

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

In the Matter of:

Technetics Group Singapore Pte. Ltd.
Block 203, #05-52
Woodlands Avenues 9
Woodlands Spectrum 2
Singapore 73856

Respondent

ORDER RELATING TO
TECHNETICS GROUP SINGAPORE PTE. LTD.

The Bureau of Industry and Security, U.S. Department of Commerce (“BIS”), has notified Technetics Group Singapore Pte. Ltd., of Singapore (“Technetics Singapore”), of its intention to initiate an administrative proceeding against Technetics Singapore pursuant to Section 766.3 of the Export Administration Regulations (the “Regulations”),¹ and Section 13(c) of the Export Administration Act of 1979, as amended (the “Act”),² through the issuance of a Proposed Charging Letter to Technetics Singapore that alleges that Technetics Singapore committed five violations of the Regulations. Specifically, the charges are:

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2012). The charged violations occurred in 2007-2008. The Regulations governing the violations at issue are found in the 2007-2008 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774). The 2012 Regulations set forth the procedures that apply to this matter.

² 50 U.S.C. app. §§ 2401-2420 (2000). 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 12, 2011 (76 Fed. Reg. 50,661 (Aug. 16, 2011)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. § 1701, *et seq.*).

Charges 1-2 15 C.F.R. § 764.2(e) – Acting with Knowledge

Between on or about February 27, 2007, and on or about September 14, 2008, Technetics Group Singapore used or transferred technology exported from the United States to two Chinese nationals with knowledge that a violation of the Regulations had occurred, was about to occur or was intended to occur in connection with the technology. Specifically, Technetics Group Singapore released manufacturing instructions for certain edge-welded metal bellows used in semiconductor manufacturing equipment, which is production technology subject to the Regulations, classified under Export Control Classification Number (“ECCN”) 3E001 and controlled for national security reasons,³ to two Chinese nationals in Singapore without the Department of Commerce licenses required by Section 742.4 of the Regulations. The two Chinese nationals were working for Technetics Group Singapore when the releases occurred. Pursuant to Section 734.2(b) of the Regulations, the release of technology subject to the Regulations that occurs in a foreign country to a foreign national of another country, such as a release in Singapore to a Chinese national, is a deemed reexport to the foreign national’s home country or countries. Before transferring this technology to the two Chinese nationals, Technetics Group Singapore’s Director of Operations signed a document on or about February 5, 2007, on behalf of Technetics Group Singapore entitled “Written Letter of Assurance – Export of Technical Data,” which stated that Technetics Group Singapore had received certain technology pursuant to License Exception TSR and that Technetics Group Singapore agreed to “not disclose or make available” any technical data to citizens of a list of countries that included the People’s Republic of China. In so doing, Technetics Group Singapore committed two violations of Section 764.2(e) of the Regulations.

Charges 3-5 15 C.F.R. § 764.2(e) – Acting with Knowledge

On or about February 23, 2008, on or about May 29, 2008, and on or about November 26, 2008, Technetics Group Singapore sold, transferred or forwarded items subject to the Regulations with knowledge that violations of the Regulations were about to occur or were intended to occur in connection with the items. Specifically, Technetics Group Singapore sold, transferred or forwarded edge-welded metal bellows, items subject to the Regulations, classified under ECCN 3B001.e, controlled for national security reasons and with a total value of approximately \$20,625, to a customer in the People’s Republic of China (“PRC”) with knowledge that a license was required for these items to be reexported from Singapore to the PRC. Pursuant to Sections 734.3(a)(4) and 736.2(b)(3) of the Regulations, the bellows were subject to the Regulations because: (1) they were destined for the PRC, a Country Group D:1 destination; (2) they were the Singapore-manufactured direct product of U.S.-origin technology that required a written assurance as a pre-condition for the use of License Exception Technology and Software under Restriction (“TSR”), set forth in Section 740.6 of the Regulations; and (3) they were subject to national security controls as specified in ECCN 3B001 of the Commerce Control List set forth in part 774 of the Regulations. Licenses were required to reexport

³ As discussed in Charges 3-5, this production technology was for items controlled under ECCN 3B001.e.

these items from Singapore to the PRC pursuant to Sections 742.4 and 736.2(b)(3) of the Regulations, and no such licenses were obtained. Technetics Group Singapore manufactured the bellows directly using U.S.-origin technology exported from the United States for which Technetics Group Singapore had provided on February 5, 2007, a "Written Letter of Assurance" under License Exception TSR. In its Letter of Assurance, which was signed by the company's Director of Operations, Technetics Group Singapore stated:

[Supplier] is undertaking to export Technical Data to [Technetics Group Singapore] under License Exception TSR. . . . THEREFORE, [Technetics Group Singapore] agrees to comply with U.S. export laws and regulations and shall not directly or indirectly export or re-export the Technical Data, or any product [Technetics Group Singapore] produces using the Technical Data, unless properly licensed by the U.S. Government.

Under Section 734.3(a)(4) of the Regulations, "direct product" means the "immediate product . . . produced directly by the use of technology[.]" The Letter of Assurance similarly defined "product" as "the immediate product . . . produced directly by the use of the Technical Data." In so doing, Technetics Group Singapore committed three violations of Section 764.2(e) of the Regulations.

WHEREAS, BIS and RESPONDENT 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 such Settlement Agreement;

IT IS THEREFORE ORDERED:

FIRST, Technetics Singapore shall be assessed a civil penalty in the amount of \$110,000, the payment of which shall be made to the U.S. Department of Commerce within 30 days of the date of the Order.

SECOND, that, pursuant to the Debt Collection Act of 1982, as amended (31 U.S.C. §§ 3701-3720E (2000)), the civil penalty owed under this Order accrues interest as more fully described in the attached Notice, and if payment is not made by the due date specified herein, Technetics Singapore 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.

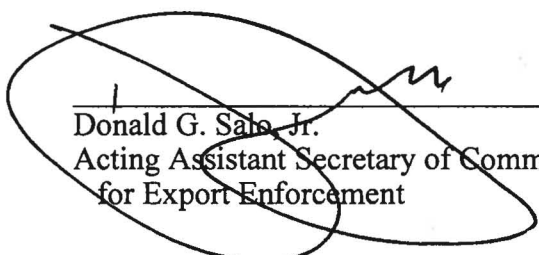
THIRD, Technetics Singapore, in conjunction with its parent company Technetics Group Daytona, Inc., shall complete an audit of its export controls compliance program. Specifically, the audit shall be of Technetics Singapore's compliance with U.S. export control laws (including recordkeeping requirements), with respect to all exports or reexports that are subject to the Regulations. The results of the audit, including any relevant supporting materials, shall be submitted to the Department of Commerce, Bureau of Industry and Security, Office of Export Enforcement, 200 East Las Olas Blvd., Suite 1800, Fort Lauderdale, FL 33301 ("BIS Miami Field Office"). The audit shall cover the 12-month period beginning on the date of the Order, and the related report shall be due to the BIS Miami Field Office no later than fifteen (15) months from the date of the Order. Said audit shall be in substantial compliance with the EMS sample audit module, and shall include an assessment of Technetics Singapore's compliance with the Regulations. The EMS sample audit module is available on the BIS web site at http://www.bis.doc.gov/complianceandenforcement/revise_emcp_audit.pdf. In addition, where said audit identifies actual or potential violations of the Regulations, Technetics Singapore must promptly provide copies of the pertinent air waybills and other export control documents and supporting documentation to the BIS Miami Field Office.

FOURTH, that the full and timely payment of the civil penalty in accordance with the payment schedule set forth above and the completion and submission of the audit as set forth above are 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 Technetics Singapore. Accordingly, if Technetics Singapore should fail to

pay the civil penalty in a full and timely manner or complete and submit the audit, the undersigned may issue an Order denying all of Technetics Singapore's export privileges under the Regulations for a period of one year from the date of failure to make such payment or to complete and submit the audit.

FIFTH, that 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, is effective immediately.



Donald G. Sals, Jr.
Acting Assistant Secretary of Commerce
for Export Enforcement

Issued this 24th day of JULY, 2012.

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

In the Matter of:

Technetics Group Singapore Pte. Ltd.
f.k.a. Tara Technologies Singapore Pte. Ltd.
Block 203, #05-52
Woodlands Avenues 9
Woodlands Spectrum 2
Singapore 73856

Respondent

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made by and between Technetics Group Singapore Pte. Ltd., of Singapore, formerly known as Tara Technologies Singapore Pte. Ltd. (hereinafter, “Technetics Group Singapore”), 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 issued pursuant to the Export Administration Act of 1979, as amended (the “Act”).²

WHEREAS, Technetics Group Singapore filed a voluntary self-disclosure with BIS’s Office of Export Enforcement in accordance with Section 764.5 of the Regulations concerning the transactions at issue herein;

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2012). The charged violations occurred in 2007-2008. The Regulations governing the violations at issue are found in the 2007-2008 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774). The 2012 Regulations set forth the procedures that apply to this matter.

² 50 U.S.C. app. §§ 2401-2420 (2000). 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 12, 2011 (76 Fed. Reg. 50,661 (Aug. 16, 2011)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. § 1701, *et seq.*).

WHEREAS, BIS has notified Technetics Group Singapore of its intentions to initiate an administrative proceeding against Technetics Group Singapore, pursuant to the Act and the Regulations;

WHEREAS, BIS has issued a Proposed Charging Letter to Technetics Group Singapore that alleges that Technetics Group Singapore committed five violations of the Regulations, specifically:

Charges 1-2 15 C.F.R. § 764.2(e) – Acting with Knowledge

Between on or about February 27, 2007, and on or about September 14, 2008, Technetics Group Singapore used or transferred technology exported from the United States to two Chinese nationals with knowledge that a violation of the Regulations had occurred, was about to occur or was intended to occur in connection with the technology. Specifically, Technetics Group Singapore released manufacturing instructions for certain edge-welded metal bellows used in semiconductor manufacturing equipment, which is production technology subject to the Regulations, classified under Export Control Classification Number (“ECCN”) 3E001 and controlled for national security reasons,³ to two Chinese nationals in Singapore without the Department of Commerce licenses required by Section 742.4 of the Regulations. The two Chinese nationals were working for Technetics Group Singapore when the releases occurred. Pursuant to Section 734.2(b) of the Regulations, the release of technology subject to the Regulations that occurs in a foreign country to a foreign national of another country, such as a release in Singapore to a Chinese national, is a deemed reexport to the foreign national’s home country or countries. Before transferring this technology to the two Chinese nationals, Technetics Group Singapore’s Director of Operations signed a document on or about February 5, 2007, on behalf of Technetics Group Singapore entitled “Written Letter of Assurance – Export of Technical Data,” which stated that Technetics Group Singapore had received certain technology pursuant to License Exception TSR and that Technetics Group Singapore agreed to “not disclose or make available” any technical data to citizens of a list of countries that included the People’s Republic of China. In so doing, Technetics Group Singapore committed two violations of Section 764.2(e) of the Regulations.

Charges 3-5 15 C.F.R. § 764.2(e) – Acting with Knowledge

On or about February 23, 2008, on or about May 29, 2008, and on or about November 26, 2008, Technetics Group Singapore sold, transferred or forwarded items subject to the Regulations with knowledge that violations of the Regulations were about to occur or were intended to occur in connection with the items. Specifically, Technetics Group Singapore sold, transferred or forwarded edge-welded metal bellows, items subject to the Regulations, classified under ECCN 3B001.e, controlled for national security reasons and with a total value of approximately

³ As discussed in Charges 3-5, this production technology was for items controlled under ECCN 3B001.e.

\$20,625, to a customer in the People's Republic of China ("PRC") with knowledge that a license was required for these items to be reexported from Singapore to the PRC. Pursuant to Sections 734.3(a)(4) and 736.2(b)(3) of the Regulations, the bellows were subject to the Regulations because: (1) they were destined for the PRC, a Country Group D:1 destination; (2) they were the Singapore-manufactured direct product of U.S.-origin technology that required a written assurance as a pre-condition for the use of License Exception Technology and Software under Restriction ("TSR"), set forth in Section 740.6 of the Regulations; and (3) they were subject to national security controls as specified in ECCN 3B001 of the Commerce Control List set forth in part 774 of the Regulations. Licenses were required to reexport these items from Singapore to the PRC pursuant to Sections 742.4 and 736.2(b)(3) of the Regulations, and no such licenses were obtained. Technetics Group Singapore manufactured the bellows directly using U.S.-origin technology exported from the United States for which Technetics Group Singapore had provided on February 5, 2007, a "Written Letter of Assurance" under License Exception TSR. In its Letter of Assurance, which was signed by the company's Director of Operations, Technetics Group Singapore stated:

[Supplier] is undertaking to export Technical Data to [Technetics Group Singapore] under License Exception TSR. . . . THEREFORE, [Technetics Group Singapore] agrees to comply with U.S. export laws and regulations and shall not directly or indirectly export or re-export the Technical Data, or any product [Technetics Group Singapore] produces using the Technical Data, unless properly licensed by the U.S. Government.

Under Section 734.3(a)(4) of the Regulations, "direct product" means the "immediate product . . . produced directly by the use of technology[.]" The Letter of Assurance similarly defined "product" as "the immediate product . . . produced directly by the use of the Technical Data." In so doing, Technetics Group Singapore committed three violations of Section 764.2(e) of the Regulations.

WHEREAS, Technetics Group Singapore has reviewed the Proposed Charging Letter and is aware of the allegations made against it and the administrative sanctions that could be imposed against it if the allegations are found to be true;

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

WHEREAS, Technetics Group Singapore enters into this Agreement voluntarily and with full knowledge of its rights, after having consulted with counsel;

WHEREAS, Technetics Group Singapore states that no promises or representations have been made to it other than the agreements and considerations herein expressed;

WHEREAS, Technetics Group Singapore neither admits nor denies the allegations contained in the Proposed Charging Letter;

WHEREAS, Technetics Group Singapore wishes to settle and dispose of all matters alleged in the Proposed Charging Letter by entering into this Agreement; and

WHEREAS, Technetics Group Singapore agrees 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 Technetics Group Singapore, under the Regulations, in connection with the matters alleged in the Proposed Charging Letter.**

2. **The following sanctions shall be imposed against Technetics Group Singapore in complete settlement of the alleged violations of the Regulations relating to the transactions specifically detailed in the Proposed Charging Letter:**

a. **Technetics Group Singapore shall be assessed a civil penalty in the amount of \$110,000, the payment of which shall be made to the U.S. Department of Commerce within 30 days of the date of the Order. Payment shall be made in the manner specified in the attached instructions.**

b. **Technetics Group Singapore, in conjunction with its parent company, Technetics Group Daytona, Inc., shall complete an audit of its export controls compliance program. Specifically, the audit shall be of Technetics Group Singapore's compliance with U.S. export control laws (including recordkeeping requirements), with respect to all exports or reexports that are subject to the Regulations. The results of the audit,**

including any relevant supporting materials, shall be submitted to the Department of Commerce, Bureau of Industry and Security, Office of Export Enforcement, 200 East Las Olas Blvd., Suite 1800, Fort Lauderdale, FL 33301 ("BIS Miami Field Office"). The audit shall cover the 12-month period beginning on the date of the Order, and the related report shall be due to the BIS Miami Field Office no later than fifteen (15) months from the date of the Order. Said audit shall be in substantial compliance with the EMS sample audit module, and shall include an assessment of Technetics Group Singapore's compliance with the Regulations. The EMS sample audit module is available on the BIS web site at http://www.bis.doc.gov/complianceand enforcement/ revised_emcp_audit.pdf. In addition, where said audit identifies actual or potential violations of the Regulations, Technetics Group Singapore shall promptly provide copies of the pertinent air waybills and other export control documents and supporting documentation to the BIS Miami Field Office.

c. The full and timely payment of the civil penalty agreed to in Paragraph 2.a and the timely completion and submission of the audit agreed to in Paragraph 2.b are hereby made conditions to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to Technetics Group Singapore. Failure to make full and timely payment of the civil penalty or to timely complete and submit the audit may result in the denial of all of Technetics Group Singapore's export privileges under the Regulations for one year from the date of the failure to make such payment or to complete and submit the audit.

3. Subject to the approval of this Agreement pursuant to Paragraph 7 hereof, Technetics Group Singapore hereby waives all rights to further procedural steps in this matter (except with respect to any alleged violations of this Agreement or the Order, if issued),

including, without limitation, any right to: (a) an administrative hearing regarding the allegations in any proposed charging letter or 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. Technetics Group Singapore also waives and will not assert any Statute of Limitations defense, and the Statute of Limitations will be tolled, in connection with any violation of the Act or 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 until the later of the date Technetics Group Singapore pays in full the civil penalty agreed to in Paragraph 2.a of this Agreement or has completed and submitted the audit in Paragraph 2.b.

4. BIS agrees that upon full and timely payment of the civil penalty as set forth in Paragraph 2.a and timely completion and submission of the audit in Paragraph 2.b, BIS will not initiate any further administrative proceeding against Technetics Group Singapore in connection with any violation of the Act or the Regulations arising out of the transactions specifically detailed in the Proposed Charging Letter.

5. 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.

6. No agreement, understanding, representation or interpretation not contained in this Agreement may be used to vary or otherwise affect the terms of this Agreement or the Order,

if issued; 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.

7. 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.

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

9. Each signatory affirms that he has authority to enter into this Settlement Agreement and to bind his respective party to the terms and conditions set forth herein.

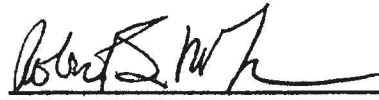
BUREAU OF INDUSTRY AND
SECURITY
U.S. DEPARTMENT OF COMMERCE



Douglas R. Hassebrock
Director of Export Enforcement

Date: 7/24/2012

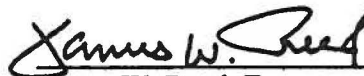
TECHNETICS GROUP SINGAPORE PTE.
LTD.



Robert S. McLean
Vice President and General Counsel

Date: July 19, 2012

Reviewed and approved by:



James W. Reed, Esq.
Rhoads & Reed PLLC
Counsel for Technetics Group Singapore Pte.
Ltd.

Date: July 9, 2012

PROPOSED CHARGING LETTER

REGISTERED MAIL- RETURN RECEIPT REQUESTED

Technetics Group Singapore Pte. Ltd.
Block 203, #05-52
Woodlands Avenues 9
Woodlands Spectrum 2
Singapore 73856

Attention: *Bobby See*
General Manager

Dear Mr. See:

The Bureau of Industry and Security, U.S. Department of Commerce (“BIS”), has reason to believe that Technetics Group Singapore Pte. Ltd., of Singapore and formerly known as Tara Technologies Singapore Pte. Ltd. (“Technetics Group Singapore”), has committed five violations of the Export Administration Regulations (the “Regulations”),¹ which issued under the authority of the Export Administration Act of 1979, as amended (the “Act”).² Specifically, BIS alleges that Technetics Group Singapore committed the following violations:

Charges 1-2 15 C.F.R. § 764.2(e) – Acting with Knowledge

Between on or about February 27, 2007, and on or about September 14, 2008, Technetics Group Singapore used or transferred technology exported from the United States to two Chinese nationals with knowledge that a violation of the Regulations had occurred, was about to occur or was intended to occur in connection with the technology. Specifically, Technetics Group Singapore released manufacturing instructions for certain edge-welded metal bellows used in semiconductor manufacturing equipment, which is production technology subject to the Regulations, classified under Export Control Classification

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2011). The violations alleged occurred in 2007 and 2008. The Regulations governing the violations at issue are found in the 2007 and 2008 versions of the Code of Federal Regulations, 15 C.F.R. Parts 730-774 (2007-08). The 2011 Regulations govern the procedural aspects of this case.

² 50 U.S.C. app. §§ 2401-2420 (2000). 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 12, 2011 (76 Fed. Reg. 50,661 (Aug. 16, 2011)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. § 1701, *et seq.*).

Number (“ECCN”) 3E001 and controlled for national security reasons,³ to two Chinese nationals in Singapore without the Department of Commerce licenses required by Section 742.4 of the Regulations. The two Chinese nationals were working for Technetics Group Singapore when the releases occurred. Pursuant to Section 734.2(b) of the Regulations, the release of technology subject to the Regulations that occurs in a foreign country to a foreign national of another country, such as a release in Singapore to a Chinese national, is a deemed reexport to the foreign national’s home country or countries. Before transferring this technology to the two Chinese nationals, Technetics Group Singapore’s Director of Operations signed a document on or about February 5, 2007, on behalf of Technetics Group Singapore entitled “Written Letter of Assurance – Export of Technical Data,” which stated that Technetics Group Singapore had received certain technology pursuant to License Exception TSR and that Technetics Group Singapore agreed to “not disclose or make available” any technical data to citizens of a list of countries that included the People’s Republic of China. In so doing, Technetics Group Singapore committed two violations of Section 764.2(e) of the Regulations.

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[Supplier] is undertaking to export Technical Data to [Technetics Group Singapore] under License Exception TSR. . . . THEREFORE, [Technetics Group Singapore] agrees to comply with U.S. export laws and regulations and shall not directly or indirectly export or re-export the Technical Data, or any

³ As discussed in Charges 3-5, this production technology was for items controlled under ECCN 3B001.e.

product [Technetics Group Singapore] produces using the Technical Data, unless properly licensed by the U.S. Government.

Under Section 734.3(a)(4) of the Regulations, “direct product” means the “immediate product . . . produced directly by the use of technology[.]” The Letter of Assurance similarly defined “product” as “the immediate product . . . produced directly by the use of the Technical Data.” In so doing, Technetics Group Singapore committed three violations of Section 764.2(e) of the Regulations.

* * * * *

Accordingly, Technetics Group Singapore is hereby notified that an administrative proceeding is instituted against it 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 up to the greater of \$250,000 per violation, or twice the value of the transaction that is the basis of the violation;⁴
- Denial of export privileges; and/or
- Exclusion from practice before BIS.

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

Technetics Group Singapore is further notified that it is entitled to an agency hearing on the record if it files a written demand for one with its answer. *See* 15 C.F.R. § 766.6. Technetics Group Singapore is also entitled to be represented by counsel or other authorized representative who has power of attorney to represent it. *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 Technetics Group Singapore have a proposal to settle this case, Technetics Group Singapore should transmit it to the attorney representing BIS named below.

Technetics Group Singapore is further notified that under the Small Business Regulatory Enforcement Flexibility Act, Technetics Group Singapore may be eligible for assistance from the

⁴ *See* International Emergency Economic Powers Enhancement Act of 2007, Pub. L. No. 110-96, 121 Stat. 1011 (2007).

Technetics Group Singapore Pte. Ltd.
Proposed Charging Letter
Page 4 of 4

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, Technetics Group Singapore'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 Technetics Group Singapore's answer must be served on BIS at the following address:

Chief Counsel for Industry and Security
Attention: Thea D. R. Kendler
Room H-3327
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Thea Kendler is the attorney representing BIS in this case; and communications that Technetics Group Singapore may wish to have concerning this matter should occur through her. Ms. Kendler may be contacted by telephone at (202) 482-5058.

Sincerely,

Douglas R. Hassebrock
Director
Office of Export Enforcement