



DEPARTMENT OF COMMERCE

Bureau of Industry and Security
Washington, D.C. 20230

In the Matter of:

Jermaine Craig Rhoomes
Inmate Number: 71655-018
U.S. Penitentiary
3901 Klein Blvd
Lompoc, CA 93436;

Order Denying Export Privileges

On February 5, 2020, in the U.S. District Court for the Middle District of Florida, Jermaine Craig Rhoomes (“Rhoomes”) was convicted of violating Section 38 of the Arms Export Control Act (22 U.S.C. § 2778) (“AECA”). Specifically, Rhoomes was convicted of knowingly and willfully exporting and causing to be exported from U.S. to Jamaica, two (2) 7.62-caliber AK47-style rifles; five (5) 5.56-caliber AR15-style rifles; four (4) 9mm-caliber pistols; two (2) .40-caliber pistols; two (2) .45-caliber pistols; 3,315 rounds of ammunition; and 38 firearm magazines, all of which were designated as defense articles on the United States Munitions List at the time of export, without first obtaining the required license or written authorization from the Department of State..

As a result of his conviction, the Court sentenced Rhoomes to 57 months in prison; three years of supervised release, and a \$100 special assessment.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, Section 38 of AECA, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. § 4819(e) (Prior Convictions). In addition, any Bureau of Industry and Security (BIS) licenses or other authorizations

¹ ECRA was enacted on August 13, 2018, 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.

issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Rhoomes's conviction for violating Section 38 of the AECA and, as provided in Section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"), has provided notice and opportunity for Rhoomes to make a written submission to BIS. 15 C.F.R. § 766.25.² BIS has not received a submission from Rhoomes.

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 Rhoomes's export privileges under the Regulations for a period of 10 years from the date of Rhoomes's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Rhoomes had an interest at the time of his conviction.³

Accordingly, it is hereby **ORDERED**:

First, from the date of this Order until February 5, 2030, Jermaine Craig Rhoomes, with a last known address of Inmate Number: 71655-018, U.S. Penitentiary, 3901 Klein Blvd Lompoc, CA 93436, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives ("the Denied Person"), may not directly or indirectly participate in any way in any transaction involving any commodity, software, or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

- A. Applying for, obtaining, or using any license, license exception, or export control document;

² The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2022).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders, pursuant to amendments to the Regulations (85 *Fed. Reg.* 73411, November 18, 2020).

- 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 the Denied Person 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, the Denied Person 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 of Part 756 of the Regulations.

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

Sixth, this Order is effective immediately and shall remain in effect until February 5, 2030.

John Sonderman,
Director,
Office of Export Enforcement.