

DEPARTMENT OF COMMERCE**Economic Development Administration****The National Advisory Council on Innovation and Entrepreneurship Meeting of the National Advisory Council on Innovation and Entrepreneurship****AGENCY:** U.S. Department of Commerce.**ACTION:** Notice of an Open Meeting Cancellation.

SUMMARY: The National Advisory Council on Innovation and Entrepreneurship (NACIE) has cancelled its open meeting, originally planned for Tuesday, February 19, 2013. The meeting, which was to be the quarterly meeting of NACIE, will not be held this quarter. We expect the next quarterly meeting to be held later this year. Please visit the Web site of the Economic Development Administration (www.eda.gov) to see documents related to previous NACIE meetings and activities and notices about future meetings.

FOR FURTHER INFORMATION CONTACT: Nish Acharya, Office of Innovation and Entrepreneurship, Room 70007R, 1401 Constitution Avenue, Washington DC 20230; telephone: 202-482-4068.

Dated: February 6, 2013.

Nish Acharya

Director, Office of Innovation & Entrepreneurship, U.S. Department of Commerce.

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BILLING CODE 3510-03-P**DEPARTMENT OF COMMERCE****Bureau of Industry and Security****Connor Hayden Kraegel, 19917 Spurrier Avenue, Poolesville, MD 20837; Order Denying Export Privileges**

On August 24, 2011, in the U.S. District Court, District of Maryland, Connor Hayden Kraegel (“Kraegel”) was convicted of violating Section 38 of the Arms Export Control Act (22 U.S.C. 2778 (2006 & Supp. IV 2010)) (“AECA”). Specifically, Kraegel was convicted of knowingly and willfully exporting from the United States a set of AN/AVS-6 night vision goggles, which is designated as a defense article on the United States Munitions List, without having first obtained from the Department of State a license for such export. Kraegel was sentenced to eight months of prison, to run concurrent with the sentence imposed in the

United States District Court for the District of Montana, Case 10-27-BU-SWM. Kraegel was entitled to credit for time served and was released from prison on April 2, 2012. Kraegel is also listed on the U.S. Department of State Debarred List.

Section 766.25 of the Export Administration Regulations (“EAR” or “Regulations”)¹ provides, in pertinent part, that “[t]he Director of the Office of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny the export privileges of any person who has been convicted of a violation of the Export Administration Act (“EAA”), the EAR, or any order, license or authorization issued thereunder; any regulation, license, or order issued under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706); 18 U.S.C. 793, 794 or 798; section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b)), or section 38 of the Arms Export Control Act (22 U.S.C. 2778).” 15 CFR 766.25(a); see also Section 11(h) of the EAA, 50 U.S.C. app. § 2410(h). The denial of export privileges under this provision may be for a period of up to 10 years from the date of the conviction. 15 CFR 766.25(d); see also 50 U.S.C. app. § 2410(h). In addition, Section 750.8 of the Regulations states that the Bureau of Industry and Security’s Office of Exporter Services may revoke any Bureau of Industry and Security (“BIS”) licenses previously issued in which the person had an interest in at the time of his conviction.

I have received notice of Kraegel’s conviction for violating the AECA, and have provided notice and an opportunity for Kraegel to make a written submission to BIS, as provided in Section 766.25 of the Regulations. I have received a submission from Kraegel. Based upon my review and consultations with BIS’s Office of Export Enforcement, including its Director, and the facts available to BIS, I have decided to deny Kraegel’s export privileges under the Regulations for a period of 10 years from the date of Kraegel’s conviction. I have also decided to revoke all licenses issued

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2012). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. app. §§ 2401-2420 (2000)) (“EAA”). Since August 21, 2001, the EAA has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2012 (77 FR 49699 (August 16, 2012)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2006 & Supp. IV 2010)).

pursuant to the Act or Regulations in which Kraegel had an interest at the time of his conviction.

Accordingly, it is hereby *ordered*.

I. Until August 24, 2021, Connor Hayden Kraegel, with a last known address at: 19917 Spurrier Avenue, Poolesville, MD 20837, and when acting for or on behalf of Kraegel, his representatives, assigns, agents or employees (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 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 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