



# EIB World Trade Headlines

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## NEW VOLUNTARY CODE OF CONDUCT FOR EXPORTERS

In addition to the United States, the governments that have endorsed the voluntary Code of Conduct are: Albania, Australia, Bulgaria, Canada, Croatia, Czechia, Denmark, Ecuador, Estonia, Finland, France, Germany, Japan, Kosovo, Latvia, The Netherlands, New Zealand, North Macedonia, Norway, Republic of Korea, Slovakia, Spain, and the United Kingdom. The Code of Conduct is open for all Summit for Democracy participants to join.

The Code of Conduct calls for Subscribing States to:

- Take human rights into account when reviewing potential exports of dual-use goods, software, or technologies that could be misused for the purposes of serious violations or abuses of human rights.
- Consult with the private sector, academia, and civil society representatives on human rights concerns and effective implementation of export control measures.
- Share information with each other on emerging threats and risks associated with the trade of goods, software, and technologies that pose human rights concerns.
- Share best practices in developing and implementing export controls of dual-use goods and technologies that could be misused, reexported, or transferred in a manner that could result in serious violations or abuses of human rights.
- Encourage their respective private sectors to conduct due diligence in line with national law and the UN Guiding Principles on Business and Human Rights or other complementing international instruments, while enabling non-subscribing states to do the same.
- Aim to improve the capacity of States that have not subscribed to the Code of Conduct to do the same in accordance with national programs and procedures.

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## Hong Kong's Declining Rule of Law

03/31/2023 11:25 AM EDT

Antony J. Blinken, Secretary of State

The People's Republic of China (PRC) continues to erode Hong Kong's judicial independence and the rule of law. This past year, PRC and Hong Kong authorities have further criminalized dissent, undermining the human rights and fundamental freedoms of people in Hong Kong and dismantling the city's promised autonomy. The Hong Kong Policy Act report, released today, catalogs the facts of PRC and Hong Kong authorities' ongoing crackdown on civil society, media, and dissenting voices.

The Hong Kong government has persisted in its enforcement of the National Security Law and wielded a sedition law to silence perceived critics – with more than 1,200 people reportedly detained for their political beliefs, many of whom remain in pre-trial detention.

We urge PRC authorities to restore Hong Kongers their protected rights and freedoms, release those unjustly detained or imprisoned, and respect the rule of law and human rights in Hong Kong.

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FOR IMMEDIATE RELEASE

March 30, 2023

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BUREAU OF INDUSTRY AND SECURITY  
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### **BIS IMPOSES 20 YEAR DENIAL ORDER FOR ALLEGED ATTEMPTED UNAUTHORIZED EXPORT OF COMMUNICATIONS EQUIPMENT TO IRAN**

Washington, D.C.—On March 29, 2023, the Bureau of Industry and Security (BIS) of the U.S. Department of Commerce issued an order denying the export privileges of two companies, Scott Communications, Inc. and Mission Communications, LLC, as well as their owner, Kenneth Peter Scott, (collectively Scott Communications) for a period of 20 years. This settlement resolves a Charging Letter (CL) setting forth five alleged violations of the Export Administration Regulations (EAR) by Scott Communications related to efforts to export communications equipment to Jordan knowing that the equipment was destined for Iran without the required license. Scott Communications also failed to file Electronic Export Information (EEI) for the transaction and failed to maintain appropriate records. During the course of the investigation, Scott made false or misleading statements to Federal Bureau of Investigation (FBI) and BIS Special Agents. Scott Communications admitted to committing the alleged conduct set forth in the CL as part of the settlement agreement.

“BIS will not tolerate exporters using third countries as transshipment points to prohibited destinations such as Iran and providing false statements to law enforcement agents to cover up such illicit activities,” said Assistant Secretary Matthew Axelrod. “We will impose severe administrative penalties as appropriate, such as extensive export denial orders, on persons and companies to prevent future violations of our controls.”

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This action resulted from a joint investigation by BIS's Office of Export Enforcement and the FBI. Scott Communications, through its owner Kenneth Peter Scott, who also owns Mission Communications, LLC, agreed to export the communications equipment, specifically two radios, to Jordan with the knowledge that the equipment was ultimately destined for Iran. Scott Communications then attempted to export the radios to Jordan, which were detained by law enforcement, without the required license. During the course of the conduct, Scott was actually communicating with an undercover FBI Special Agent posing as a procurement agent for Iran.

Scott also made false or misleading representations to a BIS official and produced falsified emails in an effort to support claims that Scott Communications did not agree to the export. Scott Communications also did not file EEI for the export of the communications equipment and did not maintain appropriate export control records. As the Settlement Agreement and Order indicate, Scott Communications has demonstrated a limited ability to pay a monetary penalty. The full Order, Settlement Agreement, and Charging Letter are available online here: <https://efoia.bis.doc.gov/index.php/documents/export-violations/export-violations-2023/1489-e2828/file>

A denial of export privileges prohibits a person from participating in any way in any transaction subject to the EAR. Furthermore, it is unlawful for other businesses and individuals to participate in any way in an export transaction subject to the EAR with a denied person.

Report suspected export control violations through the BIS online tip portal. You can also call the Enforcement Hotline at 1-800-424-2980 or email: [EELead@bis.doc.gov](mailto:EELead@bis.doc.gov). These BIS actions were taken under the authority of the Export Control Reform Act of 2018 and its implementing regulations, the EAR. BIS controls exports and reexports of dual-use commodities, technology and software for reasons of national security, missile technology, nuclear non-proliferation, chemical and biological non-proliferation, crime control and regional stability. Criminal and administrative sanctions can be imposed for violations of the EAR. For more information, please visit: <https://www.bis.doc.gov/index.php/enforcement>.

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### **Code of Conduct for Enhancing Export Controls of Goods and Technology That Could be Misused and Lead to Serious Violations or Abuses of Human Rights**

We, the Subscribing States,

Recognizing that advanced goods and technologies are a vital part of global economic growth and communication; that they help people become more interconnected and share knowledge, and can help advance societal opportunity, freedom, and the promotion and protection of human rights and democracy; that there are legitimate law enforcement uses of these technologies with appropriate legal frameworks in place; and that properly regulated trade in these technologies, and their responsible use, has the potential to positively impact the lives of people throughout the world;

Expressing concern that some state and non-state actors are increasingly misusing surveillance tools and other technologies in ways that can lead to serious violations or abuses of human rights, including acts to censor political opposition and track dissidents, journalists, human rights defenders, other members of civil society, or individuals belonging to vulnerable groups;

*(\*Continued On The Following Page)*

Believing such misuse is contrary to our shared values, raises moral concerns amongst our citizens, and risks undermining the benefits that advanced technologies bring to the world and which they may bring in the future;

Resolve to establish and adopt this voluntary Code of Conduct, which outlines political commitments to apply export controls to ensure that relevant goods and technologies are used in compliance with international human rights law and not misused to unlawfully or arbitrarily interfere with privacy or to otherwise commit serious violations or abuses of human rights. The Code of Conduct complements existing multilateral commitments and will contribute to regional and international security and stability.  
Commit to:

1. Make efforts to ensure, consistent with applicable law and existing multilateral commitments, that our domestic legal, regulatory, policy and enforcement tools are appropriate and updated to control the export of dual-use goods or technologies to end-users that could misuse them for the purposes of serious violations or abuses of human rights.
2. Engage with the private sector, academia, researchers, technologists, members of civil society, including those from vulnerable groups, in Subscribing States for consultations concerning these issues and concerning effective implementation of export control measures.
3. Share information regarding threats and risks associated with such tools and technologies with other Subscribing States on an ongoing basis, especially as these technologies develop.
4. Share, develop and implement best practices among Subscribing States to control exports of such dual-use goods and technologies to state and non-state actors that pose an unacceptable risk of human rights violations or abuses; seek assurances from recipients that such exported items will not be misused, reexported, or transferred in a manner that could result in serious violations or abuses of human rights; and require provision of sufficient relevant information to enable export control authorities to assess the risk that such exported items might be used in a manner inconsistent with the protection of human rights.
5. Consult with industry and promote non-state actors' implementation of human rights due diligence policies and procedures in line with the UN Guiding Principles on Business and Human Rights or other complementing international instruments, and share information consistent with national law with industry to facilitate due diligence practices when implementing export control measures.
6. Aim to improve the capacity of States that have not subscribed to the Code of Conduct to do the same in accordance with national programs and procedures, and encourage other States to join, or act consistent with, this Code of Conduct.

Additionally, we commit to:

1. Hold ongoing meetings, either annually or as otherwise agreed by the Subscribing States.
2. Use these meetings to seek to further develop the workings of the Code of Conduct so as to:
  - a. Establish procedures for the voluntary exchange of relevant information;
  - b. Establish or maintain appropriate mechanisms to address policy questions without prejudice to relevant export control-related frameworks;

(\*Continued On The Following Column)

c. Designate a Subscribing State to serve as the central contact for the receipt of questions and the distribution of Code of Conduct and related best practices, or to select a new central contact.

d. Designate a national point of contact for inquiries about the Subscribing State's domestic export control procedures and implementation of this Code of Conduct.

e. Discuss human rights concerns relating to export license applications, including for items controlled by the four multilateral export control regimes;

f. Share information/views on relevant technologies for this initiative.

3. Identify collaboration opportunities with multilateral export control regimes and related initiatives, as appropriate.

Note: This document does not specifically mention any of the multilateral export control regimes, such as the Wassenaar Arrangement, as this initiative is open for all States to subscribe to, regardless of whether or not they are a participating state in any of the regimes.

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## **Export Controls and Human Rights Initiative Code of Conduct Released at the Summit for Democracy 03/30/2023 11:52 AM EDT**

Office of the Spokesperson

The United States continues to put human rights at the center of our foreign policy. The Export Controls and Human Rights Initiative – launched at the first Summit for Democracy as part of the Presidential Initiative for Democratic Renewal – is a multilateral effort intended to counter state and non-state actors' misuse of goods and technology that violate human rights. During the Year of Action following the first Summit, the United States led an effort to establish a voluntary, nonbinding written code of conduct outlining political commitments by Subscribing States to apply export control tools to prevent the proliferation of goods, software, and technologies that enable serious human rights abuses. Written with the input of partner countries, the Code of Conduct complements existing multilateral commitments and will contribute to regional and international security and stability.

In addition to the United States, the governments that have endorsed the voluntary Code of Conduct are: Albania, Australia, Bulgaria, Canada, Croatia, Czechia, Denmark, Ecuador, Estonia, Finland, France, Germany, Japan, Kosovo, Latvia, The Netherlands, New Zealand, North Macedonia, Norway, Republic of Korea, Slovakia, Spain, and the United Kingdom. The Code of Conduct is open for all Summit for Democracy participants to join.

The Code of Conduct calls for Subscribing States to:

Take human rights into account when reviewing potential exports of dual-use goods, software, or technologies that could be misused for the purposes of serious violations or abuses of human rights.

Consult with the private sector, academia, and civil society representatives on human rights concerns and effective implementation of export control measures.

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Share information with each other on emerging threats and risks associated with the trade of goods, software, and technologies that pose human rights concerns.

Share best practices in developing and implementing export controls of dual-use goods and technologies that could be misused, reexported, or transferred in a manner that could result in serious violations or abuses of human rights.

Encourage their respective private sectors to conduct due diligence in line with national law and the UN Guiding Principles on Business and Human Rights or other complementing international instruments, while enabling non-subscribing states to do the same.

Aim to improve the capacity of States that have not subscribed to the Code of Conduct to do the same in accordance with national programs and procedures.

We will build on the initial endorsements of the ECHRI Code of Conduct by States at the Summit for Democracy and seek additional endorsements from other States. We will convene a meeting later this year with Subscribing States to begin discussions on implementing the commitments in the Code of Conduct. We will also continue discussions with relevant stakeholders including in the private sector, civil society, academia, and the technical community.

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FOR IMMEDIATE RELEASE

March 30, 2023

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Commerce Adds Eleven to Entity List for Human Rights Abuses and Reaffirms Protection of Human Rights as Critical U.S. Foreign Policy Objective

WASHINGTON, D.C. – Today, the Commerce Department’s Bureau of Industry and Security (BIS) published a rule that adds eleven entities based in Burma, the People’s Republic of China (PRC), Nicaragua, and Russia to the Entity List for enabling or engaging in human rights abuses around the world. The rule also reaffirms BIS’s longstanding position that the protection of human rights throughout the world is a foreign policy interest that is a basis for adding parties to the Entity List.

The text of the rule that was released on March 28 and published today includes the full list of entities and is available on the Federal Register’s website here:

<https://www.federalregister.gov/documents/2023/03/30/2023-06663/additions-to-the-entity-list-amendment-to-confirm-basis-for-adding-certain-entities-to-the-entity>. The effective date is March 28, 2023.

“The Biden-Harris Administration has put human rights at the center of U.S. foreign policy, and today’s actions reaffirm that critical commitment,” said Deputy Secretary of Commerce Don Graves. “I’m proud that the Commerce Department continues to actively use export controls to contribute to the protection of these cherished democratic values.”

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“Our global and national security policies are most effective when they are driven by our bedrock democratic values—respect for the rule of law, advancement of human rights, and the pursuit of peace.” said Under Secretary of Commerce for Industry and Security Alan F. Estevez. “We are advancing our national security and foreign policy interests by acting to deny human rights violators access to U.S. technologies and other items that can be used to terrorize their own people.”

“Export controls can be a powerful tool to ensure U.S. technology is not misused by corporations or government agencies to support human rights abuses,” said Assistant Secretary of Commerce for Export Administration Thea D. Rozman Kendler. “BIS looks forward to continuing to work with our international allies and partners and U.S. exporting community to stand up for human rights and prevent diversion to prohibited end-uses or end-users.”

“Protecting human rights and respect for the rule of law are core tenets of democratic government, and values that undergird U.S. national security and foreign policy,” said Assistant Secretary of Commerce for Export Enforcement Matthew S. Axelrod. “Export Enforcement will continue to work vigorously to identify those who use U.S. technology to abuse human rights and will use all law enforcement tools at our disposal to hold them accountable.”

Under preexisting regulations, BIS takes into account human rights concerns when reviewing almost all license applications for items on the Commerce Control List (CCL), other than items controlled only for short supply reasons. Today’s rule reaffirms the protection of human rights worldwide as a U.S. foreign policy interest that is a basis for adding parties to the Entity List. More information on BIS’s actions to promote human rights and democracy are available online here: <https://www.bis.doc.gov/index.php/policy-guidance/promoting-human-rights-and-democracy>, and FAQs on BIS’s human rights activities are available here: <https://www.bis.doc.gov/index.php/documents/pdfs/3239-2023-bis-human-rights-faqs/file>.

Additional Background on Today’s Additions:

Commerce Department’s action targets these entities’ ability to access commodities, software, and technology subject to the Export Administration Regulations (EAR), recognizing the increasingly key role that technology plays in enabling campaigns of repression and other human rights abuses. The rule imposes a license requirement for all items subject to the EAR and license applications for the export, reexport, or transfer (in-country) of these items submitted to Commerce will be reviewed under a presumption of denial. Additional information on the entities is below:

- Two Russian and three entities based in Burma are being added to the Entity List for actions to support the sale, procurement, and service of military equipment that enables Burma’s military regime to carry out human rights abuses, as well as brutal aerial attacks that have killed and injured civilians.
- The Nicaraguan National Police (NNP) are being added to the Entity List because the NNP is responsible for, or has directly or indirectly engaged in, serious human rights abuses in Nicaragua.
- Five entities based in the PRC are being added for being implicated in human rights violations and abuses in the implementation of China’s campaign of repression, mass arbitrary detention, and high-technology surveillance against the Uyghur people and members of other Muslim minority groups in the Xinjiang Uyghur Autonomous Region (XUAR).

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## Additional Background on the Entity List Process

These BIS actions were taken under the authority of the Export Control Reform Act of 2018 and its implementing regulations, the EAR.

The Entity List (supplement no. 4 to part 744 of the EAR) identifies entities for which there is reasonable cause to believe, based on specific and articulable facts, that the entities—including businesses, research institutions, government and private organizations, individuals, and other types of legal persons—that have been involved, are involved, or pose a significant risk of being or becoming involved in activities contrary to the national security or foreign policy interests of the United States. Parties on the Entity List are subject to individual licensing requirements and policies supplemental to those found elsewhere in the EAR.

Entity List additions are determined by the interagency End-User Review Committee (ERC), comprised of the Departments of Commerce (Chair), Defense, State, Energy, and where appropriate, the Treasury.

The ERC makes decisions regarding additions to, removals from, or other modifications to the Entity List. The ERC makes all decisions to add an entity to the Entity List by majority vote and makes all decisions to remove or modify an entity by unanimous vote.

Additional information on the Entity List is available on BIS's website here: <https://bis.doc.gov/index.php/policy-guidance/faqs>,

For more information, visit: <http://www.bis.doc.gov>.

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## Invocation of the OSCE Moscow Mechanism to Examine Reports of the Russian Federation's Forcible Transfer and Deportation of Ukraine's Children 03/30/2023 01:33 PM EDT

### Vedant Patel, Principal Deputy Spokesperson

The United States and 44 other countries, with the support of Ukraine, invoked the Organization of Security and Cooperation in Europe's (OSCE) Moscow Mechanism requesting that the OSCE's Office of Democratic Institutions and Human Rights (ODIHR) establish an expert mission to examine allegations of the forced transfer of children in those parts of Ukraine's territory temporarily controlled or occupied by Russia, as well as allegations that Ukraine's children have been deported to the Russian Federation. This expert mission will look into whether such actions and any abuses associated with or resulting from them violate international law, constitute war crimes or crimes against humanity, and/or contravene relevant OSCE commitments. This mission will also be tasked with collecting, consolidating, and analyzing any evidence that could be shared with relevant accountability mechanisms as well as national, regional, or international courts or tribunals that may have jurisdiction.

This invocation follows OSCE's April and July 2022 Moscow Mechanism Mission Reports, which were requested by the United States and 44 other countries. Those investigations documented widespread human rights abuses and violations of international humanitarian law by Russian Federation forces in Ukraine. Those reports catalogued extensive evidence of direct targeting of civilians, attacks on medical facilities, rape, torture, summary executions, looting, and forced deportation of civilians to Russia, including children, constituting "clear patterns of serious violations of international humanitarian law attributable mostly to Russia's armed forces...in the territories under the effective control of the Russian Federation."

(\*Continued On The Following Column)

In times of war, children are among the most vulnerable and require special attention and protection. Forcibly transferring or deporting children who have been separated from their families or legal guardians risks exposing them to further abuses. We urge relevant authorities to cooperate fully with the expert mission and facilitate its work. The United States and our partners remain steadfastly committed to supporting Ukraine and holding the Russian Federation to account for its unconscionable abuses.

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## Settlement Agreement between the U.S. Department of the Treasury's Office of Foreign Assets Control and Wells Fargo Bank, N.A. ("Wells Fargo"); Issuance of Amended Russia-related Frequently Asked Question

The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) today announced a settlement with Wells Fargo Bank, N.A. ("Wells Fargo"). Wells Fargo agreed to remit \$30,000,000 to settle its potential civil liability for apparent violations of sanctions against Iran, Syria, and Sudan. For about seven years beginning in 2008 and ending in 2015, Wells Fargo and its predecessor, Wachovia Bank ("Wachovia"), provided a foreign bank located in Europe with software that the foreign bank then used to process trade finance transactions with U.S.-sanctioned jurisdictions and persons. Wachovia, at the direction of a mid-level manager, customized a trade insourcing software platform for general use by the European bank that Wachovia knew or should have known would involve engaging in trade-finance transactions with sanctioned jurisdictions and persons. For more information, please visit the following web notice.

In addition, OFAC is also amending a Russia-related Frequently Asked Question (1118).

For more information on this specific action, please visit this page. [https://home.treasury.gov/system/files/126/20230330\\_wells\\_fargo.pdf](https://home.treasury.gov/system/files/126/20230330_wells_fargo.pdf)

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## Russia's Arrest of a U.S. Citizen 03/30/2023 12:26 PM EDT

### Antony J. Blinken, Secretary of State

We are deeply concerned over Russia's widely-reported detention of a U.S. citizen journalist. We are in contact with the Wall Street Journal on this situation. Whenever a U.S. citizen is detained abroad, we immediately seek consular access, and seek to provide all appropriate support.

In the strongest possible terms, we condemn the Kremlin's continued attempts to intimidate, repress, and punish journalists and civil society voices.

The Department of State's highest priority is the safety and security of U.S. citizens abroad. We reiterate our strong warnings about the danger posed to U.S. citizens inside the Russian Federation. U.S. citizens residing or traveling in Russia should depart immediately, as stated in our Travel Advisory for Russia.

**Judgment in Certain Iranian Assets Case**  
**03/30/2023 04:19 PM EDT**

**Vedant Patel, Principal Deputy Spokesperson**

Today the International Court of Justice issued a judgment in the Certain Iranian Assets case rejecting the vast majority of Iran’s case under the now-terminated Treaty of Amity. This is a major victory for the United States and victims of Iran’s State-sponsored terrorism.

Iran sought to use the Treaty to challenge payments to U.S. victims of Iran-sponsored terrorism who obtained U.S. court judgments against Iran. The decision today is a significant blow to Iran’s attempt to avoid its responsibility, in particular to the families of U.S. peacekeepers who were killed in the 1983 bombing of the Marine Corps barracks in Beirut.

The United States recognizes the Court’s important role and contributions to the rule of law. And the United States commends the Court’s ruling related to Bank Markazi. We are disappointed that the Court has concluded that the turnover of assets of other Iranian agencies and instrumentalities to U.S. victims of Iran’s sponsorship of terrorism was inconsistent with the Treaty. U.S. courts directed the turnover of assets to victims pursuant to U.S. laws that have helped those and other victims of State-sponsored terrorism receive compensation for the grave losses that they and their families have suffered. As the United States made clear in its arguments to the Court, the Treaty was never intended to shield Iran from having to compensate U.S. victims of its sponsorship of terrorism.

The Court’s decision was clear that it will have no impact on the U.S. laws that allow U.S. victims of terrorism to seek compensation from Iran or any other State sponsor of terrorism in U.S. courts going forward, in light of the Treaty’s termination.

The United States continues to strongly support victims of terrorism, and we stand with those who seek to hold Iran and all State sponsors of terrorism accountable.

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**FOR IMMEDIATE RELEASE**  
**Wednesday, March 8, 2023**

**United States Obtains Warrant for Seizure of Airplane Owned by Russian Oil Company Valued at More Than \$25 Million**

The United States today announced the unsealing of a warrant for the seizure of a Boeing 737-7JU aircraft owned by PJSC Rosneft Oil Company (Rosneft), a Russian integrated energy company headquartered in Moscow, Russia, headed by Igor Ivanovich Sechin. The U.S. District Court for the Eastern District of New York authorized the seizure, finding probable cause that the Boeing aircraft was subject to seizure based on violations of the Export Control Reform Act (ECRA) and the recent sanctions issued against Russia.

According to court documents, in response to Russia’s invasion of Ukraine, in February 2022, the U.S. Department of Commerce’s Bureau of Industry and Security issued sanctions against Russia. The sanctions impose export controls and license requirements to protect U.S. national security and foreign policy interests.

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The Russia sanctions expanded prohibitions on the export, reexport or in-country transfer of, among other things, U.S.-manufactured aircraft to or within Russia without a valid license or license exception for aircraft owned or controlled, or under charter or lease, by Russia and/or Russian nationals. In this case, these sanctions bar a plane that was built or manufactured in the United States from entering Russia without a valid license.

Specifically, since February 2022, when the export controls that bar the United States-built plane’s re-entry to Russia went into effect, the plane has left and reentered Russia at least seven times, in violation of federal law. The Boeing jet, which was manufactured in the United States, was last in the United States in March 2014, and is currently believed to be in, or traveling to or from, Russia.

Rosneft – which is headed by Igor Ivanovich Sechin – owns the Boeing aircraft. The Boeing was flown from a foreign country to Russia in violation of the ECRA and regulations issued thereunder, including the Russia sanctions. The Boeing (pictured below) is believed to be worth approximately \$25 million.

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According to court documents, in response to Russia’s invasion of Ukraine, in February 2022, the U.S. Department of Commerce’s Bureau of Industry and Security issued sanctions against Russia. The sanctions impose export controls and license requirements to protect U.S. national security and foreign policy interests. The Russia sanctions expanded prohibitions on the export, reexport or in-country transfer of, among other things, U.S.-manufactured aircraft to or within Russia without a valid license or license exception for aircraft owned or controlled, or under charter or lease, by Russia and/or Russian nationals.

The FBI and Department of Commerce are investigating the seizure matter. The Justice Department’s Office of International Affairs provided valuable assistance.

The government’s case is being investigated by the Eastern District of New York’s International Narcotics and Money Laundering Section and the Criminal Division’s Money Laundering and Asset Recovery Section. Assistant U.S. Attorney Francisco J. Navarro, Tara B. McGrath and Madeline M. O’Connor, and Trial Attorney Barbara Levy are leading the seizure matter.

The investigation was coordinated through the Justice Department’s Task Force KleptoCapture, an interagency law enforcement task force dedicated to enforcing the sweeping sanctions, export controls and economic countermeasures that the United States, along with its foreign allies and partners, has imposed in response to Russia’s unprovoked military invasion of Ukraine. Announced by the Attorney General on March 2, 2022, and under the leadership of the Office of the Deputy Attorney General, the task force will continue to leverage all of the department’s tools and authorities to combat efforts to evade or undermine the collective actions taken by the U.S. government in response to Russian military aggression.

The burden to prove forfeitability in a forfeiture proceeding is upon the government.

## Taking Additional Actions to Hold the Lukashenka Regime to Account

### PRESS STATEMENT

ANTONY J. BLINKEN, SECRETARY OF STATE

MARCH 24, 2023

The United States continues to promote accountability for the Lukashenka regime's violence surrounding the fraudulent August 2020 presidential election in Belarus, its ongoing brutal crackdown against the pro-democracy movement and other elements of Belarusian society, its flagrant human rights abuses, and its facilitation of the Russian Federation's illegal war against Ukraine.

Specifically, the U.S. Department of the Treasury is designating today two state-owned enterprises; Open Joint Stock Company Belarusian Automobile Plant and Open Joint Stock Company Minsk Automobile Plant.

Further, Treasury is re-designating the Central Election Commission of the Republic of Belarus and designating seven members of the Commission.

The Department of State is announcing actions to impose visa restrictions on an additional 14 individuals under Presidential Proclamation 8015 for their involvement in undermining democracy in Belarus. Specifically, these individuals include regime officials involved in policies to threaten and intimidate brave Belarusians exercising their human rights and fundamental freedoms at great personal cost.

Today's actions further align the United States with actions taken by our partners and Allies. The United States will continue to impose costs on the regime and those who support it for their repression of the people of Belarus, and the regime's ongoing support for Russia's unprovoked and illegal war against Ukraine.

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## Secretary Raimondo Announces U.S.-India Semiconductor Supply Chain and Innovation Partnership MOU in New Delhi

March 15, 2023

On March 10, Secretary Gina Raimondo joined Indian Minister of Commerce and Industry Piyush Goyal and announced a U.S.-India Memorandum of Understanding (MOU) that will establish a Semiconductor Supply Chain and Innovation Partnership. The MOU was announced at the relaunch of the U.S.-India Commercial Dialogue and will focus on clean energy as well as semiconductor supply chains. The Secretary was in New Delhi from March 5-10 where she met with Prime Minister of India Narendra Modi, attended the U.S.-India CEO Forum, and held several important bilateral meetings with Indian officials.

"As both of our great nations seek to create stronger and more secure supply chains, particularly in the field of semiconductors, this MOU will establish a collaborative mechanism between our two countries on semiconductor supply chain resiliency and diversification and will aim to create economic opportunity in the U.S. and India," said Secretary Raimondo in a statement. "This is a significant step in the coordination of both our countries' semiconductor incentive programs and will strengthen mutual priorities, including promoting commercial opportunities, R&D, and talent and skill development."

(\*Continued On The Following Column)

To begin her trip, India's Defense Minister Rajnath Singh hosted Secretary Raimondo at his home in honor of the annual Hindu festival Holi. Several other Indian officials also joined the festivities.

"A day filled with color, joy, and light," said Raimondo. "May we carry it with us as we continue to strengthen the bonds between India and the United States."

Later in the week, Secretary Raimondo met with Prime Minister of India Narendra Modi where they discussed the U.S.-India CEO Forum and U.S.-India Commercial Dialogue as well as the new Strategic Trade Dialogue and U.S.-India MOU on Semiconductor Supply Chain and Innovation Partnership

At the U.S.-India CEO Forum, Raimondo stressed the importance that the Biden Administration places on U.S.-India relations and emphasized the significant opportunity to deepen commercial ties between the two countries.

The U.S.-India CEO Forum was soft-launched by Secretary Raimondo and Indian Commerce & Industry Minister Goyal in November 2022 during a meeting between the two leaders. During the meeting, they identified key priorities as increasing supply chain resilience; enhancing energy security & reducing overall greenhouse gas emissions; advancing inclusive digital trade; and facilitating post-pandemic economic recovery, especially for small businesses.

Throughout her visit, Secretary Raimondo also held several bilateral meetings with ministers from India including Minister of Electronics and Information Technology Ashwini Vaishnaw, Minister of External Affairs Dr. S. Jaishankar, Minister of Finance Nirmala Sitharaman, Minister of Education and Skill Development and Entrepreneurship Dharmendra Pradhan, and Indian National Security Advisor Ajit Doval. During these meetings, the Secretary discussed key areas of shared interest, including the Indo-Pacific Economic Framework for Prosperity, semiconductors, and supply chain resilience.

The trip comes on the heels of last month's successful special negotiating round for the Indo-Pacific Economic Framework in New Delhi, which was attended by senior U.S. Department of Commerce officials.

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## Japan Restricts Chip Making Exports

Japan said it will expand restrictions on exports of 23 types of leading-edge chipmaking technology, as the United States ratchets up efforts to limit China's access to key semiconductor knowhow.

About 10 Japanese companies including leading gearmaker Tokyo Electron would need to get licenses to ship a broader-than-expected array of equipment used to transform silicon into chips, spanning cleaning, deposition, annealing, lithography, etching and testing.

Tokyo's move follows months of lobbying by the U.S. to get Japan to join in tightening shipments of semiconductor tools to China. Japan and the Netherlands had agreed in principle to join the U.S., but have sought to chart a middle road between the two superpowers.

Trade minister Yasutoshi Nishimura said the move was not in coordination with the U.S. and was not a ban.

## U.S. Secretary of Commerce Gina Raimondo Announces Fiber Manufacturing Expansions in North Carolina

### FOR IMMEDIATE RELEASE

Wednesday, March 29, 2023

Office of Public Affairs

publicaffairs@doc.gov

Today, as part of the Biden-Harris Administration's Investing in America tour, U.S. Secretary of Commerce Gina Raimondo and Assistant Secretary of Commerce for Communications and Information Alan Davidson traveled to Hickory, NC to celebrate the announcement of new fiber optic cable production in the U.S. made possible by the Administration's Internet for All Initiative.

The Bipartisan Infrastructure Law requires the use of Made-in-America materials and products for federally funded infrastructure projects including high-speed Internet deployment in America. As a result, two key manufacturers near Hickory, North Carolina announced new investments and partnerships today. CommScope and Corning are investing a combined nearly \$550 million and creating hundreds of new jobs in America to build the fiber optic cables that will help close the digital divide.

The announcement builds on the work the Biden-Harris Administration has already done to bring affordable, high-speed Internet to nearly 17 million American households since the President took office.

"We have a tremendous opportunity not just to close the digital divide for millions of Americans, but also to revitalize domestic manufacturing industry, make more products and technologies in America, and create good manufacturing jobs here in Hickory and across the country," said Secretary Raimondo. "President Biden has been clear that the Bipartisan Infrastructure Law is an opportunity to invest in America. With today's announcements, that investment continues by producing the fiber we're going to use to get everyone connected to the Internet right here in America with products made in America."

Today, CommScope announced an additional \$47 million investment towards expanding its U.S. fiber optic cable manufacturing, including its facility in Catawba, which is already the largest hybrid-fiber-coaxial facility for broadband networks in the world. According to CommScope, this facility will produce a new rural fiber optic cable that is specifically designed for rural areas.

Corning announced the expansion of its U.S. manufacturing capacity with the opening of its manufacturing campus near Hickory today. It builds on the more than \$500 million that Corning has invested in fiber and cable manufacturing since 2020. The company has also formed a partnership with NTCA - The Rural Broadband Association - to dedicate a portion of the cable manufactured at its facility to small, rural providers and co-ops that will connect Americans across the country.

"We've been talking about the digital divide in this country for decades. Now, thanks to President Biden's Internet for All initiative, we finally have the resources to do something serious about it," said Alan Davidson, Assistant Secretary of Commerce for Communications and Information and NTIA Administrator. "CommScope and Corning's announcements today will help ensure we have the fiber we need to build affordable, reliable high-speed Internet networks. Our focus at NTIA is on deploying these networks, and investing in American jobs and manufacturing in the process."

*(\*Continued On The Following Column)*

The Biden-Harris administration's \$65 billion Internet for All initiative will help close this digital divide across the country. Currently, 24 million U.S. households lack Internet access. NTIA is working to address this through \$48 billion in grant programs to expand high-speed Internet access by funding planning, infrastructure deployment and adoption programs across the country.

For more details on today's announcements, and the Administration's Internet for All initiative, see a fact sheet [HERE](#).

The Investing in America tour is highlighting how President Biden's Investing in America agenda – including historic investments from the Inflation Reduction Act, the CHIPS and Science Act, the Bipartisan Infrastructure Law, and the American Rescue Plan – is unleashing a manufacturing boom, helping rebuild our infrastructure and bring back supply chains, lowering costs for hardworking families, and creating jobs that don't require a four-year degree across the country. Since President Biden took office and as a result of his Investing in America agenda, private companies have announced \$435 billion in manufacturing investments in America.

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## Commerce Department Outlines Proposed National Security Guardrails for CHIPS for America Incentives Program

### FOR IMMEDIATE RELEASE

Tuesday, March 21, 2023

Office of Public Affairs

publicaffairs@doc.gov

Guardrails Will Ensure Innovations and Technology Funded by CHIPS Act Bolsters Technological and National Security for America and Our Allies

The U.S. Department of Commerce today released a Notice of Proposed Rulemaking for the guardrails included in the CHIPS Incentives Program to advance America's technological and national security. The national security guardrails are intended to ensure technology and innovation funded by the CHIPS and Science Act is not used for malign purposes by adversarial countries against the United States or its allies and partners. The CHIPS and Science Act is part of President Biden's Investing in America agenda for unleashing a manufacturing and innovation boom, driving U.S. competitiveness and strengthening economic and national security.

The proposed rule offers additional details on national security measures applicable to the CHIPS Incentives Program included in the CHIPS and Science Act, limiting recipients of funding from investing in the expansion of semiconductor manufacturing in foreign countries of concern. The statute identifies those countries as the People's Republic of China (PRC), Russia, Iran, and North Korea. These guardrails will advance shared national security interests as the U.S. continues coordinating and collaborating with allies and partners to make global supply chains more resilient and diversified.

"The innovation and technology funded in the CHIPS Act is how we plan to expand the technological and national security advantages of America and our allies; these guardrails will help ensure we stay ahead of adversaries for decades to come," said Secretary of Commerce Gina Raimondo. "CHIPS for America is fundamentally a national security initiative and these guardrails will help ensure malign actors do not have access to the cutting-edge technology that can be used against America and our allies. We will also continue coordinating with our allies and partners to ensure this program advances our shared goals, strengthens global supply chains, and enhances our collective security." *(\*Continued On The Following Column)*



The funding provided by the bipartisan CHIPS and Science Act included clear guardrails to strengthen national security:

The statute prohibits recipients of CHIPS incentives funds from using the funds in other countries.

The statute significantly restricts recipients of CHIPS incentives funds from investing in most semiconductor manufacturing in foreign countries of concern for 10 years after the date of award.

The statute limits recipients of CHIPS incentives funds from engaging in joint research or technology licensing efforts with a foreign entity of concern that relates to a technology or product that raises national security concerns.

Today's proposed rule outlines additional details on and definitions for these national security guardrails. The proposed rule will:

**Establish Standards to Restrict Advanced Facility Expansion in Foreign Countries of Concern:** The statute prohibits significant transactions involving the material expansion of semiconductor manufacturing capacity for leading-edge and advanced facilities in foreign countries of concern for 10 years from the date of award to stop recipients from constructing new or expanding existing leading-edge and advanced technology facilities in those countries. Today's proposed rule defines significant transactions based on a monetary level of \$100,000 and defines material expansion as increasing a facility's production capacity by five percent. These thresholds are intended to capture even modest transactions attempting to expand manufacturing capacity. If a CHIPS Incentives Program funding recipient engages in transactions violating these restrictions, the Department can claw back the entire funding award.

**Limit the Expansion of Legacy Facilities in Foreign Countries of Concern:** The statute places limits on the expansion and new construction of legacy facilities in foreign countries of concern. The proposed rule limits the expansion of existing legacy facilities, prohibiting recipients from adding new production lines or expanding a facility's production capacity beyond 10 percent. The statute also dictates that recipients may only build new legacy facilities if the output of those facilities "predominantly serves" the domestic market of the foreign country of concern where the legacy chips are produced. The proposed rule specifies that predominantly serving a market means at least 85% of the legacy facility's output is incorporated into final products that are consumed in the foreign country of concern where they are produced. The proposed rule also notes that if any recipient plans to expand legacy chip facilities under these exceptions, they will be required to notify the Department so the Department can confirm compliance with national security guardrails.

**Classify Semiconductors as Critical to National Security:** While the statute allows companies to expand production of legacy chips in foreign countries of concern in limited circumstances, today's proposed rule classifies a list of semiconductors as critical to national security – defining these chips as not considered to be a legacy chip and therefore subject to tighter restrictions. This measure will cover chips that are critical to U.S. national security needs, including current-generation and mature-node chips used for quantum computing, in radiation-intensive environments, and for other specialized military capabilities. This list of semiconductor chips was developed in consultation with the Department of Defense and U.S. Intelligence Community.

**Reinforce U.S. Export Controls:** In October 2022, the Department's Bureau of Industry and Security (BIS) implemented export controls to prevent the PRC from purchasing and manufacturing advanced chips that would enhance their military capabilities. Today's proposed rule will reinforce these controls by aligning prohibited technology thresholds for memory chips between export controls and CHIPS national security guardrails. Today's proposed rule applies a more restrictive threshold for logic chips than is used for export controls. *(\*Continued On The Following Column)*

**Details Restrictions on Joint Research and Technology Licensing Efforts with Foreign Entities of Concern:** The statute restricts recipients from engaging in joint research or technology licensing efforts with a foreign entity of concern that relates to a technology or product that raises national security concerns. The proposed rule defines a joint research effort as any research and development undertaken by two or more persons, and it defines technology licensing as an agreement to make patents, trade secrets, or know-how available to another party. In addition to the foreign entities of concern outlined in the statute, the proposed rule also adds entities from the BIS Entity List, the Treasury Department's Chinese Military-Industrial Complex Companies (NS-CMIC) list, and the Federal Communications Commission's Secure and Trusted Communications Networks Act list of equipment and services posing national security risks. The proposed rule also details the technology, products, and semiconductors that raise national security concerns or are critical to national security, consistent with U.S. export controls and as developed in consultation with the Department of Defense and U.S. Intelligence Community.

The Department is seeking public comment on the Notice of Proposed Rulemaking and will accept comment for 60 days. Industry, partners and allies, and other interested parties are encouraged to submit comment to inform the final rule to be published later this year.

#### Advanced Manufacturing Investment Credit

The proposed rule aligns with the national security guardrails included in the U.S. Department of the Treasury's Notice of Proposed Rulemaking

also issued today, which details the Advanced Manufacturing Investment Credit (Investment Tax Credit) administered by the Internal Revenue Service. The Investment Tax Credit is a federal income tax credit for qualifying investments in facilities manufacturing semiconductors or semiconductor manufacturing equipment, and a critical component of the suite of incentives provided by the CHIPS and Science Act. The Department of Commerce and the Department of the Treasury have been coordinating closely on CHIPS funding and the Investment Tax Credit to ensure these incentives are complementary and advance the Biden Administration's economic and national security goals.

#### International Coordination with U.S. Partners and Allies

The Department has appreciated extensive input and cooperation from U.S. partners and allies while developing this proposed rule, and it looks forward to further public comment. The Department will continue coordinating with international allies and partners to support a healthy global semiconductor ecosystem that drives innovation and is resilient to cybersecurity threats, natural disasters, pandemics, geopolitical conflict, and more. As semiconductors and technologies continue to evolve, the U.S. will work with allies and partners and develop coordinated strategies to ensure the latest technology cannot be used by entities of concern to undermine our collective economic and national security.

As the Department has been implementing the CHIPS and Science Act, it has remained in close contact with U.S. partners and allies, including through engagements with the Republic of Korea, Japan, India, and the United Kingdom, and through the Indo-Pacific Economic Framework, European Union-United States Trade and Technology Council, and North America Leaders' Summit. The Department will continue coordinating closely with U.S. partners and allies to advance these shared goals, advance our collective security, and strengthen global supply chains.

*(\*Continued On The Following Page)*

CHIPS for America is part of President Biden’s economic plan to invest in America, stimulate private sector investment, create good-paying jobs, make more in the United States, and revitalize communities left behind. CHIPS for America includes the CHIPS Program Office, responsible for manufacturing incentives, and the CHIPS Research and Development Office, responsible for R&D programs, that both sit within the National Institute of Standards and Technology (NIST) at the Department of Commerce. NIST promotes U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life. NIST is uniquely positioned to successfully administer the CHIPS for America program because of the bureau’s strong relationships with U.S. industries, its deep understanding of the semiconductor ecosystem, and its reputation as fair and trusted. Visit <https://www.chips.gov> to learn more.

Leadership

Gina M. Raimondo

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## **President Biden’s Fiscal Year 2024 Budget Would Bolster Key Commerce Department Initiatives**

**FOR IMMEDIATE RELEASE**

**Thursday, March 9, 2023**

**Office of Public Affairs**

**[publicaffairs@doc.gov](mailto:publicaffairs@doc.gov)**

Proposed Budget Supports Department of Commerce’s Mission of Making America More Competitive

Today, the Biden-Harris Administration submitted to Congress the President’s Budget for fiscal year 2024. President Biden’s 2024 Budget for the Department of Commerce makes historic investments to drive U.S. innovation and global competitiveness, foster inclusive capitalism and equitable economic growth, address the climate crisis, and expand opportunity and discovery through data.

In particular, this budget requests \$12.3 billion in discretionary funding and \$4 billion in mandatory funding to support key Commerce Department priorities. This budget complements ongoing investments in expanding high-speed Internet access and addressing climate change, provided by the Bipartisan Infrastructure Law and the Inflation Reduction Act, as well as investments to revitalize the domestic semiconductor industry, provided by the CHIPS and Science Act of 2022.

“President Biden’s budget makes targeted, strategic investments that will position America’s workers and businesses to succeed in the 21st century,” said U.S. Secretary of Commerce Gina Raimondo. “In addition to building on the critical investments in the Internet for All and climate resiliency programs, included in the Bipartisan Infrastructure Law and Inflation Reduction Act, these investments will bolster manufacturing and supply chains, create more good-paying jobs, and revitalize communities across the country.”

“These new investments will help continue the wide breadth of the Commerce Department’s work under our overarching goals of driving innovation and ensuring equity and resilience,” said U.S. Deputy Secretary of Commerce Don Graves. “Whether we’re advancing national security objectives with export control enforcement at the Bureau of Industry and Security, tackling climate change at the National Oceanic and Atmospheric Administration, or driving growth in historically underserved communities at the Economic Development Administration and Minority Business Development Agency, this budget will enable the entire Commerce Department to meet our mission of boosting America’s competitiveness.”

*(\*Continued On The Following Column)*

The Budget makes critical investments that will help the Commerce Department create the conditions for economic growth and opportunity for all communities. Specifically, the Budget would:

**Expand Domestic Manufacturing and Build Resilient Supply Chains:** To help ensure the strength of our supply chains, the Budget includes \$277 million for the National Institute of Standards and Technology’s (NIST’s) Manufacturing Extension Partnership (MEP). MEP is a public-private partnership with centers in every state that helps advise small and medium-sized businesses in order to narrow gaps in our supply chains, develop a skilled and diverse workforce, and make our manufacturing sector more resilient. The Budget also includes \$98 million for NIST’s Manufacturing USA program, and \$21 million to establish a Supply Chain Resiliency Office within the International Trade Administration (ITA). The funding provided for Manufacturing USA will also finance \$60 million in new competitive awards to enable existing Manufacturing USA institutes to promote domestic production of technologies developed at the institutes.

**Protect U.S. Technologies, Capital, and Expertise:** As Commerce continues to support the Administration’s national security priorities, including by hobbling Russia’s military and defense industrial base through export controls and working to address the national security threats posed by China, the Budget includes funding for the Bureau of Industry and Security (BIS) and the International Trade Administration (ITA) to advance U.S. national security, foreign policy, and economic interests. The Budget includes \$6 million (\$3 million at BIS and \$3 million at ITA) to support Committee on Foreign Investment in the United States (CFIUS) examinations. The Administration is also considering the establishment of a program to address national security risks associated with outbound investments, which would prevent U.S. capital and expertise from financing advances in critical sectors that undermine U.S. national security while not placing an undue burden on U.S. investors and businesses. The Budget includes \$5 million to enable ITA to assist the Department of Treasury in scoping and implementing such a program.

**Work with Our Allies to Advance Our Shared Values and Expand Trade:** In order to reaffirm U.S. economic engagement in the Indo-Pacific region, the Budget includes \$3 million to support ITA’s engagement with 13 Indo-Pacific Economic Framework for Prosperity (IPEF) partners, enabling ITA to reaffirm relationships and establish an economic framework that benefits U.S. workers and businesses, while improving our economic and national security. The Budget includes \$420 million for ITA’s Global Markets, which includes an additional \$17 million to support U.S. export competitiveness and enhance the U.S.’ ability to counter unfair trade practices and economic coercion by China.

**Foster Inclusive Capitalism and Equitable Economic Growth:** To grow regional economies, create high-quality jobs across the Nation, and support a skilled, diverse workforce, the Budget requests \$4 billion in mandatory funding and \$804 million in discretionary funding in the Economic Development Administration (EDA). This includes \$4 billion in mandatory funds and \$50 million in discretionary funds for EDA’s Regional Technology and Innovation Hub Program. This funding will enable EDA to establish cutting-edge and strategic regional technology and innovation hubs that foster geographic diversity in innovation and create high quality jobs in underserved and vulnerable communities. The Budget also requests \$100 million for the Good Jobs Challenge to fund employer-led workforce training systems and partnerships to train and place American workers into high-quality jobs and support regional economies. The Budget further requests \$200 million for the Recompete Pilot Program to provide grants to distressed communities and connect workers to good jobs that support long-term comprehensive economic development. The Budget also makes investments within EDA to establish a new \$20 million grant program focused exclusively on the economic development needs of tribal governments and indigenous communities. Outside of EDA, the Budget invests \$110 million in the Minority Business Development Agency, \$40 million more than the FY 2023 level. This will bolster services provided to minority-owned enterprises to help narrow racial wealth gaps.

*(\*Continued On The Following Page)*

Address the Climate Crisis through Mitigation, Adaptation, and Resilience Efforts: To complement investments in climate resilience, provided by the Bipartisan Infrastructure Law and the Inflation Reduction Act, the Budget includes \$6.8 billion for the National Oceanic and Atmospheric Administration (NOAA), \$451 million more than the FY 2023 levels. This includes \$2.1 billion for the nation’s weather and climate satellites, \$370 million above the FY 2023 enacted level. The Budget further invests in NOAA’s weather and climate enterprise by funding the National Weather Service (NWS) at \$1.3 billion and provides \$231 million for NOAA’s climate research programs to support the ongoing work of the National Climate Assessment and continue high-priority long-term observing, monitoring, researching, and modeling activities. The Budget also invests \$60 million to expand offshore wind permitting activities, a \$39 million increase above the 2023 enacted level. This will allow NOAA to use the best available science to help meet the goal of deploying 30 gigawatts of offshore energy by 2030 while protecting biodiversity and promoting sustainable ocean co-use. It also provides \$87 million to support National Marine Sanctuaries and Marine Protected Areas. Outside of NOAA, and \$97.5 million for NIST’s activities on Climate Change and Environmental Sustainability, including a \$3.5 million increase for NIST’s efforts in greenhouse gas (GHG) measurement and monitoring.

Expand Opportunity and Discovery through Data and Research: The Budget provides \$1.6 billion for the Census Bureau, including \$408.9 million for the 2030 Census’ preparation, \$259.9 million for the American Community Survey, and \$152 million for the Economic Census. The Budget also includes \$14 million to create an Incumbent Informing Capability (IIC) in the National Telecommunications and Information Administration (NTIA) to improve spectrum sharing, thereby allowing more efficient use of the spectrum and expanding access to spectrum for both Federal and non-Federal users. Additionally, the Budget includes \$6.6 million to establish a Spectrum Innovation Research Incubator , which will proactively study and assess spectrum.

Provide 21st Century Service with 21st Century Capabilities: The Budget invests nearly \$500 million in fundamental research infrastructure at NIST, NOAA, and NTIA, including \$262 million for NIST Safety, Capacity, Maintenance, and Majors Repairs, more than double the FY 2023 enacted level; \$145.7 million for NOAA to address deferred maintenance and other construction requirements; and \$75 million for the continued recapitalization of NOAA’s aging marine fleet. The Budget also includes \$20 million for NTIA to conduct appropriate oversight of grants funded by the Bipartisan Infrastructure Law, which provided \$50 billion to expand broadband access and connectivity through multiple grant programs. This will enable NTIA to continue appropriate oversight of these programs in FY 2024.

For more information on the President’s FY 2024 Budget, please visit: <https://www.whitehouse.gov/omb/budget/>

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## **Settlement Agreement between the U.S. Department of the Treasury’s Office of Foreign Assets Control and Uphold HQ Inc.**

The U.S. Department of the Treasury’s Office of Foreign Assets Control (OFAC) today announced a settlement with Uphold HQ Inc. (“Uphold”). Uphold agreed to remit \$72,230.32 to settle its potential civil liability for apparent violations of sanctions against Iran, Cuba, and Venezuela. Between March 2017 and May 2022, Uphold or its affiliates processed 152 transactions totaling \$180,575.80 in apparent violation of OFAC’s sanctions against Iran, Cuba, and Venezuela. These apparent violations included processing transactions for customers who self-identified as being located in Iran or Cuba and for employees of the Government of Venezuela. The settlement amount reflects OFAC’s determination that Uphold’s apparent violations were non-egregious and voluntarily self-disclosed. <https://ofac.treasury.gov/recent-actions>

## **Deputy Secretary Graves Statement on the Release of the National Cybersecurity Strategy Investing in communities and workers FOR IMMEDIATE RELEASE**

**Thursday, March 2, 2023**

Office of Public Affairs  
[publicaffairs@doc.gov](mailto:publicaffairs@doc.gov)

Today, the Biden-Harris Administration released the National Cybersecurity Strategy: <https://www.whitehouse.gov/wp-content/uploads/2023/03/National-Cybersecurity-Strategy-2023.pdf> to position the United States and its allies and partners to build a digital ecosystem that is defensible, resilient, and aligned with our values.

After the announcement, U.S. Deputy Secretary of Commerce Don Graves released the following statement:

“The National Cybersecurity Strategy reinforces the need for partnership to address cybersecurity challenges critical to our economic and national security. This strategy reflects the vital role that the Department of Commerce plays in cybersecurity and leverages many of the Department’s best-in-class resources, such as the National Institute of Standards and Technology’s guidelines, and many other initiatives. We look forward to implementing this across the administration and in collaboration with the private sector.”

**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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