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Alert | Export Controls & Economic Sanctions/ Space & Satellite

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BIS Eases US Export Controls for UAE: Key Opportunities & Compliance Considerations

On July 14, 2026, the U.S. Department of Commerce's Bureau of Industry and Security (BIS) published a final rule, *Enhanced Favorable Treatment for the United Arab Emirates Under the Export Administration Regulations* (the Rule), significantly improving the United Arab Emirates (UAE)'s status under the Export Administration Regulations (EAR). The Rule removes the UAE from Country Groups D:3 and D:4 and adds it to Country Group A:5, making a number of EAR license exceptions available for exports, reexports, and transfers to eligible UAE recipients.

The Rule represents a significant easing of U.S. export controls toward the UAE. However, despite headlines suggesting broad new access to U.S. technology, the practical benefits for some commercial companies in the UAE may be more limited in the near term. For some private-sector UAE companies, particularly those operating in advanced technology sectors such as artificial intelligence and space, the most meaningful benefits remain contingent on obtaining BIS approval through a newly-established, but undefined advisory opinion process.

Final Rule Overview

The Rule moves the UAE into Country Group A:5, a designation generally reserved for close U.S. allies and partners. While the Rule does not remove any license requirements derived from the Commerce Control List, additional license exceptions are now available. As a result, certain exports that previously

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required BIS licenses may now qualify for EAR license exceptions, including License Exception Strategic Trade Authorization (STA).

STA will authorize exports, reexports, or in-country transfers of military items, certain commercial satellites and spacecraft, and dual-use items used in various sectors including oil and gas production, civil nuclear power generation, and desalination. However, BIS added a footnote (Footnote 5) to the UAE's entry in the Country Group A chart limiting the scope of STA. Pursuant to the footnote, the UAE government and approved private entities (listed in newly-created Supplement No. 8 to Part 740 of the EAR) will also have access to exports under STA and/or certain advanced computing items without having to obtain export licenses from BIS. Importantly, private UAE entities not included in Supplement No. 8 will need to petition BIS through an advisory opinion process for inclusion in this supplement in order to be eligible for exports under STA and/or to receive advanced computing items.

In addition to License Exception STA, other license exceptions including ACE, APR, AVS, BAG, GOV, License Exception Temporary Imports, Exports, Reexports, and Transfers (in-country) (TMP), and TSU may now be used to cover the export, reexport, or in-country transfer of various items on the Commerce Control List that previously required a license to the UAE.

The UAE will no longer be subject to restrictions on certain activities of U.S. persons related to missile systems under § 744.6(b)(2) of the EAR or the end-use restrictions in § 744.3(a)(1) and (3) related to missile systems.

According to BIS in a press release, the change reflects the UAE's status as a U.S. Major Defense Partner and the UAE government's commitments regarding the protection of sensitive U.S. technology.

Importantly, the Rule does not eliminate all EAR export licensing requirements with respect to the UAE, even for the limited universe of UAE end-users now eligible under License Exception STA. Certain UAE-related export transactions will still require BIS export licenses. Further, the Rule does not impact licensing requirements for hardware, software, or technical data subject to the separate International Traffic in Arms Regulations (ITAR) administered by the U.S. Department of State. For example, many space-related commodities are subject to the ITAR, and their export to the UAE will continue to require authorization from the State Department's Directorate of Defense Trade Controls (DDTC). Given the complex and overlapping nature of U.S. export controls regulations, legal and compliance personnel may wish to carefully review all export transactions on a case-by-case basis.

Implications for the Space Sector

For space companies, the Rule is noteworthy because License Exception STA may now become available for certain commercial satellites and spacecraft exports to eligible UAE recipients. While there is an immediate benefit for U.S.-based space companies exporting EAR-controlled items to the UAE government, the benefits are not automatically available to private UAE space companies. While the Rule makes the UAE government (including the Ministry of Defense and Armed Forces, but excluding state-owned enterprises and contractors/grantees of UAE government agencies) eligible for STA treatment, the availability of STA for commercial UAE entities generally depends on inclusion in Supplement No. 8 or obtaining approval through BIS's advisory opinion process. At this time, BIS has not publicly approved any UAE commercial space companies under the new framework.

As a practical matter, this means that UAE commercial space operators and UAE government-owned enterprises that may wish to receive U.S.-origin spacecraft, satellite components, ground-system technology, or other controlled items will not immediately benefit from the Rule simply because the UAE

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has been added to Country Group A:5. Exports to such persons will still require an export license from BIS.

Implications for the Advanced Computing Industry

As noted above, the UAE government and a very limited number (currently) of private entities will also have access to advanced computing items specified in § 742.6(a)(6)(iii)(A) of the EAR, as well as controls on Export Control Classification Numbers 3A090.b, 4A090.b, and related "z" paragraph items, without having to obtain export licenses from BIS. BIS has approved only two commercial UAE entities to date. Specifically, the Rule identifies G42 (an artificial intelligence, cloud computing, data analytics, and digital infrastructure company headquartered in Abu Dhabi) and Core42 (G42's AI infrastructure and cloud-computing subsidiary, focused on data centers, sovereign cloud services, and advanced computing infrastructure) as the only pre-approved entities. Other private UAE companies seeking to gain license-free access to advanced computing technology will need to seek approval through an advisory opinion. Indeed, even the two approved entities will need to follow the advisory opinion process if they do not become U.S. companies within 270 days of the filing of the Rule for public inspection.

The Rule also provides license-free access to the covered advanced computing items for certain U.S.-headquartered AI companies and their subsidiaries. In addition, one UAE-headquartered company has received favorable review of export license applications involving semiconductors and servers to the UAE.

The Rule otherwise maintains license requirements for advanced computing items destined to or within the UAE.

The Advisory Opinion Process

For some commercial UAE companies, the advisory opinion process established under the Rule may prove more important than the country group reclassification itself. Under the Rule, commercial entities may seek approval from BIS to become eligible recipients for commodities under License Exception STA and to be listed in Supplement No. 8. BIS has stated that the Secretary of Commerce, in consultation with the Secretary of State and the Assistant to the President for National Security Affairs, will review such requests on a case-by-case basis within 30 days and will evaluate applications based on U.S. national security and foreign policy considerations, including the applicant's compliance capabilities and track record. Those entities approved will then be added to the list of approved entities in Supplement No. 8.

While the final rule establishes a process by which UAE commercial entities may seek approval for inclusion in Supplement No. 8, the practical application of that process remains to be seen. BIS has not yet provided any guidance on what applicants must include in the advisory opinion request beyond saying the request must comply with Section 748.3(c) of the EAR, which does not specifically address advisory opinion requests in this context.

Key Takeaways

The UAE's elevation to Country Group A:5 represents a significant policy shift and signals a deepening U.S.-UAE strategic and technology partnership. Nevertheless, for many commercial companies, including those in the space sector, the Rule may be viewed as creating a pathway to future benefits rather than providing immediate relief.

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Companies should keep several points in mind:

- The UAE's new status expands the potential availability of EAR license exceptions, including License Exception STA.
- Automatic eligibility for exports, reexports, or in-country transfers under License Exception STA is generally limited to the UAE government and a narrow set of approved entities.
- Before becoming an eligible end-user or consignee for purposes of License Exception STA, some private UAE companies must obtain BIS approval through the advisory opinion process before becoming eligible for STA and/or license-free access to certain advanced computing items.
- No UAE commercial space companies have been publicly approved under the new License Exception STA framework. As a result, some exports to UAE space operators will continue to require BIS authorization.
- Apart from License Exception STA, non-governmental UAE end-users may now be eligible for certain (but not all) EAR license exceptions.
- EAR license exceptions, including License Exception STA, only apply to certain commodities subject to the EAR. Therefore, BIS export licenses for certain hardware, software, and technology may still be required, even to UAE end-users and ultimate consignees that are eligible for License Exception STA.
- The applicability of every EAR license exception is complex and fact-specific, so exporters must never assume that an EAR commodity may be exported, reexported, or transferred in-country without a BIS export authorization until first verifying the applicability of a valid license exception.
- All EAR license exceptions, particularly License Exception STA, carry certain recordkeeping and other compliance requirements, which differ depending on the specific license exception. Exporters may wish to carefully review applicable requirements and limitations before availing themselves of any EAR license exception.
- Companies seeking to take advantage of the Rule may wish to begin evaluating their export compliance programs and preparing for potential engagement with BIS regarding advisory opinion requests. We note that there are significant risks related to export controls and sanctions evasion in the UAE and end-use and end-user screening remains important for companies doing business in the region.

Although the Rule is an important step toward greater technology cooperation between the United States and the UAE, its ultimate significance for the commercial space and advanced computing industries may depend less on the UAE's new country-group designation and more on how BIS implements and administers the advisory opinion process in the months ahead.

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