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To: PublicComments@bis.doc.gov
Date: Mon, Feb 7, 2011 6:02 PM
Subject: Comments License Exception STA

Cisco would like to thank the Department of Commerce for providing purposed changes moving toward export control simplification.

A number of the proposed license exception requirements detract from the license exception's benefit.

1) Exporters, reexporters and transferors would be required to obtain from their consignees, prior to the shipment, a written statement identifying the items to be shipped and restating the ECCN(s) provided to the consignees by the exporters, reexporters or transferors.

While this type of written assurance may be useful for gathering customer information and obtaining a customer's assurance in many cases it may not be viewed favorably by the end customer. Additionally, this type of written assurance requirement may result not only in order shipment delays but additional burdensome tracking and maintenance.

2) Exporters, reexporters and transferors using License Exception STA would be required to use a special destination control statement that applies to shipments made pursuant to License Exception STA.

The benefit provided by this license exception may not offset the burden of integrating a license exception based destination control statement into a global compliance system.

3) Exporters of certain items that are subject to national security export controls would be required to report the transaction to BIS after the export takes place if the item is exported to a destination that is not a member of the Wassenaar Arrangement.

Post shipment reporting is already a requirement for license exception ENC. The additional burden of post shipment reporting requirement may be viewed as burdensome. The Industry has been anticipating a movement away from post shipment reporting.

We would like to encourage the Department of Commerce to consider additional simplification efforts that may unify product categories rather than creating additional categories.

Thank you,

Ken