Washington Tariff & Trade Letter

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TOP STORIES

BIS Expands Russian Sanctions

The Commerce Department's Bureau of Industry and Security (BIS) is taking action to further restrict the supply of both U.S.-origin and "U.S. branded" (i.e., labeled) items to Russia and Belarus for the Kremlin's war efforts.

BIS has imposed controls on a range of items subject to the Export Administration Regulations (EAR) that did not previously require export licenses when destined for Russia. Also imposed are similarly stringent controls on items subject to the EAR that are destined for Belarus. Notably, both countries have been made subject to broad in-country transfer controls. READ MORE

Harris Trade Views Absent from Party Platform

Vice President Kamala Harris may now be the Democratic nominee for President, but the party platform approved by Democrats at their convention in Chicago still reflects the positions of President Biden, including on trade and international economic policy.

During her tenure as vice president, trade policy has not been a key part of Ms. Harris' portfolio. In recent remarks since becoming the presumptive nominee, she has sharply criticized former President Trump's across-the-board tariffs proposal, calling it a tax on US consumers and indicated that she will hold to the Biden Administration's vision of a "worker-centric" trade policy. READ MORE

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TRADE POLICY

Congress Calls Out Clinical Trials in PRC

House lawmakers are raising questions about US biopharmaceutical companies that are conducting clinical trials with China's People's Liberation Army and in the Xinjiang region where Beijing is accused of mistreating members of the Uyghur community.

Chinese biopharmaceutical companies, with their ability to harness China's large population of patients to conduct time- and cost-efficient clinical trials play a vital role in the global pharmaceutical industry. The lawmakers want the Food and Drug Administration to provide information about these practices. **READ MORE**

Commerce Lists Goods & Sectors for IPEF Cooperation

The Commerce Department Friday announced its list of critical sectors and key goods for potential cooperation under the IPEF Supply Chain Agreement to strengthen supply chain resiliency.

Under the IPEF Supply Chain Agreement, each Party committed to developing a list of "critical sectors" and "key goods" for cooperation under the Agreement, to be shared through the Council. These lists are intended to be iterative and change as needed over time. **READ MORE**

Andean Mission: Critical Minerals

Undersecretary of State for Economic Growth, Energy and the Environment Jose Fernandez is traveling to South America for official discussions on critical minerals supply chains and developments in the Americas Partnership. Mr. Fernandez is visiting Argentina, Ecuador and Peru through August 29. READ MORE

<u>Design and Construction Trade Mission to the</u> <u>Southeast Asia October 28 - November 1, 2024.</u>

The Commerce Department's, International Trade Administration (ITA), is organizing a Design and Construction Trade Mission to the Southeast Asia region on from October 28 - November 1, 2024. READ MORE

A performance audit of coordination of the implementation, enforcement, and verification of the new automotive rules of origin included in the USMCA found material gaps, placing responsibility on the office of the United Stated Trade Representative (USTR), which is responsible for coordinating efforts. READ MORE

SANCTIONS

OFAC, State Target Supply Networks, Mining, Finance

In concert with the Commerce Department measures, Treasury and the State Department targeted nearly 400 individuals and entities both in Russia and in Asia, Europe, and the Middle East—whose products and services enable Russia to sustain its war effort and evade sanctions.

Treasury targets include ammunition and materiel suppliers, trust and corporate formation entities, cyber and precious metals actors, advanced procurement networks and Russia's metals and mining industry. The measures also target Russian financial technology companies that provide necessary software and IT solutions for Russia's financial sector. READ MORE

OFAC's Non-SDN Menu-Based Sanctions List Update

Treasury's Office of Foreign Assets Control (OFAC) is publishing a final rule to update terminology and references across several sanctions programs' regulations, and is adding a general license to the Burma Sanctions Regulations to authorize the provision of agricultural commodities, medicine, medical devices, replacement parts and components for medical devices, or software updates for medical devices to individuals whose property and interests in property are blocked pursuant to the Burma Sanctions Regulations. READ MORE

OFAC Modernization Recap; Publication of Amended FAQs

Treasury's Office of Foreign Assets Control (OFAC) announced several initiatives underway aimed at assisting the public with sanctions implementation . As part of these efforts, OFAC is ... **READ**MORE

EXPORT CONTROLS

BIS Seminars in Mass & California

Registration is open for three BIS seminars in Massachusetts and California

- Complying with U.S. Export Controls
- Encryption Controls **READ MORE**

UK Publishes AUKUS General License

The U.K. governemnt has published a Licence allowing the export of dual-use items or military goods software or technology and trade of military goods, to, between and among Australia, the USA and the UK, in furtherance of the AUKUS Treaty.

This open general licence (OGL) permits, subject to certain conditions, the export of dual-use items or military goods software or technology and trade of military goods, to, between and among Australia, the US and the UK. This includes re-exporting goods, software or technology to and from permitted destinations, even if they have been incorporated into other products. READ MORE

ENFORCEMENT

Miami Fashion Brand Alexis Fined \$7.6 Million for Customs Fraud

The Justice Department announced the resolution of a civil qui tam lawsuit in which the United States intervened for settlement purposes against Alexis, LLC, a womenswear company, for underpaying customs duties on imported apparel. The company paid a total of \$7,691,999.63 to the United States to resolve this matter. **READ MORE**

Houston Trader Pleads Guilty in PEMEX Bribery Case

A Texas commodity trader pleaded guilty to conspiring to violate the Foreign Corrupt Practices Act (FCPA) and engaging in interstate and foreign commerce to promote and to distribute the proceeds of commercial bribery for paying bribes to officials at the Mexican state-owned oil company, PEMEX.

The plea follows Javier Aguilar's conviction earlier this year in a related case for paying bribess to Ecuadorian officials and laundering the funds for both the Ecuadorian and Mexican schemes. **READ MORE**

Latvian Avionics Smuggler Extradited to US

The third defendant in the government's case against a Kansas avionics distributor appeared in court August 21 after being extradited from Latvia.

Oleg Chistyakov's partners, owners of a Wichita, Kansas distributor, have pleaded guilty and await sentencing. **READ MORE**

SUPPLY CHAIN

USMCA Complaint at Pirelli Tire Plant

United States Trade Representative Katherine Tai announced today that the United States has asked Mexico to review whether workers at the Pirelli Neumaticos, S.A. de C.V (Pirelli), facility in the city of Silao de la Victoria in the state of Guanajuato, Mexico, are being denied the right to freedom of association and collective bargaining.

The petition alleged Pirelli is not applying the sector-wide agreement (contrato ley) covering the rubber manufacturing industry at the facility and is instead applying a singular collective bargaining agreement (CBA) with benefits inferior to those in the contrato ley. READ MORE

DoD Grants \$20 million to Canadian Cobalt Processor

The Department of Defense announced Monday a \$20 million award via the Defense Production Act Investments (DPAI) office to Electra Battery Materials Corporation, a Canadian mining firm attempting to recommission an idled plant to process cobalt sulfate imported from the Democratic Republic of Congo.

The award utilizes funds from the Ukraine Supplemental Appropriations Act of 2022 and supports the 2024 National Defense Industrial Strategy goal of expanding domestic production of critical minerals. **READ MORE**

PEOPLE

Gallagher Hired by Defense Firm

Former Rep. Mike Gallagher (R-WI) has joined big-data firm Palantir Technologies to develop its defense business, the company announced Thursday. Denver-based Palantir has been rapidly expanding its remit with the DoD, notching notable wins in the Electronic Warfare and Sensing domains."

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OFAC Licensing Chief to Ferrari & Associates

Chief of the OFAC Licensing Division, Aydin M. Akgün has joined Ferrari & Associates in Washington, DC as Director of Licensing & Compliance. During more than two decades at OFAC, Mr. Akgün worked on sanctions programs involving Iran, Belarus, Global Magnitsky, Venezuela, and Nicaragua. READ MORE