




Regulatory Review: Export Control Reform Amendments

Hillary Hess
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Export Control Reform (ECR)

- Effective October 15, 2013
 - Initial Implementation Rule: 600 series, Transition, License Exceptions, Specially Designed, Aircraft & Engines (published April 16, 2013)
 - Corrections (published October 3, 2013)
 - CCL “Clean Up” Rule (published October 4, 2013)



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ECR Amendments

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- Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List (published July 8, 2013; effective January 6, 2014)



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Retrospective Review

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- Proposed Revisions to the Support Document Requirements of the EAR in Response to Executive Order 13563 Retrospective Regulatory Review
- Streamlines requirements for Import Certificates and Statements by Ultimate Consignee and Purchaser
- Comment period closed June 9



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ECR Amendments

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- Corrections and Clarifications; Conforming Changes based on Amendments to the ITAR (published June 5, 2014)



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Corrections and Clarifications Rule

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- Final rule makes corrections and clarifications to EAR for six final rules published in 2013 and early 2014
- Revisions to License Exceptions RPL, GOV, and STA
- Adds notes to definitions
- Adds Central African Republic to D:5



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ECR Amendments

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- Satellite Rule (published May 13, 2014)
- Military Electronics Rule (published July 1, 2014)
- Notice of Inquiry (published July 1, 2014; comment period closes September 2)



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Regulatory Review: EAR End-User FOCUSED Amendments

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Authorization Validated End User Amendments

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- 9/6/13
78 FR 54752

Addition and Revision to the list of Validated End-Users in the People's Republic of China

- 11/20/13
78 FR 69535

Amendments to Existing Validated End-User Authorizations in the People's Republic of China



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Authorization Validated End User Amendments Cont'd

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- 5/29/14
79 FR 30713

Amendments to Existing Validated End-User Authorizations in the People's Republic of China:
Samsung China Semiconductor Co. Ltd and
Semiconductor Manufacturing International
Corporation



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Authorization Validated End User Amendments Cont'd

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- 6/16/14
79 FR 34221

Amendments to Existing Validated End-User Authorizations in the People's Republic of China: Samsung Semiconductor Co. Ltd and Semiconductor Manufacturing International Corporation; Correction



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Entity List Amendments

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- 12/12/13
78 FR 75485

Addition of Certain Persons to the Entity List; Amendment of Entity List Entries; and Removal of One Person from the Entity List Based on a Removal Request

- 12/31/13
78 FR 79600

Removal of One Person from the Entity List Based on a Removal Request



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Entity List Amendments Cont'd

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- 4/16/14

79 FR 21394

Addition of Person to the Entity List

- 5/1/14

79 FR 24558

Addition of Certain Persons to the Entity List



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Entity List Amendments Cont'd

UPDATE 2014
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- 5/1/14

79 FR 24563

Addition of Certain Persons to the Entity List

- 6/5/14

79 FR 32441

Addition of Certain Persons to the Entity List



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Entity List Amendments Cont'd

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- 6/26/14

79 FR 36199

Addition of Certain Persons to the Entity List;
and Removal of Person Based on Removal
Request



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Unverified List (UVL) **UPDATE 2014** Amendments

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- 9/11/13, 78 55664, Revisions to the Export Administration Regulations (EAR): Unverified List – proposed rule
- 12/19/13, 78 FR 76741, Revisions to the Export Administration Regulations (EAR): Unverified List (UVL) – final rule
- 6/16/14, 79 FR 34217, Export Administration Regulations (EAR): Addition of Certain Persons to the Unverified List (UVL) and Making a Correction



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Late Breaking News...

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Regulatory Review: Regime Agreements and More

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Missile Technology Control Regime

5/27/14 (79 FR 30021)

UPDATE 2014
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- Revised 8 ECCNs
 - 1B102, 1B117, 1D001, 1D018, 1D101, 6A107, 9A101 and 9B106
- Added 1 ECCN
 - 9A102 Turboprop engine systems specially designed for items controlled in 9A012 and specially designed parts and components therefor
- Revised 2 Definitions:
 - Payload
 - Repeatability



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Australia Group (AG)

3/26/14 (79 FR 16664)

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- Revisions to ECCNs: 1C351, 1C352, 1C353, 2B350, and 2B352
- Sample shipment reports (ECCN 1C350)
 - Change in reporting requirement from quarterly to annual.
- Mexico - New member of AG
 - Added to Country Group A:3, "x" removed from CB Column 2.
- Somalia and Syria
 - Added as States Parties to Chemical Weapons Convention (CWC), Supp. No. 2 to part 745.
- Supp No. 1 to part 710 of CWCR
 - Addition of CWC States Parties



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Nuclear Suppliers Group '13

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- ECCNs: Revised (33), Removed (1), Added (9)
- Definition Revised 772.1: Nuclear Suppliers Group
- Sections Revised (742.3, 744.2)
- Supp. No. 1 to part 738 Commerce Country Chart
 - (“x” removed from NP:1) Croatia, Estonia, Iceland, Lithuania, Malta, Mexico, and Serbia
- Supp. No. 1 to part 740 Country Groups
 - (A:4 NSG) Added Croatia, Estonia, Iceland, Lithuania, Malta, Mexico, and Serbia



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Wassenaar Arrangement '13

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- ECCNs Revised (34), Removed (3), Added (1)
- Definitions Revised (4), Removed (1), Added (4)
- Sections Revised (734.4, 740.13, 740.20, 743.2)
- Supp. No. 1 to part 738 Commerce Country Chart
 - Mexico
- Supp. No. 2 to part 774 GTSN Revised
- Supp. No. 5 to part 774 “ECCNS 0Y521”
- Supp. No. 6 to part 774 Sensitive List
 - Revised (4D001 and 4E001), Removed(7D003.c), Added (7D004.a to .d & .g)



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Additional Amendments

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- Short Supply: Western Red Cedar, Crude Oil, Petroleum Products
- Foreign Principal Party in Interest (FPPI)
- Foreign Trade Regulations Harmonization
- Enforcement: VSD and revision of the Notice of the institution of administrative enforcement proceedings
- Update of Legal Authorities



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Details

These are the unofficial electronic EAR files created by BIS. The legally official text of the EAR is provided via the Federal Register publications. Incorporation of revisions pursuant to Federal Register regulatory publications are completed by BIS within 72 hours to the best of our abilities. While we strive for perfection, we do make mistakes from time to time. You may email any errors that you find.

If formatting/editorial changes have been made to a file, the modified date will reflect that the file has been updated, but the footer date will only be changed when a regulatory change has been made to the file.

Title	Date Last Modified
Table of Contents for the EAR	2014-07-01
Commerce Control List Index	2014-07-01
Category 0 - Nuclear Materials Facilities & Equipment (and Miscellaneous Items)	2014-07-01
Category 1 - Materials Chemicals Microorganisms and Toxins	2014-07-01
Category 2 - Materials Processing	2014-06-05
Category 3 - Electronics Design Development and Production	2014-07-01
Category 4 - Computers	2014-06-05
Category 5 Part 1 - Telecommunications	2014-06-05
Category 5 Part 2 - Information Security	2014-06-05
Category 6 - Sensors and Lasers	2014-06-05
Category 7 - Navigation and Avionics	2014-06-05
Category 8 - Marine	2014-06-05

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Federal Register Notices 2014

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Rules Affecting the Export Administration Regulations

Published 2014

Rules published in other years: 2013 | 2012 | 2011

Publication Date	Federal Register Citation	Title of Federal Register
7/8/14	79 FR 37551	Revisions to the Export Administration Regulations (EAR): Control of Military Electronic Equipment and Other Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)
7/8/14	79 FR 37548	Request for Comments: Civil Uses of Certain Microwave Monolithic Integrated Circuit (MMIC) Power Amplifiers, Discrete Microwave Transistors and Di-Static and Multi-Static Radar
6/26/14	79 FR 36199	Addition of Certain Persons to the Entity List, and Removal of Persons from the Entity List Based on Removal Request
6/17/14	79 FR 34488	Update of Short Supply Export Controls: Unprocessed Western Red Cedar, Crude Oil, and Petroleum Products
6/16/14	79 FR 34221	Amendments to Existing Validated End-User Authorizations in the People's Republic of China: Samsung China Semiconductor Co. Ltd and Semiconductor Manufacturing International Corporation, Correction
6/16/14	79 FR 34217	Export Administration Regulations (EAR): Addition of Certain Persons to the Unverified List (UFL) and Making a Correction
6/5/14	79 FR 32441	Addition of Certain Persons to the Entity List
6/5/14	79 FR 32611	Corrections and Clarifications to the Export Administration Regulations, Conforming Changes to the EAR based on Amendments to the International Traffic in Arms Regulations
5/29/14	79 FR 30713	Amendments to Existing Validated End-User Authorizations in the People's Republic of China: Samsung China Semiconductor Co. Ltd and Semiconductor Manufacturing International Corporation

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Recently Published Regulations

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Rules Affecting the Export Administration Regulations

July 1, 2014

BIS publishes Rule: Request for Comments: Civil Uses of Certain Microwave Monolithic Integrated Circuit (MMIC) Power Amplifiers, Discrete Microwave Transistors and Di-Static and Multi-Static Radar. Comments should be received no later than September 1, 2014.
BIS Rule

July 1, 2014

BIS publishes Rule: Revisions to the Export Administration Regulations (EAR): Control of Military Electronic Equipment and Other Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML).
BIS Rule | State Rule

June 16, 2014

BIS publishes Rule: Amendments to Existing Validated End-User Authorizations in the People's Republic of China: Samsung China Semiconductor Co. Ltd and Semiconductor Manufacturing International Corporation, Correction.
BIS Rule

June 16, 2014

BIS publishes Rule: Export Administration Regulations (EAR): Addition of Certain Persons to the Unverified List (UFL) and Making a Correction.
BIS Rule

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