

closing period for their receipt is April 5, 2021.

A copy of the notification will be available for public inspection in the "Reading Room" section of the Board's website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Juanita Chen at [juanita.chen@trade.gov](mailto:juanita.chen@trade.gov) or 202-482-1378.

Dated: February 18, 2021.

**Andrew McGilvray,**

*Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Transportation and Related Equipment Technical Advisory Committee; Notice of Partially Closed Meeting

The Transportation and Related Equipment Technical Advisory Committee will meet on March 10, 2021, at 11:30 a.m., Eastern Standard Time, via teleconference. The Committee advises the Office of the Assistant Secretary for Export Administration with respect to technical questions that affect the level of export controls applicable to transportation and related equipment or technology.

#### Agenda

##### Public Session

1. Welcome and Introductions.
2. Status reports by working group chairs.
3. Public comments and Proposals.

##### Closed Session

4. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3).

The open session will be accessible via teleconference to participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Yvette Springer at [Yvette.Springer@bis.doc.gov](mailto:Yvette.Springer@bis.doc.gov) no later than March 3, 2021.

To the extent time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate distribution of public presentation materials to Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Springer via email.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel,

formally determined on February 9, 2021, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app. 2 § 10(d)), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

For more information, call Yvette Springer at (202) 482-2813.

**Yvette Springer,**

*Committee Liaison Officer.*

[FR Doc. 2021-03816 Filed 2-23-21; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### In the Matter of: Fahad Saleem Kharbey, Inmate Number: 66834-018, FMC Lexington, Federal Medical Center, P.O. Box 14500, Lexington, KY 40512; Order Denying Export Privileges

On May 31, 2019, in the U.S. District Court for the Middle District of Florida, Fahad Saleem Kharbey ("Kharbey"), was convicted of violating 18 U.S.C. 554(a). Specifically, Kharbey was convicted of fraudulently and knowingly exporting firearms and magazines, designated as defense articles on the United States Munitions List, from the United States to Dubai, United Arab Emirates, without having first obtained a license or other approval from the United Department of State, in violation of 18 U.S.C. 554. Kharbey was sentenced to 36 months in prison, supervised release for three years, a \$200 special assessment and restitution of \$755,281.13.

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. 554(a), 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.*

<sup>1</sup> ECRA was enacted 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. Kharbey's conviction post-dates ECRA's enactment on August 13, 2018.

BIS received notice of Kharbey's conviction for violating 18 U.S.C. 554(a), and has provided notice and opportunity for Kharbey to make a written submission to BIS, as provided in Section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"). 15 CFR 766.25.<sup>2</sup> BIS has not received a written submission from Kharbey.

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 Kharbey's export privileges under the Regulations for a period of seven years from the date of Kharbey's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Kharbey 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 May 31, 2026, Fahad Saleem Kharbey, with a last known address of Inmate Number: 66834-018, FMC Lexington, Federal Medical Center,

P.O. Box 14500, Lexington, KY 40512, 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,

<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2020). The Regulations originally issued under the Export Administration Act of 1979, as amended, 50 U.S.C. 4601-4623 (Supp. III 2015) ("EAA"), which lapsed on August 21, 2001. The President, through Executive Order 13,222 of August 17, 2001 (3 CFR., 2001 Comp. 783 (2002)), which was extended by successive Presidential Notices, continued the Regulations in full force and effect under the International Emergency Economic Powers Act, 50 U.S.C. 1701, *et seq.* (2012) ("IEEPA"). Section 1768 of ECRA, 50 U.S.C. 4826, provides in pertinent part that all rules and regulations that were made or issued under the EAA, including as continued in effect pursuant to IEEPA, and were in effect as of ECRA's date of enactment (August 13, 2018), shall continue in effect according to their terms until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA. *See* note 1 above.

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