

**\*\*UPDATED\*\* Requests for Proviso Reconsideration and/or Clarification**

**This web notice updates the original guidance dated July 19, 2010. This update relates to DDTC's decision to no longer accept General Correspondence (GC) requests for proviso reconsideration and/or clarification. This change is effective July 1, 2011. Any submission after July 1 must follow the guidance provided below or will be considered for Return Without Action.**

A license holder may request reconsideration and/or clarification of a proviso imposed on a DDTC authorization.

For DSP licenses, this request must be submitted as a replacement (new) DSP authorization. The procedures are delineated below.

The procedures for proviso reconsideration and/or clarification for agreements are covered in the "Guidelines for Preparing Agreements".

**Replacement Authorization**

In the purpose block, the applicant should identify the submission as a "Proviso Reconsideration of [license number]". There must be no other changes to the license application and this must be stated in the purpose block. **The applicant must also restate the original purpose description as this is a replacement authorization.**

As support documentation, the applicant must submit a letter explaining the request as noted below under Letter of Explanation and a copy of the associated DSP license and provisos. **The application must include the original support documentation.**

If the subject provisos will remain as written, the applicant will receive a Return Without Action (RWA) of the replacement authorization.

If the subject provisos are deleted and/or modified, the precedent authorization will be revoked and replaced by the replacement submission.

**Letter of Explanation**

All submissions must contain as support documentation a letter of explanation. The opening paragraph of the request must identify the proviso(s) in question and requested action as follows: deletion, reconsideration or clarification. The applicant should provide a copy of the associated DSP license and provisos.

For deletions request, the applicant must provide justification or rationale for the deletion in order to facilitate review by the imposing agency.

For reconsideration requests, the applicant must restate the currently imposed proviso and their suggested revision of the proviso as well as the justification or rationale for the change.

For clarification request, the applicant must provide their interpretation of the proviso and specially address their questions or concerns related to the proviso.

#### DDTC Response

If the subject provisos will remain as written, the applicant will receive a Return Without Action (RWA) of the replacement authorization stating the current authorization remains valid.

If the subject provisos are deleted and/or modified, the precedent authorization will be revoked and replaced by the replacement submission with the modifications annotated.