Cooley

Export Control Reminder: Semi-Annual Encryption Reporting Deadline 8/1/19

July 26, 2019

August 1, 2019, is the deadline for submitting semi-annual reports for certain ENC Restricted encryption items exported or re-exported between January 1 and June 30, 2019, pursuant to paragraphs (b)(2) and (b)(3)(iii) of License Exception ENC (15 CFR 740.17). The encryption items subject to the semi-annual reporting requirement include:

- Certain network infrastructure items
- Certain encryption source code that is not publicly available
- Items that have been specifically designed, modified, adapted or customized for "government end-users"
- Commodities and software for quantum cryptography
- Cryptanalytic items and items with an open cryptographic interface
- Commodities and software that provide penetration capabilities that are capable of attacking, denying, disrupting or otherwise impairing the use of cyber infrastructure or networks
- Items that perform advanced network vulnerability or digital forensics analysis

If you would like assistance determining whether the EAR's encryption controls or semi-annual reporting requirement apply to your products, please contact a member of our team.

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Key Contacts

Kevin King **Washington, DC**	**kking@cooley.com** **+1 202 842 7823**
Rebecca Ross Washington, DC	rross@cooley.com +1 202 728 7150
Karen Tsai Washington, DC	ktsai@cooley.com +1 202 842 7857

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