

Pursuant to section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, 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 Dorame’s conviction for violating 18 U.S.C. 554. As provided in section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Dorame to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Dorame.

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 Dorame’s export privileges under the Regulations for a period of five years from the date of Dorame’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Dorame had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until January 26, 2026, Jorge Martin Dorame, Jr., with a last known address of 4540 S Rural Road, Apt. G8, Tempe, AZ 85282, 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 Dorame 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, Dorame 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 Dorame and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until January 26, 2026.

John Sonderman,

Director, Office of Export Enforcement.

[FR Doc. 2023-03445 Filed 2-16-23; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Rafael Palomares, Jr., Inmate Number: 16266-508, FCI Florence, Federal Correctional Institution, P.O. Box 6000, Florence, CO 81226; Order Denying Export Privileges

On May 13, 2021, in the U.S. District Court for the District of Arizona, Rafael Palomares, Jr. (“Palomares”) was convicted of violating section 38 of the Arms Export Control Act (22 U.S.C. 2778) (“AECA”). Specifically, Palomares was convicted of knowingly and willfully agreeing to conspire with others to export firearms from the United States to Mexico without the required licenses. As a result of his conviction, the Court sentenced Palomares to 45 months of confinement with credit for time served, three years of supervised release and a \$100 assessment.

Pursuant to section 1760(e) of the Export Control Reform Act (“ECRA”), the export privileges of any person who has been convicted of certain offenses, including, but not limited to, section 38 of the AECA, may be denied for a period of up to ten (10) years from the date of his/her conviction. *See* 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 Palomares’s conviction for violating Section 38 of the AECA. BIS provided notice and opportunity for Palomares to make a written submission to BIS, as provided in section 766.25 of the Export Administration Regulations (“EAR” or

¹ 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.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2022).

³ 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).

the “Regulations”). 15 CFR 766.25.² BIS has not received a written submission from Palomares.

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 Palomares’s export privileges under the Regulations for a period of 10 years from the date of Palomares’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Palomares had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until May 13, 2031, Rafael Palomares, Jr., with a last known address of Inmate Number: 16266–508, FCI Florence, Federal Correctional Institution, P.O. Box 6000, Florence, CO 81226, 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 (50 U.S.C. 4819(e)) and sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Palomares 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, Palomares 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 Palomares and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until May 13, 2031.

John Sonderman,

Director, Office of Export Enforcement.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Carlos Francisco Rodriguez, 4902 Marcella Ave., Apartment 25, Laredo, TX 78041–6315; Order Denying Export Privileges

On November 3, 2021, in the U.S. District Court for the Southern District of Texas, Carlos Francisco Rodriguez (“Francisco Rodriguez”) was convicted of violating 18 U.S.C. 554(a). Specifically, Francisco Rodriguez was convicted of knowingly and willfully attempting to smuggle from the U.S. to Mexico approximately 15,923 rounds of ammunition of assorted calibers. As a result of his conviction, the Court sentenced Francisco Rodriguez to 24 months in prison, 3 years of supervised release, and a \$100 special assessment.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, 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) (Prior Convictions). 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 Francisco Rodriguez’s conviction for violating 18 U.S.C. 554(a) and, as provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), has provided notice and opportunity for Francisco Rodriguez to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a submission from Francisco Rodriguez.

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 Francisco Rodriguez’s export privileges under the Regulations for a period of seven years from the date of Francisco Rodriguez’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Francisco

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

³ 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).

¹ 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.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 30–774 (2022).