



EIB World Trade Headlines

Evolutions In Business • www.eib.com • (978) 256-0438
Fax: (978) 250-4529 • P.O. Box 4008, Chelmsford, MA 01824

October 15th - Volume 14, Issue 16



For Immediate Release
Bureau of Industry and Security
Office of Congressional and Public Affairs
Media Contact: OCPA@bis.doc.gov

Bureau of Industry and Security Announces Enhanced Enforcement of the Antiboycott Rules

Washington, D.C.— The Department of Commerce’s Bureau of Industry and Security (BIS) is updating its policy regarding enforcement of the antiboycott rules. The amendment, which takes effect tomorrow, clarifies the categories of antiboycott violations and their associated penalties, to ensure appropriate actions are taken based on the seriousness of the violation.

“Discrimination will not be tolerated regardless of whether it impacts people or trade,” said Assistant Secretary of Commerce for Export Enforcement Matthew S. Axelrod. “Today’s actions will further strengthen our Office of Antiboycott Compliance’s work to combat discrimination by aggressively enforcing our antiboycott rules.”

Antiboycott rules carry strong symbolic importance to the U.S. and our allies by acknowledging the illegal nature of discrimination and other prohibited actions and the harm inflicted on U.S. foreign policy interests as a result of actions taken in furtherance of unsanctioned foreign boycotts. In the last ten years, the Office of Antiboycott Compliance (OAC) has brought over 50 enforcement actions against U.S. persons (companies, banks, other entities) who have furthered illegal boycotts of Israel. The Arab League boycott of Israel is the principal unsanctioned foreign boycott that U.S. persons must be concerned with today. The antiboycott provisions of the EAR, however, apply to all unsanctioned foreign boycotts.

*(*Continued On The Following Page)*

NEWSLETTER NOTES

- **BIS Announces Enforcement...**
- **Russia’s Allies China and India call for Negotiations**
- **As India Joins China in Distancing From**
- **As India Joins China in Distancing**
- **Asia Stream: The China-Russia-India**
- **Commerce Implements New Export Controls**
- **US set to Announce Tougher Restrictions**
- **DOD Releases List of People’s Republic of China Violation...**
- **FBI Warns Drones pose Potential risk to**

Brief summaries of the four enhancements being announced today to strengthen the antiboycott enforcement program are below:

1. **Enhanced Penalties.** Penalty amounts imposed will reflect our assessment of the seriousness of the violation and will be commensurate with the harm caused. Because not all antiboycott violations are equivalent in seriousness, we will continue to seek different levels of penalties depending on the different nature of the antiboycott violation. For the most serious violations - those in Category A under our regulations - BIS will begin its penalty calculus with the maximum penalty under the Anti-Boycott Act of 2018. Our regulations have long provided for imposition of the maximum penalty for Category A violations. All Category A violations will be subject to the maximum penalty as the starting point in our penalty calculus. For violations of Category B, penalties will be enhanced as well. Penalties must be high enough to both punish those who violate the antiboycott rules and deter those who would violate them. This means that penalties for Category C violations will also be increased.

2. **Reprioritized Violation Categories.** We have revised the Antiboycott Penalty Guidance to recategorize certain antiboycott violations in a manner that reflects our current view of their relative seriousness. A rule making amendments to the Export Administration Regulations reprioritizing certain categories of antiboycott violations goes into effect tomorrow.

3. **Admissions of Misconduct.** In the past, when we have resolved matters involving violations of the antiboycott rules, we have allowed companies to pay a reduced penalty without admitting misconduct. These “no admit/no deny” settlements had the advantage of making it easier to reach resolution, but also had two serious disadvantages. First, because there was no admission in such cases, there was no admitted statement of facts, i.e., no factual recitation making clear what got the company into trouble. Without such an admitted statement of facts, it is more difficult for other companies to learn from their peers’ mistakes and adjust their behavior accordingly. Second, companies get a significant reduction in penalty when they resolve matters short of trial. We want companies to resolve matters and want to incentivize them to do so. But in other enforcement contexts, including in our administrative export enforcement cases, companies must admit their conduct in order to obtain a resolution. The same will now be true in administrative antiboycott enforcement cases as well. Under the new policy, OAC will require those who enter into settlement agreements for antiboycott violations to admit to a statement of facts outlining their conduct as part of the settlement agreement.

*(*Continued On The Following Column)*

4. **Renewed Focus on Foreign Subsidiaries of U.S. Companies.** Violations of our antiboycott rules have traditionally resulted in consequences being imposed on the U.S. parties receiving the boycott-related requests (for complying with or failing to report receipt of such requests) and not on the parties making them. The penalties we impose on U.S. recipients help to deter them from complying with boycott-related requests by attaching significant costs on the back end. But this is only one side of the equation. We also want to dissuade foreign parties from making those requests in the first place. Going forward, we will be more aggressive in exploring ways to deter foreign parties from issuing or making boycott requests of U.S. persons. In particular, we will bring a renewed focus to our enforcement efforts against controlled foreign subsidiaries of U.S. parent companies when they act in violation of our antiboycott regulations.

For questions regarding antiboycott enforcement, contact the OAC Advice Line at (202) 482-2381.

The text of the rule released today is available on the Federal Register’s website here: <https://www.federalregister.gov/public-inspection/2022-21713/guidance-export-administration-regulations-penalty-determinations-in-the-settlement-of> The rule takes effect on October 7, 2022. The policy memo regarding the implementation of the rule is available on the BIS Export Enforcement website here: <https://bis.doc.gov/index.php/all-articles/enforcement/2055-enforcement-policy-memo>

Russia’s Allies China and India call for Negotiations to End Ukraine War

Moscow isolated at United Nations assembly, with no major country siding with it

China and India have called for a negotiated end to the [Ukraine](#) war, stopping short of robust support for traditional ally Russia.

After a week of pressure at the [United Nations](#) general assembly, Russia’s foreign minister took the general assembly rostrum to deliver a fiery rebuke to western nations for what he termed a “grotesque” campaign against Russians.

But no major nation has rallied behind [Russia](#), including China, which just days before the February invasion of Ukraine had vowed an “unbreakable” bond with President Vladimir Putin.

*(*Continued On The Following Page)*

China's foreign minister, Wang Yi, called on Russia and Ukraine to "keep the crisis from spilling over" and from affecting developing countries.

"China supports all efforts conducive to the peaceful resolution of the Ukraine crisis. The pressing priority is to facilitate talks for peace," Wang said on Saturday.

More here: <https://www.theguardian.com/world/2022/sep/24/russias-allies-china-and-india-call-for-negotiations-to-end-ukraine-war>

As India Joins China in Distancing from Russia, Putin Warns of Escalation

The televised admonishment by Modi at a regional summit in Uzbekistan came a day after Putin acknowledged that Xi Jinping, China's leader, had "questions and concerns" about the war.

Uzbekistan | September 17, 2022 9:03:01 am

Underlining Russia's widening isolation on the world stage, Prime Minister [Narendra Modi](#) of India told President Vladimir Putin on Friday that it is no time for war – even as the Russian president threatened to escalate the brutality of his campaign in [Ukraine](#).

The televised admonishment by Modi at a regional summit in Uzbekistan came a day after Putin acknowledged that Xi Jinping, China's leader, had "questions and concerns" about the war.

Read more here: <https://indianexpress.com/article/world/as-india-joins-china-in-distancing-from-russia-putin-warns-of-escalation-8156336/>

Asia Stream: The China-Russia-India love Triangle

Both China and India refuse to condemn Russia's actions. What's keeping Beijing and Delhi from ditching Moscow?

This week, we look at China and India, the major powers that still haven't condemned [Russia's invasion of Ukraine](#) and chose to abstain from reprimanding Moscow at the United Nations. What factors are compelling Beijing and New Delhi to stand by Russia?

We report the latest on Russia's China connection, while Dhruva Jaishankar of the Observer Research Foundation America tells us about India's delicate balancing act.

Asia Stream is hosted by [Wajahat S. Khan](#), our digital editor and executive producer, and produced by both him and [Jack Stone Truitt](#).

Listen or read here: <https://asia.nikkei.com/Spotlight/Podcast/Asia-Stream-The-China-Russia-India-love-triangle>

For Immediate Release
Bureau of Industry and Security
Office of Congressional and Public Affairs
Media Contact: OCPA@bis.doc.gov

October 7, 2022

Commerce Implements New Export Controls on Advanced Computing and Semiconductor Manufacturing Items to the People's Republic of China (PRC)

Washington, D.C.—The Department of Commerce's Bureau of Industry and Security (BIS) is implementing a series of targeted updates to its export controls as part of BIS's ongoing efforts to protect U.S. national security and foreign policy interests. These updates will restrict the People's Republic of China's (PRC's) ability to both purchase and manufacture certain high-end chips used in military applications and build on prior policies, company-specific actions, and less public regulatory, legal, and enforcement actions taken by BIS.

*(*Continued On The Following Page)*

The export controls announced in the two rules today restrict the PRC's ability to obtain advanced computing chips, develop and maintain supercomputers, and manufacture advanced semiconductors. These items and capabilities are used by the PRC to produce advanced military systems including weapons of mass destruction; improve the speed and accuracy of its military decision making, planning, and logistics, as well as of its autonomous military systems; and commit human rights abuses. Finally, these rules make clear that foreign government actions that prevent BIS from making compliance determinations will impact a company's access to U.S. technology through addition to the Entity List.

"As I told Congress in July, my north star at BIS is to ensure that we are appropriately doing everything in our power to protect our national security and prevent sensitive technologies with military applications from being acquired by the People's Republic of China's military, intelligence, and security services," said Under Secretary of Commerce for Industry and Security Alan Estevez. "The threat environment is always changing, and we are updating our policies today to make sure we're addressing the challenges posed by the PRC while we continue our outreach and coordination with allies and partners."

"The PRC has poured resources into developing supercomputing capabilities and seeks to become a world leader in artificial intelligence by 2030. It is using these capabilities to monitor, track, and surveil their own citizens, and fuel its military modernization," said Assistant Secretary of Commerce for Export Administration Thea D. Rozman Kendler. "Our actions will protect U.S. national security and foreign policy interests while also sending a clear message that U.S. technological leadership is about values as well as innovation."

"BIS's ability to determine whether a party is in compliance with our export control rules is a core tenet of our enforcement program," said Assistant Secretary of Commerce for Export Enforcement Matthew S. Axelrod. "Where BIS is prevented by a host government from conducting our end-use checks in a timely manner, we will add parties to the Unverified List, and if the delay is extreme enough, the Entity List, to prevent the risk of diversion of any U.S. technology that could undermine our national security interests."

The Department of Commerce briefed and consulted with close allies and partners on these controls. The Department will work closely with industry as we implement all elements of the Administration's semiconductor agenda, to include ensuring compliance with these measures.

*(*Continued On The Following Column)*

Summaries of the rules released today and relevant links to the rule text are provided below, along with additional background on BIS's ongoing work to update its approach to export controls related to the PRC.

Implementing Controls Related to Advanced Computing and Semiconductor Manufacturing:

BIS's rule on advanced computing and semiconductor manufacturing addresses U.S. national security and foreign policy concerns in two key areas. First, the rule imposes restrictive export controls on certain advanced computing semiconductor chips, transactions for supercomputer end-uses, and transactions involving certain entities on the Entity List. Second, the rule imposes new controls on certain semiconductor manufacturing items and on transactions for certain integrated circuit (IC) end uses.

Specifically, the rule:

- 1.) Adds certain advanced and high-performance computing chips and computer commodities that contain such chips to the Commerce Control List (CCL);
- 2.) Adds new license requirements for items destined for a supercomputer or semiconductor development or production end use in the PRC;
- 3.) Expands the scope of the Export Administration Regulations (EAR) over certain foreign-produced advanced computing items and foreign produced items for supercomputer end uses;
- 4.) Expands the scope of foreign-produced items subject to license requirements to twenty-eight existing entities on the Entity List that are located in the PRC;
- 5.) Adds certain semiconductor manufacturing equipment and related items to the CCL;
- 6.) Adds new license requirements for items destined to a semiconductor fabrication "facility" in the PRC that fabricates ICs meeting specified. Licenses for facilities owned by PRC entities will face a "presumption of denial," and facilities owned by multinationals will be decided on a case-by-case basis. The relevant thresholds are as follows:

Logic chips with non-planar transistor architectures (I.e., FinFET or GAAFET) of 16nm or 14nm, or below;

DRAM memory chips of 18nm half-pitch or less;

NAND flash memory chips with 128 layers or more.

*(*Continued On The Following Page)*

7.) Restricts the ability of U.S. persons to support the development, or production, of ICs at certain PRC-located semiconductor fabrication “facilities” without a license;

8.) Adds new license requirements to export items to develop or produce semiconductor manufacturing equipment and related items; and

9.) Establishes a Temporary General License (TGL) to minimize the short-term impact on the semiconductor supply chain by allowing specific, limited manufacturing activities related to items destined for use outside the PRC.

The rule is effective in phases after being filed for Public Inspection with the Federal Register. The semiconductor manufacturing items restrictions are effective upon filing for Public Inspection (October 7, 2022), the restrictions on U.S. persons’ ability to support the development, production, or use of ICs at certain PRC-located semiconductor fabrication “facilities” is effective five days later (October 12, 2022), and the advanced computing and supercomputer controls, as well as the other changes in the rule, are effective 14 days later (October 21, 2022). Additionally, public comments on all of these changes are due to BIS no later than 60 days from the date of Federal Register publication. The text of the rule is available on the Federal Register’s website here: <https://www.federalregister.gov/public-inspection/2022-21658/additional-export-controls-certain-advanced-computing-and-semiconductor-manufacturing-items>

Revisions to BIS’s Unverified List:

BIS is also updating its regulations related to BIS’s Entity List to clarify that a sustained lack of cooperation by the host government that effectively prevents BIS from determining compliance with the EAR may lead to the addition of an entity to the Entity List.

The rule provides an example that stipulates that sustained lack of cooperation by a foreign government that prevents BIS from verifying the bona fides of companies on the Unverified List (UVL) can result in those parties being moved to the Entity List, if an end-use check is not timely scheduled and completed. All additions, removals, or revisions to the Entity List are still subject to the approval of the End-User Review Committee, which is made up of the Departments of Commerce, State, Defense, and Energy pursuant to existing rules.

*(*Continued On The Following Column)*

The rule adds 31 new entities to the UVL and removes 9 entities that have met relevant requirements.

Consistent with this regulatory change, Export Enforcement has issued a policy memorandum Addressing Foreign Government Prevention of End-Use Checks. The memo is available online here: <https://bis.doc.gov/index.php/documents/policy-guidance/3156-axelrod-prevention-of-end-use-checks-policy-memo-10-7-22/file>. The policy calls for adding parties to the Unverified List 60 days after checks are requested but host government inaction prevents their completion, and an additional 60-day process for adding UVL parties to the Entity List when there is a sustained lack of cooperation by a host government to facilitate completion of the checks.

Text of the rule, which includes the list of parties added and removed, is available on the Federal Register’s website here: <https://www.federalregister.gov/public-inspection/2022-21714/revisions-to-the-unverified-list-clarifications-to-activities-and-criteria-that-may-lead-to>. The rule takes effect on October 7, 2022.

Additional Background:

The rules announced today are part of the ongoing review of BIS’s export control policies towards the PRC announced by Under Secretary Estevez during Congressional hearings in July 2022 and follow several regulatory and enforcement actions taken over the past few months including:

A series of company-specific restrictions placed in recent months on the trade and servicing of specific advanced integrated circuits essential for highly capable artificial intelligence applications.

- Implementation of new multilateral controls on advanced semiconductor and gas turbine engine technologies.
- Utilizing the Entity List vigorously to address national security and foreign policy concerns, including adding seven PRC entities in the space, aerospace, and related technology sectors.
- Employing administrative and criminal enforcement authorities, including to address illegal military technology exports to the PRC.

*(*Continued On The Following Page)*

BIS's actions today were taken under the authority of the Export Control Reform Act of 2018 and its implementing regulations, the EAR. Under these authorities, BIS possesses a variety of tools to control the export of U.S.-origin and certain foreign-produced commodities, software, and technology as well as specific activities of U.S. persons, for national security and foreign policy reasons. These tools include issuing federal regulations, as well as using the licensing and regulatory process to take party-specific actions.

For more information, please visit BIS's website at: <https://bis.doc.gov>

US set to Announce Tougher Restrictions on chip Exports to China

The Biden administration plans to announce new restrictions on China's access to U.S. semiconductor technology, according to people with knowledge of the situation, an escalation of Washington's efforts to stifle Beijing's industrial ambitions and a risk to growth for the \$550 billion sector.

The Commerce Department will roll out a package of rules this week to govern which semiconductor technologies can be exported to China, including codifying earlier guidance given to specific companies, said the people, who asked not to be identified as the information isn't public.

The White House and Commerce Department declined to comment.

The US has been increasingly focused on limiting access to high-end semiconductor technology, and boosting its own domestic production capacity, as part of its broader strategic competition with the world's second-biggest economy.

The new measures, previously reported by the New York Times, are expected to include formalising export restrictions on technology that produces advanced semiconductors, the people said, as well as prohibiting the sale of tools for logic and memory chip production in China and restricting access to chips used in supercomputing and artificial intelligence.

<https://mybroadband.co.za/news/government/462993-us-set-to-announce-tougher-restrictions-on-chip-exports-to-china.html>

DOD Releases List of People's Republic of China (PRC) Military Companies in Accordance with Section 1260H of the National Defense Authorization Act for Fiscal Year 2021

Oct. 5, 2022 |

Today, the Department of Defense released the names of "Chinese military companies" operating directly or indirectly in the United States in accordance with the statutory requirement of Section 1260H of the National Defense Authorization Act for Fiscal Year 2021.

The Department is determined to highlight and counter the PRC Military-Civil Fusion strategy, which supports the modernization goals of the People's Liberation Army (PLA) by ensuring its access to advanced technologies and expertise are acquired and developed by PRC companies, universities, and research programs that appear to be civilian entities. Section 1260H directs the Department to begin identifying, among other things, Military-Civil Fusion contributors operating directly or indirectly in the United States.

The Department will continue to update the list with additional entities as appropriate.

The United States Government reserves the right to take additional actions on these entities under authorities other than section 1260H.

The list is available [here](#).

<https://media.defense.gov/2022/Oct/05/2003091659/-1/-1/0/1260H%20COMPANIES.PDF>

VIOLATION

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

In the Matter of:

Thermotron Industries, Inc. 291 Kollen Park Drive
Holland, MI 49423

ORDER RELATING TO THERMOTRON INDUSTRIES, INC.

The Bureau of Industry and Security, U.S. Department of Commerce (“BIS”), has notified Thermotron Industries, Inc., of Holland, Michigan (“Thermotron”), of its intention to initiate an administrative proceeding against Thermotron pursuant to Section 766.3 of the Export Administration Regulations (the “Regulations”),¹ through the issuance of a Proposed Charging Letter to Thermotron that alleges that Thermotron committed one violation of the Regulations.² Specifically:

Charge 1 15 C.F.R. § 764.2(a) - Engaging in Prohibited Conduct

On or about August 31, 2012, Thermotron engaged in conduct prohibited by the Regulations by exporting an environmental test chamber, an item subject to the

¹ The Regulations originally issued under the Export Administration Act of 1979, as amended, 50 U.S.C. §§ 4601-4623 (Supp. III 2015) (“the EAA”), which lapsed on August 21, 2001. The President, through Executive Order 13,222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, continued the Regulations in full force and effect under the International Emergency Economic Powers Act, 50 U.S.C. § 1701, et seq. (2012) (“IEEPA”). On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, 50 U.S.C. §§ 4801-4852 (“ECRA”). While Section 1766 of ECRA repeals the provisions of the EAA (except for three sections which are inapplicable here), Section 1768 of ECRA provides, in pertinent part, that all rules and regulations that were made or issued under the EAA, including as continued in effect pursuant to IEEPA, and were in effect as of ECRA’s date of enactment (August 13, 2018), shall continue in effect until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA.

*(*Continued On The Following Column)*

² The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2021). The charged violation occurred in 2012. The Regulations governing the violation at issue are found in the 2012 version of the Code of Federal Regulations (15 C.F.R. Parts 730-774). The 2021 Regulations set forth the procedures that apply to this matter.

Regulations, from the United States to South Korea, without the required Department of Commerce export license. The item was classified under export control classification (“ECCN”) 9B106 and controlled on Missile Technology grounds.³ Pursuant to Section 742.5 of the Regulations, a Department of Commerce export license was required before the item could be exported to South Korea.

WHEREAS, BIS and Thermotron have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations, whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein;

WHEREAS, Thermotron admits committing the alleged conduct described in the Proposed Charging Letter; and

WHEREAS, I have approved of the terms of such Settlement Agreement; IT IS THEREFORE ORDERED:

FIRST, for a period of two (2) years from the date of the Order, Thermotron, with a last known address of 291 Kollen Park Drive, Holland, MI 49423, shall be made

subject to a two-year denial of its export privileges under the Regulations (“denial”). As authorized by Section 766.18(c) of the Regulations, such denial shall be suspended for a two-year probationary period and shall thereafter be waived, provided that Thermotron has not committed another violation of ECRA, the Regulations, or any order, license or authorization issued under ECRA or the Regulations and has conducted export control compliance training as described below. If Thermotron commits another violation of ECRA, the Regulations, or any order, license or authorization issued under ECRA or the Regulations during the two-year suspension period under the Order, or fails to conduct export compliance training, the suspension of the denial may be modified or revoked by

³ On April 4, 2016, after the export at issue, the EAR entry for ECCN 9B106, including the subsection on operating temperature ranges, was revised. Based on those changes, the environmental test chamber at issue was no longer classified under ECCN 9B106 and would not have required an export license to South Korea after April 4, 2016. See 81 Fed.Reg. 19026.

*(*Continued On The Following Page)*

BIS pursuant to Section 766.17(c) of the Regulations and a denial order (including a two- year denial period) activated against Thermotron. If the suspension of the denial is modified or revoked, the activation order may also revoke any BIS licenses in which Thermotron has an interest at the time of the activation order.⁴

SECOND, Thermotron shall conduct export control compliance training for its relevant personnel and management within the two-year probationary period described above. No later than one month after Thermotron completes the export compliance training, Thermotron shall submit a certification of such training to the Office of Export Enforcement, Chicago Field Office, One Oakbrook Terrace, Suite 804, Oakbrook Terrace, IL 60181.

THIRD, compliance with the terms of the Settlement Agreement and the Order, including the export compliance training, are hereby made conditions to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to Thermotron.

FOURTH, should the suspension of the denial be modified or revoked pursuant to Section 766.17(c) of the Regulations, and a denial order (including a two-year denial period) be activated against Thermotron, for the duration of such denial order, Thermotron, and when acting for or on its behalf, its successors, assigns, directors, officers, employees, representatives, or agents (hereinafter collectively referred to as "Denied Person"), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to

⁴ Such a revocation would include licenses existing at the time of the activation order, whether the license had issued before or after ECRA's enactment on August 13, 2018. See Note 1, *supra*.

the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. B.

Applying for, obtaining, or using any license, license exception, or export

control document;

Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any

(*Continued On The Following Column)

other activity subject to the Regulations; or Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

FIFTH, should the suspension of the denial be modified or revoked, and a denial order be activated against Thermotron, for the duration of the denial order, no person may, directly or indirectly, do any of the following:

1. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;
2. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

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

SIXTH, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to the Denied Person by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order.

SEVENTH, the Proposed Charging Letter, the Settlement Agreement, and this Order shall be made available to the public.

<https://efoia.bis.doc.gov/index.php/documents/export-violations/export-violations-2022/1412-thermotron-industries-final-order-9-30-2022-7pm-final/file>

FBI Warns Drones pose Potential risk to Critical Infrastructure after some Spotted over Louisiana Chemical Facilities

By Geneva Sands, CNN
Updated 1:26 PM EDT, Fri September 30, 2022

(CNN)Drones have been spotted flying over Louisiana chemical facilities and a pipeline over the past year and a half, prompting an FBI warning on Thursday about the potential for espionage and terrorism at critical infrastructure facilities, according to a report obtained by CNN.

"[O]verflights can be an effective means of surveilling critical infrastructure because facility security personnel and law enforcement officers have limited options to detect and respond to" this type of drone activity, the report says.

For instance, on July 29, observers saw multiple drones flying over a Louisiana chemical facility at night. The group of drones flew several feet above the facility before splitting in two directions, according to the report.

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.

NOTE: In accordance with Title 17 U.S.C. Section 107, this material is distributed without profit or payment for non-profit news reporting and educational purposes only.

Reproduction for private use or gain is subject to original copyright restrictions.

Evolutions in Business
Celebrating more than

30 Years