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

In the Matter of: Harsimran Singh 1581 Sulphur Spring Road #113 Lansdowne, MD 21227 Panther Trading Company, Inc. c/o Harsimran Singh 1581 Sulphur Spring Road #113 Lansdowne, MD 21227 Respondents

ORDER RELATING TO HARSIMRAN SINGH AND PANTHER TRADING COMPANY, INC.

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS"), has notified Harsimran Singh of Lansdowne, Maryland ("Singh"), and Panther Trading Company, Inc., of Lansdowne, Maryland ("PTC"), of its intention to initiate an administrative proceeding against Singh and PTC pursuant to Section 766.3 of the Export Administration Regulations (the "Regulations"),[1] through the issuance of a Proposed Charging Letter to Singh and PTC that

[1] The Regulations originally issued under the Export Administration Act of 1979, as amended, 50 U.S.C. §§ 4601-4623 (Supp. III 2015) ("the EAA"), which lapsed on August 21, 2001. The President, through Executive Order 13,222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), continued the Regulations in full force and effect under the International Emergency Economic Powers Act, 50 U.S.C. § 1701, et seq. (2012) ("IEEPA"). On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, 50 U.S.C. §§ 4801-4852 ("ECRA"). While Section 1766 of ECRA repeals the provisions of the EAA (except for three sections which are inapplicable here), Section 1768 of ECRA 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to IEEPA, and were in effect as of ECRA's date of enactment (August 13, 2018), shall continue in effect until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA.

alleges that Singh and PTC committed four violations of the Regulations.[2] Specifically, the charges are:

Charges 1-2 15 C.F.R. § 764.2(a) -- Engaging in Prohibited Conduct by Exporting Crime Control Items to Mexico without BIS Authorization

On two occasions in or about May 2014 through in or about July 2014, Singh, who at all times pertinent hereto was the owner of PTC, and PTC engaged in conduct prohibited by the Regulations by exporting to Mexico items controlled for Crime Control reasons without the required BIS license pursuant to Section 742.7 of the Regulations. The items included handcuffs controlled under Export Control Classification Number ("ECCN") 0A982, collapsible batons controlled under ECCN 0A978, and stun guns controlled under ECCN 0A985. Collectively, the items were valued at approximately $11,000.

On or about May 27, 2014, and again on or about July 14, 2014, a security equipment distributor located in Mexico placed orders with Singh through PTC for crime control items. The first order involved handcuffs classified under ECCN 0A982, and the second shipment involved stun guns and collapsible batons, classified under ECCNs 0A985 and 0A978, respectively. On the same day as PTC received each of these orders, Singh forwarded or caused to be forwarded the items to a freight forwarder in Laredo, Texas. Based on PTC's records, Singh and PTC knew that the items were for export because the order documents identified the "consignee" as located in Mexico. Further, Singh and PTC knew the items were being shipped to a freight forwarder in Texas on behalf of the Mexican company. The items were ultimately exported to Mexico on or after July 18, 2014.

In so doing, Singh and PTC committed two violations of Section 764.2(a) of the Regulations.

Charge 3 15 C.F.R. § 764.2(b) -- Caused, Aided or Abetted Exports of Crime Controlled Items to Nigeria without BIS Authorization

On one occasion in or about October 2014, Singh, who at all times pertinent hereto was the owner of PTC, and PTC caused, aided or abetted exports to Nigeria of items controlled for Crime Control reasons without the required BIS license pursuant to Section 742.7 of the Regulations. The items included handcuffs and legcuffs controlled under ECCN 0A982 and valued at approximately $12,343.

In or about October 2014, a representative of a foreign buyer placed an order with Singh through PTC for the handcuffs and legcuffs. Singh and PTC sold and then forwarded the shipment of the

[2] The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2020). The violations alleged occurred in 2014. The Regulations governing the violations at issue are found in the 2014 version of the Code of Federal Regulations, 15 C.F.R. Parts 730-774 (2014). The 2020 Regulations govern the procedural aspects of this case.

controlled items to the foreign buyer at an address in Brooklyn, New York shortly after the order was placed. Singh and PTC knew or had reason to know that the items were for export based on discussions with the representative of the foreign buyer while she was in the United States and placing the orders with PTC. In addition, Singh and PTC had offered to introduce the representative of the foreign buyer to freight forwarders in Baltimore to assist her with the exports.

In addition, Singh was notified that items, such as handcuffs, were controlled because in a letter dated July 31, 2014, U.S. Customs and Border Protection had seized handcuffs shipped under the name of another entity owned and controlled by Singh for an attempted unlicensed export. The letter specifically stated that the handcuffs were controlled on the Commerce Control List and identified licensing requirements under the Regulations. The letter also noted that an Automated Export System ("AES") filing was required for items subject to the Regulations and requiring a license, regardless of their value or destination.

In so doing, Singh and PTC committed one violation of Section 764.2(b) of the Regulations.

Charge 4 15 C.F.R. § 764.2(a) -- Engaging in Prohibited Conduct by Exporting Crime Control Items to the Dominican Republic without BIS Authorization

On one occasion in or about December 2014, Singh, who at all times pertinent hereto was the owner of PTC, and PTC engaged in conduct prohibited by the Regulations by exporting to the Dominican Republic items controlled for Crime Control reasons without the required BIS license pursuant to Section 742.7 of the Regulations. The items were collapsible batons controlled under ECCN 0A978 and valued at approximately $22,000.

On or about December 1, 2014, a company located in the Dominican Republic placed an order with Singh through PTC for collapsible batons controlled under ECCN 0A978. Based on PTC's records, Singh and PTC knew that the items were for export because PTC's invoice documents stated that the "bill to" party was located in the Dominican Republic. Further, Singh and PTC forwarded the items to a freight forwarder in Florida on behalf of the same Dominican Republic company. The items were ultimately exported to the Dominican Republic on or after December 26, 2014.

As noted in Charge 3 above, Singh and PTC both had notice of the Regulations based on the July 31, 2014 seizure letter from U.S. Customs and Border Protection.

In so doing, Singh and PTC committed one violation of Section 764.2(a) of the Regulations.

WHEREAS, BIS and Singh and PTC have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations, whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein; and

WHEREAS, I have approved of the terms of the Settlement Agreement;

IT IS THEREFORE ORDERED:

FIRST, Singh and PTC shall be assessed a civil penalty in the amount of $42,000, for which they are jointly and severely liable. The payment of $12,500 shall be made to the U.S. Department of Commerce within 30 days of the date of this Order. Payment of the remaining $29,500 shall be suspended for a period of one year from the date of this Order, and thereafter shall be waived, provided that during this one-year payment probationary period under this Order, Singh and PTC have made full and timely payment of $12,500 as set forth above, have otherwise complied with the provisions of the Settlement Agreement and this Order, and have committed no violations of the Act or the Regulations or any order, license, or authorization issued thereunder. If Singh or PTC fails to comply with any of these probationary conditions, the $29,500 suspended portion of the civil penalty may be activated and become immediately due and owing in full.

SECOND, pursuant to the Debt Collection Act of 1982, as amended (31 U.S.C. §§ 3701-3720E (2012)), the civil penalty owed under this Order accrues interest as more fully described in the attached Notice, and if any payment required under this Order is not made by the due date specified herein, Singh and PTC will be assessed, in addition to the full amount of the civil penalty and interest, a penalty charge and an administrative charge, as more fully described in the attached Notice.

THIRD, compliance with the terms of the Settlement Agreement and the Order, including the full and timely payment of the civil penalty in accordance with the payment schedule set forth above, is hereby made a condition to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to Singh or PTC. Accordingly, if Singh or PTC should fail to pay the civil penalty in a full and timely manner or otherwise fail to comply in full with the terms of the Settlement Agreement or this

Order, the undersigned may issue an order denying all of Singh and PTC's export privileges under the Regulations for a period of one year from the date of issuance of any such denial order.

FOURTH, Singh and PTC shall not dispute or deny, directly or indirectly, the allegations contained in the Proposed Charging Letter or this Order or take any position contrary thereto in any public statement. The foregoing does not affect Singh and PTC's testimonial obligations in any administrative or judicial proceeding, nor does it affect their right to take legal or factual positions in civil litigation or other civil proceedings in which the U.S. Department of Commerce is not a party.

FIFTH, the Proposed Charging Letter, the Settlement Agreement, and this Order shall be made available to the public.

This Order, which constitutes the final agency action in this matter related to Singh and PTC, is effective immediately.

KEVIN KURLAND Digitally signed by KEVIN KURLAND Date: 2021.04.15 12:57:50 -04'00'

Kevin J. Kurland
Acting Assistant Secretary for Export Enforcement

Issued this 15th day of April, 2021.

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

In the Matter of:

Harsimran Singh
1581 Sulphur Spring Road #113
Lansdowne, MD 21227

Panther Trading Company, Inc.
c/o Harsimran Singh
1581 Sulphur Spring Road #113
Lansdowne, MD 21227

Respondents

SETTLEMENT AGREEMENT RELATING TO
HARSIMRAN SINGH AND PANTHER TRADING COMPANY, INC.

This Settlement Agreement ("Agreement") is made by and between Harsimran Singh of Lansdowne, Maryland ("Singh") and Panther Trading Company, Inc., of Lansdowne, Maryland ("PTC"), and the Bureau of Industry and Security, U.S. Department of Commerce ("BIS") (collectively, the "Parties"), pursuant to Section 766.18(a) of the Export Administration Regulations (the "Regulations").[1]

WHEREAS, BIS has notified Singh and PTC of its intention to initiate an administrative proceeding against Singh and PTC, pursuant to the Regulations;[2]

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[1] The Regulations originally issued under the Export Administration Act of 1979, as amended, 50 U.S.C. §§ 4601-4623 (Supp. III 2015) ("the EAA"), which lapsed on August 21, 2001. The President, through Executive Order 13,222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), continued the Regulations in full force and effect under the International Emergency Economic Powers Act, 50 U.S.C. § 1701, et seq. (2012) ("IEEPA"). On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, 50 U.S.C. §§ 4801-4852 ("ECRA"). While Section 1766 of ECRA repeals the provisions of the EAA (except for three sections which are inapplicable here), Section 1768 of ECRA 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 until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA.

[2]. The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2020). The violations alleged occurred in 2014. The Regulations governing the violations at issue are

WHEREAS, BIS has issued a Proposed Charging Letter to Singh and PTC that alleges that Singh and PTC committed four violations of the Regulations, specifically:

Charges 1-2 15 C.F.R. § 764.2(a) -- Engaging in Prohibited Conduct by Exporting Crime Control Items to Mexico without BIS Authorization

On two occasions in or about May 2014 through in or about July 2014, Singh, who at all times pertinent hereto was the owner of PTC, and PTC engaged in conduct prohibited by the Regulations by exporting to Mexico items controlled for Crime Control reasons without the required BIS license pursuant to Section 742.7 of the Regulations. The items included handcuffs controlled under Export Control Classification Number ("ECCN") 0A982, collapsible batons controlled under ECCN 0A978, and stun guns controlled under ECCN 0A985. Collectively, the items were valued at approximately $11,000.

On or about May 27, 2014, and again on or about July 14, 2014, a security equipment distributor located in Mexico placed orders with Singh through PTC for crime control items. The first order involved handcuffs classified under ECCN 0A982, and the second shipment involved stun guns and collapsible batons, classified under ECCNs 0A985 and 0A978, respectively. On the same day as PTC received each of these orders, Singh forwarded or caused to be forwarded the items to a freight forwarder in Laredo, Texas. Based on PTC's records, Singh and PTC knew that the items were for export because the order documents identified the "consignee" as located in Mexico. Further, Singh and PTC knew the items were being shipped to a freight forwarder in Texas on behalf of the Mexican company. The items were ultimately exported to Mexico on or after July 18, 2014.

In so doing, Singh and PTC committed two violations of Section 764.2(a) of the Regulations.

Charge 3 15 C.F.R. § 764.2(b) -- Caused, Aided or Abetted Exports of Crime Controlled Items to Nigeria without BIS Authorization

On one occasion in or about October 2014, Singh, who at all times pertinent hereto was the owner of PTC, and PTC caused, aided or abetted exports to Nigeria of items controlled for Crime Control reasons without the required BIS license pursuant to Section 742.7 of the Regulations. The items included handcuffs and legcuffs controlled under ECCN 0A982 and valued at approximately $12,343.

In or about October 2014, a representative of a foreign buyer placed an order with Singh through PTC for the handcuffs and legcuffs. Singh and PTC sold and then forwarded the shipment of the controlled items to the foreign buyer at an address in Brooklyn, New York, shortly after the order was placed. Singh and PTC knew or had reason to know that the items were for export based on discussions with the representative of the foreign buyer while she was in the United States and

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found in the 2014 version of the Code of Federal Regulations, 15 C.F.R. Parts 730-774 (2014). The 2020 Regulations govern the procedural aspects of this case.

placing the orders with PTC. In addition, Singh and PTC had offered to introduce the representative of the foreign buyer to freight forwarders in Baltimore to assist her with the exports.

In addition, Singh was notified that items, such as handcuffs, were controlled because in a letter dated July 31, 2014, U.S. Customs and Border Protection had seized handcuffs shipped under the name of another entity owned and controlled by Singh for an attempted unlicensed export. The letter specifically stated that the handcuffs were controlled on the Commerce Control List and identified licensing requirements under the Regulations. The letter also noted that an Automated Export System ("AES") filing was required for items subject to the Regulations and requiring a license, regardless of their value or destination.

In so doing, Singh and PTC committed one violation of Section 764.2(b) of the Regulations.

Charge 4 15 C.F.R. § 764.2(a) -- Engaging in Prohibited Conduct by Exporting Crime Control Items to the Dominican Republic without BIS Authorization

On one occasion in or about December 2014, Singh, who at all times pertinent hereto was the owner of PTC, and PTC engaged in conduct prohibited by the Regulations by exporting to the Dominican Republic items controlled for Crime Control reasons without the required BIS license pursuant to Section 742.7 of the Regulations. The items were collapsible batons controlled under ECCN 0A978 valued at approximately $22,000.

On or about December 1, 2014, a company located in the Dominican Republic placed an order with Singh through PTC for collapsible batons controlled under ECCN 0A978. Based on PTC's records, Singh and PTC knew that the items were for export because PTC's invoice documents stated that the "bill to" party was located in the Dominican Republic. Further, Singh and PTC forwarded the items to a freight forwarder in Florida on behalf of the same Dominican Republic company. The items were ultimately exported to the Dominican Republic on or after December 26, 2014.

As noted in Charge 3 above, Singh and PTC both had notice of the Regulations based on the July 31, 2014 seizure letter from U.S. Customs and Border Protection.

In so doing, Singh and PTC committed one violation of Section 764.2(a) of the Regulations.

WHEREAS, Singh and PTC have reviewed the Proposed Charging Letter and are aware of the allegations made against them and the administrative sanctions that could be imposed against them if the allegations are found to be true;

WHEREAS, Singh and PTC fully understand the terms of this Agreement and the Order that the Assistant Secretary of Commerce for Export Enforcement will issue if he approves this Agreement as the final resolution of this matter (the "Order");

WHEREAS, Singh and PTC enter into this Agreement voluntarily and with full knowledge of their rights;

WHEREAS, Singh and PTC state that no promises or representations have been made to them other than the agreements and considerations herein expressed;

WHEREAS, Singh and PTC admit to the allegations contained in the Proposed Charging Letter; and

WHEREAS, Singh and PTC agree to be bound by the Order, if issued;

NOW, THEREFORE, the Parties hereby agree, for purposes of this Settlement Agreement, as follows:

1. BIS has jurisdiction over Singh and PTC, under the Regulations, in connection with the matters alleged in the Proposed Charging Letter.

2. The following sanction shall be imposed against Singh and PTC:

a. Singh and PTC shall be assessed a civil penalty in the amount of $42,000 for which they are jointly and severely liable. The payment of $12,500 shall be made to the U.S. Department of Commerce within 30 days of the date of this Order. Payment of the remaining $29,500 shall be suspended for a period of one year from the date of this Order, and thereafter shall be waived, provided that during this one-year payment probationary period under this Order, Singh and PTC have made full and timely payment of $12,500 as set forth above, have otherwise complied with the provisions of the Settlement Agreement and this Order, and have committed no violations of the Act or the Regulations or any order, license, or authorization issued thereunder. If Singh or PTC fails to comply with any of these probationary conditions, the $29,500 suspended portion of the civil penalty may be activated and become immediately due and owing in full.

b. Compliance with the terms of this Agreement and the Order, including full and timely payment of the civil penalty agreed to in Paragraph 2.a., above, is hereby made a condition to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to Singh and PTC. Failure to make full and timely payment of the civil penalty or to otherwise comply in full with the terms of this Agreement and the Order, if issued, may result in the denial of all of Singh and PTC's export privileges under the Regulations for a period of one year from the date of issuance of any such denial order.

3. Subject to the approval of this Agreement pursuant to Paragraph 8 hereof, Singh and PTC hereby waive all rights to further procedural steps in this matter (except the procedural steps set forth in Sections 766.17(c) and 766.18(c) of the Regulations with respect to the possible activation of a suspended sanction due to an alleged violation or violations of this Agreement or the Order, if issued), including, without limitation, any right to: (a) receive an administrative hearing regarding the allegations in any charging letter; (b) request a refund of any civil penalty paid pursuant to this Agreement and the Order, if issued; and (c) seek judicial review or otherwise contest the validity of this Agreement or the Order, if issued. Singh and PTC also waive and will not assert any Statute of Limitations defense, and the Statute of Limitations will be tolled, in connection with any violation of the Regulations arising out of the transactions identified in the Proposed Charging Letter or in connection with collection of the civil penalty or enforcement of this Agreement and the Order, if issued, from the date of the Order, if issued, until Singh and PTC pay in full the civil penalty agreed to in Paragraph 2.a of this Agreement.

4. Singh and PTC shall not dispute or deny, directly or indirectly, the allegations contained in the Proposed Charging Letter or Order, if issued, or take any position contrary thereto in any public statement. The foregoing does not affect Singh and PTC's testimonial obligations in

any administrative or judicial proceeding, nor does it affect its right to take legal or factual positions in civil litigation or other civil proceedings in which the U.S. Department of Commerce is not a party.

5. BIS agrees that upon compliance in full with the terms of this Agreement and the Order, if issued, BIS will not initiate any further administrative proceeding against Singh and PTC in connection with any violation of the Regulations arising out of the transactions specifically detailed in the Proposed Charging Letter.

6. This Agreement is for settlement purposes only. Therefore, if this Agreement is not accepted and the Order is not issued by the Assistant Secretary of Commerce for Export Enforcement pursuant to Section 766.18(a) of the Regulations, no Party may use this Agreement in any administrative or judicial proceeding and the Parties shall not be bound by the terms contained in this Agreement in any subsequent administrative or judicial proceeding.

7. This Agreement constitutes and contains the entire agreement and understanding among the parties, and the terms of this Agreement or the Order, if issued, may not be varied or otherwise altered or affected by any agreement, understanding, representation, or interpretation not contained in this Agreement; nor shall this Agreement serve to bind, constrain, or otherwise limit any action by any other agency or department of the U.S. Government with respect to the facts and circumstances addressed herein.

8. This Agreement shall become binding on the Parties only if the Assistant Secretary of Commerce for Export Enforcement approves it by issuing the Order, which will have the same force and effect as a decision and order issued after a full administrative hearing on the record.

9. BIS will make the Proposed Charging Letter, this Agreement, and the Order available to the public.

10. Each signatory affirms that it has authority to enter into this Settlement Agreement and to bind its respective party to the terms and conditions set forth herein.

11. If any provision of this Settlement Agreement is found to be unlawful, only the specific provision in question shall be affected and the other provisions shall remain in full force and effect.

BUREAU OF INDUSTRY AND SECURITY
U.S. DEPARTMENT OF COMMERCE

By: John D. Sonderman
Director, Office of Export Enforcement

Date: 4/13/2021

PANTHER TRADING COMPANY, INC.

By: Harsimran Singh
President

Date: 04/12/2021

HARSIMRAN SINGH

Harsimran Singh

Date: 04/12/2021

PROPOSED CHARGING LETTER

CERTIFIED MAIL- RETURN RECEIPT REQUESTED

Harsimran Singh
10119 Lyons Mill Road
Owings Mills, MD 21117

Panther Trading Company, Inc.
c/o Harsimran Singh
2672 West Patapsco Ave.
Baltimore, MD 21230

Attention: Harsimran Singh

Dear Mr. Singh:

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS"), has reason to believe that you, Harsimran Singh of Owings Mills, Maryland ("Singh"), and your company, Panther Trading Company, Inc. of Baltimore, Maryland ("PTC"), have jointly and severally committed four violations of the Export Administration Regulations.[1] Specifically, BIS alleges that Singh and PTC committed the following violations: [2]

[1] The Regulations originally issued pursuant to the Export Administration Act (50 U.S.C. §§ 4601-4623 (Supp. III 2015) (available at http://uscode.house.gov)) ("EAA" or "the Act"). 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 8, 2018 (83 Fed. Reg. 39,871 (Aug. 13, 2018)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. § 1701, *et seq.* (2012)) ("IEEPA"). On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, Title XVII, Subtitle B of Pub. L. 115-232, 132 Stat. 2208 ("ECRA**")**. While Section 1766 of ECRA repeals the provisions of the EAA (except for three sections which are inapplicable here), Section 1768 of ECRA 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 until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA.

[2] The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2018). The violations alleged occurred in 2014. The Regulations governing the violations at issue are found in the 2014 version of the Code of Federal Regulations, 15 C.F.R. Parts 730-774 (2014). The 2018 Regulations govern the procedural aspects of this case.

Charges 1-2 15 C.F.R. § 764.2(a) Engaging in Prohibited Conduct by Exporting Crime Control Items to Mexico without BIS Authorization

As set forth in the attached Schedule of Violations, which is incorporated herein by reference, on two occasions in or about May 2014 through in or about July 2014, Singh, who at all times pertinent hereto was the owner of PTC, and PTC engaged in conduct prohibited by the Regulations by exporting to Mexico items controlled for Crime Control reasons without the required BIS license pursuant to Section 742.7 of the Regulations. The items included handcuffs controlled under Export Control Classification Number ("ECCN") 0A982, collapsible batons controlled under ECCN 0A978, and stun guns controlled under ECCN 0A985. Collectively, the items were valued at approximately $11,000.

On or about May 27, 2014, and again on or about July 14, 2014, a security equipment distributor located in Mexico placed orders with Singh through PTC for crime control items. The first order involved handcuffs classified under ECCN 0A982, and the second shipment involved stun guns and collapsible batons, classified under ECCNs 0A985 and 0A978, respectively. On the same day as PTC received each of these orders, Singh forwarded or caused to be forwarded the items to a freight forwarder in Laredo, Texas. Based on PTC's records, Singh and PTC knew that the items were for export because the order documents identified the "consignee" as located in Mexico. Further, Singh and PTC knew the items were being shipped to a freight forwarder in Texas on behalf of the Mexican company. The items were ultimately exported to Mexico on or after July 18, 2014.

In so doing, Singh and PTC committed two violations of Section 764.2(a) of the Regulations.

Charge 3 15 C.F.R. § 764.2(b) Caused, Aided or Abetted Exports of Crime Controlled Items to Nigeria without BIS Authorization

As set forth in the attached Schedule of Violations, which is incorporated herein by reference, on one occasion in or about October 2014, Singh, who at all times pertinent hereto was the owner of PTC, and PTC caused, aided or abetted exports to Nigeria of items controlled for Crime Control reasons without the required BIS license pursuant to Section 742.7 of the Regulations. The items included handcuffs and legcuffs controlled under ECCN 0A982 and valued at approximately $12,343.

In or about October 2014, a representative of a foreign buyer placed an order with Singh through PTC for the handcuffs and legcuffs. Singh and PTC sold and then forwarded the shipment of the controlled items to the foreign buyer at an address in Brooklyn, New York, shortly after the order was placed. Singh and PTC knew or had reason to know that the items were for export based on discussions with the representative of the foreign buyer while she was in the United States and placing the orders with PTC. In addition, Singh and PTC had offered to introduce the representative of the foreign buyer to freight forwarders in Baltimore to assist her with the exports.

In addition, Singh was notified that items, such as handcuffs, were controlled because in a letter dated July 31, 2014, U.S. Customs and Border Protection had seized handcuffs shipped under the name of another entity owned and controlled by Singh for an attempted unlicensed export. The letter specifically stated that the handcuffs were controlled on the Commerce Control List and identified licensing requirements under the Regulations. The letter also noted that an Automated Export System ("AES") filing was required for items subject to the Regulations and requiring a license, regardless of their value or destination.

In so doing, Singh and PTC committed one violation of Section 764.2(b) of the Regulations.

Charge 4 15 C.F.R. § 764.2(a) Engaging in Prohibited Conduct by Exporting Crime Control Items to the Dominican Republic without BIS Authorization

As set forth in the attached Schedule of Violations, which is incorporated herein by reference, on one occasion in or about December 2014, Singh, who at all times pertinent hereto was the owner of PTC, and PTC engaged in conduct prohibited by the Regulations by exporting to the Dominican Republic items controlled for Crime Control reasons without the required BIS license pursuant to Section 742.7 of the Regulations. The items were collapsible batons controlled under ECCN 0A978 valued at approximately $22,000.

On or about December 1, 2014, a company located in the Dominican Republic placed an order with Singh through PTC for collapsible batons controlled under ECCN 0A978. Based on PTC's records, Singh and PTC knew that the items were for export because PTC's invoice documents stated that the "bill to" party was located in the Dominican Republic. Further, Singh and PTC forwarded the items to a freight forwarder in Florida on behalf of the same Dominican Republic company. The items were ultimately exported to the Dominican Republic on or after December 26, 2014.

As noted in Charge 3 above, Singh and PTC both had notice of the Regulations based on the July 31, 2014 seizure letter from U.S. Customs and Border Protection.

In so doing, Singh and PTC committed one violation of Section 764.2(a) of the Regulations.

* * * * *

Accordingly, Singh and PTC are hereby notified that an administrative proceeding is instituted against them pursuant to Part 766 of the Regulations for the purpose of obtaining an order imposing administrative sanctions,[3] including, but not limited to any or all of the following:

- The maximum civil penalty allowed by law of up to the greater of $295,141 per violation,[4] or twice the value of the transaction that is the basis of the violation;[5]

- Denial of export privileges;

- Exclusion from practice before BIS; and/or

- Any other liability, sanction, or penalty available under law.

If Singh and/or PTC fail 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. *See* 15 C.F.R. §§ 766.6 and 766.7. If Singh and/or PTC default, the Administrative Law Judge may find the charges alleged in this letter are true without a hearing or further notice to Singh and/or PTC. The Under Secretary of Commerce for Industry and Security may then impose up to the maximum penalty for the charges in this letter.

Singh and PTC are further notified that they are entitled to an agency hearing on the record if they file a written demand for one with their answer. *See* 15 C.F.R. § 766.6. Singh and PTC are also entitled to be represented by counsel or other authorized representative who has power of attorney to represent them. *See* 15 C.F.R. §§ 766.3(a) and 766.4.

The Regulations provide for settlement without a hearing. *See* 15 C.F.R. § 766.18. Should Singh and/or PTC have a proposal to settle this case, Singh and/or PTC should transmit it to the attorney representing BIS named below.

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[3] The alleged violations occurred prior to August 13, 2018, the date of enactment of the ECRA. Consequently, the potential sanctions are provided for in the International Emergency Economic Powers Act. In situations involving alleged violations that occurred on or after August 13, 2018, the potential sanctions are specified in Section 1760(c) of the ECRA.

[4] *See* 15 C.F.R. §§ 6.3(b)(4), 6.4. This amount is subject to annual increases pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Sec. 701 of Public Law 114-74, enacted on November 2, 2015. *See* 83 Fed. Reg. 706, 707 (adjusting for inflation the maximum civil monetary penalty under IEEPA from $289,238 to $295,141 effective January 15, 2018).

[5] *See* International Emergency Economic Powers Enhancement Act of 2007, Pub. L. No. 110-96, 121 Stat. 1011 (2007).

Singh and PTC are further notified that under the Small Business Regulatory Enforcement Flexibility Act, Singh and/or PTC may be eligible for assistance from the Office of the National Ombudsman of the Small Business Administration in this matter. To determine eligibility and get more information, please see: http://www.sba.gov/ombudsman/.

The U.S. Coast Guard is providing administrative law judge services in connection with the matters set forth in this letter. Accordingly, Singh and PTC'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 Singh and PTC's answer must be served on BIS at the following address:

> Chief Counsel for Industry and Security
> Attention: R. Elizabeth Abraham
> Room H-3839
> 14th Street and Constitution Avenue, N.W.
> Washington, D.C. 20230

R. Elizabeth Abraham is the attorney representing BIS in this case; any communications that Singh and PTC may wish to have concerning this matter should occur through her. Ms. Abraham may be contacted by telephone at (202) 482-8050.

Sincerely,

Douglas R. Hassebrock
Director
Office of Export Enforcement

Schedule of Transactions

Transaction No.	Order Date	Item(s)	Value	Destination	ECCN(s)
1	5/27/2014	Handcuffs	$5,662.00	Mexico	0A982
2	7/14/2014	Stun Guns Collapsible Batons	$5,302.50	Mexico	0A985 0A978
3	10/21/2014	Handcuffs and Legcuffs	$12,343.20	Nigeria	0A982
4	12/1/2014	Collapsible Batons	$22,010.60	Dominican Republic	0A978