

Developments in Strategic Trade Regulations and Controls




Alex Lopes
Director
Office of Nonproliferation and Treaty Compliance
Bureau of Industry and Security, USDOC

Joint Industry Outreach Seminar on Strategic Trade Management




Agenda

- 
- Export licensing challenges in a pandemic.
 - Significant revisions to the Export Administration Regulations

<https://www.bis.doc.gov/index.php/regulations/federal-register-notice>

Pandemic Challenges



- 
- Maximum telework
 - Interagency coordination and communication
 - Industry outreach and engagement



Entity List Rules

- 
- Ten rules published since August 2019 involving additions, modifications and removals
 - Notable Entity List activity
 - Huawei
 - Human rights concerns
 - Russia CBW



Regime Rules

- 
- **Australia Group Feb 2020 Interseasonal**
(published 6/17/2020)
 - Novichok precursors
 - Rigid walled single use cultivation chambers
 - **WA 2018** (published 9/11/2020)
 - Revision to 36 ECCNs
 - Adds 1 ECCN

Regime Rules (in the queue)



- WA 2019 Emerging Technology
 - Revises 9 ECCNs and adds 1 ECCN
 - Additive manufacturing, 'Computational lithography' "software," production technology for substrates for high end integrated circuits, surveillance software, digital forensics or investigative tools, "sub-orbital aircraft"
- WA 2019
 - Revises 22 ECCNs



Country Policy Rules



- **Amendments to Russia and Yemen Country Groups** (published 2/24/20)
- **Expansion of Military End Use (MEU) controls** (published 4/28/20)
- **Elimination of License Exception CIV** (published 4/28/20)
- **Modification to License Exception APR** (request for comment published 4/28/20)
- **Suspension of License Exceptions for Hong Kong** (published 7/31/20)


Emerging and Foundational Technologies



- 
- **Geo-spatial imagery software to 0Y521**
(published 1/6/2020)
 - **First meeting of Emerging Technology Advisory Committee on 5/19/2020**
 - **Foundational technology ANPRM**
(published 8/27/2020; comment period ends 10/26/2020)

USML to CCL



- 
- **Control of Firearms, Guns and Related Articles** (published 1/23/2020; effective 3/9/2020)

Miscellaneous



- 
- DPRK missile advisory

<https://www.bis.doc.gov/index.php/documents/policy-guidance/2625-2020-north-korea-ballistic-missile-advisory-005/file>

- Advanced Surveillance Systems and Other Items of Human Rights Concern
NOI (published 7/17/2020)

Contact Information



- **Department of Commerce, Bureau of Industry and Security (BIS):**
 - (202) 482-4811 - (located in Washington, DC)
 - (949) 660-0144 - (located in Newport Beach, CA)
 - (408) 998-8806 - (located in San Jose, CA)
 - E-mail: ECDOEXS@bis.doc.gov (General questions about the EAR)
 - E-mail: RPD2@bis.doc.gov (Regulatory interpretation, Advisory Opinions or to submit *De minimis* Reports)
- Anti-boycott Compliance Advice Line - (202) 482-2381
- Encryption – (202) 482-0707
- **Department of State, Directorate of Defense Trade Controls (DDTC):**
 - Licenses defense services and defense (munitions) articles.
 - (202) 663-1282
- **Department of the Treasury, Office of Foreign Assets Control (OFAC):**
 - OFAC administers and enforces economic and trade sanctions against targeted foreign countries, terrorism sponsoring organizations, and international narcotics traffickers.
 - (800) 540-6322
- alexander.lopes@bis.doc.gov