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White House Publishes Trade Policy for 2023

Ambassador Katherine Tai and the Office of the United States Trade Representative delivered [President Biden's 2023 Trade Policy Agenda and 2022 Annual Report to Congress](#). This report details USTR's work to implement the Biden Administration's trade priorities and advance an inclusive, worker-centered trade policy.

President Biden's 2023 trade agenda continues to focus on "partnership" style trade deals over the more traditional comprehensive free trade agreement, according to a report released yesterday by the US Trade Representative's Office.

That will come along with enforcing existing trade agreements to ensure partners are living up to their commitments. The 2023 Trade Policy Agenda outlines the Administration's trade priorities for the year ahead.

"From enforcing the USMCA to creating innovative trade arrangements with our allies and partners, we will continue to pursue an agenda that will deliver sustainable and inclusive economic prosperity for all," US Trade Representative Katherine Tai said.

Key elements of the 2023 Trade Policy Agenda and 2022 Annual Report

Engaging with Key Trading Partners and Multilateral Institutions: The Indo-Pacific Economic Framework for Prosperity and the Americas Partnership for Economic Prosperity are top priorities for the Administration in 2023, as well as our initiatives with Kenya and Taiwan.

The United States is also stepping up engagement in multilateral institutions and international organizations, such as the World Trade Organization, and by hosting the Asia-Pacific Economic Cooperation forum in 2023.

Standing up for Workers' Rights: We are using the United States-Mexico-Canada Agreement to enforce workers' rights and drive a race to the top in North America. We are also seeking high-standard labor commitments throughout our new trade initiatives.

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Accelerating Decarbonization and Promoting Sustainable Environmental Practices: We will continue to use a range of available tools to advance our environmental goals and combat climate change.

Our work with the European Union on the Global Arrangement on Sustainable Steel and Aluminum remains a top priority.

Supporting US Agriculture: We are creating new opportunities for American agriculture, including through our new initiatives and existing agreements.

Bolstering Supply Chain Resiliency: Following President Biden’s Executive Order 14017 (America’s Supply Chains), USTR is actively engaged and coordinated with like-minded partners to develop durable solutions that advance supply chain resilience in critical research such as semiconductors, large capacity batteries, critical minerals and materials, and pharmaceuticals and active pharmaceutical ingredients.

Re-Aligning the US-China Trade Relationship: The Biden Administration will continue to use all available tools to ensure that China competes fairly. We are actively working with like-minded partners to fight against China’s unfair, anticompetitive practices, which harm workers and businesses in the United States and in other countries. h.

Promoting Confidence in Trade Policy Through Enforcement: This includes enforcing labor and environmental standards, ensuring that regulations are science-based and predictable, and protecting and enforcing intellectual property rights.

Advancing Equitable, Inclusive, and Durable Trade Policy and Expanding Stakeholder Engagement: We are expanding and sustaining our engagement with more communities, enhancing our understanding of how trade has affected American workers, and incorporating more voices into our policymaking process. The United States will continue working with trade partners to advance racial and gender equity, equality, and economic empowerment through trade.

The Biden Administration will also continue efforts to **improve the scope, granularity, and quality of data and expand research and analytical tools** to better inform US trade policy.

Congress Bulls In China Shop

The first hearing held by the House Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party capped a day of activity by House lawmakers focused on China, including approval of a raft of China-focused bills by the Financial Services and Foreign Affairs Committees.

Gallagher Committee Launches

Members of the newly-created Select Committee on China spent their inaugural session calling for bipartisan support to counter the economic and national security threats posed by China.

Rep. Mike Gallagher (R-Wisc), chair of the Select Committee, urged his members to act “with a sense of urgency” and on a bipartisan basis in arriving at proposals to counter Beijing.

“We may call this a strategic competition, but it's not a polite tennis match,” he said. “This is an existential struggle over what life will look like in the 21st century – and the most fundamental freedoms are at stake.”

Over the course of the three-hour hearing, lawmakers from both sides of the political aisle raised numerous concerns over China’s behavior and policies – and its potential aggression toward Beijing.

Many of the issues they raised are already the subject of legislation, like limiting or prohibiting Chinese investment in US agricultural land and companies. Similarly, questions were raised about whether there should be restrictions on US investment in China, particularly in the technology sector.

China’s unfair trade practices were raised, with several members from both sides of the political aisle suggesting the time has come to revoke China’s permanent normal trade relations status.

Bill Proposes Rejecting LDC Status for China

The House Foreign Affairs Committee approved legislation (HR 1107) yesterday directing the Administration to fight for revoking China’s status as a developing country in all international organizations in which both countries are members.

The bill would make it US policy that China should not be considered a developing country in international organizations, agreements and treaties.

The measure does not name specific international organizations, but the United States has long complained about China’s developing country status at the World Trade Organization.

“Make no mistake – China is not a developing country, despite the People’s Republic of China’s claims,” the bill’s chief sponsor, **Rep. Young Kim** (R-Calif) said during the committee’s mark up. The bill is co-sponsored by **Rep. Gerry Connolly** (D-Va).

The committee approved an amendment to the bill that would place restrictions on the President’s ability to waive the measure in specific circumstances.

McCaul Continues BIS Drumbeat

Committee Chairman Michael McCaul (R-Texas) commended the Administration for recently- imposed export controls on semiconductors and semiconductor. But he sharply criticized the Commerce Department’s Bureau of Industry and Security, saying that BIS “continues to grant licenses that allow critical US technology to be sold to our adversaries – even those it’s designated as threats to national security.”

He charged that in one recent six-month time period, BIS approved licenses worth \$60 billion to Huawei and \$40 billion to SMIC, which are both on the Entities List. “If BIS continues to mindlessly green light sensitive technology sales, the CCP has proven they will use our own inventions against us,” he said. Mr. McCaul said he is ready to work with the Administration to beef up US export controls.

Raft of China-Focused Bill Approved

The House Financial Services Committee approved a long list of bills, mostly aimed at sanctioning China if it takes any military action against Taiwan. The measures were passed with bipartisan support, paving the way for action on the House floor.

Addressing the economic and national security risks posed by China is high on the House's priority list for the 118th Congress. The first hearing held by Financial Services this year was on China.

"We know China is not an ally or a strategic partner. They are a competitor," **committee chairman Patrick McHenry (R-NC)** said before the mark up.

Ranking Democrat Maxine Waters (Calif) also endorsed the China bills. But she called the measures "modest efforts to hold China accountable," arguing that the biggest threats to the US economy are a possible default on US debt and inflation.

Bills approved by the committee yesterday include:

- *The "Taiwan Conflict Deterrence Act of 2023 (HR 554)* to disincentivize Chinese aggression towards Taiwan by publishing the assets of top Chinese leaders, as well as cutting them and their family members off from financial services, if Beijing acts against Taiwan.
- *The "Taiwan Non-Discrimination Act of 2023" (HR 540)* to require the United States to advocate for Taiwan's membership at the International Monetary Fund.
- *The "Chinese Currency Accountability Act of 2023," (HR 510)* to prevent the Chinese Communist Party from coopting critical international institutions like the International Monetary Fund by requiring the Treasury Secretary to oppose an increase in the weight of China's renminbi in the basket of currencies determining the value of Special Drawing Rights.
- *The "China Exchange Rate Transparency Act of 2023," (HR 839)* to protect global market participants from the CCP's exploitative practices by requiring the US Director at the International Monetary Fund to advocate for greater transparency in China's disclosure of its exchange rate policies.
- *The "PROTECT Taiwan Act," (HR 803)* to help isolate the CCP from the international financial system by directing the Federal Reserve, the Secretary of Treasury and the Securities and Exchange Commission to exclude representatives from the People's Republic of China from proceedings of various international financial groups and organizations in the event of an invasion of Taiwan.
- *The "Securing America's Vaccines for Emergencies (SAVE) Act of 2023," (HR 555)* to end US over-reliance on adversarial governments for medical supplies during an emergency by bolstering and diversifying existing supply chains through the Defense Production Act.

- The “China Financial Threat Mitigation Act of 2023,” (HR 1156) to promote American financial resiliency by requiring the Treasury Secretary to report on global economic risks emanating from the Chinese financial sector

McCaul Leans in on BIS Coddling Chinese

House Foreign Affairs Committee Chairman Michael McCaul released his interpretation of data on licensing outcomes from the Department of Commerce’s Bureau of Industry and Security (BIS) following a heated grilling of BIS Chief Alan Estevez by the full committee earlier in the week.

In a one page handout released by his office, the ten-term Texan showed that in a three month period last year, Commerce approved 192 Licenses representing \$23 billion in goods to sanctioned Chinese firms.

“It is unacceptable BIS approved more than \$23 billion worth of licenses to sell U.S. technology to blacklisted companies based in China. This critical U.S. technology is going to the Chinese Communist Party’s surveillance and military efforts. BIS must and can do more.”

The Biden administration has been considering limiting the items it authorizes U.S. companies to ship to telecoms equipment giant Huawei Technologies Co, which was added to a blacklist in 2019 but which continues to receive billions in U.S. goods under a special plan implemented by the Trump administration.

Responding to McCaul’s complaints during the Committee hearing, **BIS Chief Alan Estevez** clarified the state of play.

“We have specific licensing rules; the entity list is not a blanket embargo. So going on the entity list may have a particular rule... The licensing rule of the previous administration that still stands for Huawei allows things below 5G, below cloud level to go,” said Mr. Estevez. “I will say that all those things are under review.”

Mr. Estevez added that the administrations October 2022 restrictions on chipmaking equipment had already made ineligible many of the previously licensed sales.

Senate Takes Lead on US-UK Trade Negotiations

Senators Chris Coons (D-Del.) and **John Thune** (R-S.D.) have introduced the *Undertaking Negotiations on Investment and Trade for Economic Dynamism (UNITED) Act*. Their new bill would authorize the administration to negotiate and conclude a trade agreement with the United Kingdom.

The UNITED Act also requires the administration to work closely with Congress throughout the process to ensure that any agreement advances congressional trade policy priorities, stipulating “the President shall consult with the Congress before and throughout negotiations initiated..”

The bill's introduction comes shortly after the [U.K. and European Union announced a new agreement](#) on post-Brexit trade rules for Northern Ireland. The deal promises to uphold the Good Friday Agreement and advance peace, stability, and prosperity in Northern Ireland.

The U.S.-Mexico-Canada Agreement (USMCA), which passed the Senate with overwhelming bipartisan support in 2020, set high standards in a number of areas. The UNITED Act encourages the executive branch to build on those standards in negotiations with the U.K. in order to ensure that U.S. workers and companies can compete on a level playing field. [The text of the bill is available [here](#)]

Joint Compliance Note on Third Party Actors

Signaling a redoubled focus on countries providing conduits to evade western sanctions, Bureau of Industry and Security (BIS), the Department of Justice (DOJ), and Treasury's Office of Foreign Assets Control (OFAC), issued a [Tri-Seal Compliance Note](#) to alert public to how traders use third-party intermediaries and transshipment points to circumvent restrictions and obscure the true identities of sanctioned end users.

The Document called out for scrutiny transactions routed through jurisdictions close to Russia, including China, Armenia, Turkey, and Uzbekistan. Elizabeth Rosenberg, the assistant Treasury secretary for terrorist financing and financial crimes, said on Thursday that the UAE was a "country of focus" for the US.

The Note also describes common red flags that can indicate a third-party intermediary may be engaged in efforts to evade sanctions or export controls.

"Effective compliance programs employ a risk-based compliance programs that entities can adopt to minimize the risk of evasion. These compliance programs should include management commitment (including through appropriate compensation incentives), risk assessment, internal controls, testing, auditing, and training.

"These efforts empower staff to identify and report potential violations of U.S. sanctions and export controls to compliance personnel such that companies can make timely voluntary disclosures to the U.S. government. Optimally, compliance programs should include controls tailored to the risks the business faces, such as diversion by third-party intermediaries.

Red Flags

Common red flags can indicate that a third-party intermediary may be engaged in efforts to evade sanctions or export controls, including the following:

- Use of corporate vehicles (*i.e.*, legal entities, such as shell companies, and legal arrangements) to obscure (i) ownership, (ii) source of funds, or (iii) countries involved, particularly sanctioned jurisdictions;

- A customer's reluctance to share information about the end use of a product, including reluctance to complete an end-user form;
- Use of shell companies to conduct international wire transfers, often involving financial institutions in jurisdictions distinct from company registration;
- Declining customary installation, training, or maintenance of the purchased item(s); IP addresses that do not correspond to a customer's reported location data;
- Last-minute changes to shipping instructions that appear contrary to customer history or business practices;
- Payment coming from a third-party country or business not listed on the End-User Statement or other applicable end-user form;
- Use of personal email accounts instead of company email addresses;
- Operation of complex and/or international businesses using residential addresses or addresses common to multiple closely-held corporate entities;
- Changes to standard letters of engagement that obscure the ultimate customer;
- Transactions involving a change in shipments or payments that were previously scheduled for Russia or Belarus;
- Transactions involving entities with little or no web presence; or
- Routing purchases through certain transshipment points commonly used to illegally redirect restricted items to Russia or Belarus. Such locations may include China (including Hong Kong and Macau) and jurisdictions close to Russia, including Armenia, Turkey, and Uzbekistan

Best Practices

Best practices in the face of such risks can include screening current and new customers, intermediaries, and counterparties through the Consolidated Screening List and OFAC Sanctions Lists, as well as conducting risk-based due diligence on customers, intermediaries, and counterparties. Companies should also regularly consult guidance and advisories from Treasury and Commerce to inform and strengthen their compliance programs.

Follow Enforcement Actions

Companies should also review BIS and OFAC enforcement and targeting actions, as they often reflect certain tactics and methods used by intermediaries engaged in Russia-related sanctions and export evasion. OFAC's civil enforcement actions also illustrate a range of sanctions evasion techniques employed across multiple sanctions programs, including falsifying transactional documents, omitting information from internal correspondence, and shipping goods through third countries.

DOJ has pursued criminal charges against those who it alleges are using front companies and intermediate transshipment points to evade Russia-related U.S. sanctions and export controls. In many cases, DOJ finds that the defendants use shell companies and transshipment points in third-party countries to evade sanctions and procure powerful dual-use items for use by the Russian defense sector. The sensitive items at issue included advanced electronics and sophisticated testing equipment used in quantum computing, hypersonic, and nuclear weapons development as well as advanced semiconductors and microprocessors used in fighter aircraft, missile systems, smart munitions, radar, and satellites. In one of the cases, the

indictment alleges that U.S.-manufactured component parts were found in seized Russian weapons platforms in Ukraine.

Tactics to evade detection have included the following:

- Claiming that shell companies located in third countries were intermediaries or end users; in one case, DOJ alleges that only one of the five intermediary parties had any visible signage and consisted of an empty room in a strip mall;
- Claiming that certain items would be used by entities engaged in activities subject to less stringent oversight; on at least one occasion, a defendant allegedly claimed that an item would be used by Russian space program entities, when in fact the item was suitable for military aircraft or missile systems only;
- Dividing shipments of controlled items into multiple, smaller shipments to try to avoid law enforcement detection;
- Using aliases for the identities of the intermediaries and end users;
- Transferring funds from shell companies in foreign jurisdictions into U.S. bank accounts and quickly forwarding or distributing funds to obfuscate the audit trail or the foreign source of the money;
- Making false or misleading statements on shipping forms, including underestimating the purchase price of merchandise by more than five times the actual amount;
- Claiming to do business not on behalf of a restricted end user but rather on behalf of a U.S.-based shell company.
- Businesses of all stripes should act responsibly by implementing rigorous compliance controls, or they or their business partners risk being the targets of regulatory action, administrative enforcement action, or criminal investigation

Voluntary Self Disclosure Encouraged

Parties who believe that they may have violated sanctions or export control laws should voluntarily self-disclose the conduct to the relevant agency. Information about **BIS's Voluntary Self-Disclosure ("VSD") Policy** can be found in Part 764.5 of the Export Administration Regulations or in the enforcement section of BIS's website www.bis.doc.gov.

OFAC's Enforcement Guidelines, which provide incentives for voluntary self-disclosure, are available at 31 CFR Part 501, Appendix A as well as in OFAC Frequently Asked Questions: <https://home.treasury.gov/policy-issues/financial-sanctions/faqs/13>.

All potentially criminal violations of sanctions and export control laws should be disclosed to the **Department of Justice's National Security Division, Counterintelligence and Export Control Section**. More information about DOJ's VSD Policy is available at <https://www.justice.gov/nsd/export-control>.

These principles apply broadly to all U.S. government enforcement regimes, including the **Disruptive Technology Strike Force**, which was announced on February 16, 2023. That Strike Force, co-chaired by DOJ and Commerce, focuses on investigating and prosecuting the illicit transfer of sensitive technologies.

Ways & Means Sets Trade Course

House Ways and Means Committee Chairman Jason Smith (R-Mo) unveiled a Trade agenda for His committee, including broad oversight of whether China is living up to its trade commitments. The committee approved its oversight and authorization plan for the 11th Congress.

On the trade front, the committee plans to keep an eye on the various ongoing negotiations, with the possibility of considering specific Congressional authorization for the President to enter negotiate trade agreements. Enforcement of existing trade agreements, preference program renewals and World Trade Organization issues also are on the agenda.

The committee's oversight plan on trade includes the following:

Trade Negotiations. Including possible consideration of other legislation to reassert Congressional prerogatives on trade policy.

Enforcement. Oversight of enforcement of trade agreements. Particular oversight of enforcement activities related to China's WTO commitments, as well as continuing barriers imposed by other countries and economies, including digital services taxes.

China. Oversight of systemic problems in U.S.-China trade, including oversight of China's compliance with the January 2020 Phase One trade agreement and the Administration's enforcement of that agreement. Oversight of U.S. tariff treatment of imports from China, including Section 301 tariffs and Permanent Normal Trade Relations. Oversight of China's track record with respect to its 2001 agreement to accede to the WTO.

Tariff policy Particularly those imposed under Section 232 of the Trade Expansion Act of 1962 and Section 301 of the Trade Act of 1974. Analysis of the goals and effectiveness of such tariffs, including the impact of tariffs and retaliation by other countries on U.S. manufacturers and consumers as well as U.S. allies engaged in fair trade.

Implemented Trade Agreements. Oversight of implemented agreements with Colombia; Panama; Peru; Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua (i.e., CAFTA-DR); Oman; Bahrain; Singapore; Chile; Australia; Morocco; Jordan; Canada and Mexico (USMCA); and Israel.

Preference Programs. including the Generalized System of Preferences, the African Growth and Opportunity Act, the Caribbean Basin Trade Partnership Act, and the Haitian Hemispheric Opportunity through Partnership Encouragement Act.

Agriculture. Oversight and promotion of Administration efforts to increase enforcement and remove tariff and non-tariff barriers to markets for U.S. agriculture, including non- science based sanitary and phytosanitary measures and barriers to agriculture biotechnology. C

Digital Trade and E-commerce. particularly with respect to data issues (localization measures and data flows).

WTO Oversight. including reform proposals, negotiations, the functioning and reform of the dispute settlement system, and WTO accessions.

Trade Sanctions. Oversight concerning import sanctions with, among others, China, Iran, Russia, Belarus, North Korea, Syria, and Cuba.

Trade Adjustment Assistance. Continued oversight concerning the Trade Adjustment Assistance program for workers to monitor the effectiveness of the program in providing training and new jobs for displaced workers in a simple and cost-effective manner.

Priorities of the Office of the United States Trade Representative (USTR).

Priorities of U.S. Customs and Border Protection (CBP).

Priorities of the U.S. Department of Commerce. including trade enforcement (particularly antidumping, countervailing duty, and Section 232 tools) and trade negotiations (particularly IPEF).

Priorities of the United States International Trade Commission.

*** Briefs ***

Treasury Calls Out UAE for Sanctions Busting

Elizabeth Rosenberg, the assistant Treasury secretary for terrorist financing and financial crimes, added to the drumbeat of criticism of sanction dodging regimes, telling a meeting of Women in International Trade that the UAE was a “country of focus” for the US.

The coming year will be about ensuring that our sanctions architecture is fully enforced and effective—in particular, by figuring out and cracking down on the ways Russia evades sanctions. Furthermore, we will deploy new and novel ways of complementing trade controls with financial constraints to shut down the evasion and shadowy economic activity Russia seeks to sustain its war efforts.

"We are specifically concerned about increases in trade with Russia in the kind of goods that can be used on the battlefield and those who are aiding designated Russian entities. We are investigating this type of assistance at the individual, firm, and sector level. We will engage companies, banks, regulators, and service providers in a series of jurisdictions we assess are wittingly or unwittingly providing assistance to Russia. This is a broad campaign on which we are working closely with allies and partners.

"To give you an example from one country of focus for us: we are concerned that between July and November of 2022 United Arab Emirates (UAE) companies exported over \$18 million worth of goods to U.S.-designated Russian entities. Also, between June and November of 2022, UAE companies exported over \$5 million worth of U.S.-origin, U.S.-export controlled goods to Russia, including but not limited to semiconductor devices, some of which can be used on the battlefield.

"This is about making the choice clear to companies and banks: you can do business with the countries that constitute more than 50 percent of the world's GDP, and its most convertible and stable currencies, or do business with those who facilitate Russia's war."

FISA Renewal Campaign Kickoff

Marking the kickoff of a campaign to build support for the extension of Section 702 of the Foreign Intelligence Surveillance Act (FISA), Assistant Attorney General Matthew Olsen defended the measure in a speech at the Brookings Institution February 28th.

The Chief of the Justice Department's National Security Division praised the utility of the Act's "warrantless surveillance," and gave assurances that lessons had been learned. The post 9/11 surveillance law permits government collection of communications of foreigners abroad, to include their interactions with Americans, without obtaining a warrant.

This suspension of Citizens' Fourth Amendment protections has prompted concerns from civil rights and privacy advocates, while elements of the political right piled on. House Judiciary Committee Chair Jim Jordan (R-OH) and House Intelligence Committee Chair Mike Turner (R-OH) have both opposed the Act as it stands, with Mr. Jordan calling for its sunset and Mr. Turner naming a GOP working group to guide the reforms.

Excerpts from Olson's Speech

"The bottom line is that Section 702 gives us the intelligence necessary to stay one step ahead of our adversaries. We cannot afford to allow it to lapse. And it is too important to the interests of the U.S. and our allies — and to our basic safety — to wait for the 11th hour to do so.

"When I first came to NSD in 2008, I was part of the team that helped craft Section 702. I went on to become the General Counsel at NSA where I oversaw NSA's implementation of 702 and saw, in practice, both the power of 702 as a collection tool and the rigor of the oversight procedures that are built into it.

"When FISA was originally passed, Congress intended for the law to regulate surveillance activities conducted within the United States. But with the advent of the internet, and as the technology supporting international communications evolved, FISA's terms required the government to seek individualized court orders, even when the target of the collection was a foreign person based overseas.

"This is the key point: Section 702 only authorizes intelligence collection targeting non-U.S. persons who are outside the United States. In such cases, 702 provides the legal framework for the government to compel assistance from U.S. electronic communications service providers.

"Unfortunately, in this highly sensitive area, we've made mistakes in recent years that have undermined trust.... We've implemented key reforms But I want to be clear, this is about more than just imposing a checklist of new requirements... we are building a culture of compliance."

Secondary Sanctions For PRC - Russia Trade

Reuters news service reported that the United States is sounding out close allies about the possibility of imposing new sanctions on China if Beijing provides military support to Russia for its war in Ukraine, according to four U.S. officials and other sources.

The consultations, which are still at a preliminary stage, are intended to drum up support from a range of countries, especially those in the wealthy Group of 7 (G7), to coordinate support for any possible restrictions. It was not clear what specific sanctions Washington will propose. The conversations have not been previously disclosed.

Honeywell Dealer Indicted for Avionics Exports

Justice announced the arrest of the principals of a Kansas avionics distributor for the export of aviation technology from the United States to Russia and Russian end users located in other countries.

Cyril Buyanovsky and Douglas Robertson owned and operated the transparently named KanRus Trading Company, authorized distributors of BendixKing aircraft control instruments. Since 2020, the defendants conspired to evade U.S. export laws by concealing and misstating the true end users, value and end destinations of their exports and by transshipping items through third-party countries.

Transshipment points included Germany, the UAE, Cyprus, Laos and Armenia to conceal the true end users and end destinations; funds for the sales flowed from bank accounts in the UAE, Russia, Cyprus, and Armenia to KanRus's bank account in the United States.

Justice Buries the Hatchet with Ericsson

Swedish Telecoms giant and serial FCPA violator LM Ericsson signed a new deal with the Justice Department acknowledging further breaches of the deferred prosecution agreement it entered into for corruption in Djibouti, China, Vietnam, Indonesia and Kuwait. According to the documents, Ericsson withheld evidence relating to the China and Djibouti cases, as well as failed to report and disclose their illicit alliance with the Islamic State in Iraq uncovered last year.

Ericsson will enter a guilty plea regarding previously deferred charges relating to conduct prior to 2017. The new plea agreement calls for \$207 million in additional fines and the previously announced extension of the independent compliance monitor until June 2024. Shareholders voted last March to hold CEO Börje Ekholm and the Board personally liable for the scandal.

"This resolution is a stark reminder of the historical misconduct that led to the DPA. We have learned from that and we are on an important journey to transform our culture. To be a true industry leader, we must be a

market and technology leader while also being a leader in how we conduct our business,” Ekholm said in a statement announcing the settlement.

Biden Resurrects Export Council

President Biden is resurrecting the long-moribund President’s Export Council, last met during the Obama Administration. The Council serves as the principal national advisory committee on international trade, advising the President of government policies and programs that affect US trade performance, according to the White House.

It also promotes export expansion and provides a forum for discussing and resolving trade-related problems among the business, industrial, agricultural, labor and government sectors.

The President tapped **Mark Ein, Chairman of Kastle Systems and Lindblad Expeditions**, to chair the PEC and **Rosalind Brewer, chief executive officer of Walgreens Boots Alliance** as vice chair.

Other PEC members are Cristiano Amon, Raymond Curry Jr., Lisa Disbrow, Beth Ford, Jane Fraser, Brett Hart, Brett Isaac, Farnam Jahanian, Lacy Johnson, Gareth Joyce, Paul Laudicina, John Lawler, Rich Lesser, Karen Lynch, Robert G. Martinez Jr, Patrick Murphy, Punit Renjen, Michael F. Roman, Daniel Rosen, Michelle Singer, Rajesh Subramaniam, Juan Verde and Dana Walden.

*** Calendar ***

EU-US Trade & Technology Council: WG10 Roundtable on due diligence

3 March 2023, 12:30 CET - 3 March 2023, 19:30 CET [hybrid register] TTC Working Group 10 will host a roundtable discussion. [[event website](#)]. Register [[register](#)] by Tuesday 28 February 2022, 18:00 CET / 12:00 EST.

The Forced Labor Technical Expo Tuesday, March 14, 2023 (*opening remarks & industry presentations, including a DHS-led panel discussion, 8 a.m. to 5 p.m., EST*), and Wednesday, March 15, 2023 (*opening remarks & industry presentations, including a CBP-led panel discussion, 8 a.m. to 5 p.m., EST*). CBP welcomes industry event attendance as well as stakeholders impacted by the need to comply with UFLPA and §19 U.S.C. 1307. The event will be held at the Ronald Reagan Building and International Trade Center (RRB), 1300 Pennsylvania Avenue NW, Atrium Concourse Level, Washington, DC. Attendees should register through the Trade Events page. <https://www.cbp.gov/trade/forced-labor-technical-expo-2023> [[88 FR 9891](#)]

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