



New Administration and Legislative Update

New Administration

- President Obama ordered a comprehensive review of the U.S. export control regime.
 - “Current Export Control system is rooted in the Cold War era”;
 - “Updated needed to address today’s threats and the changing economic and technological landscape”.
- To be coordinated by the National Security Council and the National Economic Council

New Administration

- Secretary Gates (DoD) and Secretary Locke (Commerce) met last week to discuss President Obama's plan to revamp the government's system of controlling exports of militarily sensitive technology. No details as yet.
- Commerce/DoD meetings to continue in next few weeks.

Legislative Actions- House

- The House Committee on Foreign Affairs is developing legislation that would overhaul U.S. controls on the export of certain technologies with potential military applications.
- Chairman Berman intends to introduce a new Export Administration Act that will revise the “dual-use” export control system.

Legislative Actions- House

- House passed (235-187) **H.R. 2410**, the Foreign Relations Authorization Act for Fiscal Years 2010 and 2011.
- **H.R. 2410** contains the
 - **DEFENSE TRADE CONTROLS PERFORMANCE IMPROVEMENT ACT OF 2009**

DEFENSE TRADE CONTROLS PERFORMANCE IMPROVEMENT ACT OF 2009

- Directs the Secretary to: (1) review the International Traffic in Arms Regulations and the United States Munitions List to determine those technologies and goods that warrant different or additional controls and requires the review of at least 20% of the technologies and goods each year to ensure a complete review for every five-year period
- Directs the President to make available to persons who have pending military export license applications and to the appropriate congressional committees the ability to electronically access current status information for each application

Legislative Actions- Senate

- No action/statements by Senate Committee on Foreign Affairs as of 2/10/09
- H.R. 2410 referred to the Senate Committee on Foreign Affairs – no action taken as yet.

Other Actions

- NDIA is a member of the **Coalition for Security and Competitiveness (CSC)**
- The CSC recently sent a letter to the White House recommending a set of principles and objectives to assist in shaping an effective technology control regime that protects critical technologies and safeguards national security

Other Actions

- **CSC Proposed Recommendations:**

- **Principles**

- Prevent proliferation of sensitive and militarily critical technologies
- Promote defense cooperation
- Support U.S. technological and scientific leadership
- Strengthen U.S. competitiveness in global technology markets

Other Actions

- **CSC Proposed Recommendations:**
 - **Implementation Objectives**
 - Develop clear policy criteria
 - Minimize U.S. controls on items readily available in the global marketplace
 - Rationalize the export licensing system to reduce costs and processing times
 - Institute new licensing protocols
 - Strengthen technological exchange with allies and trusted partners
 - Increase transparency in rules and regulations
 - Seek greater harmonization of export controls among major trading partners