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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 732, 734, 736, 744, and 748

[Docket No. 261027-0002]

RIN 0694-AK34

Extension of the Suspension of Expansion of End-User Controls for Affiliates of Certain Listed Entities

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Final rule; stay.

SUMMARY: The Bureau of Industry and Security (BIS) is extending the suspension of the interim final rule (IFR), ‘‘Expansion of End-User Controls to Cover Affiliates of Certain Listed Entities.’’ The suspension was set to end November 9, 2026. This final rule extends the suspension through January 10, 2027.

DATES: Effective November 9, 2026, the amendments to 15 CFR parts 732, 734, 736, 744, and 748 in the interim final rule published at 90 FR 47201, on September 30, 2025, and stayed on November 10, 2025, at 90 FR 50857, are further stayed until January 10, 2027.

FOR FURTHER INFORMATION CONTACT: Noah Jaffe at noah.jaffe@bis.doc.gov, Bureau of Industry and Security, Department of Commerce.

SUPPLEMENTARY INFORMATION:

Background

On September 20, 2025, BIS published the IFR, “Expansion of End-User Controls to Cover Affiliates of Certain Listed Entities,” (90 FR 47201) (Affiliates Rule). On November 12, 2025, BIS published a final rule titled, “One Year Suspension of Expansion of End-User Controls for Affiliates of Certain Listed Entities,” (90 FR 50857) (Stay of Affiliates Rule), imposing a one-year suspension of the Affiliates Rule, which was set to end November 9, 2026.

BIS is extending the suspension until January 10, 2027.

Export Control Reform Act of 2018

On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which included the Export Control Reform Act of 2018 (ECRA) (50 U.S.C. 4801-4852). ECRA provides the legal basis for BIS's principal authorities and serves as the authority under which BIS issues this rule. In particular, Section 1753 of ECRA (50 U.S.C. 4812) authorizes the regulation of exports, reexports, and transfers (in-country) of items subject to U.S. jurisdiction. Further, Section 1754(a)(1)-(16) of ECRA (50 U.S.C. 4813(a)(1)-(16)) authorizes, inter alia, establishing and maintaining a list of foreign persons and end uses that are determined to be a threat to the national security and foreign policy of the United States pursuant to the policy set forth in Section 1752(2)(A), and restricting exports, reexports, and in-country transfers of any controlled items to any foreign person or end use so listed; apprising the public of changes in policy, regulations, and procedures; and any other action necessary to carry out ECRA that is not otherwise prohibited by law. Pursuant to Section 1762(a) of ECRA (50 U.S.C. 4821(a)), these changes can be imposed in a final rule without prior notice and comment.

Rulemaking Requirements

1. This rule has been determined to be not significant for purposes of Executive Order (E.O.) 12866. This final rule is not a regulatory action pursuant to E.O. 14192 because it is not a significant rule under E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to or be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501 *et seq.*), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This rule involves the following OMB-approved collections of information subject to the PRA:

• 0694-0088, “Simple Network Application Process and Multipurpose Application Form,” which carries a burden hour estimate of 29.7 minutes for a manual or electronic submission;

• 0694-0096 “Five Year Records Retention Period,” which carries a burden hour estimate of less than 1 minute;

• 0607-0152 “Automated Export System (AES) Program,” which carries a burden hour estimate of 3 minutes per electronic submission; and

• 0694-0134 “Procedure for parties on the Entity List or the Unverified List to Request Removal or Modification of their Listing,” which carries a burden hour estimate of 15 hours per electronic submission.

BIS estimates no changes to these information collections based on the continued suspension of the license requirements and related provisions. Additional information regarding these collections of information—including all background materials—can be found at: *https:/www.reginfo.gov/public/do/PRAMain* by using the search function to enter either the title of the collection or the OMB Control Number.

3. This rule does not contain policies with federalism implications as that term is defined in E.O. 13132.

4. Pursuant to Section 1762 of the Export Control Reform Act of 2018, this action is exempt from the Administrative Procedure Act (5 U.S.C. 553) requirements for notice of proposed rulemaking, opportunity for public participation, and delay in effective date. This final rule did not consider public comments received on the Affiliates Rule. Public comments received on the Affiliates Rule will be considered for future, subsequent rulemakings.

5. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601, *et seq*.) are not applicable. Accordingly, no final regulatory flexibility analysis is required, and none has been prepared.

Jeffrey I. Kessler,

Under Secretary for Industry and Security.

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