

EIB World Trade Headlines

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October 15, 2024 - Volume 19, Issue 20



BIS Issues Guidance to Financial Institutions on Best Practices for Compliance with the Export Administration Regulations

WASHINGTON, D.C. – Today, the Department of Commerce's Bureau of Industry and Security (BIS) published <u>guidance</u> for financial institutions (FIs) containing best practice recommendations for complying with the Export Administration Regulations (EAR).

The guidance provides both background information on the EAR and recommendations on steps financial institutions can take to minimize the likelihood of EAR violations. The recommendations include a description of EAR-related due diligence best practices, the encouragement of ongoing transaction reviews for red flags, and a delineation of which types of real-time transaction screenings are and are not regarded as a best practice.

"Every export – every single one – has a related financial transaction," said **Assistant Secretary for Export Enforcement Matthew S. Axelrod**. "Today's guidance provides recommendations to financial institutions on how to best comply with our regulations so they can spot red flags and avoid being used as instruments to facilitate export evasion."

The guidance focuses on General Prohibition 10 (GP 10), which prohibits financial institutions (and other persons) from financing or otherwise servicing any item subject to the EAR with knowledge that a violation of EAR has occurred, is about to occur, or is intended to occur. Such knowledge of a circumstance includes not only positive knowledge that the circumstance exists or is substantially certain to occur, but also an awareness of a high probability of its existence or future occurrence.

To avoid potential violations of GP 10 of the EAR, the guidance outlines several best practices, including: screening customers when onboarded and after against the U.S. <u>Consolidated Screening List;</u> recommending that customers of FIs who deal with EAR items certify compliance with the EAR under certain circumstances; and establishing risk-based procedures to detect and investigate red flags post-transaction and, where necessary, to take action to prevent violations of the EAR before proceeding with any transactions involving the same customer or counterparties.

The guidance also recommends that financial institutions closely review their customers (and, where appropriate, their customers' customers) against lists of entities that, according to publicly available trade data (such as the <u>Trade Integrity Project</u>), have shipped <u>Common High Priority List</u> (CHPL) items to Russia since 2023, and determine whether any other red flags are present.

Today's guidance builds on ongoing efforts by BIS to provide information to industry and enhance the overall security and integrity of the international trade system. BIS, along with the Departments of the Treasury, Justice, and others previously issued several joint alerts, advisories, and notices on topics ranging from <u>Russian evasion tactics</u> to <u>voluntary self-disclosures</u>. For more information, visit https://www.bis.gov/enforcement-policy-memos.

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FOR IMMEDIATE RELEASE - Wednesday, October 2, 2024

Media Contact: Office of Public Affairs, publicaffairs@doc.gov

Biden-Harris Administration to Invest up to \$100 Million to Accelerate R&D and AI Technologies for Sustainable Semiconductor Materials

Expected Investment Builds on CHIPS for America's Sustainability Commitments to Workers, Stakeholders, and Industry

Today, the U.S. Department of Commerce issued a Notice of Intent (NOI) to announce an open competition demonstrating how AI can assist in developing new sustainable semiconductor materials and processes that meet industry needs and can be designed and adopted within five years. For the U.S. semiconductor industry to flourish in the long-term, it must be able to develop innovative and commercially competitive technologies to sustainably produce materials and manufacture chips in a way that protects the environment and local communities.

To accomplish this, CHIPS for America anticipates up to \$100 million in funding to award recipients that develop university-led, industry-informed, collaborations about artificial intelligence-powered autonomous experimentation (AI/AE) relevant to sustainable semiconductor manufacturing. The full text of the NOI can be found here.

"Right now, new semiconductor materials often take years to be production-ready and are incredibly resource-intensive. If we're going to quickly build up America's semiconductor manufacturing base, in a way that's sustainable over the long term in the face of increasing threats from the climate crisis, we need to leverage AI to help develop sustainable material processes quickly. With this new program, the Biden-Harris Administration will harness the vast capabilities of AI to unleash the full potential of our workers and innovators, while building a more secure and enduring domestic semiconductor industry," said U.S. Secretary of Commerce Gina Raimondo.

"President Biden says our nation can be defined in a single word: Possibilities. Using AI to accelerate the extensive, intricate work of developing sustainable materials for this incredibly complicated product is a great example of American ingenuity," said Arati Prabhakar, Assistant to the President for Science and Technology and Director of the White House Office of Science and Technology Policy. "This is how CHIPS research and development will help manufacturers continue to succeed and thrive here at home."

AI/AE has emerged as a potentially game-changing approach to accelerating materials research and development. AI/AE combines automated synthesis and characterization tools with an AI "planner" to determine the next round of an experimental campaign, vastly accelerating the design of new materials and the acquisition of materials data. In enabling federated research across multiple locations, AI/AE can create opportunities for collaborations across established research universities, emerging research institutions, industry, and national laboratories.

(*Continued On The Following Column)

CHIPS for America — with its programs spanning manufacturing incentives and multiple areas of research and development — is uniquely positioned to work with stakeholders across federal, state, and local government, industry, academia and research institutions, labor unions, and environmental groups to investigate, commercialize, and advance solutions in this space. Addressing sustainability challenges also presents an opportunity to better engage universities, including emerging research institutions, to conduct high-impact semiconductor R&D and to grow semiconductor research talent.

"We have a unique opportunity to make the United States a world leader in efficient, safe, high-volume, and competitive semiconductor manufacturing," said Under Secretary of Commerce for Standards and Technology and National Institute of Standards and Technology (NIST) Director Laurie E. Locascio. "This CHIPS for America funding opportunity will help bring about sustainable manufacturing processes and materials to meet increasing demands for sustainability and safe working environments in perhaps as few as five years."

Through this anticipated funding opportunity, CHIPS for America will support the sustainability of the U.S. semiconductor industry while recognizing the ongoing demand for improving microelectronics power, performance, area, and cost metrics. The competition will also aim to expand the participation of universities, including emerging research institutions, and their graduates in the semiconductor research and development (R&D) ecosystem. The notice of funding opportunity is expected to be released later this year.

More information about CHIPS for America's environmental work can be found https://example.chips.com/here. Follow CHIPS.gov for updates.

Treasury Sanctions Houthi Weapons Smuggling and Procurement Networks

October 2, 2024

Targets Houthi Procurement Operatives and Suppliers in Iran and China

WASHINGTON — Today, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is designating one individual and three companies that have facilitated weapons procurement and smuggling operations for Ansarallah, commonly known as the Houthis. This action targets key procurement operatives and suppliers located in Iran and the People's Republic of China (PRC) that have enabled the Houthis to acquire dual-use materials and components needed to manufacture, maintain, and deploy an arsenal of advanced missiles and unmanned aerial vehicles (UAVs) against U.S. and allied interests.

Additionally, OFAC is sanctioning one entity and two vessels linked with illicit Houthi and Iranian commercial shipments, including one that has transported shipments for Houthi financial official Sa'id al-Jamal and an affiliate of Iran's Armed Forces General Staff.

"The Houthis continue to leverage their networks of companies and procurement operatives to sustain their reckless attacks on civilian vessels, their unarmed crews, and civilian populations," said Acting Under Secretary of the Treasury for Terrorism and Financial Intelligence Bradley T. Smith. "Treasury remains committed to using our full suite of tools to disrupt the supply chain networks that enable the Houthis' destabilizing activities."

Today's action is being taken pursuant to the counterterrorism authority Executive Order (E.O.) 13224, as amended, and builds on OFAC's June 17, 2024 and July 31, 2024 actions targeting Houthi weapons procurement operatives and suppliers based in Yemen, the PRC, Hong Kong, and Oman. The U.S. Department of State designated Ansarallah as a Specially Designated Global Terrorist pursuant to E.O. 13224, as amended, effective February 16, 2024, for having committed or attempted to commit, posing a significant risk of committing, or having participated in training to commit acts of terrorism.

HOUTHI-LINKED SHIPPING FACILITATOR

The Houthis use a network of international shipping and logistics companies to transport military-grade components from third-country suppliers to their forces in Yemen. Shenzhen Boyu Imports and Exports Co., Limited (Shenzhen Boyu) is a PRC-based logistics and international shipping firm that has facilitated multiple shipments of dual-use components for use in weapons production to Houthi militants. Houthi logistics operatives have used Shenzhen Boyu to transport these important dual-use and military grade items via commercial methods in an effort to evade interdiction.

Shenzhen Boyu is being designated pursuant to E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, Ansarallah.

PRC-BASED SUPPLIERS FOR HOUTHI WEAPONS PROCUREMENT

Houthi procurement operatives continue to source dual-use components and other military-grade items from a range of PRC-based companies. The Houthis have procured tens of thousands of dollars' worth of dual-use components from PRC-based **Shenzhen Jinghon Electronics Limited** (Shenzhen Jinghon), which Houthi forces have used to advance their domestic missile and UAV production efforts.

PRC-based technology firm **Shenzhen Rion Technology Co., Ltd.** (Shenzhen Rion) is another entity from which the Houthis have sourced critical components for use in missiles and UAV development and manufacturing. Shenzhen Rion has shipped numerous military-grade components to Houthi operatives in Yemen, including hundreds of advanced components for use in the manufacturing of missile guidance systems. Shenzhen Rion was <u>previously designated</u> pursuant to the counterproliferation authority E.O. 13382 on July 30, 2024 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, Iran's Ministry of Defense and Armed Forces Logistics.

Shenzhen Jinghon and Shenzhen Rion are being designated pursuant to E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, Ansarallah.

(*Continued On The Following Column)

HOUTHI SMUGGLING OPERATIVE

Houthi operatives located in Iran and elsewhere manage an array of supply chains and smuggling networks to transport dual-use materials and other lethal aid into Houthi-controlled territory. Iran-based **Hasan Ahmad Hasan Muhammad al-Kuhlani** (Hasan Al-Kuhlani) has facilitated Houthi weapons smuggling efforts. Hasan Al-Kuhlani has also coordinated to conceal and transport Iranian lethal aid to Houthi forces.

Hasan Al-Kuhlani is being designated pursuant to E.O. 13224, as amended, for having acted or purported to act for or on behalf of, directly or indirectly, Ansarallah.

OIL SHIPMENTS SUPPORTING IRANIAN PARTNER AND PROXY DESTABILIZING ACTIVITIES

The Gabon-flagged on behalf of <u>sanctioned</u> Iranian Armed Forces General Staff (AFGS) front company Sepehr Energy Jahan Nama Pars Company (Sepehr Energy). The IZUMO has also transported petroleum products for the network of <u>sanctioned</u> Houthi financial **IZUMO** (IMO: 9249324) is currently transporting petroleum products official Sa'id al-Jamal. Sa'id al-Jamal's network has provided tens of millions of dollars of illicit oil sales revenue to support the funding of the Houthis' attacks against commercial shipping in the Red Sea.

The IZUMO is owned, managed, and operated by the Marshall Islands-registered Gemini Marine Limited. **Gemini Marine Limited** additionally owns the Cook Islands-flagged crude oil tanker **FRUNZE** (IMO: 9263643). The FRUNZE has also been linked to the transport of illicit Iranian oil and both vessels have been associated with illicit Russian oil shipments.

Gemini Marine Limited is being designated pursuant to E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, Sepehr Energy Jahan Nama Pars Company. The IZUMO and FRUNZE are being identified as property in which Gemini Marine Limited has an interest.

SANCTIONS IMPLICATIONS

As a result of today's action, all property and interests in property of the individuals named above, and of any entities that are owned, directly or indirectly, 50 percent or more by them, individually, or with other blocked persons, that are in the United States or in the possession or control of U.S. persons must be blocked and reported to OFAC. OFAC's regulations generally prohibit all dealings by U.S. persons or within the United States (including transactions transiting the United States) that involve any property or interests in property of designated or blocked persons. U.S. persons must comply with OFAC regulations, including all U.S. citizens and permanent resident aliens regardless of where they are located, all persons within the United States, and all U.S.-incorporated entities and their foreign branches. Non-U.S. persons are also subject to certain OFAC prohibitions. For example, non-U.S. persons are prohibited from causing or conspiring to cause U.S. persons to wittingly or unwittingly violate U.S. sanctions, as well as engaging in conduct that evades U.S. sanctions. Violations of OFAC regulations may result in civil or criminal penalties. OFAC may impose civil penalties for sanctions violations based on strict liability, meaning that a person subject to U.S. jurisdiction may be held civilly liable even if such person did not know or have reason to know that it was engaging in a transaction that was prohibited under sanctions laws and regulations administered by OFAC. OFAC's Economic Sanctions Enforcement Guidelines provide more information regarding OFAC's enforcement of U.S. economic sanctions, including the factors that OFAC generally considers when determining an appropriate response to an apparent violation. For additional information on complying with U.S. sanctions and export control laws, please see Department of Commerce, Department of the Treasury, and Department of Justice Tri-Seal Compliance Note. (*Continued on the Following Page)

Furthermore, engaging in certain transactions with the individuals designated today entails risk of secondary sanctions pursuant to E.O. 13224, as amended. Pursuant to this authority, OFAC can prohibit or impose strict conditions on the opening or maintaining in the United States of a correspondent account or a payable-through account of any foreign financial institution that knowingly conducted or facilitated any significant transaction on behalf of a Specially Designated Global Terrorist.

The power and integrity of OFAC sanctions derive not only from OFAC's ability to designate and add persons to the SDN List, but also from its willingness to remove persons from the SDN List consistent with the law. The ultimate goal of sanctions is not to punish, but to bring about a positive change in behavior.

'Don't Panic': What MA Consumers Need To Know About Dockworkers Strike

The standoff between longshoremen and port operators at Conley Terminal, the main cargo port in South Boston, has entered a second day.

MASSACHUSETTS — The strike by dockworkers at 36 U.S. ports, including one in Boston, could snarl the supply chain and cause shortages and higher prices if it stretches on than a few weeks, but experts warn consumers not to engage in panic buying.

Dockworkers at Conley Terminal are among 45,000 who went on strike Tuesday for the first time in decades, effectively shutting down ports from Maine to Texas where about half of U.S. imports are processed, as they demand higher wages and a ban on automation. Their union, the International Longshoremen's Association, also points to record profits by shipping companies, which have come in part because of shortages resulting from the pandemic, and to a more generous contract that West Coast dockworkers achieved last year. Longshoremen's workloads have also increased, and the effects of inflation have eroded their pay in recent years, the union says.

READ THE STORY HERE:

https://patch.com/massachusetts/chelmsford/s/izp7i/don-t-panic-what-ma-consumers-need-to-know-about-dockworkers-strike

FOR IMMEDIATE RELEASE

Wednesday, October 2, 2024

Media Contact: Office of Public Affairs, <u>publicaffairs@doc.gov</u>
Secretary Raimondo and Minister Goyal Co-Chair 2024 U.S.-India
CEO Forum

WASHINGTON – Today, the United States hosted the 6th meeting of the U.S.-India CEO Forum, which was co-chaired by U.S. Secretary of Commerce Gina Raimondo and Minister of Commerce and Industry of India Piyush Goyal. The U.S.-India CEO Forum is a platform that convenes leaders of the U.S. and Indian business communities to develop and provide joint recommendations to strengthen bilateral commercial ties and expand trade and investment between India and the United States.

(*Continued on the Following Column)

During the meeting, U.S. and Indian government representatives and CEO Forum members reaffirmed their commitment to expanding bilateral commerce and trade, driving inclusive economic growth and innovation, and fostering a resilient bilateral partnership.

The Secretary and the Minister thanked Mr. James Taiclet, President and Chief Executive Officer, Lockheed Martin, and Mr. N. Chandrasekaran, Chairman, Tata Sons, for their leadership as Private Sector Co-Chairs from 2023–2024. They noted, with appreciation, the recommendations made by the Forum members over the past two years and their respective initiatives.

They also took stock of the Forum's accomplishments, including the launch of the publicly accessible Network for Innovation and Harnessing Investments and Trade for Inclusive Growth between the United States and India (NIHIT) Platform to facilitate online knowledge sharing and networking among U.S. and Indian startups and small businesses. To date, NIHIT has organized four workshops to promote capacity building and skilling in cybersecurity, digital technologies, and AI, which have been attended by over 1,000 startups, small businesses, and entrepreneurs.

CEO Forum members, which represent a total of 22 U.S. companies and 25 Indian companies, have also made a series of recent announcements demonstrating their commitment to advancing U.S.-India commercial engagement:

- Lockheed Martin and Tata Advanced Systems Limited's recent signing of a teaming agreement on the C-130J Super Hercules aircraft. The agreement creates a framework to (1) establish a new maintenance, repair, and overhaul facility in India to support the Indian Air Force's (IAF) fleet and other global fleets of C-130J Super Hercules aircraft; and (2) expand the manufacturing and assembly of these aircraft in India to support the IAF's Medium Transport Aircraft program.
- Kyndryl Inc.'s collaboration with Indian microfinancier CreditAccess (CA) Grameen to deliver advanced technology services needed to digitize and transform CA Grameen's microloan processing business, enabling more than 2 million women borrowers to have easy and fast access to credit in rural India.
- Amneal Pharmaceutical's announcement this week of the launch of medicines in several new therapeutic areas and the groundbreaking of a state-of-the-art peptide manufacturing facility in Ahmedabad, India.
- Honeywell International's delivery and commissioning in September of a 1.4 MWh Battery Energy Storage System (BESS) for the Solar Energy Corporation of India's project on the Lakshadweep Islands, which is India's first on-grid solar initiative using BESS to manage the supply of renewable power.
- Pfizer's launch in September of its first commercial analytics center in India, called the "Analytics Gateway," which will harness AI and best-in-class data science to improve Pfizer's analytics of international markets and help it deliver more of its medicines to patients in need in India and around the world.

- Viasat's MOU on Space Collaboration, signed in September with the Government of India, to set a roadmap for collaboration on the development of next-generation space technologies between the two parties to deliver high-speed and high-capacity internet services to users in India and internationally.
- Otis Worldwide's groundbreaking in August of an expansion to its manufacturing facility in Bengaluru, India. The expansion will double the company's current escalator production capacity and help it further support metro projects and other residential, commercial and infrastructure development throughout India through the sale of elevators and escalators.

FOR IMMEDIATE RELEASE

Thursday, October 3, 2024

Media Contact: Office of Public Affairs, <u>publicaffairs@doc.gov</u>
Secretary Raimondo and Minister Goyal Convene 6th U.S.-India
Commercial Dialogue Meetings

WASHINGTON – Today, U.S. Secretary of Commerce Gina Raimondo and Indian Minister of Commerce and Industry Piyush Goyal convened the 6th ministerial level meeting of the U.S.-India Commercial Dialogue (Commercial Dialogue). The Secretary and the Minister took stock of the following achievements since the 5th ministerial meeting took place in March 2023 in New Delhi, India:

- Semiconductor Memorandum of Understanding (MOU): The Secretary and the Minister praised the two sides' continuing efforts to facilitate resilient, secure, and sustainable semiconductor supply chains. Since the signing of the MOU Establishing Semiconductor Supply Chain and Innovation Partnership under the Framework of the U.S.-India Commercial Dialogue, the U.S. Semiconductor Industry Association and the India Electronics Semiconductor Association have completed their private sector "readiness assessment," launched under the U.S.-India initiative on Critical and Emerging Technology to identify near-term industry opportunities and facilitate longer-term strategic development of complementary semiconductor ecosystems. The Secretary and the Minister pledged to continue working under the MOU to facilitate collaboration between U.S. and Indian companies towards mutually beneficial business opportunities, such as investments, joint ventures, and technology partnerships; and to promote talent and workforce development to benefit both countries.
- Innovation Handshake MOU: The Secretary and the Minister welcomed the success of the two roundtables convened in November 2023 in San Francisco and March 2024 in New Delhi, bringing the two countries' startup ecosystems closer together and carrying forward their ambitions under the MOU to Enhance Innovation Ecosystems through an Innovation Handshake under the Framework of the U.S.-India Commercial Dialogue.

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- Supporting Women-Owned and Small- and Medium-Sized Enterprises (SMEs): The Secretary and the Minister looked forward to the U.S. Department of Commerce-led Global Diversity Export Initiative Trade Mission to India in early March 2025, with a focus on expanding opportunities in the Indian market for U.S. SMEs that are owned, operated, or led by members of underserved communities. The trade mission will commence in Bengaluru with an "Export Markets Providing Opportunities for Women's Economic Rise (EMPOWER) Asia Business Conference" seeking to provide networking, mentorship, and digital skilling resources geared towards U.S. and Indian business leaders so that they can thrive in increasingly competitive and digitized markets.
- Expanding Startup and SME Resources in Bengaluru: The Secretary and the Minister applauded plans to expand the U.S. Department of Commerce's presence in India to a total of about 70 Foreign Commercial Service staff across seven cities. In Bengaluru, where the State Department is planning to open a new U.S. consulate, a new position will be created to serve as a one-stop resource for U.S. and Indian startups and SMEs and to help advance the two sides' plans for an SME Presidents Forum to explore greater SME engagement, sharing of best practices, peer learning, support for women entrepreneurs and women-owned businesses, green technology, access to digital market platforms, and integration into global value chains.
- Travel and Tourism: The Secretary and the Minister applauded the work plan established by the Travel and Tourism Working Group under the Commercial Dialogue as a significant step towards strengthening collaboration between India and the United States in the travel and tourism sector. Through a series of joint activities such as working group meetings, business matchmaking events, data exchanges, and outreach programs, both countries intend to work closely to boost two-way travel and improve industry coordination, thereby contributing to economic growth and job creation while deepening the overall U.S.-India relationship.
- Healthcare: The Secretary and the Minister acknowledged the need for and expressed a shared interest in greater information exchange about their respective government's actions to address supply chain networks that underpin domestic pharmaceutical manufacturing capabilities, with a view towards strengthening the current state of the Active Pharmaceutical Ingredients (API) industrial base, production capacities, and emergency response capabilities.

The Secretary and Minister underscored the importance of the Commercial Dialogue in sustaining momentum on shared economic priorities. They expressed a shared interest in exploring collaboration, based on mutual trust and confidence, in new and emerging areas of technology and trade, in addition to continuing ongoing work in other sectors under the framework of the Commercial Dialogue, to improve supply chain resilience and boost economic prosperity in both countries. Towards that end, they confirmed their intention to convene in 2025 a mid-year review led by senior government officials from both sides. The mid-year review will allow each side to carry forward the above priorities identified under the Commercial Dialogue, implementing a roadmap based on the Secretary's and the Minister's economic vision and ensuring robust private sector engagement to inform ongoing efforts.

Finally, the Secretary and the Minister welcomed the reconvening of the U.S.-India CEO Forum on October 2, 2024, in Washington, D.C. Both sides noted with appreciation the valued contributions of the U.S. and Indian Section CEOs and their joint recommendations to the two governments, covering a wide range of topics. These recommendations serve to guide policy decisions that strengthen bilateral commercial and trade ties, drive economic growth and innovation, and foster a resilient bilateral partnership.

October 1, 2024

General Dynamics plant in Saco wins \$191M Army contract, adding 20 jobs

By William Hall

The Saco manufacturing facility of General Dynamics Corp. has won a \$191 million contract to produce troop protection systems for the U.S. Army — and will add 20 employees to the plant's workforce of 200 to do the job.

The plant, at 291 North St., will manufacture more than 160 "Iron Fist" Active Protection Systems. Originally developed by the Israeli military, the systems are used today in the Army's Bradley fighting vehicles to intercept and destroy rocket-propelled grenades and antitank missiles.

U.S. Sen. Susan Collins, R-Maine, vice chair of the Senate Appropriations Committee and ranking member of the Subcommittee on Defense, announced the award Tuesday.

"The contract awarded to General Dynamics' Saco Facility is especially good news for the skilled workers who will be responsible for the assembly of the these critical weapon protection systems," she said in a news release.

"I am pleased that the Army has chosen the dedicated and talented workers at the General Dynamics' Saco facility to carry out this important work that contributes directly to our nation's security." The work is expected to be completed by 2027.

The Saco facility is part of the Ordnance and Tactical Systems Division at Reston, Va.-based General Dynamics Corp. (NYSE: GD), one of the world's largest defense contractors and also the parent company of Bath Iron Works.

The contract award is supported by funding in a national security budget Collins negotiated for fiscal year 2024.

(*Continued On The Following Column)

October 9, 2024

Media Contact:

Office of Public Affairs, <u>publicaffairs@doc.gov</u>
U.S. Secretary of Commerce Gina Raimondo to Travel to Rome for G7 Ministerial

WASHINGTON – U.S. Secretary of Commerce Gina Raimondo will travel to Rome, Italy from October 10-11 to participate in the G7 Industry and Technological Innovation Ministerial, which will bring together government leaders from Italy, Canada, France, Germany, Japan, the United Kingdom, the United States, and the European Union to discuss challenges facing G7 nations' economies. Among other issue areas, during the Ministerial, Raimondo will address the advancement of cutting-edge technologies like semiconductors and artificial intelligence (AI) with G7 leaders and discuss continued collaboration to create stronger economies, increase supply chain resilience, and spur equitable economic growth. While in Rome, Secretary Raimondo will also meet with Italian officials and business leaders to further strengthen the important bilateral commercial relationship.

FOR IMMEDIATE RELEASE October 9, 2024 www.bis.gov

BUREAU OF INDUSTRY AND SECURITY

Office of Congressional and Public Affairs OCPA@bis.doc.gov

BIS Issues Guidance to Financial Institutions on Best Practices for Compliance with the Export Administration Regulations

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"Every export — every single one — has a related financial transaction," said **Assistant Secretary for Export Enforcement Matthew S. Axelrod**. "Today's guidance provides recommendations to financial institutions on how to best comply with our regulations so they can spot red flags and avoid being used as instruments to facilitate export evasion."

The guidance focuses on General Prohibition 10 (GP 10), which prohibits financial institutions (and other persons) from financing or otherwise servicing any item subject to the EAR with knowledge that a violation of EAR has occurred, is about to occur, or is intended to occur. Such knowledge of a circumstance includes not only positive knowledge that the circumstance exists or is substantially certain to occur, but also an awareness of a high probability of its existence or future occurrence.

To avoid potential violations of GP 10 of the EAR, the guidance outlines several best practices, including: screening customers when onboarded and after against the U.S. <u>Consolidated Screening List;</u> recommending that customers of FIs who deal with EAR items certify compliance with the EAR under certain circumstances; and establishing risk-based procedures to detect and investigate red flags post-transaction and, where necessary, to take action to prevent violations of the EAR before proceeding with any transactions involving the same customer or counterparties.

The guidance also recommends that financial institutions closely review their customers (and, where appropriate, their customers' customers) against lists of entities that, according to publicly available trade data (such as the Trade Integrity Project), have shipped Common High Priority List (CHPL) items to Russia since 2023, and determine whether any other red flags are present.

Today's guidance builds on ongoing efforts by BIS to provide information to industry and enhance the overall security and integrity of the international trade system. BIS, along with the Departments of the Treasury, Justice, and others previously issued several joint alerts, advisories, and notices on topics ranging from Russian evasion tactics to voluntary self-disclosures.

For more information, visit https://www.bis.gov/enforcement-policy-memos.

1197. I'm a U.S. person with securities held at the National Settlement Depository (NSD), which were transferred pursuant to Russian Decree 840 to another Russian registrar. Am I required to block these securities?

Answer

Yes. On June 14, 2024, OFAC designated the National Settlement Depository (NSD), along with the Moscow Exchange (MOEX) and the National Clearing Center (NCC) pursuant to E.O. 14024 for operating or having operated in the financial services sector of the Russian Federation economy. As noted in the accompanying press release, Russia has reoriented the architecture of its financial system to facilitate investment into its defense industry and acquisition of goods needed to further its aggression against Ukraine.

Alongside this designation, OFAC issued, and subsequently extended, two general licenses to allow for wind-down of certain transactions involving NSD, MOEX, and NCC, and the divestment of securities held at NSD, among other authorized activities. These general licenses (General License 99A and General License 100A) are in place through 12:01 a.m. eastern daylight time, October 12, 2024. Following the expiration of GLs 99A and 100A, any securities in the possession or control of U.S. persons that are held at NSD should be treated as blocked, and dividends or other income received via NSD should be treated

(*Continued On The Following Column)

OFAC is aware that the Russian Federation has attempted to take action to evade or avoid OFAC sanctions on NSD via Presidential Decree 840 by requiring the transfer of certain securities to local Russian registrars. OFAC cautions that such transfers may not be authorized under the general licenses and may be considered null and void pursuant to OFAC's regulations (see 31 CFR § 587.202). OFAC understands that these transactions may involve other blocked persons, including certain local Russian registrars. OFAC is also investigating the remaining non-blocked local Russian registrars for future designation under E.O. 14024. The general licenses do not authorize transactions involving any blocked person other than those identified in the authorizations, and any transfer made in violation of OFAC sanctions is null and void. As such, U.S. persons should continue to treat these securities as blocked.

Date Released October 10, 2024

Sanctioning Entities That Have Traded in Iran's Petroleum

10/11/2024 02:58 PM EDT

Office of the Spokesperson

The Iranian regime continues to fuel conflict in the Middle East, most recently evidenced by its reckless October 1 missile attack on Israel. Today, the United States is taking action to stem the flow of revenue that the regime uses to support terrorism abroad, as well as to oppress its own people. The Department of State is imposing sanctions on six entities engaged in the Iranian petroleum trade and is identifying six vessels as blocked property.

Iran's oil exports are enabled by a network of illicit shipping facilitators in multiple jurisdictions who, through obfuscation and deception, load and transport Iranian oil for sale to buyers in Asia.

All targets are being designated pursuant to <u>Executive Order (E.O.)</u> <u>13846</u> which authorizes and reimposes certain sanctions with respect to Iran.

The Department is designating the following six entities pursuant to section 3(a)(ii) of E.O. 13846 for knowingly engaging in a significant transaction for the purchase, acquisition, sale, transport, or marketing of petroleum or petroleum products from Iran:

- ENGEN MANAGEMENT NV is a Suriname-based company involved in the transport of Iranian petroleum as the commercial manager of HORNET (IMO 9197844). ENGEN MANAGEMENT NV knowingly engaged in a significant transaction for the transport of petroleum from Iran.
- STRONG ROOTS PROVIDER NV is a Suriname-based company involved in the transport of Iranian petroleum as the commercial manager of BERG 1 (IMO 9262168).
 STRONG ROOTS PROVIDER NV knowingly engaged in a significant transaction for the transport of petroleum from Iran.
- GLAZING FUTURE MANAGEMENT NV is a Suriname-based company involved in the transport of Iranian petroleum as the commercial manager of VORAS (IMO 9203265).
 GLAZING FUTURE MANAGEMENT NV knowingly engaged in a significant transaction for the transport of petroleum from Iran.

- GABBARO SHIP SERVICES PVT LT is India-based company involved in the transport of Iranian petroleum as the technical manager of HORNET. GABBARO SHIP SERVICES PVT LTD knowingly engaged in a significant transaction for the transport of petroleum from Iran.
- ALYA MARINE SENDIRIAN BERHAD is Malaysia-based company involved in the transport of Iranian petroleum as the commercial, ISM, and technical manager of SHANAYE QUEEN (IMO 9242118). ALYA MARINE knowingly engaged in a significant transaction for the transport of petroleum from Iran.
- CELIA ARMAS LTD is a People's Republic of China-based company involved in the transport of Iranian petroleum as the commercial manager of OCTANS (IMO 9224295). CELIA ARMAS LTD knowingly engaged in a significant transaction for the transport of petroleum from Iran.

The Secretary of State has selected blocking sanctions under section 5(a)(iv) of E.O. 13846. The following vessels are being identified as blocked property:

- HORNET is being identified as property in which GABBARO SHIP SERVICES PVT LT has an interest.
- BERG 1 is being identified as property in which STRONG ROOTS PROVIDER NV has an interest.
- VORAS is being identified as property in which GLAZING FUTURE MANAGEMENT NV has an interest.
- SHANAYE QUEEN and CAROL (IMO: 9070072) are being identified as property in which ALYA MARINE SENDIRIAN BERHAD has an interest.
- OCTANS is being identified as property in which CELIA ARMAS LTD has an interest.

SANCTIONS IMPLICATIONS

As a result of today's sanctions-related actions, and in accordance with E.O. 13846, all property and interests in property of the designated persons described above that are in the United States or in possession or control of U.S. persons are blocked and must be reported to the Department of Treasury's Office of Foreign Assets Control (OFAC). Additionally, all entities and individuals that have ownership, either directly or indirectly, 50 percent or more by one or more blocked persons are also blocked.

All transactions by U.S. persons or within (or transiting) the United States that involve any property or interests in property of designated or otherwise blocked persons are prohibited unless authorized by a general or specific license issued by OFAC or exempt. These prohibitions include the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any blocked person and the receipt of any contribution or provision of funds, goods, or services from any such person.

The power and integrity of U.S. government sanctions derive not only from the U.S. government's ability to designate and add persons to the Specially Designated Nationals and

Blocked Persons (SDN) List, but also from its willingness to remove persons from the SDN List consistent with the law. The ultimate goal of sanctions is not to punish, but to bring about a positive change in behavior.

Petitions for removal from the SDN List may be sent to: OFAC. <u>OFAC.Reconsideration@treasury.gov.</u> Petitioners may also refer to the Department of State's <u>Delisting Guidance</u> page.

(*Continued On The Following Column)

PRC Military Drills Near Taiwan

10/13/2024 10:48 PM EDT

Matthew Miller, Department Spokesperson

The United States is seriously concerned by the People's Liberation Army joint military drills in the Taiwan Strait and around Taiwan. The PRC response with military provocations to a routine annual speech is unwarranted and risks escalation.

We call on the PRC to act with restraint and to avoid any further actions that may undermine peace and stability across the Taiwan Strait and in the broader region, which is essential to regional peace and prosperity and a matter of international concern. We continue to monitor PRC activities and coordinate with allies and partners regarding our shared concerns.

The United States remains committed to its longstanding one China policy, guided by the Taiwan Relations Act, the three Joint Communiqués, and the Six Assurances.

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MISSION STATEMENT:

Given the geopolitical state of affairs with China, Russia, and Crimea, the Occupied territories of UKRAINE, Donetsk and Luhansk Oblast, embargoed countries and other specific threatening end users and entities, located in the United States and around the globe;

Evolutions in Business and the companies we serve, armed with robust compliance to the Export Administration Regulations, will adhere to best practices to protect our revenue and yours, and ensure the national security interests of the United States.

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