

Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Central Idaho Resource Advisory Committee Meeting

AGENCY: Forest Service, USDA.

ACTION: Notice of Meeting.

SUMMARY: Pursuant to the authorities in the Federal Advisory Committee Act (Pub. L. 92-463) and under the Secure Rural Schools and Community Self Determination Act of 2000 (Pub. L. 106-393), the Salmon-Challis National Forest's Central Idaho Resource Advisory Committee will conduct a business meeting which is open to the public.

DATES: Thursday, January 14, 2010, beginning at 10 a.m.

ADDRESSES: Salmon-Challis N.F. South Zone Office, Highway 93, Challis, Idaho.

SUPPLEMENTARY INFORMATION: Agenda topics will include review 2009 projects and begin review and approval of new project proposals for 2010. The meeting will include an open public forum.

FOR FURTHER INFORMATION CONTACT: William A. Wood, Forest Supervisor and Designated Federal Officer, at 208-756-5111.

Dated: December 8, 2009.

William A. Wood,

Forest Supervisor, Salmon-Challis National Forest.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Action Affecting Export Privileges: Hailin Lin

In the Matter of: Hailin Lin, 1218 Dewey St., #14, Manitowoc, WI 54220, Respondent. 07-BIS-01.

Order Relating to Hailin Lin

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS") has initiated an administrative proceeding against Hailin Lin ("Lin") pursuant to Section 766.3 of the Export Administration Regulations (the "Regulations"),¹ and Section 13(c) of the Export Administration Act of 1979, as amended (the "Act"),² through the issuance of a charging letter to Lin that alleged that she committed 124 violations of the Regulations. Specifically, the charges are:

Charge 1: 15 CFR 764.2(d)—Conspiracy To Export Electronic Components to the Republic of China Without the Required Licenses

Between on or about March 16, 1992 and on or about September 30, 2004, Lin conspired with others, known and unknown, to bring about acts that violated the Regulations. The object of the conspiracy was to export electronic components from the United States to the People's Republic of China (PRC) in violation of U.S. export control laws by failing to obtain the proper export licenses for certain shipments, and/or providing false descriptions and/or withholding required information on the invoices provided to the shippers. In furtherance of this conspiracy, the co-conspirators, through Wen Enterprises—a business run by Lin out of her own home—caused exports of electronic components controlled under Export Control Classification Numbers ("ECCNs") 3A001 and 3A002 on the Commerce Control List to the PRC without the licenses required by the Regulations. Items classified under ECCNs 3A001 and 3A002 are controlled for national security reasons and their export to the PRC requires a license from the U.S. Department of Commerce pursuant to Section 742.2 of the Regulations. Also in furtherance of this conspiracy, the co-conspirators made false representations regarding the true value of shipments being exported to the PRC. In conspiring to bring about acts that violate the

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730-774 (2009). The violations charged occurred between 2002 and 2004. The Regulations governing the violations at issue are found in the 2002-2004 versions of the Code of Federal Regulations. The 2009 Regulations govern the procedural aspects of this case.

² 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. 1701-1706).

Regulations, Lin committed one violation of Section 764.2(d) of the Regulations.

Charges 2-56: 15 CFR 764.2(b)—Causing an Export Without the Required License

Between on or about January 28, 2002 through on or about September 30, 2004, Lin caused 55 acts prohibited by the Regulations. Specifically, Lin caused 55 exports of items controlled under ECCNs 3A001 and 3A002 to the PRC without the licenses required by Section 742.2 of the Regulations. These exports were committed in furtherance of and as a reasonably foreseeable consequence of the conspiracy described in Charge One above. In so doing, Lin committed 55 violations of Section 764.2(b) of the Regulations.

Charges 57-111: 15 CFR 764.2(e)—Acting With Knowledge of a Violation

In connection with each of the transactions described in Charges 2 through 56 above, on 55 occasions between on or about January 28, 2002 through on or about September 30, 2004, Lin bought, sold, and/or transferred electronic components subject to the Regulations to be exported from the United States with knowledge that a violation of the Regulations was about to occur or was intended to occur in connection with the components. Specifically, at the time that the electronic components were bought, sold and/or transferred, all of which were done as a reasonably foreseeable consequence of the conspiracy described in Charge One above, Lin knew or had reason to know that the export of the items required an export license but that an export license would not be obtained. In so doing, Lin committed 55 violations of Section 764.2(e) of the Regulations.

Charges 112-12415: CFR 764.2(h)—Taking Action With Intent To Evade the Regulations

In connection with certain transactions described above, on thirteen occasions between on or about April, 5 2004 through on or about September 30, 2004, Lin took actions with intent to evade the provisions of the Regulations. Specifically, in connection with the preparation of export control documents, Lin did make false statements and conceal material facts by representing on shipping invoices that the value of thirteen different shipments was less than \$2500 when in fact the true value of the shipments exceeded \$2500. This was done so that Shipper's Export Declarations, which are filed with the U.S. Government and which must contain information about export license requirements, would not be requested for the exports. In so doing, Lin committed 13 violations of Section 764.2(h) of the Regulations.

Whereas, BIS and Lin have entered into a Settlement Agreement pursuant to Section 766.18(b) of the Regulations whereby they agreed to settle this matter