

**Suspend the Rules and Pass the Bill, H. R. 7151, With an
Amendment**

**(The amendment strikes all after the enacting clause and inserts a
complete new text)**

118TH CONGRESS
2^D SESSION

H. R. 7151

To amend the Export Control Reform Act of 2018 to provide for expedited consideration of proposals for additions to, removals from, or other modifications with respect to entities on the Entity List, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2024

Mrs. WAGNER (for herself and Mr. McCAUL) introduced the following bill;
which was referred to the Committee on Foreign Affairs

A BILL

To amend the Export Control Reform Act of 2018 to provide for expedited consideration of proposals for additions to, removals from, or other modifications with respect to entities on the Entity List, and for other purposes.

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 (3).

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 of
2 the End-User Review Committee, with the concur-
3 rence of the member of the Committee that sub-
4 mitted a proposal under paragraph (1), may suspend
5 for an additional 15 days the time period specified
6 in paragraph (2) with respect to consideration of the
7 proposal if the Chair and the member determine
8 that additional information is required in order
9 make a determination with respect to the proposal,
10 including the impact and effect of the proposal.

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

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

19 “(B) LICENSING POLICY.—

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

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

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

18 “(C) RULE OF CONSTRUCTION.—Nothing
19 in this paragraph may be construed to limit or
20 otherwise affect the escalation procedures de-
21 scribed in part 750 of the Export Administra-
22 tion Regulations.

23 “(5) ADMINISTRATIVE PROVISIONS.—

24 “(A) IN GENERAL.—Each member of the
25 End-User Review Committee shall have 1 vote

1 with respect to matters described in this sub-
2 section. The chairperson of the Committee shall
3 not have the authority to make determinations
4 or override any voting decision with respect to
5 such matters.

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

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

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

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

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

4 “(ii) any successor committee; and

5 “(B) the term ‘Entity List’ means the list
6 maintained by the Bureau of Industry and Se-
7 curity of the Department of Commerce and set
8 forth in Supplement No. 4 to part 744 of the
9 Export Administration Regulations, or suc-
10 cessor regulations.”.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) APPROPRIATE CONGRESSIONAL
14 COMMITTEES.—The term “appropriate congressional
15 committees” means—

16 (A) the Committee on Foreign Affairs of
17 the House of Representatives; and

18 (B) the Committee on Banking, Housing,
19 and Urban Affairs of the Senate.

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

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

25 (B) any successor committee.

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

6 (4) ENTITY LIST.—The term “Entity List”
7 means the list maintained by the Bureau of Industry
8 and Security of the Department of Commerce and
9 set forth in Supplement No. 4 to part 744 of the
10 Export Administration Regulations, or successor
11 regulations.

12 (5) EXPORT ADMINISTRATION REGULATIONS.—
13 The term “Export Administration Regulations”
14 means the regulations set forth in subchapter C of
15 chapter VII of title 15, Code of Federal Regulations,
16 or successor regulations.