

118TH CONGRESS
2D SESSION

H. R. 7151

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 2024

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

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,*

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

23 “(2) CONSIDERATION.—Subject to paragraph
24 (4)(B), the End-User Review Committee shall vote
25 to approve or disapprove a proposal submitted under
26 paragraph (1) not later than 30 days after the date

1 on which the proposal is submitted to the Com-
2 mittee.

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

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

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

21 “(B) LICENSING POLICY.—

22 “(i) IN GENERAL.—Subject to clause
23 (ii), there shall be in effect a policy of pre-
24 sumption of denial for all applications for
25 a license to export, reexport, or in-country

1 transfer any item subject to the Export
2 Administration Regulations if an entity
3 added to the Entity List under this sub-
4 section is or would be a party to a trans-
5 action with respect to which the applica-
6 tion applies.

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

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

25 “(5) ADMINISTRATIVE PROVISIONS.—

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

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

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

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

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

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

“(ii) any successor committee; and

“(B) the term ‘Entity List’ means the list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations, or successor regulations.”.

SEC. 3. DEFINITIONS.

In this Act:

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

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

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

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

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

4 (B) any successor committee.

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

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

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

Passed the House of Representatives September 9,
2024.

Attest: KEVIN F. MCCUMBER,
Clerk.