

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

In the Matter of:

**Tengiz Sydykov**  
2805 8<sup>th</sup> Street South  
Arlington, VA 22204-2245

**ORDER DENYING EXPORT PRIVILEGES**

On January 11, 2019 in the U.S. District Court for the Eastern District of Virginia, Tengiz Sydykov (“Sydykov”) was convicted of violating Section 38 of the Arms Export Control Act (22 U.S.C § 2778) (“AECA”). Specifically, Sydykov was convicted for knowingly and willfully exporting and causing to be exported from the United States to Grozny, Chechnya, Russia defense articles, that is: 7 assembled firearms, 130 fully assembled lower receivers, 266 firearm slides, 158 firearm barrels, 996 firearm magazines, 10 stocks, 133 firearm frames and 453 functional firearms including springs and firing pins, which were designated as defense articles on the United States Munitions List, without having first obtained the required licenses or written approval from the United States Department of State. As a result of his conviction, the Court sentenced Sydykov to 36 months in prison, three years supervised release, and a \$100 assessment.

Pursuant to Section 1760(e) of the Export Control Reform Act of 2018 (“ECRA”),<sup>1</sup> the export privileges of any person who has been convicted of certain offenses, including, but not limited to, Section 38 of the AECA, may be denied for a

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<sup>1</sup> ECRA was enacted as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and, as amended, is codified at 50 U.S.C. §§ 4801-4852. Sydykov’s conviction post-dates ECRA’s enactment on August 13, 2018.

period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. § 4819(e) (Prior Convictions). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Sydykov’s conviction for violating Section 38 of the AECA, and has provided notice and opportunity for Sydykov to make a written submission to BIS, as provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”). 15 C.F.R. § 766.25.<sup>2</sup> BIS has not received a written submission from Sydykov.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Sydykov’s export privileges under the Regulations for a period of 10 years from the date of Sydykov’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Sydykov had an interest at the time of his conviction.<sup>3</sup>

Accordingly, it is hereby **ORDERED**:

**First**, from the date of this Order until January 11, 2029, Tengiz Sydykov, with a last known address of 2805 8<sup>th</sup> Street South, Arlington, VA 22204-2245, and when acting for or on his behalf, his successors, assigns, employees, agents, or representatives (“the

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<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2021).

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

Denied Person”), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software, or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

- A. Applying for, obtaining, or using any license, license exception, or export control document;
- B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or
- C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

**Second**, no person may, directly or indirectly, do any of the following:

- A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;
- B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a

transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

- C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;
- D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or
- E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

**Third**, pursuant to Section 1760(e) of ECRA (50 U.S.C. § 4819(e)) and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Sydykov by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

**Fourth**, in accordance with Part 756 of the Regulations, Sydykov may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal

must be filed within 45 days from the date of this Order and must comply with the provisions set forth in Part 756 of the Regulations.

**Fifth**, a copy of this Order shall be delivered to Sydykov and shall be published in the *Federal Register*.

**Sixth**, this Order is effective immediately and shall remain in effect until January 11 2029.

*John Sonderman*  
John Sonderman  
Director  
Office of Export Enforcement

Issued this   8   day of   September  , 2021.