## Table of Contents

### Index to the Export Administration Regulations

#### Legal Authority for the Export Administration Regulations

<table>
<thead>
<tr>
<th>Part</th>
<th>General Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>730</td>
<td>What these regulations cover</td>
</tr>
<tr>
<td>730.1</td>
<td>Statutory authority</td>
</tr>
<tr>
<td>730.2</td>
<td>Dual use and other types of items subject to the EAR</td>
</tr>
<tr>
<td>730.3</td>
<td>Coverage of more than exports</td>
</tr>
<tr>
<td>730.4</td>
<td>Control purposes</td>
</tr>
<tr>
<td>730.5</td>
<td>License requirements and exceptions</td>
</tr>
<tr>
<td>730.6</td>
<td>How to proceed and where to get help</td>
</tr>
<tr>
<td>730.7</td>
<td>Organization of the Bureau of Industry and Security</td>
</tr>
<tr>
<td>730.8</td>
<td>Advisory information</td>
</tr>
</tbody>
</table>

Supplement No. 1 to Part 730: Information Collection Requirements Under the Paperwork Reduction Act: OMB Control Numbers

Supplement No. 2 to Part 730: Technical Advisory Committees

Supplement No. 3 to Part 730: Other U.S. Government Departments and Agencies with Export Control Responsibilities

<table>
<thead>
<tr>
<th>Part</th>
<th>Steps For Using the EAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>732</td>
<td>Steps overview</td>
</tr>
<tr>
<td>732.1</td>
<td>Steps regarding scope of the EAR</td>
</tr>
<tr>
<td>732.2</td>
<td>Steps regarding the ten general prohibitions</td>
</tr>
<tr>
<td>732.3</td>
<td>Steps regarding License Exceptions</td>
</tr>
<tr>
<td>732.4</td>
<td>Steps regarding Electronic Export information (EEI) requirements, Destination Control Statements, and Recordkeeping</td>
</tr>
<tr>
<td>732.5</td>
<td>Steps for other requirements</td>
</tr>
</tbody>
</table>

Supplement No. 1 to Part 732: Decision Tree

Supplement No. 2 to Part 732: Subject to the EAR?

Supplement No. 3 to Part 732: BIS’s “Know Your Customer” Guidance and Red Flags

<table>
<thead>
<tr>
<th>Part</th>
<th>Scope of the Export Administration Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>734</td>
<td>Introduction</td>
</tr>
<tr>
<td>734.1</td>
<td>Subject to the EAR</td>
</tr>
<tr>
<td>734.2</td>
<td>Items subject to the EAR</td>
</tr>
<tr>
<td>734.3</td>
<td>De minimis U.S. content</td>
</tr>
<tr>
<td>734.4</td>
<td>Activities of U.S. and foreign persons subject to the EAR</td>
</tr>
<tr>
<td>734.5</td>
<td>Assistance available from BIS for determining licensing and other requirements</td>
</tr>
<tr>
<td>734.6</td>
<td>Published</td>
</tr>
<tr>
<td>734.7</td>
<td>“Technology” or “software” that arises during, or results from, fundamental research</td>
</tr>
<tr>
<td>734.8</td>
<td>[RESERVED]</td>
</tr>
<tr>
<td>734.9</td>
<td>Patents</td>
</tr>
<tr>
<td>734.10</td>
<td>[RESERVED]</td>
</tr>
<tr>
<td>734.11</td>
<td>Effect on foreign laws and regulations</td>
</tr>
<tr>
<td>734.12</td>
<td>Export</td>
</tr>
<tr>
<td>734.13</td>
<td>Reexport</td>
</tr>
<tr>
<td>734.14</td>
<td>Release</td>
</tr>
</tbody>
</table>

Export Administration Regulations

Bureau of Industry and Security

www.bis.doc.gov

June 29, 2020
Table of Contents

734.16 Transfer (in-country)
734.17 Export of encryption source code and object code software
734.18 Activities that are not exports, reexports, or transfers
734.19 Transfer of access information
734.20 Activities that are not deemed reexports

Supplement No. 1 to Part 734: [Reserved]
Supplement No. 2 to Part 734: Guidelines for De Minimis Rules

Part 736 General Prohibitions
736.1 Introduction
736.2 General prohibitions and determination of applicability

Supplement No. 1 to Part 736: General Orders
Supplement No. 2 to Part 736: Administrative Orders

Part 738 Commerce Control List Overview and the Country Chart
738.1 Introduction
738.2 Commerce Control List (CCL) structure
738.3 Commerce Country Chart structure

Supplement No. 1 to Part 738: Commerce Country Chart

Part 740 License Exceptions
740.1 Introduction
740.2 Restrictions on all License Exceptions
740.3 Shipments of limited value (LVS)
740.4 Shipments to Country Group B countries (GBS)
740.5 [RESERVED]
740.6 Technology and software under restriction (TSR)
740.7 Computers (APP)
740.8 [RESERVED]
740.9 Temporary imports, exports, reexports, and transfers (in-country) (TMP)
740.10 Servicing and replacement of parts and equipment (RPL)
740.11 Governments, international organizations, international inspections under the Chemical Weapons Convention, and the international space station (GOV)
740.12 Gift parcels and humanitarian donations (GFT)
740.13 Technology and software - unrestricted (TSU)
740.14 Baggage (BAG)
740.15 Aircraft, vessels and spacecraft (AVS)
740.16 Additional permissive reexports (APR)
740.17 Encryption commodities, software, and technology (ENC)
740.18 Agricultural commodities (AGR)
740.19 Consumer Communications Devices (CCD)
740.20 License Exception Strategic Trade Authorization (STA).
740.21 Support for the Cuban People (SCP).

Supplement No. 1 to Part 740: Country Groups
Supplement No. 2 to Part 740: Items that may be Donated to Meet Basic Human Needs Under the Humanitarian License Exception
Supplement No. 3 to Part 740: License Exception ENC Favorable Treatment Countries

Part 742 Control Policy – CCL Based Controls

Export Administration Regulations Bureau of Industry and Security
www.bis.doc.gov
June 29, 2020
742.1 Introduction
742.2 Proliferation of chemical and biological weapons
742.3 Nuclear nonproliferation
742.4 National security
742.5 Missile technology
742.6 Regional stability
742.7 Crime control and detection
742.8 Anti-Terrorism: Iran
742.9 Anti-Terrorism: Syria
742.10 Anti-Terrorism: Sudan
742.11 Specially designed implements of torture, thumbscrews, and thumbcuffs; and parts and accessories, n.e.s.
742.12 [RESERVED]
742.13 Communications intercepting devices; software and technology for communication interception devices
742.14 Significant items: Hot section technology for the development, production or overhaul of commercial aircraft engines, components, and systems
742.15 Encryption items
742.16 [RESERVED]
742.17 Exports of firearms to OAS member countries
742.18 Chemical Weapons Convention (CWC or Convention)
742.19 Anti-terrorism: North Korea

Supplement No. 1 to Part 742; Nonproliferation of Chemical and Biological Weapons
Supplement No. 2 to Part 742; Anti-terrorism Controls: North Korea, Syria and Sudan Contract Sanctity Dates and Related Policies
Supplement No. 3 to Part 742; [RESERVED]
Supplement No. 4 to Part 742; [RESERVED]
Supplement No. 5 to Part 742; [RESERVED]
Supplement No. 6 to Part 742; Technical Questionnaire for Encryption and Other “Information Security” Items
Supplement No. 7 to Part 742; Description of Major Weapons Systems
Supplement No. 8 to Part 742; Self-classification Report for Encryption Items

Part 743 Special Reporting and Notification
743.1 Wassenaar Arrangement
743.2 High performance computers: post shipment verification reporting
743.3 Thermal imaging camera reporting
743.4 Conventional arms reporting
743.5 Prior notifications to Congress of Exports of “600 Series Major Defense Equipment”

Supplement No. 1 to Part 743; Wassenaar Arrangement Participating States

Part 744 Control Policy: End-user and End-use Based
744.1 General provisions
744.2 Restrictions on certain nuclear end-uses
744.3 Restrictions on certain rocket systems (including ballistic missile systems and space launch vehicles and sounding rockets) and unmanned air vehicles (including cruise missile systems, target drones and reconnaissance drones) end-uses
744.4 Restrictions on certain chemical and biological weapons end-uses
744.5 Restrictions on certain maritime nuclear propulsion end-uses
744.6 Restrictions on certain activities of U.S. persons
744.7 Restrictions on certain exports to and for the use of certain foreign vessels or aircraft
744.8 Restrictions on exports and reexports to persons designated pursuant to Executive Order 13382 –
Table of Contents

744.9 Restrictions on certain exports and reexports of cameras controlled by ECCNs 6A003.b.3, 6A003.b.4.b, or 6A003.b.4.c
744.10 Restrictions on certain entities in Russia
744.11 License requirements that apply to entities acting contrary to national security or foreign policy interests of the United States
744.12 Restrictions on exports and reexports to persons designated in or pursuant to Executive Order 13224 (Specially Designated Global Terrorist) (SDGT)
744.13 Restrictions on exports and reexports to persons designated pursuant to Executive Order 12947 (Specially Designated Terrorists) (SDT)
744.14 Restrictions on exports and reexports to designated Foreign Terrorist Organizations (FTOs)
744.15 Restrictions on exports, reexports and transfers (in-country) to persons listed on the Unverified List
744.16 Entity List
744.17 Restrictions on certain exports, reexports and transfers (in-country) of microprocessors and associated “software” and “technology” for ‘military end uses’ and to ‘military end users’
744.18 Restrictions on exports, reexports, and transfers to persons designated in or pursuant to Executive Order 13315
744.19 Licensing policy regarding persons sanctioned pursuant to specified statutes
744.20 License requirements that apply to certain sanctioned entities
744.21 Restrictions on certain “military end use” or ‘military end user’ in the People’s Republic of China, Russia, or Venezuela.
744.22 Restrictions on exports, reexports and transfers to persons whose property and interests in property are blocked pursuant to Executive Orders 13310, 13448 or 13464
Supplement No. 1 to Part 744; Military End-use Examples for §744.17
Supplement No. 2 to Part 744; List of Items Subject to the Military End-use License Requirement of §744.21
Supplement No. 3 to Part 744; Countries Not Subject to Certain Nuclear End-use Restrictions in §744.2(a)
Supplement No. 4 to Part 744; Entity List
Supplement No. 5 to Part 744; Procedures for End-User Review Committee Entity List Decisions
Supplement No. 6 to Part 744; Unverified List

Part 745 Chemical Weapons Convention Requirements
745.1 Advance notification and annual report of all exports of Schedule 1 chemicals to other States Parties
745.2 End-Use Certificate reporting requirements under the Chemical Weapons Convention
Supplement No. 1 to Part 745; Schedules of Chemicals
Supplement No. 2 to Part 745; States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction
Supplement No. 3 to Part 745; Foreign Authorized Agencies Responsible for Issuing End-Use Certificates Pursuant to §745.2

Part 746 Embargoes and Other Special Controls
746.1 Introduction
746.2 Cuba
746.3 Iraq
746.4 North Korea
746.5 Russian industry sector sanctions
746.6 [RESERVED]
746.7 Iran
Table of Contents

746.8    [RESERVED]
746.9    Syria
Supplement No. 1 to Part 746; Examples of Luxury Goods
Supplement No. 2 to Part 746; Russian Industry Sector Sanction List

Part  747    [RESERVED]

Part 748    Applications (Classification, Advisory, and License) and Documentation
748.1    General provisions
748.2    Obtaining forms; mailing addresses
748.3    Classification Requests and Advisory Opinions
748.4    Basic guidance related to applying for a license
748.5    Parties to the transaction
748.6    General instructions for license applications
748.7    Registering for electronic submission of license applications and related documents
748.8    Unique license application and submission requirements
748.9    Support documents for evaluation of foreign parties in license applications and/or for promoting compliance with license requirements
748.10   People’s Republic of China (PRC) End User Statement
748.11   Statement by Ultimate Consignee and Purchaser
748.12   Firearms Convention (FC) Import Certificate
748.13   Hong Kong Import and Export Licenses
748.14   Granting of exceptions to the support document requirements
748.15   Authorization Validated End-user (VEU)
Supplement No. 1 to Part 748; BIS-748P; BIS-748P-A: Item Appendix, and BIS-748P-B: End-User Appendix; Multipurpose Application Instructions
Supplement No. 2 to Part 748; Unique Application and Submission Requirements
Supplement No. 3 to Part 748; Statement by Ultimate Consignee and Purchaser Content Requirements
Supplement No. 4 to Part 748; [RESERVED]
Supplement No. 5 to Part 748; U.S. Import Certificate and Delivery Verification Procedure
Supplement No. 6 to Part 748; Authorities issuing Import Certificates under the Firearms Convention [RESERVED]
Supplement No. 7 to Part 748; Authorization Validated End-user (VEU): List of Validated End-Users, Respective Eligible Items for export, reexport and transfer, and Eligible Destinations
Supplement No. 8 to Part 748; Information Required in Requests for Validated End-User (VEU) Authorization
Supplement No. 9 to Part 748; End-User Review Committee Procedures

Part 750    Application Processing, Issuance, and/or Denial
750.1    Scope
750.2    Processing of Classification Requests and Advisory Opinions
750.3    Review of license applications by BIS and other government agencies and departments
750.4    Procedures for processing license applications
750.5    [RESERVED]
750.6    Denial of license applications
750.7    Issuance of licenses
750.8    Revocation or suspension of licenses
750.9    Duplicate licenses
750.10   Transfer of licenses for exports
750.11   Shipping tolerances
Part 752  [RESERVED]

Part 754  Short Supply Controls
754.1  Introduction
754.2  Crude oil
754.3  Petroleum products not including crude oil
754.4  Unprocessed western red cedar
754.5  Horses for export by sea
754.6  Registration of U.S. agricultural commodities for exemption from short supply limitations on export
754.7  Petitions for the imposition of monitoring or controls on recyclable metallic materials; Public hearings

Supplement No. 1 to Part 754; Crude Petroleum and Petroleum Products
Supplement No. 2 to Part 754; Unprocessed Western Red Cedar
Supplement No. 3 to Part 754; Statutory Provisions Dealing with Exports of Crude Oil

Part 756  Appeals
756.1  Introduction
756.2  Appeal from an administrative action

Part 758  Export Clearance Requirements
758.1  The Electronic Export Information (EEI) filing to the Automated Export System (AES)
758.2  Automated Export System (AES)
758.3  Responsibilities of parties to the transaction
758.4  Use of export license
758.5  Conformity of documents and unloading of items
758.6  Destination control statement and other information furnished to consignees
758.7  Authority of the Office of Export Enforcement, the Bureau of Industry and Security, Customs offices and Postmasters in clearing shipments
758.8  Return or unloading of cargo at direction of BIS, the Office of Export Enforcement or Customs Service
758.9  Other applicable laws and regulations

Part 760  Restrictive Trade Practices or Boycotts
760.1  Definitions
760.2  Prohibitions
760.3  Exception to prohibitions
760.4  Evasion
760.5  Reporting requirements

Supplement Nos. 1-16; Interpretations

Part 762  Recordkeeping
762.1  Scope
762.2  Records to be retained
762.3  Records exempt from recordkeeping requirements
762.4  Original records required
762.5  Reproduction of original records
762.6  Period of retention
762.7  Producing and inspecting records

Part 764  Enforcement and Protective Measures
# Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>764.1</td>
<td>Introduction</td>
</tr>
<tr>
<td>764.2</td>
<td>Violations</td>
</tr>
<tr>
<td>764.3</td>
<td>Sanctions</td>
</tr>
<tr>
<td>764.4</td>
<td>Reporting of violations</td>
</tr>
<tr>
<td>764.5</td>
<td>Voluntary self-disclosure</td>
</tr>
<tr>
<td>764.6</td>
<td>Protective administrative measures</td>
</tr>
<tr>
<td>764.7</td>
<td>Activities involving items that may have been illegally exported or reexported to Libya</td>
</tr>
<tr>
<td>764.8</td>
<td>Voluntary self-disclosures for boycott provisions</td>
</tr>
<tr>
<td></td>
<td>Supplement No. 1 to Part 764; Standard Terms of Orders Denying Export Privileges</td>
</tr>
</tbody>
</table>

## Part 766  Administrative Enforcement Proceedings

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>766.1</td>
<td>Scope</td>
</tr>
<tr>
<td>766.2</td>
<td>Definitions</td>
</tr>
<tr>
<td>766.3</td>
<td>Institution of administrative enforcement proceedings</td>
</tr>
<tr>
<td>766.4</td>
<td>Representation</td>
</tr>
<tr>
<td>766.5</td>
<td>Filing and service of papers other than charging letter</td>
</tr>
<tr>
<td>766.6</td>
<td>Answer and demand for hearing</td>
</tr>
<tr>
<td>766.7</td>
<td>Default</td>
</tr>
<tr>
<td>766.8</td>
<td>Summary decision</td>
</tr>
<tr>
<td>766.9</td>
<td>Discovery</td>
</tr>
<tr>
<td>766.10</td>
<td>Subpoenas</td>
</tr>
<tr>
<td>766.11</td>
<td>Matter protected against disclosure</td>
</tr>
<tr>
<td>766.12</td>
<td>Prehearing conference</td>
</tr>
<tr>
<td>766.13</td>
<td>Hearings</td>
</tr>
<tr>
<td>766.14</td>
<td>Interlocutory review of rulings</td>
</tr>
<tr>
<td>766.15</td>
<td>Proceeding without a hearing</td>
</tr>
<tr>
<td>766.16</td>
<td>Procedural stipulations; extension of time</td>
</tr>
<tr>
<td>766.17</td>
<td>Decision of the administrative law judge</td>
</tr>
<tr>
<td>766.18</td>
<td>Settlement</td>
</tr>
<tr>
<td>766.19</td>
<td>Reopening</td>
</tr>
<tr>
<td>766.20</td>
<td>Record for decision and availability of documents</td>
</tr>
<tr>
<td>766.21</td>
<td>Appeals</td>
</tr>
<tr>
<td>766.22</td>
<td>Review by Under Secretary</td>
</tr>
<tr>
<td>766.23</td>
<td>Related persons</td>
</tr>
<tr>
<td>766.24</td>
<td>Temporary denials</td>
</tr>
<tr>
<td>766.25</td>
<td>Administrative action denying export privileges</td>
</tr>
<tr>
<td></td>
<td>Supplement No. 1 to part 766; Guidance on Charging and Penalty Determinations in Settlement of</td>
</tr>
<tr>
<td></td>
<td>Administrative Enforcement Cases</td>
</tr>
<tr>
<td></td>
<td>Supplement No. 2 to part 766; Guidance on Charging and Penalty Determinations in Settlement of</td>
</tr>
<tr>
<td></td>
<td>Administrative Enforcement Cases Involving Antiboycott Matters</td>
</tr>
</tbody>
</table>

## Part 768  Foreign Availability Determination Procedures and Criteria

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>768.1</td>
<td>Introduction</td>
</tr>
<tr>
<td>768.2</td>
<td>Foreign availability described</td>
</tr>
<tr>
<td>768.3</td>
<td>Foreign availability assessment</td>
</tr>
<tr>
<td>768.4</td>
<td>Initiation of an assessment</td>
</tr>
<tr>
<td>768.5</td>
<td>Contents of foreign availability submissions and Technical Advisory Committee certifications</td>
</tr>
<tr>
<td>768.6</td>
<td>Criteria</td>
</tr>
<tr>
<td>768.7</td>
<td>Procedures</td>
</tr>
<tr>
<td>768.8</td>
<td>Eligibility of expedited licensing procedures for non-controlled countries</td>
</tr>
<tr>
<td>768.9</td>
<td>Appeals of negative foreign availability determinations</td>
</tr>
</tbody>
</table>
Table of Contents

768.10 Removal of controls on less sophisticated items
Supplement No. 1 to Part 768: Evidence of Foreign Availability
Supplement No. 2 to Part 768: Items Eligible for Expedited Licensing Procedures [RESERVED]

Part 770 Interpretations
770.1 Introduction
770.2 Item interpretations
770.3 Interpretations related to exports of technology and software to destinations in Country Group D:1

Part 772 Definitions of Terms
772.1 Definitions of terms as used in the Export Administration Regulations (EAR)

Part 774 The Commerce Control List
774.1 Introduction
774.2 [RESERVED]
Supplement No. 1 to Part 774: The Commerce Control List
Category 0 - Nuclear Materials, Facilities & Equipment (and Miscellaneous Items)
Category 1 - Materials, Chemicals, “Microorganisms”, and Toxins
Category 2 - Materials Processing
Category 3 - Electronics
Category 4 - Computers
Category 5 (Part 1) - Telecommunications
Category 5 (Part 2) - Information Security
Category 6 - Sensors and Lasers
Category 7 - Navigation and Avionics
Category 8 - Marine
Category 9 - Aerospace and Propulsion

Supplement No. 2 to Part 774: General Technology and Software Notes
Supplement No. 3 to Part 774: Statements of Understanding
Supplement No. 4 to Part 774: Commerce Control List Order of Review
Supplement No. 5 to Part 774: Items Classified under ECCNs 0A521, 0B521, 0C521, 0D521 and 0E521
Supplement No. 6 to Part 774: Sensitive List
Supplement No. 7 to Part 774; Very Sensitive List