

BIS UPDATE 2017 CONFERENCE ON EXPORT CONTROLS AND POLICY



Foreign Policy Controls Update

To Export or Not to Export, that is the Question



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Foreign Policy Update

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Foreign Policy Update

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BIS Administered Sanctions

Cuba	§ 746.2
Iran	§ 746.7
N. Korea	§ 746.4
Sudan	§ 742.10
Syria	§ 746.9
Iraq	§ 746.3
Occupied Crimea	§ 746.6
Russia	§ 746.5 & § 746.6
Military controls – China, Russia, & Venezuela	§ 744.21



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Cuba

- National Security Presidential Memorandum on Strengthening the Policy of the United States Toward Cuba
 - Issued June 16, 2017
 - Articulates President's Cuba policy
 - Describes interagency implementation process



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Venezuela

- Military end use and end user restrictions (§ 744.21)
 - Export, reexport, or transfer (in-country)
 - Items listed in supplement no. 2 to part 744
 - Knowledge or informed by BIS of military end use or end user
 - 9x515 or 600 series items
 - Otherwise informed by BIS
 - Case-by-case review



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Sudan

- On January 17, 2017, BIS made revisions to the licensing policy for Sudan. § 742.10(b)(3)(ii)
 - Revised the policy of review for certain items for fixed-wing, commercial passenger aircraft.
 - Revised the policy of review for certain items for use to inspect, design, construct, operate, improve, maintain, repair, overhaul or refurbish railroads in Sudan.
- General policy of approval



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South Sudan

- CCL based items are subject to existing multilateral and unilateral export controls:
 - National Security (NS)
 - Nuclear nonproliferation (NP)
 - Missile Technology (MT)
 - Proliferation of chemical and biological weapons (CB)
 - Regional Stability (RS)
 - Crime Control (CC)
- Exports and reexports of CCL based items for use in the oil, natural gas, and mining sectors will be subject to enhanced scrutiny.



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Burma

- Executive Order 13742 of October 7, 2016
- December 27, 2016, BIS removed restrictions upon persons sanctioned under previous Executive Orders
- Burma moved from Country Group D:1 to Country Group B



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Hong Kong

- January 19, 2017: multilaterally controlled exports and reexports to and from Hong Kong under a BIS license or license exception
- If Hong Kong law requires an import or export license:
 - § 740.2 Obtain a copy of the Hong Kong import license prior to shipping to Hong Kong
 - § 748.13 Obtain the Hong Kong export license prior to shipping from Hong Kong
- If Hong Kong law does not require a license:
 - Obtain a written statement from Hong Kong Trade and Industry Department (TID) that no license is required
 - TID's classification search tool will suffice:
<https://www.stc.tid.gov.hk>



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Questions

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