

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7151
OFFERED BY MRS. WAGNER OF MISSOURI**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

**4 SEC. 2. EXPEDITED CONSIDERATION OF PROPOSALS FOR
5 ADDITIONS TO, REMOVALS FROM, OR OTHER
6 MODIFICATIONS WITH RESPECT TO ENTITIES
7 ON THE ENTITY LIST.**

8 Section 1754 of the Export Control Reform Act of
9 2018 (50 U.S.C. 4813) is amended by adding at the end
10 the following:

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

15 “(1) IN GENERAL.—Any member of the End-
16 User Review Committee may submit a proposal di-
17 rectly to the Committee requesting a vote of all
18 members of the Committee for additions to, remov-

1 als from, or other modifications with respect to the
2 Entity List. A proposal to add an entity to the Enti-
3 ty List shall be made in accordance with the provi-
4 sions of paragraph (3).

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

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

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

22 “(A) IN GENERAL.—An entity may be
23 added to the Entity List if the End-User Re-
24 view Committee by majority vote of its members
25 has determined that the entity has engaged, is

1 engaged, or is at risk of engaging in activities
2 contrary to the national security or foreign pol-
3 icy interests of the United States.

4 “(B) LICENSING POLICY.—

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

15 “(ii) EXCEPTION.—The licensing pol-
16 icy required by clause (i) shall not apply
17 with respect an entity described in such
18 clause if the members of the End-User Re-
19 view Committee that voted to add the enti-
20 ty to the Entity List under this subsection
21 agree by majority vote of such members to
22 apply a different policy with respect to the
23 entity for all or specific types of items sub-
24 ject to the Export Administration Regula-
25 tions that would be in the national security

1 and foreign policy interests of the United
2 States.

3 “(C) RULE OF CONSTRUCTION.—Nothing
4 in this paragraph may be construed to limit or
5 otherwise affect the escalation procedures de-
6 scribed in part 750 of the Export Administra-
7 tion Regulations.

8 “(5) ADMINISTRATIVE PROVISIONS.—

9 “(A) IN GENERAL.—Each member of the
10 End-User Review Committee shall have 1 vote
11 with respect to matters described in this sub-
12 section. The chairperson of the Committee shall
13 not have the authority to make determinations
14 or override any voting decision with respect to
15 such matters.

16 “(B) SUSPENSION OF VOTING PERIOD.—
17 The chairperson of the End-User Review Com-
18 mittee may suspend the 30-day voting period
19 described in paragraph (2) if the members of
20 the Committee unanimously agree to postpone
21 the vote.

22 “(C) NOTICE; IMPLEMENTING AUTHOR-
23 ITY.—The chairperson of the End-User Review
24 Committee shall notify the Assistant Secretary
25 of Commerce for Export Administration of all

1 final decisions of the Committee with respect to
2 additions to, removals from, or other modifica-
3 tions with respect to the Entity List under this
4 subsection so that the Assistant Secretary of
5 Commerce for Export Administration may im-
6 plement all such modifications.

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

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

10 “(i) the End-User Review Committee
11 established under section 744.16(d) of title
12 15, Code of Federal Regulations; and

13 “(ii) any successor committee; and

14 “(B) the term ‘Entity List’ means the list
15 maintained by the Bureau of Industry and Se-
16 curity of the Department of Commerce and set
17 forth in Supplement No. 4 to part 744 of the
18 Export Administration Regulations, or suc-
19 cessor regulations.”.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) APPROPRIATE CONGRESSIONAL
23 COMMITTEES.—The term “appropriate congressional
24 committees” means—

1 (A) the Committee on Foreign Affairs of
2 the House of Representatives; and

3 (B) the Committee on Banking, Housing,
4 and Urban Affairs of the Senate.

5 (2) END-USER REVIEW COMMITTEE.—The term
6 “End-User Review Committee” means—

7 (A) the End-User Review Committee es-
8 tablished under section 744.16(d) of title 15,
9 Code of Federal Regulations; or

10 (B) any successor committee.

11 (3) EXPORT, REEXPORT, AND IN-COUNTRY
12 TRANSFER.—The terms “export”, “reexport”, and
13 “in-country transfer” have the meanings given such
14 terms in section 1742 of the Export Control Reform
15 Act of 2018 (50 U.S.C. 4801).

16 (4) ENTITY LIST.—The term “Entity List”
17 means the list maintained by the Bureau of Industry
18 and Security of the Department of Commerce and
19 set forth in Supplement No. 4 to part 744 of the
20 Export Administration Regulations, or successor
21 regulations.

22 (5) EXPORT ADMINISTRATION REGULATIONS.—
23 The term “Export Administration Regulations”
24 means the regulations set forth in subchapter C of

1 chapter VII of title 15, Code of Federal Regulations,
2 or successor regulations.

