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BUREAU OF INDUSTRY AND SECURITY

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COMMERCE ADDS 13 ENTITIES TO ENTITY LIST FOR AIDING RUSSIA'S ILLEGAL WAR IN UKRAINE

WASHINGTON, D.C. – Today, the Commerce Department's Bureau of Industry and Security (BIS) released a rule adding 13 entities to the Entity List for supporting Russia's military through the procurement, development, and proliferation of Russian unmanned aerial vehicles (UAVs). The rule applies some of the Department's most severe export restrictions on these entities, effectively cutting them off from legally accessing items subject to U.S. jurisdiction.

The entities added today pose significant risk of being or becoming involved in activities that support Russia's illegal and immoral invasion of Ukraine. Twelve entities being added are in Russia and one is in Uzbekistan.

"It is imperative that we remain clear-eyed about our mission to degrade and diminish Putin's ability to wage war against the Ukrainian people," **said Under Secretary of Commerce for Industry and Security Alan Estevez.** "Today's additions to the Entity List highlight that no U.S. technology can be used to further our adversaries' objectives."

"We will continue working with our international partners to identify entities of concern and take action using our regulatory rules as appropriate. Putin's illegal and immoral war in Ukraine will not be aided by U.S. or partner technology," **said Assistant Secretary of Commerce for Export Administration Thea D. Rozman Kendler.**

"Today's Entity Listings demonstrate our steadfast resolve to prevent U.S. items from enabling Russian attacks on Ukrainian forces," **said Assistant Secretary for Export Enforcement Matthew S. Axelrod.** "We will continue to leverage every BIS authority to target Russia's procurement of technologies needed for military platforms like UAVs and lethal loitering munitions."

As military end users, this subjects these entities to the Russia/Belarus-Military End User Foreign Direct Product (FDP) rule. The entities are added with a license requirement for all items subject to the EAR and a license review policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis.

The Bureau of Industry and Security protects against American dual-use technology from being used by our adversaries or in ways contrary to U.S. national security and foreign policy objectives.

The text of the rule released today, which includes the list of entities, is available on the Federal Register’s website here ([link](#)). The effective date for the rule is November 2, 2023.

Additional Background on Today’s Action

Application of the Russia/Belarus ‘Military End User’ Foreign Direct Product (FDP) rule restricts these entities’ access to certain foreign-produced items. These restrictions require exporters to seek a license from BIS for any transaction involving items that are subject to U.S. law—including certain transactions with foreign-produced items—where any of these entities is a party, or if the exporter has knowledge or reason to know that those items are destined for one of these entities. If a license is sought, it will be reviewed under a policy of denial, with case-by-case consideration only provided for certain food and medicine. These are some of the most expansive restrictions on items and the circumstances under which a license may be approved of any FDP rule.

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 Export Administration Regulations (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 End-User Review Committee (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.

Russian military end-users are placed on the Entity List when the ERC determines that a specific entity is a ‘military end user’ and therefore any exports, reexports, or transfers (in-country) to that entity represent an unacceptable risk of use in or diversion to a ‘military end use’ in the Russian Federation, or for a Russian ‘military end user,’ wherever located.

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 at: <https://bis.doc.gov/index.php/policy-guidance/faqs>

For more information, visit www.bis.doc.gov.

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