13. Revise §1216.311 to read as follows:

§1216.311 Emergency responses.
(a) When the Responsible Official determines that emergency circumstances exist which make it necessary to take immediate response and/or recovery action(s) before preparing a NEPA analysis, then the following provisions apply:
(1) The Responsible Official may undertake immediate emergency response and/or recovery action(s) necessary to protect life, property, or valuable resources. When taking such action(s), the Responsible Official shall, to the extent practicable, mitigate foreseeable adverse environmental impacts.
(2) At the earliest practicable time, the Responsible Official shall notify the SAO of the emergency and any past, ongoing, or future NASA emergency response and/or recovery action(s). The SAO shall determine if NEPA applies and the appropriate level of NEPA analysis to document the emergency. If the emergency response and/or recovery action(s) will reasonably result in significant environmental impacts, the SAO shall consult with the CEQ about alternative arrangements for compliance with NEPA.
(b) If the Responsible Official proposes emergency response and/or recovery actions that will continue beyond those needed to immediately protect life, property, and valuable resources, the Responsible Official shall consult with the SAO to determine the appropriate level of NEPA compliance. If continuation of the emergency actions will reasonably result in significant environmental impacts, the SAO shall consult with the CEQ about alternative arrangements for compliance.

14. Revise Appendix A to Subpart 1216.3 to read as follows:

Appendix A to Subpart 1216.3 of Part 1216—Acronyms

Acronym
CatEx Categorical Exclusion
CEQ Council on Environmental Quality
CFR Code of Federal Regulations
CWA Clean Water Act
CZMA Coastal Zone Management Act
DoI (U.S.) Department of Interior
EA Environmental Assessment
EMD Environmental Management Division
EIS Environmental Impact Statement
FONS1 Finding of No Significant Impact
FR Federal Register
GSA General Services Administration
HQ Headquarters
NASA National Aeronautics and Space Administration
NEPA National Environmental Policy Act
NEHRA National Historic Preservation Act
REC Record of Environmental Consideration
RHU Radioisotope Heater Unit
RPS Radioisotope Power Systems
SAO Senior Agency Official
SEO Senior Environmental Official
OGC Office of the General Counsel
ROD Record of Decision

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[DoC No. 240405–0101]

RIN 0969–AJ57

Addition of Entitles to and Revision of Entry on the Entity List

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Final rule.

SUMMARY: In this rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) by adding 11 entries to the Entity List, under the destinations of the Peoples Republic of China (744.11(b)), the Russian Federation (Russia) (744.11(c)), and the United Arab Emirates (UAE) (744.11(d)). These entities have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States. This rule also modifies one existing entry on the Entity List under the destination of China.

DATES: This rule is effective April 11, 2024.

FOR FURTHER INFORMATION CONTACT: Chair, End-User Review Committee, Office of the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–5991, Email: ERC@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

The Entity List

The Entity List (Supplement no. 4 to part 744 of the EAR (15 CFR parts 730–774)) identifies entities for which there is reasonable cause to believe, 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, pursuant to §744.11(b) of the EAR. The EAR impose additional license requirements on, and limit the availability of, most license exceptions for exports, reexports, and transfers (in-country) when a listed entity is a party to the transaction. The license review policy for each listed entity is identified in the “License Review Policy” column on the Entity List, and the impact on the availability of license exceptions is described in the relevant Federal Register document that added the entity to the Entity List. BIS places entities on the Entity List pursuant to parts 744 (Control Policy: End-User and End-Use Based) and 746 (Embargoes and Other Special Controls) of the EAR.

The End-User Review Committee (ERC), composed of representatives of the Departments of Commerce (Chair), State, Defense, Energy and, where appropriate, the Treasury, makes all decisions regarding additions to, removals from, or other modifications to the Entity List. The ERC makes all decisions to add an entry to the Entity List by majority vote and makes all decisions to remove or modify an entry by unanimous vote.

Entity List Decisions

Additions to the Entity List

The ERC determined to add Khalaj Trading LLC and Mahdi Khalaj Amirhosseini, both under the destination of the UAE to the Entity List for engaging in the export and attempted export of items on the Commerce Control List (Supplement 1 to part 774 of the EAR) from the United States to Iran through the UAE, in apparent violation of the Iranian Transactions and Sanctions Regulations (ITSR) (see 31 CFR part 560) and the EAR. These activities are contrary to the national security and foreign policy interests of the United States under §744.11 of the EAR.

The ERC determined to add LINKZOL (Beijing) Technology Co., Ltd. and Xi’an Like Innovative Information Technology Co., Ltd., both under the destination of China, to the Entity List for acquiring and attempting to acquire U.S.-origin items in support of China’s military modernization efforts, including in support of Military-Intelligence End Users. The ERC also determined to add Beijing Anwise Technology Co., Ltd. and SIFONGHOLY (Tianjin) Co., Ltd., both under the destination of China, to the Entity List for acquiring and attempting to acquire U.S.-origin items in support of China’s military modernization efforts. These activities are contrary to U.S. national security
China
- Beijing Anwise Technology Co., Ltd.
- Jiangxi Xintuo Enterprise Co., Ltd.
- LINKZOL (Beijing) Technology Co., Ltd.
- Shenzhen Jiasibo Technology Co., Ltd.
- SITONHOLY (Tianjin) Co., Ltd.
- Xi’an Like Innovative Information Technology Co., Ltd.

Russia
- Aerosila JSC SPE
- Delta-Aero LLC; and
- JSC ODK-Star.

United Arab Emirates
- Khalaj Trading LLC; and
- Mahdi Khalaj Amirhosseini.

Modifications to the Entity List
This final rule implements the decision of the ERC to modify one existing entry on the Entity List under the destination of China. Specifically, the ERC determined to add one alias to the entry for Shanghai Biren Intelligent Technology Co., Ltd., for a total of three aliases.

Savings Clause
For the changes being made in this final rule, shipments of items removed from eligibility for a License Exception or export, reexport, or transfer (in-country) without a license (NLR) as a result of this regulatory action that were en route aboard a carrier to a port of export, reexport, or transfer (in-country), on April 11, 2024, pursuant to actual orders for export, reexport, or transfer (in-country) to or within a foreign destination, may proceed to that destination under the previous eligibility for a License Exception or export, reexport, or transfer (in-country) without a license (NLR) before May 13, 2024. Any such items not actually exported, reexported or transferred (in-country) before midnight, on May 13, 2024, require a license in accordance with this final rule.

Export Control Reform Act of 2018
On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which included the Export Control Reform Act of 2018 (ECRA) (50 U.S.C. 4801–4852). ECRA provides the legal basis for BIS’s principal authorities and serves as the authority under which BIS issues this rule.

2. Supplement no. 4 is amended by:

a. Under CHINA, PEOPLE’S REPUBLIC OF, i. Adding, in alphabetical order, entries for “Beijing Anwise Technology Co., Ltd.;” “Jiangxi Xintuo Enterprise Co., Ltd.;” “LINKZOL (Beijing) Technology Co., Ltd.;” and

   ii. Revising the entry for “Shanghai Biren Intelligent Technology Co., Ltd.;” and

   iii. Adding, in alphabetical order, entries for “Shenzhen Jiasibo Technology Co., Ltd.;” “SITONHOLY (Tianjin) Co., Ltd.;” and “Xi’an Like Innovative Information Technology Co., Ltd.;” and

b. Under RUSSIA, adding entries in alphabetical order for “Aerosila JSC SPE;” “Delta-Aero LLC;” and “JSC ODK-Star;” and
c. Under UNITED ARAB EMIRATES, adding entries in alphabetical order for “Khalaj Trading LLC;” and “Mahdi Khalaj Amirhosseini.”

The revision and additions read as follows:

Supplement No. 4 to Part 744—Entity List

<table>
<thead>
<tr>
<th>Country</th>
<th>Entity</th>
<th>License requirement</th>
<th>License review policy</th>
<th>Federal Register citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHINA, PEOPLE’S REPUBLIC OF</td>
<td>Beijing Anwise Technology Co., Ltd., a.k.a., the following one alias: —Anwise Global.</td>
<td>For all items subject to the EAR. (See §744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>89 FR [INSERT FR PAGE NUMBER]. 4/11/2024.</td>
</tr>
<tr>
<td></td>
<td>Jiangxi Xintuo Enterprise Co., Ltd., a.k.a., the following one alias: —T-MOTOR.</td>
<td>For all items subject to the EAR. (See §§734.9(g), 746.8(a)(3), and 744.21(b) of the EAR).</td>
<td>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. See §§746.8(b) and 744.21(e).</td>
<td>89 FR [INSERT FR PAGE NUMBER]. 4/11/2024.</td>
</tr>
<tr>
<td></td>
<td>LINKZOL (Beijing) Technology Co., Ltd., a.k.a., the following one alias: —Lianzhong Cluster (Beijing) Technology Co., Ltd.</td>
<td>For all items subject to the EAR. (See §744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>89 FR [INSERT FR PAGE NUMBER]. 4/11/2024.</td>
</tr>
<tr>
<td></td>
<td>Shanghai Biren Intelligent Technology Co., Ltd., a.k.a., the following three aliases: —Biren; —Biren Technology; and —Shanghai Biren Technology.</td>
<td>For all items subject to the EAR. (See §§734.9(e)(2) and 744.11 of the EAR)*.</td>
<td>Presumption of denial.</td>
<td>88 FR 71992 10/19/2023. 89 FR [INSERT FR PAGE NUMBER]. 4/11/2024.</td>
</tr>
<tr>
<td>Country</td>
<td>Entity</td>
<td>License requirement</td>
<td>License review policy</td>
<td>Federal Register citation</td>
</tr>
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</tr>
<tr>
<td>Shenzhen Jiasibo Technology Co., Ltd., a.k.a., the following one alias:</td>
<td>—SHENZHEN JIA SI/SO SCIENCE AND TECHNOLOGY CO., LTD. No. 57, Busha Road, Buji, Longgang, Shenzhen, China.</td>
<td>For all items subject to the EAR (See §§ 734.9(g), 746.8(a)(3), and 744.21(b) of the EAR).</td>
<td>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. See §§ 746.8(b) and 744.21(e).</td>
<td>89 FR [INSERT FR PAGE NUMBER], 4/11/2024.</td>
</tr>
<tr>
<td>SITONHOLY (Tianjin) Co., Ltd., No. 1 Culp Road, Yixian Science Industrial Park, Tianjin Economic and Technological Development Zone, Tianjin, China.</td>
<td>*</td>
<td>For all items subject to the EAR. (See § 744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>89 FR [INSERT FR PAGE NUMBER], 4/11/2024.</td>
</tr>
<tr>
<td>Xi’an Like Innovative Information Technology Co., Ltd., Floor 12, Building 1, Greenland Lehe City, South Second Ring Road, Beilin District, Xi’an City, Shaanxi Province, China; and Room 2914, Building 1, No. 323, East Section of Second Ring South Road, Beilin District, Xi’an City, Shaanxi Province, China.</td>
<td>*</td>
<td>For all items subject to the EAR. (See § 744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>89 FR [INSERT FR PAGE NUMBER], 4/11/2024.</td>
</tr>
<tr>
<td>RUSSIA ................</td>
<td>Aerosila JSC SPE, a.k.a., the following three aliases:</td>
<td>—JSC SPE AEROSILIA; —NPP AEROSILIA, AC; and -NPP AEROSILIA, PPO. 6, Zhdanov St., Stupino, Moscow Region, 142800, Russia.</td>
<td>For all items subject to the EAR (See §§ 734.9(g), 746.8(a)(3), and 744.21(b) of the EAR).</td>
<td>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. See §§ 746.8(b) and 744.21(e).</td>
</tr>
<tr>
<td>*</td>
<td>Delta-Aero LLC, a.k.a., the following two aliases:</td>
<td>—LLC TSTO “Delta-Aero”; and —DELTA–AERO TECHNICAL SERVICE CENTER LLC. 4, Kyiv Highway 22 km, Building 1, Floor 6, Room 620 A/37, Moscow, 108511, Russia; and 68/70 Butyrynsky Val Street, 1st Floor, Room 110, Baker Plaza Business Center, Moscow, 127055, Russia.</td>
<td>For all items subject to the EAR (See §§ 734.9(g), 746.8(a)(3), and 744.21(b) of the EAR).</td>
<td>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. See §§ 746.8(b) and 744.21(e).</td>
</tr>
<tr>
<td>*</td>
<td>JSC ODK-Star, a.k.a., the following two aliases:</td>
<td>—JSC “UEC–STAR”; and —AO ODK–STAR. 140A, Kuibysheva Street, Perm, 614990, Russia.</td>
<td>For all items subject to the EAR (See §§ 734.9(g), 746.8(a)(3), and 744.21(b) of the EAR).</td>
<td>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. See §§ 746.8(b) and 744.21(e).</td>
</tr>
<tr>
<td>UNITED ARAB EMIRATES.</td>
<td>Khalaji Trading LLC, 2604 Tower A, Bin Ham Towers, Al Taawun St., Sharjah, U.A.E.; and #4 Street # 6–A, Karama Area, Bur Dubai, Dubai, U.A.E.</td>
<td>For all items subject to the EAR (See § 744.11 of the EAR).</td>
<td>Presumption of denial.</td>
<td>89 FR [INSERT FR PAGE NUMBER], 4/11/2024.</td>
</tr>
</tbody>
</table>

* For this entity, “items subject to the EAR” includes foreign-produced items that are subject to the EAR under § 734.9(g) of the EAR. See §§ 746.8 and 744.21 of the EAR for related license requirements, license review policy, and restrictions on license exceptions.

* For this entity, “items subject to the EAR” includes foreign-produced items that are subject to the EAR under § 734.9(e)(2) of the EAR. See § 744.11(a)(2)(ii) for related license requirements and license review policy.
Thea D. Rozman Kendler, Assistant Secretary for Export Administration.

BILLING CODE 3510–33–P

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 416

[Docket No. SSA–2023–0010]

RIN 0960–AI82

Expansion of the Rental Subsidy Policy for Supplemental Security Income (SSI) Applicants and Recipients

AGENCY: Social Security Administration.

ACTION: Final rule.

SUMMARY: We are finalizing our proposed regulation to apply nationwide the In-Kind Support and Maintenance (ISM) rental subsidy exception that has until now been available only for SSI applicants and recipients residing in seven States. This final rule provides that a “business arrangement” exists, such that the SSI applicant or recipient is not considered to be receiving ISM in the form of room or rent, when the amount of monthly required rent for the property equals or exceeds the presumed maximum value (PMV).

DATES: This final rule will be effective September 30, 2024.


SUPPLEMENTARY INFORMATION:

Background

The SSI program provides monthly payments to: (1) adults and children with a disability or blindness; and (2) adults aged 65 or older. Eligible individuals must meet all the requirements set forth in the Social Security Act (Act), including having resources and income below specified amounts. Resources are cash or other liquid assets or any real or personal property that individuals (or their spouses, if any) own and could convert to cash to be used for their support and maintenance. Income is anything individuals receive in cash or in-kind that they can use to meet their food and shelter needs. An individual’s resources may affect their eligibility to receive SSI, while their income may affect both their eligibility for payments and the amount of payments they are eligible to receive.

The Act and our regulations define income as “earned,” such as wages from work, and “unearned,” such as gifted cash. Both earned income and unearned income include items received in-kind. This final rule pertains to rental subsidy, which is a type of ISM under the broader umbrella of unearned income. Generally, we value in-kind items at their current market value, and we apply various exclusions for both earned and unearned income. However, we have special rules for valuing ISM that is received as unearned income. ISM includes shelter that is given to an individual or that the individual receives because someone else pays for it. For example, an SSI applicant or recipient whose friend allows them to live rent-free at an investment property owned by the friend, or whose friend pays their rent, receives ISM in the form of shelter. Shelter includes room, rental payments, mortgage payments, real property taxes, heating fuel, gas, electricity, water, sewerage, and garbage collection services.

Rental Subsidy

Our regulations clarify that an individual is not receiving ISM in the form of room or rent if they are paying the monthly required rent charged under a “business arrangement.” Under our general regulatory definition prior to this final rule, a “business arrangement” existed when the amount of monthly required rent equaled or exceeded the current market rental value (CMRV)—that is, the price of rent on the open market in the individual’s locality. To illustrate, if the owner of an apartment would rent that property to any potential tenant for $800 per month, then the CMRV is $800 per month. Consequently, in this example, an SSI applicant or recipient agrees to pay the landlord rent in the amount of $800 per month, then the CMRV would exist and the SSI applicant or recipient would not be receiving ISM in the form of room or rent. To the SSI applicant or recipient in this example would thereby—absent any other countable income or resources—receive the Federal Benefit Rate (FBR). Conversely, if the SSI applicant or recipient agrees to pay the landlord less than the CMRV of $800 per month (for example, $400 per month), we would impute the difference between the CMRV and the monthly required rent as ISM received by the applicant or recipient in the form of room or rent (up to the PMV, which is $334.33 in 2024). In this example, the landlord agrees to accept a rent of $400 per month instead of the CMRV of $800. The rental subsidy amount is $400. However, the PMV is $334.33 in 2024, so only $314.33 would be counted as ISM (after we subtract the $20 general income exclusion from the PMV and assuming there is no other income). Consequently, in this example the SSI recipient would receive $628.67 as a monthly payment in 2024 (the 2024 FBR ($943) minus the PMV and minus the general income exclusion ($314.33 or $334.33 – $20) = $628.67).

12 See id. See also 20 CFR 416.1101.

13 See 20 CFR 416.1101. Federal Benefit Rate (FBR) means the maximum Federal monthly payment rate for an eligible individual or couple. It is the figure from which we subtract countable income to find out how much your Federal SSI benefit should be. The FBR does not include the rent for any State supplement paid by us on behalf of a State. The FBR for 2024 is $943 for an individual or $1,415 for an eligible individual with an eligible spouse.

14 When an SSI applicant or recipient receives ISM and the one-third reduction rule does not apply, we use the presumed value rule (PMVR) instead of determining the actual dollar value, we presume that the ISM received is worth a maximum value. This maximum value (or PMV) is one-third of the FBR plus the amount of the general income exclusion ($20). See 20 CFR 416.1140 and POMS SI 00835.300. In 2024, the PMV is $334.33 for an individual.

15 For the purposes of this exercise, we are assuming there is no other countable income sources, and in such cases those income sources would factor into the monthly payment amount as well.