



U.S. Export Controls and Their Impact on German Companies

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Export Administration Regulations

- Dual-use products and technology
 - Wassenaar and other multilateral controls
 - Unilateral controls
- Exports, reexports and incorporated content
- Deemed exports
- General prohibitions
- License exceptions
- Individual licenses
- Licensing policy

International Traffic in Arms Regulations

- Defense articles
- Technical data and defense services
- United States Munitions List
- Commodity jurisdiction
- Registration
- Licenses – limited exemptions
- Retransfers - incorporated content
- Brokering
- Licensing policy

U.S. Economic Sanctions – Iranian Transactions Regulations

- U.S. persons
- Prohibitions include:
 - Exports of goods, technology and services to Iran or the Government of Iran or with knowledge or reason to know that they are intended for reexport to Iran.
 - Reexports (applies to non-US persons as well) – controlled US goods, technology or services with knowledge or reason to know that the reexport is intended for Iran or the Government of Iran, except for substantial transformation and foreign goods with less than 10% US content.
 - Facilitation by US person of activities by foreign person.
- Exemption for humanitarian donations, information and travel.
- Funds transfers - recent enforcement actions.

Iran Sanctions Act

- Authority to impose sanctions for the development of petroleum resources in Iran.
- Pending amendments target production and export of refined petroleum resources to Iran.
- Applies to activities of non-US companies outside the United States.
- Also includes anyone facilitating transactions, including shippers and insurers as well as financing or brokering.
- Current sanctions include prohibition on US government contracts, obtaining export licenses, Ex-Im Bank assistance and imports.
- Additional sanctions include prohibition on foreign exchange transactions or other banking transactions and prohibiting US persons from doing business with company subject to sanctions.
- Reporting requirements and limitations on President's ability to waive sanctions.