

Director, and the facts available to BIS, I have decided to deny Espinoza's export privileges under the Regulations for a period of 10 years from the date of Espinoza's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Espinoza had an interest at the time of his conviction.<sup>3</sup>

Accordingly, it is hereby *ordered*:

*First*, from the date of this Order until December 14, 2030, Eli Espinoza, with a last known address of Inmate Number: 19495-479, FCI Three Rivers, Federal Correctional Institution, P.O. Box 4200, Three Rivers, TX 78071, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives ("the Denied Person"), 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 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 engaging 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 from any other activity subject to the Regulations.

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

A. Export, reexport, or transfer (in-country) 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*, pursuant to section 1760(e) of ECRA and sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Espinoza by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

*Fourth*, in accordance with part 756 of the Regulations, Espinoza may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of part 756 of the Regulations.

*Fifth*, a copy of this Order shall be delivered to Espinoza and shall be published in the **Federal Register**.

*Sixth*, this Order is effective immediately and shall remain in effect until December 14, 2030.

**John Sonderman**,

*Director, Office of Export Enforcement.*

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**BILLING CODE 3510-DT-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### In the Matter of: Samet Doyduk, 32 E 10th Avenue, Runnemede, NJ 08078-1128; Order Denying Export Privileges

On July 12, 2022, in the U.S. District Court for the District of New Jersey,

Samet Doyduk ("Doyduk") was convicted of violating 18 U.S.C. 371. Specifically, Doyduk was convicted of conspiring to export firearm parts purchased in the United States to be shipped to Turkey and the Republic of Georgia. As a result of his conviction, the Court sentenced Doyduk to 15 months of imprisonment, three years of supervised release and \$100 special assessment.

Pursuant to section 1760(e) of the Export Control Reform Act ("ECRA"),<sup>1</sup> the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 371, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security ("BIS") licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS has received notice of Doyduk's conviction for violating 18 U.S.C. 371. The Regulations provide that before taking action to deny a person's export privileges under section 766.25, BIS shall provide the person written notice of the proposed action and an opportunity to comment through a written submission, "unless exceptional circumstances exist." 15 CFR 766.25(b). In this case, BIS made two unsuccessful attempts to serve Doyduk written notice and an opportunity to comment through a written submission. The first attempt was sent via UPS and was returned to BIS stamped "RECEIVER DID NOT WANT, REFUSED DELIVERY". The second attempt was sent via certified mail—return receipt requested. BIS has not received a receipt and the United States Post Office tracker indicates the "STATUS IS NOT AVAILABLE". As a result, exceptional circumstances exist. However, as set forth below, the opportunity to appeal this Order pursuant to Part 756 of the Regulations remains available to Doyduk.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Doyduk's export privileges under the Regulations for a period of seven years from the date of Doyduk's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which

<sup>3</sup> The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

<sup>1</sup> ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801-4852.

Doyduk had an interest at the time of his conviction.<sup>2</sup>

Accordingly, it is hereby *ordered*:

*First*, from the date of this Order until July 12, 2029, Samet Doyduk, with a last known address of 32 E 10th Avenue, Runnemede, NJ 08078–1128, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), 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 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 engaging 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 from any other activity subject to the Regulations.

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

A. Export, reexport, or transfer (in-country) 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*, pursuant to section 1760(e) of ECRA and sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Doyduk by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

*Fourth*, in accordance with part 756 of the Regulations, Doyduk may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of part 756 of the Regulations.

*Fifth*, a copy of this Order shall be delivered to Doyduk and shall be published in the **Federal Register**.

*Sixth*, this Order is effective immediately and shall remain in effect until July 12, 2029.

**John Sonderman,**

*Director, Office of Export Enforcement.*

[FR Doc. 2023–12948 Filed 6–15–23; 8:45 am]

**BILLING CODE 3510–DT–P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

**In the Matter of: Patrick Lee Sousa, Inmate Number: 79996–112, FCI Sheridan, Federal Correctional Institution, P.O. Box 5000, Sheridan, OR 97378; Order Denying Export Privileges**

On October 29, 2021, in the U.S. District Court for the Central District of California, Patrick Lee Sousa (“Sousa”) was convicted of violating 18 U.S.C. 371. Specifically, Sousa was convicted of conspiring to knowingly, intentionally, and willfully engage in

the business of dealing firearms without a license. As a result of his conviction, the Court sentenced Sousa to 57 months of confinement, three years of supervised release, and a \$300 assessment.

Pursuant to section 1760(e) of the Export Control Reform Act (“ECRA”),<sup>1</sup> the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 371, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Sousa’s conviction for violating 18 U.S.C. 371. As provided in section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Sousa to make a written submission to BIS. 15 CFR 766.25.<sup>2</sup> BIS has not received a written submission from Sousa.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Sousa’s export privileges under the Regulations for a period of 10 years from the date of Sousa’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Sousa had an interest at the time of his conviction.<sup>3</sup>

Accordingly, it is hereby *ordered*:

*First*, from the date of this Order until October 29, 2031, Patrick Lee Sousa, with a last known address of Inmate Number: 79996–112, FCI Sheridan, Federal Correctional Institution, P.O. Box 5000, Sheridan, OR 97378, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), 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

<sup>1</sup> ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2022).

<sup>3</sup> The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

<sup>2</sup> The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).