

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8169
OFFERED BY MR. MAST OF FLORIDA**

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 (4).

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 to
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 to an entity described in such
18 clause if the members of the End-User Re-
19 view Committee agree by majority vote to
20 apply a different policy with respect to the
21 entity for all or specific types of items sub-
22 ject to the Export Administration Regula-
23 tions that would be in the national security
24 and foreign policy interests of the United
25 States.

1 “(C) RULE OF CONSTRUCTION.—Nothing
2 in this paragraph may be construed to limit or
3 otherwise affect the escalation procedures unre-
4 lated to the End-User Review Committee.

5 “(5) ADMINISTRATIVE PROVISIONS.—

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

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

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

1 subsection so that the Assistant Secretary of
2 Commerce for Export Administration may im-
3 plement all such modifications.

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

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

7 “(i) the End-User Review Committee
8 established under section 744.16(d) of title
9 15, Code of Federal Regulations; and

10 “(ii) any successor committee; and

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

