



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of Industry and Security

1401 Constitution Avenue, Suite 6622
Washington, DC 20230

October 19, 2021

Mr. Austin R. Evers
Executive Director
American Oversight
1030 15th Street NW

Via electronic mail: foia@americanoversight.org

FOIAonline Number: DOC-BIS-2020-000976
Re: Freedom of Information Act Request

Dear Mr. Evers:

This letter is in response to your March 18, 2020, Freedom of Information Act (FOIA) (5 U.S.C. § 552) request to the United States Department of Commerce, Bureau of Industry and Security (BIS) for “all records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials)” between April 1, 2018, through August 1, 2018, and from:

- i. any of the specified officials listed below* and
- ii. any person at the White House Office or National Security Council, including anyone with an email address ending in @who.eop.gov or @nsc.eop.gov, regarding ZTE
 - a) anyone serving as Under Secretary for Industry and Security;
 - b) anyone serving as Deputy Under Secretary;
 - c) anyone serving as Deputy Chief of Staff for Policy;
 - d) anyone serving as serving as Deputy Chief of Staff;
 - e) anyone serving as Assistant Secretary for Export Enforcement;
 - f) anyone serving as serving as Assistant Secretary for Export Administration; and
 - g) anyone serving as serving as Deputy Assistant Secretary for Export Administration.

BIS has completed its review and located 220 pages of responsive records pertinent to your request. These records are being released to you, in part, under FOIA Exemptions (b)(3), (b)(4), (b)(5), (b)(6) and (b)(7)(C). These exemptions are summarized as follows (for a more detailed description please refer to the statute):

- FOIA Exemption (b)(3) based on information pursuant to Amended Section 705(d) of the Defense Production Act (50 USC § 4555(d)) and Section 1761(h) of the Export Control



Reform Act of 2018 (50 USC § 4820(h)(1)), which protects information concerning export license applications;

- FOIA Exemption (b)(4) exempts from disclosure business proprietary information;
- FOIA Exemption (b)(5) exempts from disclosure inter-agency and intra-agency documents that are both pre-decisional and deliberative;
- FOIA Exemption (b)(6) exempts from disclosure personal private information; and
- FOIA Exemption (b)(7)(C) exempts from disclosure enforcement information, which could reasonably be expected to constitute an unwarranted invasion of personal privacy.

While processing this request, we identified 349 pages of documents that contain Department of Defense equities and another 167 pages of documents that contain Department of Commerce equities. BIS has referred these records to those agencies to make the release determination and respond directly to you. Should you have any questions, do not hesitate to refer to the contacts below

For the Department of Defense FOIA office, contact:

Inspector General
Department of Defense
4800 Mark Center Drive
Alexandria, VA 22350-1500
Email: dodigfoia@dodig.mil

For the Department of Commerce FOIA office, contact:

Mr. Bobbie Parsons
Immediate Office of the Secretary
Office of Privacy and Open Government
1401 Constitution Avenue, N.W.
Room 61013
Washington, DC 20230
Phone: 202-482-3257
Fax: 202-482-0827
Email: BParsons@doc.gov

If you have any questions or concerns or would like to discuss any aspect of your request, you may contact BIS's FOIA Public Liaison, Ms. Grace Agyekum, at (202) 482-7893 or email at grace.agyekum@bis.doc.gov.

Please refer to your FOIA request tracking number when contacting us.

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS

College Park, MD 20740
E-mail at ogis@nara.gov
Telephone at (202) 741-5770
toll free at (877) 684-6448
facsimile at (202) 741-5769

You have the right to appeal this partial denial of your FOIA request. An appeal must be received within 90 calendar days of the date of this response letter. Address your appeal to the following office:

Assistant General Counsel for Employment
Litigation and Information
U.S. Department of Commerce
Office of the General Counsel, Room 5896
1401 Constitution Ave., NW
Washington, DC 20230

An appeal may also be sent by e-mail to FOIAAppeals@doc.gov or through FOIAonline, if you have an account, at <https://foiaonline.regulations.gov/foia/action/public/home#>. The appeal should include a copy of the original request and initial denial, if any. All appeals should include a statement of the reasons why the records requested should be made available and why the adverse determination was in error.

The appeal letter, the envelope, and the e-mail subject line should be clearly marked "Freedom of Information Act Appeal." The e-mail, FOIAonline, and office mail are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, FOIAonline, or the office after normal business hours will be deemed received on the next normal business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely.

Sincerely,

CAROL ROSE

Digitally signed by
CAROL ROSE
Date: 2021.10.19
15:31:53 -04'00'

Carol M. Rose
Chief Financial Officer and
Director of Administration

Attachments

Grace Agyekum

From: Robert Rarog
Sent: Thursday, July 05, 2018 3:17 PM
To: ERemaley@ntia.doc.gov
Cc: Matthew Borman
Subject: RE: Team Telecom and Supply Chain - July 6, 2018 - Conference Call & SOC
Attachments: Breaking Glass Memo docx.docx

Evelyn,



I'm presuming that we will take it up again on Monday.

Regards,

Bob

-----Original Message-----

From: Remaley, Evelyn [mailto:ERemaley@ntia.doc.gov]
Sent: Tuesday, July 03, 2018 2:28 PM
To: JMorris@ntia.doc.gov; Wasilewski, Jim; Young, Henry (Federal); Redl, David; Robert Rarog; Rinaldo, Diane; mdoscher@ntia.doc.gov; Veigle, Anne
Subject: FW: Team Telecom and Supply Chain - July 6, 2018 - Conference Call & SOC

All- I just received the SOC now from Jason.

Sharing so that everyone has it.

Thanks,

Evelyn

From: (b) (6) >
Sent: Tuesday, July 3, 2018 1:44 PM

To: (b) (6) @usdoj.gov; (b) (6) @state.gov; (b) (6) @gsa.gov; (b) (6) @treasury.gov; Amin, Stacy C. EOP/WHO (b) (6) @who.eop.gov; (b) (6) @gsa.gov; ASedgewick@doc.gov; Bahar, Daniel EOP/USTR <(b) (6) @ustr.eop.gov>; Barnes, Steven B. (CD) (FBI) <(b) (6) @fbi.gov>; (b) (6) @mail.mil; Blum, Mathew C. EOP/OMB <(b) (6) @omb.eop.gov>; (b) (6) @dni.gov; (b) (6) @nist.gov; (b) (6) @HQ.DHS.GOV; (b) (6) @nsa.gov; (b) (6) @hq.dhs.gov; CKeller@doc.gov; (b) (6) >; (b) (6) @mail.mil; (b) (6) @mail.mil; (b) (6) @fcc.gov; (b) (6) (b) (6) @mail.mil; Doumont, Nick R. EOP/OSTP <(b) (6) @ostp.eop.gov>; (b) (6) @hq.dhs.gov; (b) (6) @hq.dhs.gov; Remaley, Evelyn <ERemaley@ntia.doc.gov>; (b) (6) (b) (6) @nist.gov; (b) (6) @treasury.gov; Irwin, Elizabeth R. EOP/OMB <(b) (6) @omb.eop.gov>; (b) (6) @HQ.DHS.GOV; (b) (6) @mail.mil; JMASTERSON@doc.gov; Morris, John <JMorris@ntia.doc.gov>; (b) (6) @HQ.DHS.GOV; (b) (6) @hq.dhs.gov; (b) (6) @dni.gov; (b) (6) @nsa.gov; (b) (6) @gsa.gov; (b) (6) @usdoj.gov; (b) (6) @gsa.gov; Koh, Grace E. EOP/WHO <(b) (6) @who.eop.gov>; Kraninger, Kathleen L. EOP/OMB <(b) (6) @omb.eop.gov>; (b) (6) @dni.gov; Lindsay, Rhonda D. EOP/USTR <(b) (6) @USTR.EOP.GOV>; (b) (6) @usdoj.gov; (b) (6) @mail.mil; Marten, Lexi N. EOP/OMB <(b) (6) @omb.eop.gov>; (b) (6) @gsa.gov; (b) (6) @dni.gov; Matthew.Borman@bis.doc.gov; (b) (6) @state.gov; McHale, Jonathan R. EOP/USTR <(b) (6) @ustr.eop.gov>; Navarro, Peter K. EOP/WHO <(b) (6) @who.eop.gov>; (b) (6) @nsa.gov; (b) (6) @doc.gov; (b) (6) @nsa.gov; Richard.Ashooh@bis.doc.gov; (b) (6) @nsa.gov; (b) (6) @usdoj.gov; Sanford, Jim C. EOP/USTR <(b) (6) @ustr.eop.gov>; Shannon H Corless (b) (6) @dni.gov>; Stefanik, Kevin L. (CYD) (FBI) <(b) (6) @fbi.gov>; (b) (6) @state.gov; Tanner, Robb S. EOP/USTR <(b) (6) @ustr.eop.gov>; (b) (6) HQ.DHS.GOV; Turner, Austin F. EOP/OMB <(b) (6) @omb.eop.gov>; Upadhyaya, Shraddha A. EOP/OMB <(b) (6) @omb.eop.gov>; (b) (6) @gsa.gov
Cc: (b) (6) Slater, Abigail A. EOP/WHO <(b) (6) @who.eop.gov>; (b) (6)

Subject: Team Telecom and Supply Chain - July 6, 2018 - Conference Call & SOC

All,

As a follow up to our (b) (6) this week, we will hold a conference call via VTC to go over the public affairs guidance and implementation plans as submitted by Commerce and DHS as required by the Summary of Conclusions, July 2, 2018 meeting. Additionally please see our attached Summary of Conclusions from our July 2, 2018 (b) (6)

Date: July 6, 2018

Time: 11– 11:50AM

Location: SMS Small but you may connect via VTC

Attendees: Commerce, DOJ, State, DHS, and (b) (6) Press – Members of this group may utilize VTC to connect

Optional: Remaining Departments and Agencies / (b) (6) #Asia (Matt Turpin)

For WHSR Connections please contact (b) (6)

Please note, if you choose to appear in person, we have the small room so only have seating for about 7 people total.

Please review and contact me directly with questions,

V/r,

Jason

(b) (6)

From: (b) (6)
Sent: Friday, June 29, 2018 2:03 PM
To: (b) (6) @usdoj.gov' <(b) (6) @usdoj.gov>; (b) (6) @state.gov' <(b) (6) @state.gov>;
(b) (6) @gsa.gov' (b) (6) @gsa.gov>; (b) (6) @treasury.gov'
(b) (6) @treasury.gov>; Amin, Stacy C. EOP/WHO (b) (6) @who.eop.gov>; (b) (6) @gsa.gov'
(b) (6) @gsa.gov>; 'ASedgewick@doc.gov' <ASedgewick@doc.gov>; Bahar, Daniel EOP/USTR
<(b) (6) @ustr.eop.gov>; 'Barnes, Steven B. (CD) (FBI)' <(b) (6) @fbi.gov>; (b) (6) @mail.mil'
(b) (6) @mail.mil>; Blum, Mathew C. EOP/OMB <(b) (6) @omb.eop.gov>;
(b) (6) @dni.gov' <(b) (6) @dni.gov>; 'boyens@nist.gov' <(b) (6) @nist.gov>; (b) (6) @HQ.DHS.GOV'
(b) (6) @HQ.DHS.GOV>; (b) (6) @nsa.gov' <(b) (6) @nsa.gov>; (b) (6) @hq.dhs.gov'
<(b) (6) @hq.dhs.gov>; 'CKeller@doc.gov' <CKeller@doc.gov>; (b) (6)
>; (b) (6) @mail.mil' <(b) (6) @mail.mil>;
(b) (6) @mail.mil' (b) (6) @mail.mil>; (b) (6) @fcc.gov' (b) (6) @fcc.gov>; DL

(b) (6) >; (b) (6) @mail.mil' <(b) (6) @mail.mil>; Doumont, Nick R. EOP/OSTP <(b) (6) @ostp.eop.gov>; (b) (6) @hq.dhs.gov' <(b) (6) @hq.dhs.gov>; (b) (6) @hq.dhs.gov' <(b) (6) @hq.dhs.gov>; 'ERemaley@ntia.doc.gov' <ERemaley@ntia.doc.gov>; (b) (6) >; 'henry.young@nist.gov' <henry.young@nist.gov>; (b) (6) @treasury.gov' (b) (6) @treasury.gov>; Irwin, Elizabeth R. EOP/OMB <(b) (6) @omb.eop.gov>; (b) (6) @HQ.DHS.GOV' (b) (6) @HQ.DHS.GOV>; (b) (6) @mail.mil' (b) (6) @mail.mil>; 'JMASTERSON@doc.gov' <JMASTERSON@doc.gov>; 'JMorris@ntia.doc.gov' <JMorris@ntia.doc.gov>; (b) (6) @HQ.DHS.GOV' (b) (6) @HQ.DHS.GOV>; (b) (6) @hq.dhs.gov' (b) (6) @hq.dhs.gov>; (b) (6) @dni.gov' <(b) (6) @dni.gov>; (b) (6) @nsa.gov' <(b) (6) @nsa.gov>; (b) (6) y@gsa.gov' <(b) (6) @gsa.gov>; (b) (6) @usdoj.gov' <(b) (6) @usdoj.gov>; (b) (6) @gsa.gov' (b) (6) @gsa.gov>; Koh, Grace E. EOP/WHO <(b) (6) >; Kraninger, Kathleen L. EOP/OMB (b) (6) @omb.eop.gov>; (b) (6) @dni.gov' <(b) (6) @dni.gov>; Lindsay, Rhonda D. EOP/USTR <(b) (6) @ustr.eop.gov>; (b) (6) @usdoj.gov' <(b) (6) @usdoj.gov>; (b) (6) @mail.mil' <(b) (6) @mail.mil>; Marten, Lexi N. EOP/OMB <(b) (6) @omb.eop.gov>; (b) (6) @gsa.gov' (b) (6) @gsa.gov>; (b) (6) @dni.gov' <(b) (6) @dni.gov>; 'Matthew.Borman@bis.doc.gov' <Matthew.Borman@bis.doc.gov>; (b) (6) @state.gov' <(b) (6) @state.gov>; McHale, Jonathan R. EOP/USTR <(b) (6) @ustr.eop.gov>; Navarro, Peter K. EOP/WHO <(b) (6) @who.eop.gov>; (b) (6) @nsa.gov' (b) (6) @nsa.gov>; 'pkласon@doc.gov' <pkласon@doc.gov>; (b) (6) @nsa.gov' <(b) (6) @nsa.gov>; 'Richard.Ashooh@bis.doc.gov' <Richard.Ashooh@bis.doc.gov>; (b) (6) @nsa.gov' <(b) (6) @nsa.gov>; (b) (6) @usdoj.gov' <(b) (6) @usdoj.gov>; Sanford, Jim C. EOP/USTR (b) (6) @ustr.eop.gov>; 'Shannon H Corless' <(b) (6) @dni.gov>; 'Stefanik, Kevin L. (CYD) (FBI)' <(b) (6) @fbi.gov>; (b) (6) @state.gov' <(b) (6) @state.gov>; Tanner, Robb S. EOP/USTR (b) (6) @ustr.eop.gov>; (b) (6) @HQ.DHS.GOV' (b) (6) @HQ.DHS.GOV>; Turner, Austin F. EOP/OMB (b) (6) @omb.eop.gov>; Upadhyaya, Shraddha A. EOP/OMB <(b) (6) @omb.eop.gov>; (b) (6) @gsa.gov' (b) (6) @gsa.gov>
Cc: (b) (6) >; Abigail A. EOP/WHO Slater (b) (6) @who.eop.gov) <(b) (6) @who.eop.gov>; (b) (6) >

Subject: Team Telecom and Supply Chain (b) (6) - July 2, 2018

All,

We had a successful Deputy's Committee meeting on the Team Telecom and Supply Chain Executive Orders. Your Executive Secretary should be receiving the Summary of Conclusions (SOC) by the time we hold this meeting. We can summarize topics as part of the meeting for those who are not aware of the outcomes.

We did receive some tasks which mainly will many fall to Commerce and DOJ but wanted to bring the group together to provide a synopsis of the request so departments and agencies can assist where needed.

Meeting Date: July 2, 2018

Meeting Time: 12:30 – 1:30P

Meeting Location: (b) (6)

(b) (6)

Agenda:

1. Recap of DC Meeting and Summary of Conclusions (SOC)
2. Discussion of tasks as requested by the SOC
3. Discuss way forward (e.g.) Timelines, Potential Signature of EOs

Please call with questions,

Jason

(b) (6)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, July 17, 2018 8:08 PM
To: Matthew Borman; Kimberly Ekmark
Subject: FW: Team Telecom & Supply Chain Meeting SOC and Engagement Strategy Drafts
Attachments: Cyber EO Supply Chain and Team Telecom SOC July 6 2018.docx

(b) (5)

-----Original Message-----

From: Remaley, Evelyn [mailto:ERemaley@ntia.doc.gov]
Sent: Tuesday, July 17, 2018 4:48 PM
To: Richard Ashooh
Cc: Redl, David; Matthew Borman; Robert Rarog
Subject: FW: Team Telecom & Supply Chain Meeting SOC and Engagement Strategy Drafts

PREDECISIONAL//FOR OFFICIAL USE ONLY

(b) (5)

Thanks,

Evelyn

Evelyn L. Remaley

Deputy Associate Administrator for Policy Analysis & Development

National Telecommunications & Information Administration &

Acting Director, Digital Economy

U.S. Department of Commerce

EMAIL: eremaley@ntia.doc.gov <<mailto:eremaley@ntia.doc.gov>>

VOICE: 202.482.3821

From: (b) (6) >
Sent: Tuesday, July 17, 2018 3:23 PM
To: Remaley, Evelyn <ERemaley@ntia.doc.gov>; Morris, John <JMorris@ntia.doc.gov>; Doscher, Megan <mdoscher@ntia.doc.gov>
Subject: RE: Team Telecom & Supply Chain Meeting SOC and Engagement Strategy Drafts

Evelyn,

So the SOC is on the high side but the item is unclassified:

(b) (5)

Additionally, regarding the attached SOC, do you have any updates for the following?

(b) (5)

V/r,

Jason

As we discussed, you may have no funding but just need to know if this question has been answered.

V/r,

Jason

(b) (6)

From: Remaley, Evelyn <ERemaley@ntia.doc.gov>
Sent: Tuesday, July 17, 2018 2:54 PM
To: (b) (6) >
Subject: FW: Team Telecom & Supply Chain Meeting SOC and Engagement Strategy Drafts

Jason- See attached. I do not see the SOC item that we discussed today mentioned here. Are you able to forward the tasker to me? Does it need to be discussed on high side?

Thanks,

Evelyn

From: (b) (6)
Sent: Sunday, July 8, 2018 4:35 PM
To: Slater, Abigail A. EOP/WHO <(b) (6)@who.eop.gov>; (b) (6)@usdoj.gov; (b) (6)@state.gov <mailto:(b) (6)@state.gov>; (b) (6)@gsa.gov; (b) (6)@treasury.gov; Amin, Stacy C. EOP/WHO <(b) (6)@who.eop.gov>; (b) (6)@gsa.gov; Turner, Austin F. EOP/OMB <(b) (6)@omb.eop.gov>; Bahar, Daniel EOP/USTR <(b) (6)@ustr.eop.gov>; Barnes, Steven B. (CD) (FBI) <(b) (6)@fbi.gov>; benjamin.l.drake3.civ (b) (6)@mail.mil <(b) (6)@mail.mil>; Blum, Mathew C. EOP/OMB <(b) (6)@omb.eop.gov>; (b) (6)@dni.gov; boyens@nist.gov <mailto:boyens@nist.gov>; (b) (6)@HQ.DHS.GOV; (b) (6) (b) (6); (b) (6)@hq.dhs.gov <mailto:(b) (6)@hq.dhs.gov>; CKeller@doc.gov; Cline, (b) (6)@mail.mil; (b) (6)@mail.mil; (b) (6)@fcc.gov <mailto:(b) (6)@fcc.gov>; (b) (6) >; (b) (6)@mail.mil; Doscher, Megan <mdoscher@ntia.doc.gov>; Doumont, Nick R. EOP/OSTP <(b) (6)@ostp.eop.gov>;

(b) (6) @hq.dhs.gov; (b) (6) @hq.dhs.gov <mailto:(b) (6)@hq.dhs.gov>; Remaley, Evelyn <ERemaley@ntia.doc.gov>; Henry Young (HYoung1@doc.gov) <HYoung1@doc.gov>; henry.young@nist.gov; (b) (6) @treasury.gov <mailto:(b) (6)@treasury.gov>; Irwin, Elizabeth R. EOP/OMB <(b) (6)@omb.eop.gov>; (b) (6) @HQ.DHS.GOV; (b) (6) @mail.mil <mailto:(b) (6)@mail.mil>; JMASTERSON@doc.gov; Morris, John <JMorris@ntia.doc.gov>; (b) (6) @HQ.DHS.GOV; (b) (6) @hq.dhs.gov <mailto:(b) (6)@hq.dhs.gov>; (b) (6) @dni.gov; (b) (6) @nsa.gov; (b) (6) @gsa.gov <mailto:(b) (6)@gsa.gov>; (b) (6) @usdoj.gov; (b) (6) @gsa.gov; Koh, Grace E. EOP/WHO <(b) (6)@who.eop.gov>; Kraninger, Kathleen L. EOP/OMB <(b) (6)@omb.eop.gov>; (b) (6) @dni.gov; (b) (6) >; Lindsay, Rhonda D. EOP/USTR <(b) (6)@USTR.EOP.GOV>; (b) (6) @usdoj.gov; (b) (6) @mail.mil <mailto:(b) (6)@mail.mil>; Marten, Lexi N. EOP/OMB <(b) (6)@omb.eop.gov>; (b) (6) @gsa.gov; (b) (6) @dni.gov <mailto:(b) (6)@dni.gov>; ; Matthew.Borman@bis.doc.gov; (b) (6) @state.gov; McHale, Jonathan R. EOP/USTR <(b) (6)@ustr.eop.gov>; Navarro, Peter K. EOP/WHO <(b) (6)@who.eop.gov>; (b) (6) @nsa.gov; pklason@doc.gov <mailto:pklason@doc.gov>; (b) (6) @nsa.gov; Richard.Ashooh@bis.doc.gov <mailto:Richard.Ashooh@bis.doc.gov>; (b) (6) @nsa.gov; (b) (6) @usdoj.gov; Sanford, Jim C. EOP/USTR <(b) (6)@ustr.eop.gov>; Shannon H Corless <(b) (6)@dni.gov>; Stefanik, Kevin L. (CYD) (FBI) <(b) (6)@fbi.gov>; (b) (6) @state.gov; Tanner, Robb S. EOP/USTR <(b) (6)@ustr.eop.gov>; Thomas Johnson <(b) (6)@fcc.gov>; Thomas Sullivan <(b) (6)@fcc.gov>; (b) (6) @HQ.DHS.GOV; Upadhyaya, Shraddha A. EOP/OMB <(b) (6)@omb.eop.gov>; Vahora, Jabin S <(b) (6)@state.gov>; (b) (6) @gsa.gov
Cc: (b) (6)
Slater, Abigail A. EOP/WHO <(b) (6)@who.eop.gov>; (b) (6) >
Subject: Team Telecom & Supply Chain Meeting SOC and Engagement Strategy Drafts

All,

Thank you for attending our Engagement Strategy Meeting on July 6. As promised and discussed at the meeting, please see the attached documents:

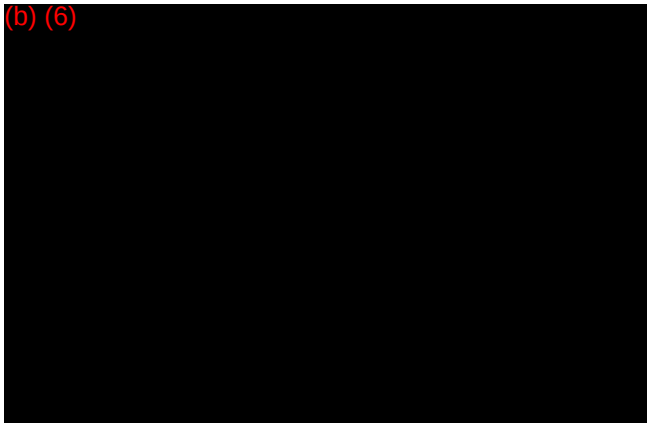
1. Commerce DRAFT Engagement Strategy utilized/discussed at the July 6 Meeting;
2. Draft Talking Points for foreign leader call provided by (b) (6) Asia Directorate, please note these points are narrowly tailored for potential future calls only.
 - State should coordinate with Commerce and relevant Interagency partners on more general talking points which will potentially be part of the overall engagement strategy.
3. DHS Template example to be utilized by DOJ and Commerce in the formation of the draft engagement strategies to be utilized by the (b) (6) and Interagency.
4. Summary of Conclusions from the July 6, 2018 Meeting.

Once we receive the SOC deliverables, we can hold another working level meeting to address Engagement Strategy concerns/timelines, if any.

Please call with questions,

Jason

(b) (6)



(b) (5)

(b) (3), (b) (5)

(b) (5)

(b) (5)

Kathleen Barfield

From: (b) (6) >
Sent: Wednesday, July 18, 2018 8:57 AM
To: Matthew Borman
Subject: RE: Entities List

Matt,

Do you have a moment for a quick phone call? There is a short-fuse opportunity.

VR
Matt

(b) (6)

From: Matthew Borman <Matthew.Borman@bis.doc.gov>
Sent: Tuesday, July 17, 2018 7:58 PM
To: (b) (6) >
Subject: RE: Entities List

Will do and will discuss with Sec. his preference on press.

From: (b) (6) >
Sent: Tuesday, July 17, 2018 7:44 PM
To: Matthew Borman <Matthew.Borman@bis.doc.gov>
Subject: RE: Entities List

Matt,

Thanks and I've got Bob on the WAVES list.

Would you mind having the team send a link to the FR listing once it is done? Also are you all planning to have any proactive or reactive press guidance? If so, could you please send? I'd like to make sure both WH/(b) (6) Press and Legislative Affairs have it in their inboxes should something come up.

VR
Matt

(b) (6)

(b) (6)

From: Matthew Borman <Matthew.Borman@bis.doc.gov>

Sent: Tuesday, July 17, 2018 7:38 PM

To: (b) (6) >

Subject: RE: Entities List

Matt,

Confirming timing with Sec. but expect to send to Federal Register for publication this week.

I won't be able to make (b) (5) tomorrow but Bob Rarog and possibly someone else from our team will attend..

Matt

From: (b) (6)

Sent: Tuesday, July 17, 2018 5:41 PM

To: Matthew Borman <Matthew.Borman@bis.doc.gov>

Subject: RE: Entities List

Matt,

Now that we've cleared the decks of (b) (5) do we have a timeline for the listings of the set we've had waiting in the wings?

VR

Matt

(b) (6)

From: Matthew Borman <Matthew.Borman@bis.doc.gov>

Sent: Sunday, June 17, 2018 9:14 PM

To: (b) (6) >

Subject: Re: Entities List

Matt,

(b) (5)

Should happen this week.

Matt

This Message was sent from my Mobile Device.

On: 17 June 2018 12:26, (b) (6) > wrote:

Matt,

I got an out of office from Richard.

VR
Matt

(b) (6)

Begin forwarded message:

From: <(b) (6)>
Date: June 17, 2018 at 12:23:50 EDT
To: Richard Ashooh <Richard.Ashooh@bis.doc.gov>
Subject: Entities List

Richard,

(b) (5)

VR
Matt

(b) (6)

(b) (5)

Franz Holzer - CTR

From: Richard Majauskas
Sent: Thursday, April 19, 2018 11:20 PM
To: Mira Ricardel; Daniel Hill
Subject: Fwd: ZTE Follow-Up Questions

(b) (5)

This Message was sent from my Mobile Device.

From: (b) (6)
Subject: Fwd: ZTE Follow-Up Questions
Date: 19 April 2018 20:50
To: "Richard Majauskas" <Richard.Majauskas@bis.doc.gov>, "Douglas Hassebrock" <Douglas.Hassebrock@bis.doc.gov>

Richard, Doug,

Could you please help State with this. (b) (5)

VR
Matt

(b) (6)

Begin forwarded message:

From: "Brust, Frederick E" (b) (6) <[@state.gov](mailto:(b) (6)@state.gov)>
Date: April 19, 2018 at 19:14:24 EDT
To: (b) (6) >
Cc: (b) (6) <(b) (6)>
Subject: FW: ZTE Follow-Up Questions

Hi Matt,

(b) (5)

Thanks,
Fred

From: Brust, Frederick E

Sent: Thursday, April 19, 2018 10:14 AM

To: 'richard.majauskas@bis.doc.gov' <richard.majauskas@bis.doc.gov>;

'Douglas.Hassebrock@bis.doc.gov' <Douglas.Hassebrock@bis.doc.gov>; (b) (7)(C) @bis.doc.gov'

(b) (7)(C) @bis.doc.gov>

Cc: Stone, Laura M <(b) (6) @state.gov>; Smith, M Hanscom (Hanscom) <(b) (6) @state.gov>;

Snyder, Nicholas JC <(b) (6) @state.gov>

Subject: ZTE Follow-Up Questions

Colleagues—

(b) (5)

Thanks,

Fred Brust
Acting Director
Office of Chinese and Mongolian Affairs
U.S. Dept. of State

(b) (6)

Official - SBU
UNCLASSIFIED

Official - SBU
UNCLASSIFIED

Franz Holzer - CTR

From: Richard Majauskas
Sent: Friday, April 20, 2018 10:24 AM
To: Mira Ricardel
Subject: Re: ZTE Follow-Up Questions

Thanks!

This Message was sent from my Mobile Device.

On: 20 April 2018 06:13,
"Mira Ricardel" <Mira.Ricardel@bis.doc.gov> wrote:

Yes. Sorry for the delay

This Message was sent from my Mobile Device.

On: 19 April 2018 23:19, "Richard Majauskas" <Richard.Majauskas@bis.doc.gov> wrote:

Please see below. Can I advise Matt Turpin that it's being discussed with the Secretary tomorrow and we will then work with State and Embassy Beijing?

This Message was sent from my Mobile Device.

From: "(b) (6)" >
Subject: Fwd: ZTE Follow-Up Questions
Date: 19 April 2018 20:50
To: "Richard Majauskas" <Richard.Majauskas@bis.doc.gov>, "Douglas Hassebrock" <Douglas.Hassebrock@bis.doc.gov>

Richard, Doug,

Could you please help State with this (b) (5)

[REDACTED]

[REDACTED]

VR
Matt

(b) (6)

[REDACTED]

(b) (6)

Begin forwarded message:

From: "Brust, Frederick E" <(b) (6)@state.gov>

Date: April 19, 2018 at 19:14:24 EDT

To: "(b) (6)"

Subject: FW: ZTE Follow-Up Questions

Hi Matt,

Flagging for you this email I sent to BIS earlier today. (b) (5)

Thanks,
Fred

From: Brust, Frederick E

Sent: Thursday, April 19, 2018 10:14 AM

To: 'richard.majauskas@bis.doc.gov' <richard.majauskas@bis.doc.gov>;

'Douglas.Hassebrock@bis.doc.gov' <Douglas.Hassebrock@bis.doc.gov>; (b) (7)(C)@bis.doc.gov'

(b) (7)(C)@bis.doc.gov>

Cc: Stone, Laura M <(b) (6)@state.gov>; Smith, M Hanscom (Hanscom) <(b) (6)@state.gov>;

Snyder, Nicholas JC <(b) (6)@state.gov>

Subject: ZTE Follow-Up Questions

Colleagues—

(b) (5)

Thanks,

Fred Brust
Acting Director
Office of Chinese and Mongolian Affairs

U.S. Dept. of State
202-647-6798

Official - SBU
UNCLASSIFIED

Official - SBU
UNCLASSIFIED

Franz Holzer - CTR

From: Mira Ricardel
Sent: Saturday, April 14, 2018 8:32 AM
To: Wilbur Ross
Cc: WTeramoto@doc.gov; PDavidson@doc.gov; Daniel Hill; Richard Majauskas; Douglas Hassebrock; (b) (7)(C); MASTERSON JR., JOHN; JRockas@doc.gov; EComstock@doc.gov
Subject: Fwd: Timing of Commerce Decision
Importance: High

Mr. Secretary,



Best,
Mira

This Message was sent from my Mobile Device.

Begin Forwarded Message:

From: "Mira Ricardel" <Mira.Ricardel@bis.doc.gov>

Subject: Re: Timing of Commerce Decision

Date: 14 April 2018 07:45

To: (b) (6)

Cc: (b) (6)

>, "Richard Majauskas" <Richard.Majauskas@bis.doc.gov>, "Daniel Hill" <Daniel.Hill@bis.doc.gov>

Matt,

(b) (5)

Thanks and I will be in touch,

Mira

This Message was sent from my Mobile Device.

On: 13 April 2018 22:25, (b) (6) > wrote:

Ma'am,

(b) (5)

VR

Matt

(b) (6)

Begin forwarded message:

From: (b) (6)
Date: April 13, 2018 at 22:07:45 EDT
To: "Stone, Laura M" <(b) (6) @state.gov>, "richard.majauskas@bis.doc.gov" <richard.majauskas@bis.doc.gov>
Cc: "Brust, Frederick E" <(b) (6) @state.gov>, Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>, (b) (7)(C) @bis.doc.gov>, "Snyder, Nicholas JC" <(b) (6) @state.gov>, (b) (6) >, EAP-CM-Unit Chiefs-DL <(b) (6) @state.gov>, (b) (6)
Subject: Re: Timing of Commerce Decision

Richard, Laura,

(b) (5)

VR
Matt

(b) (6)

On Apr 13, 2018, at 21:22, Snyder, Nicholas JC <(b) (6) @state.gov> wrote:

Matt and (b) (6) /Commerce Colleagues,

(b) (5)

Nick

Nicholas J.C. Snyder

Acting Deputy Director | Office of Chinese & Mongolian Affairs

HST Room (b) (6) | U.S. Department of State

O: (202) 647-6774 | M: (b) (6)

(b) (6)@state.gov

From: (b) (6) >

Sent: Friday, April 13, 2018 7:48 PM

To: Snyder, Nicholas JC <(b) (6)@state.gov>

Cc: Brust, Frederick E <(b) (6)@state.gov>;

richard.majauskas@bis.doc.gov; Douglas Hassebrock

<Douglas.Hassebrock@bis.doc.gov>; (b) (7)(C)

(b) (6)@bis.doc.gov; (b) (6)

v>

Subject: RE: Timing of Commerce Decision

Nick,

Great!

Please include our Commerce colleagues as well. Thanks!

VR

Matt

(b) (6)

From: Snyder, Nicholas JC <(b) (6)@state.gov>

Sent: Friday, April 13, 2018 7:43 PM

To: (b) (6) >

Cc: Brust, Frederick E <(b) (6)@state.gov>

Subject: RE: Timing of Commerce Decision

(b) (5)

Nicholas J.C. Snyder

Acting Deputy Director | Office of Chinese & Mongolian Affairs

HST Room (b) (6) | U.S. Department of State

O: (202) 647-6774 | M: (b) (6)

(b) (6)@state.gov

From: (b) (6) >
Sent: Friday, April 13, 2018 7:12 PM
To: richard.majauskas@bis.doc.gov; Douglas Hassebrock
<Douglas.Hassebrock@bis.doc.gov>; (b) (7)(C)
(b) (6) <(b) (6)@bis.doc.gov>
Cc: (b) (6) <(b) (6)@treasury.gov>; (b) (6) <(b) (6)@treasury.gov>; Stone, Laura
M <(b) (6)@state.gov>; Smith, M Hanscom (Hanscom)
<(b) (6)@state.gov>; Snyder, Nicholas JC <(b) (6)@state.gov>;
alan.turley@trade.gov; scott.tatlock@trade.gov; Wineland, Timothy N.
EOP/USTR (b) (6) <(b) (6)@ustr.eop.gov>; Winter, Audrey S.
EOP/USTR <(b) (6)@ustr.eop.gov>; McGinn, John G. (Jerry) SES
OSD OUSD ATL (US) (b) (6) <(b) (6)@mail.mil>; Laychak, Michael R
SES DTSA EO (US) (b) (6) <(b) (6)@mail.mil>;
(b) (6) <(b) (6)@mail.mil>; Feith, David <(b) (6)@state.gov>;
(b) (6) <(b) (6)@usdoj.gov>; (b) (6) <(b) (6)@dni.gov>; (b) (6)
(b) (6) <(b) (6)@usdoj.gov>; (b) (6) <(b) (6)@usdoj.gov>; (b) (6)
>; Bratt, Jay <(b) (6)@usdoj.gov>; (b) (6)
<(b) (6)@state.gov>; Fritz, Jonathan D
(Beijing) <(b) (6)@state.gov>; Klein, William H (Beijing)
<(b) (6)@state.gov>
Subject: Timing of Commerce Decision

Richard,

When your Department makes the decision on timing for the announcement, please inform the individuals on the cc line.

Individuals on the Cc Line,

I'm identifying you as the POCs for your Departments, Agencies, and EOP offices.

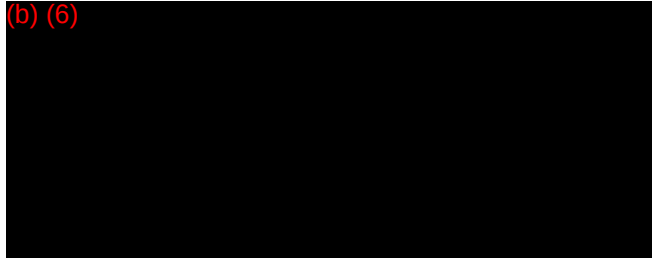
Treasury – Leslie Hull and Doug Bell
State – Laura Stone (Deputy Assistant Secretary for China); Hanscom
Smith; Nick Snyder
Commerce/ITA – Alan Turley (Deputy Assistant Secretary for China) and
Scott Tatlock
USTR – Tim Wineland and Audrey Winter
Defense – Eric Chewning (Deputy Assistant Secretary of Defense for
Manufacturing and Industrial Base Policy); Mike Laychak (Deputy
Director of Defense Technology Security Administration); Jerry McGinn
(MIBP)
Justice – Jay Bratt and Peng Wu
Embassy Beijing – Bill Klein and Jonathan Fritz

(b) (6)

A large rectangular area of the document is completely redacted with a solid black fill. The redaction covers the top portion of the page, starting below the header and extending down to just above the signature block.

VR
Matt

(b) (6)

A large rectangular area of the document is completely redacted with a solid black fill. This redaction covers the main body of the letter, starting below the signature and extending down to just above the footer.

Franz Holzer - CTR

From: MASTERSON, JOHN T (Federal) <JMASTERSON@doc.gov>
Sent: Friday, April 20, 2018 5:53 PM
To: PDavidson@doc.gov
Cc: Walsh, Michael (Federal); Mira Ricardel; Daniel Hill; Douglas Hassebrock; (b) (7)(C); (b) (7)(C); (b) (6); JEST, JOE
Subject: FW: Response by BIS to Chinese Government and ZTE
Importance: High

FYSA: Doug Hassebrock's e-mail to Art Roy, the BIS export control officer at the U.S. Embassy Beijing.

John

From: Douglas Hassebrock [mailto:Douglas.Hassebrock@bis.doc.gov]
Sent: Friday, April 20, 2018 5:48 PM
To: Roy, Arthur <ITA> <Arthur.Roy@trade.gov>
Cc: (b) (6) @bis.doc.gov; (b) (7)(C) @bis.doc.gov; (b) (6) (Federal) (b) (6) @doc.gov; JEST, JOE (Federal) <JJEST@doc.gov>; MASTERSON, JOHN T (Federal) <JMASTERSON@doc.gov>; Ricardel, Mira <Mira.Ricardel@bis.doc.gov>; Hill, Daniel <Daniel.Hill@bis.doc.gov>; (b) (6) (b) (7)(C) @bis.doc.gov; Majauskas, Richard <Richard.Majauskas@bis.doc.gov>
Subject: Response by BIS to Chinese Government and ZTE
Importance: High

Art,

The following bullets are for your use in informing the Embassy and the Chinese Government as the Ambassador directs. We realize you have been on the front lines in this, and thank you for your patience. These bullets have been cleared by DOC and BIS officials. I have cc'd Matt Turpin from the (b) (6)

(b) (5)

--
Douglas R. Hassebrock, Director
Office of Export Enforcement
U.S. Department of Commerce
202-482-5079

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Franz Holzer - CTR

From: Richard Ashooh
Sent: Wednesday, May 23, 2018 1:40 PM
To: Daniel Hill; Matthew Borman; Richard Majauskas; MASTERSON JR., JOHN
Subject: FW: Senate briefing tomorrow (Thursday 5/24)

-----Original Message-----

From: Platt, Mike (Federal) [mailto:MPlatt@doc.gov]
Sent: Wednesday, May 23, 2018 1:28 PM
To: WTeramoto@doc.gov; Richard Ashooh; Kimberly Ekmark; MBedan@doc.gov; PDavidson@doc.gov; EComstock@doc.gov
Subject: Fwd: Senate briefing tomorrow (Thursday 5/24)

See below. Let's discuss

Begin forwarded message:

From: "Curry, Cat E. EOP/WHO" <(b) (6)@who.eop.gov>
Date: May 23, 2018 at 1:18:44 PM EDT
To: "mplatt@doc.gov" <mplatt@doc.gov>, "Branson, Ross (Federal)" <RBranson@doc.gov>
Subject: Senate briefing tomorrow (Thursday 5/24)

Team –

(b) (5)

Thank you!

Cat

(b) (6)

Franz Holzer - CTR

From: Eugene Cottilli
Sent: Monday, April 16, 2018 11:55 AM
To: Mira Ricardel; Daniel Hill; Richard Majauskas; Douglas Hassebrock; (b) (7)(C); Alexander Zemek
Subject: FW: ZTE

FYI -

From: (b) (6) @thomsonreuters.com [mailto:(b) (6) @thomsonreuters.com]
Sent: Monday, April 16, 2018 11:25 AM
To: JRockas@doc.gov
Cc: Eugene Cottilli <Eugene.Cottilli@bis.doc.gov>; (b) (6) @thomsonreuters.com; (b) (6) @thomsonreuters.com
Subject: ZTE



Folks:

Many thanks for the heads up on ZTE. We really appreciate it.

Cheers,
Steve

On Mon, Apr 16, 2018 at 11:33 AM, Rockas, James (Federal) <JRockas@doc.gov> wrote:

Great thanks. There is major flooding in DC this morning, so we need to push to 7:00 AM so everyone can get in the office. Sorry for the delay.

I will send embargoed release to you in a few minutes. We have a conference line set up for the call:

(b) (6)
(b) (6)

James Rockas
Press Secretary & Deputy Director of Public Affairs
U.S. Department of Commerce
(b) (6) (c) | (202)482-4883 (o)
jrockas@doc.gov



From: (b) (6) @thomsonreuters.com" (b) (6) @thomsonreuters.com>
Date: Sunday, April 15, 2018 at 11:12 PM
To: "Cottilli, Eugene" <Eugene.Cottilli@bis.doc.gov>

Cc: (b) (6)@thomsonreuters.com" (b) (6)@thomsonreuters.com>, Rockas
<JRockas@doc.gov>

Subject: Re: Available for a call early Monday?

If you can't reach Karen, I will be reachable at (b) (6). Thanks.



Cheers,
Steve

On Mon, Apr 16, 2018 at 4:03 AM, Eugene Cottilli <Eugene.Cottilli@bis.doc.gov> wrote:

Karen/Steve: Hello - hope all is well. Would either you be available for a call tomorrow (Monday) at 6:30 a.m. EDT related to the announcement of a law enforcement matter? Also copied is James Rockas of the Commerce Department's Office of Public Affairs. Please let us know of your availability and the best number where you can be reached.

Thanks,
Eugene Cottilli

This Message was sent from my Mobile Device.

This e-mail is for the sole use of the intended recipient and contains information that may be privileged and/or confidential. If you are not an intended recipient, please notify the sender by return e-mail and delete this e-mail and any attachments. Certain required legal entity disclosures can be accessed on our [website](#).

Franz Holzer - CTR

From: MASTERSON, JOHN T (Federal) <JMASTERSON@doc.gov>
Sent: Monday, June 11, 2018 5:51 PM
To: Richard Ashooh; Daniel Hill; Richard Majauskas; Matthew Borman; (b) (6); JEST, JOE; Douglas Hassebrock; Kimberly Ekmark; (b) (7)(C); Karen NiesVogel; Michael Vaccaro
Cc: Alexander Zemek; (b) (6); KLASON, PETER
Subject: RE: FOR REVIEW (SAME DAY): TPs for Cotton NDAA Amendment
Attachments: Cotton amdt TPs.docx

Rich:

The Cotton Amendment talking points need a lot of work. I've made an attempt to quickly provide some key edits. Adrienne and Peter, as well as others in BIS, may have some additional thoughts.

John

-----Original Message-----

From: Richard Ashooh [mailto:Richard.Ashooh@bis.doc.gov]
Sent: Monday, June 11, 2018 3:39 PM
To: Hill, Daniel <Daniel.Hill@bis.doc.gov>; Majauskas, Richard <Richard.Majauskas@bis.doc.gov>; Borman, Matthew <Matthew.Borman@bis.doc.gov>; MASTERSON, JOHN T (Federal) <JMASTERSON@doc.gov>; (b) (6) (Federal) <(b) (6) @doc.gov>; JEST, JOE (Federal) <JJEST@doc.gov>; Hassebrock, Douglas <Douglas.Hassebrock@bis.doc.gov>; Ekmark, Kimberly <Kimberly.Ekmark@bis.doc.gov>; (b) (7)(C) @bis.doc.gov>; NiesVogel, Karen <Karen.NiesVogel@bis.doc.gov>; Vaccaro, Michael <Michael.Vaccaro@bis.doc.gov>
Cc: Zemek, Alexander <Alexander.Zemek@bis.doc.gov>
Subject: FW: FOR REVIEW (SAME DAY): TPs for Cotton NDAA Amendment
Importance: High

WH proposed talking points re ZTE and 232 amentments

-----Original Message-----

From: Comstock, Earl (Federal) [mailto:EComstock@doc.gov]
Sent: Monday, June 11, 2018 3:15 PM
To: Richard Ashooh; Matthew Borman; MPlatt@doc.gov
Cc: Daniel Hill
Subject: FW: FOR REVIEW (SAME DAY): TPs for Cotton NDAA Amendment
Importance: High

Please send any comments or suggested edits asap. Thanks! Earl

From: WH Staff Secretary (b) (6) @who.eop.gov>
Date: Monday, June 11, 2018 at 2:57 PM
To: (b) (6) "Chalkey, Richard J. EOP/WHO" <(b) (6) @who.eop.gov>, "Comstock, Earl (Federal)" <EComstock@doc.gov>, "Williams, Allaire (Federal)" <AWilliams2@doc.gov>, Wendy Teramoto <WTeramoto@doc.gov>, (b) (6) @treasury.gov"

<(b) (6)@treasury.gov>, (b) (6)@treasury.gov" (b) (6)@treasury.gov>, "Ditto, Jessica E. EOP/WHO" (b) (6)@who.eop.gov>, "Schlapp, Mercedes V. EOP/WHO" <(b) (6)@who.eop.gov>, "DeStefano, John J. EOP/WHO" (b) (6)@who.eop.gov>, "Goyer, Jim L. EOP/WHO" (b) (6)@who.eop.gov>, "Donaldson, Annie M. EOP/WHO" <(b) (6)@who.eop.gov>, "(b) (6)@who.eop.gov>, (b) (6)@who.eop.gov>, (b) (6)@who.eop.gov>, (b) (6)@treasury.gov" (b) (6)@treasury.gov>, May Davis <(b) (6)@who.eop.gov>, "Greenwood, Daniel Q. EOP/WHO" <(b) (6)@who.eop.gov>
Cc: WH Staff Secretary <(b) (6)@who.eop.gov>
Subject: FOR REVIEW (SAME DAY): TPs for Cotton NDAA Amendment

Commerce, Treasury, (b) (6), NEC, WHCO, and COMMS:

Attached are TPs regarding the Cotton Amendment (ZTE) and the Corker Amendment (Sec. 232)—for OLA to use informally in their engagements on Capitol Hill.

Your review is requested. Please send any edits or comments to Staff Sec by end of the day today.

Thank you,

Staff Sec

(b) (5)

(b) (5)

Franz Holzer - CTR

From: Douglas Hassebrock
Sent: Wednesday, June 06, 2018 10:20 AM
To: Richard Ashooh; Richard Majauskas
Cc: Daniel Hill; Eileen Albanese; Matthew Borman; (b) (7)(C)
Subject: RE: US technology in North Korea

We will work up a response and send over to you and Eugene – feel free to edit as needed

--

Douglas R. Hassebrock
202-482-5079

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From: Richard Ashooh
Sent: Wednesday, June 06, 2018 10:06 AM
To: Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>; (b) (7)(C) @bis.doc.gov>; Richard Majauskas <Richard.Majauskas@bis.doc.gov>; Eileen Albanese <Eileen.Albanese@bis.doc.gov>; Matthew Borman <Matthew.Borman@bis.doc.gov>
Cc: Daniel Hill <Daniel.Hill@bis.doc.gov>
Subject: Fwd: US technology in North Korea

This Message was sent from my Mobile Device.

From: "Rockas, James (Federal)" <JRockas@doc.gov>
Subject: Re: US technology in North Korea
Date: 06 June 2018 10:00
To: "Glover, Rebecca (Federal)" <RGlover@doc.gov>, (b) (6) @treasury.gov", (b) (6) @treasury.gov, "EComstock@doc.gov" <EComstock@doc.gov>, "Richard Ashooh" <Richard.Ashooh@bis.doc.gov>, (b) (6) (b) (6)

They'd like a response by COB. I'll talk to BIS and work something up to circulate.

Sent from my iPhone

On Jun 6, 2018, at 9:52 AM, Rockas, James (Federal) <JRockas@doc.gov> wrote:

Looping in Treasury and (b) (5) Reaching out for a deadline and will report back.

Sent from my iPhone

On Jun 6, 2018, at 9:37 AM, DOC Public Affairs <(b) (6)@doc.gov> wrote:

The story they're referring to is here, including a ZTE angle:

<https://www.recordedfuture.com/north-korea-internet-operations/>

From: David Gilbert [mailto:(b) (6)@vice.com]

Sent: Wednesday, June 06, 2018 7:26 AM

To: DOC Public Affairs <(b) (6)@doc.gov>

Subject: US technology in North Korea

Good morning,

I'm looking into a report being published by Recorded Future on Wednesday, which claims that "U.S. technology has enabled North Korea's destabilizing, disruptive, and destructive cyber operations as well as its internet-enabled circumvention of international sanctions."

Is the Department of Commerce, and in particular the Office of Export Enforcement, currently taking any steps to ensure this technology does not reach North Korea and be used against the West?

Regards

David

--

DAVID GILBERT

Reporter, Vice News

(b) (6)

@(b) (6)

VICE MEDIA LLC

49 South 2nd Street

Brooklyn, NY 11249

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, June 26, 2018 8:37 PM
To: Michael Vaccaro; Eric Longnecker; Kimberly Ekmark
Cc: Matthew Borman
Subject: FW: COORD BY 5:30PM: Talking points on FIRRMA
Attachments: FIRMMA QA (final)_JC.docx; FIRMMA QA (final)_JC.docx; FIRRMA topline talker (final) jcb.docx

Good thing Treasury is here to save us all

-----Original Message-----

From: Alan Turley [mailto:Alan.Turley@trade.gov]
Sent: Tuesday, June 26, 2018 8:25 PM
To: Matthew Borman; Dixit, Praveen; Cobau, John
Cc: Shields, Tyler; Scott.Tatlock@trade.gov; Richard Ashooh
Subject: Re: COORD BY 5:30PM: Talking points on FIRRMA

I'm on my phone, which has them on the chain. But I think I've figured out, which makes me IT gold star winner of the week (if it works).

Rgds.

Get Outlook for iOS <<https://aka.ms/o0ukef>> _____

From: Matthew Borman <Matthew.Borman@bis.doc.gov>
Sent: Tuesday, June 26, 2018 7:38:28 PM
To: Alan Turley; Praveen Dixit; John Cobau
Cc: Tyler Shields; Scott Tatlock; Richard Ashooh
Subject: RE: COORD BY 5:30PM: Talking points on FIRRMA

Thanks Alan. Docs not on this chain.

From: Alan Turley <Alan.Turley@trade.gov>
Sent: Tuesday, June 26, 2018 7:07 PM
To: Dixit, Praveen <Praveen.Dixit@trade.gov>; Cobau, John <jCobau@doc.gov>; Matthew Borman <Matthew.Borman@bis.doc.gov>
Cc: Shields, Tyler <Tyler.Shields@trade.gov>; Scott.Tatlock@trade.gov
Subject: Fwd: COORD BY 5:30PM: Talking points on FIRRMA

FYI. I'm leaving the comments to Earl and James, but feel free to opine.

Rgds.

Get Outlook for iOS <<https://aka.ms/o0ukef>>

From: Humphrey, Kerry S <(b) (6)@state.gov>

Sent: Tuesday, June 26, 2018 6:59:56 PM

To: Lin, Merry S. EOP/WHO; Navarro, Peter K. EOP/WHO; Ditto, Jessica E. EOP/WHO; Davis, May M. EOP/WHO; Lyons, Derek S. EOP/WHO; Nordquist, DJ D. EOP/CEA; Hoelscher, Douglas L. EOP/WHO; Greenwood, Daniel Q. EOP/WHO; Knight, Shahira E. EOP/WHO; Olmem, Andrew J. EOP/WHO; Slater, Abigail A. EOP/WHO; WTeramoto@doc.gov; Rockas, James (Federal); (b) (6); Stone, Laura M; Alan Turley; Scott Tatlock; (b) (6)@Hq.Doe.Gov; (b) (6)@Hq.Doe.Gov; Urbanas, Elizabeth (Contact); (b) (6)@fas.usda.gov; Starling, Raymond - OSEC, Washington, DC; (b) (6)@fas.usda.gov; Abraham, Julie (DOT); (b) (6); Bilbao, Emily R. EOP/OMB; (b) (6)@treasury.gov; (b) (6)@treasury.gov; (b) (6)@treasury.gov; Calabria, Mark A. EOP/OVP; Stephens, Andrew - FAS; Sulby, Ari N; Haas, Peter D; (b) (6)@treasury.gov; (b) (6)@treasury.gov; Earl Comstock; Fleming, Bon E; Fitzgerald, Timothy W. EOP/CEA; Kennedy, Adam R. EOP/WHO; Sulby, Ari N

Cc: (b) (6); (b) (6)@treasury.gov; (b) (6)@treasury.gov; (b) (6)@treasury.gov; EB-A-PD-Clearances

Subject: Re: COORD BY 5:30PM: Talking points on FIRRMA

Just got out of dentist chair

Thank you I clear contingent on Ari Sulvy from State's trade office

Thank you so much for doing this

Kerry Humphrey

Media Advisor

U.S. State Department

Economic & Business Affairs Bureau

From: Lin, Merry S. EOP/WHO <(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >

Date: June 26, 2018 at 4:59:26 PM EDT

To: Navarro, Peter K. EOP/WHO <(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >, Ditto, Jessica E. EOP/WHO <(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >, Davis, May M. EOP/WHO <(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >, Lyons, Derek S. EOP/WHO <(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >, Nordquist, DJ D. EOP/CEA <(b) (6)@cea.eop.gov <mailto:(b) (6)@cea.eop.gov> >, Hoelscher, Douglas L. EOP/WHO <(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >, Greenwood, Daniel Q. EOP/WHO <(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >, Knight, Shahira E. EOP/WHO

<(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >, Olmem, Andrew J. EOP/WHO
<(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >, Slater, Abigail A. EOP/WHO
<(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >, WTeramoto@doc.gov
<mailto:WTeramoto@doc.gov> <mailto:WTeramoto@doc.gov> <mailto:WTeramoto@doc.gov> >, Rockas, James
<JRockas@doc.gov <mailto:JRockas@doc.gov> > (b) (6)
<mailto:(b) (6)@state.gov> >, Stone, Laura M <(b) (6)@state.gov
<mailto:(b) (6)@state.gov> >, Alan.Turley@trade.gov <mailto:Alan.Turley@trade.gov> <Alan.Turley@trade.gov
<mailto:Alan.Turley@trade.gov> >, scott.tatlock@trade.gov <mailto:scott.tatlock@trade.gov> <scott.tatlock@trade.gov
<mailto:scott.tatlock@trade.gov> >, (b) (6)@Hq.Doe.Gov <mailto:(b) (6)@Hq.Doe.Gov>
<(b) (6)@Hq.Doe.Gov <mailto:(b) (6)@Hq.Doe.Gov> >, (b) (6)@Hq.Doe.Gov
<mailto:(b) (6)@Hq.Doe.Gov> <(b) (6)@Hq.Doe.Gov <mailto:(b) (6)@Hq.Doe.Gov> >, Urbanas, Elizabeth (Contact)
(b) (6)@Hq.Doe.Gov <mailto:(b) (6)@Hq.Doe.Gov> >, (b) (6)@fas.usda.gov
<mailto:(b) (6)@fas.usda.gov> <(b) (6)@fas.usda.gov <mailto:(b) (6)@fas.usda.gov> >,
Starling, Raymond - OSEC, Washington, DC <(b) (6)@osec.usda.gov
<mailto:(b) (6)@osec.usda.gov> >, (b) (6)@fas.usda.gov
<mailto:(b) (6)@fas.usda.gov> (b) (6)@fas.usda.gov
<mailto:(b) (6)@fas.usda.gov> >, Abraham, Julie (DOT) (b) (6)@dot.gov
<mailto:(b) (6)@dot.gov> >, (b) (6)
> >, Bilbao, Emily R. EOP/OMB (b) (6)@omb.eop.gov
<mailto:(b) (6)@omb.eop.gov> >, (b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov>
<(b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov> >, (b) (6)@treasury.gov
<mailto:(b) (6)@treasury.gov> <(b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov> >,
(b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov> (b) (6)@treasury.gov
<mailto:(b) (6)@treasury.gov> >, Calabria, Mark A. EOP/OVP <(b) (6)@ovp.eop.gov
<mailto:(b) (6)@ovp.eop.gov> >, Stephens, Andrew - FAS (b) (6)@fas.usda.gov
<mailto:(b) (6)@fas.usda.gov> >, Sulby, Ari N <(b) (6)@state.gov <mailto:(b) (6)@state.gov> >, Haas,
Peter D <(b) (6)@state.gov <mailto:(b) (6)@state.gov> >, (b) (6)@treasury.gov
<mailto:(b) (6)@treasury.gov> <(b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov> >,
(b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov> (b) (6)@treasury.gov
<mailto:(b) (6)@treasury.gov> >, Comstock, Earl (Federal) <EComstock@doc.gov <mailto:EComstock@doc.gov> >,
Fleming, Bon E <(b) (6)@state.gov <mailto:(b) (6)@state.gov> >, Humphrey, Kerry S <(b) (6)@state.gov
<mailto:(b) (6)@state.gov> >, Fitzgerald, Timothy W. EOP/CEA <(b) (6)@cea.eop.gov
<mailto:(b) (6)@cea.eop.gov> >, Kennedy, Adam R. EOP/WHO <(b) (6)@who.eop.gov
<mailto:(b) (6)@who.eop.gov> >
Cc: (b) (6) >,
(b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov> <(b) (6)@treasury.gov
<mailto:(b) (6)@treasury.gov> >, (b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov>
<(b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov> >, (b) (6)@treasury.gov
<mailto:(b) (6)@treasury.gov> (b) (6)@treasury.gov <mailto:(b) (6)@treasury.gov> >
Subject: COORD BY 5:30PM: Talking points on FIRRMA
Importance: High

With thanks to Treasury, please find attached a draft rollout plan, topline talking points, and Q&As. Please send me any edits by 5:30pm today.

Thanks,

Merry

Merry S. Lin, CFA

Director for International Trade and Investment

National Economic Council

Phone: (b) (6) | Cell: (b) (6)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

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(b) (5)

(b) (5)

(b) (5)

(b) (5)

###

(b) (5)

(b) (5)

Franz Holzer - CTR

From: Matthew Borman
Sent: Wednesday, August 01, 2018 10:07 AM
To: Richard Ashooh
Cc: Joseph Cristofaro
Subject: FW: Entities List

Rocking EAR!

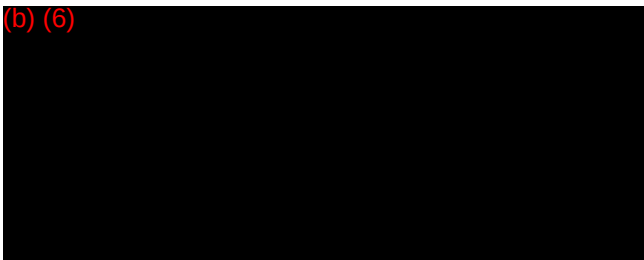
From: (b) (6) >
Sent: Wednesday, August 01, 2018 10:06 AM
To: Matthew Borman <Matthew.Borman@bis.doc.gov>
Cc: (b) (6) >; Joseph Cristofaro <Joseph.Cristofaro@bis.doc.gov>
Subject: RE: Entities List

Matt,

You rock!

VR
Matt

(b) (6)



From: Matthew Borman <Matthew.Borman@bis.doc.gov>
Sent: Wednesday, August 1, 2018 10:02 AM
To: (b) (6) >
Cc: (b) (6) >; Joseph Cristofaro <Joseph.Cristofaro@bis.doc.gov>
Subject: RE: Entities List

Matt,

Published today. Thanks for your help.

Matt

From: (b) (6) >
Sent: Wednesday, July 18, 2018 8:57 AM
To: Matthew Borman <Matthew.Borman@bis.doc.gov>
Subject: RE: Entities List

Matt,

Do you have a moment for a quick phone call? There is a short-fuse opportunity.

VR
Matt

(b) (6)



From: Matthew Borman <Matthew.Borman@bis.doc.gov>
Sent: Tuesday, July 17, 2018 7:58 PM
To: (b) (6) >
Subject: RE: Entities List

Will do and will discuss with Sec. his preference on press.

From: (b) (6) >
Sent: Tuesday, July 17, 2018 7:44 PM
To: Matthew Borman <Matthew.Borman@bis.doc.gov>
Subject: RE: Entities List

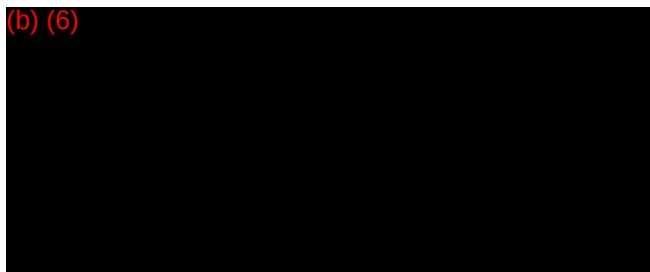
Matt,

Thanks and I've got Bob on the WAVES list.

Would you mind having the team send a link to the FR listing once it is done? Also are you all planning to have any proactive or reactive press guidance? If so, could you please send? I'd like to make sure both WH, (b) (6) Press and Legislative Affairs have it in their inboxes should something come up.

VR
Matt

(b) (6)



From: Matthew Borman <Matthew.Borman@bis.doc.gov>
Sent: Tuesday, July 17, 2018 7:38 PM

To: (b) (6) >

Subject: RE: Entities List

Matt,

Confirming timing with Sec. but expect to send to Federal Register for publication this week.

I won't be able to make (b) (5) tomorrow but Bob Rarog and possibly someone else from our team will attend..

Matt

From: (b) (6) >

Sent: Tuesday, July 17, 2018 5:41 PM

To: Matthew Borman <Matthew.Borman@bis.doc.gov>

Subject: RE: Entities List

Matt,

Now that we've cleared the decks of (b) (5), do we have a timeline for the listings of the set we've had waiting in the wings?

VR

Matt

(b) (6)

From: Matthew Borman <Matthew.Borman@bis.doc.gov>

Sent: Sunday, June 17, 2018 9:14 PM

To: (b) (6)

Subject: Re: Entities List

Matt,

(b) (5)

Should happen this week.

Matt

This Message was sent from my Mobile Device.

On: 17 June 2018 12:26, (b) (6) > wrote:

Matt,

I got an out of office from Richard.

VR
Matt

(b) (6)



Begin forwarded message:

From: <(b) (6)>
Date: June 17, 2018 at 12:23:50 EDT
To: Richard Ashooh <Richard.Ashooh@bis.doc.gov>
Subject: Entities List

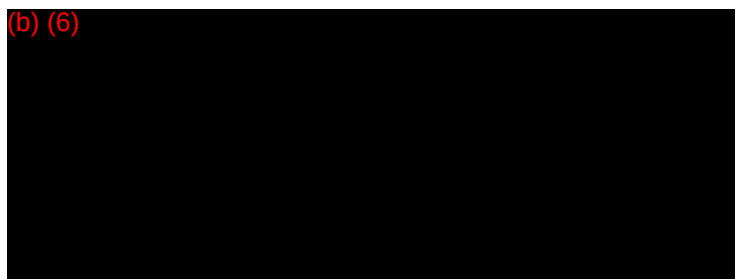
Richard,

(b) (5)



VR
Matt

(b) (6)



From: Comstock, Earl (Federal) [mailto:EComstock@doc.gov]

To: Richard Ashooh; Matthew Borman; MPlatt@doc.gov

Subject: FW: FOR REVIEW (SAME DAY): TPs for Cotton NDAA Amendment

Date: Monday, June 11, 2018 at 2:57 PM

(b) (6) @who.eop.gov>, "Comstock, Earl (Federal)" <EComstock@doc.gov>, "Williams, Allaire (Federal)"

(b) (6) @treasury.gov>, (b) (6) @treasury.gov" (b) (6) @treasury.gov>

"DeStefano, John J. EOP/WHO" <(b) (6)@who.eop.gov>, "Goyer, Jim L. EOP/WHO" <(b) (6)@who.eop.gov>,"

"Ellis, Michael J. EOP/WHO" <(b) (6)@who.eop.gov>, (b) (6)

(b) (6) @treasury.gov>, May Davis <(b) (6) @who.eop.gov>, "Greenwood, Daniel Q. EOP/WHO"

Cc: WH Staff Secretary (b) (6) @who.eop.gov>

Attached are TPs regarding the Cotton Amendment (ZTE) and the Corker Amendment (Sec. 232)—for OLA to use informally in their engagements on Capitol Hill.

Your review is requested. Please send any edits or comments to Staff Sec by end of the day today.

Thank you,

Staff Sec

(b) (5)

(b) (5)

(b) (5)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Thursday, May 17, 2018 4:22 PM
To: 'Ricardel, Mira R. EOP/WHO'
Subject: FW: RUPPERSBERGER AMENDMENT BLOCKING ZTE BAILOUT PASSES COMMITTEE

From: (b) (7)(C)
Sent: Thursday, May 17, 2018 3:34 PM
To: Eugene Cottilli <Eugene.Cottilli@bis.doc.gov>; Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>
Cc: Kimberly Ekmark <Kimberly.Ekmark@bis.doc.gov>
Subject: RE: RUPPERSBERGER AMENDMENT BLOCKING ZTE BAILOUT PASSES COMMITTEE

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: (b) (7)(C)
Sent: Thursday, May 17, 2018 3:32 PM
To: Eugene Cottilli <Eugene.Cottilli@bis.doc.gov>; Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>
Cc: Kimberly Ekmark <Kimberly.Ekmark@bis.doc.gov>

Ruppersberger Amendment Blocking ZTE Bailout Passes Committee

May 17, 2018

Press Release

Ruppersberger issued bipartisan report outlining ZTE cyber threat in 2012

(Washington, DC) — An amendment blocking President Trump’s bailout of Chinese telecom company ZTE offered by Congressman C.A. Dutch Ruppersberger (D-MD) and Congresswoman Rosa DeLauro (D-CT) unanimously passed the House Appropriations Committee today. The amendment will be included in the Fiscal Year 2019 Commerce, Justice and Science Appropriations Bill when it comes under consideration by the full House of Representatives next month.

Congressman Ruppersberger has long suspected ZTE is used by the Chinese government to spy on Americans through the cell phone components they manufacture. He traveled to Hong Kong and interviewed ZTE executives before co-authoring a bipartisan report on the threat as then-Ranking Member of the House Intelligence Committee in 2012.

ZTE was sanctioned in April after it was caught shipping American-made goods to Iran and North Korea. President Trump earlier this week, however, announced that he is directing the U.S. Commerce Department to help the company, citing Chinese job losses.

“This amendment, which passed with the unanimous support of my colleagues on both sides of the aisle, shows that, when the United States enacts sanctions, we stand behind them,” Congressman Ruppersberger said. “It will also prevent a foreign company that is beholden to its government – and that ignores embargoes – from infiltrating the devices and networks that are now indispensable to American life.”

Congresswoman DeLauro was a co-lead on the amendment.

“I am proud that today’s amendment maintaining penalties on the shady Chinese cellular company ZTE received unanimous support in the Appropriations Commerce, Justice, and Science Subcommittee,” she said. “We, as the Congress, need to step up to protect American workers, and American national security, from a company that experts inside and outside government agree endangers American interests. This is not a company that President Trump should be trying to save. He promised to protect American jobs and claims to be all about ‘America First.’ I suppose not—this move is clearly China First.”

Specifically, the amendment prevents the U.S. Commerce Department from renegotiating sanctions on ZTE, preventing them from receiving support from the U.S. vendors on which they depend.

On: 17 May 2018 15:26,

(b) (7)(C) [REDACTED]@bis.doc.gov> wrote:

House committee rebukes Trump on ZTE

By Niv Elis - 05/17/18 02:03 PM EDT

<http://thehill.com/policy/finance/388185-house-committee-rebukes-trump-on-zte>

The House Appropriations Committee unanimously accepted an amendment to an appropriations bill on Thursday that reinforces sanctions against Chinese telecommunications company ZTE, a rebuke to President Trump, who earlier this week tweeted support for the company.

“This amendment would prevent the Commerce Department from renegotiation of the sanctions it just enacted last month on ZTE,” said Rep. Dutch Ruppersberger (D-Md.), who authored the amendment to the 2019 Commerce, Justice, and Science Appropriations bill.

The Commerce Department slapped heavy sanctions on the Chinese company last month, banning it from using American components in its parts and effectively causing the company to shut down its U.S. operations.

The company had broken U.S. trade control laws by selling components to Iran and North Korea.

On Sunday, Trump did a surprising about-face on his typically tough China rhetoric, declaring in a tweet, “President Xi of China, and I, are working together to give massive Chinese phone company, ZTE, a way to get back into business, fast. Too many jobs in China lost. Commerce Department has been instructed to get it done!”

The tweet shocked lawmakers in both parties given the support for the sanctions and Trump's own bellicose rhetoric on China.

Lawmakers say ZTE has been a national security threat, not only breaking American sanctions, but allegedly stealing intellectual property on behalf of the Chinese government.

“Supporting this amendment will show that the U.S. government stands behind the sanctions that it enacts, and will enforce them. It also further prevents foreign companies beholden to their governments from further infiltrating our U.S. networks,” said Ruppertsberger.

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, May 22, 2018 8:46 AM
To: Karen NiesVogel; (b) (7)(C)
Cc: Matthew Borman; Richard Majauskas
Subject: FW: ZTE
Attachments: 2018-05-16 - InterDigital and ZTE for WH.DOCX; ATT00001.htm

Another waiver request

-----Original Message-----

From: Davidson, Peter (Federal) [mailto:PDavidson@doc.gov]
Sent: Tuesday, May 22, 2018 8:32 AM
To: Richard Ashooh
Subject: Fwd: ZTE

I haven't looked at this yet...but just passing along for your review.

Begin forwarded message:

From: "Slater, Abigail A. EOP/WHO" <(b) (6)@who.eop.gov>
Date: May 22, 2018 at 8:21:25 AM EDT
To: "PDavidson@doc.gov" <PDavidson@doc.gov>
Subject: ZTE

(b) (5)

(b) (5), (b)(3)

(b) (5), (b)(3)

Franz Holzer - CTR

From: Mira Ricardel
Sent: Saturday, April 14, 2018 5:11 PM
To: Wilbur Ross
Cc: WTeramoto@doc.gov; Daniel Hill; Richard Majauskas; Richard Ashooh; PDavidson@doc.gov
Subject: Fwd: [EXTERNAL] OFFICIAL SENSITIVE: UK telecoms advice
Attachments: 20180412 - ZTE letter.pdf; ATT00002.htm; HCSEC_Review_Executive_Summary_FINAL.PDF; ATT00001.htm

Mr. Secretary,

(b) (5)

Best,
Mira

This Message was sent from my Mobile Device.

Begin Forwarded Message:

From: (b) (6) >
Subject: Fwd: [EXTERNAL] OFFICIAL SENSITIVE: UK telecoms advice
Date: 14 April 2018 16:14
To: (b) (6) >, "Mira Ricardel"
<Mira.Ricardel@bis.doc.gov>
Cc: "(b) (6)" >

Matt, Mira,

Please see below and attached.

(b) (4)

VR
Matt

(b) (6)

(b) (6)

Begin forwarded message:

From: <(b) (6) @fco.gov.uk>
Date: April 14, 2018 at 15:45:58 EDT
To: (b) (6)
Cc: <(b) (6) @fco.gov.uk>, <(b) (6) @fco.gov.uk>, (b) (6) @fco.gov.uk>,
<(b) (6) >, <(b) (6) >, (b) (6) @hq.dhs.gov>,
(b) (6) @hq.dhs.gov>, (b) (6) @fco.gov.uk>
Subject: [EXTERNAL] OFFICIAL SENSITIVE: UK telecoms advice

OFFICIAL SENSITIVE: for named US officials only. Not for further dissemination.

Matt,

(b) (5)

Please do let me know if you have any further questions.

Thanks,
Jan

Jan Taylor

First Secretary, Cyber Policy | Foreign and Security Policy Group | British Embassy, Washington, D.C.

T: (b) (6) | M: (b) (6) | E: (b) (6) @fco.gov.uk

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(b) (5)

(b) (5)

(b) (3), (b) (5)



HM Government

Huawei Cyber Security Evaluation Centre:

Review by the National Security Adviser

December 2013

Executive Summary

1. The Intelligence and Security Committee (ISC) reported in June 2013 on Foreign Investment in Critical National Infrastructure. The report questioned in particular the ability of the Huawei Cyber Security Evaluation Centre (HCSEC) to operate with sufficient independence from Huawei headquarters. The report recommended that the staff in HCSEC should be GCHQ employees; or that, as an absolute minimum, oversight arrangements should be strengthened, and the Government should be more directly involved in the selection of HCSEC staff.
2. The Government welcomed the ISC report. It responded in July, with a commitment that the National Security Adviser would undertake a review of HCSEC and report to the Prime Minister. A summary of this review is set out below. In essence, the review concluded that HCSEC staff should remain part of Huawei, primarily for reasons of full access to equipment, code, and design teams. But after discussions with the Chairman of the ISC, the review also concluded that oversight arrangements should be enhanced, and GCHQ should have a leading and directing role in senior-level HCSEC appointments, in consultation with Huawei.
3. In more detail, the global reality is that virtually every telecommunications network worldwide incorporates foreign technology. Huawei equipment, for example, is now used in 140 countries and Huawei is a valued investor and employer in the UK. The Government has managed any potential security concerns through: increased engagement with the company; expert assistance to its customers, the Communication Service Providers (CSPs); and since 2010, the establishment of HCSEC. This is, moreover, part of a wider set of measures, designed with the CSPs, to minimise risk and opportunities for interference with equipment.

4. HCSEC's basic task is to analyse Huawei equipment to identify potential vulnerabilities. Its broader objective is to inform the design of more secure networks. This represents a relatively new approach but one that some other countries are interested in replicating.
5. The review focused on the operational independence of HCSEC, including the employment of its staff; its planning and budgetary oversight; how it did its work; and the security around the facility. The review involved visits to HCSEC, interviews with the main stakeholders, and examination of the documentary evidence.
6. The review judged that HCSEC was operating effectively and achieving its objectives, and that existing arrangements, although some of them informal, gave it sufficient independence. It noted that, after some initial teething problems, Huawei's cooperation with HCSEC appeared exemplary, with equipment and software supplied without delay and full access provided to Huawei design teams. It also noted that those vulnerabilities identified since HCSEC's establishment could be explained as genuine design weaknesses or errors in coding practice.
7. The review also judged that, although the fact of HCSEC staff being employed by Huawei appeared to create conflicts of interest, it was, in reality, the best way of ensuring continued complete access to Huawei products, codes and engineers, without which HCSEC could not do its job. In particular, were HCSEC staff not to be Huawei employees, access arrangements would be complicated by Huawei's non-disclosure agreements with its hundreds of third party suppliers. Also, there would be a possibility of commercial risk or even liabilities for the taxpayer were GCHQ, in effect, to impose themselves between Huawei and the UK telecommunications market.
8. The review's first conclusion, however, was that GCHQ's involvement in the future appointment of senior staff to HCSEC should be strengthened. At

present, GCHQ have a power of veto over appointments through the security vetting process. The review recommends that, in future, GCHQ should lead and direct senior HCSEC appointments (in consultation with Huawei), in particular through chairing the selection panel.

9. The review also concluded that oversight arrangements and current informal agreements between HCSEC and Huawei should be formalised, to ensure the permanent embedding of the open and cooperative relationship existing between HCSEC and Huawei, and to strengthen still further HCSEC's operational independence. The particular recommendations include:

- The creation of an Oversight Board. This should be chaired by a senior member of GCHQ with Huawei as Deputy Chair. Membership should be small and include representatives of Whitehall departments, including a senior member of the National Security Secretariat in the Cabinet Office, and CSPs. The Board should not get involved in the day-to-day operations of HCSEC. Instead, its purpose should be periodically to assess HCSEC's performance and verify its continuing independence from Huawei headquarters. The Board might appropriately meet quarterly.
- An annual objective-setting exercise for HCSEC, led by GCHQ in consultation with Huawei, and overseen by the Board.
- An annual review of HCSEC's performance, again overseen by the Board, and delivered to the National Security Adviser, to share with the National Security Council. This annual review should include a technical assessment of delivery, led by GCHQ, and an annual management audit of continuing independence from Huawei headquarters by appropriately vetted auditors. Summaries of both reviews will be passed to the ISC.

- The formalisation of currently informal arrangements governing the timely provision by Huawei of equipment and code to HCSEC, and the cooperation of Huawei engineers. And,
- The creation of a longer-term strategy for HCSEC covering both predicted future workloads and human resource planning.

10. The Terms of Reference of the review were confined to the role, resourcing, management, independence, and overall contribution of HCSEC.

Nevertheless, it became clear in the course of the work programme that there were some broader and longer term issues and concerns. Two in particular were worth highlighting. The first was an apparent shortage of individuals in the UK employment market with the necessary technical expertise and skills to fill all the available posts in HCSEC, GCHQ and the relevant parts of Whitehall. The review noted that there were already good education initiatives in place through the National Cyber Security Programme, but recommended further and broader efforts to deepen the pool of individuals with the requisite cyber security skills.

11. The second concerned the fast moving nature of the telecommunications industry. HCSEC is a model for Government collaboration with the private sector. But the industry is evolving rapidly and becoming more diverse and complex. The review therefore recommends that officials assess the security implications arising from the changing industry landscape and propose options for Ministerial consideration.

Kim Darroch

Franz Holzer - CTR

From: Richard Ashooh
Sent: Wednesday, May 23, 2018 3:04 PM
To: Petrina Chase
Subject: Fwd: Senate briefing tomorrow (Thursday 5/24)

Meeting tomorrow at 11

This Message was sent from my Mobile Device.

From: "Platt, Mike (Federal)" <MPlatt@doc.gov>
Subject: Fwd: Senate briefing tomorrow (Thursday 5/24)
Date: 23 May 2018 13:52
To: "WTeramoto@doc.gov" <WTeramoto@doc.gov>, "MBedan@doc.gov" <MBedan@doc.gov>, "Richard Ashooh" <Richard.Ashooh@bis.doc.gov>, "Kimberly Ekmark" <Kimberly.Ekmark@bis.doc.gov>, "PDavidson@doc.gov" <PDavidson@doc.gov>, "EComstock@doc.gov" <EComstock@doc.gov>, "KKelley@doc.gov" <KKelley@doc.gov>
Location for 11 AM tomorrow. The previous scheduled oval mtg has been cancelled

Begin forwarded message:

From: "Curry, Cat E. EOP/WHO" <(b) (6) @who.eop.gov>
Date: May 23, 2018 at 1:45:35 PM EDT
To: "mplatt@doc.gov" <mplatt@doc.gov>, "Branson, Ross (Federal)" <RBranson@doc.gov>
Subject: RE: Senate briefing tomorrow (Thursday 5/24)

Location would be (b) (6). Need to start confirming senators soon, so let me know if we can make it work. thanks!

From: Curry, Cat E. EOP/WHO
Sent: Wednesday, May 23, 2018 1:19 PM
To: "mplatt@doc.gov" <mplatt@doc.gov>; Branson, Ross (Federal) <RBranson@doc.gov>
Subject: Senate briefing tomorrow (Thursday 5/24)

Team –

(b) (5)

(b) (5)

that time.

Thank you!

Cat

(b) (6)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, May 15, 2018 7:51 AM
To: Wilbur Ross
Cc: WTeramoto@doc.gov; EComstock@doc.gov
Subject: Fwd: Term sheet

Mr. Secretary - Earl asked that I forward my exchange with Mira clarifying the status of the ZTE term sheet. Please see below.

I've also sent a note to your senior staff recommending we review and solidify the Commerce position on the terms, given that your views will be given significant weight in the deputies meeting tomorrow.

Rich

Begin Forwarded Message:

From: "Ricardel, Mira R. EOP/WHO" <(b) (6)@who.eop.gov>
Subject: RE: Term sheet
Date: 14 May 2018 15:54
To: "Richard Ashooh" <Richard.Ashooh@bis.doc.gov>

Hi Rich,

(b) (5)

Best,
Mira

-----Original Message-----

From: Richard Ashooh <Richard.Ashooh@bis.doc.gov>
Sent: Monday, May 14, 2018 2:29 PM
To: Ricardel, Mira R. EOP/WHO <(b) (6)@who.eop.gov>
Subject: Term sheet

(b) (5)

(b) (5)

Thanks!

Rich

Franz Holzer - CTR

From: Richard Ashooh
Sent: Saturday, May 19, 2018 5:10 AM
To: (b) (6) @who.eop.gov
Subject: Fwd: The Obscure Agency That Brought Down ZTE Is in Middle of Trade Fight

Begin Forwarded Message:

From: "Kimberly Ekmark" <Kimberly.Ekmark@bis.doc.gov>
Subject: FW: The Obscure Agency That Brought Down ZTE Is in Middle of Trade Fight
Date: 18 May 2018 16:44
To: "Richard Ashooh" <Richard.Ashooh@bis.doc.gov>

FYSA

From: (b) (7)(C)
Sent: Friday, May 18, 2018 4:41 PM
To: Eugene Cottilli <Eugene.Cottilli@bis.doc.gov>; Kimberly Ekmark <Kimberly.Ekmark@bis.doc.gov>
Subject: The Obscure Agency That Brought Down ZTE Is in Middle of Trade Fight

The Obscure Agency That Brought Down ZTE Is in Middle of Trade Fight

<https://www.theinformation.com/articles/the-obscure-agency-that-brought-down-zte-is-in-middle-of-trade-fight>

By **Matt Drange**
May 17, 2018 11:52 AM PDT

Chinese officials are visiting Washington, D.C., this week, in a bid to rescue telecom giant ZTE after President Trump suggested he might walk back sweeping trade penalties against the company. The saga has put the spotlight on a little-known division of the Commerce Department that is expected to gain new authority to regulate technology exports.

The Trump administration has charged the Bureau of Industry and Security with determining which new technology should face export restrictions, in what would be the biggest expansion of the agency's purview since the Cold War. The agency's broadening role has alarmed some people in the tech industry, who have had few dealings with the obscure agency.

Underlying these concerns is a back-and-forth political theater over the fate of ZTE, which dominated conversations at the agency's annual conference this week in Washington, D.C., that normally is dedicated to bureaucratic discussions about export controls and security minutiae.

Industry executives are only beginning to assess how they could be affected by new export limits. Historically, the roughly 450-person BIS, with an annual budget of a little more than \$100 million, has operated in relative

obscurity, overseeing the export of sensitive technologies that have both commercial and military applications—so-called “dual-use” items. The agency, which has offices in Silicon Valley, also enforces sanctions that prohibit exports to countries the U.S. deems as threats, including Syria, Iran and North Korea.

Tech companies have been on edge since the Trump administration in December unveiled his [“America First” security plan](#) that calls for protecting emerging U.S. technology from being copied by overseas competitors. The responsibility for carrying out those goals falls largely to BIS.

Compounding the uncertainty surrounding technology security policy is a leadership void at BIS, current and former agency employees say. Top BIS official Mira Ricardel was recently appointed deputy to national security adviser John Bolton, and a permanent successor hasn’t been named. Also vacant is the position of assistant secretary for export enforcement, a key role overseeing cases like ZTE.

Murky Policies

Since the administration’s technology strategy was unveiled in December, the tech industry has received little guidance on what the changes mean for them. Companies involved in areas including AI and autonomous vehicles have asked lawyers whether they will need to apply for licenses to export certain products, attorneys say.

Many companies were hopeful that this week’s BIS conference, which gives industry representatives access to agency officials, would provide clarity. Instead, attendees said, much of the discussion at the event centered around the fallout of the agency’s recent punishment of ZTE. The telecom company last month was banned from buying components from U.S. suppliers after it was found to have violated the terms of a 2017 settlement stemming from a series of illegal exports to Iran and North Korea.

The ban, coupled with as much as \$1.2 billion in fines, decimated ZTE’s business overnight. Analysts estimate that U.S. companies provide as much as one-third of the components used in ZTE’s smartphones and other products. Without access to its U.S. business partners, ZTE last week said it was forced to halt major business operations.

On Sunday, Mr. Trump opened the door for a potential reversal, saying on Twitter that he was working with Chinese President Xi Jinping to get ZTE “get back into business, fast.” Hours later, Commerce Secretary Wilbur Ross said his office was exploring “alternative remedies” in advance of close-door meetings this week with a delegation of Chinese officials.

“It’s been tremendously disruptive,” said Dan Fisher-Owens, an attorney at the law firm Berliner Corcoran & Rowe LLP who represents tech companies with export issues. In the weeks since the Commerce Department announced its ban of ZTE, Mr. Fisher-Owens said many tech companies have asked the agency for advice on how new rules could affect their business, but that key questions about the scope of the changes remain unanswered. “Everyone’s been on hold.”

Marked Shift

“When you introduce delays and uncertainty, companies might go in another direction.”

As with most talk of new tech regulation, concerns over slowing innovation and creating a potential chilling effect on development are close behind, Mr. Fisher-Owens said. “When you introduce delays and uncertainty, companies might go in another direction,” he said, adding that one unintended consequences could be to encourage U.S.-based companies to outsource production to foreign vendors.

“The risk is over-controlling technology. If there is technology where there’s already a broadly international user base, you are just shielding foreign competitors by regulating exports.”

The current shift is a stark contrast to the general approach to export controls under the administration of President Barack Obama, which erred on the side of stricter regulation of fewer commercial goods. The change could be the biggest for the Bureau of Industry and Security since it first focused on weapons proliferation after the fall of the Berlin Wall, said Roszel Thomsen, an attorney who represents major tech firms on export compliance.

“I think what you’re seeing now is another [regulatory] shift to emerging tech...in a way that will have a broader impact on the tech community than it has in recent years. And maybe even broader than it did in the Cold War,” Mr. Thomsen said. “But that remains to be seen. We don’t know yet what an ‘emerging critical technology’ is, because it’s not defined.”

How, exactly, the BIS is defining this broad swath of technology, it isn’t saying. Less than an hour after The Information had arranged an interview with deputy assistant secretary Matt Borman, a spokesman for the agency canceled the interview without explanation.

In a statement, BIS spokesman Eugene Cottilli said: “The intense pace of technology and the diffusion of technological know-how across the globe raises important questions for us as we carry out our mission to support a robust U.S. economy while safeguarding our national security interests, including the health, vitality, and sustainability of our defense industrial base.”

The fallout from the ZTE case comes at the same time as increased scrutiny and debate over the role of another Washington government entity focused on trade and technology, the Committee on Foreign Investment, or CFIUS. The missions of the two agencies are slightly different. BIS enforces export regulations, while CFIUS primarily oversees mergers and acquisitions of U.S. companies by foreign businesses, such as Singapore-based Broadcom’s recent bid for Qualcomm that was blocked by the Trump administration.

Last week, Republican Sen. Marco Rubio introduced a bill dubbed the Fair Trade With China Enforcement Act, which would prevent U.S. government contractors from doing business with ZTE and other major Chinese tech firms, such as Huawei, which is currently the subject of a U.S. Department of Justice [criminal investigation](#).

On Tuesday, 33 Senate Democrats [signed a letter](#) blasting Mr. Trump’s handling of the current ZTE settlement talks. “America’s national security must not be used as a bargaining chip in trade negotiations,” the senators wrote. “Bargaining away law enforcement power over bad actors such as ZTE undermines the historically sharp distinction between sanctions and export control enforcement and routine trade decisions made by the U.S.”

While Mr. Trump’s role in the ZTE case is unusual, it’s not unprecedented, said Robert Shaw, program director of the export control program at the Middlebury Institute of International Studies. In 1987, President Ronald Reagan met with Japanese Prime Minister Yasuhiro Nakasone to resolve a case involving submarine parts made by Toshiba Machines that had been illegally exported to the Soviet Union. The deal drew the ire of lawmakers, who, fearing that American military technology would be used against it, drafted legislation to prevent Toshiba from doing business in the U.S. Ultimately, a narrower version of the bill was passed that allowed Toshiba to continue doing business in the U.S. if it agreed to overhaul its export controls.

“You had a sitting U.S. president intervene and work with Congress to reduce the penalty,” said Mr. Shaw, who worked for Toshiba doing export compliance work after the Soviet Union case. He said the case is the closest historical comparison to today’s situation with ZTE. Nevertheless, Mr. Shaw said Mr. Trump’s public comments on the ZTE dispute were remarkable.

“What makes this unpredictable is that this is being discussed at the presidential level,” Mr. Shaw said, adding “Who knows what direction that can take.”

Got a story tip? Email Matt, at mdrange@theinformation.com. You can also reach him via Signal/WhatsApp for encrypted chat.

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, May 15, 2018 6:43 PM
To: (b) (6)
Subject: one pager for 10 am meeting tomorrow
Attachments: 2018 ZTE Revised Settlement One Pager WR.docx

(b) (5)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Sunday, May 13, 2018 6:41 PM
To: (b) (6) @who.eop.gov'
Subject: per our chat
Attachments: ZTE Term Sheet for Revised Settlement (2).docx; INFORMATIONAL
MEMORANDUM_final.docx

Term sheet and industry impact paper. Had a good chat with Peter.

R.

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, May 22, 2018 8:31 AM
To: (b) (6)
Subject: RE: [EXTERNAL] Fwd: ZTE WILL BE REQUIRED TO MAKE SIGNIFICANT CHANGES TO ITS MANAGEMENT, BOARD AS A CONDITION TO U.S. GOVT DECISION - WSJ, CITING SOURCES - RTRS | News Wires

Yes, that's the case. The Chinese really are pushing this press line

-----Original Message-----

From: (b) (6)
Sent: Tuesday, May 22, 2018 8:29 AM
To: Richard Ashooh
Subject: FW: [EXTERNAL] Fwd: ZTE WILL BE REQUIRED TO MAKE SIGNIFICANT CHANGES TO ITS MANAGEMENT, BOARD AS A CONDITION TO U.S. GOVT DECISION - WSJ, CITING SOURCES - RTRS | News Wires

I got an inquiry from our press folks and told them not to comment since discussions are still ongoing. Please let me know if that's not the case.

From: Walters, Lindsay E. EOP/WHO
Sent: Tuesday, May 22, 2018 8:00 AM
To: (b) (6)
Cc: Ditto, Jessica E. EOP/WHO <(b) (6)@who.eop.gov>
Subject: Fwd: [EXTERNAL] Fwd: ZTE WILL BE REQUIRED TO MAKE SIGNIFICANT CHANGES TO ITS MANAGEMENT, BOARD AS A CONDITION TO U.S. GOVT DECISION - WSJ, CITING SOURCES - RTRS | News Wires

Hi Clete, has there been any movement on ZTE?

Sent from my iPhone

Begin forwarded message:

From: <(b) (6)@thomsonreuters.com>
Date: May 21, 2018 at 11:43:58 PM EDT
To: <(b) (6)@who.eop.gov>
Subject: [EXTERNAL] Fwd: ZTE WILL BE REQUIRED TO MAKE SIGNIFICANT CHANGES TO ITS MANAGEMENT, BOARD AS A CONDITION TO U.S. GOVT DECISION - WSJ, CITING SOURCES - RTRS | News Wires

In case you able to confirm

----- Forwarded message -----

From: "Kim, Miyoung (Reuters)" <(b) (6)@thomsonreuters.com>

Date: Mon, May 21, 2018 at 11:41 PM -0400

Subject: ZTE WILL BE REQUIRED TO MAKE SIGNIFICANT CHANGES TO ITS MANAGEMENT, BOARD AS A CONDITION TO U.S. GOVT DECISION - WSJ, CITING SOURCES - RTRS | News Wires

To: "US-Washington-Speed" <(b) (6)@thomsonreuters.com>, "US-Washington-FORPOL" <(b) (6)@thomson.com>, "Jourdan, Adam (Reuters)" <(b) (6)@thomsonreuters.com>, "Munroe, Tony W. (Reuters)" <(b) (6)@thomsonreuters.com>, "Martina, Michael (Reuters)" <(b) (6)@thomsonreuters.com>

Cc: "Henderson, Peter T. (Reuters)" <(b) (6)@thomsonreuters.com>, "Asia-Top-News" <(b) (6)@thomson.com>, "Amers-Top-News" <(b) (6)@thomsonreuters.com>

Hi,

Our China colleagues trying to confirm with sources and updating the story. Realize it's late in US but would be good if we can check with US govt sources as well.

THOMSON REUTERS

EIKON

TM

Alerts History

? 22-May-2018 11:24:57 AM - U.S. GOVERNMENT WILL LIFT SALES BAN ORDER AGAINST CHINA'S ZTE CORP - WSJ, CITING SOURCES

? 22-May-2018 11:26:20 AM - ZTE WILL BE REQUIRED TO MAKE SIGNIFICANT CHANGES TO ITS MANAGEMENT, BOARD AS A CONDITION TO U.S. GOVT DECISION - WSJ, CITING SOURCES

ZTE WILL BE REQUIRED TO MAKE SIGNIFICANT CHANGES TO ITS MANAGEMENT, BOARD AS A CONDITION TO U.S. GOVT DECISION - WSJ, CITING SOURCES - Reuters News

22-May-2018 11:26:20 AM

To view this story on Eikon, click here

<reuters://REALTIME/verb=NewsStory/ric=urn:newsml:reuters.com:20180522:nS6N1S201Y:2>

nS6N1S201Y

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Franz Holzer - CTR

From: Richard Ashooh
Sent: Wednesday, May 30, 2018 5:59 PM
To: (b) (6) 'Ditto, Jessica E. EOP/WHO'
Cc: 'Walters, Lindsay E. EOP/WHO'; JRockas@doc.gov; 'RGlover@doc.gov'
Subject: RE: [EXTERNAL] ZTE deal?

Still no deal, despite media reports. Having said that, progress is being made.

R.

-----Original Message-----

From: (b) (6)
Sent: Friday, May 25, 2018 12:43 PM
To: Ditto, Jessica E. EOP/WHO
Cc: Walters, Lindsay E. EOP/WHO; JRockas@doc.gov; RGlover@doc.gov; Richard Ashooh
Subject: Re: [EXTERNAL] ZTE deal?

Sounds like not yet actually signed but expectations are that it could be soon.

Adding Rich to add any detail.

Sent from my iPhone

On May 25, 2018, at 12:02 PM, Ditto, Jessica E. EOP/WHO <(b) (6)@who.eop.gov> wrote:

+ Rebecca. Need to know ASAP

Sent from my iPhone

On May 25, 2018, at 10:47 AM, Walters, Lindsay E. EOP/WHO (b) (6)@who.eop.gov wrote:

Hi, all - any updates on ZTE?

Sent from my iPhone

Begin forwarded message:

From: "Javers, Eamon (NBCUniversal)" (b) (6)@nbcuni.com>
Date: May 25, 2018 at 10:45:35 AM EDT

Franz Holzer - CTR

From: Richard Ashooh
Sent: Wednesday, June 13, 2018 8:16 AM
To: (b) (6)
Subject: RE: Assistance

(b) (5)

R.

-----Original Message-----

From: (b) (6)
Sent: Wednesday, June 13, 2018 6:35 AM
To: Richard Ashooh
Subject: Re: Assistance

(b) (5)

Is that your understanding?

VR

Matt

(b) (6)

(b) (6)

(b) (6)

On Jun 13, 2018, at 06:25, Richard Ashooh <Richard.Ashooh@bis.doc.gov> wrote:

Hi Matt....actually we're not doing much beyond responding to press and congressional inquiries. Let me know if you have further thoughts.

This Message was sent from my Mobile Device.

On: 12 June 2018 22:10, (b) (6) > wrote:

Richard,

Do you all need any help with messaging the ZTE deal?

VR

Matt

(b) (6)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Saturday, June 02, 2018 1:13 PM
To: (b) (6)
Subject: RE: Chinese Companies added to the Entities List

Will do

-----Original Message-----

From: (b) (6)]
Sent: Saturday, June 02, 2018 1:07 PM
To: Richard Ashooh
Subject: Re: Chinese Companies added to the Entities List

Let me know if you need any assistance.

(b) (5)

VR

Matt

(b) (6)

On Jun 2, 2018, at 12:59, Richard Ashooh <Richard.Ashooh@bis.doc.gov> wrote:

Yes. (b) (5). Secretary Ross will be back Monday.

R.

-----Original Message-----

From: (b) (6)]

Sent: Saturday, June 02, 2018 12:57 PM

To: Richard Ashooh

Subject: Chinese Companies added to the Entities List

Richard,

(b) (5)

VR

Matt

(b) (6)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Sunday, June 17, 2018 5:03 PM
To: (b) (6)
Subject: Re: Entities List

(b) (5)

R.

This Message was sent from my Mobile Device.

On: 18 June 2018 01:24,

(b) (6)

wrote:

Richard,

(b) (5)

VR
Matt

(b) (6)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, May 22, 2018 8:56 PM
To: Kimberly Ekmark; MPlatt@doc.gov
Subject: Re: Looking for your input - ZTE Points

Hi Mike - (b) (5)

Rich

This Message was sent from my Mobile Device.

On: 22 May 2018 20:51, "Kimberly Ekmark" <Kimberly.Ekmark@bis.doc.gov> wrote:

(b) (5)

Kimberly K. Ekmark
Department of Commerce | BIS

(b) (6)

-

This Message was sent from my Mobile Device.

On: 22 May 2018 20:42, "Platt, Mike (Federal)" <MPlatt@doc.gov> wrote:
Have anything?

Begin forwarded message:

From: (b) (6)
Date: May 22, 2018 at 6:45:09 PM EDT
To: "Platt, Mike (Federal)" <MPlatt@doc.gov>, "Lenihan, Brian (Federal)" <BLenihan@doc.gov>, "Johnson, Joanne E. (OLA)" (b) (6) <[@usdoj.gov](mailto:(b)(6)@usdoj.gov)>, "Lasseter, David F. (OLA)" (b) (6) <[@usdoj.gov](mailto:(b)(6)@usdoj.gov)>
Cc: "Boney, Virginia M. EOP/WHO" <(b) (6) <[@who.eop.gov](mailto:(b)(6)@who.eop.gov)>
Subject: RE: Looking for your input - ZTE Points

(b) (5)

Thank you,
Julie

From: (b) (6)
Sent: Tuesday, May 22, 2018 1:10 PM
To: 'Platt, Mike (Federal)' <MPlatt@doc.gov>; Lenihan, Brian (Federal) <BLenihan@doc.gov>; Johnson, Joanne E. (OLA) (b) (6) <[@usdoj.gov](mailto:(b)(6)@usdoj.gov)>; Lasseter, David F. (OLA) <(b) (6) <[@usdoj.gov](mailto:(b)(6)@usdoj.gov)>
Cc: Virginia M. EOP/WHO Boney (b) (6) <[@who.eop.gov](mailto:(b)(6)@who.eop.gov)> <(b) (6) <[@who.eop.gov](mailto:(b)(6)@who.eop.gov)>
Subject: Looking for your input - ZTE Points

Justice and Commerce Colleagues,

(b) (5)

Thank you,
Julie

(b) (6)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Wednesday, May 23, 2018 9:31 AM
To: PDavidson@doc.gov; WTeramoto@doc.gov; BLenihan@doc.gov
Cc: MPlatt@doc.gov; EComstock@doc.gov
Subject: RE: Looking for your input - ZTE Points

(b) (5)

R.

-----Original Message-----

From: Davidson, Peter (Federal) [mailto:PDavidson@doc.gov]
Sent: Wednesday, May 23, 2018 9:01 AM
To: Richard Ashooh; WTeramoto@doc.gov; BLenihan@doc.gov
Cc: MPlatt@doc.gov; EComstock@doc.gov
Subject: RE: Looking for your input - ZTE Points

(b) (5)

Having said all this, the faster we get to resolution, the better.

From: Richard Ashooh [mailto:Richard.Ashooh@bis.doc.gov]
Sent: Wednesday, May 23, 2018 7:59 AM
To: Teramoto, Wendy (Federal) <WTeramoto@doc.gov>; Lenihan, Brian (Federal) <BLenihan@doc.gov>
Cc: Platt, Mike (Federal) <MPlatt@doc.gov>; Davidson, Peter (Federal) <PDavidson@doc.gov>; Comstock, Earl (Federal) <EComstock@doc.gov>
Subject: Re: Looking for your input - ZTE Points

That's my view. (b) (5)

This Message was sent from my Mobile Device.

On: 23 May 2018 07:50, "Teramoto, Wendy (Federal)" <WTeramoto@doc.gov> wrote:

(b) (5)

From: Lenihan, Brian (Federal)

Sent: Tuesday, May 22, 2018 7:12 PM

To: (b) (6) >

Cc: Platt, Mike (Federal) <MPlatt@doc.gov>; Johnson, Joanne E. (OLA) (b) (6) @usdoj.gov>; Lasseter, David

F. (OLA) (b) (6) @usdoj.gov>; Boney, Virginia M. EOP/WHO (b) (6) @who.eop.gov>

Subject: Re: Looking for your input - ZTE Points

Julie- we will strive to get accurate talkers to you in the morning.

Brian J. Lenihan

Commerce O/S

(b) (6)

On May 22, 2018, at 6:45 PM, (b) (6) > wrote:

It appears as though a ZTE Amendment will be ruled in order for the House consideration of NDAA. If we can get the points tonight or early tomorrow morning, we would appreciate it.

Thank you,

Julie

From: (b) (6)

Sent: Tuesday, May 22, 2018 1:10 PM

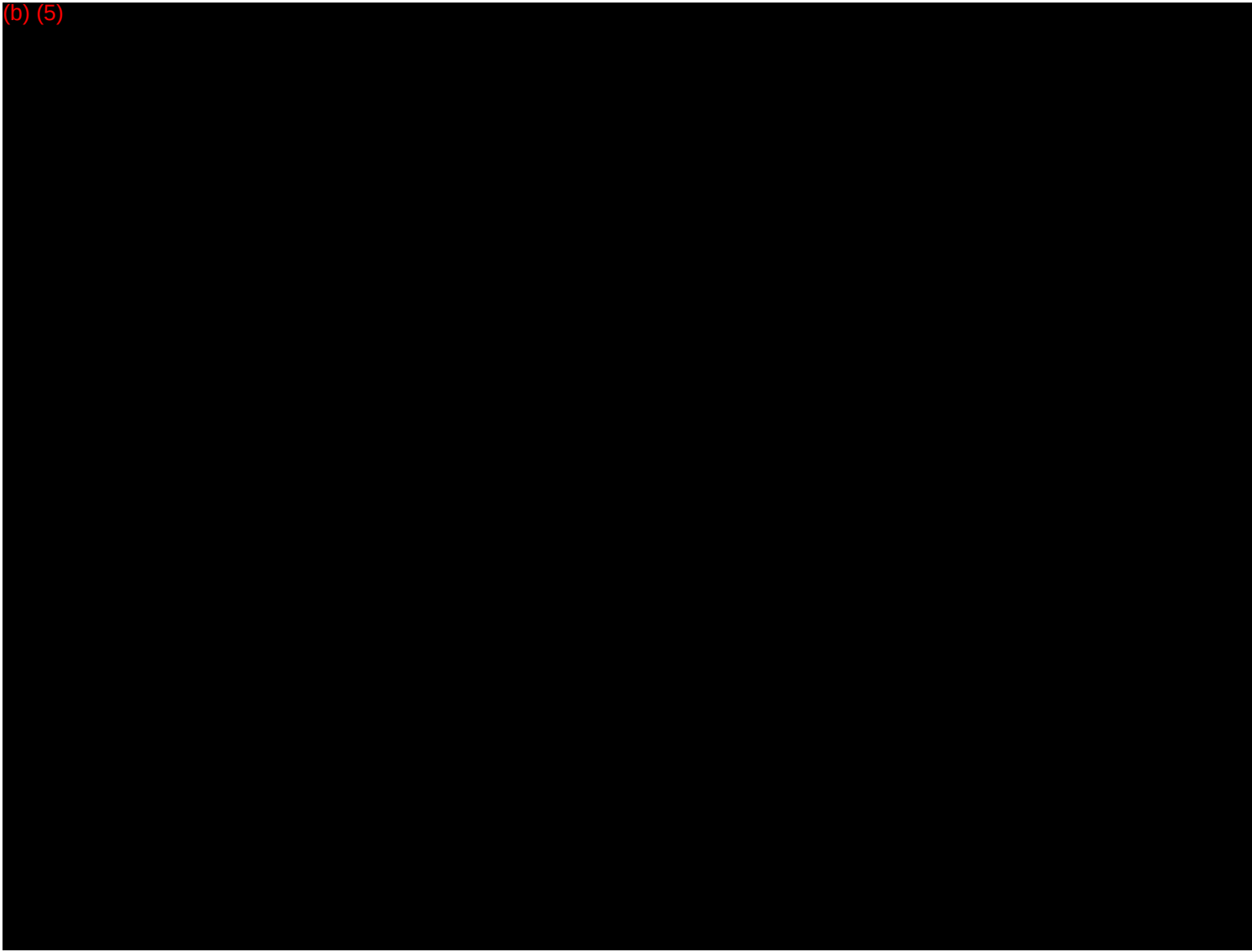
To: 'Platt, Mike (Federal)' <MPlatt@doc.gov>; Lenihan, Brian (Federal) <BLenihan@doc.gov>; Johnson, Joanne E. (OLA) (b) (6) @usdoj.gov>; Lasseter, David F. (OLA) (b) (6) @usdoj.gov>

Cc: Virginia M. EOP/WHO Boney (b) (6) @who.eop.gov) <(b) (6) @who.eop.gov>

Subject: Looking for your input - ZTE Points

Justice and Commerce Colleagues,

(b) (5)



Thank you,

Julie

(b) (6)



(b) (6)



Franz Holzer - CTR

From: Richard Ashooh
Sent: Sunday, May 13, 2018 6:54 PM
To: (b) (6) @who.eop.gov'
Subject: RE: per our chat
Attachments: ZTE denial order.pdf

Denial order attached.

-----Original Message-----

From: Richard Ashooh
Sent: Sunday, May 13, 2018 6:41 PM
To: (b) (6) @who.eop.gov'
Subject: per our chat

Term sheet and industry impact paper. Had a good chat with Peter.

R.

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:

Zhongxing Telecommunications Equipment
Corporation
ZTE Plaza, Keji Road South
Hi-Tech Industrial Park
Nanshan District, Shenzhen
China

ZTE Kangxun Telecommunications Ltd.
2/3 Floor, Suite A, Zte Communication Mansion
Keji (S) Road
Hi-New Shenzhen, 518057
China

Respondent

ORDER ACTIVATING SUSPENDED DENIAL ORDER RELATING TO
ZHONGXING TELECOMMUNICATIONS EQUIPMENT CORPORATION AND
ZTE KANGXUN TELECOMMUNICATIONS LTD.

Background

On March 23, 2017, I signed an Order approving the terms of the Settlement Agreement entered into in early March 2017, between the Bureau of Industry and Security, U.S. Department of Commerce (“BIS”) and Zhongxing Telecommunications Equipment Corporation, of Shenzhen, China (“ZTE Corporation”) and ZTE Kangxun Telecommunications Ltd. of Hi-New Shenzhen, China (“ZTE Kangxun”) (collectively, “ZTE”), hereinafter the “March 23, 2017 Order.” Under the terms of the settlement, ZTE agreed to a record-high combined civil and criminal penalty of \$1.19 billion, after engaging in a multi-year conspiracy to violate the U.S. trade embargo against Iran to obtain contracts to supply, build, operate, and maintain telecommunications networks in Iran using U.S.-origin equipment, and also illegally shipping telecommunications

equipment to North Korea in violation of the Export Administration Regulations (15 C.F.R. Parts 730-774 (2017)) (“EAR” or the “Regulations”). ZTE also admitted to engaging in an elaborate scheme to hide the unlicensed transactions from the U.S. Government, by deleting, destroying, removing, or sanitizing materials and information.

Under the terms of the Settlement Agreement and the March 23, 2017 Order, BIS imposed against ZTE a civil penalty totaling \$661,000,000, with \$300,000,000 of that amount suspended for a probationary period of seven years from the date of the Order.¹ This suspension was subject to several probationary conditions stated in the Settlement Agreement and March 23, 2017 Order, including that ZTE commit no other violation of the Export Administration Act of 1979, as amended (50 U.S.C. §§ 4601-4623 (Supp. III 2015)), the Regulations, or the March 23, 2017 Order. The March 23, 2017 Order also imposed, as agreed to by ZTE, a seven-year denial of ZTE’s export privileges under the EAR that was suspended subject to the same probationary conditions. The March 23, 2017 Order, like the Settlement Agreement, provided that should ZTE fail to comply with any of the probationary conditions, the \$300 million suspended portion of the civil penalty could immediately become due and owing in full, as well as that BIS could modify or revoke the suspension of the denial order and activate a denial order of up to seven years.

The Settlement Agreement and March 23, 2017 Order require that during the probationary period, ZTE is to, among other things, complete and submit six audit reports

¹ In addition to the BIS-ZTE settlement, ZTE Corporation entered into a plea agreement with the Justice Department’s National Security Division and the U.S. Attorney’s Office for the Northern District of Texas, and entered into a settlement agreement with the Treasury Department’s Office of Foreign Assets Control. The civil penalties (including the \$661 million civil penalty imposed by BIS) and the criminal fine and forfeiture totaled, when combined, approximately \$1.19 billion.

regarding ZTE's compliance with U.S. export control laws. The Settlement Agreement and March 23, 2017 Order also include a broad cooperation provision during the period of the suspended denial order. This cooperation provision specifically requires that ZTE make truthful disclosures of any requested factual information. The Settlement Agreement and March 23, 2017 Order thus, by their terms, essentially incorporate the prohibition set forth in Section 764.2(g) of the EAR against making any false or misleading representation or statement to BIS during, inter alia, the course of an investigation or other action subject to the EAR.

On February 2, 2018, acting pursuant to the Settlement Agreement and March 23, 2017 Order, BIS requested, among other things, that ZTE provide a status report on all individuals named or otherwise identified in two letters sent by ZTE, through its outside counsel, to the U.S. Government, dated November 30, 2016, and July 20, 2017, respectively. The status report was to include, among other things, current title, position, responsibilities, and pay and bonus information from March 7, 2017 to the present. The first of those two letters, dated November 30, 2016, was sent during BIS's investigation of the violations alleged in the Proposed Charging Letter and referenced in the Settlement Agreement and March 23, 2017 Order. In that letter, ZTE described "self-initiated" employee disciplinary actions it asserted that it had taken to date and additional actions that the company said it would take in the near future because they were "necessary to achieve the Company's goals of disciplining those involved and sending a strong message to ZTE employees about the Company's commitment to compliance." The letter focused on ZTE's asserted commitment to compliance, including from the highest levels of management.

The July 20, 2017 letter, sent on ZTE's behalf during the March 23, 2017 Order's seven-year probationary period, also asserted ZTE's commitment to compliance and

claimed that the disciplinary actions taken had sent a very strong message to ZTE employees. The letter was sent “to confirm that the measures detailed by ZTE with respect to discipline have been implemented” against nine named ZTE employees identified during the U.S. Government’s investigation. The employee disciplinary actions—actions that ZTE told the U.S. Government that it had already taken—were in ZTE’s words a showing of ZTE’s “overall approach to discipline and commitment to compliance,” which the company described as “significant and sufficient to prevent past misconduct from occurring again at ZTE.” Nearly all of the employees named in the July 20, 2017 letter had been specifically identified to ZTE by the U.S. Government as individuals that U.S. law enforcement agents wanted to interview during the investigation, either because they were signatories on an internal ZTE memorandum discussing how to evade U.S. export controls, were identified on that memorandum as a “project core member” of that evasion scheme, and/or had met with ZTE’s then-CEO to discuss means to continue evading U.S. law. Three were members of the “Contract Data Induction Team” involved in extensive efforts to destroy and conceal evidence described in more detail below and in the PCL.

In sum, through those two letters, ZTE informed the U.S. Government that the company had taken or would take action against 39 employees and officials that ZTE identified as having a role in the violations that led to the criminal plea agreement and the settlement agreements with BIS and the U.S. Department of the Treasury’s Office of Foreign Assets Control. In fact, and as ZTE now admits, the letters of reprimand described in the November 30, 2016 letter were never issued until approximately a month after BIS’s February 2, 2018 request for information, and all but one of the pertinent individuals identified in the November 30, 2016 or July 20, 2017 letters received his or

her 2016 bonus.² These false statements were not corrected by ZTE even in part until March 2018, more than 15 months from ZTE's November 30, 2016 letter, approximately a year from the Settlement Agreement (which ZTE executed on March 2, 2017) and the March 23, 2017 Order, and nearly eight months from the July 20, 2017 letter. During a conference call on March 6, 2018, ZTE indicated, via outside counsel, that it had made false statements in the November 30, 2016 and the July 20, 2017 letters. As discussed below, ZTE's first detailed notification occurred on March 16, 2018.

Proposed Activation of Suspended Sanctions and ZTE's Response

On March 13, 2018, pursuant to Section 766.17(c) of the Regulations, BIS notified ZTE of a proposed activation of the sanctions conditionally-suspended under the Settlement Agreement and the March 23, 2017 Order, based on ZTE's false statements in its letters dated November 30, 2016 and July 20, 2017, respectively. The notice letter to ZTE also gave the company an opportunity to respond, which it did on March 16, 2018.

I have reviewed in detail ZTE's response. In its letter, ZTE confirmed the false statements and, as discussed further *infra*, posed certain questions in rhetorical fashion. ZTE then proceeded to summarize its response upon "discovering" the failure to implement the stated employee disciplinary actions prior to March 2018, including its decision to notify BIS of the failures. The company also described the asserted remedial steps it had taken to date, including the issuance in March 2018, of the letters of

² Some of the disciplinary actions ZTE discussed in its November 30, 2016 letter relate to employees who resigned from ZTE well before the date of that letter, including some even as far back as 2012 and 2013. ZTE asserted that such employees left the company by "mutual understanding." Including these employees allowed ZTE to inflate the number of employees listed as subject to disciplinary action, and the material provided by ZTE to date does not establish that they were, in fact, subject to such action. The false statements discussed as violations in this order do not include, however, ZTE's statements relating to the circumstances under which these employees left the company. Nor do the false statements at issue relate to an employee referenced in the July 20, 2017 letter, concerning whom ZTE did not clearly state that disciplinary action had been taken. This order also does not relate to any issues relating to the termination of four officials addressed as part of the criminal plea agreement.

reprimand that were to have been sent in 2016-2017. ZTE additionally asserted that, for current employees whose 2016 bonus should have been reduced (by 30% to 50%), it would deduct the corresponding amount from their 2017 annual bonuses “to the extent permitted under Chinese law.” ZTE also said it will pursue recovery from (certain) former employees of bonus payments for 2016 that the company had informed the U.S. Government would be reduced, but, contrary to those statements, were paid in full. Finally, ZTE reiterated what it described as the company’s serious commitment to export control compliance and summarized its plan to continue its internal investigation of the matter.

ZTE’s Pattern of Deception, False Statements, and Repeated Violations of U.S. Law

In issuing the March 13, 2018 notice letter to ZTE, and in considering ZTE’s response, I have taken into account the course of ZTE’s dealings with the U.S. Government during BIS’s multi-year investigation, which demonstrate a pattern of deception, false statements, and repeated violations. I note the multiple false and misleading statements made to the U.S. Government during its investigation of ZTE’s violations of the Regulations, and the behavior and actions of ZTE since then. ZTE’s July 20, 2017 letter is brimming with false statements in violation of § 764.2(g) of the Regulations, and is the latest in a pattern of the company making untruthful statements to the U.S. Government and only admitting to its culpability when compelled by circumstances to do so. That pattern can be seen in the November 30, 2016 letter, which falsely documented steps the company said it was taking and had taken, as well as in the 96 admitted evasion violations described in the PCL, which detailed the company’s efforts to destroy evidence of its continued export control violations.

In agreeing to the Settlement Agreement and the imposition of the March 23, 2017 Order, ZTE admitted committing 380 violations of the Regulations as those

violations were alleged in BIS's PCL. The PCL detailed an extensive conspiracy, including as laid out in a 2011 company memorandum drafted by ZTE Corporation's Legal Department and ratified by its then-CEO, to evade U.S. export control laws and facilitate unlicensed exports to Iran. During the conspiracy, ZTE leadership and staff employed multiple strategies in an attempt to conceal or obscure the true nature and extent of the company's role in the transactions and thereby facilitate its evasion of U.S. export controls, of which ZTE had detailed knowledge. As a result of the conspiracy, ZTE was able to obtain hundreds of millions of dollars in contracts with and sales from Iranian entities to ship routers, microprocessors, and servers controlled under the Regulations for national security, encryption, regional security, and/or anti-terrorism reasons to Iran.

ZTE Cover-Up Activity

Of the 380 alleged and admitted violations, ZTE committed 96 evasion violations relating to its actions to obstruct and delay the U.S. Government's investigation.³ These violations included making knowingly false and misleading representations and statements to BIS special agents and other federal law enforcement agents and agency official during a series of meetings between August 26, 2014, and at least January 8, 2016, including that the company had previously stopped shipments to Iran as of March 2012, and that it was no longer violating U.S. export control laws. In doing so, ZTE acted through outside counsel, who were unaware that the representations and statements that ZTE had given to counsel for communication to the U.S. Government were false and

³ These 96 admitted violations are discussed in fuller detail in the Proposed Charging Letter attached to and incorporated by reference in the Settlement Agreement. In the Settlement Agreement, ZTE admitted each of the allegations and violations contained in the Proposed Charging Letter.

misleading. ZTE failed to correct those representations and statements, which were continuing in effect, until beginning to do so (via outside counsel) on April 6, 2016.

ZTE also engaged in an elaborate scheme to prevent disclosure to the U.S. Government, and, in fact, to affirmatively mislead the Government, by deleting and concealing documents and information from the outside counsel and forensic accounting firm that ZTE had retained with regard to the investigation. Between January and March 2016, ZTE went so far as to form and operate a “Contract Data Induction Team” made up of ZTE employees tasked with destroying, removing, and sanitizing all materials concerning transactions or other activities relating to ZTE’s Iran business that post-dated March 2012. ZTE required each of the team members to sign a non-disclosure agreement covering the ZTE transactions and activities the team was directed to hide from the U.S. Government, subject to a penalty of 1 million RMB (or approximately \$150,000) payable to ZTE if it determined that a disclosure occurred.

Determination to Activate the Suspended Denial Order

It was with this backdrop in mind, as more fully alleged in the PCL, that the Settlement Agreement and the March 23, 2017 Order mandate that ZTE truthfully disclose, upon request, all factual information (not subject to certain privileges, which are inapplicable here), and that led BIS to make its February 2, 2018 request for information relating to the employee disciplinary actions stated in the November 30, 2016 and July 20, 2017 letters.

BIS has determined that the company’s admission, in response to inquiries from BIS, that it made false statements to the U.S. Government during the probationary period under the Settlement Agreement and March 23, 2017 Order indicate that ZTE still cannot

be relied upon to make truthful statements, even in the course of dealings with U.S. law enforcement agencies, and even with the prospect of the imposition of a \$300 million penalty and/or a seven-year denial order. The provision of false statements to the U.S. Government, despite repeated protestations from the company that it has engaged in a sustained effort to turn the page on past misdeeds, is indicative of a company incapable of being, or unwilling to be, a reliable and trustworthy recipient of U.S.-origin goods, software, and technology. BIS is left to conclude that if the \$892 million monetary penalty paid pursuant to the March 23, 2017 Order, criminal plea agreement, and settlement agreement with the Department of the Treasury did not induce ZTE to ensure it was engaging with the U.S. Government truthfully, an additional monetary penalty of up to roughly a third that amount (\$300 million) is unlikely to lead to the company's reform.

The false statements ZTE made in the July 20, 2017 letter violate Section 764.2(g) of the Regulations and the terms of the Settlement Agreement and the March 23, 2017 Order, and thus violate the conditions of ZTE's probation under the Agreement and the Order. The false statements in the November 30, 2016 letter, made during the investigation, are pertinent and material in at least two ways.⁴ First, they are evidence that ZTE's false statements to the U.S. Government did not cease in April 2016, as are the additional false statements ZTE made in its July 20, 2017 letter. Second, under Section 764.2(g) of the Regulations, all representations, statements, and certifications to BIS or any other relevant agency made, *inter alia*, in the course of an investigation or

⁴ They are also possibly material in another way, as the pertinent 2016 bonus payments may not have been made until after the Settlement Agreement had been executed or after it had been approved via the March 23, 2017 Order. The November 30, 2016 letter indicated that 2016 bonus figures would be "announced in March 2017."

other action subject to the Regulations are deemed to be continuing in effect.

Notification must be provided to BIS and any other relevant agency, in writing, of any change of any material fact or stated intention previously represented, stated, or certified. Such written notification is to be provided “immediately upon receipt of any information that would lead a reasonably prudent person to know that a change of material fact or intention has occurred or may occur in the future.” 15 C.F.R. § 764.2(g)(2) (2014-2017).⁵ Thus, with regard to the probationary conditions at issue here, ZTE failed to comply even partially with this continuing duty to correct by written notification, from the date of the March 23, 2017 Order until March 8, 2018.⁶

I note that in its response to BIS’s notice of proposed activation of suspended sanctions and in making its case for leniency, ZTE acknowledged that it had submitted false statements, but argued that it would have been irrational for ZTE to knowingly or intentionally mislead the U.S. Government in light of the seriousness of the suspended sanctions. The heart of its argument is the question, posed by the company in rhetorical fashion, asking “why would ZTEC risk paying another \$300 million suspended fine and placement on the denied parties list, which would effectively destroy the Company, to avoid sending out employee letters of reprimand and deducting portions of employee bonuses?” ZTE argued that BIS should not act until the company completed an internal investigation so that ZTE could answer such questions.

⁵ Under the Regulations, “[k]nowledge of a circumstance (the term may be a variant, such as ‘know,’ ‘reason to know,’ or ‘reason to believe’) includes not only positive knowledge that the circumstance exists or is substantially certain to occur, but also an awareness of a high probability of its existence or future occurrence. Such awareness is inferred from evidence of the conscious disregard of facts known to a person and is also inferred from a person’s willful avoidance of facts.” See 15 C.F.R. § 772.1 (parenthetical in original).

⁶ As discussed *supra* and in the March 13, 2018 notice letter, ZTE did provide some notice by telephone on March 6, 2018.

ZTE has posed such questions not because additional investigation could render its false statements true, but in the hope of postponing action by the U.S. Government and ultimately avoiding or minimizing the consequences of its additional violations.

Similarly, additional time to continue its investigation is unnecessary and irrelevant to the issue of whether the company violated the provision against giving false statements to BIS under Section 764.2(g) of the Regulations, and in violation of the Settlement Agreement and March 23, 2017 Order. The reasons that ZTE violated the EAR are red herrings to BIS's concern that the company has repeatedly made false statements to the U.S. Government—as the company has now repeatedly admitted. As recently as March 21, 2018, in a certification to the U.S. Government signed by ZTE Corporation's Senior Vice President, Chief Legal Officer and Acting Chief Compliance Officer, ZTE admitted that it “had not executed in full certain employee disciplinary measures that it had previously described in a letter to the U.S. government dated November 30, 2016, and there are inaccuracies in certain statements in the letter dated July 20, 2017.” Giving ZTE additional time to complete its internal investigation will not erase the company's most recent—in a series—of false statements to the U.S. Government.

Furthermore, ZTE's suggestion that it could or would not have made such a poor or irrational cost-benefit calculation, or otherwise assumed the risks involved, simply ignores the fact that throughout the U.S. Government's investigation ZTE has acted in ways that BIS would consider illogical and unwise. ZTE committed repeated violations of the Regulations and U.S. export control laws *while knowing and accepting* the most significant of liability risks, both before and after it knew it was under investigation. ZTE then raised the risks and stakes even further *while under investigation* by repeatedly lying to BIS and other U.S. law enforcement agencies and engaging in a cover-up scheme to destroy, remove, or sanitize evidence. The bottom line is that the proffered

irrationality of the unlawful conduct does not excuse or minimize it; nor does the conduct stand alone, being part of an unacceptable pattern of false and misleading statements and related actions, as discussed above. Moreover, until BIS asked for all of the underlying documentation of the steps that ZTE said it had already taken, some of the most culpable employees faced no consequences—ZTE paid their bonuses and paid them in full and the employees went without reprimand. This is the message ZTE sent from the top.

Based on the totality of circumstances here, I have determined within my discretion that it is appropriate to activate the suspended denial order in full and to suspend the export privileges of ZTE for a period of seven years, until March 13, 2025.⁷

IT IS THEREFORE ORDERED:

FIRST, from the date of this Order until March 13, 2025, ZTE Corporation, with a last known address of ZTE Plaza, Keji Road South, Hi-Tech Industrial Park, Nanshan District, Shenzhen, China, and ZTE Kangxun, with a last known address of 2/3 Floor, Suite A, Zte Communication Mansion, Keji (S) Road, Hi-New Shenzhen, 518057 China, and when acting for or on their behalf, their successors, assigns, directors, officers, employees, representatives, or agents (hereinafter each a "Denied Person"), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

- A. Applying for, obtaining, or using any license, license exception, or export control document;

⁷ This date is seven years from the date of BIS's March 13, 2018 Notice of Proposed Activation of Suspended Sanctions and Opportunity to Respond in this matter.

- B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or
- C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

SECOND, no person may, directly or indirectly, do any of the following:

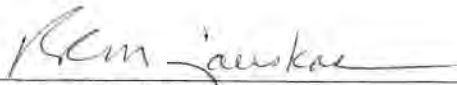
- A. Export or reexport to or on behalf of a Denied Person any item subject to the Regulations;
- B. Take any action that facilitates the acquisition or attempted acquisition by a Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a Denied Person acquires or attempts to acquire such ownership, possession or control;
- C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from a Denied Person of any item subject to the Regulations that has been exported from the United States;

- D. Obtain from a Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or
- E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by a Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by a Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

THIRD, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to a Denied Person by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of this Order.

FOURTH, that this Order shall be served on ZTE, and shall be published in the *Federal Register*.

This Order is effective immediately.


Richard R. Majauskas
Acting Assistant Secretary of Commerce
for Export Enforcement

Issued this 15th day of April 2018.

Franz Holzer - CTR

From: MASTERSON, JOHN T (Federal) <JMASTERSON@doc.gov>
Sent: Monday, April 02, 2018 1:12 PM
To: Michael Vaccaro; KLASON, PETER
Cc: Matthew Borman; Richard Ashooh
Subject: RE: POTUS Report to Congress on Section 232 action
Attachments: Re 232 reports; RE 232 reports

Mike:

Thanks. I sent a response similar to Peter's. See Earl's e-mail (attached). Adrienne, Joe and I are very busy on ZTE.

Best,

John

From: Michael Vaccaro [mailto:Michael.Vaccaro@bis.doc.gov]
Sent: Monday, April 02, 2018 1:04 PM
To: MASTERSON, JOHN T (Federal) <JMASTERSON@doc.gov>; KLASON, PETER (Federal) <PKLASON@doc.gov>
Cc: Borman, Matthew <Matthew.Borman@bis.doc.gov>; Ashooh, Richard <Richard.Ashooh@bis.doc.gov>
Subject: FW: POTUS Report to Congress on Section 232 action

John/Peter - Should have a draft package to OCC within 20 minutes on this.

From: Michael Vaccaro
Sent: Tuesday, March 27, 2018 12:38 PM
To: Brad Botwin <Brad.Botwin@bis.doc.gov>; Karen Swasey <Karen.Swasey@bis.doc.gov>; Matthew Borman <Matthew.Borman@bis.doc.gov>
Subject: FW: POTUS Report to Congress on Section 232 action

Peter K advises that a cover letter to Hill from POTUS with copies of the Proclamations, the two reports, and our exclusion interim rule would suffice. 30 days runs out on 4/7.

From: KLASON, PETER (Federal) [<mailto:PKLASON@doc.gov>]
Sent: Tuesday, March 27, 2018 12:36 PM
To: Michael Vaccaro <Michael.Vaccaro@bis.doc.gov>
Subject: RE: POTUS Report to Congress on Section 232 action

I would think it would suffice. 232 is not that specific on what needs to be included.

The 30 days runs on April 7 since the initial proclamations were signed on March 8.

Peter

Peter Klason
Senior Counsel
Office of Chief Counsel

for Industry and Security
U.S. Department of Commerce
Phone: (202) 482-5301
Fax: (202) 482-0085
E-mail: pklason@doc.gov

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From: Michael Vaccaro [<mailto:Michael.Vaccaro@bis.doc.gov>]

Sent: Tuesday, March 27, 2018 9:18 AM

To: KLASON, PETER (Federal) <PKLASON@doc.gov>

Subject: POTUS Report to Congress on Section 232 action

Discussed briefly with MSB this am.

Do you think a cover letter to Hill from POTUS with copies of the Proclamations, the two reports, and our exclusion interim rule will suffice?

When is the 30 day deadline?

Franz Holzer - CTR

From: MASTERSON, JOHN T (Federal) <JMASTERSON@doc.gov>
Sent: Monday, April 02, 2018 12:32 PM
To: EComstock@doc.gov; PDavidson@doc.gov; Richard Ashooh; Matthew Borman
Cc: KLASON, PETER
Subject: RE: 232 reports

(b) (5)

From: Comstock, Earl (Federal)
Sent: Monday, April 02, 2018 12:29 PM
To: MASTERSON, JOHN T (Federal) <JMASTERSON@doc.gov>; Davidson, Peter (Federal) <PDavidson@doc.gov>; Ashooh, Richard <Richard.Ashooh@bis.doc.gov>; Borman, Matthew <Matthew.Borman@bis.doc.gov>
Cc: KLASON, PETER (Federal) <PKLASON@doc.gov>
Subject: Re: 232 reports

Thanks John (b) (5)

Earl

On: 02 April 2018 11:24,
"MASTERSON, JOHN T (Federal)" <JMASTERSON@doc.gov> wrote:

Peter:

Peter Klason is out sick today. As I recall, (b) (5)

John

From: Davidson, Peter (Federal)
Sent: Monday, April 02, 2018 10:51 AM
To: Borman, Matthew <Matthew.Borman@bis.doc.gov>; MASTERSON, JOHN T (Federal) <JMASTERSON@doc.gov>
Cc: Comstock, Earl (Federal) <EComstock@doc.gov>
Subject: FW: 232 reports

?

From: Davis, May M. EOP/WHO [[mailto:\(b\) \(6\)@who.eop.gov](mailto:(b) (6)@who.eop.gov)]
Sent: Monday, April 02, 2018 10:48 AM

To: Davidson, Peter (Federal) <PDavidson@doc.gov>; Comstock, Earl (Federal) <EComstock@doc.gov>

Subject: FW: 232 reports

[What's the status here?](#)

From: Morrell, David M. EOP/WHO

Sent: Monday, April 2, 2018 10:47 AM

To: Staff Secretary <(b) (6) @who.eop.gov>

Cc: Donaldson, Annie M. EOP/WHO <(b) (6) @who.eop.gov>

Subject: 232 reports

Reminder that we need to submit a report to Congress explaining the President's actions under 232. The report is due by Saturday, April 7 (not the following business day).

Franz Holzer - CTR

From: Richard Ashooh
Sent: Friday, May 25, 2018 11:03 AM
To: (b) (6) EComstock@doc.gov
Subject: RE: Reporting on ZTE
Attachments: ZTE highlights memo re draft amended settlement agreement pdf.pdf

Yes. We delivered a signable MOU to them late last night that reflects the attached term sheet. Our lawyers are talking to theirs today.

R.

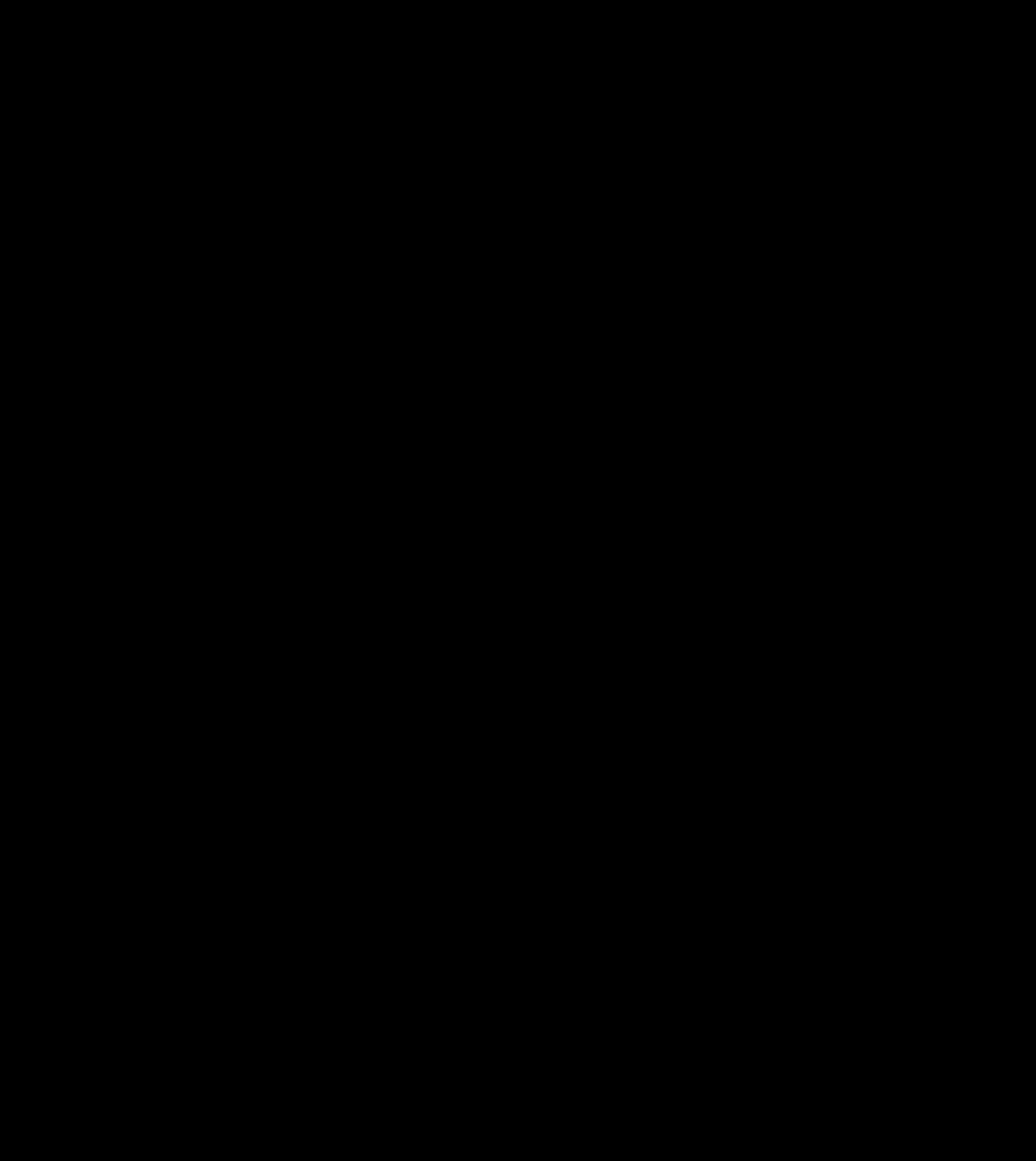
-----Original Message-----

From: (b) (6)]
Sent: Friday, May 25, 2018 10:55 AM
To: Richard Ashooh; EComstock@doc.gov
Subject: Reporting on ZTE

There are a bunch of stories out there. Anything to report?

Sent from my iPhone

(b) (3), (b) (5)



Franz Holzer - CTR

From: Richard Ashooh
Sent: Friday, May 25, 2018 12:02 PM
To: (b) (6)
Cc: EComstock@doc.gov
Subject: Re: Reporting on ZTE

Yes but not done yet. We are not commenting until the deal is signed

Driving today so call if you need more

(b) (6)

This Message was sent from my Mobile Device.

On: 25 May 2018 11:57, (b) (6) > wrote:
Are you guys going to have talking and press points?

Sent from my iPhone

> On May 25, 2018, at 11:04 AM, Richard Ashooh <Richard.Ashooh@bis.doc.gov> wrote:

>

> Yes. We delivered a signable MOU to them late last night that reflects the attached term sheet. Our lawyers are talking to theirs today.

>

> R.

>

>

>

> -----Original Message-----

> From: (b) (6)

> Sent: Friday, May 25, 2018 10:55 AM

> To: Richard Ashooh; EComstock@doc.gov

> Subject: Reporting on ZTE

>

> There are a bunch of stories out there. Anything to report?

>

> Sent from my iPhone

> <ZTE highlights memo re draft amended settlement agreement pdf.pdf>

Franz Holzer - CTR

From: Alexander Zemek
Sent: Thursday, July 19, 2018 9:02 AM
To: Semsar, Joseph (Federal)
Cc: Richard Ashooh
Subject: RE: Request for Bureau Updates for KDK's Deputies Cabinet Meeting and Travel with the VP

Joe - Below is BIS's input.

(b) (5)

Alex

-----Original Message-----

From: Semsar, Joseph (Federal) <JSemsar@doc.gov>
Sent: Thursday, July 19, 2018 8:21 AM
To: Alexander Zemek <Alexander.Zemek@bis.doc.gov>; John.Cooney@trade.gov; Jones, Christa D <Christa.D.Jones@census.gov>; Levenbach, Stuart (Federal) <Stuart.Levenbach@noaa.gov>; Wheeler, Kevin (Federal) <Kevin.Wheeler@noaa.gov>; Brendan.McCommas1@USPTO.GOV; Kimball, Kevin A <kevin.kimball@nist.gov>; Hitt, Lucas <Lucas.Hitt@bea.gov>; Wasilewski, Jim <jwasilewski@ntia.doc.gov>; Uthmeier, James (Federal) <James.Uthmeier@doc.gov>; (b) (6) @who.eop.gov
Cc: Howell, Joseph (Federal) <JHowell@doc.gov>
Subject: Re: Request for Bureau Updates for KDK's Deputies Cabinet Meeting and Travel with the VP

For situational awareness, KDK is traveling to Philadelphia with the VP for an official tax reform event. We don't have details yet as to where she'll be speaking or who the the audience will be, but hoping this might focus bureau responses. Many thanks for your help.

> On Jul 18, 2018, at 4:23 PM, Semsar, Joseph (Federal) <JSemsar@doc.gov> wrote:
>
> Hi all —
>
> KDK is requesting a small update from each bureau for her travel with the VP next Monday and for her Deputies Cabinet meeting next Thursday.
>

> Please send Joseph Howell (jhowell@doc.gov) a few sentences highlighting a recent success of your bureau by 10am tomorrow, Thursday 7/19.

>

> Thanks so much,

>

> Joe

>

>

>

>

Franz Holzer - CTR

From: Richard Ashooh
Sent: Wednesday, May 23, 2018 2:04 PM
To: MPlatt@doc.gov
Subject: RE: Senate briefing tomorrow (Thursday 5/24)

Just got looped in our selves. Came from WLR

-----Original Message-----

From: Platt, Mike (Federal) [mailto:MPlatt@doc.gov]
Sent: Wednesday, May 23, 2018 2:01 PM
To: Richard Ashooh
Subject: Re: Senate briefing tomorrow (Thursday 5/24)

Of course-- I recognize that you guys may have not done this and it could have come from another angle.....

> On May 23, 2018, at 1:42 PM, Platt, Mike (Federal) <MPlatt@doc.gov> wrote:

>

> Can you guys loop my office into these. We did know have awareness

>

>> On May 23, 2018, at 1:41 PM, Richard Ashooh <Richard.Ashooh@bis.doc.gov> wrote:

>>

>> Does this mean the Crapo meeting today is off?

>>

>> -----Original Message-----

>> From: Platt, Mike (Federal) [mailto:MPlatt@doc.gov]

>> Sent: Wednesday, May 23, 2018 1:28 PM

>> To: WTeramoto@doc.gov; Richard Ashooh; Kimberly Ekmark; MBedan@doc.gov; PDavidson@doc.gov;
EComstock@doc.gov

>> Subject: Fwd: Senate briefing tomorrow (Thursday 5/24)

>>

>> See below. Let's discuss

>>

>>

>> Begin forwarded message:

>>

>>

>>

>> From: "Curry, Cat E. EOP/WHO" <(b) (6)@who.eop.gov>

>> Date: May 23, 2018 at 1:18:44 PM EDT

>> To: "mplatt@doc.gov" <mplatt@doc.gov>, "Branson, Ross (Federal)" <RBranson@doc.gov>

>> Subject: Senate briefing tomorrow (Thursday 5/24)

>>

>>

>>

>> Team --

>>

>>

>>

(b) (5)

>>
>>
>> Thank you!
>>
>> Cat
>>
>> (b) (6)
>>

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, May 15, 2018 6:42 PM
To: 'Ricardel, Mira R. EOP/WHO'
Subject: RE: Term sheet
Attachments: 2018 ZTE Revised Settlement One Pager WR.docx

Since I'm not sure it will get to you by other means, term sheet as modified by WLR

R.

-----Original Message-----

From: Ricardel, Mira R. EOP/WHO [mailto:(b) (6)@who.eop.gov]
Sent: Monday, May 14, 2018 3:54 PM
To: Richard Ashooh
Subject: RE: Term sheet

Hi Rich,

We understand the term sheet is a draft -- and it was marked and discussed as such -- and that you are awaiting the Secretary's input. Also, Amb. Bolton has since spoken with Secretary Ross.

We appreciate your participation in the meeting and your understanding that we needed to get this matter discussed within the (b) (6) process to meet the President's timeline.

Best,
Mira

-----Original Message-----

From: Richard Ashooh <Richard.Ashooh@bis.doc.gov>
Sent: Monday, May 14, 2018 2:29 PM
To: Ricardel, Mira R. EOP/WHO <(b) (6)@who.eop.gov>
Subject: Term sheet

Mira - It was mentioned in the meeting - and Amb. Bolton did a nice job of reiterating - that the term sheet is still a draft within Commerce and not yet signed off by the Secretary. But if it gets circulated among the group, I think it's important to restate that. Happy to chat further -

Thanks!

Rich

-----Original Message-----

From: Richard Ashooh
Sent: Sunday, May 13, 2018 6:41 PM
To: (b) (6)@who.eop.gov
Subject: per our chat

Term sheet and industry impact paper. Had a good chat with Peter.

R.

(b) (5)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, May 15, 2018 11:03 PM
To: (b) (6)
Cc: Richard Majauskas
Subject: Re: URGENT: Updated paper on ZTE for tomorrow's DC attached

It's a replacement. The terms are slightly different (eg increased fines) and the format is a little simpler.

Rich

This Message was sent from my Mobile Device.

On: 15 May 2018 20:09, "(b) (6)" > wrote:
Richard,

I just want to confirm, does this one-pager replace the 3-pager ("revised settlement agreement") you passed out on Monday?

Or is this supposed to be a summary that goes on top of the "revised settlement agreement"?

What to make sure we're getting the packet right.

VR
Matt

(b) (6)

-----Original Message-----

From: (b) (6)
Sent: Tuesday, May 15, 2018 7:13 PM
To: (b) (6) >
Cc: (b) (6) >
Subject: URGENT: Updated paper on ZTE for tomorrow's DC attached
Importance: High

Asia and Intecon -

Can you confirm that the attached should be added as Tab F for tomorrow's DC? We were originally expecting to receive a replacement for Tab C, but this document appears quite different from the current Tab C. Please advise as soon as possible for its dispatch this evening.

Thanks,
Bryan

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Tuesday, May 15, 2018 7:00 PM

To: (b) (6) >

Subject: FW: Updated paper on ZTE for tomorrow's DC attached

Importance: High

-----Original Message-----

From: Ricardel, Mira R. EOP/WHO

Sent: Tuesday, May 15, 2018 6:59 PM

To: (b) (6) >; (b) (6) >

Subject: Updated paper on ZTE for tomorrow's DC attached

Importance: High

Franz Holzer - CTR

From: Richard Ashooh
Sent: Wednesday, May 16, 2018 8:02 AM
To: (b) (6)
Cc: Richard Majauskas
Subject: RE: URGENT: Updated paper on ZTE for tomorrow's DC attached

Pretty much. The Secretary was crazy about asking for something that he thought would be a hard "no". Having said that, we are hopeful the enhanced monitoring will allow us greater insights.

-----Original Message-----

From: (b) (6)
Sent: Tuesday, May 15, 2018 11:05 PM
To: Richard Ashooh
Cc: Richard Majauskas
Subject: RE: URGENT: Updated paper on ZTE for tomorrow's DC attached

Rich,

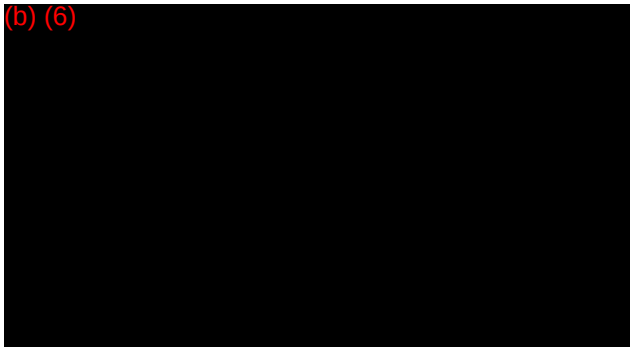
Thanks!

Did the information sharing requirement go away? (i.e. turning over documents that have been withheld in the past)

VR

Matt

(b) (6)



(b) (6)

From: Richard Ashooh <Richard.Ashooh@bis.doc.gov>
Sent: Tuesday, May 15, 2018 11:03 PM
To: (b) (6) >
Cc: Richard Majauskas <Richard.Majauskas@bis.doc.gov>
Subject: Re: URGENT: Updated paper on ZTE for tomorrow's DC attached

It's a replacement. The terms are slightly different (eg increased fines) and the format is a little simpler.

Rich

This Message was sent from my Mobile Device.

On: 15 May 2018 20:09, "(b) (6)" > wrote:

Richard,

I just want to confirm, does this one-pager replace the 3-pager ("revised settlement agreement") you passed out on Monday?

Or is this supposed to be a summary that goes on top of the "revised settlement agreement"?

What to make sure we're getting the packet right.

VR
Matt

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Tuesday, May 15, 2018 7:13 PM

To: (b) (6) >; (b) (6) >

Cc: (b) (6) >

Subject: URGENT: Updated paper on ZTE for tomorrow's DC attached
Importance: High

Asia and Intecon -

Can you confirm that the attached should be added as Tab F for tomorrow's DC? We were originally expecting to receive a replacement for Tab C, but this document appears quite different from the current Tab C. Please advise as soon as possible for its dispatch this evening.

Thanks,
Bryan

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Tuesday, May 15, 2018 7:00 PM

To: (b) (6) >

Subject: FW: Updated paper on ZTE for tomorrow's DC attached
Importance: High

-----Original Message-----

From: Ricardel, Mira R. EOP/WHO

Sent: Tuesday, May 15, 2018 6:59 PM

To: (b) (6)

Subject: Updated paper on ZTE for tomorrow's DC attached
Importance: High

Franz Holzer - CTR

From: (b) (6) >
Sent: Wednesday, June 06, 2018 12:00 PM
To: JRockas@doc.gov; (b) (6) @treasury.gov; Glover, Rebecca (Federal); EComstock@doc.gov; Richard Ashooh; (b) (6); Walters, Lindsay E. EOP/WHO; Ditto, Jessica E. EOP/WHO; (b) (6)
Subject: RE: US technology in North Korea

(b) (5)

[REDACTED]

From: Rockas, James (Federal) <JRockas@doc.gov>
Sent: Wednesday, June 6, 2018 11:35 AM
To: (b) (6) @treasury.gov; Glover, Rebecca (Federal) <RGlover@doc.gov>; Comstock, Earl (Federal) <EComstock@doc.gov>; Ashooh, Richard <Richard.Ashooh@bis.doc.gov>; (b) (6) Walters, Lindsay E. EOP/WHO <(b) (6) @who.eop.gov>; Ditto, Jessica E. EOP/WHO (b) (6) @who.eop.gov>
Subject: Re: US technology in North Korea

+Lindsay and Ditto.

James Rockas
Press Secretary & Deputy Director of Public Affairs
U.S. Department of Commerce
(b) (6) (c) | (202)482-4883 (o)
jrockas@doc.gov



From: "(b) (6) @treasury.gov" <(b) (6) @treasury.gov>
Date: Wednesday, June 6, 2018 at 11:28 AM
To: Rockas <JRockas@doc.gov>, "Glover, Rebecca (Federal)" <RGlover@doc.gov>, Earl Comstock <EComstock@doc.gov>, Richard Ashooh <Richard.Ashooh@bis.doc.gov>, "(b) (6)" <(b) (6)>
Subject: RE: US technology in North Korea

(b) (5)

[REDACTED]

Assistant Secretary for Public Affairs
United States Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Suite 3442
Washington, D.C. 20220
(202) 622-2910- office

From: Rockas, James (Federal) [mailto:JRockas@doc.gov]
Sent: Wednesday, June 06, 2018 9:59 AM
To: Glover, Rebecca (Federal) <RGlover@doc.gov>; Sayegh, Tony (b) (6) @treasury.gov; Comstock, Earl (Federal) <EComstock@doc.gov>; Ashooh, Richard <Richard.Ashooh@bis.doc.gov>; (b) (6)
Subject: Re: US technology in North Korea

They'd like a response by COB. I'll talk to BIS and work something up to circulate.

Sent from my iPhone

On Jun 6, 2018, at 9:52 AM, Rockas, James (Federal) <JRockas@doc.gov> wrote:

Looping in Treasury and (b) (6) Reaching out for a deadline and will report back.

Sent from my iPhone

On Jun 6, 2018, at 9:37 AM, DOC Public Affairs <(b) (6) @doc.gov> wrote:

The story they're referring to is here, including a ZTE angle:
><https://www.recordedfuture.com/north-korea-internet-operations/><

From: David Gilbert [mailto:(b) (6) @vice.com]
Sent: Wednesday, June 06, 2018 7:26 AM
To: DOC Public Affairs <(b) (6) @doc.gov>
Subject: US technology in North Korea

Good morning,

I'm looking into a report being published by Recorded Future on Wednesday, which claims that "U.S. technology has enabled North Korea's destabilizing, disruptive, and destructive cyber operations as well as its internet-enabled circumvention of international sanctions."

Is the Department of Commerce, and in particular the Office of Export Enforcement, currently taking any steps to ensure this technology does not reach North Korea and be used against the West?

Regards

David

--

DAVID GILBERT

Reporter, Vice News

(b) (6)

@(b) (6)

VICE MEDIA LLC

49 South 2nd Street

Brooklyn, NY 11249

Franz Holzer - CTR

From: Richard Ashooh
Sent: Sunday, May 27, 2018 12:08 PM
To: PDavidson@doc.gov
Cc: Daniel Hill; MASTERSON JR., JOHN; (b) (6); JEST, JOE; WTeramoto@doc.gov
Subject: Re: ZTE

Sounds reasonable

This Message was sent from my Mobile Device.

On: 27 May 2018 11:32, "Davidson, Peter (Federal)" <PDavidson@doc.gov> wrote:

(b) (5)

Begin forwarded message:

From: (b) (6) >
Date: May 27, 2018 at 10:18:33 AM EDT
To: "Davidson, Peter (Federal)" <PDavidson@doc.gov>
Subject: Re: ZTE

Hi Peter,

Thanks for the update. I've had no involvement in this other than the letter we discussed. In particular, I don't know what discussions Secretary Ross has had with the President since. I'd suggest he reach out to the President. Let me know if there's anything we can do to help.

Thanks,

John

Sent from my iPhone

On May 27, 2018, at 8:16 AM, Davidson, Peter (Federal)
<PDavidson@doc.gov> wrote:

(b) (5)

Thanks.

Franz Holzer - CTR

From: Richard Ashooh
Sent: Tuesday, May 22, 2018 8:45 AM
To: PDavidson@doc.gov
Subject: RE: ZTE

Ok - we'll tee this up with the other waiver requests in the event it becomes necessary to go down that path

-----Original Message-----

From: Davidson, Peter (Federal) [mailto:PDavidson@doc.gov]
Sent: Tuesday, May 22, 2018 8:32 AM
To: Richard Ashooh
Subject: Fwd: ZTE

I haven't looked at this yet...but just passing along for your review.

Begin forwarded message:

From: "Slater, Abigail A. EOP/WHO" <(b) (6)@who.eop.gov>
Date: May 22, 2018 at 8:21:25 AM EDT
To: "PDavidson@doc.gov" <PDavidson@doc.gov>
Subject: ZTE

(b) (4)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Sunday, May 27, 2018 2:12 PM
To: PDavidson@doc.gov
Subject: Re: ZTE

I asked Wendy if WLR is talking to POTUS. Haven't heard back yet

This Message was sent from my Mobile Device.

On: 27 May 2018 11:32, "Davidson, Peter (Federal)" <PDavidson@doc.gov> wrote:
So, the advice from WHC is that the Secretary should reach out to the President about what to do if the deadline of 4pm passes with no acceptance of the terms.

Begin forwarded message:

From: "(b) (6)" >
Date: May 27, 2018 at 10:18:33 AM EDT
To: "Davidson, Peter (Federal)" <PDavidson@doc.gov>
Subject: Re: ZTE

Hi Peter,

Thanks for the update. I've had no involvement in this other than the letter we discussed. In particular, I don't know what discussions Secretary Ross has had with the President since. I'd suggest he reach out to the President. Let me know if there's anything we can do to help.

Thanks,

John

Sent from my iPhone

On May 27, 2018, at 8:16 AM, Davidson, Peter (Federal)
<PDavidson@doc.gov> wrote:

(b) (5)

Franz Holzer - CTR

From: Richard Ashooh
Sent: Friday, July 13, 2018 10:41 AM
To: 'Ricardel, Mira R. EOP/WHO'; (b) (6); (b) (6)
Subject: Update

(b) (5)

Rich

Franz Holzer - CTR

From: Mira Ricardel
Sent: Sunday, April 08, 2018 5:03 PM
To: Peter Navarro; Alex Gray
Subject: Could either of you give me a call?

It's about ZTE. My number is (b) (6). Thanks!

Mira

This Message was sent from my Mobile Device.

Franz Holzer - CTR

From: Mira Ricardel
Sent: Tuesday, April 10, 2018 10:22 AM
To: (b) (6)
Subject: Could you please give me a quick call?

Importance: High

Hi Matt,

I just want to discuss the meeting that Matt Turpin is pulling together at 2pm on ZTE. We also heard through our press spokesman that your (b) (6) Comms person said we would be fine for a release late afternoon. Just want to be sure that everyone is on the same page.

Thanks,
Mira

Mira Ricardel
Under Secretary for Export Administration
Bureau of Industry and Security
U.S. Department of Commerce
Washington, DC
202-482-1455 (Office)
(b) (6) (Mobile)

Franz Holzer - CTR

From: Mira Ricardel
Sent: Monday, April 09, 2018 1:13 PM
To: (b) (6)
Subject: DRAFT Press Release
Attachments: ZTE Press Release 4.6.18 1315 pm.doc

Hi Josh,

Attached is the draft press release -- without the Secretary's final edits. I am still tracking down the draft Q's and A's.

Best,
Mira

(b) (5)

(b) (5)

Franz Holzer - CTR

From: Mira Ricardel
Sent: Monday, April 09, 2018 1:59 PM
To: (b) (6)
Subject: Draft Talking points on ZTE
Attachments: ZTE China Notification TPs 20180405 OEE (Clean)_.docx

Hi Matt,

(b) (5)

Best,
Mira

(b) (5)

(b) (5)

Franz Holzer - CTR

From: (b) (6) >
Sent: Sunday, April 15, 2018 10:55 PM
To: Wilbur Ross
Cc: Mira Ricardel; Richard Majauskas; JRockas@doc.gov; WTeramoto@doc.gov; (b) (6);
(b) (6); Douglas Hassebrock; (b) (6); Raimondi,
Marc
Subject: Final Talking Points and Press Release
Attachments: 20180414 ZTE Press Release final.doc; 20180414 ZTE TPs final.docx

Mr. Secretary,

Attached are the Talking Points and Press Release that the interagency reviewed and edited.

These are final as of April 14th at 8:15 am.

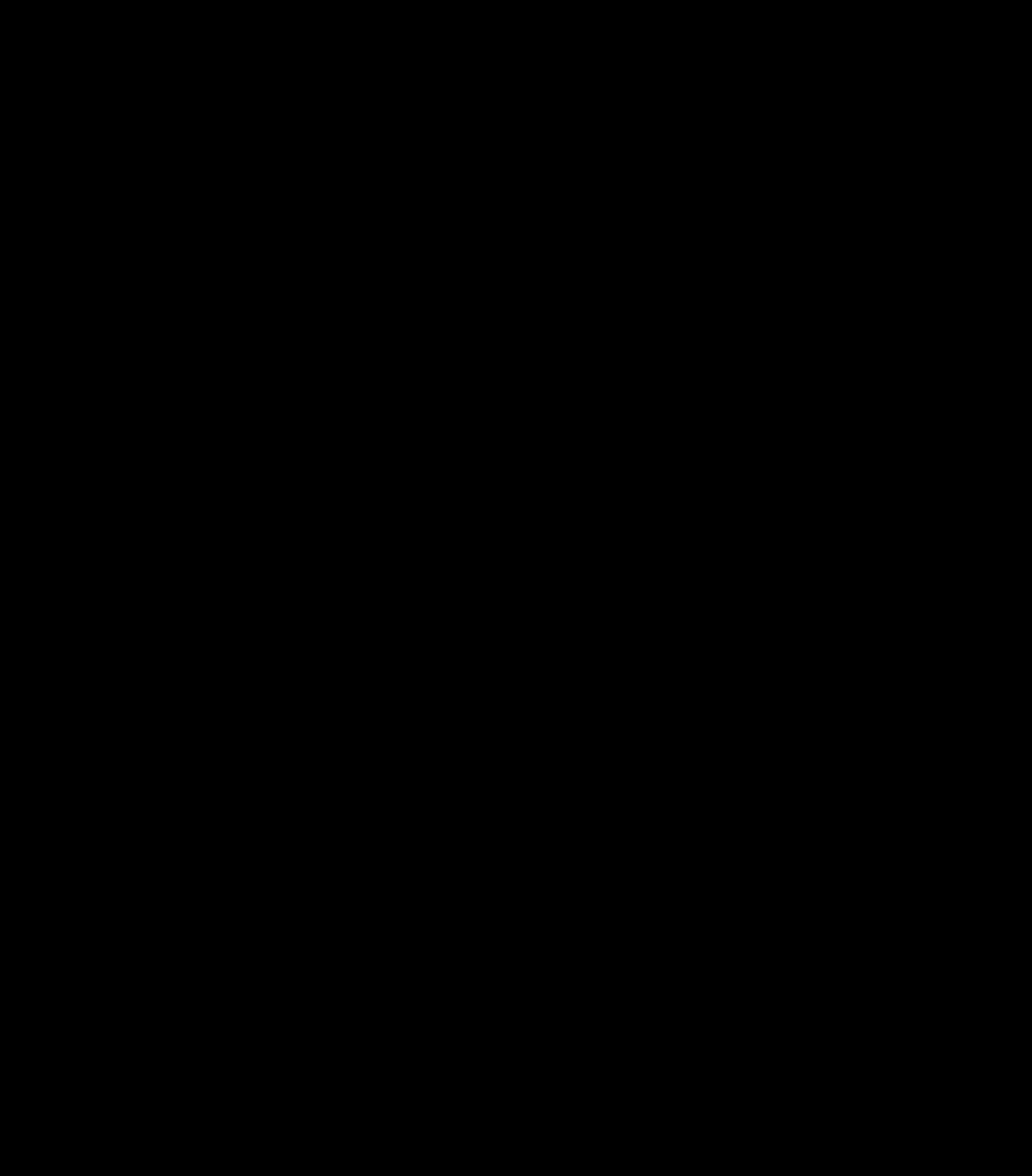
VR
Matt

(b) (6)

(b) (5)

(b) (5)

(b) (5), (b)(3)



(b) (5)

Franz Holzer - CTR

From: Mira Ricardel
Sent: Monday, April 09, 2018 1:58 PM
To: (b) (6)
Subject: FW: DRAFT Press Release
Attachments: ZTE Press Release 4.6.18 1315 pm.doc

Matt,

Attached is the draft press release -- without the Secretary's final edits.

Best,
Mira

(b) (5)

(b) (5)

Franz Holzer - CTR

From: Mira Ricardel
Sent: Monday, April 16, 2018 9:59 AM
To: WTeramoto@doc.gov
Subject: FW: Great Job!

Hi Wendy,

Below is a note from Matt Turpin to Rich Majauskas following his background call on ZTE with press.

Best,
Mira
-----Original Message-----

From: (b) (6)
Sent: Monday, April 16, 2018 9:11 AM
To: Richard Majauskas
Cc: JRockas@doc.gov; Douglas Hassebrock; (b) (7)(C)
Subject: Great Job!

Richard,

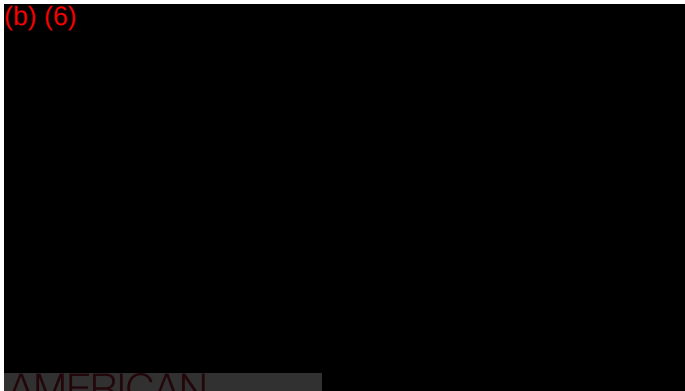
I think that went great!

As you likely heard, there was still some confusion over what this denial order would actually do. That's something to watch.

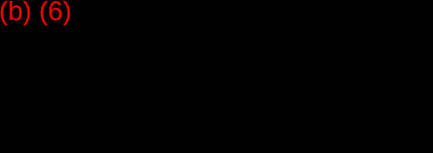
VR

Matt

(b) (6)



(b) (6)



Franz Holzer - CTR

From: Mira Ricardel
Sent: Thursday, April 12, 2018 4:07 PM
To: Daniel Hill; MASTERSON JR., JOHN; (b) (6)
Subject: FW: PLEASE READ SOONEST

Importance: High

[Forgot to copy you.](#)

From: Mira Ricardel
Sent: Thursday, April 12, 2018 4:04 PM
To: (b) (6)
Cc: Richard Majauskas <Richard.Majauskas@bis.doc.gov>; Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>
Subject: PLEASE READ SOONEST
Importance: High

Hi Matt,

As I had discussed with you, (b) (5)

[REDACTED]

Please remind everyone that this information is Law Enforcement Sensitive and should not be broadly discussed.

Thanks,
Mira

Mira Ricardel
Under Secretary for Export Administration
Bureau of Industry and Security
U.S. Department of Commerce
Washington, DC
202-482-1455 (Office)
(b) (6) (Mobile)

Franz Holzer - CTR

From: (b) (6)
Sent: Saturday, April 14, 2018 4:14 PM
To: (b) (6); Mira Ricardel
Cc: (b) (6)
Subject: Fwd: [EXTERNAL] OFFICIAL SENSITIVE: UK telecoms advice
Attachments: HCSEC_Review_Executive_Summary_FINAL.PDF; ATT00001.htm; 20180412 - ZTE letter.pdf; ATT00002.htm

Matt, Mira,

Please see below and attached.

(b) (5)

VR
Matt

(b) (6)

Begin forwarded message:

From: (b) (6) <[REDACTED]@fco.gov.uk>
Date: April 14, 2018 at 15:45:58 EDT
To: <(b) (6)>
Cc: (b) (6) <[REDACTED]@fco.gov.uk>, (b) (6) <[REDACTED]@fco.gov.uk>, (b) (6) <[REDACTED]@fco.gov.uk>, (b) (6) <[REDACTED]@hq.dhs.gov>, (b) (6) <[REDACTED]@hq.dhs.gov>, (b) (6) <[REDACTED]@fco.gov.uk>
Subject: [EXTERNAL] OFFICIAL SENSITIVE: UK telecoms advice

OFFICIAL SENSITIVE: for named US officials only. Not for further dissemination.

Matt,

(b) (5)

Please do let me know if you have any further questions.

Thanks,
Jan

Jan Taylor

First Secretary, Cyber Policy | Foreign and Security Policy Group | British Embassy, Washington, D.C.

T: (b) (6) | M: (b) (6) | E: (b) (6) [@fco.gov.uk](mailto:(b) (6)@fco.gov.uk)

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HM Government

Huawei Cyber Security Evaluation Centre:

Review by the National Security Adviser

December 2013

Executive Summary

1. The Intelligence and Security Committee (ISC) reported in June 2013 on Foreign Investment in Critical National Infrastructure. The report questioned in particular the ability of the Huawei Cyber Security Evaluation Centre (HCSEC) to operate with sufficient independence from Huawei headquarters. The report recommended that the staff in HCSEC should be GCHQ employees; or that, as an absolute minimum, oversight arrangements should be strengthened, and the Government should be more directly involved in the selection of HCSEC staff.
2. The Government welcomed the ISC report. It responded in July, with a commitment that the National Security Adviser would undertake a review of HCSEC and report to the Prime Minister. A summary of this review is set out below. In essence, the review concluded that HCSEC staff should remain part of Huawei, primarily for reasons of full access to equipment, code, and design teams. But after discussions with the Chairman of the ISC, the review also concluded that oversight arrangements should be enhanced, and GCHQ should have a leading and directing role in senior-level HCSEC appointments, in consultation with Huawei.
3. In more detail, the global reality is that virtually every telecommunications network worldwide incorporates foreign technology. Huawei equipment, for example, is now used in 140 countries and Huawei is a valued investor and employer in the UK. The Government has managed any potential security concerns through: increased engagement with the company; expert assistance to its customers, the Communication Service Providers (CSPs); and since 2010, the establishment of HCSEC. This is, moreover, part of a wider set of measures, designed with the CSPs, to minimise risk and opportunities for interference with equipment.

4. HCSEC's basic task is to analyse Huawei equipment to identify potential vulnerabilities. Its broader objective is to inform the design of more secure networks. This represents a relatively new approach but one that some other countries are interested in replicating.
5. The review focused on the operational independence of HCSEC, including the employment of its staff; its planning and budgetary oversight; how it did its work; and the security around the facility. The review involved visits to HCSEC, interviews with the main stakeholders, and examination of the documentary evidence.
6. The review judged that HCSEC was operating effectively and achieving its objectives, and that existing arrangements, although some of them informal, gave it sufficient independence. It noted that, after some initial teething problems, Huawei's cooperation with HCSEC appeared exemplary, with equipment and software supplied without delay and full access provided to Huawei design teams. It also noted that those vulnerabilities identified since HCSEC's establishment could be explained as genuine design weaknesses or errors in coding practice.
7. The review also judged that, although the fact of HCSEC staff being employed by Huawei appeared to create conflicts of interest, it was, in reality, the best way of ensuring continued complete access to Huawei products, codes and engineers, without which HCSEC could not do its job. In particular, were HCSEC staff not to be Huawei employees, access arrangements would be complicated by Huawei's non-disclosure agreements with its hundreds of third party suppliers. Also, there would be a possibility of commercial risk or even liabilities for the taxpayer were GCHQ, in effect, to impose themselves between Huawei and the UK telecommunications market.
8. The review's first conclusion, however, was that GCHQ's involvement in the future appointment of senior staff to HCSEC should be strengthened. At

present, GCHQ have a power of veto over appointments through the security vetting process. The review recommends that, in future, GCHQ should lead and direct senior HCSEC appointments (in consultation with Huawei), in particular through chairing the selection panel.

9. The review also concluded that oversight arrangements and current informal agreements between HCSEC and Huawei should be formalised, to ensure the permanent embedding of the open and cooperative relationship existing between HCSEC and Huawei, and to strengthen still further HCSEC's operational independence. The particular recommendations include:

- The creation of an Oversight Board. This should be chaired by a senior member of GCHQ with Huawei as Deputy Chair. Membership should be small and include representatives of Whitehall departments, including a senior member of the National Security Secretariat in the Cabinet Office, and CSPs. The Board should not get involved in the day-to-day operations of HCSEC. Instead, its purpose should be periodically to assess HCSEC's performance and verify its continuing independence from Huawei headquarters. The Board might appropriately meet quarterly.
- An annual objective-setting exercise for HCSEC, led by GCHQ in consultation with Huawei, and overseen by the Board.
- An annual review of HCSEC's performance, again overseen by the Board, and delivered to the National Security Adviser, to share with the National Security Council. This annual review should include a technical assessment of delivery, led by GCHQ, and an annual management audit of continuing independence from Huawei headquarters by appropriately vetted auditors. Summaries of both reviews will be passed to the ISC.

- The formalisation of currently informal arrangements governing the timely provision by Huawei of equipment and code to HCSEC, and the cooperation of Huawei engineers. And,
- The creation of a longer-term strategy for HCSEC covering both predicted future workloads and human resource planning.

10. The Terms of Reference of the review were confined to the role, resourcing, management, independence, and overall contribution of HCSEC.

Nevertheless, it became clear in the course of the work programme that there were some broader and longer term issues and concerns. Two in particular were worth highlighting. The first was an apparent shortage of individuals in the UK employment market with the necessary technical expertise and skills to fill all the available posts in HCSEC, GCHQ and the relevant parts of Whitehall. The review noted that there were already good education initiatives in place through the National Cyber Security Programme, but recommended further and broader efforts to deepen the pool of individuals with the requisite cyber security skills.

11. The second concerned the fast moving nature of the telecommunications industry. HCSEC is a model for Government collaboration with the private sector. But the industry is evolving rapidly and becoming more diverse and complex. The review therefore recommends that officials assess the security implications arising from the changing industry landscape and propose options for Ministerial consideration.

Kim Darroch

(b) (5)

(b) (5)

(b) (3), (b) (5)

Franz Holzer - CTR

From: Mira Ricardel
Sent: Saturday, April 14, 2018 7:29 PM
To: WTeramoto@doc.gov
Subject: Fwd: Timing of Commerce Decision

Hi Wendy,

Please see below. Is there a good number for me to call the Secretary?

I have not heard back and I don't know when he is speaking with Amb. Branstad.

Thanks,
Mira

This Message was sent from my Mobile Device.

From: "Mira Ricardel" <Mira.Ricardel@bis.doc.gov>
Subject: Re: Timing of Commerce Decision
Date: 14 April 2018 18:44
To: "Wilbur Ross" <wlr@doc.gov>

Mr. Secretary,

What number should I call?

Thanks,
Mira

This Message was sent from my Mobile Device.

On: 14 April 2018 18:36, "Wilbur Ross" <wlr@doc.gov> wrote:

(b) (5)

A large black rectangular redaction box covers the majority of the email body content following the header. The text "(b) (5)" is written in red at the top left of this redacted area.

Sent from my iPhone

On Apr 14, 2018, at 10:01 AM, Mira Ricardel <Mira.Ricardel@bis.doc.gov> wrote:

Great. Thanks for letting us know.

This Message was sent from my Mobile Device.

On: 14 April 2018 09:39, "Wilbur Ross" <wlr@doc.gov> wrote:
I am speaking with the Amb. This pm. WLR

Sent from my iPhone

On Apr 14, 2018, at 9:24 AM, Mira Ricardel <Mira.Ricardel@bis.doc.gov> wrote:

Mr. Secretary,

Below is the response from (b) (5) staff to my earlier questions. I also spoke with Matt Turpin and learned that State has not formally notified Embassy Beijing but did contact the political and economics officers in Beijing to inform them. Given that, I would recommend that a call between you and the Ambassador Branstad occur soonest — rather than State's proposed date of the 19th.

Best,
Mira

This Message was sent from my Mobile Device.

Begin Forwarded Message:

From: (b) (6)
Subject: RE: Timing of Commerce Decision
Date: 14 April 2018 08:35
To: "Mira Ricardel" <Mira.Ricardel@bis.doc.gov>
Cc: (b) (6)
"Richard Majauskas"
<Richard.Majauskas@bis.doc.gov>, "Daniel Hill"
<Daniel.Hill@bis.doc.gov>

Ma'am,

(b) (5)

(b) (5)

Standing by...

VR
Matt

(b) (6)

From: Mira Ricardel <Mira.Ricardel@bis.doc.gov>

Sent: Saturday, April 14, 2018 7:45 AM

To: (b) (6)

Cc: (b) (6)

>; Richard Majauskas
<Richard.Majauskas@bis.doc.gov>; Daniel Hill <Daniel.Hill@bis.doc.gov>

Subject: Re: Timing of Commerce Decision

Matt,

(b) (5)

Thanks and I will be in touch,
Mira

This Message was sent from my Mobile Device.

On: 13 April 2018 22:25, (b) (6)

wrote:

Ma'am,

(b) (5)

VR
Matt

(b) (6)

Begin forwarded message:

From: (b) (6) >
Date: April 13, 2018 at 22:07:45 EDT
To: "Stone, Laura M" <(b) (6) @state.gov>,
"richard.majauskas@bis.doc.gov" <richard.majauskas@bis.doc.gov>
Cc: "Brust, Frederick E" <(b) (6) @state.gov>, Douglas Hassebrock
<Douglas.Hassebrock@bis.doc.gov>, (b) (7)(C)
(b) (7)(C) @bis.doc.gov>, "Snyder, Nicholas JC"
(b) (6) @state.gov>, (b) (6)
>, EAP-CM-Unit Chiefs-DL <(b) (6)
<(b) (6) @state.gov>, (b) (6)

(b) (6)

Subject: Re: Timing of Commerce Decision

Richard, Laura,

Josh and I spoke with Secretary Ross and Under Secretary Ricardel today, I expect that AMB Branstad and Secretary Ross will speak over the weekend.

(b) (5)

VR
Matt

(b) (6)

On Apr 13, 2018, at 21:22, Snyder, Nicholas JC <(b) (6)@state.gov> wrote:

Matt and (b) (6) /Commerce Colleagues,

(b) (5)

Nick

Nicholas J.C. Snyder
Acting Deputy Director | Office of Chinese &
Mongolian Affairs
HST Room (b) (6) | U.S. Department of State

O: (202) 647-6774 | M: (b) (6)
(b) (6)@state.gov

From: (b) (6)
Sent: Friday, April 13, 2018 7:48 PM
To: Snyder, Nicholas JC <(b) (6)@state.gov>
Cc: Brust, Frederick E <(b) (6)@state.gov>;
richard.majauskas@bis.doc.gov; Douglas Hassebrock
<Douglas.Hassebrock@bis.doc.gov>; (b) (7)(C)
(b) (7)(C) <[\(b\) \(7\)\(C\)@bis.doc.gov](mailto:(b) (7)(C)@bis.doc.gov)>; (b) (6)
>
Subject: RE: Timing of Commerce Decision

Nick,

Great!

Please include our Commerce colleagues as well. Thanks!

VR
Matt

(b) (6)

From: Snyder, Nicholas JC <(b) (6)@state.gov>
Sent: Friday, April 13, 2018 7:43 PM
To: (b) (6)
Cc: Brust, Frederick E <(b) (6)@state.gov>
Subject: RE: Timing of Commerce Decision

(b) (5)

Nicholas J.C. Snyder
Acting Deputy Director | Office of Chinese &
Mongolian Affairs
HST Room (b) (6) | U.S. Department of State
O: (202) 647-6774 | M: (b) (6)
(b) (6)@state.gov

From: (b) (6)

Sent: Friday, April 13, 2018 7:12 PM

To: richard.majauskas@bis.doc.gov; Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>; (b) (7)(C) <(b) (7)(C)@bis.doc.gov>

Cc: (b) (6)@treasury.gov; (b) (6)@treasury.gov; Stone, Laura M <(b) (6)@state.gov>; Smith, M Hanscom (Hanscom) <(b) (6)@state.gov>; Snyder, Nicholas JC <(b) (6)@state.gov>; alan.turley@trade.gov; scott.tatlock@trade.gov; Wineland, Timothy N. EOP/USTR <(b) (6)@USTR.EOP.GOV>; Winter, Audrey S. EOP/USTR <(b) (6)@ustr.eop.gov>; McGinn, John G. (Jerry) SES OSD OUSD ATL (US) <(b) (6)@mail.mil>; Laychak, Michael R SES DTSA EO (US) <(b) (6)@mail.mil>; (b) (6)@mail.mil; Feith, David <(b) (6)@state.gov>; (b) (6)@usdoj.gov; (b) (6)@dni.gov; (b) (6)

(b) (6)
>; Bratt, Jay
<(b) (6)@usdoj.gov>; (b) (6)

Fritz, Jonathan D (Beijing) <(b) (6)@state.gov>; Klein, William H (Beijing) <(b) (6)@state.gov>

Subject: Timing of Commerce Decision

Richard,

When your Department makes the decision on timing for the announcement, please inform the individuals on the cc line.

Individuals on the Cc Line,

I'm identifying you as the POCs for your Departments, Agencies, and EOP offices.

Treasury – Leslie Hull and Doug Bell
State – Laura Stone (Deputy Assistant Secretary for China); Hanscom Smith; Nick Snyder
Commerce/ITA – Alan Turley (Deputy Assistant Secretary for China) and Scott Tatlock

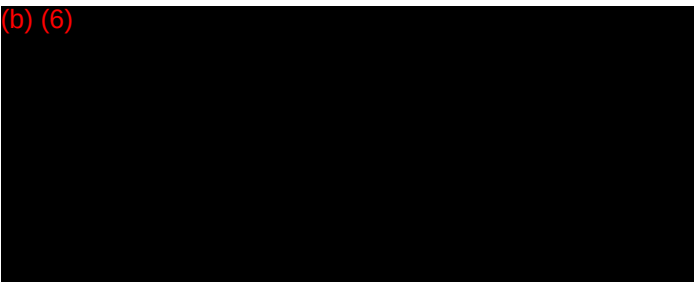
USTR – Tim Wineland and Audrey Winter
Defense – Eric Chewning (Deputy Assistant Secretary of
Defense for Manufacturing and Industrial Base Policy);
Mike Laychak (Deputy Director of Defense Technology
Security Administration); Jerry McGinn (MIBP)
Justice – Jay Bratt and Peng Wu
Embassy Beijing – Bill Klein and Jonathan Fritz

(b) (5)

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VR
Matt

(b) (6)

A large rectangular area of the document is completely blacked out, indicating redacted content. This redaction covers the bottom third of the page's vertical space.

Franz Holzer - CTR

From: Mira Ricardel
Sent: Saturday, April 14, 2018 5:06 PM
To: (b) (6)
Cc: (b) (6)
Subject: Re: [EXTERNAL] OFFICIAL SENSITIVE: UK telecoms advice

Thanks!

Best,
Mira

This Message was sent from my Mobile Device.

On: 14 April 2018 16:14, (b) (6) wrote:
Matt, Mira,

Please see below and attached.

(b) (4)

Note that the UK Ambassador would like to discuss with Secretary Ross this week.

I will also share with Jonathan Fritz and Bill Klein to provide to AMB Branstad.

(b) (4)

VR
Matt

(b) (6)

Begin forwarded message:

From: (b) (6) <(b) (6)@fco.gov.uk>
Date: April 14, 2018 at 15:45:58 EDT
To: (b) (6)
Cc: (b) (6) <(b) (6)@fco.gov.uk>, (b) (6) <(b) (6)@fco.gov.uk>, (b) (6) <(b) (6)@fco.gov.uk>,

(b) (6), (b) (6), (b) (6) @hq.dhs.gov>, (b) (6) @hq.dhs.gov>, (b) (6) @fco.gov.uk>

Subject: [EXTERNAL] OFFICIAL SENSITIVE: UK telecoms advice

OFFICIAL SENSITIVE: for named US officials only. Not for further dissemination.

Matt,

(b) (4)

Thanks,
Jan

Jan Taylor

First Secretary, Cyber Policy | Foreign and Security Policy Group | British Embassy, Washington, D.C.

T: (b) (6) | M: (b) (6) | E: (b) (6) @fco.gov.uk

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Franz Holzer - CTR

From: (b) (6) >
Sent: Monday, April 09, 2018 12:57 PM
To: Mira Ricardel
Subject: RE: Talking points on ZTE

Thanks Mira. Is there a background paper as well?

From: Mira Ricardel <Mira.Ricardel@bis.doc.gov>
Sent: Monday, April 9, 2018 12:50 PM
To: (b) (6)
Subject: Talking points on ZTE

Hi Josh,

Here are the draft talking points that describe the export enforcement action related to ZTE. Please note that they are law enforcement sensitive.

Best,
Mira

Franz Holzer - CTR

From: (b) (6)
Sent: Monday, April 09, 2018 1:05 PM
To: Mira Ricardel
Subject: RE: Talking points on ZTE

Anything you're comfortable sharing would be helpful.

From: Mira Ricardel <Mira.Ricardel@bis.doc.gov>
Sent: Monday, April 9, 2018 1:03 PM
To: (b) (6)
Subject: RE: Talking points on ZTE

There is the actual order, but we are limiting circulation of that document. We also have a draft press release, which doesn't have all the information that the talking points have. I can send you the Q's and A's, too.

From: (b) (6)
Sent: Monday, April 09, 2018 12:57 PM
To: Mira Ricardel <Mira.Ricardel@bis.doc.gov>
Subject: RE: Talking points on ZTE

Thanks Mira. Is there a background paper as well?

From: Mira Ricardel <Mira.Ricardel@bis.doc.gov>
Sent: Monday, April 9, 2018 12:50 PM
To: (b) (6) >
Subject: Talking points on ZTE

Hi Josh,

Here are the draft talking points that describe the export enforcement action related to ZTE. Please note that they are law enforcement sensitive.

Best,
Mira

Franz Holzer - CTR

From: Mira Ricardel
Sent: Monday, April 09, 2018 12:50 PM
To: (b) (6)
Subject: Talking points on ZTE
Attachments: ZTE China Notification TPs 20180405 OEE (Clean)_.docx

Hi Josh,

Here are the draft talking points that describe the export enforcement action related to ZTE. Please note that they are law enforcement sensitive.

Best,
Mira

(b) (5)

(b) (5)

Franz Holzer - CTR

From: Mira Ricardel
Sent: Monday, April 09, 2018 3:28 PM
To: (b) (6)
Subject: ZTE Questions and Answers
Attachments: ZTE if asked Qs and As clean 4.5.18.docx

Hi Matt,

Attached are the draft Q's and A's on the ZTE matter.

Best,
Mira

(b) (5)

(b) (5)

(b)(5)

Franz Holzer - CTR

From: Alexander Zemek
Sent: Monday, May 07, 2018 2:59 PM
To: Frank Bray; Donna Ganoë
Subject: email to set up meeting
Attachments: RE: seeking to set up phone call today between PDNSA Ricardel and Acting U/S Hill and A/S Ashooh

Frank / Donna –

FYI, if needed. Below is email distro list that (b) staff directed me towards regarding meeting requests for Mira.
(b) (6)

Seems to function, see attached.
Alex

Alex Zemek
Chief of Staff
Bureau of Industry and Security
U.S. Department of Commerce
Alexander.Zemek@bis.doc.gov
Phone: 202-482-6464
Cell: (b) (6)

Franz Holzer - CTR

From: (b) (6)
Sent: Monday, May 07, 2018 12:05 PM
To: Alexander Zemek; (b) (6)
Subject: RE: seeking to set up phone call today between PDNSA Ricardel and Acting U/S Hill and A/S Ashooh

Ok – understood thank you!

From: Alexander Zemek <Alexander.Zemek@bis.doc.gov>
Sent: Monday, May 7, 2018 12:03 PM
To: (b) (6)
Subject: RE: seeking to set up phone call today between PDNSA Ricardel and Acting U/S Hill and A/S Ashooh

Ali –
Thanks, A/S Rich Ashooh will be over at the WH Sit Room today for a meeting from 3-4:30pm, so he said in lieu of a call, he will try to swing by to talk with Mira at about 4:30pm when his meeting is over.
Alex

From: (b) (6)
Sent: Monday, May 07, 2018 11:49 AM
To: Alexander Zemek <Alexander.Zemek@bis.doc.gov>; (b) (6)
Subject: RE: seeking to set up phone call today between PDNSA Ricardel and Acting U/S Hill and A/S Ashooh

Hi Alex,

The earliest we can do is 3:00pm. Does that work?

Thanks,
Ali

From: Alexander Zemek <Alexander.Zemek@bis.doc.gov>
Sent: Monday, May 7, 2018 10:29 AM
To: (b) (6)
Subject: seeking to set up phone call today between PDNSA Ricardel and Acting U/S Hill and A/S Ashooh

We are seeking to set up a brief phone call today, preferably later this morning or early afternoon with Ms. Ricardel and Acting U/S Dan Hill and A/S Rich Ashooh from her previous office at Department of Commerce, Bureau of Industry and Security. They seek to discuss China and ZTE.
Please let me know of possible availabilities.
Thanks,
Alex

Alex Zemek
Chief of Staff
Bureau of Industry and Security
U.S. Department of Commerce
Alexander.Zemek@bis.doc.gov

Phone: 202-482-6464

Franz Holzer - CTR

From: Alexander Zemek
Sent: Monday, May 07, 2018 11:53 AM
To: Daniel Hill; Richard Ashooh
Subject: FW: seeking to set up phone call today between PDNSA Ricardel and Acting U/S Hill and A/S Ashooh

Mira can do 3pm today for the call. Does that work for you?
[Also, will you both meet in Dan's office such that he have 1 number to patch in?]
Alex

From: (b) (6) >
Sent: Monday, May 07, 2018 11:49 AM
To: Alexander Zemek <Alexander.Zemek@bis.doc.gov>; (b) (6) >
Subject: RE: seeking to set up phone call today between PDNSA Ricardel and Acting U/S Hill and A/S Ashooh

Hi Alex,

The earliest we can do is 3:00pm. Does that work?

Thanks,
Ali

From: Alexander Zemek <Alexander.Zemek@bis.doc.gov>
Sent: Monday, May 7, 2018 10:29 AM
To: (b) (6) >
Subject: seeking to set up phone call today between PDNSA Ricardel and Acting U/S Hill and A/S Ashooh

We are seeking to set up a brief phone call today, preferably later this morning or early afternoon with Ms. Ricardel and Acting U/S Dan Hill and A/S Rich Ashooh from her previous office at Department of Commerce, Bureau of Industry and Security. They seek to discuss China and ZTE.
Please let me know of possible availabilities.
Thanks,
Alex

Alex Zemek
Chief of Staff
Bureau of Industry and Security
U.S. Department of Commerce
Alexander.Zemek@bis.doc.gov
Phone: 202-482-6464

Franz Holzer - CTR

From: Norton, Barbara (Federal) <BNorton@doc.gov>
Sent: Wednesday, July 18, 2018 5:41 PM
To: (b) (6); JRockas@doc.gov; Andberg, Jennifer; EComstock@doc.gov; SPark-Su@doc.gov; WTeramoto@doc.gov; PDavidson@doc.gov; Walsh, Michael (Federal); pgustafson@oig.doc.gov; lcasias@doc.gov; MPlatt@doc.gov; LKluttz@doc.gov; rturk@doc.gov; Gallaudet, Timothy (Federal); Levenbach, Stuart (Federal); John.Cooney@trade.gov; Alexander Zemek; KKelley@doc.gov; Semsar, Joseph (Federal); Copan, Walter; Iancu, Andrei; Brendan.McCommas1@USPTO.GOV; HChilds@eda.gov; Redl, David; Young, Henry (Federal); AWilliams2@doc.gov; SLeach@doc.gov; ARankin@doc.gov; Teague, Anne (Federal); Foti, Anthony (Federal)
Subject: RE: Weekly Reports for the week of 7.16.18
Attachments: Weekly Reports 7.16.18 with attachments.pdf

Please refer to this weekly report and disregard the first one sent!

Thank you!

Barbie

Franz Holzer - CTR

From: (b) (6)
Sent: Friday, May 11, 2018 5:14 PM
To: Alexander Zemek
Subject: RE: Reporters who plan to attend the BIS Conference

Thanks Alex.

From: Alexander Zemek <Alexander.Zemek@bis.doc.gov>
Sent: Friday, May 11, 2018 5:13 PM
To: (b) (6) (b) (6)
Subject: Fwd: Reporters who plan to attend the BIS Conference

Allow and Cale-

Two more reports have confirmed attendance for the conference. Four in total. See below.

This Message was sent from my Mobile Device.

Begin Forwarded Message:

From: "Eugene Cottilli" <Eugene.Cottilli@bis.doc.gov>
Subject: Reporters who plan to attend the BIS Conference

FYI – Four reporters have confirmed that they will be attending the conference:

1. Karen Freifeld / Reuters
2. Andrew Meyada / Bloomberg
3. Len Bracken / Bloomberg BNA
4. Jim Berger / Washington Trade Daily

Note: Karen is the reporter who has been covering ZTE. Andrew plans to cover the Secretary's remarks.

I will update you on Monday morning of others who are attending.

Thanks,

Eugene

Eugene Cottilli

U.S. Department of Commerce Bureau of Industry and Security

Office of Congressional and Public Affairs

202-482-2721

Eugene.cottilli@bis.doc.gov

Franz Holzer - CTR

From: Howell, Joseph (Federal) <JHowell@doc.gov>
Sent: Thursday, July 19, 2018 1:14 PM
To: Alexander Zemek
Subject: RE: Request for Bureau Updates for KDK's Deputies Cabinet Meeting and Travel with the VP

Got it. Thanks!

Joseph Howell
Confidential Assistant
Office of the Deputy Secretary
United States Department of Commerce
cell: (b) (6) | office: 202.482.6082

-----Original Message-----

From: Alexander Zemek <Alexander.Zemek@bis.doc.gov>
Sent: Thursday, July 19, 2018 10:40 AM
To: Howell, Joseph (Federal) <JHowell@doc.gov>
Subject: FW: Request for Bureau Updates for KDK's Deputies Cabinet Meeting and Travel with the VP

Sorry. I had sent to Joe.
Alex

-----Original Message-----

From: Alexander Zemek
Sent: Thursday, July 19, 2018 9:02 AM
To: 'Semsar, Joseph (Federal)' <JSemsar@doc.gov>
Cc: Richard Ashooh <Richard.Ashooh@bis.doc.gov>
Subject: RE: Request for Bureau Updates for KDK's Deputies Cabinet Meeting and Travel with the VP

Joe - Below is BIS's input.

(b) (5)

Alex

-----Original Message-----

From: Semsar, Joseph (Federal) <JSemsar@doc.gov>

Sent: Thursday, July 19, 2018 8:21 AM

To: Alexander Zemek <Alexander.Zemek@bis.doc.gov>; John.Cooney@trade.gov; Jones, Christa D <Christa.D.Jones@census.gov>; Levenbach, Stuart (Federal) <Stuart.Levenbach@noaa.gov>; Wheeler, Kevin (Federal) <Kevin.Wheeler@noaa.gov>; Brendan.McCommas1@USPTO.GOV; Kimball, Kevin A <kevin.kimball@nist.gov>; Hitt, Lucas <Lucas.Hitt@bea.gov>; Wasilewski, Jim <jwasilewski@ntia.doc.gov>; Uthmeier, James (Federal) <James.Uthmeier@doc.gov>; (b) (6) @who.eop.gov

Cc: Howell, Joseph (Federal) <JHowell@doc.gov>

Subject: Re: Request for Bureau Updates for KDK's Deputies Cabinet Meeting and Travel with the VP

For situational awareness, KDK is traveling to Philadelphia with the VP for an official tax reform event. We don't have details yet as to where she'll be speaking or who the the audience will be, but hoping this might focus bureau responses. Many thanks for your help.

> On Jul 18, 2018, at 4:23 PM, Semsar, Joseph (Federal) <JSemsar@doc.gov> wrote:

>

> Hi all —

>

> KDK is requesting a small update from each bureau for her travel with the VP next Monday and for her Deputies Cabinet meeting next Thursday.

>

> Please send Joseph Howell (jhowell@doc.gov) a few sentences highlighting a recent success of your bureau by 10am tomorrow, Thursday 7/19.

>

> Thanks so much,

>

> Joe

>

>

>

>