### Department of State Regulatory Retrospective Review Update--February 2015

<table>
<thead>
<tr>
<th>Agency</th>
<th>Sub-agency</th>
<th>Title Of Initiative/Rule or ICR</th>
<th>RIN/OMB Control Number</th>
<th>Summary of Initiative</th>
<th>Status of Initiative -- New to this update, Ongoing, or Completed</th>
<th>Target Completion Date (if completed, please add the publication date and cite in Federal Register for example)</th>
<th>Does the Initiative include pilot projects, safe harbor exemptions, sunset provisions, trigger provisions, streamlined requirements, state flexibilities, or other similar strategies?</th>
<th>Does this initiative employ any type of experimental design?</th>
<th>If so, please briefly describe</th>
<th>What methods will you engage in to identify improvements (public comment, analyses, third party assessments, etc). Please identify all that apply</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Consular Affairs (PPT)</td>
<td>Bureau of Consular Affairs -- U.S Passport Online Renewal Application for Eligible Individuals</td>
<td>1405-0020</td>
<td>The U.S. passport renewal application is used by eligible nationals of the United States who need to renew their current or recently expired U.S. passport. This initiative would allow for online renewal applications for eligible individuals.</td>
<td>Ongoing</td>
<td>15-21 months (From Jan 2015)</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>Public comment and feedback added to TSG, customer surveys, social media (twitter, facebook), analyses of public access of the site, gathering of metrics from the actual passports for customers who used the online service.</td>
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<tr>
<td>State Consular Affairs (PPT)</td>
<td>Bureau of Consular Affairs -- Statement Regarding a Lost or Stolen Passport</td>
<td>1405-0014</td>
<td>A passport bearer is required to submit a Statement Regarding a Lost or Stolen Passport, form DS-0064, after a loss or theft has taken place even if the bearer does not apply for a new passport. This initiative will make the option of reporting a passport loss or theft more convenient for the public and make processing the reports more efficient through the implementation of an electronic form.</td>
<td>Ongoing</td>
<td>Wednesday, April 01, 2015</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>Public comment and feedback added to TSG, customer surveys, social media (twitter, facebook), analyses of public access of the site, gathering of metrics from the actual passports reported lost or stolen using the online service.</td>
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<td>State Consular Affairs (OCS)</td>
<td>22 CFR 96 Accreditation of Agencies and Approval of Persons Under the Intercountry Adoption Act of 2000</td>
<td>TBD</td>
<td>The Department is revising Part 96 to allow the Accrediting Entity to renew the accreditation of adoption service providers on a staggered basis. Other revisions include providing for country specific authorization of adoption service providers, higher standards relating to homestudies and training of prospective adoptive parents.</td>
<td>Drafting revisions</td>
<td>Goal to publish final rule on 2/3/2016</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>Public comments.</td>
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<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Revision of USML Category I (Firearms)</td>
<td>1400-AC30</td>
<td>This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.</td>
<td>Ongoing</td>
<td>Proposed Rule publication TBD.</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>The proposed rule will invite public comment.</td>
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<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Revision of USML Category II (Guns and Armament)</td>
<td>1400-AD05</td>
<td>This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.</td>
<td>Ongoing</td>
<td>Proposed Rule publication TBD.</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>The proposed rule will invite public comment.</td>
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<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Revision of USML Category III (Ammunition and Ordnance)</td>
<td>1400-AD04</td>
<td>This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.</td>
<td>Ongoing</td>
<td>Proposed Rule publication TBD.</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>The proposed rule will invite public comment.</td>
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<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Revision of USML Category XII (Fire Control Equipment, etc.)</td>
<td>1400-AD32</td>
<td>This rule will revise the control text of this category pursuant to the President's Export Control Reform initiative.</td>
<td>Ongoing</td>
<td>The Department anticipates publishing a proposed rule in the second quarter of 2015.</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>The proposed rule will invite public comment.</td>
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<tr>
<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Revision of USML Category XIV (Toxicological Agents, etc.)</td>
<td>1400-AD03</td>
<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Revision of USML Category XVIII (Directed Energy Weapons)</td>
<td>1400-AD35</td>
<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Revision to definition for defense service, export, public domain.</td>
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|       |                                   | This rule will revise the control text of this category pursuant to the President’s Export Control Reform initiative. | Ongoing  |       |                                   | This rule will revise the control text of this category pursuant to the President’s Export Control Reform initiative. | Ongoing  |       |                                   | This rule will revise the definitions of a number of key terms in the ITAR, pursuant to the President’s Export Control Reform initiative. | Ongoing  |       |                                   | This rule will clarify the regulations pertaining to the export of items subject to the Export Administration Regulations, as well as to update the licensing exemption in ITAR §126.4 for exports made to or on behalf of an agency of the U.S. government. Other minor edits are made for clarity and to remove needless paper submission requirements. | Ongoing  |       | This Notice of Proposed Rulemaking revises an existing regulation to comply with a court decision in United Airlines, Inc. v. Brens, 588 F.3d 158 (2d Cir. 2009), requiring joint action between DHS and the Department of State to provide clarity to industry of businesses that transport individuals to the United States. By incorporating current policy, the amendment allows for waivers of the visa and passport requirement for nonimmigrants in unforeseen emergencies, rendering the bifurcated roles of both agencies more clear to carriers, essential for the commercial business process. The Department of State is publishing the amendment after extensive coordination with DHS in response to a court directive that the two agencies promulgate the rule through joint action with a period for public comment. | Ongoing  |       | This rule is being revised to provide for erroneously or fraudulently issued revocation of Consular Reports of Birth Abroad, to clarify hearing procedures, incorporate statutory passport denial and revocation requirements for certain sex offenders, and clarify availability of limited direct return passports. The change will bring the regulation into line with actual practice regarding cancelling CRBAs. | Ongoing  | Wednesday, April 01, 2015 | No  | No | N/A | N/A | The proposed rule will undergo the CFR notice and comment rulemaking process.
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<tr>
<th>No.</th>
<th>Program</th>
<th>Agency</th>
<th>Subpart/A</th>
<th>Code</th>
<th>Title</th>
<th>Description</th>
<th>Status</th>
<th>Final Rule Date</th>
<th>Public Comments</th>
<th>Outreach to Stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Consular Affairs (OCS)</td>
<td>State</td>
<td>22 CFR Part 102</td>
<td>1400-AD35</td>
<td>Civil Aviation United States Aircraft Accidents Abroad</td>
<td>The Department of State's draft Federal Register notice to repeal this outdated and seldom used 1957 regulation is undergoing internal Department of State review; once that review is complete, DoS will seek interagency review.</td>
<td>Ongoing</td>
<td>Target completion date for review Summer 2014. Proposed Rule: June 2015. Final Rule late Summer 2015.</td>
<td>No. No N/A</td>
<td>The Department of State will seek interagency clearance prior to publication.</td>
</tr>
<tr>
<td>32</td>
<td>Consular Affairs (OCS)</td>
<td>State</td>
<td>22 CFR Part 71</td>
<td>1400-AC44</td>
<td>Protection and Welfare of Citizens and Their Property Retitile Consular Protection of, and Financial Assistance to, U.S. Citizens Abroad</td>
<td>The proposed rule would reorganize, restructure, and update the consular regulations at 22 CFR Part 71 regarding the protection and welfare of U.S. nationals abroad, would incorporate basic principles and practices regarding emergency financial assistance programs for U.S. citizens abroad, and would define eligibility for such programs, for Overseas Citizen Services Trust deposits, and for emergency evacuation loans.</td>
<td>Ongoing</td>
<td>Thursday, December 01, 2016</td>
<td>No. No N/A</td>
<td>Public Comment</td>
</tr>
<tr>
<td>24</td>
<td>Consular Affairs (OCS)</td>
<td>State</td>
<td>22 CFR Part 193</td>
<td>1400-AD31</td>
<td>Benefits for Hostages in Iraq, Kuwait, or Lebanon</td>
<td>This regulation implemented a now closed program providing benefits for hostages in Lebanon from June 1, 1982 and hostages in Iraq and Kuwait from August 2, 1990 until the lifting of U.S. economic sanctions in May 2003. The Department of State will be eliminating this regulation.</td>
<td>Ongoing</td>
<td>Final to publish final rule by August 2015</td>
<td>No. No N/A</td>
<td>Public Comment, outreach to stakeholders</td>
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<td>18</td>
<td>ECA Subpart A</td>
<td>State</td>
<td>1400-AC36</td>
<td></td>
<td></td>
<td>The Department of State makes a number of technical changes to the general requirements for Exchange Visitor Programs, including providing more specific filing requirements for entities seeking to become designated sponsors, consolidating the previous Subpart F on SEVIS into Subpart A, and removing the former Appendices A-D.</td>
<td>Ongoing</td>
<td>June 2015 for Re-publication of Final rule taking comments into account; Final rule published in FR on 10-6-2014 (PN 8893)</td>
<td>No No a/a</td>
<td>Public comments, outreach to stakeholders</td>
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<td>35</td>
<td>ECA Training/Internship Placement Plan</td>
<td>State</td>
<td>1405-0170</td>
<td></td>
<td></td>
<td>The collection gathers information on the training or internship program to be followed by Interns and Trainees on the Exchange Visitor Program, methods of supervision, skills the trainee or intern will obtain, etc. The plan must be signed by the trainee or intern, sponsor, and third party placement organization.</td>
<td>Ongoing</td>
<td>PN 8888 in FR on 9/29/14</td>
<td>No No a/a</td>
<td>Public comments, outreach to stakeholders</td>
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<tr>
<td>25</td>
<td>ECA Annual Report (J-Nonimmigrant)</td>
<td>State</td>
<td>1405-0151</td>
<td></td>
<td></td>
<td>The collection gathers information and data from designated program sponsors to assist the Department in the oversight and administration of the Exchange Visitor Program. Reports provide a summary of the activities in which exchange visitors were engaged and the number of exchange participants organized sponsored per category of exchange.</td>
<td>Ongoing</td>
<td>PN 8923 on 10-27-14</td>
<td>No No a/a</td>
<td>Public comments, outreach to stakeholders</td>
</tr>
<tr>
<td>36</td>
<td>ECA Certificate of Eligibility for Exchange Visitor Status (J-Nonimmigrant)</td>
<td>State</td>
<td>1405-0119</td>
<td></td>
<td></td>
<td>The collection is the continuation of information collected and needed by the Bureau of Educational and Cultural Affairs in administering the Exchange Visitor Program. Exchange Visitors selected for the program are sent a Form DS-2019 by their program sponsor prior to visa application.</td>
<td>Completed</td>
<td>PN 8723 on 5-9-2014, PN 8801 on 7-21-2014</td>
<td>No No a/a</td>
<td>Public comments, outreach to stakeholders</td>
</tr>
<tr>
<td>64</td>
<td>ECA Recording, Reporting, and Data Collection Requirements - Student and Exchange Visitor Information System (SEVIS)</td>
<td>State</td>
<td>1405-0147</td>
<td></td>
<td></td>
<td>The collection is the continuation of information collected and needed by the Bureau of Educational and Cultural Affairs in administering the Exchange Visitor Program and encompasses designation/redesignation/responsible officer documents for program sponsors.</td>
<td>Completed</td>
<td>PN 8360 6-26-2013</td>
<td>No No a/a</td>
<td>Public comments, outreach to stakeholders</td>
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<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Initial Implementation of Export Control Reform, Revision of USML Categories VII (Aircraft and Related Articles) XVII (Classified Articles, Technical Data, and Defense Services Not Otherwise Enumerated), and XIX (Articles, Technical Data, and Defense Services Not Otherwise Enumerated), addition of USML 1400-AD37</td>
<td>This rule revised the ITAR and the control text of these categories pursuant to the President's Export Control Reform initiative.</td>
<td>Completed</td>
<td>Final rule published 4/16/13 (78 FR 22740).</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>The proposed rule invited public comments, which were taken into consideration in drafting the final rule.</td>
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<td>09</td>
<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Revision of USML Categories VI (Surface Vessels of War and Special Naval Equipment), VII (Ground Vehicles), XIII (Materials and Miscellaneous Articles), and XX (Submersible Vessels and 1400-AD40</td>
<td>This rule revised the ITAR and the control text of these categories pursuant to the President's Export Control Reform initiative.</td>
<td>Completed</td>
<td>Final rule published 7/8/13 (78 FR 40922).</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>The proposed rule invited public comments, which were taken into consideration in drafting the final rule.</td>
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<tr>
<td>09</td>
<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Revision of USML Categories IV (Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs, and Mines), V (Explosives and Energetic Materials, Propellants, Incendiary Agents, and Their Constituents), IX (1400-AD46</td>
<td>This rule revised the ITAR and the control text of these categories pursuant to the President's Export Control Reform initiative.</td>
<td>Completed</td>
<td>Final rule published 1/2/14 (79 FR 8154).</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>The proposed rule invited public comments, which were taken into consideration in drafting the final rule.</td>
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<td>09</td>
<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Central African Republic policy update. 1400-AD41; 1400-AD62</td>
<td>These rules revised ITAR §126.1 to update the policy regarding exports to the Central African Republic, pursuant to the requirements of UN Security Council resolutions.</td>
<td>Completed</td>
<td>Final rule published 8/5/13 (78 FR 47179); separate final rule published on 8/4/14 (79 FR 45089)</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>None - the regulatory change was made pursuant to obligations of UN membership.</td>
</tr>
<tr>
<td>09</td>
<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Movement of definitions 1400-AD64</td>
<td>This rule moved definitions previously provided in §§121.3, 121.4, 121.14, and 121.15 into U.S. Munitions List Categories VIII, VII, XX, and VI, respectively.</td>
<td>Completed</td>
<td>Final rule published 10/10/14 (79 FR 61226)</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>None - this rule migrated existing definition text to new locations in the ITAR and did not warrant a period of public comment.</td>
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<tr>
<td>Agency</td>
<td>Regulatory Denomination</td>
<td>Revision of USML Category</td>
<td>Control Text</td>
<td>Status</td>
<td>Final Rule Details</td>
<td>Discussions</td>
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<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Category XI (Military Electronics)</td>
<td>1400-AD25</td>
<td>This rule revised the control text of this category pursuant to the President’s Export Control Reform initiative.</td>
<td>Completed</td>
<td>Final Rule published 7/1/2014. 79 FR 37536 Effective 12/30/2014 Cat VIII(h)(4) effective 8/15/2014</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>The proposed rule invited public comments, which were taken into consideration in drafting the final rule.</td>
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<tr>
<td>State</td>
<td>Political-Military Affairs (DDTC)</td>
<td>Category XV (Spacecraft Systems)</td>
<td>1400-AD33</td>
<td>This rule revised the control text of this category pursuant to the President’s Export Control Reform initiative.</td>
<td>Completed</td>
<td>Interim Final rule published 5/13/14 (79 FR 27180).</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>The proposed rule invited public comments, which were taken into consideration in drafting the interim final rule.</td>
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The Department anticipates that online renewal passport applications will lower the total burden for average applicant due to easier submission mechanism.

If 25% of average 122,500 respondents use the online version, at a savings of $1-2 per form (mailing costs), the savings would be in the range of $30,625-$61,000. This is an estimate.

None.
This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.
This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce’s jurisdiction will significantly reduce overall licensing burden. The reduction in license volume will also result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.

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This rule is expected to provide enhanced clarity to exporters, and will eliminate the need for authorizations for items and services that fall outside of the scope of the definitions. Additionally, the harmonization of many definitions with those found in the Commerce Department’s Export Administration Regulations will provide additional clarity.

This rule will reduce is expected to reduce reporting costs and facilitate cooperation between U.S. Government Agencies and make border operations more effective and efficient while saving government resources. This proposed change is in compliance with section 6(a) of E.O. 13659, Streamlining the Export/Import Process for America’s Businesses.

The Department did not calculate savings estimates as it is not responsible for admitting foreign nationals under this provision, an exclusive authority of the Department of Homeland Security.

The changes to the sections will clarify procedures and make it easier for the public to understand our process.
None. The Department of State's draft Federal Register notice to repeal this outdated and seldom used 1957 regulation is undergoing internal Department of State review; once that review is complete, DoS will seek interagency review.

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Some burden will be reduced on stakeholders because this rule replaces one dating to 1993 and it thus clarifies requirements for the J-visa program in terms of the current business environment. The rule removes the former Appendices A-D, thereby collecting that information in a shorter manner through forms DS-3036, DS-3037, and DS-3097.

The collection will be tied to the SEVIS database, which will automatically populate fields on the Training/internship Placement Plan, in addition, sponsors will be able to cut and paste from MS Word into the document and also retain the electronic document on file in case changes need to be made later, the form will not need to be retyped, which will save program sponsors time.
This rule is expected to lead to a reduction of burden by eliminating the necessity of an export license from the Department of State in certain instances. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.

Regulatory update, pursuant to changes in the UNSC arms embargo.

This rule is expected to lead to enhanced usability of the ITAR by consolidating definitional entries into either Part 120 of the ITAR (when the definition at issue applies to a term appearing throughout the ITAR) or into the appropriate USML category to which they relate specifically. Such change will reduce the compliance burden in locating critical definitions and interpretive language.
This rule is expected to lead to a reduction of burden in many instances by eliminating the necessity of an export license from the Department of State. Certain of the items no longer requiring a Department of State license will require a Department of Commerce license, but the greater licensing flexibility afforded to exporters exporting under Commerce's jurisdiction will significantly reduce overall licensing burden. The reduction in license volume is also expected to result in cost savings to the defense industry, as fees paid by defense manufacturers and exporters to register with the Department of State are determined in part by the number of licenses submitted. In addition, clearer regulatory text should lead to burden reduction through the decreased use of the commodity jurisdiction determination procedure, for a USML that clearly delineates defense articles should lead to less ambiguity on the part of manufacturers and exporters. The Department estimates that implementation of a revised U.S. Munitions List will result in the submission of 40,000 fewer licenses to the Department annually.