

United States Department of Commerce

**Executive Order 13563 - Plan for Retrospective
Analysis of Existing Rules,
Executive Order 13610 - Identifying and Reducing
Regulatory Burdens,
and
Executive Order 13659 – Streamlining the
Export/Import Process for America’s Businesses**

**Progress Report
Updated July 2014**





**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
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and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Table of Contents

EXECUTIVE ORDER 13563.....	1
NOAA.....	1
USPTO.....	12
BIS.....	15
EXECUTIVE ORDER 13610.....	40
OCIO.....	40
EXECUTIVE ORDER 13659 and EXECUTIVE ORDER 13610.....	41
ITA and NOAA.....	41
EXECUTIVE ORDER 13659 - CENSUS BUREAU	44



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

EXECUTIVE ORDER 13563

NOAA

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completi on Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
NOAA	0648- BD21	This rule modified the recordkeeping and reporting requirements for headboat owners and operators who fish for species managed by the South Atlantic Council to require weekly electronic reporting.	Published 12/26/13; Effective 01/26/14	This rule decreases burden on the public by creating online submittal of data reports, rather than paper reporting, and shortening time-to-complete for responders.	Published 78 FR 59641
NOAA	0648- BD66	<i>Modifications to Identification Markings on Fishing Gear Marker Buoys</i> This final rule implements a regulatory amendment to revise identification marking requirements for fishing gear marker buoys (buoys) used in Federal waters off Alaska.	Proposed rule published 01/03/14; comment period ended 02/03/14. Final rule published 04/03/14, Effective 05/05/14.	This final rule eliminated the requirement that hook-and-line, longline pot, and pot-and-line buoys be marked with the vessel’s name. The requirement to mark buoys with either the vessel’s Federal fisheries permit number or Alaska Department of Fish and Game number remains in effect. This action was needed to remove a regulatory requirement that is unnecessary.	Proposed rule published: 79 FR 381 Final rule published: 79 FR 18655



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completi on Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
NOAA	0648- BD49	<p><i>Final Rule to Implement Revisions to Headboat Reporting Requirements for Species Managed by the Gulf of Mexico Fishery Management Council</i></p> <p>This rule modified the recordkeeping and reporting requirements for headboat owners and operators who fish for species managed by the South Atlantic Council to require weekly electronic reporting.</p>	Published 02/03/14, Effective 03/05/14	This rule decreases burden on the public by creating online submittal of data reports, rather than paper reporting, and shortening time-to-complete for responders.	Published 79 FR 6097
NOAA	0648- BD30	<p><i>Proposed Rule to Modify Pacific Coast Groundfish Fishery Regulations Pertaining to Certified Observers and Catch Monitors in the Pacific Coast Groundfish Fishery</i></p> <p>This proposed rule would clarify requirements for observers and catch monitors in the West Coast groundfish trawl catch share program and eliminates certain redundant requirements.</p>	Published 02/19/2014 ; public comment period closed 03/21/2014	The rule would reduce burden on the public by reducing duplicative requirements concerning: observer safety requirements, appeals processes, permitting processes, and annual renewal requirements.	Published 79 FR 9592



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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NOAA	0648- BD83	<p><i>Final Rule to Implement Amendment 20A to the Coastal Migratory Pelagics Fishery Management Plan for the Gulf of Mexico and South Atlantic Region</i></p> <p>This rule restricts sales of king and Spanish mackerel caught under the bag limit and removed the income qualification requirements for king and Spanish mackerel commercial vessel permits</p>	Proposed rule published 03/19/14; comment period ended 04/18/14. Final rule published 06/16/14, Effective 07/16/14, and 08/07/14.	This rule decreases burden on the public by removing an income requirement to be eligible for a permit	Proposed rule published: 79 FR 15284 Final rule published: 79 FR 34246
NOAA	0648- BD88	<p><i>Final Rule to Implement Northeast Multispecies Framework Adjustment 51</i></p> <p>NOAA Fisheries partially approved Framework Adjustment 51 to the Northeast Multispecies Fishery Management Plan (Groundfish FMP), and the final rule implemented the approved measures. This action set catch limits for groundfish stocks, revised the rebuilding programs for Gulf of Maine cod and American plaice, modified management measures for yellowtail flounder, and revised management measures for the U.S./Canada Management Area.</p>	Published 04/22/204 Effective 05/01/2014	This rule adopted a number of measures designed to increase flexibility for fishermen in utilization of their quota allocations. This rule established a temporary (1 year) quota trading program that if utilized could allow fishermen to increase their groundfish harvest. This rule also modified the administration of the Eastern and Western Georges Bank haddock allocations so that “eastern” haddock allocation could be fished in the “western” area.	Published 79 FR 22421



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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NOAA	0648- XC995	<p><i>Final Rule for 2014 Sector Operations Plans and Contracts and Allocation of Northeast Multispecies Annual Catch Entitlements</i></p> <p>NOAA Fisheries partially approved 17 sector operations plans and contracts for fishing year 2014, providing allocations of Northeast multispecies (groundfish) to these sectors, and granting 20 regulatory exemptions. Approval of the sector operations plans is necessary to allocate quotas to the sectors and for the sectors to operate. Approved sectors are exempt from certain effort control regulations and receive allocations of groundfish based on their members’ fishing history.</p>	Published 04/28/2014 . Effective 05/01/2014 , through 04/30/2015	This rule includes 20 regulatory exemptions for fishermen that are sector members. Regulatory exemptions include reduced burdens from various effort controls, gear restrictions, area restrictions, and reporting requirements. The purpose of reducing the effort controls is to increase fishermen’s flexibility in a manner that would allow them to increase their potential catch while reducing their costs, therefore increasing their profitability.	Published 79 FR 23278
NOAA	0648- BD56	<p><i>Proposed Rule for Framework Adjustment 8 to the Monkfish Fishery Management Plan</i></p> <p>This action proposes to increase monkfish days-at-sea allocations and landing limits, allow monkfish-only days-at-sea to be used at any time during the fishing year, and enable certain permits to fish for monkfish in a broader geographical area. This action is intended to increase monkfish landings and the efficient utilization of available opportunities to catch monkfish.</p>	Published 05/27/14; comment period ended 06/11/14	This action would increase fishing opportunities for monkfish and the efficiency of vessel operations by removing or revising measures that unnecessarily constrain operational flexibility in the monkfish fishery. This action may increase landings and the likelihood that available monkfish quotas will be fully harvested.	Published 79 FR 30065



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completi on Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
NOAA	0648- BD09	<p><i>Final Rule to Allow Northeast Multispecies Sector Vessels Access to Year-Round Closed Areas.</i></p> <p>This final rule finalized an interim final rule approving a sector exemption request that allows Northeast multispecies sector vessels restricted access to portions of the Nantucket Lightship Closed Area under standard monitoring coverage levels</p>	Published 04/21/2014 effective 04/21/2014	This allows sector vessels increased opportunities to harvest non-groundfish stocks such as monkfish, dogfish, and skates while minimizing impacts to overfished groundfish stock such as Georges Bank cod and yellowtail flounder. This rule also encourages sectors to apply for exempted fishing permits to gather data from Closed Areas I and II which would give NMFS more information to determine whether observer coverage less than 100 percent can be allowed.	Published 79 FR 22043
NOAA	0648- BB79	<p><i>Proposed Rule to Implement Changes to the Regulations for Designating Critical Habitat under the Endangered Species Act.</i></p> <p>This proposed rule clarifies procedures for designating and revising critical habitat and clarifies the meaning of "geographical area occupied by the species" by expanding the definition statement.</p>	Published 05/12/2014 , Comment period ends October 9, 2014	These proposed amendments are based on the review of the regulations by DOI’s Fish and Wildlife Service and NMFS and are intended to add clarity for the public, clarify expectations regarding critical habitat and provide for a credible, predictable, and simplified critical-habitat-designation process.	Published 79 FR 27066. comment period extended, 79 FR 36284



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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NOAA	0648- BB80	<p><i>Proposed Rule to Amend the Definition of Destruction or Adverse Modification of Critical Habitat under the Endangered Species Act (ESA).</i></p> <p>This proposed rule would amend the definition of “destruction or adverse modification” to replace the invalidated definition with one that is consistent with the ESA and circuit court opinions.</p>	Published 05/12/2014 , Comment period ends October 9, 2014	The proposed rule provides clear, consistent, and predictable application of the definition during our ESA section 7 consultations. The changes make our regulation consistent with current practice (per internal memos).	Published 79 FR 27060, comment period extended, 79 FR 36284
NOAA	0648- BB82	<p><i>Proposed Policy on Exclusions from Critical Habitat under the Endangered Species Act</i></p> <p>This draft policy explains how NOAA Fisheries considers partnerships and conservation plans, habitat conservation plans, tribal lands, military lands, and Federal lands in the process of determining whether to exclude lands from a critical habitat designation where the benefits of exclusion outweigh the benefits of designating the area as critical habitat.</p>	Published 05/12/14	This draft policy will clarify how the USFWS and NMFS exclude lands from critical habitat designations to speed up the review and decision-making process for these agencies. It will also provide greater clarity and predictability to other federal agencies and tribal partners about how their lands may be designated as critical habitat.	Published 78 FR 27051



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completi on Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
NOAA	0648- BA78	<p><i>Final Policy to Interpret “Significant Portion of its Range” under the Endangered Species Act</i></p> <p>This policy details how the agencies propose to analyze whether a species is likely to become endangered or is in danger of extinction throughout all or a “significant portion of its range”, which is a key element of determining whether a species meets the definitions of threatened or endangered in the ESA species listing process</p>	Published 07/01/2014	This final policy is intended to clarify the Act’s statutory language for the USFWS and NMFS and provide guidance during the listing process	Published 79 FR 37577
NOAA	0648- BB81	<p><i>Proposed Rule to Amend the Regulations Governing the Issuance of Incidental Take Statements under Section 7 of the Endangered Species Act.</i></p> <p>This proposed rule amends the regulations governing consultation under section 7 of the ESA regarding incidental take statements to clarify our regulations for affected Federal action agencies and the public.</p>	Published 09/04/2013	The rule proposes to improve the flexibility of and clarifies development of incidental take statements. It would reduce burdens associated with incidental take statements by clarifying use of surrogates and providing an alternative mechanism for addressing take for programmatic actions.	Published 78 FR 54437



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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NOAA	0648- XD353	<p><i>Notice of Availability of Draft Revised and Updated National Environmental Policy Act (NEPA) procedures for Magnuson-Stevens Act fishery management actions; request for comments</i></p> <p>On February 19, 2013, NMFS issued an internal policy pertaining to complying with NEPA in the context of Magnuson-Stevens Act (MSA) fishery management actions that clarifies roles and responsibilities of NMFS and the Regional Fishery Management Councils (FMCs), explains timing and procedural linkages, provides guidance on documentation needs, and fosters partnerships and cooperation between NMFS and FMCs on NEPA compliance. NMFS consulted with the Councils and with the Council on Environmental Quality (CEQ) on proposed revisions to the 2013 NMFS NEPA policy directive, and based on those consultations NMFS now proposes to use this policy as a basis for issuing revised and updated NEPA procedures for MSA actions in the form of a line-office supplement to NOAA Administrative Order 216-6.</p>	Notice published 6/30/2014, comment period ends 9/29/2014	The draft NEPA procedures make several improvements in the NEPA process for FMC initiated fishery management actions that will streamline the NEPA process. The procedures (1) clarify NEPA roles and responsibilities while encouraging collaboration and early integration of processes; (2) encourage completion as much of the NEPA process at the Council level and establish a procedural nexus linking NEPA’s requirements with MSA’s; (3) better integrates MSA and NEPA required documentation; and (4) provides instructions in using NEPA tools to gain greater efficiencies in the process.	Published 79 FR 36726



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completi on Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
NOAA	0648– BD60	<p><i>Gray’s Reef National Marine Sanctuary (GRNMS) Regulations and Management Plan.</i></p> <p>NOAA is proposing to update GRNM regulations and management plan. The regulations would be revised to clarify the existing prohibition on anchoring, and to add an exemption allowing the use of weighted marker buoys during lawful fishing or diving activities that are not attached to a vessel nor capable of holding a boat at anchor.</p>	Final rule anticipated 4th QTR 2014	<p>NOAA expects the proposed regulatory exemption on the use of small weighted marker buoys in the Sanctuary to result in beneficial effects for recreation users of GRNMS by: (a) enhancing dive opportunities at the Sanctuary and (b) enhancing bottom fishing opportunities within the for-hire charter boat fishing and private recreational boating industries.</p> <p>NOAA expects this rule to slightly increase the number of bottom-fishing trips from private household boats in the Sanctuary with small positive benefits to the current participants and some additional small economic benefits to recreational fishing related economies based on increased activity and spending. All spending by the recreational sector would benefit small businesses that provide goods and services to recreational participants.</p>	Proposed Rule published 78 FR 74046



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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NOAA	0648- BD20	<p><i>Re-establishing the Sanctuary Nomination Process.</i></p> <p>NOAA has re-established the process by which the public nominates new national marine sanctuaries. The rule amended Office of National Marine Sanctuaries regulations governing the process for nominating and evaluating sites for eligibility. This action replaces the previously inactive Sanctuary Evaluation List (SEL) with a new process for communities and other interested parties to provide NOAA with robust, criteria-driven proposals for new national marine sanctuaries.</p>	Published 6/13/2014, Effective 7/14/2014	This rule issues criteria, process, and regulatory changes necessary to provide the American public an opportunity to nominate marine areas that NOAA may consider for designation as a national marine sanctuary. This new sanctuary nomination process intends to focus on proposals generated and driven by local and regional community groups and coalitions.	Published 79 FR 33851
NOAA	0648- BE15	<p><i>Advance Notice of Proposed Rulemaking for New Vessel Loan Authority</i></p> <p>This rule solicits comment on amending the Fisheries Finance Program’s regulations to allow the financing of new vessel construction and rehabilitation of existing vessels in limited access fisheries. This action will solicit comment on implementing the loan authority provided by Congress, as well as additional lending authority of \$41 million in 2014, to support efforts to recapitalize the fishing fleets in limited access fisheries.</p>	Published 6/30/2014	Public input on this advance notice will support possible future rulemaking designed to bolster efforts to recapitalize fishing fleets in limited access fisheries.	Published 79 FR 36699



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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NOAA	0648- AV85	<p><i>Amendments to National Marine Sanctuary Regulations.</i></p> <p>NOAA proposed to amend the program regulations of the national marine sanctuaries. This rule would update and reorganize the existing regulations, eliminate redundancies across sanctuaries, eliminate outmoded regulations, adopt standard boundary descriptions, and consolidate general and permitting procedures.</p>	Final rule anticipated 1st QTR 2015	<p>This rulemaking proposes to take the following six actions:</p> <ul style="list-style-type: none"> • Consolidate regulations applicable to all sanctuaries into appropriate subparts. • Eliminate general requirements that are either outmoded or merely duplicative of existing statutory requirements. • Amend procedures for identifying and evaluating marine sites for possible national marine sanctuaries designation. • Adopt standard boundary descriptions. • Harmonize and consolidate definitions that are common to all sanctuaries. • Reorganize, update, and consolidate the permitting regulations into a single subpart. • Make other conforming and administrative changes. 	Proposed Rule Published 78 FR 5998



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Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

USPTO

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USPTO	0651-AC82	<p><i>Reduction of Fees for Trademark Applications.</i></p> <p>Sec. 10(c) of the Leahy-Smith America Invents Act (AIA) provides a process for the USPTO to consult with its Public Advisory Committees on the advisability of reducing user fees, and then to reduce such fees if that is found to be advisable. Pursuant to these procedures, the USPTO is proposing to reduce certain Trademark filing fees in order to ease burdens on the user community and encourage more efficient electronic filing of applications. In 2012 the USPTO invited the public to submit comments regarding possible adjustment of fees. The USPTO is now preparing an NPRM setting forth proposed fee reductions and rule revisions to accomplish this.</p>	2014	<p>Sec. 10(c) of the AIA provides that the USPTO can consult with its Public Advisory Committees on the advisability of reducing user fees, and then so reduce them. The USPTO is following these procedures in proposing to reduce certain Trademark filing fees. As part of these efforts, the USPTO has sought input from the public on adjusting fees, and has considered many of the principles set forth in EO 13563, including public input and examining fee-setting options and how they would impact the user community.</p>	<p>This NPRM was published on May 9, 2014.</p>



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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USPTO	RIN 0651- AC88	<p><i>Miscellaneous Changes to Trademark Rules of Practice.</i></p> <p>The USPTO is preparing an NPRM to amend the Trademark Rules of Practice and the Rules of Practice in Filings Pursuant to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks to benefit the public by providing greater clarity as to certain requirements relating to representation before the Office, applications for registration, examination procedures, amendment of applications, publication and post publication procedures, appeals, petitions, post registration practice, correspondence in trademark cases, classification of goods and services, and procedures under the Madrid Protocol</p>	2014	This proposed rule is designed to simplify and clarify existing regulations regarding certain requirements relating to representation before the USPTO. For the most part, this proposed rule is intended to amend USPTO regulations in order to codify existing practice, and thereby should provide benefits to many trademark applicants by simplifying and aligning the regulations to match their current practices when they are before the Office.	This NPRM was published on January 23, 2014.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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USPTO	TBD	<p><i>Advanced Notice of Proposed Rulemaking (ANPRM).</i></p> <p>This ANPRM would notify the public that the USPTO is considering revising its regulations to ease burdens and realize cost savings. 37 C.F.R. 1.52 concerns specifications for paper and CD-ROM submissions to the USPTO, and has not been revised in more than a decade. 37 C.F.R. 1.121 concerns making amendments in patent applications. 37 C.F.R. 1.97 and 1.98 concern information disclosure statements.</p> <p>The ANPRM would solicit ideas from the public concerning improvements that could be made to these regulations in order to ease burdens and provide cost savings to patent applicants.</p>	2014	<p>Cost savings and benefits cannot be quantified at this time, but many of these rules impact all applicants who file patent applications with the USPTO, and even small improvements to the regulations could result in significant cost savings and benefits given the large number of annual applications. The USPTO plans to publish the ANPRM in order to engage the public as early as possible and seek specific ideas from the user community about improvements to these regulations that would provide them cost savings and other benefits.</p>	<p>This ANPRM will be drafted and published in the <i>Federal Register</i> in 2014.</p>



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

BIS

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BIS	0694-AF03	Export Control Reform Initiative: Strategic Trade Authorization License Exception	06/16/2011 76 FR 35276	While reduction in burden hours for license applications (0694-0088) is somewhat offset by increased safeguards requirements for assurances against unauthorized reexports (0694-0137), giving exporters the option of an exception reduces uncertainty and turnaround time on the transaction; benefits include allowing the government to redirect resources from low-risk transactions to more complex national security and foreign policy concerns.	In order to determine the impact of the regulation on license applications and shipments, BIS’s Office of Technology Evaluation (OTE) has prepared benchmark analysis of the use of Strategic Trade Authorization (STA) transactions, comparing pre-STA license applications and shipments with post-STA data. Based on the analysis, OTE found that from July 2011 to March 2014, 257 exporters have conducted 4,324 shipments under STA worth \$283.4 million. Within these shipments, there were 794 exports of 600-series items under STA worth \$30.4 million by 108 exporters. In addition, approved license applications for STA-eligible items decreased 25% from 2010 to 2013. OTE continues to track STA exports and license applications.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF17	Proposed Revision to the Export Administration Regulations: Control of Items the President Determines No Longer Warrant Control Under the United States Munitions List	07/15/2011 76 FR 41958	Increases in burden hours under 0694-0088 and 0694-0137 for less militarily significant items moved from State to Commerce control is expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on September 13, 2011. Comments addressed in final rule, “Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform” (04/16/2013, 78 FR 22660).



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Executive Order 13610 – Identifying and Reducing Regulatory Burdens
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BIS	0694-AF36	Proposed Revision to the Export Administration Regulations: Control of Aircraft and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	11/07/2011 76 FR 68675	Increases in burden hours under 0694-0088 and 0694-0137 for aircraft and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on December 22, 2011. Comments addressed in final rule, “Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform” (04/16/2013, 78 FR 22660).



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Executive Order 13610 – Identifying and Reducing Regulatory Burdens
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Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF41	Revisions to the Export Administration Regulations: Control of Gas Turbine Engines and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	12/06/2011 76 FR 76072	Increases in burden hours under 0694-0088 and 0694-0137 for gas turbine engines and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on January 20, 2012. Comments addressed in final rule, “Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform” (04/16/2013, 78 FR 22660).



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Executive Order 13610 – Identifying and Reducing Regulatory Burdens
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Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF17	Revisions to the Export Administration Regulations: Control of Military Vehicles and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	12/06/2011 76 FR 76085	Increases in burden hours under 0694-0088 and 0694-0137 for military vehicles and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on January 20, 2012. Comments addressed in final rule, “Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List” 07/08/2013, 78 FR 40892).



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694-AF42	Revisions to the Export Administration Regulations: Control of Vessels of War and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	12/23/2011 76 FR 80282	Increases in burden hours under 0694-0088 and 0694-0137 for items, primarily parts and components for vessels, moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on February 6, 2012. Comments addressed in final rule, “Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List” (07/08/2013, 78 FR 40892).



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF39	Revisions to the Export Administration Regulations: Control of Submersible Vessels, Oceanographic Equipment and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	12/23/2011 76 FR 80291	Due to limited export and reexport trade in these items, little to no effect on burden should occur. Greater clarity with respect to jurisdiction is a benefit of this rule.	Public comment period closed on February 6, 2012. Comments addressed in final rule, “Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List” (07/08/2013, 78 FR 40892).
BIS	0694-AF17	Revisions to the Export Administration Regulations: Export Control Classification Number 0Y521 Series, Items Not Elsewhere Listed on the Commerce Control List (CCL)	04/13/2012 77 FR 22191	No effect on burden at publication; no items controlled under this classification at this time. The benefit of this rule is that it creates a temporary classification for items that warrant export control but are not yet identified on the CCL, while the U.S. Government works to adopt a control through the relevant multilateral regime(s); to determine an appropriate longer-term control over the item; or determines that the item does not warrant control on the CCL.	Final rule. Originally proposed in the 7/15/11 rule (76 FR 41958).



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694-AF53	Revisions to the Export Administration Regulations: Control of Energetic Materials and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	05/02/2012 77 FR 25932	Increases in burden hours under 0694-0088 and 0694-0137 for energetic materials and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on June 18, 2012. Comments addressed in final rule, “Control of Military Training Equipment, Energetic Materials, Personal Protective Equipment, Shelters, Articles Related to Launch Vehicles, Missiles, Rockets, Military Explosives, and Related Items” (01/02/2014, 79 FR 264).



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694-AF51	Revisions to the Export Administration Regulations: Auxiliary and Miscellaneous Items that No Longer Warrant Control Under the United States Munitions List and Items on the Wassenaar Arrangement Munitions List	05/18/2012 77 FR 29564	Increases in burden hours under 0694-0088 and 0694-0137 for auxiliary and miscellaneous items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on July 2, 2012. Comments addressed in final rule, “Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List” (07/08/2013, 78 FR 40892).



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF58	Revisions to the Export Administration Regulations: Control of Personal Protective Equipment, Shelters, and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	06/07/2012 77 FR 33688	Increases in burden hours under 0694-0088 and 0694-0137 for personal protective equipment, shelters, and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on July 23, 2012. Comments addressed in final rule, “Control of Military Training Equipment, Energetic Materials, Personal Protective Equipment, Shelters, Articles Related to Launch Vehicles, Missiles, Rockets, Military Explosives, and Related Items” (01/02/2014, 79 FR 264).



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF54	Revisions to the Export Administration Regulations: Control of Military Training Equipment and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	06/13/2012 77 FR 35310	Increases in burden hours under 0694-0088 and 0694-0137 for military training equipment and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on July 30, 2012. Comments addressed in final rule, “Control of Military Training Equipment, Energetic Materials, Personal Protective Equipment, Shelters, Articles Related to Launch Vehicles, Missiles, Rockets, Military Explosives, and Related Items” (01/02/2014, 79 FR 264).



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF66	“Specially Designed” Definition	06/19/2012 77 FR 36409	This proposed rule does not affect the jurisdiction of any items. BIS believes it will facilitate enhanced public understanding of a key term used extensively on the Commerce Control List. The term would also be used in controls that would apply to items transitioned from State to Commerce.	Public comment period closed on August 3, 2012. This rule re-proposed a definition originally proposed July 15, 2011, taking into account public comments received in response to that proposal. Comments on revised definition addressed in final rule, “Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform” (04/16/2013, 78 FR 22660).
BIS	0694-AF68	Feasibility of Enumerating “Specially Designed” Components	06/19/2012 77 FR 36419	This advance notice of proposed rulemaking solicits public comments with the intention of making the Commerce Control List more objective, which would aid compliance.	Public comment period closed on September 17, 2012. Comments currently under review.
BIS	0694-AF65	Proposed Revisions to the Export Administration Regulations: Implementation of Export Control Reform; Revisions to License Exceptions After Retrospective Regulatory Review	06/21/2012 77 FR 37524	In addition to proposing measures to ease the transition process for items moving from State to Commerce jurisdiction, this proposed rule, as a result of retrospective regulatory review, would streamline certain license exceptions to eliminate complex or outmoded provisions.	Public comment period closed on August 6, 2012. Comments addressed in final rule, “Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform” (04/16/2013, 78 FR 22660).



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694-AF47	Revisions to the Export Administration Regulations: Control of Firearms and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	Projected publication date: TBD	Increases in burden hours under 0694-0088 and 0694-0137 for firearms and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Proposed rule withdrawn from OMB review pursuant to Executive Order 12866 on 05/17/2013. See Reginfo.gov for more information.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF48	Revisions to the Export Administration Regulations: Control of Guns and Armament and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	Projected publication date: TBD	Increases in burden hours under 0694-0088 and 0694-0137 for guns and armament, and related items, moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Proposed rule withdrawn from OMB review pursuant to Executive Order 12866 on 05/17/2013. See Reginfo.gov for more information.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF49	Revisions to the Export Administration Regulations: Control of Ammunition and Ordnance the President Determines No Longer Warrant Control Under the United States Munitions List	Projected publication date: TBD	Increases in burden hours under 0694-0088 and 0694-0137 for ammunitions and ordnance moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Proposed rule withdrawn from OMB review pursuant to Executive Order 12866 on 05/17/2013. See Reginfo.gov for more information.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694-AF64	Revisions to the Export Administration Regulations: Control of Military Electronic Equipment and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	11/28/12 77 FR 70945	Increases in burden hours under 0694-0088 and 0694-0137 for military electronic equipment and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on January 28, 2013. Because of the extent of the revisions deemed necessary after interagency review of the public comments, BIS issued a second proposed rule on July 25, 2013.
BIS	0694-AF37	Revisions to the Export Administration Regulations (EAR) to Make the Commerce Control List (CCL) Clearer	11/29/12 77 FR 71214	No effect on burden hours. Because license requirements are often based on item classification according to the CCL, benefits include increased clarity to aid compliance and enforcement.	Public comment period closed on January 28, 2013. Final rule published on October 4, 2013 (78 FR 61874).



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694-AF56	EAR Revision: Items Related to Launch Vehicles, Missiles, Rockets, and Military Explosive Devices the President Determines No Longer Warrant Control Under the United States Munitions List	1/31/13 78 FR 6750	Increases in burden hours under 0694-0088 and 0694-0137 for items related to launch vehicles, missiles, rockets, and military explosive devices moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on March 18, 2013. Comments addressed in final rule, “Control of Military Training Equipment, Energetic Materials, Personal Protective Equipment, Shelters, Articles Related to Launch Vehicles, Missiles, Rockets, Military Explosives, and Related Items” (01/02/2014, 79 FR 264).
BIS	0694-AF60	Amendment to Licensing Requirements for Exports to Canada of Shotguns, Shotgun Shells and Optical Sighting Devices under the Export Administration Regulations	Projected publication date: TBD	Benefits include reducing the administrative burdens of submitting a license application for certain exporters, who meet the prerequisite conditions, by streamlining the authorization and clearance process.	Proposed rule withdrawn from OMB review pursuant to Executive Order 12866 on 05/17/2013. See Reginfo.gov for more information.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF65	Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform	04/16/2013 78 FR 22660	<p>Increases in burden hours under 0694-0088 and 0694-0137 for aircraft, gas turbine engines, and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.</p> <p>BIS believes defining “specially designed” in this rule facilitates enhanced public understanding of a key term used extensively on the Commerce Control List. The term is also used in controls that apply to items transitioned from State to Commerce.</p> <p>In addition to measures to ease the transition process for items moving from State to Commerce jurisdiction, this rule, as a result of retrospective regulatory review, streamlined certain license exceptions to eliminate complex or outmoded provisions. This rule also broadened the applicability of certain license exceptions, as recommended by comments on the Notice of Inquiry issued on August 5, 2011 (76 FR 47527) by BIS to solicit public comment on retrospective regulatory review.</p>	Final rule became effective on October 15, 2013.

July 2014



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694-AF87	Export Administration Regulations: Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	05/24/2013 78 FR 31431	Increases in burden hours under 0694-0088 and 0694-0137 for spacecraft systems and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on July 8, 2013. Comments addressed in interim final rule “Revisions to the Export Administration Regulations: Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)” (05/13/14, 79 FR 27417



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF39	Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List	07/08/2013 78 FR 40892	<p>Increases in burden hours under 0694-0088 and 0694-0137 for military vehicles and vessels of war and related items, and auxiliary and miscellaneous items, moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items.</p> <p>Due to limited export and reexport trade in submersible vessels, oceanographic equipment, and related items, little to no effect on burden should occur.</p> <p>Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.</p>	Final rule became effective on January 6, 2014.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF64	Revisions to the Export Administration Regulations: Control of Military Electronic Equipment and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	07/25/2013 78 FR 45026	Increases in burden hours under 0694-0088 and 0694-0137 for military electronic equipment and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Second proposed rule. Comment period closed on September 9, 2013. Comments continued to generally support the concept and offered further specific suggestions currently under review. Comments addressed in final rule “Revisions to the Export Administration Regulations: Control of Military Electronic Equipment and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)” (07/01/14, 79 FR 37551),
BIS	0694-AF37	Revisions to the Export Administration Regulations (EAR) To Make the Commerce Control List (CCL) Clearer	10/04/2013 78 FR 61874	No effect on burden hours. Because license requirements are often based on item classification according to the CCL, benefits include increased clarity to aid compliance and enforcement.	Final rule became effective on October 15, 2013.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

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BIS	0694-AF58	Control of Military Training Equipment, Energetic Materials, Personal Protective Equipment, Shelters, Articles Related to Launch Vehicles, Missiles, Rockets, Military Explosives, and Related Items	01/02/2014 79 FR 264	<p>Increases in burden hours under 0694-0088 and 0694-0137 for military training equipment, energetic materials, personal protective equipment, shelters, articles related to launch vehicles, missiles, rockets, military explosives, and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items.</p> <p>Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.</p>	Final rule effective on July 1, 2014.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694- AG00	Proposed Revisions to the Support Document Requirements of the Export Administration Regulations in Response to Executive Order 13563 Retrospective Regulatory Review	04/09/2014 79 FR 19552	<p>This proposed rule would affect four collection numbers: Approval of Triangular Transactions Involving Commodities Covered by a U.S. Import Certificate (collection number 0694–0009), Delivery Verification Certificate (0694–0016), International Import Certificate (0694–0017), Statement by Ultimate Consignee and Purchaser (0694–0021), and Import Certificates And End-User Certificates (0694–0093). Proposed revisions would yield an estimated net decrease in burden hours of more than 800 hours across these collections.</p> <p>Clarifying the requirements for support documentation will aid compliance and enforcement.</p>	Comment period closed on June 9, 2014. Comments are currently under review.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694-AF87	Revisions to the Export Administration Regulations: Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)	05/13/14 79 FR 27417	Increases in burden hours under 0694-0088 and 0694-0137 for spacecraft systems and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Interim final rule solicited additional public comments, particularly with respect to civil and commercial remote sensing satellites and civil and commercial space flight related items. Different provisions of this interim final rule have different effective dates. All provisions effective by, and comment period closes, November 10, 2014.



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BIS	0694-AF64	Revisions to the Export Administration Regulations: Control of Military Electronic Equipment and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)	07/01/14 79 FR 37551	Increases in burden hours under 0694-0088 and 0694-0137 for military electronic equipment and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Final rule effective December 30, 2014, except for addition of software and technology controls for certain wing folding systems, which became effective July 1, 2014.
BIS		Civil Uses of Certain Microwave Monolithic Integrated Circuit (MMIC) Power Amplifiers, Discrete Microwave Transistors and Bi-Static and Multi-Static Radar	07/01/14 79 FR 37548	This notice of inquiry solicits public comments on specific examples of civil uses of certain items subject to control as military electronics. Public comments received in response to the proposed military electronics rules asserted such civil end uses but did not provide specific examples.	Comment period closes September 2, 2014



**Executive Order 13563 – Plan for Retrospective Analysis of Existing Rules
Executive Order 13610 – Identifying and Reducing Regulatory Burdens
and**



Executive Order 13659 – Streamlining the Export/Import Process for America’s Businesses

EXECUTIVE ORDER 13610

OCIO

Agency	RIN/ OMB Control Number	Title of Rule/ Brief Description	Hours of Paperwork/Reporting Eliminated	Estimated Effective Date of the Change	Reason(s) for Change of Effective Date
Census	0607-0943	<i>2012 Survey of Business Owners</i> Reduce burden from survey by making better use of existing data, reduce sample size, and offer use of a shorter form.	181,700	Nov 15	The 2012 Survey of Business Owners is currently underway. The data collection will conclude by November 30, 2015.



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EXECUTIVE ORDER 13659 and EXECUTIVE ORDER 13610

ITA and NOAA

ITA	0625-0134	<i>Permit to Enter Watches and Watch Movements Into the Customs Territory of the United States (ITA-340P) (Duty Exemption Program)</i> Implementation of electronic submission through ACE, rather than paper filing of this form.	Calculations in progress There is currently only one company still subject to this licensing program	July 2015	N/A
ITA	0625-0037	<i>Request for Duty- Free Entry of Scientific Instruments or Apparatus (ITA-338P)</i> Implementation of electronic submission through ACE, rather than paper filing of this form.	Calculations in progress	July 2015	N/A
ITA		<i>Certification Regarding Reimbursement of Antidumping and Countervailing Duties</i> Conversion of this paper form to streamlined data elements to be reported directly within ACE or ACE when entries are electronically filed. This capability has already been built into ACS and ACE and is operational. New Rule will require submitting this information electronically for all entries filed electronically in ACS or ACE (non-paper entries).	Calculations in progress	July 2015	N/A



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ITA		<i>IA Softwood Lumber Certificate</i>	Calculations in progress	July 2015	N/A
ITA		<i>Antidumping/Countervailing Duty Proceedings Case-Specific Certifications.</i> These certifications are tailored to specific concerns identified with individual AD/CVD proceedings. For example, country of origin certifications identifying merchandise as not from a country subject to the proceeding; certification that merchandise will be processed and re-exported within a specified period of time.	Calculations in progress	July 2015	
NOAA		<u><i>Weekly Reports of No Fishing Activity</i></u> NOAA Fisheries Service is reviewing the practice of requiring fishing vessels in certain fisheries to submit weekly reports when they have no activity to report from the prior week. Weekly reporting is sometimes required in fisheries to ensure that the fishery does not exceed the overfishing limit, and no-activity reports help NOAA ensure they have a complete data set when making time sensitive management decisions. However, it is possible that the requirement is unnecessarily burdensome when a vessel has no activity to report.	Calculations in progress	2015 and 2016	The Greater Atlantic Region (GAR) is proposing to remove the requirement in several commercial fisheries. In addition, both the GAR and the Southeast Region have identified upcoming rulemakings where they will seek comment from the public on the burden of reporting no fishing activity.



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NOAA		<p><i>Electronic Filing of Trade Documents for Fishery Products, proposed rule currently being drafted</i></p> <p>NMFS will propose regulations to revise procedures to file import and export documentation for certain fishery products to meet requirements for the SAFE Port Act of 2006, the Magnuson-Stevens Fishery Conservation and Management Act, other applicable statutes, and obligations that arise from U.S. participation in regional fishery management organizations.</p>	<p>Through this rulemaking, NMFS intends to consolidate information currently provided to three separate NMFS trade monitoring programs (Tuna Trade and Verification Program, Antarctic Marine Living Resources trade program, and the HMS International Trade Permit program) and establish a single International Fisheries Trade Permit (IFTP) that will be administered electronically via an NMFS website. Given this consolidation of programs and electronic permitting process, the newly established IFTP should reduce overall information collection burdens on industry</p>	<p>We anticipate publishing the proposed rule in the Federal Register by the end of September 2014 and the final rule by the end of September 2015.</p>	
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EXECUTIVE ORDER 13659 - CENSUS BUREAU

The Census Bureau, Foreign Trade Division (FTD) may be pursuing several changes to the Foreign Trade Regulations, 15 C.F.R. Part 30.

First, the Census Bureau has instituted a review of 15 C.F.R. §30.60 and potentially is pursuing a rule to account for the implementation of the International Trade Data System, established by the Safe Port Act of 2006.

Second, the Census Bureau plans to amend the Foreign Trade Regulations (FTR) to clarify that the Kimberley Process Certificates (KPCs) are collected under the authority of the Clean Diamond Act, not under the authority of Title 13, United States Code (U.S.C.). This change will identify the permissible uses of these documents in light of this clarification. The Clean Diamond Trade Act requires the United States to keep and publish statistics on import and export shipments of rough diamonds and to make these statistics available for analysis by U.S. Federal Government agencies and participating Kimberley Process governments. In order to meet this requirement, the Census Bureau began collecting images of Kimberley Process Certificates (KPCs) for all import and export shipments in January 2006. As a result, the data collected from the KPCs are not statistical data collected under Title 13 and the confidentiality provisions of 13 U.S.C. § 9. This regulatory change seeks to reduce confusion about the propriety of releasing the data to other agencies. The FTD has drafted this rule; however, Census has placed this action on hold pending receipt of feedback from the U.S. State Department. The State Department has promulgated regulations pursuant to its enforcement responsibilities under the Clean Diamond Act. In order to ensure uniformity with the State Department’s regulations, the Census Bureau has consulted with the State Department about the potential rulemaking.

Third, Census may also amend the FTR to reflect the filing time frames for split shipments and the filing requirements for shipments subject to CFR 758.1(b) of the Export Administration Regulations (EAR). The Census Bureau revised the requirements for split shipments on August 23, 2013 with the publication of FTR Letter #6. This rule will formalize those revisions. In order to maintain consistency with the EAR, this rule also would mandate filing for all shipments that require filing per 15 CFR 758.1(b) of the EAR.

Lastly, the Census Bureau also may be amending the FTR to address the filing requirements for carnet shipments under 15 C.F.R. § 30.37q, pending consultation with the Customs and Border Protection, Department of Homeland Security.