

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 7845, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, FAX number (202) 395-7285, or David_Rostker@omb.eop.gov.

Dated: February 3, 2009.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E9-2534 Filed 2-5-09; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

**Submission for OMB Review;
Comment Request**

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Pacific Islands Region Coral Reef Ecosystems Permit Form.

OMB Control Number: 0648-0463.

Form Number(s): None.

Type of Request: Regular submission.

Burden Hours: 30.

Number of Respondents: 12.

Average Hours per Response: Permit applications, 2 hours; and appeals, 3 hours.

Needs and Uses: Regulations (50 CFR 665) implementing the Fishery Management Plan for Coral Reef Ecosystems of the Western Pacific Region include the establishment of a permit requirement for any U.S. vessel fishing for coral reef management unit species in the designated low-use Marine Protected Areas and open areas, *i.e.*, waters seaward of the inner boundary of the U.S. Exclusive Economic Zone in the western Pacific region. The special permit is also required for at-sea transshipment of coral reef management unit species. The permit application form provides basic information about the permit applicant, vessel, fishing gear and method, target species, projected fishing effort, etc. for use by NOAA Fisheries Service and the Western Pacific Fishery Management

Council in determining eligibility for permit issuance. The information is important for understanding the nature of the fishery and provides a link to participants. It also aids in the enforcement of FMP management measures.

Affected Public: Business or other for-profit organizations.

Frequency: Annually and on occasion.

Respondent's Obligation: Mandatory.

OMB Desk Officer: David Rostker, (202) 395-3897.

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Dated: February 3, 2009.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

**Action Affecting Export Privileges;
Islamic Republic of Iran Shipping
Lines; Tadbir Sanaat Sharif
Technology Development Center and
Icarus Marine (Pty) Ltd.**

In the Matter of: Islamic Republic of Iran Shipping Lines, No. 37, Aseman Tower, Sayyade Shirazee Square, Pasdaran Avenue, P.O. Box 19395-1311, Tehran, Iran; No. 37, Corner of 7th Narenjestan, Sayad Shirazi Square, After Noboyand Square, Pasdaran Avenue, Tehran, Iran; Tadbir Sanaat Sharif Technology Development Center, First Floor, No. 25, Shahid Siadat Boulevard, North Zanjan Street, Yadegar Emam Highway, Tehran, Iran; Icarus Marine (Pty) Ltd., 1 River Street, Rosebank, Cape Town, South Africa; Respondents.

Order Temporarily Denying Export Privileges

Pursuant to Section 766.24 of the Export Administration Regulations ("EAR" or "Regulations"),¹ the Bureau

¹ The EAR is currently codified at 15 CFR parts 730-774 (2008), as amended. The EAR issued under the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401-2420 (2000)) ("EAA"). Since

of Industry and Security ("BIS"), U.S. Department of Commerce, through its Office of Export Enforcement ("OEE"), has requested that I issue an Order temporarily denying for 180 days the export privileges under the EAR of:

(1) Islamic Republic of Iran Shipping Lines, No. 37 Aseman Tower, Sayyade Shirazee Square, Pasdaran Avenue, P.O. Box 19395-1311, Tehran, Iran; No. 37, Corner of 7th Narenjestan, Sayad Shirazi Square, After Noboyand Square, Pasdaran Avenue, Tehran, Iran (hereinafter referred to as "IRISL").

(2) Tadbir Sanaat Sharif Technology Development Center, First Floor, No. 25, Shahid Siadat Boulevard, North Zanjan Street, Yadegar Emam Highway, Tehran, Iran (hereinafter referred to as "TSS").

(3) Icarus Marine (Pty) Ltd, 1 River Street, Rosebank, Cape Town, South Africa (hereinafter referred to as "Icarus Marine").

(IRISL, TSS, and Icarus Marine are hereinafter collectively referred to as "Respondents").

Pursuant to Section 766.24(b) of the EAR, the Assistant Secretary may issue a TDO upon a showing by BIS that the order is necessary in the public interest to prevent an "imminent violation" of the EAR. 15 CFR 766.24(b)(1). "A violation may be 'imminent' either in time or in 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 charges is significant, deliberate, covert and/or likely to occur again, rather than technical and 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.*

In its request, BIS has presented evidence that the Respondents are about to engage in conduct prohibited by the EAR by re-exporting U.S.-origin items, which are subject to the Regulations and classified as Export Control Classification Number ("ECCN") 8A992.f and .g, from South Africa to a Specially Designated National ("SDN")

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 July 23, 2008 (73 FR 43,603 (July 25, 2008)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706 (2000)).

located in Iran using a specially designated blocked vessel, owned by a Specially Designated National, to complete the transaction. Specifically, BIS has reason to believe that TSS has been attempting to procure a Bladerunner 51 powerboat, a vessel known as the "Bradstone Challenger," for use by the Iranian Revolutionary Guard Corps ("IRGC"), specifically the IRGC Navy, to be transported to Iran on an IRISL vessel.

The Bradstone Challenger will imminently be re-exported from South Africa on an IRISL vessel called the M/V "Diplomat," also known as the "Iran Diplomat," with a vessel registration identification number IMO 8309701. IRISL and its entire fleet, including the Diplomat, is also listed in the Department of the Treasury, Office of Foreign Assets Control (OFAC) Specially Designated Nationals list as the IRGC, pursuant to Executive Order 13382 and as identified by OFAC in Appendix A to 31 CFR Chapter V. The designation identifies those parties determined to be weapons of mass destruction proliferators or their supporters as well as blocked vessels.

Under Section 744.8(a) of the Regulations,² no person may export or re-export an item subject to the Regulations to any person designated pursuant to that Executive Order without a license from BIS. The Bradstone Challenger is powered with two U.S.-origin Caterpillar C18 engines and two Arneson surface drives, items subject to the Regulations and classified under Export Control Classification Number (ECCN) 8A992.g. Because it contains greater than a 10 percent *de minimis* of U.S.-origin items, the Bradstone Challenger is also subject to the Regulations if proposed for export or re-export to Iran and is classified as ECCN 8A992.f. According to publicly available sources, the Bladerunner 51 has top speeds from 55 knots to in excess of 65 knots (or 74 miles per hour). No license was obtained from BIS for export or re-export of the U.S.-origin parts contained within the powerboat, nor the vessel itself.

Nonetheless, BIS has produced evidence that TSS is purchasing the powerboat, which is intended to be sent from Durban, South Africa. Icarus Marine is attempting to send the Bradstone Challenger to Iran. TSS is believed to be purchasing the Bradstone Challenger for use by the IRGC Navy. There is publicly available evidence of

prior dealings between the two entities. The TSS Web site, under its "About Us" section, lists an affiliate of Icarus Marine as a company with whom TSS has had "prosperous cooperation." In this transaction, Icarus Marine is attempting to send the Bradstone Challenger from the port in Durban to Iran on the IRISL vessel Diplomat, with the end-user to be the IRGC Navy.

Multiple public sources indicate that Iran and its military have invested substantially in developing its naval forces. The IRGC Navy has been involved in enhancing its asymmetric naval warfare capabilities. These capabilities include exploiting enemy vulnerabilities through the use of "swarming" tactics by well-armed small boats and fast-attack craft, to mount surprise attacks at unexpected times and places. Accordingly, BIS has a significant concern that the vessel will be utilized by the IRGC as a fast attack craft. According to published reports, similar vessels have been armed with torpedoes, rocket launchers, and anti-ship missiles.

I find that the evidence presented by BIS demonstrates that violation of the EAR is imminent in terms of proximity of time, as well as in degree of likelihood. The conduct here is, *inter alia*, significant, deliberate, and likely to occur again absent issuance of a TDO. As such, a TDO issued on an *ex parte* basis is necessary in the public interest to prevent imminent violation of the EAR, and needed to give persons and companies in the United States and abroad notice that they should cease dealing with the Respondents in export and re-export transactions involving items subject to the EAR.

Accordingly, I find that a TDO naming is necessary, in the public interest, to prevent an imminent violation of the EAR. This Order is issued on an *ex parte* basis without a hearing based upon BIS's showing of an imminent violation.

It is therefore ordered:

First, that the Respondents, Islamic Republic of Iran Shipping Lines, No. 37 Aseman Tower, Sayyade Shirazee Square, Pasdaran Avenue, P.O. Box 19395-1311, Tehran, Iran; No. 37, Corner of 7th Narenjestan, Sayad Shirazi Square, After Noboyand Square, Pasdaran Avenue, Tehran, Iran; Tadbir Sanaat Sharif Technology Development Center, First Floor, No. 25, Shahid Siadat Boulevard, North Zanjan Street, Yadegar Emam Highway, Tehran, Iran; and Icarus Marine (Pty) Ltd, 1 River Street, Rosebank, Cape Town, South Africa (each a "Denied Person" and collectively the "Denied 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 any Denied Person any item subject to the EAR;

B. Take any action that facilitates the acquisition or attempted acquisition by any Denied Person 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 any 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 any Denied Person of any item subject to the EAR that has been exported from the United States;

D. Obtain from any Denied Person 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 any Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by any Denied Person 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

² On January 15, 2009, Part 744 of the Regulations was amended to impose a license requirement on certain parties designated pursuant to Executive Order 13382 (June 28, 2005) as Specially Designated Nationals. 74 FR 2355 (Jan. 15, 2009).

person, firm, corporation, or business organization related to any of the Respondents 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 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 shall be published in the **Federal Register**.

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

Entered this 22nd day of January 2009.

Kevin A. Delli-Colli,

Acting Assistant Secretary of Commerce for Export Enforcement.

[FR Doc. E9-2540 Filed 2-5-09; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

International Trade Administration

Mission Statement; Commercial Service Trade Mission to Colombia; March 8-13, 2009

AGENCY: Department of Commerce.

ACTION: Notice.

Mission Description

The United States Department of Commerce, International Trade

Administration, U.S. and Foreign Commercial Service are organizing a Trade Mission to Bogota, Cartagena, and Barranquilla, Colombia from March 8 to March 13, 2009.

The mission will focus on helping U.S. companies launch or increase their export business in the Colombian market. The mission will help participating firms gain market information, make business and government contacts, solidify business strategies and advance specific projects, towards the goal of increasing U.S. exports to Colombia. The mission will include business-to-business matchmaking appointments with local companies, site visits and meetings with the Chambers of Commerce, including ColAmCham. The delegation will be comprised of U.S. firms representing a cross section of U.S. industries with growing potential in Colombia.

Commercial Setting

Colombia is the fifth largest market for U.S. exports in Latin America and is ranked 29th as a market for U.S. exports globally. Since the election of President Alvaro Uribe in May 2002, Colombia has become one of the most stable economies in the region. Improved security and government policies, steady growth, moderate inflation and a wide range of opportunities combined with a relatively stable political environment make it an excellent market for U.S. exporters. In recent years, Colombia has demonstrated its commitment to furthering economic growth and to increasing trade between the United States and Colombia.

The United States and Colombia signed the U.S.-Colombia Trade Promotion Agreement on November 22, 2006 and President Bush sent the implementing legislation to Congress on April 8, 2008. The Trade Promotion Agreement (TPA) will go into effect upon Congressional approval and once Colombia has taken the necessary steps to ensure implementation of its obligations. The TPA offers tremendous opportunities for exporters. When the Agreement enters into force, 80 percent of U.S. consumer and industrial exports to Colombia will be duty-free immediately. The remaining tariffs will be phased out over the next 10 years. Colombia's increasingly democratic and

transparent government and the impending Trade Promotion Agreement provide a solid foundation for U.S. businesses interested in exporting to Colombia.

Industry sectors currently representing best prospects for U.S. exporters are listed below. U.S. firms in other sectors may also apply to take part in the mission.

- Oil and Gas Machinery and Services.
- Plastic Materials and Resins.
- Automotive Parts and Accessories.
- Computers and Components.
- Telecommunications Equipment and Services.
- Travel and Tourism.
- Construction and Mining Equipment.
- Air Cargo Services.
- Electrical Power Systems.
- Pollution Control Equipment.
- Safety and Security.
- Building Materials.
- Beverage Processing & Packaging Equipment.

Mission Goals

The Commercial Service Trade Mission to Colombia will help U.S. firms initiate or expand their exports to Colombia by providing business-to-business introductions and market access information.

Mission Scenario

The mission will stop in Bogota, Barranquilla and Cartagena. A special site visit Santa Marta and the Drummond Mine, Las Lomas, in Cesar is being arranged. At each stop, except for Santa Marta and Las Lomas, delegation members will participate in one-on-one business meetings with potential buyers, agents, distributors, and partners. Delegates will also attend briefings in Bogota by U.S. Embassy officials on business opportunities in Colombia and the pending U.S.-Colombia Trade Promotion Agreement. They will attend networking events with the U.S. Ambassador to Colombia in Bogota and the American Chamber of Commerce in Barranquilla. These events will offer additional opportunities to speak with local business and government representatives.

Proposed Mission Timetable

Sunday, March 8, 2009	Mission begins in Bogota, Colombia; Welcome briefing.
Monday, March 9, 2009	Market and Security briefing; Business matchmaking.
Tuesday, March 10, 2009	Opportunity for follow-up and/or site visits; Networking reception.
Wednesday, March 11, 2009	Transfer by plane to Cartagena, Colombia; Business matchmaking; Networking reception (TBC).
Thursday, March 12, 2009	Opportunity for follow-up and/or site visits; Departure to Barranquilla, Colombia (by bus).
Friday, March 13, 2009	Business matchmaking; Networking luncheon; Departure to Santa Marta, Colombia (by bus); Overnight at Drummond Guest House.
Saturday, March 14, 2009	Travel to Las Lomas Mine; Briefing and tour of Las Lomas Mine; Return to Cartagena; Mission ends.