

**ADDITIONAL SUGGESTED TOPICS**

ISSUE	DISCUSSION	RECOMMENDATION
Harmonize updated definitions as they relate to each other in ITAR and EAR. Resolve overlapping, disconnected definitions	There is an overlap between public domain, defense services, fundamental research and technical data definitions. Lack of definitional clarity has led to differing interpretation of these definitions and the interplay of interpretations has a different impact on industry and institutions of higher learning and associated research labs. Taking a step back and looking at the definitions together to clarify their relationship and clean up inconsistencies pave the way for consistency in interpretation, implementation and compliance.	Ensure that definitions are harmonized and deconflicted before final publication. This will preclude multiple revisions of definitions and provide clarity. This increases transparency (a goal of Export Control Reform), and supports harmonization of EAR and ITAR.
Electronic transmission of technical data; use of cloud storage	Electronic transmission of technical data and the use of cloud storage techniques for technical data are not covered in the ITAR. These issues need to be addressed, taking into consideration what electronic data falls under the purview of the ITAR, transmission networks (e.g., national and international), an understanding of cloud storage and cloud computing, and use cases/examples.	DTAG can assist in review and definition of the issue (scope), provide the relevant definitions, use cases, and recommendations for consideration in the preparation of new guidance or regulation.
Consolidation of reporting requirements into an ITAR Annex	Reporting requirements are interspersed throughout the ITAR. It would facilitate industry's ability to report properly if the requirements were also consolidated in a single location.	Consolidate reporting requirements into one guidebook. This increases transparency (a goal of Export Control Reform), and supports harmonization of reporting requirements in the ITAR
DN/TCN exemption (126.18)	Use DTAG to analyze the varying implementation questions with regard to the DN/TCN exemption to enhance efficiencies consistent with the objectives of the license exemption. In particular, industry has questions regarding the roles and responsibilities of U.S. and non-US persons in invoking the exemption and documentation requirements (to the extent required).	This project will enhance efficiencies in the utilization of the new license exemption and provide clarity and transparency in the implementation requirements, consistent with the objectives of the new license exemption.
Broad-reaching Advisory Opinions which impact definitions	Industry learns anecdotally about Advisory Opinions with broad reach – e.g., instruction using public domain technical data could constitute a defense service and resulting articles could be defense articles. If the intent of the public domain is to create a safe harbor, this carve-out leads to confusion and muddies the concept of public domain.	DTAG strongly recommends that Advisory Opinions with regulatory interpretation, not specific to any one company, be posted on their website. Adds transparency to the export control process, which supports ongoing Export Control Reform effort.
Include ITAR Citations in USG Guidance and a topical index to such Guidance	If USG guidance (typically provided separately from regulatory language) is intended to be authoritative, it becomes overly burdensome to monitor and comply if guidance cannot be readily tracked and tied to the implicated code sections. It would facilitate industry's ability to comply if guidance that is intended to be authoritative can be compiled and either codified or at least included in annotation to the code so all authority is consolidated. A topical index could be posted on the PM/DDTC website.	Adds transparency to the export control process, which supports ongoing Export Control Reform effort; provides clarity and supports measurable export compliance.