

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:)
)
Yasmin Ahmed)
612 Business Centre) 05-BIS-24
Mumtaz Hasan Road)
Off I.I. Chundrigar Road)
Karachi, Pakistan)
)
Respondent.)

FINAL DECISION AND ORDER

This matter is before me upon a Recommended Decision and Order (“RDO”) of an Administrative Law Judge (“ALJ”).

In a charging letter issued on December 15, 2005, the Bureau of Industry and Security (“BIS”) alleged that Respondent, Yasmin Ahmed,¹ committed four violations of the Export Administration Regulations (currently codified at 15 C.F.R. Parts 730-774 (2008) (“Regulations”)),² issued pursuant to the Export Administration Act of 1979, as amended (50 U.S.C. §§ app. 2401-2420 (2000)) (“Act”).³

The charging letter included a total of four charges based on Yasmin Ahmed’s actions as a sales representative of Advance Technical System (“ATS”) of Dubai, United Arab

¹ Yasmin Ahmed was also known as Fatimah Mohammad and Yasmin Ahmed Tariq during the period in which the charged violations occurred.

² The charged violations occurred during the 2000 - 2002 period. The Regulations governing the violations at issue are found in the 2000 - 2002 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2000 - 2002)). The 2008 Regulations establish the procedures that apply to this matter.

³ Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2007 (72 FR 46,137 (August 16, 2007)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2000)) (“IEEPA”).

Emirates ("UAE") in connection with unlawful shipments of U.S.-origin radar parts made to Pakistan through the UAE. Specifically, the charging letter alleged as follows:

Charge 1 (15 C.F.R. §764.2(b) - Causing the Filing of a False Statement on Shipper's Export Declaration as to the Ultimate Destination)

On or about December 18, 2000, Ahmed caused the filing of a false statement with the U.S. Government in violation of the Regulations. Specifically, in connection with the export of radar parts ("parts"), items subject to the Regulations ("EAR99")⁴, from the United States to Pakistan via the UAE, Ahmed submitted an end-user certificate, DSP Form 83⁵, to the exporter that falsely stated that the Bangladeshi Air Force was the end-user of the parts. The exporter relied on the end-user information submitted by Ahmed in completing a Shipper's Export Declaration (SED) for the export of the parts which falsely stated that the country of ultimate destination was Bangladesh. The actual country of ultimate destination was Pakistan. By providing false end-user information to the exporter, Ahmed committed one violation of Section 764.29([b])⁶ of the Regulations.

Charge 2 (15 C.F.R. § 764.2(c) - Attempting to Cause a Violation of the Regulations by Submitting False End-User Information to Exporter)

On or about April 16, 2002, Ahmed attempted to cause a violation of the Regulations by submitting a false end-user certificate to the exporter in connection with the export of parts, items subject to the Regulations, from the United States to Pakistan via the UAE. The certificate stated that the Bangladeshi Air Force was the end-user of the parts. The actual country of ultimate destination was Pakistan. The exporter relied on the end-user information submitted by Ahmed in completing an airway bill listing Bangladesh as the ultimate destination of the parts. In completing the SED for the export based on a consultation of the airway bill, however, the freight forwarder incorrectly listed UAE as the country of ultimate destination. By providing false end-user information to the exporter, Ahmed attempted to cause a violation of the

⁴ EAR 99 is a designation for items subject to the Regulations that are not listed on the Commerce Control list.

⁵ The DSP Form 83, "Nontransfer and Use Certificate," is used by the State Department in connection with the export of munitions items subject to the State Department's export controls. The Respondent used it here in connection with items subject to the Regulations.

⁶ Due to a typographical error, the charging letter incorrectly referred to Section 764.2(g) in the last sentence of Charge One, rather than Section 764.2(b). As indicated by Charge One's heading and by its content, the last sentence should have referred to 764.2(b), the violation provision that corresponds to the causing language that comprises the substance of the charge. This typographical error does not prejudice the Respondent, as it is clear that the intended reference was to Section 764.2(b).

Regulations. In so doing, Ahmed committed one violation of Section 764.2(c) of the Regulations.

Charge 3 (15 C.F.R. §764.2(h) - Actions Taken with Intent to Evade the Provisions of the Regulations)

In connection with the export described in Charge 1 above, Ahmed took actions with the intent to evade the provisions of the Regulations. Specifically, Ahmed took actions, including but not limited to, obtaining false signatures from a purported end-user and representative of ATS for inclusion on an end-user certificate submitted to an exporter in connection with the export of parts, items subject to the Regulations, from the United States to Pakistan via the UAE. The purpose of securing the false signatures was to prepare a false end-user certificate concealing the actual destination for the parts, Pakistan. The exporter relied on the information provided in the end-user certificates in preparing an SED which falsely stated the country of ultimate destination. In so doing, Ahmed committed one violation of Section 764.2(h) of the Regulations.

Charge 4 (15 C.F.R. §764.2(h) - Actions Taken with Intent to Evade the Provisions of the Regulations)

In connection with the export described in Charge 2 above, Ahmed took actions with the intent to evade the provisions of the Regulations. Specifically, Ahmed took actions, including but not limited to, obtaining false signatures from a purported end-user and representative of ATS for inclusion on an end-user certificate submitted to an exporter in connection with the export of parts, items subject to the Regulations, from the United States to Pakistan via the UAE. The purpose of obtaining the false signatures was to prepare a false end-user certificate concealing the actual destination for the parts, Pakistan. The exporter relied on the information provided in the end-user certificates in preparing an SED which falsely stated the country of ultimate destination. In so doing, Ahmed committed one violation of Section 764.2(h) of the Regulations.

In accordance with Section 766.3(b)(1) of the Regulations, on December 15, 2005, BIS mailed the notice of issuance of the charging letter by registered mail to Yasmin Ahmed at her last known address, which is in Pakistan. Although BIS did not receive a signed return mail receipt for the letter, the charging letter was delivered no later than on or about February 16, 2006. On or about that date, Yasmin Ahmed telephoned the BIS attorney named in the charging letter to discuss that letter, as well as the charging letter in a related administrative proceeding also initiated by BIS on December 15, 2005, In the Matter of NEAZ Trading Corporation

(Docket No. 05-BIS-23). Ms. Ahmed had possession of the Yasmin Ahmed charging letter by the date of that telephone call; otherwise, she would not have known the name or direct contact information for BIS's attorney or been able to discuss the charging letter with BIS. To date, however, Yasmin Ahmed has not filed an answer to the charging letter with the ALJ, as required by the Regulations.

Under Section 766.6(a) of the Regulations, the "respondent must answer the charging letter within 30 days after being served with notice of issuance" of the charging letter.

Section 766.7(a) of the Regulations provides that the "[f]ailure of the respondent to file an answer within the time provided constitutes a waiver of the respondent's right to appear and contest the allegations in the charging letter," and that "on BIS's motion and without further notice to the respondent, [the ALJ] shall find the facts to be as alleged in the charging letter."

In accordance with Section 766.7 of the Regulations, and because more than thirty days had passed since Ahmed had been served with the charging letter, BIS filed a Motion for Default Order that was received by the ALJ on July 15, 2008. This Motion for Default Order recommended that Ahmed be denied export privileges under the Regulations for a period of seven years.

On September 16, 2008, based on the record before him, the ALJ issued a RDO in which he found Yasmin Ahmed in default, found the facts to be as alleged in the charging letter, and held that Ahmed had committed the four violations alleged in the charging letter. The ALJ also recommended the penalty of denial of Yasmin Ahmed's export privileges for seven years.

The RDO, together with the entire record in this case, has been referred to me for final action under Section 766.22 of the Regulations. I find that the record supports the ALJ's

findings of fact and conclusions of law with one modification. With respect to Charge One, I modify the RDO to the extent it states at one point that Yasmin Ahmed committed one violation “of Section 764.2(g) of the Regulations”, RDO at 3, because the violation set forth in Charge One, as indicated by its heading and the content of that charging paragraph, is a violation under Section 764.2(b) of the Regulations. See note 6, *supra*. I also find that the penalty recommended by the ALJ is appropriate, given the serious nature of the violations and the importance of preventing future unauthorized exports or similar conduct in violations of the Regulations.

Based on my review of the entire record, I affirm the findings of fact and conclusions of law in the RDO with the one modification regarding Charge One that is described above.

ACCORDINGLY, IT IS THEREFORE ORDERED:

FIRST, that, for a period of seven (7) years from the date this Order is published in the *Federal Register*, Yasmin Ahmed, 612 Business Centre, Mumtaz Hasan Road, Off I.I. Chundrigar Road, Karachi, Pakistan, and when acting for or on behalf of Yasmin Ahmed, her representatives, agents, assigns and employees (hereinafter collectively referred to as 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, 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. 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.

SECOND, that 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 that 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.

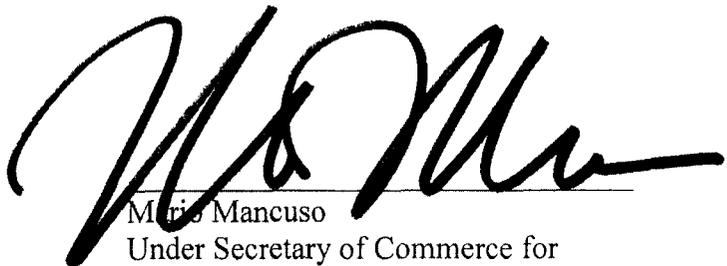
THIRD, that, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to the Denied Person by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may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

FOURTH, that 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.

FIFTH, that this Order shall be served on the Denied Person and on BIS, and shall be published in the *Federal Register*. In addition, the ALJ's Recommended Decision and Order, except for the section related to the Recommended Order, shall be published in the *Federal Register*.

This Order, which constitutes the final agency action in this matter, is effective upon publication in the *Federal Register*.

Dated: October 16, 2008



Maria Mancuso
Under Secretary of Commerce for
Industry and Security

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:)	
)	
NEAZ Trading Corporation)	
)	
612 Business Centre)	05-BIS-23
Mumtaz Hasan Road)	
Off I.I. Chundrigar Road)	
Karachi, Pakistan)	
)	
Respondent.)	

RECOMMENDED DECISION AND ORDER

On December 15, 2005, the Bureau of Industry and Security, U.S. Department of Commerce (BIS), issued a charging letter initiating this administrative enforcement proceeding against NEAZ Trading Corporation (NEAZ). The charging letter alleged NEAZ committed two violations of the Export Administration Regulations (currently codified at 15 CFR Parts 730-774 (2008)) (Regulations),¹ issued under the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401-2420 (2000)) (the Act).² In accordance with § 766.7 of the Regulations, BIS has moved for the issuance of an Order of Default against NEAZ in connection with Charge 1 in the charging letter, as

¹ The violations charged occurred during 2002 period. The Regulations governing the violations at issue are found in the 2002 version of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2002)). The 2008 Regulations establish the procedures that apply to this matter.

² Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2007 (72 Fed. Reg. 46137 (Aug. 16, 2007)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2000)) ("IEEPA").

NEAZ has failed to file an answer to the allegation in the charging letter issued by BIS within the time period required by the Regulations.³

A. Legal Authority for Issuing an Order of Default

Section 766.7 of the Regulations states that upon motion by BIS, the Court shall find a respondent in default if the respondent fails to properly file a timely answer to a charging letter. That section, entitled Default, provides in pertinent part:

Failure of the respondent to file an answer within the time provided constitutes a waiver of the respondent's right to appear and contest the allegations in the charging letter. In such event, the administrative law judge, on BIS's motion and without further notice to the respondent, shall find the facts to be as alleged in the charging letter and render an initial or recommended decision containing findings of fact and appropriate conclusions of law and issue or recommend an order imposing appropriate sanctions.

15 CFR 766.7 (2006).

Pursuant to § 766.6 of the Regulations, a respondent must file an answer to the charging letter "within 30 days after being served with notice of the issuance of the charging letter" initiating the proceeding.

B. Service of the Notice of Issuance of Charging Letter

In this case, BIS served notice of issuance of the charging letter in accordance with §766.3(b)(1) of the Regulations when it sent a copy of the charging letter by registered mail to NEAZ at its last known address on December 15, 2005. BIS did not receive a return mail receipt for the letter. To date, NEAZ has failed to file an answer to the charging letter as required by Section 766.6 of the Regulations. On or about February 16, 2006, Yasmin Ahmed, NEAZ's Chief Operating Officer (the person to whose attention the NEAZ letter was directed) telephoned BIS attorney of record, Parvin Huda.

³ In a Notice of Withdrawal filed simultaneously with its Motion For Default Order, BIS provided notice to the Administrative Law Judge that it was withdrawing Charge 2.

Since Ms. Ahmed contacted BIS on February 16, 2006, Ms. Ahmed must have been in possession of the Charging Letter or she would not have known Ms. Huda's contact information. Clearly 30 days has passed since Ms. Ahmed received the charging letter. Accordingly, NEAZ is in default.

C. Summary of Violations Charged

The charging letter filed by BIS included two charges. BIS provided notice that it was withdrawing the second charge, in its Notice of Withdrawal filed with the Administrative Law Judge simultaneously with its Motion for Default Order. BIS's Motion for Default Order covered the one remaining charge, Charge 1, which alleged that on or about April 27, 2002, NEAZ, through its operations specialist, took actions with the intent to evade the U.S. Government's licensing requirements for exports to Pakistan. These actions included, but were not limited to, the submission of false information to a freight forwarder in connection with an export of components for an online chemical monitoring system, items subject to the Regulations (EAR99⁴ and "ECCN 4A994"⁵), from the United States to the Karachi Nuclear Power Plant ("KANUPP") in Karachi, Pakistan via the United Arab Emirates (UAE). NEAZ provided shipping information representing that the consignee was in the UAE but omitting the final destination for the items. BIS alleges the purpose of NEAZ's actions was to conceal the end-user, KANUPP, a Pakistani organization on the Entity List set forth in Supplement No. 4 to Part 744 of the Regulations and for which a Department of Commerce export license was required by Section 744.1 of the Regulations.

⁴ EAR 99 is a designation for items subject to the Regulations that are not listed on the Commerce Control List.

⁵ "ECCN" refers to "Export Control Classification Number." See Supp. 1 to 15 C.F.R. § 774.

D. Penalty Recommendation

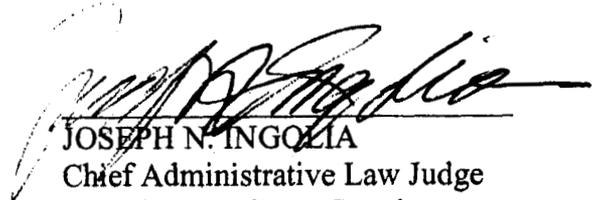
[REDACTED SECTION]

[REDACTED SECTION]

E. Conclusion

Accordingly, I am referring this Recommended Decision and Order to the Under Secretary of Commerce for Industry and Security for review and final action for the agency, without further notice to the Respondent, as provided in § 766.7 of the Regulations.

Within 30 days after receipt of this Recommended Decision and Order, the Under Secretary shall issue a written order affirming, modifying, or vacating the Recommended Decision and Order. See 15 CFR 766.22(c).



JOSEPH N. INGOLIA
Chief Administrative Law Judge
United States Coast Guard

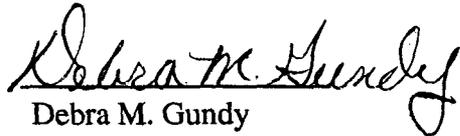
Done and dated 16th of September, 2008
Baltimore, Maryland

Certificate of Service

I hereby certify that I have served the foregoing RECOMMENDED DECISION AND ORDER upon the following party in this proceeding at the addresses indicated below by First Class Mail to:

Parvin R. Huda, Senior Counsel
Attorneys for Bureau of Industry and Security
Office of Chief Counsel
For Industry and Security
U.S. Department of Commerce
Room H-3839
14th Street & Constitution Avenue, N.W.
Washington, DC 20230
(202) 482-5301

NEAZ Trading Corporation
612 Business Centre
Mumtaz Hasan Road
Off I.I Chundrigar Road
Karachi, Pakistan



Debra M. Gundy
Paralegal Specialist
Administrative Law Judges Office
U.S. Coast Guard

Dated on September 18, 2008
Baltimore, Maryland

DEC 15 2005



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of Industry and Security
Washington, D.C. 20230

REGISTERED MAIL - RETURN RECEIPT REQUESTED

Yasmin Ahmed
612 Business Centre
Mumtaz Hasan Road
Off I.I. Chundrigar Road
Karachi, Pakistan

Dear Ms. Ahmed:

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS"), has reason to believe that you, Yasmin Ahmed, as sales representative of Advance Technical System ("ATS") of Dubai, United Arab Emirates ("UAE"), in your individual capacity ("YAhmed")¹, have committed four violations of the Export Administration Regulations (the "Regulations"),² which are issued under the authority of the Export Administration Act of 1979 (the "Act").³ Specifically, BIS charges that YAhmed has committed the following violations:

Charge 1 (15 C.F.R. §764.2(b) - Causing the Filing of a False Statement on Shipper's Export Declaration as to the Ultimate Destination)

¹Yasmin Ahmed was also known as Fatimah Mohammad and Yasmin Tariq during the period in which the charged violations occurred.

² The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2005). The charged violations occurred during the 2000-2002 period. The Regulations governing the violations at issue are found in the 2000-2002 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2000-2002)). The 2005 Regulations establish the procedures that apply to this matter.

³ 50 U.S.C. app. §§ 2401- 2420 (2000). From August 21, 1994 through November 12, 2000, the Act was in lapse. During that period, the President, through Executive Order 12924, which had been extended by successive Presidential Notices, the last of which was August 3, 2000 (3 C.F.R., 2000 Comp. 397 (2001)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701 - 1706 (2000)) ("IEEPA"). On November 13, 2000, the Act was reauthorized by Pub/L. No. 106-508 (114 Stat. 2360 (2000)) and it remained in effect through August 20, 2001. Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), as extended by the Notice of August 2, 2005, (70 Fed. Reg. 45273 (August 5, 2005)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701 - 1706 (2000)).



On or about December 18, 2000, YAhmed caused the filing of a false statement with the U.S. Government in violation of the Regulations. Specifically, in connection with the export of radar parts ("parts"), items subject to the Regulations ("EAR99")⁴, from the United States to Pakistan via the UAE, YAhmed submitted an end-user certificate, DSP Form 83⁵, to the exporter that falsely stated that the Bangladeshi Air Force was the end-user of the parts. The exporter relied on the end-user information submitted by YAhmed in completing a Shipper's Export Declaration (SED) for the export of the parts which falsely stated that the country of ultimate destination was Bangladesh. The actual country of ultimate destination was Pakistan. By providing false end-user information to the exporter, YAhmed committed one violation of Section 764.2(g) of the Regulations.

Charge 2 (15 C.F.R. § 764.2(c) - Attempting to Cause a Violation of the Regulations by Submitting False End-User Information to Exporter)

On or about April 16, 2002, YAhmed attempted to cause a violation of the Regulations by submitting a false end-user certificate to the exporter in connection with the export of parts, items subject to the Regulations, from the United States to Pakistan via the UAE. The certificate stated that the Bangladeshi Air Force was the end-user of the parts. The actual country of ultimate destination was Pakistan. The exporter relied on the end-user information submitted by YAhmed in completing an airwaybill listing Bangladesh as the ultimate destination of the parts. In completing the SED for the export based on a consultation of the airwaybill, however, the freight forwarder incorrectly listed UAE as the country of ultimate destination. By providing false end-user information to the exporter, YAhmed attempted to cause a violation of the Regulations, specifically, the filing of a SED with false end-user information in violation of Section 764.2(g) of the Regulations. In so doing, YAhmed committed one violation of Section 764.2(c) of the Regulations.

Charge 3 (15 C.F.R. §764.2(h) - Actions Taken with Intent to Evade the Provisions of the Regulations)

In connection with the export described in Charge 1 above, YAhmed took actions with the intent to evade the provisions of the Regulations. Specifically, YAhmed took actions, including but not limited to, obtaining false signatures from a purported end-user and representative of ATS for inclusion on an end-user certificate submitted to an exporter in connection with the export of parts, items subject to the Regulations, from the United States to Pakistan via the UAE. The

⁴EAR 99 is a designation for items subject to the Regulations that are not listed on the Commerce Control list.

⁵The DSP Form 83, "Nontransfer and Use Certificate," is used by the State Department in connection with the export of munitions items subject to the State Department's export controls.

Yasmin Ahmed

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purpose of securing the false signatures was to prepare a false end-user certificate concealing the actual destination for the parts, Pakistan. The exporter relied on the information provided in the end-user certificates in preparing an SED which falsely stated the country of ultimate destination. In so doing, YAhmed committed one violation of Section 764.2(h) of the Regulations.

Charge 4 (15 C.F.R. §764.2(h) - Actions Taken with Intent to Evade the Provisions of the Regulations)

In connection with the export described in Charge 2 above, YAhmed took actions with the intent to evade the provisions of the Regulations. Specifically, YAhmed took actions, including but not limited to, obtaining false signatures from a purported end-user and representative of ATS for inclusion on an end-user certificate submitted to an exporter in connection with the export of parts, items subject to the Regulations, from the United States to Pakistan via the UAE. The purpose of obtaining the false signatures was to prepare a false end-user certificate concealing the actual destination for the parts, Pakistan. The exporter relied on the information provided in the end-user certificates in preparing an SED which falsely stated the country of ultimate destination. In so doing, YAhmed committed one violation of Section 764.2(h) of the Regulations.

Accordingly, YAhmed is hereby notified that an administrative proceeding is instituted against her pursuant to Section 13(c) of the Act and Part 766 of the Regulations for the purpose of obtaining an order imposing administrative sanctions, including any or all of the following:

The maximum civil penalty allowed by law of \$11,000 per violation,⁶

Denial of export privileges; and/or

Exclusion from practice before BIS.

If YAhmed fails to answer the charges contained in this letter within 30 days after being served with notice of issuance of this letter, that failure will be treated as a default. (Regulations, Sections 766.6 and 766.7.) If YAhmed defaults, the Administrative Law Judge may find the charges alleged in this letter are true without a hearing or further notice to YAhmed. The Under Secretary for Industry and Security may then impose up to the maximum penalty on the charges in this letter.

YAhmed is further notified that she is entitled to an agency hearing on the record if YAhmed files a written demand for one with her answer. (Regulations, Section 766.6). YAhmed is also

⁶ See 15 C.F.R. § 6.4(a)(2).

Yasmin Ahmed

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entitled to be represented by counsel or other authorized representative who has power of attorney to represent her. (Regulations, Sections 766.3(a) and 766.4.)

The Regulations provide for settlement without a hearing. (Regulations, Section 766.18.) Should YAhmed have a proposal to settle this case, YAhmed or her representative should transmit it to the attorney representing BIS named below.

The U.S. Coast Guard is providing administrative law judge services in connection with the matters set forth in this letter. Accordingly, YAhmed's answer must be filed in accordance with the instructions in Section 766.5(a) of the Regulations with:

U.S. Coast Guard ALJ Docketing Center
40 S. Gay Street
Baltimore, Maryland 21202-4022

In addition, a copy of YAhmed's answer must be served on BIS at the following address:

Chief Counsel for Industry and Security
Attention: Parvin Huda, Esq.
Room H-3839
United States Department of Commerce
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Parvin Huda is the attorney representing BIS in this case. Any communications that YAhmed may wish to have concerning this matter should occur through her. She may be contacted by telephone at (202) 482-5301.

Sincerely,



Michael D. Turner
Director
Office of Export Enforcement