

BIS to Add New Edits in AES on ECCNs, Special Comprehensive Licenses, and Certain License Exceptions

United States Principal Parties in Interest (USPPIs) and their authorized filing agents (AES filers) are reminded that the AES record containing the Electronic Export Information (EEI) is an export control record under § 758.1(f) of the Export Administration Regulations (EAR). Furthermore, the AES record represents whether the export authorized under the terms and conditions of a license, license exception or no license required is true, accurate and complete.

Effective October 1, 2009, BIS is tightening up the edits on the EEI to improve statistics and to ensure that AES filers are correctly certifying the use of a license or license exception authorization or no license required designation. AES filers must prepare for these edits, as described below to prevent the return of fatal errors from AES.

- The Export Control Classification Number (ECCN), when reported in AES, must be a valid 5-position ECCN as listed on the Commerce Control List. See Supplement 1 to Part 774 of the EAR for a complete list of valid ECCNs and their descriptions.

www.access.gpo.gov/bis/ear/ear_data.html

- The Special Comprehensive License (SCL) number reported in AES under license type C31 must be a BIS approved SCL.
- License exceptions LVS(C35), GBS(C36), CIV(C37), and TSR(C38) must designate an eligible ECCN and country. See Part 740 (License Exceptions) and Supplement 1 to Part 774 (Commerce Control List)

www.access.gpo.gov/bis/ear/pdf/740spir.pdf and
www.access.gpo.gov/bis/ear/ear_data.html

- In accordance with the EAR § 740.17, License Exception ENC(C50) must only be used with ECCNs 5A002, 5B002, 5D002 and 5E002.

www.access.gpo.gov/bis/ear/pdf/740.pdf

Please note that by using a License Exception, you are certifying that the terms, provisions and conditions for the use of the License Exception described in the EAR have been met. See Part 740 of the EAR at www.access.gpo.gov/bis/ear/pdf/740.pdf.

If you are unable to resolve fatal errors related to the above and require regulatory guidance from BIS, please contact its Office of Exporter Services at one of the following locations.

Western Regional Office (949)660-0144
San Jose, CA Branch (408)291-4212
Headquarters, Washington, DC (202)482-4811