

To facilitate legitimate exports to civilian end-users, BIS established a new authorization Validated End-User. The authorization will allow the export, reexport, and transfer of eligible items to specified end-users in an eligible destination, initially in the People's Republic of China and India. This template is designed to assist in requesting Validated End-User (VEU) authorization. The complete procedures to request VEU authorization, the procedures and timelines to be used by the End-User Review Committee (ERC) in considering such requests, and the criteria for evaluating requests can be found in Part 748.15 and Supplements 8 and 9 to Part 748 of the Export Administration Regulations (EAR).

TEMPLATE - Advisory Opinion Request for Authorization Validated End-User

This template is designed to assist in submitting requests for authorization Validated End-User, information that is mandatory unless otherwise noted and is annotated in italics and underlined.

[insert date]

Office of Exporter Services
Bureau of Industry and Security
U.S. Department of Commerce
14th Street and Pennsylvania Ave., N.W., Room 2705
Washington, DC 20230

SUBJECT: Advisory Opinion Request for Authorization Validated End-User (VEU)

ATTENTION: Request for Authorization Validated End-User

The *[VEU candidate]* is submitting this advisory opinion requesting VEU authorization, cited in Part 748.15 of the Export Administration Regulations (EAR).

General Information

The *[VEU candidate's name]* also operates under the following names *[only if applicable for your particular case]*.

We are requesting VEU authorization for the following destinations *[identify all locations separately]* within the People's Republic of China and/or India:

VEU Name
Physical Address
Telephone Numbers
Facsimile Numbers
Point of Contact
E-Mail Address for Point of Contact
Company Website (if applicable)

[If the party submitting the VEU application is not the prospective validated end-user, please provide the above information for the party submitting the advisory opinion request in addition to that of the VEU candidate.]

Structure, Ownership, Business Activities

Describe the basic structure of the prospective VEU here. Examples of this include: type of ownership (privately owned, publicly traded, joint venture, etc.); nature of business (subsidiaries and overview of business activity with the government and/or military); describe the items proposed for VEU authorization, including the Export Control Classification Number (ECCN) classified to the subparagraph level and the Commodity Classification Automated Tracking System (CCATS) number if BIS has previously classified the item [if you are unsure of the classification of your item, BIS will assist you in obtaining an official commodity classification]. Also, describe how you are going to use the item(s) you will receive under VEU authorization.

If the items you receive under VEU authorization will be used at a location different from the one listed above, please identify that location here. Also, identify any items that will be reexported or transferred after they were received under VEU authorization, and the destination(s) where they will ultimately reside.

Record Keeping and Compliance

Describe your system for tracking the quantity and value of items you will receive under authorization VEU (including the ECCN(s)) as well as the system you will use to ensure those items will only be used for the end-use you describe in your request. Although only exporters and reexporters are required to submit annual reports to BIS, validated end-users should also maintain records. The records validated end-user should maintain are:

- The specific location where the item received under VEU was used or consumed and the location of any items that were transferred or reexported;
- The quantity of such items received under authorization VEU;
- The disposition of such items;
- The value of such items; and
- The ECCN(s) of such items.

Certification

In order to be considered for VEU authorization you must include an original statement on letterhead of the prospective validated end-user, signed and dated by a person who has authority to legally bind the prospective validated end-user, certifying that the end-user will comply with all VEU requirements. This statement must include acknowledgement that you, the prospective end-user:

- 1) Have been informed of and understand that the item(s) you may receive as a validated end-user will be exported in accordance with the EAR and that use or diversion of such items contrary to the EAR is prohibited;

- 2) Understand and will abide by all authorization VEU end-use restrictions, including the requirement that items received under authorization VEU will only be used for civil end-uses and may not be used for any activities described in part 744 of the EAR;
- 3) Will comply with VEU recordkeeping requirements (described above); and
- 4) Agree to allow on-site reviews by U.S. Government officials to verify your compliance with the conditions of the VEU authorization.

[The certification can be provided as a letter attached to this advisory opinion request.]

Additional Information

BIS has created a specific e-mail address for submitting VEU applications. It is VEU@bis.doc.gov. In your VEU application, please feel free to include any additional information about your company such as technical or marketing literature about your product or promotional information about your line of business. You may contact Tom Andrukonis, Director of the Export Management and Compliance Division, Office of Exporter Services, via e-mail: tandruko@bis.doc.gov or by telephone: +1-202-482-6393 (if dialing internationally) if you have any questions about your VEU application. The Export Management and Compliance Division is responsible for the initial review and analysis of all VEU applications prior to their referral to the End-User Review Committee. You may also contact Michael Rithmire, the Chairman of the End-User Review Committee, via email: mrithmir@bis.doc.gov or by telephone: +1-202-482-6105 (if dialing internationally) if you need assistance or have questions. Additionally, you may contact the Bureau of Industry and Security help line: +1-202-482-4811 for assistance regarding submission of a Commodity Classification Automated Tracking System (CCATS) request to have an ECCN assigned to your item.