

AMENDMENT TO RULES COMM. PRINT 119-33
OFFERED BY MRS. WAGNER OF MISSOURI

At the end of subtitle B of title XVII, add the following new section:

1 **SEC. 17__ . EXPEDITED CONSIDERATION OF PROPOSALS**
2 **FOR ADDITIONS TO, REMOVALS FROM, OR**
3 **OTHER MODIFICATIONS WITH RESPECT TO**
4 **ENTITIES ON THE ENTITY LIST.**

5 Section 1754 of the Export Control Reform Act of
6 2018 (50 U.S.C. 4813) is amended by adding at the end
7 the following:

8 “(g) EXPEDITED CONSIDERATION OF PROPOSALS
9 FOR ADDITIONS TO, REMOVALS FROM, OR OTHER MODI-
10 FICATIONS WITH RESPECT TO ENTITIES ON THE ENTITY
11 LIST.—

12 “(1) IN GENERAL.—Any member of the End-
13 User Review Committee may submit a proposal di-
14 rectly to the Committee requesting a vote of all
15 members of the Committee for additions to, remov-
16 als from, or other modifications with respect to the
17 Entity List. A proposal to add an entity to the Enti-
18 ty List shall be made in accordance with the provi-
19 sions of paragraph (4).

1 “(2) CONSIDERATION.—Subject to paragraph
2 (4)(B), the End-User Review Committee shall vote
3 to approve or disapprove a proposal submitted under
4 paragraph (1) not later than 30 days after the date
5 on which the proposal is submitted to the Com-
6 mittee.

7 “(3) ADDITIONAL INFORMATION.—The Chair of
8 the End-User Review Committee, with the concu-
9 rence of the member of the Committee that sub-
10 mitted a proposal under paragraph (1), may suspend
11 for an additional 15 days the time period specified
12 in paragraph (2) with respect to consideration of the
13 proposal if the Chair and the member determine
14 that additional information is required in order to
15 make a determination with respect to the proposal,
16 including the impact and effect of the proposal.

17 “(4) ADDITIONS TO THE ENTITY LIST.—

18 “(A) IN GENERAL.—An entity may be
19 added to the Entity List if the End-User Re-
20 view Committee by majority vote of its members
21 has determined that the entity has engaged, is
22 engaged, or is at risk of engaging in activities
23 contrary to the national security or foreign pol-
24 icy interests of the United States.

25 “(B) LICENSING POLICY.—

1 “(i) IN GENERAL.—Subject to clause
2 (ii), there shall be in effect a policy of pre-
3 sumption of denial for all applications for
4 a license to export, reexport, or in-country
5 transfer any item subject to the Export
6 Administration Regulations if an entity
7 added to the Entity List under this sub-
8 section is or would be a party to a trans-
9 action with respect to which the applica-
10 tion applies.

11 “(ii) EXCEPTION.—The licensing pol-
12 icy required by clause (i) shall not apply
13 with respect to an entity described in such
14 clause if the members of the End-User Re-
15 view Committee agree by majority vote to
16 apply a different policy with respect to the
17 entity for all or specific types of items sub-
18 ject to the Export Administration Regula-
19 tions that would be in the national security
20 and foreign policy interests of the United
21 States.

22 “(C) RULE OF CONSTRUCTION.—Nothing
23 in this paragraph may be construed to limit or
24 otherwise affect the escalation procedures unre-
25 lated to the End-User Review Committee.

1 “(5) ADMINISTRATIVE PROVISIONS.—

2 “(A) IN GENERAL.—Each member of the
3 End-User Review Committee shall have 1 vote
4 with respect to matters described in this sub-
5 section. The chairperson of the Committee shall
6 not have the authority to make determinations
7 or override any voting decision with respect to
8 such matters.

9 “(B) SUSPENSION OF VOTING PERIOD.—
10 The chairperson of the End-User Review Com-
11 mittee may suspend the 30-day voting period
12 described in paragraph (2) if the members of
13 the Committee unanimously agree to postpone
14 the vote.

15 “(C) NOTICE; IMPLEMENTING AUTHOR-
16 ITY.—The chairperson of the End-User Review
17 Committee shall notify the Assistant Secretary
18 of Commerce for Export Administration of all
19 final decisions of the Committee with respect to
20 additions to, removals from, or other modifica-
21 tions with respect to the Entity List under this
22 subsection so that the Assistant Secretary of
23 Commerce for Export Administration may im-
24 plement all such modifications.

25 “(6) DEFINITIONS.—In this subsection—

1 “(A) the terms ‘End-User Review Com-
2 mittee’ and ‘Committee’ mean—

3 “(i) the End-User Review Committee
4 established under section 744.16(d) of title
5 15, Code of Federal Regulations; and

6 “(ii) any successor committee; and

7 “(B) the term ‘Entity List’ means the list
8 maintained by the Bureau of Industry and Se-
9 curity of the Department of Commerce pursu-
10 ant to the authorization under subsection (a)(2)
11 and set forth in Supplement No. 4 to part 744
12 of the Export Administration Regulations, or
13 successor regulations.”.

