

through Geneva, Switzerland, aircraft component parts.

Section 11(h) of the Export Administration Act of 1979, as amended (currently codified at 50 U.S.C.A. app 2401–2420 (1991 & Supp. 2000 and Pub. L. No. 106–508, November 13, 2000)) (the Act)<sup>1</sup> provides that, at the discretion of the Secretary of Commerce,<sup>2</sup> no person convicted of violating the AECA or the IEEPA, or certain other provisions of the United States Code, shall be eligible to apply for or use any export license issued pursuant to, or provided by, the Act or the Export Administration Regulations (currently codified at 15 CFR Parts 730–774 (2000), as amended (65 FR 14862, March 20, 2000)) (the Regulations), for a period of up to 10 years from the date of the conviction. In addition, any license issued pursuant to the Act in which such a person had any interest at the time of conviction may be revoked.

Pursuant to sections 766.25 and 750.8(a) of the Regulations, upon notification that a person has been convicted of violating the AECA or the IEEPA, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person's export privileges for a period of up to 10 years from the date of conviction and shall determine whether to revoke any license previously issued to such a person.

Having received notice of Reyes's conviction for violating the AECA and the IEEPA, and after providing notice and an opportunity for Reyes to make a written submission to the Bureau of Export Administration before issuing an Order denying his export privileges, as provided in section 766.25 of the Regulations, I, following consultations with the Director, Office of Export Enforcement, have decided to deny Reyes's export privileges for a period of 10 years from the date of his conviction. The 10-year period ends on January 14, 2010. I have also decided to revoke all licenses issued pursuant to the Act in which Reyes had an interest at the time of his conviction.

*Accordingly, it is hereby Ordered:*

<sup>1</sup> During the time of the Act's lapse, (August 20, 1994 through November 12, 2000) the President, through Executive Order 12924 (3 CFR, 1994 Comp. 917 (1995)), which had been extended by successive Presidential Notices, the most recent being that of August 3, 2000 (65 FR 48347, August 8, 2000), continued the Regulations in effect under the IEEPA.

<sup>2</sup> Pursuant to appropriate delegations of authority that are reflected in the Regulations, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary by section 11(h) of the Act.

I. Until January 14, 2010, Randy Reyes, currently incarcerated at: Wachenhut FCI USM # 05425–089, P.O. Box 17001, 1500 Cadet Road, Taft, California 93268, and with an address at: 5250 Colodny Drive, #3, Agoura Hills, California 91301–2656, 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, 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. Benefiting 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.

II. No person may, directly or indirectly, do any of the following:

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.

III. After notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Reyes by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

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

V. This Order is effective immediately and shall remain in effect until January 14, 2010.

VI. In accordance with Part 756 of the Regulations, Reyes may file an appeal from this Order with the Under Secretary for Export Administration. 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.

VII. A copy of this Order shall be delivered to Reyes. This Order shall be published in the **Federal Register**

Dated: January 5, 2001.

**Eileen M. Albanese,**

*Director, Office of Exporter Services.*

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**BILLING CODE 3510-DT-M**

## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

#### Action Affecting Export Privileges; Peter Rigolli, Also Known as Pietro Rigolli, Ian Falcon, G. Tedaldi, Rafael Heredia, and Farid H. Talab

In the Matter of: Peter Rigolli, also known as Pietro Rigolli, Ian Falcon, G. Tedaldi, Rafael Heredia, and Farid H. Talab, currently incarcerated at: Inmate #044–22082, FCI Otisville, P.O. Box 600, Otisville, New York 10963; and with an address at: 118 Northview, Dollar Des, Ormeaux, Quebec, Canada H9B3J6.

#### Order Denying Export Privileges

On March 27, 2000, Peter Rigolli, also known as Pietro Rigolli, Ian Falcon, G.

Tedaldi, Rafael Heredia, and Farid H. Talab (hereinafter referred to as Rigolli), was convicted in the United States District Court for the District of Connecticut of violating the International Emergency Economic Powers Act (50 U.S.C.A. 1701–1706 (1991 & Supp. 2000)) (IEEPA) and the Export Administration Act of 1979, as amended (currently codified at 50 U.S.C.A. app. 2401–2420 (1991 & Supp. 2000 and Pub. L. No. 106–508, November 13, 2000)) (the Act).<sup>1</sup> Specifically, Rigolli was convicted of knowingly and willfully exporting and causing to be exported from the United States to Canada and Switzerland, and then re-exported to Iran, aircraft parts without having first obtained a validated export license, and of knowingly and willfully making false, fictitious, and fraudulent statements and representations to effect the export of aircraft engine parts by representing that the ultimate destination for those parts was the country of Singapore, which statement he knew to be untrue.

Section 11(h) of the Act provides that, at the discretion of the Secretary of Commerce,<sup>2</sup> no person convicted of violating the IEEPA or the Act, or certain other provisions of the United States Code, shall be eligible to apply for or use any export license issued pursuant to, or provided by, the Act or the Export Administration Regulations (currently codified at 15 CFR Parts 730–774 (2000), as amended (65 FR 14862, March 20, 2000)) (the Regulations), for a period of up to 10 years from the date of the conviction. In addition, any license issued pursuant to the Act in which such a person had any interest at the time of conviction may be revoked.

Pursuant to sections 766.25 and 750.8(a) of the Regulations, upon notification that a person has been convicted of violating the IEEPA or the Act, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person's export privileges for a period of up to 10 years from the date of conviction and shall also determine

whether to revoke any license previously issued to such a person.

Having received notice of Rigolli's conviction for violating the IEEPA and the Act, and after providing notice and an opportunity for Rigolli to make a written submission to the Bureau of Export Administration before issuing an Order denying his export privileges, as provided in section 766.25 of the Regulations, I, following consultations with the Director, Office of Export Enforcement, have decided to deny Rigolli's export privileges for a period of 10 years from the date of his conviction. The 10-year period ends on March 27, 2010. I have also decided to revoke all licenses issued pursuant to the Act in which Rigolli had an interest at the time of his conviction.

Accordingly, it is hereby *Ordered*:

I. Until March 27, 2010, Peter Rigolli, also known as Pietro Rigolli, Ian Falcon, G. Tedaldi, Rafael Heredia, and Farid H. Talab, currently incarcerated at: Inmate #044–22082, FCI Otisville, P.O. Box 600, Otisville, New York 10963; and with an address at: 118 Northview, Dollar Des, Ormeaux, Quebec, Canada H9B3J6, 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, 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. Benefiting 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.

II. No person may, directly or indirectly, do any of the following:

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.

III. After notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Rigolli by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

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

V. This Order is effective immediately and shall remain in effect until March 27, 2010.

VI. In accordance with Part 756 of the Regulations, Rigolli may file an appeal from this Order with the Under Secretary for Export Administration. 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.

VII. A copy of this Order shall be delivered to Rigolli. This Order shall be published in the **Federal Register**.

Dated: January 5, 2001.

**Eileen M. Albanese,**

*Director, Office of Exporter Services.*

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<sup>1</sup> During the time of the Act's lapse, (August 20, 1994 through November 12, 2000) the President, through Executive Order 12924 (3 CFR, 1994 Comp. 917 (1995)), which had been extended by successive Presidential Notices, the most recent being that of August 3, 2000 (65 FR 48347, August 8, 2000), continued the Regulations in effect under the IEEPA.

<sup>2</sup> Pursuant to appropriate delegations of authority that are reflected in the Regulations, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary by section 11(h) of the Act.