Comment submitted on regulations.gov on 8/2/12

BIS should clarify the new requirements for STA license exception for Series 600 items regarding Deemed Exports. It appears that the STA will only be eligible for government entities of the STA 36 countries and not for companies in the STA 36.

Does this mean that a U.S. company cannot use the STA for a deemed export to a foreign national employee from an STA 36 country working in the U.S.? This would appear to be the case because the employee would not be employed by the government of the STA 36. If so, this would be an unnecessary burden on companies that manufacture 600 Series parts and components, and would be an unnecessary licensing burden on BIS.

We recommend that there be an exception to the new STA rule for Series 600, which would allow a U.S. company to use the STA license exception to release 600 Series technology in the U.S. to a foreign national employee from an STA 36 country. The use of the STA of course would require that the employee provides the required prior consignee statement and the company meets the other STA requirements. Thank you.

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