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Huawei export ban update

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On May 15, the Commerce Department's Bureau of Industry and Security placed Huawei on the Entity List banning U.S. companies from selling U.S. products and components to Huawei.

At the G20 summit on Saturday, June 29, Bloomberg reported that President Trump said "U.S. companies can sell their equipment to Huawei ... We're talking about equipment where there's no great national security problem with it."

On Sunday, June 30, White House Economic Adviser Larry Kudlow, in an interview on *Face the Nation*, attempted to clarify the government's position, suggesting that the Commerce Department would issue a temporary license to allow U.S. companies to sell commodities—"stuff that's generally available"—to Huawei.

Based on these reports, we would expect the Commerce Department to issue a Temporary General License or similar relief giving most U.S. companies the ability to sell products to Huawei. This could be a welcome reprieve for many U.S. companies, but the exact scope of the License and its impact on U.S. companies will be hard to predict until the Commerce Department takes official action. Until that time, the ban remains in place and companies could still be fined for transferring products subject to the Export Administration Regulations to Huawei.

We will continue to keep you apprised of the situation as we obtain additional information. For more information on the content of this alert, please contact your Nixon Peabody attorney or:

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