

New Controls on Cybersecurity Items

ECCN	ECCN Text	Reasons for Control
4A005	“Systems,” “equipment” and “components” therefor, “specially designed” or modified for the generation, command and control, or delivery of “intrusion software.”	National Security (NS) applies to entire entry NS Column 1. Anti-Terrorism (AT) applies to entire entry AT Column 1.
4D001.a	“Software” “specially designed” or modified for the “development” or “production” of equipment or “software” controlled by [4A005].	NS applies to entire entry NS Column 1. AT applies to entire entry AT Column 1.
4D004	“Software” “specially designed” or modified for the generation, command and control, or delivery of “intrusion software.” <u>Note:</u> 4D004 does not apply to “software” specially designed and limited to provide “software” updates or upgrades meeting all the following: a. The update or upgrade operates only with the authorization of the owner or administrator of the system receiving it; and b. After the update or upgrade, the “software” updated or upgraded is not (i) “Software” specified by 4D004 or (ii) “Intrusion software.”	NS applies to entire entry NS Column 1. AT applies to entire entry AT Column 1.
4E001.a	“Technology” [required] for the “development,” “production” or “use” of equipment or “software” controlled by 4A (except 4A980 or 4A994) or 4D (except 4D980, 4D993, 4D994). <u>Note 1:</u> 4E001.a and 4E001.c do not apply to “vulnerability disclosure” or “cyber incident response.” <u>Note 2:</u> Note 1 does not diminish national authorities’ rights to ascertain compliance with 4E001.a and 4E001.c.	NS applies to entire entry NS Column 1. AT applies to entire entry AT Column 1.
4E001.c	“Technology” for the “development” of “intrusion software.” <u>Note 1:</u> 4E001.a and 4E001.c do not apply to “vulnerability disclosure” or “cyber incident response.” <u>Note 2:</u> Note 1 does not diminish national authorities’ rights to ascertain compliance with 4E001.a and 4E001.c.	NS applies to entire entry NS Column 1. AT applies to entire entry AT Column 1.

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5A001.j.	<p>IP network communications surveillance systems or equipment, and “specially designed” components therefor, having all of the following:</p> <p>j.1. Performing all the following on a carrier class IP network (e.g., national grade IP backbone):</p> <ul style="list-style-type: none"> j.1.a. Analysis at the application layer (e.g., Layer 7 of Open Systems Interconnection (OSI) model (ISO/IEC 7498-1)); j.1.b. Extraction of selected metadata and application content (e.g., voice, video, messages, attachments); and j.1.c. Indexing of extracted data. <p>and</p> <p>j.2. Being “specially designed” to carry out all the following:</p> <ul style="list-style-type: none"> j.2.a. Execution of searches on the basis of “hard selectors;” and j.2.b. Mapping of the relational network of an individual or of a group of people. <p><u>Note:</u> 5A001.j does not apply to “systems” or “equipment” “specially designed” for any of the following:</p> <ul style="list-style-type: none"> a. Marketing purpose; b. Network Quality of Service (QoS); or c. Quality of Experience (QoE). 	<p>NS applies to entire entry NS Column 2.</p> <p>AT applies to entire entry AT Column 1.</p>