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Bureau of Industry and Security: Retrospective Regulatory Review Under E.O. 13563

Comment On: BIS-2011-0027-0001
Retrospective Regulatory Review Under E.O. 13563

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004 Comment by Dolby Laboratories

Submitter Information

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General Comment

Please allow companies with products, technologies, software and services that are not designed for military use to "opt-out" of the Export Administration Regulations. Although our company's products, technologies, and software are subject to the EAR because of their DSP operating speed, testing capabilities, and/or cryptography, they are not useful to the military.

Every company should be given the opportunity to describe why their products should not be subject to the EAR and have it reviewed annually (or semi-annually) by BIS. Companies that hire foreign nationals could continue to provide thorough review for deemed export requirements as per USCIS and the I-129 form. But if the company has a technology control plan AND can make the case that their products, software, technologies and services are not of value to the military (or the enemy), then the enormous costs of complying with the EAR can be greatly reduced. Ideally, this would allow more spending on innovation, hiring more employees, and keeping jobs stateside.

Thank you for your consideration.