



## Global Trade Advisory Alert

### US issues interim final rule on licensing imports of information and communications technology products

On 19 January 2019, the US Department of Commerce (“Commerce”) published an interim final rule and provisional regulations to enact the requirements of Executive Order 13873, “Executive Order on Securing the Information and Communications Technology and Services (“ICTS”) Supply Chain,” dated 15 May 2019.

The interim final rule will regulate certain ICTS transactions, as follows:

- Broadly regulates transactions or activities “by any person, or with respect to any property, subject to the jurisdiction of the US,” concerning information and communications-based items, technology, hardware, software, and services with foreign adversaries;
- Broadly defines “foreign adversaries” as covering “any foreign government” or “foreign non-government person” determined by the Secretary of Commerce to be engaged in activities contrary to the “national security of the United States or security and safety of United States persons”;

- Identifies China, Cuba, Iran, North Korea, Russia, and Nicolas Maduro of Venezuela as foreign adversaries; and
- Covered transactions will be subject to approval by Commerce.

Although the interim final rule is scheduled to go into effect on 22 March 2021, and Commerce is accepting comments until 22 March 2021, it is also covered by President Biden's 60-day regulatory freeze requiring the new Secretary of Commerce to complete a further review of the interim final rule. This may lead to a delay, modification, or rescission.

### **How we can help**

Deloitte's Global Trade Advisory specialists are part of a global network of professionals who can provide specialized assistance to companies in global trade matters. Our professionals can help companies seeking to manage the impacts and potential impacts of the developments described above by:

- Helping companies understand the potential impact of the new licensing requirements;
- Leveraging subject matter specialists and internally developed trade analytics tools to evaluate the business impact of increased compliance needs;
- Providing training and insights into relevant changes to leadership and employees; and
- Supporting modifications to trade processes and automation that require updates resulting from regulatory changes.

### **For more information, contact:**

#### **United States**

Kristine Dozier  
[kdozier@deloitte.com](mailto:kdozier@deloitte.com)

Suzanne Kao  
[skao@deloitte.com](mailto:skao@deloitte.com)

Helen Cousineau  
[hcousineau@deloitte.com](mailto:hcousineau@deloitte.com)

Pablo Lecour  
[pablolecour@deloitte.com](mailto:pablolecour@deloitte.com)

#### **Global/Americas**

Kristine Dozier  
[kdozier@deloitte.com](mailto:kdozier@deloitte.com)

#### **EMEA**

Johan Hollebeek  
[jhollebeek@deloitte.nl](mailto:jhollebeek@deloitte.nl)

#### **Asia-Pacific**

Meng Yew Wong  
[mewong@deloitte.com](mailto:mewong@deloitte.com)

## About Deloitte

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms, and their related entities (collectively, the “Deloitte organization”). DTTL (also referred to as “Deloitte Global”) and each of its member firms and related entities are legally separate and independent entities, which cannot obligate or bind each other in respect of third parties. DTTL and each DTTL member firm and related entity is liable only for its own acts and omissions, and not those of each other. DTTL does not provide services to clients. Please see [www.deloitte.com/about](http://www.deloitte.com/about) to learn more.

Deloitte is a leading global provider of audit and assurance, consulting, financial advisory, risk advisory, tax and related services. Our global network of member firms and related entities in more than 150 countries and territories (collectively, the “Deloitte organization”) serves four out of five Fortune Global 500® companies. Learn how Deloitte’s approximately 330,000 people make an impact that matters at [www.deloitte.com](http://www.deloitte.com).

This communication contains general information only, and none of DTTL, its global network of member firms or their related entities (collectively, the “Deloitte organization”) is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser.

No representations, warranties or undertakings (express or implied) are given as to the accuracy or completeness of the information in this communication, and none of DTTL, its member firms, related entities, employees or agents shall be liable or responsible for any loss or damage whatsoever arising directly or indirectly in connection with any person relying on this communication. DTTL and each of its member firms, and their related entities, are legally separate and independent entities.

© 2021. For information, contact Deloitte Global.

To no longer receive emails about this topic please send a return email to the sender with the word “Unsubscribe” in the subject line.