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Commerce Adds 24 to Entity List for Supporting Russian Military Defense Industrial Base and Missile and Unsafeguarded Nuclear Activities

WASHINGTON, D.C. – Today, the Commerce Department's Bureau of Industry and Security (BIS) issued a rule that adds 24 new entities to the Entity List under 26 entries, applying stringent license requirements that will severely restrict these entities' access to commodities, software, and technologies subject to the Export Administration Regulations (EAR). These entities are added under the destinations of Russia, Switzerland, Latvia, Pakistan, United Arab Emirates (U.A.E.).

"It is imperative that we continue to be aggressive in pushing back against Putin's unprovoked and illegal war against the sovereign nation of Ukraine. Preventing dangerous actors from acquiring missile, nuclear, and other technologies that threaten national security," **said Under Secretary of Commerce for Industry and Security Alan Estevez.** "Today's action furthers these key objectives and demonstrates that BIS and our federal partners are constantly monitoring, assessing, and acting to prevent items subject to U.S. law from being diverted to malign purposes."

"Advancements in missile and nuclear technology must be vigorously protected from those who seek to cause harm and destruction at a global scale," **said Assistant Secretary of Commerce for Export Administration Thea D. Rozman Kendler.** "We cannot allow the export of U.S. technology to contribute to nuclear proliferation worldwide. Our action today helps to prevent that from happening and demonstrates U.S. leadership in standing up for the principles of ethical innovation."

The text of the rule released today is available on the Federal Register's website here: [https://www.federalregister.gov/documents/2022/12/08/2022-26622/additions-of-entities-to-the-

<u>entity-list-removal-of-an-entity-from-the-entity-list</u>]. The rule becomes effective upon publication in the Federal Register, which is December 08, 2022.

One entity, Safe Technical Supply Co. LLC, listed under the destinations of Oman, U.A.E., and Saudi Arabia, is being removed from the Entity List following the ERC's review of information BIS received pursuant to the EAR.

Additional information on the entities added in today's rule is below:

Russian Military or the Defense Industrial Base

- Eleven entities will be added and will receive a Footnote 3 designation due to the determination that they are military end users. They are being added to the list for their significant contributions to or their involvement in the Russian military and/or the defense industrial base. These activities are contrary to the national security and foreign policy interests of the United States. These entities are:
- o AO Kraftway PSC (Russia)
- o AO Scientific Research Center (Russia)
- o LLC Fibersence (Russia)
- o Scientific Production Company Optolink (Russia)
- o Fiber Optic Solutions (Latvia)
- o AO PKK Milandr (Russia)
- Milandr EK OOO (Russia)
- Milandr ICC JSC (Russia)
- Milur IS OOO (Russia)
- (OOO) Microelecgtronic Production Complex (MPK) Milandr (Russia)
- Ruselectrics JSC (Russia)
- Milur SIA (Switzerland)
- BIS is imposing a license requirement for all items subject to the EAR for these entities, and prohibiting the use of license exceptions for exports, reexports, or transfers (in-country) to these entities. They are added with a license review policy of denial for all items subject to the EAR other than food and medicine designated as EAR99. BIS will review license requests under a presumption of denial.

Using or Diverting Items for Unsafeguarded Nuclear Activities

Iran

- Four companies are being added to the Entity List for attempting to supply items subject to the EAR to PASNA (Pardazan System Namad Arman), an entity located in Iran designated by the U.S. Department of Treasury's Office of Foreign Asset Control as a Specially Designated National. These efforts are contrary to the national security and foreign policy interests of the United States and therefore, in addition to adding these companies to the Entity List, BIS is imposing a license requirement for all items subject to the EAR. The licenses will be reviewed under the presumption of denial.
- o Falcon Trading International Trading Company (Singapore)
- o Hawk Electronic Supply (Singapore)
- o Merlin Trading Company (Singapore)
- o Pulse Tech International Company (Singapore)

Pakistan

- BIS imposes a license requirement for all items subject to the EAR and will review license applications in accordance with 744.2(d) and/or 744.3(d) on the following eight companies, under ten entries:
- For the unacceptable risk of using or diverting items subject to the EAR for Pakistan's unsafeguarded nuclear activities, Dynamic Engineering Corperation has been added to the Entity List.
- Five companies are being added to the Entity List for their contributions to unsafeguarded nuclear activity and missile proliferation related activities that are contrary to the national security and foreign policy interests of the United States.
- Rainbow Solutions (Pakistan)
- Universal Drilling Engineers (Pakistan)
- EnerQuip Private, Ltd. (Pakistan)
- EnerQuip Limited (UAE) (UAE)
- Zain Enterprises FZE (UAE)
- The following two companies have been found to supply or attempt to supply items subject to the EAR to Pakistan's unsafeguarded nuclear activities and ballistic missile program
- NAR Technologies General Trading LLC (Pakistan and UAE)
- TROJANS (Pakistan and UAE)

Removal from the EL

• Safe Technical Supply Co., LLC (Oman, Saudi Arabia, UAE) will be removed from the Entity List based on information gathered upon the review conducted by the ERC.

Additional Background

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 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 ERC, comprised of the Departments of Commerce (Chair), Defense, State, Energy, and where appropriate, Treasury, based on specific and articulable facts that the entities 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.

The ERC makes all 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 at: <u>https://bis.doc.gov/index.php/policy-guidance/faqs</u>

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