



# QUADRILATERAL CONFERENCE

OTTAWA, May 27, 2014

## U.S. Export Control Update

Ed Peartree  
Director, Defense Trade Controls Policy  
Bureau of Political-Military Affairs  
Department of State



# Export Control Reform (ECR) Implementation



USML	Description	Status
I	Firearms	Pre-draft
II	Artillery	Pre-draft
III	Ammunition	Pre-draft
IV	Launch Vehicles/Missiles	Effective 7/1/14 Rule III
V	Explosives/Propellants	Effective 7/1/14 Rule III
VI	Vessels of War	Effective 1/6/14 Rule II
VII	Ground Vehicles	Effective 1/6 /14 Rule II
VIII	Aircraft and Related Articles	Effective 10/15/13 Rule I
IX	Training Equipment	Effective 7/1/14 Rule III
X	Personal Protective Equipment	Effective 7/1/14 Rule III
XI	Electronics	Pre-formal notification



# ECR Implementation (USML Revision cont'd)



USML	Description	Status
XII	Fire Control/Sensors/Night Vision	Pre-draft
XIII	Miscellaneous	Effective 1/6/14 Rule II
XIV	Toxicological Agents	Pre-draft
XV	Spacecraft/Satellites	To be published mid-May
XVI	Nuclear	Effective 7/1/14 Rule III
XVII	Classified Articles	Effective 10/15/13 Rule I
XVIII	Directed Energy Weapons	Pre-draft
XIX	Gas Turbine Engines	Effective 10/15/13 Rule I
XX	Submersible Vessels	Effective 1/6/14 Rule II
XXI	Articles Not Otherwise Enumerated	Effective 10/15/13 Rule I



# USML vs "600 Series"

	USML "defense articles"	CCL "600 series" items
End-items	Worldwide license	Worldwide license - except Canada
Identified P+C	Worldwide license	License Exception STA
Specifically/specially designed P+C	Worldwide license	("x") License Exception STA
Insignificant P+C	Worldwide license	("y") NLR except T-5 + China
De minimis	None	25% except 0% for ITAR 126.1 countries
Registration	Yes	No
Prohibitions	ITAR 126.1	ITAR 126.1
Exemptions/ exceptions	limited	GOV, STA (ultimate government end-use), TSU, TMP, RPL
Temporary Import Controls	All USML items	None



# ECR Implementation (What's Next?)



- 2014 Priorities

- USML: All revised in effect, published, or under interagency review

- 14 of 21 USML Categories revised and in effect by end of 2014

- Definitions: Review/revision under way

- 120.9 Defense Services
- 120.10 Technical Data
- 120.11 Public Domain



# UK/Australia DTCT Implementation



- UK (ITAR Part 126.17)
  - 24 members of UK Approved Community with 23 more underway
  - US AC (all U.S. registered and eligible companies)
  - 44 exports to date
    - 37 for military/counter-terror ops and exercises
    - 7 for HMG end-use
- Australia (ITAR Part 126.16)
  - 14 members of Australia AC with 13 more underway
  - 1 export to date



# UK/Australia DTCT Next Steps



- Exempted Technologies List (ETL)
  - ETL will narrow as USML is revised due to ECR
  - U.S. committed to ETL review after completion of ECR rule changes to USML (end of 2014)
  - U.S. DoD cross-checking Treaties ETL as items move from USML to CCL
- Promoting Treaty Exemption Use
  - ECR will NOT negate value of Treaties – many continued benefits unique to Treaties
    - (e.g., facilitation of exchanges of technical data)
  - Programs involving exempted technologies can still use Treaties (but may require license for those specific items)





# ITAR "Canadian Exemptions"



- International Traffic in Arms Regulations (ITAR)  
Part 126.5
  - Permanent/temporary export and temporary import of certain unclassified defense articles for:
    - "End-use in Canada by Canadian Federal or Provincial governmental authorities acting in an official capacity or..."
    - "Canadian registered person or..."
    - "[R]eturn to the United States."
  - Key Limitations:
    - Defense articles, services, tech data in paragraphs 126.5 (b)(1) – (b)(21)
    - No third country transit
  - Exempted technologies for 126.5, 126.16, 126.17 compared in ITAR Part 126 "Supplement No. 1"





# Conclusion



- U.S. export controls in era of transition
  - Enumerated controls = continuous change (i.e., ECR is the New Normal)
- DDTC's website – [www.pmdotc.state.gov](http://www.pmdotc.state.gov) (lots of resources)
- Queries/Questions: DDTC Response Team, 202-663-1282, [DDTCResponseTeam@state.gov](mailto:DDTCResponseTeam@state.gov)
- DTC IT Issues: DDTC Help Desk, 202-663-2838, [dtradehelpdesk@state.gov](mailto:dtradehelpdesk@state.gov)