

Table of Contents

Index

Commerce Office Addresses

Legal Authority

Part 730	General Information
730.1	What these regulations cover
730.2	Statutory authority
730.3	Dual use exports
730.4	Other control agencies and departments
730.5	Coverage of more than exports
730.6	Control purposes
730.7	License requirements and exceptions
730.8	How to proceed and where to get help
730.9	Organization of the Bureau of Industry and Security
730.10	Advisory information
	Supplement No. 1 to Part 730; Information Collection Requirements Under the Paperwork Reduction Act: OMB Control Numbers
	Supplement No. 2 to Part 730; Technical Advisory Committees
	Supplement No. 3 to Part 730; Other U.S. Government Departments and Agencies with Export Control Responsibilities
Part 732	Steps For Using the EAR
732.1	Steps overview
732.2	Steps regarding scope of the EAR
732.3	Steps regarding the ten general prohibitions
732.4	Steps regarding License Exceptions
732.5	Steps regarding Shipper's Export Declaration or Automated Export System Record, Destination Control Statements, and Recordkeeping
732.6	Steps for other requirements
	Supplement No. 1 to Part 732; Decision Tree
	Supplement No. 2 to Part 732; Subject to the EAR?
	Supplement No. 3 to Part 732; BIS's "Know Your Customer" Guidance and Red Flags
Part 734	Scope of the Export Administration Regulations
734.1	Introduction
734.2	Important EAR terms and principles
734.3	Items subject to the EAR
734.4	<i>De minimis</i> U.S. content
734.5	Activities of U.S. and foreign persons subject to the EAR
734.6	Assistance available from BIS for determining licensing and other requirements
734.7	Published information and software
734.8	Information resulting from fundamental research
734.9	Educational information
734.10	Patent applications
734.11	Government-sponsored research covered by contract controls
734.12	Effect on foreign laws and regulations

Supplement No. 1 to Part 734; Questions and Answers - Technology and Software Subject to the EAR
Supplement No. 2 to Part 734; Guidelines for *De Minimis* Rules

Part 736 General Prohibitions

736.1 Introduction
736.2 General prohibitions and determination of applicability
Supplement No. 1 to Part 736; General Orders
Supplement No. 2 to Part 736; Administrative Orders

Part 738 Commerce Control List Overview and the Country Chart

738.1 Introduction
738.2 Commerce Control List (CCL) structure
738.3 Commerce Country Chart structure
738.4 Determining whether a license is required
Supplement No. 1 to Part 738; Commerce Country Chart

Part 740 License Exceptions

740.1 Introduction
740.2 Restrictions on all License Exceptions
740.3 Shipments of limited value (LVS)
740.4 Shipments to Country Group B countries (GBS)
740.5 Civil end-users (CIV)
740.6 Technology and software under restriction (TSR)
740.7 Computers (APP)
740.8 [RESERVED]
740.9 Temporary imports, exports, and reexports (TMP)
740.10 Servicing and replacement of parts and equipment (RPL)
740.11 Governments, international organizations, and international inspections under the Chemical Weapons Convention (GOV)
740.12 Gift parcels and humanitarian donations (GFT)
740.13 Technology and software - unrestricted (TSU)
740.14 Baggage (BAG)
740.15 Aircraft and vessels (AVS)
740.16 Additional permissive reexports (APR)
740.17 Encryption commodities, software, and technology (ENC)
740.18 Agricultural commodities (AGR)
Supplement No. 1 to Section 740.11; Additional restrictions on use of License Exception GOV
Supplement No. 1 to Part 740; Country Groups
Supplement No. 2 to Part 740; Items that may be Donated to Meet Basic Human Needs Under the Humanitarian License Exception
Supplement No. 3 to Part 740; License Exception ENC Favorable Treatment Countries

Part 742 Control Policy – CCL Based Controls

742.1 Introduction
742.2 Proliferation of chemical and biological weapons
742.3 Nuclear nonproliferation
742.4 National security
742.5 Missile technology
742.6 Regional stability
742.7 Crime control
742.8 Anti-Terrorism: Iran

742.9	Anti-Terrorism: Syria
742.10	Anti-Terrorism: Sudan
742.11	Specially designed implements of torture, thumbscrews, and handcuffs; and parts and accessories, n.e.s.
742.12	[RESERVED]
742.13	Communications intercepting devices
742.14	Significant items: Hot section technology for the development, production or overhaul of commercial aircraft engines, components, and systems
742.15	Encryption items
742.16	[RESERVED]
742.17	Exports of firearms to OAS member countries
742.18	Chemical Weapons Convention (CWC or Convention)
742.19	Anti-terrorism: North Korea
	Supplement No. 1 to Part 742; Nonproliferation of Chemical and Biological Weapons
	Supplement No. 2 to Part 742; Anti-terrorism Controls: North Korea, Syria and Sudan Contract Sanctity Dates and Related Policies
	Supplement No. 3 to Part 742; [RESERVED]
	Supplement No. 4 to Part 742; [RESERVED]
	Supplement No. 5 to Part 742; Checklist on Encryption and Other “Information Security” Functions
	Supplement No. 6 to Part 742; Guidelines for Submitting Review Requests for Encryption Items
	Supplement No. 7 to Part 742; Description of Major Weapons Systems

Part 743 Special Reporting

743.1	Wassenaar Arrangement
743.2	High performance computers: post shipment verification reporting
	Supplement No. 1 to Part 743; Wassenaar Arrangement Participating States

Part 744 Control Policy: End-user and End-use Based

744.1	General provisions
744.2	Restrictions on certain nuclear end-uses
744.3	Restrictions on certain rocket systems (including ballistic missile systems and space launch vehicles and sounding rockets) and unmanned air vehicles (including cruise missile systems, target drones and reconnaissance drones) end-uses
744.4	Restrictions on certain chemical and biological weapons end-uses
744.5	Restrictions on certain maritime nuclear propulsion end-uses
744.6	Restrictions on certain activities of U.S. persons
744.7	Restrictions on certain exports to and for the use of certain foreign vessels or aircraft
744.8	Restrictions on exports and reexports to persons designated pursuant to Executive Order 13382 – Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters
744.9	[RESERVED]
744.10	Restrictions on certain entities in Russia
744.11	License requirements that apply to entities acting contrary to national security or foreign policy interests of the United States
744.12	Restrictions on exports and reexports to persons designated in or pursuant to Executive Order 13224 (Specially Designated Global Terrorist) (SDGT)
744.13	Restrictions on exports and reexports to persons designated pursuant to Executive Order 12947 (Specially Designated Terrorists) (SDT)
744.14	Restrictions on exports and reexports to designated Foreign Terrorist Organizations (FTOs)
744.15	Restrictions on exports and reexports involving persons named in General Orders
744.16	Procedures for requesting removal or modification of an Entity List Entity
744.17	Restrictions on certain exports and reexports of general purpose microprocessors for ‘military end-

	uses' and to 'military end-users'
744.18	Restrictions on exports, reexports, and transfers to persons designated in or pursuant to Executive Order 13315
744.19	Licensing policy regarding persons sanctioned pursuant to specified statutes
744.20	License requirements that apply to certain sanctioned entities
744.21	Restrictions on certain military end-uses in the People's Republic of China (PRC).
744.22	Restrictions on exports, reexports and transfers to persons listed in or designated pursuant to executive orders 13310, 13448 or 13464
	Supplement No. 1 to Part 744; Military End-use Examples for §744.17
	Supplement No. 2 to Part 744; List of Items Subject to the Military End-use License Requirement of §744.21
	Supplement No. 3 to Part 744; Countries Not Subject to Certain Nuclear End-use Restrictions in §744.2(a)
	Supplement No. 4 to Part 744; Entity List
	Supplement No. 5 to Part 744; Procedures for End-User Review Committee Entity List Decisions

Part 745 Chemical Weapons Convention Requirements

745.1	Advance notification and annual report of all exports of Schedule 1 chemicals to other States Parties
745.2	End-Use Certificate reporting requirements under the Chemical Weapons Convention
	Supplement No. 1 to Part 745; Schedules of Chemicals
	Supplement No. 2 to Part 745; States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction
	Supplement No. 3 to Part 745; Foreign Authorized Agencies Responsible for Issuing End-Use Certificates Pursuant to §745.2

Part 746 Embargoes and Other Special Controls

746.1	Introduction
746.2	Cuba
746.3	Iraq
746.4	North Korea
746.5	[RESERVED]
746.6	[RESERVED]
746.7	Iran
746.8	Rwanda
746.9	Syria
	Supplement No. 1 to Part 746; Examples of luxury goods
	Supplement No. 2 to Part 746; [RESERVED]
	Supplement No. 3 to Part 746; [RESERVED]

Part 747 Special Iraq Reconstruction License

747.1	Scope
747.2	Eligibility requirements
747.3	Eligible Items
747.4	Steps you must follow to apply for a SIRL
747.5	SIRL application review process

Part 748 Applications (Classification, Advisory, and License) and Documentation

748.1	General provisions
748.2	Obtaining forms; mailing addresses
748.3	Classification Requests, Advisory Opinions, and Encryption Review Requests
748.4	Basic guidance related to applying for a license
748.5	Parties to the transaction
748.6	General instructions for license applications

748.7	Applying electronically for a license or classification request
748.8	Unique license application and submission requirements
748.9	Support documents for license applications
748.10	Import Certificates and End-user Statements
748.11	Statement by Ultimate Consignee and Purchaser
748.12	Special provisions for support documents
748.13	Delivery Verification (DV)
748.14	Import Certificate for firearms destined for Organization of American States member countries
748.15	Authorization Validated End-user (VEU)
Supplement No. 1 to Part 748; BIS-748P; BIS-748P-A: Item Appendix, and BIS-748P-B: End-User Appendix; Multipurpose Application Instructions	
Supplement No. 2 to Part 748; Unique Application and Submission Requirements	
Supplement No. 3 to Part 748; BIS-711, Statement by Ultimate Consignee and Purchaser Instructions	
Supplement No. 4 to Part 748; Authorities Administering Import Certificate/ Delivery Verification (IC/DV) and End-User Statement Systems in Foreign Countries	
Supplement No. 5 to Part 748; U.S. Import Certificate and Delivery Verification Procedure	
Supplement No. 6 to Part 748; Authorities issuing Import Certificates under the Firearms Convention [RESERVED]	
Supplement No. 7 to Part 748; Authorization Validated End-user (VEU): List of Validated End-Users, Respective Eligible Items for export, reexport and transfer, and Eligible Destinations	
Supplement No. 8 to Part 748; Information Required in Requests for Validated End-User (VEU) Authorization	
Supplement No. 9 to Part 748; End-User Review Committee Procedures	

Part 750 Application Processing, Issuance, and/or Denial

750.1	Scope
750.2	Processing of Classification Requests and Advisory Opinions
750.3	Review of license applications by BIS and other government agencies and departments
750.4	Procedures for processing license applications
750.5	Status on pending applications and other requests
750.6	Denial of license applications
750.7	Issuance of licenses
750.8	Revocation or suspension of licenses
750.9	Duplicate licenses
750.10	Transfer of licenses for exports
750.11	Shipping tolerances

Part 752 Special Comprehensive License

752.1	Scope
752.2	Eligible activities
752.3	Eligible items
752.4	Eligible countries
752.5	Steps you must follow to apply for an SCL
752.6	Reexports
752.7	Direct shipment to customers
752.8	SCL application review process
752.9	Action on SCL applications
752.10	Changes to the SCL
752.11	Internal Control Programs
752.12	Recordkeeping requirements
752.13	Inspection of records
752.14	System reviews

- 752.15 Export clearance
- 752.16 Administrative actions
- 752.17 BIS address
- Supplement No. 1 to Part 752; Instructions for Completing Form BIS-748P, “Multipurpose Application”, for Requests for Special Comprehensive Licenses
- Supplement No. 2 to Part 752; Instructions for Completing Form BIS-748P-A, “Item Annex”
- Supplement No. 3 to Part 752; Instructions for Completing Form BIS-752, “Statement by Consignee in Support of Special Comprehensive License”
- Supplement No. 4 to Part 752; Instructions for Completing Form BIS-752-A, “Reexport Territories”
- Supplement No. 5 to Part 752; Instructions for Completing Form BIS-748P-B, “End-User Appendix”

Part 754 Short Supply Controls

- 754.1 Introduction
- 754.2 Crude oil
- 754.3 Petroleum products not including crude oil
- 754.4 Unprocessed western red cedar
- 754.5 Horses for export by sea
- 754.6 Registration of U.S. agricultural commodities for exemption from short supply limitations on export
- 754.7 Petitions for the imposition of monitoring or controls on recyclable metallic materials; Public hearings
- Supplement No. 1 to Part 754; Petroleum and Petroleum Products
- Supplement No. 2 to Part 754; Unprocessed Western Red Cedar
- Supplement No. 3 to Part 754; Statutory Provisions Dealing with Exports of Crude Oil

Part 756 Appeals

- 756.1 Introduction
- 756.2 Appeal from an administrative action

Part 758 Export Clearance Requirements

- 758.1 The Shipper’s Export Declaration (SED) or Automated Export System (AES) record
- 758.2 Automated Export System (AES)
- 758.3 Responsibilities of parties to the transaction
- 758.4 Use of export license
- 758.5 Conformity of documents and unloading of items
- 758.6 Destination control statement
- 758.7 Authority of the Office of Export Enforcement, the Bureau of Industry and Security, Customs offices and Postmasters in clearing shipments
- 758.8 Return or unloading of cargo at direction of BIS, the Office of Export Enforcement or Customs Service
- 758.9 Other applicable laws and regulations

Part 760 Restrictive Trade Practices or Boycotts

- 760.1 Definitions
- 760.2 Prohibitions
- 760.3 Exception to prohibitions
- 760.4 Evasion
- 760.5 Reporting requirements
- Supplement Nos. 1-16; Interpretations

Part 762 Recordkeeping

- 762.1 Scope

762.2	Records to be retained
762.3	Records exempt from recordkeeping requirements
762.4	Original records required
762.5	Reproduction of original records
762.6	Period of retention
762.7	Producing and inspecting records

Part 764 Enforcement and Protective Measures

764.1	Introduction
764.2	Violations
764.3	Sanctions
764.4	Reporting of violations
764.5	Voluntary self-disclosure
764.6	Protective administrative measures
764.7	Activities involving items that may have been illegally exported or reexported to Libya
764.8	Voluntary self-disclosures for boycott provisions

Supplement No. 1 to Part 764; Standard Terms of Orders Denying Export Privileges

Part 766 Administrative Enforcement Proceedings

766.1	Scope
766.2	Definitions
766.3	Institution of administrative enforcement proceedings
766.4	Representation
766.5	Filing and service of papers other than charging letter
766.6	Answer and demand for hearing
766.7	Default
766.8	Summary decision
766.9	Discovery
766.10	Subpoenas
766.11	Matter protected against disclosure
766.12	Prehearing conference
766.13	Hearings
766.14	Interlocutory review of rulings
766.15	Proceeding without a hearing
766.16	Procedural stipulations; extension of time
766.17	Decision of the administrative law judge
766.18	Settlement
766.19	Reopening
766.20	Record for decision and availability of documents
766.21	Appeals
766.22	Review by Under Secretary
766.23	Related persons
766.24	Temporary denials
766.25	Administrative action denying export privileges

Supplement No. 1 to part 766; Guidance on Charging and Penalty Determinations in Settlement of Administrative Enforcement Cases

Supplement No. 2 to part 766; Guidance on Charging and Penalty Determinations in Settlement of Administrative Enforcement Cases Involving Antiboycott Matters

Part 768 Foreign Availability Determination Procedures and Criteria

768.1	Introduction
-------	--------------

768.2	Foreign availability described
768.3	Foreign availability assessment
768.4	Initiation of an assessment
768.5	Contents of foreign availability submissions and Technical Advisory Committee certifications
768.6	Criteria
768.7	Procedures
768.8	Eligibility of expedited licensing procedures for non-controlled countries
768.9	Appeals of negative foreign availability determinations
768.10	Removal of controls on less sophisticated items
	Supplement No. 1 to Part 768; Evidence of Foreign Availability
	Supplement No. 2 to Part 768; Items Eligible for Expedited Licensing Procedures [RESERVED]

Part 770 Interpretations

770.1	Introduction
770.2	Item interpretations
770.3	Interpretations related to exports of technology and software to destinations in Country Group D:1

Part 772 Definitions of Terms

772.1	Definitions of terms as used in the Export Administration Regulations (EAR)
-------	---

Part 774 The Commerce Control List

774.1	Introduction
774.2	[RESERVED]

Supplement No. 1 to Part 774; The Commerce Control List

Category 0 - Nuclear Materials, Facilities & Equipment (and Miscellaneous Items)

Category 1 - Materials, Chemicals, "Microorganisms", and Toxins

Category 2 - Materials Processing

Category 3 - Electronics

Category 4 - Computers

Category 5 (Part 1) - Telecommunications

Category 5 (Part 2) - Information Security

Category 6 - Sensors and Lasers

Category 7 - Navigation and Avionics

Category 8 - Marine

Category 9 - Aerospace and Propulsion

Supplement No. 2 to Part 774; General Technology and Software Notes

Supplement No. 3 to Part 774; Statements of Understanding

Forms Supplement

Form BIS-621P, Report of Request for Restrictive Trade Practice or Boycott Single Transaction

Form BIS-645P/ATF-4522/DSP-53, International Import Certificate

Form BIS-647P, Delivery Verification Certificate

Form BIS-648P, Notification of Delivery Verification Requirement

Form BIS-648P, Instructions for Fulfilling DV Requirement

Form BIS-711, Statement by Ultimate consignee and Purchaser

Form BIS-748P, Multipurpose Application Form

Form BIS-748P, Instructions for filling out the Multipurpose Application Form page 1

Form BIS-748P, Instructions for filling out the Multipurpose Application Form page 2

Export License (sample)
Form BIS-748P-A, Item Appendix
Form BIS-748P-B, End-User Appendix
Form BIS-752, Statement by Consignee in Support of Special Comprehensive License
Form BIS-752-A, Reexport Territories
Form BIS-6051P, Report of Request for Restrictive Trade Practice or Boycott Multiple Transactions
Form BIS-6051P, Continuation sheet for: Report of Request for Restrictive Trade Practice or Boycott Multiple Transactions
ENG Form 7513, Shipper's Export Declaration for In-Transit Goods
Form 7525-V, Shipper's Export Declaration
Form 7525-V, Continuation form for: Shipper's Export Declaration
Power-of-Attorney Forms