



AUKUS INDUSTRY CONSULTATION HYBRID SEMINAR: PROPOSED EXPORT CONTROL RULE CHANGES RELATED TO THE SUCCESSFUL DELIVERY OF AUKUS Tuesday 14 May 2024, 14:00 – 16:30

Good morning,

Back on 15th February 2024, EGADD organised a webinar on *The Proposed US Export Control Rule Changes in the FY24 National Defense Authorization Act*, which focused on issues associated with the successful delivery of the trilateral AUKUS initiative. AUKUS is a trilateral defence partnership between Australia, the UK and the US which was announced in September 2021, and comprises 2 “Pillars” and is been designed to facilitate close cooperation between the three nations on a broad range of defence capabilities. Pillar 1 is focused on conventionally-armed nuclear-powered submarines, whilst Pillar 2 is focused on a number of different high-technology capability areas, such as: cyber capabilities, artificial intelligence, quantum technologies, additional undersea capabilities, hypersonic and counter-hypersonic capabilities, electronic warfare, innovation, and information sharing. Naturally, it has been clearly identified that the successful delivery of such an ambitious multinational development and production initiative will require the need to address a number of perceived practical barriers, especially including export controls, to enable the free flow of defence technologies between the three nations.

Subsequently, on Wednesday 1st May 2024, the Directorate of Defence Trade Controls (DDTC) at the US Department of State published, at the start of a 30-day consultation period, a draft proposed rule outlining its proposals for the ITAR Exemption related to the delivery of AUKUS, the three-nation agreement for the joint development of a number of new advanced military technologies. A copy of what has been published is to be found at: <https://public-inspection.federalregister.gov/2024-08829.pdf>.

This publication is linked to similar proposed changes related to the parallel EAR system which were released on Thursday 18th April (<https://www.bis.gov/press-release/commerce-significantly-streamlines-export-controls-australia-and-united-kingdom>), with a very useful and insightful commentary from the World-renowned expert Kevin Wolf available at: <https://www.akingump.com/en/insights/alerts/bis-eliminates-almost-all-ear-controls-for-australia-and-the-united-kingdom>), as well as the UK's own Notice to Exporters, which was also released on Wednesday 1st May (<https://www.gov.uk/government/publications/notice-to-exporters-202409-update-on-aukus>), and the launch of the UK Government's own 60-day consultation period for an AUKUS-related Open General Export Licence. Meanwhile, the Australians have also launched their own consultations on their proposals, further details of which are available at: <https://www.defence.gov.au/about/reviews-inquiries/defence-trade-controls-amendment-act-2024-defence-trade-legislation-amendment-regulations-2024> and <https://www.defence.gov.au/news-events/releases/2024-05-01/aukus-countries-export-licence-free-environment-takes-flight>.

All UK companies are strongly encouraged to have a detailed look at the above documents, and to assess them and what they are proposing.

We will be organizing a UK Industry-wide hybrid event (seminar/webinar), to take place in Central London, which will be open to any UK firms who want to attend, which will be taking place **from 14.00 (BST) on Tuesday 14th May 2024**, and is due to be attended by representatives of the US Government, the UK Government and the Australian Government, to air and discuss views and comments on what is being proposed by the three governments for the successful delivery of AUKUS. This will be a **FREE-TO-PARTICIPATE** event, which, for those who attend in person, will include some time for informal networking with the speakers and guests.

The speakers are expected to include:

US Government:

- **Mike Vaccaro**, Deputy Assistant Secretary of State for Defense Trade Controls, US Department of State
- **Dr. Michael C. Horowitz**, Deputy Assistant Secretary of Defense for Force Development and Emerging Capabilities in the Office of the Under Secretary of Defense for Policy, US Department of Defense (TBC)
- **Sarah J. Heidema**, Director of the Office of Defense Trade Controls Policy in the Political Military Bureau, US Department of State
- **Philip Johnson**, Senior Advisor, Export Enforcement, Bureau of Industry and Security, US Department of Commerce (participating virtually)

UK Government:

- **Laura Farhall**, Minister Counsellor Defence Acquisition and Technology, Washington D.C. at UK Ministry of Defence
- **Greg Mallitte**, Assistant Head - UK-US & US Export Controls Policy, UK MoD
- **Chris Chew**, Head of Export Control Policy, Export Control Joint Unit, Department for Business & Trade (TBC)

Australian Government:

- **Dr Catherine Hallett**, Acting Director of the Export Controls Branch in Australia's Department of Defence

This will be an invaluable opportunity for UK companies to understand what the three governments are looking for and what feedback would be most useful as part of their requests for comments, as well as enabling UK firms to learn about the latest developments related to the proposed rule changes and what these could mean for them, whilst also having an opportunity to present any queries that they may have to the attending government officials from the three nations, and to present to them some practical case studies of how they might be impacted by the proposed changes.

This event will be a pivotal part of the consultations with UK Industry which are being launched in response to the above consultations, and anyone interested or potentially impacted by the proposed changes is strongly encouraged to participate, either physically or virtually.

Further details and how to register your attendance can be found here: [Hybrid Seminar Registration](#).

Kind regards

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