

119TH CONGRESS
2^D SESSION

S. _____

To expedite consideration of proposals for additions to, removals from, or other modifications with respect to entities on the Entity List.

IN THE SENATE OF THE UNITED STATES

Mrs. BLACKBURN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To expedite consideration of proposals for additions to, removals from, or other modifications with respect to entities on the Entity List.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Export Control En-
5 forcement and Enhancement Act”.

1 **SEC. 2. EXPEDITED CONSIDERATION OF PROPOSALS FOR**
2 **ADDITIONS TO, REMOVALS FROM, OR OTHER**
3 **MODIFICATIONS WITH RESPECT TO ENTITIES**
4 **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).

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

1 “(3) ADDITIONAL INFORMATION.—The chair-
2 person of the End-User Review Committee, with the
3 concurrence of the member of the Committee that
4 submitted a proposal under paragraph (1), may sus-
5 pend for an additional 15 days the time period speci-
6 fied in paragraph (2) with respect to consideration
7 of the proposal if the chairperson and the member
8 determine that additional information is required in
9 order to make a determination with respect to the
10 proposal, including the impact and effect of the pro-
11 posal.

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

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

20 “(B) LICENSING POLICY.—

21 “(i) IN GENERAL.—Subject to clause
22 (ii), there shall be in effect a policy of pre-
23 sumption of denial for all applications for
24 a license to export, reexport, or in-country
25 transfer any item subject to the Export

1 Administration Regulations if an entity
2 added to the Entity List under this sub-
3 section is or would be a party to a trans-
4 action with respect to which the applica-
5 tion applies.

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

17 “(C) RULE OF CONSTRUCTION.—Nothing
18 in this paragraph may be construed to limit or
19 otherwise affect the escalation procedures unre-
20 lated to the End-User Review Committee.

21 “(5) ADMINISTRATIVE PROVISIONS.—

22 “(A) IN GENERAL.—Each member of the
23 End-User Review Committee shall have 1 vote
24 with respect to matters described in this sub-
25 section. The chairperson of the Committee shall

1 not have the authority to make determinations
2 or override any voting decision with respect to
3 such matters.

4 “(B) SUSPENSION OF VOTING PERIOD.—
5 The chairperson of the End-User Review Com-
6 mittee may suspend the 30-day voting period
7 described in paragraph (2) if the members of
8 the Committee unanimously agree to postpone
9 the vote.

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

20 “(6) DEFINITIONS.—In this subsection:

21 “(A) END-USER REVIEW COMMITTEE; COM-
22 MITTEE.—The terms ‘End-User Review Com-
23 mittee’ and ‘Committee’ mean—

1 “(i) the End-User Review Committee
2 established under section 744.16(d) of the
3 Export Administration Regulations; or

4 “(ii) any successor committee.

5 “(B) ENTITY LIST.—The term ‘Entity
6 List’ means the list maintained by the Bureau
7 of Industry and Security of the Department of
8 Commerce pursuant to subsection (a)(2) and
9 set forth in Supplement No. 4 to part 744 of
10 the Export Administration Regulations (or suc-
11 cessor regulations).”.