



## **THE 10TH JOINT INDUSTRY OUTREACH SEMINAR ON STRATEGIC TRADE MANAGEMENT - SINGAPORE 2022**

# **Updates to the Export Administration Regulations**

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# Amendments to the EAR:

- **January – August 2022:**

- Sanctions Against Russia and Belarus
- Regime and Section 1758 Technology Rules
- End Use/End User Control Rules

<https://www.bis.doc.gov/index.php/regulations/export-administration-regulations-ear>

<https://www.bis.doc.gov/index.php/regulations/federal-register-notices>





# Sanctions Against Russia and Belarus

## The United States' Response to Russia's Invasion of Ukraine:

- Immediately imposed an extensive set of financial sanctions and stringent new export controls
- Thirteen Russia and Belarus-related amendments published by BIS to date
- Export controls implemented in close coordination with allies and partners





# Sanctions Against Russia and Belarus

## Overview of BIS amendments:

- Greatly expanded license requirements for exports, reexports and transfers (in-country) to Russia and Belarus
- Established a policy of denial for most transactions requiring a license
- Suspended existing licenses
- Limited the availability of License Exceptions
- Expanded the 'Foreign Direct Product rule' to impose licensing requirements on certain items produced overseas and destined to Russia and Belarus
- Identified countries implementing substantially similar controls and exempted them from certain of the additional license requirements
- Expanded the Military End User rules for both Russia and Belarus
- Increased the number of persons on the Entity List
- Imposed or expanded licensing requirements on specific industry sectors and "luxury goods"





# Sanctions Against Russia and Belarus

Effective Date	Published Date	Citation	Title
2/24/2022	3/03/2022	87 FR 12226	Implementation of Sanctions Against Russia
3/02/2022	3/08/2022		Imposition of Sanctions Against Belarus
3/03/2022	3/08/2022	87 FR 12856	Expansion of Sanctions Against the Russian Industry Sector
3/03/2022	3/09/2022	87 FR 13141	Further Imposition of Sanctions Against Russia with the Addition of Certain Entities to the Entity List
3/04/2022	3/10/2022	87 FR 13627	Addition to the List of Countries Excluded from Certain License Requirements
3/11/2022	3/16/2022	87 FR 14785	Imposition of Sanctions on "Luxury Goods" Destined for Russia and Belarus,
4/1/2022	4/7/2022	87 FR 20295	Addition of Entities to the Entities List
4/8/2022	4/12/2022	87 FR 21554	Additions to the List of Countries Excluded from Certain License Requirements
4/8/2022	4/14/2022	87 FR 22130	Expansion of Sanctions Against Russia and Belarus
5/9/2022	5/11/2022	87 FR 28758	Expansion of Sanctions Against Russian Industry Sector
6/2/2022	6/6/2022	87 FR 34131	Revisions to Russia and Belarus Sanctions
6/2/2022	6/6/2022	87 FR 34154	Addition of Entities to the Entity List
6/28/2022	6/30/2022	87 FR 38920	Addition of Entities to the Entity List





## International Regime and 'Section 1758 Technologies' Rules

- January 6, 2022: Extension of Controls on OY521 Geospatial Imagery Software – to further multilateral consideration (87 FR 729)
- May 23, 2022: Certain Marine Toxins (87 FR 31195): proposed rule; describes 1758 controls
- May 26, 2022: Information Security Controls: Cybersecurity Items (87 FR 31948) – clarifications to earlier rule
- August 15, 2022: Implementation of Certain Wassenaar Arrangement Decisions on Four 1758 Technologies (87 Fr 49979) - interim final rule with request for comments







# End Use and End User Controls

- February 8, 2022: Revisions to the Unverified List (87 FR 7037): added 33 persons in China
- February 14, 2022: Addition of Certain Entities to the Entity List: added seven entities and modified four (87 FR 8180)
- April 11, 2022: Correction rule published: corrected references to FDP provisions for two entities (87 FR 21011)
- August 24, 2022: Addition of Certain Entities to the Entity List: added seven entities and corrected two existing entries (87 FR 51876)





# Thank you!

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