle, WA, has applied for a permit to conduct research on marine mammals in Alaska.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before April 7, 2010.

**ADDRESSES:** The application and related documents are available for review by selecting “Records Open for Public Comment” from the Features box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 15126 from the list of available applications.

These documents are also available upon written request or by appointment in the following office(s):

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)713-0376; and Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907)586-7221; fax (907)586-7249.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division, at the address listed above. Comments may also be submitted by facsimile to (301)713-0376, or by email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include the File No. in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits, Conservation and Education Division at the address listed