DEPARTMENT OF STATE
[Public Notice: 9551]

In the Matter of the Designation of Musa Abu Dawud, aka Moussa Abu Daoud, aka Moussa Bourahla, aka Abou Daoud, aka Bourahla Moussa, as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the individual known as Moussa Abu Dawud, also known as Moussa Abu Daoud, also known as Moussa Bourahla, also known as Abou Daoud, also known as Bourahla Moussa committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States. Consistent with the determination in section 10 of Executive Order 13224 that “prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously,” I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order. This notice shall be published in the Federal Register.

John F. Kerry,
Secretary of State.


Supplementary Information: On September 8, 2010, the Department notified the public of a statutory debarment imposed on RMI pursuant to ITAR § 127.7(c) related to RMI’s criminal conviction, 75 FR 54692. The notice provided that RMI is “prohibited from participating directly or indirectly in the export of defense articles, including technical data, or in the furnishing of defense services for which a license or other approval is required.” Further, the notice provided that:

Exceptions, also known as transaction exceptions, may be made to this debarment determination on a case-by-case basis at the discretion of the Assistant Secretary of State for Political-Military Affairs, after consulting with the appropriate U.S. agencies. However, such an exception would be granted only after a full review of all circumstances, paying particular attention to the following factors: Whether an exception is warranted by overriding U.S. foreign policy or national security interests; whether an exception would further law enforcement concerns that are consistent with the foreign policy or national security interests of the United States; or whether other compelling circumstances exist that are consistent with the foreign policy or national security interests of the United States, and that do not conflict with law enforcement concerns. Even if exceptions are granted, the debarment continues until subsequent reinstatement.

Notwithstanding the prohibition on indirect participation referenced in the original notice of statutory debarment, and in conformance with the stated policy and procedures regarding transaction exceptions, based on overriding national security and foreign policy concerns and after a thorough review of the circumstances surrounding the conviction and a finding that appropriate steps have been taken to mitigate law enforcement concerns, the Under Secretary for Arms Control and International Security has determined to approve specific exceptions from the debarment of RMI, available to persons other than RMI but excluding persons acting for or on behalf of RMI in contravention of ITAR § 127.7(d), for the following categories of authorization requests:

1. Applications submitted by persons other than RMI for the export or