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BUREAU OF INDUSTRY AND SECURITY
Office of Congressional and Public Affairs
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COMMERCE UPDATES RULES TO FURTHER RESTRICT EXPORTS TO NICARAGUA DUE TO FOREIGN POLICY CONCERNS

WASHINGTON, D.C.-- Today, the U.S. Commerce Department's Bureau of Industry and Security (BIS) published revisions to the Export Administration Regulations (EAR) to apply more restrictive treatment to exports and reexports to Nicaragua of items subject to the EAR. This action is consistent with the State Department's recent addition of Nicaragua to the list of proscribed countries under Section 126.1 of the International Traffic in Arms Regulations.

BIS's amendments also address concerns regarding the Nicaraguan Government's human rights abuses against citizens and civil society groups, as well as the government's continuing military and security cooperation with Russia. Specifically, BIS is moving Nicaragua from Country Group B to Country Group D:5, a more restrictive country grouping, applying a stricter licensing policy for items controlled for national security reasons, and making the country subject to 'military end use' and 'military end user' restrictions.

"The foundation of U.S. national security and foreign policy is our values. When we act to protect and advance human rights, we are putting those values into action and enhancing our shared security in the process," said Under Secretary of Commerce for Industry and Security Alan Estevez. "We will continue to send the world a simple message—the United States will not allow peaceful trade to be diverted in ways that undermine our values and weaken our security."

"Export controls can be a powerful tool to ensure U.S. technology is not misused to support human rights abuses," said Assistant Secretary of Commerce for Export Administration Thea D. Rozman Kendler. "Responding to the Ortega government's campaign of repression and blatant human rights abuses by cutting them off from U.S. items will help to deny him the tools to continue to inflict harm on the Nicaraguan people."

This rule builds on BIS's prior actions, such as the addition of the Nicaraguan National Police to the Entity List on March 28, 2023, and advances the U.S. Government's efforts to restrict the availability of items subject to the EAR to Nicaragua's military and security services.

Additionally, consistent with BIS's authorities under the Export Control Reform Act of 2018, this rule demonstrates a commitment to using export controls to promote democracy and protect human rights. Learn more about BIS's actions to promote human rights and democracy online at: <https://www.bis.doc.gov/index.php/policy-guidance/promoting-human-rights-and-democracy>.
For more information please visit: <https://bis.doc.gov>.

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China sanctions a US research firm and 2 individuals over reports on human rights abuses in Xinjiang

By The Associated Press Updated December 27, 2023, 4:46 a.m.

BEIJING (AP) — China says it is banning a United States research company and two analysts who have reported extensively on claims of human rights abuses committed against Uyghurs and other Muslim minority groups native to the country's far northwestern region of Xinjiang.

Foreign Ministry spokesperson Mao Ning was quoted as announcing late Tuesday night that Los Angeles-based research and data analytics firm Kharon, its director of investigations, Edmund Xu, and Nicole Morgret, a human rights analyst affiliated with the Center for Advanced Defense Studies, would be barred from traveling to China. Also, any assets or property they have in China will be frozen and organizations and individuals in China are prohibited from making transactions or otherwise cooperating with them.

In a statement on the Ministry of Foreign Affairs website, Mao said the sanctions against the company, Xu and Morgret were retaliation for a yearly U.S. government report on human rights in Xinjiang. Uyghurs and other natives of the region share religious, linguistic and cultural links with the scattered peoples of Central Asia and have long resented the Chinese Communist Party's heavy-handed control and attempts to assimilate them with the majority Han ethnic group.

In a paper published in June 2022, Morgret wrote, "The Chinese government is undertaking a concerted drive to industrialize the Xinjiang Uyghur Autonomous Region (XUAR), which has led an increasing number of corporations to establish manufacturing operations there. This centrally-controlled industrial policy is a key tool in the government's efforts to forcibly assimilate Uyghurs and other Turkic peoples through the institution of a coerced labor regime."

Such reports draw from a wide range of sources, including independent media, non-governmental organizations and groups that may receive commercial and governmental grants or other outside funding.

China has long denied such allegations, saying the large-scale network of prison-like facilities through which passed hundreds of thousands of Muslim citizens were intended only to rid them of violent, extremist tendencies and teach them job skills. Former inmates describe harsh conditions imposed without legal process and demands that they denounce their culture and sing the praises of President Xi Jinping and the Communist Party daily.

China says the camps are all now closed, but many of their former inmates have reportedly been given lengthy prison sentences elsewhere. Access to the region by journalists, diplomats and others is tightly controlled, as is movement outside the region by Uyghurs, Kazaks and other Muslim minorities.

"By issuing the report, the United States once again spread false stories on Xinjiang and illegally sanctioned Chinese officials and companies citing so-called human rights issues," Mao was quoted as saying. **(*Continued On The Following Column)**

"If the United States refuses to change course, China will not flinch and will respond in kind," Mao was quoted as telling reporters at an earlier news briefing.

The U.S. has slapped visa bans and a wide range of other sanctions on dozens of officials from China and the semi-autonomous city of Hong Kong, including the country's former defense minister, who disappeared under circumstances China has yet to explain. China's foreign minister also was replaced this year with no word on his fate, fueling speculation that party leader and head of state for life Xi is carrying out a purge of officials suspected of collaborating with foreign governments or simply showing insufficient loyalty to China's most authoritarian leader since Mao Zedong.

Hong Kong's government has cracked down heavily on freedom of speech and democracy since China imposed a sweeping national security law in response to massive anti-government protests in 2019.

Neither Xu or Morgret could immediately be reached for comment, and it wasn't clear what degree of connection, if any, they had with the U.S. government.

FOR IMMEDIATE RELEASE

February 29, 2024

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Citing National Security Concerns, Biden-Harris Administration Announces Inquiry into Connected Vehicles

U.S. Department of Commerce Begins Regulatory Process to Consider National Security Risks Posed by ICTS Integral to Connected Vehicles

The Advance Notice of Proposed Rulemaking Seeks Information Regarding the Security of Connected Vehicles with PRC Technology in the U.S.

WASHINGTON, D.C. – Today, the U.S. Department of Commerce issued an advance notice of proposed rulemaking (ANPRM) seeking public comment to inform the potential development of regulations to secure and safeguard the Information and Communications Technology and Services (ICTS) supply chain for connected vehicles (CVs).

"It doesn't take a lot of imagination to think of how foreign government with access to connected vehicles could pose a serious risk to both our national security and the personal privacy of U.S. citizens," said U.S. Secretary of Commerce Gina Raimondo. "To assess these national security concerns, we are issuing an Advance Notice of Proposed Rulemaking to investigate the national security risks of connected vehicles, specifically PRC-manufactured technology in the vehicles. We need to understand the extent of the technology in these cars that can capture wide swaths of data or remotely disable or manipulate connected vehicles, so we are soliciting information to determine whether to take action under our ICTS authorities." **(*Continued On The Following Page)**

“While we benefit greatly from the shift to a more digital and connected world, those connections create new avenues for espionage and sabotage. We must remain vigilant in identifying and securing those vulnerabilities, including potential vulnerabilities present in connected vehicles,” said Under Secretary for Industry and Security Alan Estevez. “Today’s action demonstrates that we are taking thoughtful, deliberative, proactive steps to address concerns that connected vehicles may present for U.S. national security.”

The ANPRM explains how the incorporation of foreign adversary ICTS in CVs can create risks, for example, by offering a direct entry point to sensitive U.S. technology and data or by bypassing measures intended to protect U.S. persons’ safety and security. In such cases, ICTS provided by persons or entities owned, controlled, or subject to the jurisdiction or direction of a foreign adversary may pose undue risks to critical infrastructure in the United States and unacceptable risks to national security. The People’s Republic of China presents a particularly acute and persistent threat to the U.S. ICTS supply chain related to CVs.

This ANPRM demonstrates the Biden-Harris Administration’s proactive efforts to address the potential national security risks associated with the ICTS integral to CVs and is a significant step in advancing the ICTS mission.

In this ANPRM, the Department seeks feedback on a number of issues, including: definitions; how potential classes of ICTS transactions integral to CVs may present undue or unacceptable risks to U.S. national security; implementation mechanisms to address these risks through potential prohibitions or, where feasible, mitigation measures; and whether to create a process for the public to request approval to engage in an otherwise prohibited transaction by demonstrating that the risk to U.S. national security is sufficiently mitigated in the context of a particular transaction.

About the Office of Information and Communications Technology and Services (OICTS):

Today’s ANPRM is being issued pursuant to the authorities established under Executive Order (E.O.) 13873, “Securing the Information and Communications Technology and Services Supply Chain” (May 15, 2019). E.O. 13873 delegates to the Secretary of Commerce (Secretary) authority to prohibit or impose mitigation measures on any ICTS transaction subject to United States jurisdiction that poses undue or unacceptable risks to U.S. national security or to U.S. persons.

The ICTS program became a mission of BIS in 2022. OICTS is charged with implementing a series of E.O.s under the International Emergency Economic Powers Act (IEEPA) focused on protecting domestic information and communications systems from threats posed by foreign adversaries.

US economy grew solid 3.2% in fourth quarter

By PAUL WISEMAN Associated Press, Updated February 28, 2024, 5:44 p.m.

WASHINGTON — The US economy grew at a robust 3.2 percent annual pace from October through December, propelled by healthy consumer spending, the Commerce Department reported Wednesday in a slight downgrade from its initial estimate.

The expansion in the nation’s gross domestic product — the economy’s total output of goods and services — slipped from a red-hot 4.9 percent from July through September. The fourth-quarter GDP numbers were revised down from the 3.3 percent pace Commerce initially reported last month. US growth has now topped 2 percent for six straight quarters, defying fears that high interest rates would tip the world’s largest economy into a recession.

Far from stumbling, the economy grew 2.5 percent for all of 2023, topping the 1.9 percent growth in 2022.

Consumer spending, which accounts for about 70 percent of US economic activity, grew at a 3 percent annual pace from October through December. Spending by state and local governments rose at a 5.4 percent annual rate from October through December, fastest pace since 2019. Growing exports also contributed to fourth-quarter growth.

https://www.bostonglobe.com/2024/02/28/business/us-economy-gdp-fourth-quarter/?rss_id=section_rss_full&s_campaign=bg:full:rss:section&et_rid=1876204030&s_campaign=businessheadlines:newsletter

President Biden Issues Executive Order to Protect Americans’ Sensitive Personal Data

Today, President Biden will issue an Executive Order to protect Americans’ sensitive personal data from exploitation by countries of concern. The Executive Order, which marks the most significant executive action any President has ever taken to protect Americans’ data security, authorizes the Attorney General to prevent the large-scale transfer of Americans’ personal data to countries of concern and provides safeguards around other activities that can give those countries access to Americans’ sensitive data.

The President’s Executive Order focuses on Americans’ most personal and sensitive information, including genomic data, biometric data, personal health data, geolocation data, financial data, and certain kinds of personally identifiable information. Bad actors can use this data to track Americans (including military service members), pry into their personal lives, and pass that data on to other data brokers and foreign intelligence services. This data can enable intrusive surveillance, scams, blackmail, and other violations of privacy.

Companies are collecting more of Americans’ data than ever before, and it is often legally sold and resold through data brokers. Commercial data brokers and other companies can sell this data to countries of concern, or entities controlled by those countries, and it can land in the hands of foreign intelligence services, militaries, or companies controlled by foreign governments.

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The sale of Americans' data raises significant privacy, counterintelligence, blackmail risks and other national security risks—especially for those in the military or national security community. Countries of concern can also access Americans' sensitive personal data to collect information on activists, academics, journalists, dissidents, political figures, and members of non-governmental organizations and marginalized communities to intimidate opponents of countries of concern, curb dissent, and limit Americans' freedom of expression and other civil liberties.

To protect Americans' sensitive personal data, President Biden is directing:

- The Department of Justice to issue regulations that establish clear protections for Americans' sensitive personal data from access and exploitation by countries of concern. These protections will extend to genomic data, biometric data, personal health data, geolocation data, financial data, and certain kinds of personal identifiers. They will prevent the large-scale transfer of that data to countries of concern—which have a track record of collecting and misusing data on Americans.
- The Department of Justice to issue regulations that establish greater protection of sensitive government-related data, including geolocation information on sensitive government sites and information about military members.
- The Departments of Justice and Homeland Security to work together to set high security standards to prevent access by countries of concern to Americans' data through other commercial means, such as data available via investment, vendor, and employment relationships.
- The Departments of Health and Human Services, Defense, and Veterans Affairs to help ensure that Federal grants, contracts, and awards are not used to facilitate access to Americans' sensitive health data by countries of concern, including via companies located in the United States.
- The Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (often called "Team Telecom") to consider the threats to Americans' sensitive personal data in its reviews of submarine cable licenses.
- That these activities do not stop the flow of information necessary for financial services activities or impose measures aimed at a broader decoupling of the substantial consumer, economic, scientific, and trade relationships that the United States has with other countries.

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These actions not only align with the U.S.' longstanding support for the trusted free flow of data, but also are consistent with U.S.' commitment to an open Internet with strong and effective protections for individuals' privacy and measures to preserve governments' abilities to enforce laws and advance policies in the public interest. The Administration will continue its engagements with stakeholders, including technology companies and advocates for privacy, safety, competition, labor, and human rights, to move forward in a way that appropriately balances all these objectives.

The President has encouraged the Consumer Financial Protection Bureau to consider taking steps, consistent with CFPB's existing legal authorities, to protect Americans from data brokers that are illegally assembling and selling extremely sensitive data, including that of U.S. military personnel.

Additionally, President Biden continues to urge Congress to do its part and pass comprehensive bipartisan privacy legislation, especially to protect the safety of our children.

Russian International Money Launderer Pleads Guilty to Illicitly Procuring Large Quantities of U.S.-Manufactured Dual-Use, Military Grade Microelectronics for Russian Entities - Thursday, February 29, 2024

For Immediate Release -Office of Public Affairs
Defendant Participated in Overseas Illicit Procurement Network That, After Russia's Invasion of Ukraine, Illegally Procured Large Quantities of Dual-Use, Military Grade Organic Light-Emitting Diode (OLED) Micro-Displays for Russian End-Users

Maxim Marchenko, 51, a Russian citizen who has resided in Hong Kong, pleaded guilty today to charges of money laundering and smuggling goods from the United States. Marchenko was arrested in September 2023.

According to court documents, Marchenko operated several Hong Kong-based shell companies, including Alice Components Co. Ltd. (Alice Components), Neway Technologies Limited (Neway) and RG Solutions Limited (RG Solutions). Marchenko and two co-conspirators (CC-1 and CC-2), who are also Russian nationals, operate an illicit procurement network in Russia, Hong Kong, and elsewhere overseas. This procurement network has fraudulently obtained from U.S. distributors large quantities of dual-use, military grade microelectronics, specifically OLED micro-displays, on behalf of Russia-based end users. To carry out this scheme, Marchenko, CC-1, and CC-2 used shell companies based in Hong Kong and other deceptive means to conceal from U.S. Government agencies and U.S. distributors that the OLED micro-displays were destined for Russia. The technology that Marchenko and his co-conspirators fraudulently procured have significant military applications, such as in rifle scopes, night-vision goggles, thermal optics and other weapon systems.

"By his own admission, Mr. Marchenko conspired to smuggle military-grade technology to Russia, using a complex network of front companies to hide his illicit activity," said Assistant Attorney General Matthew G. Olsen of the Justice Department's National Security Division. "Today, once again, the Justice Department is holding accountable those who would enable the Kremlin and its unjust war of aggression against Ukraine."

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“Today, Maxim Marchenko admitted in court that he illicitly sought to procure U.S.-manufactured, military grade microelectronics to deliver to end users in Russia,” said U.S. Attorney Damian Williams for the Southern District of New York. “Marchenko concealed his scheme to funnel these microelectronics – which had application for use in rifle scopes, night-vision goggles, thermal optics and other weapons systems – by using shell companies and other elaborate money laundering techniques. Today’s guilty plea should send a strong message to those who attempt to break the law by supplying Russia with U.S. military technology that this office will vigorously pursue such smuggling schemes and hold those involved to full account.”

“Today’s guilty plea demonstrates the FBI’s relentless pursuit of justice as we put yet another individual who tried to illegally transport military-grade U.S. technology to Russia behind bars,” said Executive Assistant Director of the FBI’s National Security Branch Larissa L. Knapp. “We will continue to collaborate with our partners to protect our national security and prevent the smuggling of such goods which could benefit authoritarian adversaries.”

“The Russian military relies on illicit procurement networks, including the one Marchenko operated here, to perpetrate their brutal war against the Ukrainian people,” said Matthew Axelrod, Assistant Secretary of Commerce for Export Enforcement. “We will continue to leverage all of our authorities to combat the transshipment of U.S. parts through third countries, like the People’s Republic of China, to the Russian military.”

To perpetrate the scheme, Marchenko and other members of the conspiracy acquired the dual-use OLED micro-displays from U.S.-based distributors using Marchenko’s Hong Kong-based shell companies, including Alice Components, Neway and RG Solutions. Members of the conspiracy, including Marchenko, procured these sensitive microelectronics by falsely representing to the U.S. distributors (who, in turn, are required to report to U.S. agencies) that Alice Components was sending the shipments to end users located in China, Hong Kong and other countries outside of Russia for use in electron microscopes for medical research. In reality, the OLED micro-displays were destined for end users in Russia. Marchenko and other members of the conspiracy concealed the true final destination (Russia) from U.S. distributors for the purpose of causing false statements to the U.S. agencies.

To conceal the fact that these OLED micro-displays were destined for Russia, Marchenko and other members of the conspiracy worked together to transship the illicitly procured OLED micro-displays by using pass-through entities principally operated by Marchenko in third countries, such as Hong Kong. Marchenko then caused the OLED micro-displays to be shipped to the ultimate destination in Russia using, among other entities, a freight forwarder known to provide freight forwarding services to Russia. In addition, Marchenko and other members of the conspiracy used Hong Kong-based shell companies, principally operated by Marchenko, to conceal the fact that payments for the OLED micro-displays were coming from Russia. In total, between in or about May 2022 and in or about August 2023, Marchenko’s shell companies funneled a total of more than \$1.6 million to the United States in support of the procurement network’s efforts to smuggle the OLED micro-displays to Russia.

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Marchenko pleaded guilty to one count of money laundering, which carries a maximum penalty of 20 years in prison, and one count of smuggling goods from the United States which carries a maximum penalty of up to 10 years in prison. He is scheduled to be sentenced on May 29 in Manhattan. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

The FBI and Commerce Department’s Bureau of Industry and Security are investigating the case.

Assistant U.S. Attorneys Jennifer N. Ong and Shiva H. Logarajah for the Southern District of New York are in charge of the prosecution, with assistance from Trial Attorney Garrett Coyle of the Counterintelligence and Export Control Section.

Today’s actions were coordinated through the Justice Department’s Task Force KleptoCapture and the Justice and Commerce Departments’ Disruptive Technology Strike Force. Task Force KleptoCapture is an interagency law enforcement task force dedicated to enforcing the sweeping sanctions, export restrictions and economic countermeasures that the United States has imposed, along with its allies and partners, in response to Russia’s unprovoked military invasion of Ukraine. The Disruptive Technology Strike Force is an interagency law enforcement strike force co-led by the Departments of Justice and Commerce designed to target illicit actors, protect supply chains, and prevent critical technology from being acquired by authoritarian regimes and hostile nation states. Updated March 1, 2024

Sweden joins NATO, completing a historic expansion of the alliance spurred by Russia’s war in Ukraine

At a meeting in Washington, Swedish Prime Minister Ulf Kristersson deposited the final paperwork with U.S. Secretary of State Antony Blinken, the last step needed for the former militarily nonaligned nation to become NATO’s 32nd member. Sweden’s neighbor Finland joined last year.

U.S. will build a temporary port on Gaza coastline for delivery of aid, Biden to announce in State of the Union

With the Gaza Strip on the brink of famine, the United States will supply aid by ship to supplement deliveries by land and air, senior U.S. officials say.

The economy added 275,000 jobs in February, signaling continued strength in the labor market

The labor market continues to add jobs at a healthy pace, even as interest rates remain high, according to the latest data from the Bureau of Labor Statistics.

AI's destiny: Altman's return to OpenAI board leaves billionaires in control

- Scott Rosenberg

Friday's announcement that OpenAI CEO Sam Altman will return to the non-profit's board locks Silicon Valley's billionaire class into control of the destiny of society-transforming artificial intelligence.

Why it matters: AI will be shaped by rich men and the markets that made them rich, not by the scientists and engineers who are building it or the governments that will have to deal with its impact.

Catch up quick: In a crisis that shook the AI world last November, OpenAI's board fired Altman, saying it had lost trust in him — but within a few tumultuous days, Altman was back in charge after most of the company threatened to quit.

- At the time, the board members who ousted Altman said they'd lost trust in him. But they never explained why or how.

The latest: Lawyers who conducted an outside investigation into the boardroom fight concluded that there was no malfeasance, financial impropriety or product safety-related disagreement behind the firing, OpenAI said Friday.

- Apparently, it really was all about a breakdown in trust.

But a breakdown in trust between a board and a CEO is a big deal, and we still have little idea what happened in November to the company responsible for ChatGPT.

- OpenAI isn't releasing the full investigation report, only a brief summary. The board members who fired Altman have never shared their story in full detail.

The intrigue: The New York Times reported last week that OpenAI CTO Mira Murati played a "pivotal role" in Altman's firing.

- In a post on X, Murati, who served very briefly as OpenAI's interim CEO before backing Altman's return, described the Times story as "the previous board's efforts to scapegoat me with anonymous and misleading claims."
- She said, in a memo to staff that she also posted on X, that she'd given Altman critical feedback directly, then shared it with board members when they asked her.

The upshot now is that the nonprofit OpenAI is steaming forward at warp speed with Altman's original strategy — funding AI development by selling shares in a for-profit subsidiary to Microsoft and other investors.

- The old board's bungled coup was almost certainly the last time anyone will be in a position to challenge Altman's leadership of OpenAI — or his belief that a nonprofit can fulfill a mission of benefiting humanity by behaving like a for-profit startup pursuing hypergrowth.
- The new board is unlikely to block a strategy that the firm's old board got canned for questioning. And its roster, even with the addition of three accomplished female members announced Friday, no longer includes specialists in AI ethics.

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The big picture: Altman became a billionaire himself as a startup investor and leader of Silicon Valley's marquee startup incubator, Y Combinator.

- His world is one that venerates the startup as a kind of artistic canvas for entrepreneurs and as capitalism's tool for changing the world.
- That's why even the ostensibly humanitarian projects Altman has pursued — like WorldCoin, which is deploying a crypto token and global identity system — look and feel more like startups than philanthropies.

Elon Musk, one of OpenAI's cofounders, sued OpenAI and Altman last week, charging that the company has abandoned its original mission.

- Musk's filing claims that OpenAI no longer prioritizes serving humanity over "maximizing profits for Microsoft."

Reality check: Musk is the on-again, off-again richest man in the world who is funding his own AI company and who seems to have agreed with Altman's raise-big, go-big strategy (based on emails OpenAI posted in response to the suit).

Yes, but: There's some common-sense truth, if not necessarily legal merit or practical value, in Musk's message.

- OpenAI's Rube Goldberg-like structure looks even less reliable after last November's crisis.
- Efforts to "strengthen governance" at the company could rid the firm of its remaining non-profit trappings, leaving it even more like a standard-order tech corporation.
- OpenAI has said that its new board will consider broader changes to the firm's structure.

Friction point: There are still plenty of people in the AI field today who believe the technology carries a risk of destroying humanity.

- Plenty of others dismiss that "existential risk" — but believe AI is likely to replicate humankind's worst biases and flaws unless it's built with caution and care.

What's next: Two examples of potentially planet-wrecking technologies from the past century lay out alternative paths for AI.

The Manhattan Project brought the U.S. government and research scientists together to build nuclear weapons during wartime.

- The destruction of Hiroshima and Nagasaki was a tragedy the U.S. still hasn't come to terms with — but we can say with certainty that the planet has not been destroyed by nukes, at least not yet.

Climate change shows us the other path — what happens when industry controls the fate of a key technology that could leave the earth uninhabitable.

At the end of the 19th century, the rise of the oil and gas industries — and the start of the profligate burning of fossil fuels that now warm our atmosphere — took place at a moment very similar to ours.

Like today, the U.S. government then chose a mostly hands-off approach — and a generation of unfathomably rich "robber barons" shaped a new century.

Their legacy is a slow-burn planetary disaster that we have yet to reverse.

The bottom line: Markets and tycoons are good at moving fast, breaking things and generating wealth. But humankind seems to manage technological danger better when government and scientists hold the tiller.

Taking Action in Response to Charter Transportation Companies Facilitating Irregular Migration to the United States
03/11/2024 10:58 AM EDT

Matthew Miller, Department Spokesperson

The United States has taken steps to impose visa restrictions on air charter company executives for facilitating irregular migration to the United States. These actions respond to the growing trend of charter airlines offering flights into Nicaragua designed primarily for irregular migrants and are the first restrictions imposed under the expansion of our visa restriction policy last month.

These visa restriction actions target transportation companies' predatory practice of profiting from vulnerable migrants and facilitating irregular migration to the United States. No one should profit from vulnerable migrants — not smugglers, private companies, public officials, or governments. We will continue engaging with governments within and outside the Western Hemisphere, as well as with the private sector, to work toward eliminating this exploitative practice, and will put in place additional visa restrictions as needed.

The visa restriction policy was announced in November 2023 and expanded on February 21, 2024.

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March 13, 2024

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Clarification of Controls on Radiation Hardened Integrated Circuits and Expansion of License Exception GOV

Publication date: 3/13/24

Effective date: 3/13/24

End of Comment date: 4/12/24

89 FR 18353

The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to clarify controls on radiation hardened integrated circuits, including controls on computer and telecommunications equipment incorporating such radiation hardened integrated circuits. This rule also addresses certain scenarios that apply to certain integrated circuits acquired, tested, or otherwise used by or for the United States Government and affirms the availability of License Exception GOV for such items when pursuant to an official written request or directive from the Department of Defense or the Department of Energy. Lastly, this rule expands the availability of License Exception GOV for microelectronics items being exported, reexported, or transferred (in-country) in furtherance of a contract between the exporter, reexporter, or transferor and a department or agency of the U.S. Government when the contract provides for the export, reexport, transfer (in-country) of the item by the exporter, reexporter, or transferor in order to remove export control obstacles for official business of the U.S. Government, including the Department of Energy and the Department of Defense.

BIS Rule

<https://www.bis.doc.gov/index.php/documents/regulations-docs/federal-register-notices/federal-register-2024/3462-89-fr-18353-clarification-of-controls-on-radiation-hardened-integrated-circuits-and-gov-expansion-3-13-24/file>

FOR IMMEDIATE RELEASE -Thursday, March 14, 2024

Media Contact:Office of Public Affairs, publicaffairs@doc.gov
Raimondo, IPEF Ministers Welcome Continued Progress at Indo-Pacific Economic Framework for Prosperity (IPEF) Virtual Ministerial Meeting

BANGKOK – Today, U.S. Secretary of Commerce Gina Raimondo joined Thai Deputy Prime Minister and Foreign Minister Parnpree Bahiddha-Nukara along with the ministers from the 12 other IPEF partners, in their first ministerial meeting this year.

During the virtual ministerial meeting on Pillars II-IV, Secretary Raimondo welcomed the significant progress made since the substantial conclusion of the negotiations for the proposed IPEF Clean Economy Agreement, the IPEF Fair Economy Agreement, and Agreement on IPEF in November 2023. The IPEF partners also discussed the ongoing cooperative work ahead across the three proposed agreements.

Additionally, the Secretary welcomed the February 24, 2024 entry into force of the IPEF Supply Chain Agreement, and reaffirmed the U.S. commitment to work closely with the IPEF partners to quickly begin operationalizing the agreement. Building on that progress, the Department of Commerce today published the text of the proposed Clean Economy Agreement, Fair Economy Agreement, and Agreement on IPEF.

The IPEF partners also discussed next steps to deliver concrete outcomes under the Framework over the next several months. This includes several new lines of effort under the Clean Economy pillar, including the launching of four new Cooperative Work Programs (CWP), announcing that the inaugural IPEF Clean Economy Investor Forum will be held in Singapore on June 5-6, and providing more details on the IPEF Catalytic Capital Fund.

The IPEF partners further announced that the Ministers will next meet in-person in Singapore on June 6 to discuss the Supply Chain Agreement, the Clean Economy Agreement, the Fair Economy Agreement, and the Agreement on IPEF.

“I continue to be amazed by the energy and collaborative spirit that each of our IPEF partners brings to the table and by how much we have accomplished together in such a short amount time,” said Commerce Secretary Gina Raimondo. “This framework did not exist less than two years ago. And now, from completing the legal review of the proposed Clean Economy and Fair Economy Agreements and the Agreement on IPEF, to bringing the Supply Chain Agreement into force and launching additional meaningful initiatives, it’s clear that the next phase of IPEF will continue to deliver concrete results for each of our economies.”

Commerce Department Publishes Texts of Landmark Clean Economy Agreement, Fair Economy Agreement, and Agreement on IPEF

Following the substantial conclusion of the negotiations of the three proposed agreements in November 2023, the IPEF partners conducted an intensive legal review, including an in-person round held in Washington, D.C., on February 19-23, 2024. Having completed the legal review process, the IPEF partners today took a significant step forward with the finalization of the texts for the three proposed agreements. The IPEF partners will now undertake their respective domestic processes to prepare for signature of the agreements, followed by acceptance, approval, or ratification of the agreements.*(*Continued On The Following Column)*

The proposed Fair Economy Agreement aims to create a more level playing field for U.S. workers and businesses, as well as those of the IPEF partners, and to create a more transparent, predictable trade and investment environment across the Indo-Pacific. To achieve these goals, under the proposed agreement, the IPEF partners would work together to enhance their efforts to prevent and combat corruption including bribery, and support efforts to improve tax transparency and the exchange of information, domestic resource mobilization, and tax administration. In particular, the proposed agreement reflects how combatting corruption and enforcing labor laws can empower workers, with commitments to ensure that labor rights are respected, including to provide appropriate protections to migrant workers, and to take appropriate measures to prohibit employer interference with the exercise of freedom of association and collective bargaining rights.

To help ensure effective implementation of initiatives across the IPEF pillars and agreements, as well as ensure the durability of the Framework over the long-term for ongoing economic cooperation, the proposed Agreement on IPEF establishes two ministerial-level bodies, each to meet annually: an IPEF Council, which will consider matters affecting the collective operation of the IPEF agreements and Framework as whole, including proposals for negotiations on new agreements and accession of new members; and a Joint Commission to monitor the work under the Supply Chain Agreement, the Clean Economy Agreement, and the Fair Economy Agreement, with a view to identifying cross-cutting synergies and avoiding duplication of work.

As part of its ongoing commitment to transparency, the Department of Commerce is making public the texts of the three proposed agreements, which can be accessed here on its website.

[Proposed IPEF Clean Economy Agreement \(full text\)](#)
[Proposed IPEF Fair Economy Agreement \(full text\)](#)
[Proposed Agreement on IPEF \(full text\)](#)

Pillar II: Building Supply Chain Resiliency for the Indo-Pacific

Following the signing of the IPEF Supply Chain Agreement in November 2023, the agreement entered into force on February 24, 2024, after five partners deposited their instruments of ratification, acceptance, or approval. The IPEF partners are now working towards operationalizing the agreement, including naming their representatives to the agreement’s three bodies (the Supply Chain Council, the Crisis Response Network, and the Labor Rights Advisory Board), establishing chairs, and adopting terms of reference for each, as well as identifying their respective initial lists of critical sectors and key goods for cooperation under the agreement.

Pillar III: Cooperating to Accelerate the Transition to Cleaner IPEF Economies

The IPEF partners further discussed the progress on Pillar III since the substantial conclusion of the negotiations of the proposed Clean Economy Agreement in November 2023.

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The IPEF partners welcomed the inaugural IPEF Clean Economy Investor Forum, which will take place in Singapore on June 5-6, 2024. The Forum will bring together some of the region's largest investors and philanthropies with government agencies and innovative companies and entrepreneurs to mobilize increased investment for climate-related infrastructure, technologies, and projects in the region. These investments will advance the goals of the 14 IPEF partner countries set out in the proposed Clean Economy Agreement. For more information and future updates, please visit: www.IPEFinvestorforum.org.

The IPEF partners also announced plans to provide \$33 million in initial grant funding for the IPEF Catalytic Capital Fund under the Pillar III Clean Economy Agreement. These funds will be instrumental in catalyzing up to \$3.3 billion in private investment for climate infrastructure projects in IPEF economies party to the IPEF Clean Economy Agreement. The Fund's founding supporters include Australia, Japan, the Republic of Korea, and the United States, which will take steps to complete their respective domestic processes to contribute funds, as well as raise awareness about the Fund and its opportunities for public and private sector stakeholders. The Private Infrastructure Development Group will administer and leverage the Fund to deploy concessional financing, technical assistance, and capacity building support to expand the pipeline of high quality, resilient, and inclusive climate infrastructure projects.

In addition, the IPEF partners took stock of the CWP on hydrogen announced in May 2023, as well potential new ones. Under the proposed agreement, the CWPs are a mechanism through which the IPEF partners or a group of partners prioritize their focus and resources on a common goal. On hydrogen, those interested IPEF partners have taken steps to advance the initiative, including establishing workstreams related to the exchange of information and sharing of best practices on methodologies, standards, and certifications developed by international bodies on the carbon intensity of hydrogen and its carriers, as well as cross-border pilots and demonstration projects.

The IPEF partners also announced four new CWPs based on proposals put forward by partners:

- On carbon markets, interested IPEF partners initially are seeking to understand existing regional carbon market priorities and identify strategies for improving the enabling conditions for cooperation;
- Interested IPEF partners also are pursuing clean electricity enhancement to facilitate increased decarbonization and access to clean energy in the region, including through public-private cooperation;
- To advance the promotion of employment creation and labor rights and strengthen efforts to address employment shifts in the move to clean energy, interested IPEF partners endeavor to pursue workforce development efforts to ensure a just transition towards achieving a clean economy; and
- Interested IPEF partners will collaborate on sustainable aviation fuels (SAF) to enhance the availability and affordability of SAF and its feedstocks, so as to catalyze and develop regional SAF value chains in the region.

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Pillar IV: Enhancing Transparency and Predictability in the Business Environment

The IPEF partners also discussed ways to deliver early results under the proposed Pillar IV Fair Economy Agreement to foster a more predictable and transparent business environment and help drive greater trade and investment among the partners. In recognition of the critical role of technical assistance and capacity building (TACB) on achieving the commitments laid out in the proposed agreement and ensuring effective implementation and enforcement of anti-corruption measures and improving transparency tax administration, the partners look forward to continuing to identify and implement TACB initiatives to strengthen anti-corruption efforts and the efficiency of tax administration.

About IPEF

In May 2022, President Biden launched IPEF, bringing together 14 regional partners – Australia, Brunei, Fiji, India, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Thailand, the United States, and Vietnam – in a new model of economic cooperation. IPEF negotiations began in late 2022. In May 2023, the IPEF partners announced the substantial conclusion of the negotiations for a first-of-its-kind IPEF Supply Chain Agreement. In November 2023, the IPEF partners announced the substantial conclusion of the negotiations on the proposed IPEF Clean Economy and Fair Economy Agreements, as well as on a proposed overarching Agreement on IPEF to help ensure the durability of the framework and held a signing ceremony for the IPEF Supply Chain Agreement.

Links:

[November 2023 IPEF Ministerial Joint Statement](#)

[Proposed IPEF Clean Economy Agreement \(full text\)](#)

[Proposed IPEF Fair Economy Agreement \(full text\)](#)

[Proposed Agreement on IPEF \(full text\)](#)

<https://www.commerce.gov/sites/default/files/2024-03/IPEF-PIII-Clean-Economy-Agreement.pdf>

FOR IMMEDIATE RELEASE

Thursday, March 14, 2024

Media Contact: Office of Public Affairs, publicaffairs@doc.gov
Readout of Secretary Raimondo's Meeting with Thai Minister of Digital Economy and Society Prasert Chanthararungthong

BANGKOK – Today, U.S. Secretary of Commerce Gina Raimondo met with Thailand's Minister of Digital Economy and Society Prasert Chanthararungthong to discuss opportunities for collaboration in the digital economy. During the meeting, the two also discussed emerging priorities, including ASEAN's Digital Economy Framework Agreement; artificial intelligence; and cybersecurity. Secretary Raimondo and Minister Prasert were later joined by members of the President's Export Council (PEC) to discuss concrete ways that the United States and Thailand, as well as other ASEAN and Indo-Pacific Economic Framework for Prosperity (IPEF) partners can work together to drive shared economic growth.

Imposing Further Sanctions to Promote Peace, Security, and Stability in the West Bank

SANCTIONS ON THOSE IMPOSING VIOLENCE ON PALESTINIANS IN THE WEST BANK

03/14/2024 10:30 AM EDT

Office of the Spokesperson

The United States continues to take action against those who undermine peace, security, and stability in the West Bank, which undermine the national security and foreign policy objectives of the United States, including the viability of a two-state solution, ensuring Israelis and Palestinians can attain equal measures of security, prosperity, and freedom, and reducing the risk of regional destabilization. There is no justification for extremist violence against civilians, whatever their national origin, ethnicity, race, or religion.

The Department of State is imposing additional sanctions, pursuant to Executive Order (E.O.) 14115, to promote accountability for individuals and entities associated with actions that undermine peace, security, and stability in the West Bank. This follows the State Department's announcement of a related visa restriction policy on December 5, 2023, as well as its first sanctions actions under E.O. 14115, on February 1, 2024.

These individuals and entities are being designated pursuant to E.O. 14115, which authorizes sanctions against those involved in certain actions, including violence or threats of violence targeting civilians, efforts to place civilians in reasonable fear of violence with the purpose or effect of necessitating a change of residence to avoid such violence, destruction of property, seizure or dispossession of property by private actors, or terrorist activity, affecting the West Bank. Today's action further underscores our commitment to promoting peace, security, and stability for civilians in the West Bank and accountability for the individuals and entities involved in these actions.

The Department is designating the following individual pursuant to section 1(a)(i)(B)(1) for being responsible for or complicit in, or for having directly or indirectly engaged or attempted to engage in planning, ordering, otherwise directing, or participating in an act of violence or threat of violence targeting civilians, affecting the West Bank:

- ZVI BAR YOSEF (BAR YOSEF) engaged in repeated violence and attempts to engage in violence against Palestinians in the West Bank.

Pursuant to section 1(a)(iv), the following entity is being designated for being owned or controlled by, or for having acted or purported to act for or on behalf of, directly or indirectly, BAR YOSEF:

*(*Continued On The Following Column)*

- ZVIS FARM was established by and is owned by BAR YOSEF. BAR YOSEF uses the outpost as a base from which he perpetrates violence against Palestinians and prevents local Palestinian farmers from accessing and using their lands. Pursuant to section 1(a)(i)(B)(1), the following individual is being designated for being responsible for or complicit in, or for having directly or indirectly engaged or attempted to engage in planning, ordering, otherwise directing, or participating in an act of violence or threat of violence targeting civilians, affecting the West Bank, and pursuant to section 1(a)(i)(B)(2) for being responsible for or complicit in, or having directly or indirectly engaged or attempted to engage in planning, ordering, otherwise directing, or participating in efforts to place civilians in reasonable fear of violence with the purpose or effect of necessitating a change of residence to avoid such violence, affecting the West Bank:
- MOSHE SHARVIT (SHARVIT) repeatedly harassed, threatened, and attacked Palestinian civilians and Israeli human rights defenders in the vicinity of MOSHES FARM, an outpost in the West Bank. In October 2023, SHARVIT issued a threat against the residents of the Palestinian village of Ein Shibli, and while armed, ordered them to leave their homes; this threat resulted in up to 100 Palestinian civilians fleeing their village in fear for their lives.

Pursuant to section 1(a)(iv), the following entity is being designated for being owned or controlled by, or for having acted or purported to act for or on behalf of, directly or indirectly, SHARVIT:

MOSHES FARM is owned and was founded by SHARVIT in 2021. SHARVIT uses the outpost as a base from which he perpetrates violence against Palestinians.

Pursuant to section 1(a)(i)(B)(4), the following individual is being designated for being responsible for or complicit in, or for having directly or indirectly engaged or attempted to engage in planning, ordering, otherwise directing, or participating in seizure or dispossession of property by private actors, affecting the West Bank:

- NERIYA BEN PAZI (BEN PAZI) has expelled Palestinian shepherds from hundreds of acres of land. In August 2023, settlers including BEN PAZI attacked Palestinians near the village of Wadi as-Seeq.

Sanctions Implications

As a result of today's action, and in accordance with E.O. 14115, 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 the Treasury's Office of Foreign Assets Control (OFAC). Additionally, all individuals or entities 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. Additionally, the entry of designated individuals into the United States is suspended pursuant to Presidential Proclamation 8693. *(*Continued On The Following Page)*

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 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.Reconsideration@treasury.gov.
Petitioners may also refer to the Department of State's Delisting Guidance page.

For more information on E.O. 14115, see full text .

MISSION STATEMENT:

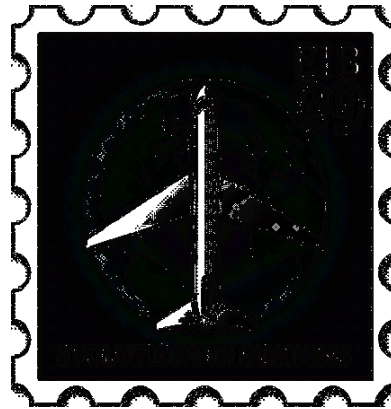
Given the geopolitical state of affairs with China, Russia, and Crimea, the Occupied territories of UKRAINE, Donetsk and Luhansk Oblast, embargoed countries and other specific threatening end users and entities, located in the United States and around the globe;

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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