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§ 752.1 SCOPE

(a)(1) Introduction

In this part, references to the EAR are references to 15 CFR chapter VII, subchapter C. This part describes the provisions of the Special Comprehensive License (SCL). You may apply for an SCL, when appropriate, in lieu of a license described in part 748 of the EAR, or a License Exception described in part 740 of the EAR, for multiple exports and reexports of items subject to the EAR. The SCL provides authorization to make specified exports and reexports that are otherwise prohibited by General Prohibitions One, Two, and Three described in part 736 of the EAR. The existence

of an SCL does not supersede an exporter's obligation to request a separate license as may be required by part 744 of the EAR. Because the Bureau of Industry and Security (BIS) does not review each individual transaction authorized by an SCL, parties to the SCL must have the mechanisms in place to ensure that each export and reexport made under an SCL meets all the terms and conditions of the license and are in accordance with all applicable provisions of the EAR. It is through the design and effective implementation of an Internal Control Program (ICP) that the SCL holder and the SCL consignee (referred to as "consignee" for purposes of this part) assure that exports and reexports are not made contrary to the EAR.

(2) Definitions.

(i) *SCL holder*. As used in this part, "SCL holder" is that party approved on an SCL to perform activities approved under the SCL.

(ii) *SCL consignee*. As used in this part, "SCL consignee" or "consignee" means any party authorized to receive items under the SCL and named as a consignee on an approved Form BIS-752, Statement by Consignee in Support of Special Comprehensive License.

(b) ICP requirement

To qualify for an SCL, you must develop an ICP. Section 752.11 of this part includes a general description of the elements of the ICP, and guidance on which elements your company must implement before making shipments under the SCL. The elements of the ICP your company will develop reflect the complexity of the activities authorized under the SCL, the countries and items involved, and the relationship between the SCL holder and the approved consignees. BIS may require you to include in your ICP any combination of elements, depending upon the nature of your SCL application. During your pre-application consultation required by §752.5(a)(1), BIS will provide you guidance on the which elements you must implement.

§ 752.2 ELIGIBLE ACTIVITIES

(a) Possible authorizations

Under the SCL, BIS may authorize you to perform any number of activities, which can be grouped under the general categories of "service", "end-user", "distribution" and "other" activities. Examples of the general categories include:

(1) Service activities. Exporting items subject to the EAR as spare and replacement parts for servicing or stocking.

(2) End-user activities. Exporting and reexporting items subject to the EAR for use as capital equipment.

(3) Distribution activities. Exporting and reexporting items subject to the EAR for the purpose of resale and reexport by consignees.

(4) Other activities. Other activities not included in paragraphs (a)(1) through (a)(3) of this section may be authorized by BIS under the SCL on a case-by-case basis.

(b) Prohibited activities

The general prohibitions described in §736.2(b)(4) through (10) of the EAR apply to all exports and reexports by, and conduct of, all parties approved on your SCL, unless you are specifically authorized under the SCL to perform such activities, or the particular activity otherwise qualifies for a License Exception described in part 740 of the EAR.

§ 752.3 ELIGIBLE ITEMS

(a) All items subject to the EAR, including items eligible for License Exceptions described in part 740 of the EAR, are eligible for export and reexport under the SCL, *except*:

(1) Items controlled for missile technology reasons that are identified by the letters MT in the applicable "Reason for Control" paragraph on the Commerce Control List (CCL) (see Supplement No. 1 to part 774 of the EAR);

(2) Items controlled by ECCNs 1C351, 1C352, 1C353, 1C354, 1C991, 1E001, 2B352, 2E001, 2E002, and 2E301 on the CCL controlled for CB reasons;

(3) Items controlled by ECCNs 1C350, 1C995, 1D390, 1E350, 1E351, 2B350, and 2B351 on the CCL that can be used in the production of chemical weapons precursors and chemical warfare agents, to destinations listed in Country Group D:3 (see Supplement No. 1 to part 740 of the EAR);

(4) Items controlled for short supply reasons that are identified by the letters "SS" in the applicable "Reason for Control" paragraph on the CCL;

(5) Items controlled for EI reasons on the CCL;

(6) Maritime (civil) nuclear propulsion systems or associated design or production software and technology identified in §744.5 of the EAR;

(7) Communications intercepting devices and related software and technology controlled by ECCNs 5A001.i, 5A980, 5D001 (for 5A001.i or for 5E001.a (for 5A001.i, or for 5D001.a (for 5A001.i))), 5D980, 5E001.a (for 5A001.i, or for 5D001.a (for 5A001.i)) or 5E980 on the CCL;

(8) Hot section technology for the development, production or overhaul of commercial aircraft engines controlled under ECCN 9E003.a.1 through a.12, .f, and related controls;

(9) Items specifically identified as ineligible by BIS on your approved SCL; and

(10) Additional items consistent with international commitments.

(b) Items controlled for nuclear nonproliferation reasons that are identified by the letters NP in the applicable "Reason for Control" paragraph on the CCL may be authorized on a case-by-case basis provided controls are in place to screen for proscribed end-users or end-uses.

§ 752.4 ELIGIBLE COUNTRIES

(a) General provisions

All countries are eligible under the SCL *except*:

(1) Cuba, Iran, Iraq, North Korea, Sudan, and Syria.

(2) Other countries that BIS may designate on a case-by-case basis as ineligible to receive items under the SCL.

(b) Servicing prohibitions

Under the SCL, you may not service any item when you know that the item is owned or controlled by, or under the lease or charter of, entities in countries identified in paragraphs (a)(1) and (a)(2) of this section or any national of such countries.

§ 752.5 STEPS YOU MUST FOLLOW TO APPLY FOR AN SCL

(a) Step One: Establish applicant reliability

(1) Pre-application consultation. To apply for an SCL, BIS must determine your reliability as a potential SCL holder. BIS usually does this through consultation with company officials and a review of the criteria identified in paragraph

(a)(2) of this section. To determine whether your company requires a consultation before you apply for an SCL, contact BIS at the address, phone, or telefacsimile numbers included in §752.17 of this part.

(2) *Criteria for determining eligibility*. BIS will review the following criteria to help determine SCL holder eligibility:

(i) Evidence of past licensing history and projected, continuous large volume exports;

(ii) Reliability of all parties relative to their compliance with the EAR;

(iii) Commitment of all parties of the necessary resources to implement and maintain an adequate ICP; and

(iv) Evidence of all parties' knowledge of all provisions of the EAR.

(b) Step Two: Establish consignee reliability

(1) Requirements. You must make an initial determination of the reliability of all consignees that are listed on your application for an SCL, based upon the criteria described in paragraph (b)(2) of this section.

(2) Determining reliability. The criteria that you should take into consideration include, but are not limited to, the following:

(i) *Criteria*.

(A) The proposed consignee has a satisfactory record established through BIS pre-license checks, or extensive experience as a consignee under any license issued by BIS;

(B) The proposed consignee is a wholly-owned subsidiary or a controlled-in-fact affiliate of the applicant or of a consignee that is already approved on an SCL. See part 772 of the EAR for a definition of controlled-in-fact; or

(C) You have evidence of an established, on-going business relationship with the proposed consignee.

(ii) *Exception*. The provisions of paragraph (b)(2)(i) of this section do not preclude the authority of BIS to determine the reliability and eligibility of a proposed consignee. BIS may, based upon any negative information on the proposed consignees, deny a proposed consignee.

(c) Step Three: Prepare your documentation

Complete Form BIS-748P, Multipurpose Application, Form BIS-748P-A, Item Appendix, Form BIS-748P-B, End-User Appendix, an ICP, a comprehensive narrative statement, Form BIS-752, Statement by Consignee in Support of Special Comprehensive License, Form BIS-752-A, Reexport Territories, and all applicable certifications. Submit this documentation to BIS at one of the addresses included in §752.17 of this part.

(1) Form BIS-748P, Multipurpose Application, and Form BIS-748P-A, Item Appendix. You must complete Form BIS-748P and Form 748P-A according to the instructions found in Supplement Nos. 1 and 2 of this part.

(2) Form BIS-748P-B, End-User Appendix. You must identify end-users on Form BIS-748P-B if you are requesting approval to export or reexport items controlled for nuclear nonproliferation or chemical and biological control reasons.

(3) ICP. You must provide a copy of your proposed ICP as required by §752.11 of this part. You must indicate whether any of the elements of the ICP will not be implemented and explain why these elements were deemed inapplicable. Existence of a properly constructed ICP will not relieve you of your

responsibility to comply with requirements of all applicable regulations pertaining to your SCL;

(4) Comprehensive narrative statement. Prepare a comprehensive narrative statement on your company letterhead that includes the following information:

(i) An overview of the total business activity that will be performed by you and all other parties who will receive items under the authority of your SCL, including consignees, subcontractors, and vessels;

(ii) A description of the nature and anticipated volume of regular and repetitive transactions proposed by consignees under the license;

(iii) An explanation of the relationship between the parties to the application, such as affiliate, subsidiary, or parent, etc;

(iv) A certification that you will implement, upon approval of the application by BIS, an ICP that incorporates all applicable elements listed in §752.11 of this part and any additional elements as required by BIS upon approval of the SCL; and

(v) Information on whether proposed consignees are end-users or will reexport the items received under your SCL. You must describe the proposed consignee's activities completely to determine the appropriate ICP elements that you and your consignees must implement.

(5) Form BIS-752, Statement of Consignee in Support of Special Comprehensive License. This Form is completed by each consignee. You must submit one completed, signed, original Form BIS-752 for each proposed consignee on your SCL application. See Supplement No. 3 to this part for instructions on completing Form BIS-752. Form BIS-752 is not required if the proposed consignee is both an end-user and a "foreign government agency" as defined in part 772 of the EAR.

(6) Form BIS-752-A, Reexport Territories. You must complete Form BIS-752-A, and attach it to the appropriate Form BIS-752, whenever Blocks 8B, 8C, 8E, and/or 8F are selected on Form BIS-752. See the instruction found in Supplement No. 3 to this part. Form BIS-752-A is not required if the proposed consignee is both an end-user and a foreign government agency (see part 772 of the EAR for a definition of foreign government agency).

(7) Consignee certifications. Each consignee must provide certain certifications on company letterhead that is signed by the consignee. Attach certifications to the appropriate Form BIS-752. Each consignee must certify that:

(i) They will implement, upon approval of the SCL by BIS, an ICP that incorporates all applicable elements listed in §752.11 of this part and any additional elements as required by BIS upon approval of your SCL. If certain elements of an ICP will not be included, state the reasons for that determination;

(ii) They will comply with all provisions of the EAR, including the recordkeeping provisions of part 762 of the EAR, all applicable system review requirements of §752.14 of this part, and the reexport restrictions of §752.6 of this part; and

(iii) They will make available for inspection, upon request by BIS, all records required by §752.12 of this part and part 762 of the EAR.

(8) Additional certifications.

(i) *Temporary exports*. Proposed consignees that plan to exhibit or demonstrate items in countries other than those in which they are located or are authorized under an SCL, an approved Form BIS-752, or a License Exception provision described in §740.8(a)(2)(iii) of the EAR may obtain permission to do so by including the following additional certification

on company letterhead, and attaching it to Form BIS-752.

> I (We) request authorization to reexport temporarily, for exhibit or demonstration in countries eligible to receive items under the Special Comprehensive License. The items exported will be retained under my (our) ownership and control, and will be returned by me (us) to (name destination) promptly after their exhibit or demonstration abroad, and in no case later than one year after the date of reexport, unless other disposition is authorized in writing by the Bureau of Industry and Security.

(ii) *Chemicals and chemical equipment certification*. If you are requesting authority to export chemicals or chemical equipment eligible for the SCL, you must obtain a signed written statement on company letterhead from the proposed consignee(s) and end-user(s) (except those located in Country Group A:3) (see Supplement No. 1 to part 740 of the EAR) certifying the following:

> "No chemicals or chemical equipment received under this Special Comprehensive License will be transferred, resold, or reexported to a destination or end-user that requires a license, unless the new end-user has been approved by the Bureau of Industry and Security, and in no case will the items be transferred, resold, or reexported to a party who is not the end-user."

(iii) *Nuclear nonproliferation certification.* If you are requesting the export or reexport under the EAR of items controlled for nuclear nonproliferation reasons described in §744.2(a) of the EAR, prior to submitting an SCL application, you must obtain a signed written statement on company letterhead from the proposed consignee(s) and end-user(s) certifying the following:

(A) The items to be exported or replicas thereof ("replicas" refer to items produced abroad based on physical examination of the items originally exported, matching it in all critical design and performance parameters), will not be used in any of the activities described in §744.2 of the EAR; and

(B) Written authorization will be obtained from BIS prior to transferring or reexporting the items, unless they are destined to Canada or would not require a license to the new country of destination.

§ 752.6 REEXPORTS

(a) Authorized reexports

All consignees may reexport items without approval from BIS under any one of the following circumstances, unless otherwise specifically excluded by the provisions of the EAR or by a condition placed on your SCL.

(1) Reexports that qualify for a License Exception authorized by part 740 of the EAR;

(2) Reexports to destinations approved by BIS through validation of Form BIS-752 and/or Form BIS-752-A according to the terms stated on the Form BIS-752 or BIS-752-A; or

(3) Reexports of items approved under an SCL to and among other consignees approved on the same SCL, provided that the items are eligible to the new destination in accordance with your approved SCL and §752.3 of this part.

(b) Prohibitions

You are prohibited from the following activities without specific authorization from BIS:

(1) Transferring, reselling, or reexporting under your SCL any chemicals or chemical equipment identified with the letters "CB" in the applicable

"Reason for Control" paragraph on the CCL (see Supplement No. 1 to part 774 of the EAR); and

(2) Reexporting under your SCL items identified by the letters NP in the applicable "Reason for Control" paragraph on the CCL to destinations not listed in country group A:4 (see Supplement No. 1 to part 740).

(c) Sourcing

Consignees who obtain U.S.-origin items abroad that are eligible for the SCL but that are subject to General Prohibitions One, Two, or Three (see part 736 of the EAR) may reexport them under the authority of your SCL, provided that they are reexported in accordance with the ICP required by §752.11 of this part, and any other applicable conditions or reexport restriction placed on your SCL by BIS. Either the SCL holder or the consignee through the SCL holder must submit the sourcing request for reexport of items on Form BIS-752.

§ 752.7 DIRECT SHIPMENT TO CUSTOMERS

(a) General authorization

(1) Upon request by a consignee, an SCL holder or another consignee approved under the same SCL is authorized to deliver products directly to the requesting consignee's customer in either:

(i) The requesting consignee's country; or

(ii) Another country authorized to receive items under the requesting consignee's validated Form BIS-752-A.

(2) The SCL holder or consignee making direct shipments authorized by this section must implement an ICP containing procedures governing such shipments.

(3) SCL holders and consignees using the direct shipment provision may invoice the shipments directly to the requesting consignee's customers if copies of applicable invoices are maintained by both the shipping party and requesting consignee.

(b) Procedures

(1) Exports by an SCL holder. The SCL holder may make a direct shipment by entering on the Shipper's Export Declaration or Automated Export System Record the name and address of the customer as ultimate consignee and adding the notation "by order of (name and address of consignee requesting the direct shipment)." The notation must appear below the item description and must cite the SCL number followed by the three digit number of the consignee requesting the "by order of" shipment.

(2) Reexports by a consignee. An approved consignee may make a direct reexport shipment to a customer of another approved consignee on the same SCL by showing on the commercial invoice the name and address of the customer as ultimate consignee and adding the notation "by order of (name and address of consignee requesting the direct shipment)".

§ 752.8 SCL APPLICATION REVIEW PROCESS

(a) Scope

Under an SCL, you are authorized to make multiple exports and reexports without review and approval of each individual transaction by BIS. To approve an SCL, BIS must be satisfied that the persons benefitting from this license will adhere to the conditions of the license and the EAR, and that approval of the application will not be detrimental to U.S. national security, nonproliferation, or foreign policy interests. In reviewing and approving a specific SCL request, BIS retains the right to limit the eligibility of items or to prohibit the export, reexport, or

transfer (in-country) of items under the SCL to specific firms, individuals, or countries.

(b) Elements of review

To permit BIS to make such judgments, BIS will thoroughly analyze your past export and reexport transactions, inspect your export and reexport documents, and interview company officials of both the applicant and the consignees, as necessary. If BIS cannot verify that an appropriate ICP will be implemented upon approval of the SCL by BIS, or establish the reliability of the proposed parties to the application, it may deny the application, or modify it by eliminating certain consignees, items, countries, or activities.

(c) Order requirement

You do not need to have in your possession an order from the proposed consignee at the time you apply for an SCL. However, evidence of a consignee's firm intention to place orders on a continuing basis is required.

(d) Criteria for review

BIS will consider the following factors during the processing of your SCL application:

(1) The specific nature of proposed end-use and end-uses;

(2) The significance of the export in terms of its contribution to the design, development, production, stockpiling, or use of nuclear or chemical or biological weapons, or missiles;

(3) The types of assurances against design, development, production, stockpiling, or use of nuclear or chemical and biological weapons, or missiles that are included in the ICP;

(4) The nonproliferation credentials of the importing country;

(5) Corporate commitment of the resources necessary to implement and maintain an adequate ICP;

(6) Evidence of past licensing history of the applicant and consignees, and projected, continuous large volume exports and/or reexports;

(7) Reliability of all parties;

(8) Information on all parties' compliance with the provisions of the EAR; and

(9) All parties' knowledge of the EAR.

(e) Application processing time-frames

Upon receiving an SCL application, BIS may review the application for up to two weeks to determine whether the SCL application is complete. When all documentation requirements are met, BIS will register the application. After the date of registration, the SCL application will be processed according to the procedures described in part 750 of the EAR.

§ 752.9 ACTION ON SCL APPLICATIONS

(a) Approval of SCL applications

(1) Validity period. SCLs are valid for four years from the date of approval.

(2) Extension of validity period. You may request an extension of your valid SCL for an additional four years, but such requests must be received by BIS at least 30 days prior to the expiration of your SCL. If approved, Form BIS-748P and your letter requesting an extension will be validated and returned to you, extending the validity period for four years. No further extensions will be approved. A new application and support documentation is required at the end of that eight-year period. To apply for an

extension, complete Form BIS-748P by completing Blocks 1, 2, 3, and 4. In addition, mark "Special Comprehensive License" in Block 5, place an "x" in "Letter of Explanation" in Block 6, and mark "other" in Block 8. Include your SCL number in Block 9, and indicate in Block 24 that you are requesting an extension to your SCL. Submit the completed Form BIS-748P and a statement on your company letterhead indicating:

(i) That you continue to abide by the provisions and conditions of the SCL; and

(ii) Any changes to the original SCL that you are requesting (see §752.10 of this part for procedures on changed circumstances).

(3) Support documentation.

(i) *General information*. BIS will validate all approved support documentation with the Department of Commerce seal and date of validation.

(ii) *Form BIS-752, Form BIS-752-A, and Form BIS-748P-B.* With the approved SCL, you will receive two validated copies of each approved Form BIS-752, Statement by Consignee in Support of Special Comprehensive License and, if applicable, Form BIS-752-A, Reexport Territories, and Form BIS-748P-B, End-User Appendix. You must retain one copy, and send one copy to the approved consignee. You must also attach a letter to each approved Form BIS-752 that includes each of the following elements:

(A) A description of all recordkeeping requirements of the EAR applicable to the activities of the consignee;

(B) Information on any applicable reexport restrictions on items received by the consignee under the SCL;

(C) A description or copy of §752.16 of this part, listing administrative actions that may be taken for improper use of, or failure to comply with, the SCL and its required procedures;

(D) A description of any special conditions or restrictions on the license applicable to the consignee, including approved lists of customers, countries, and items, when required;

(E) A description of the elements of the SCL holder's ICP relevant to the SCL consignee;

(F) A copy of the high risk customer profile contained in §752.11(c)(13)(i) of this part, when required;

(G) A copy of your procedures for screening transactions to prevent violations of orders denying export privileges under the EAR:

(H) A notice that the consignee, in addition to other requirements, may not sell or otherwise dispose of any U.S. origin items when it knows that the items will be used in the activities prohibited by part 744 of the EAR;

(I) A requirement that the consignee acknowledge, in writing, receipt of this letter of transmittal outlining their obligations under the SCL, and certify that it will comply with all of the requirements, including implementation of an ICP if required by §752.11 of this part; and

(J) A description of any special documentation requirements for consignees reexporting items to destinations having such requirements.

(4) Special license conditions. BIS may place special conditions on your SCL, such as restrictions on eligible items, countries, end-uses, end-users or activities, or a requirement that certain sales or transfers of items under the SCL are subject to prior reporting to BIS. Such special conditions will be listed on your SCL or

in a letter from BIS to the SCL holder. You must inform all relevant consignees of all license conditions prior to making any shipments under the SCL.

(b) Denial of SCL applications

(1) If BIS intends to deny your SCL application, you will be notified and have opportunity to respond according to the procedures in §750.6 of the EAR.

(2) BIS may at any time prohibit the sale or transfer of items under the SCL to specified individuals, companies, or countries. In such cases, the SCL holder must inform all consignees, and apply for a license described in part 748 of the EAR for subsequent transactions with such excluded parties.

(3) If a consignee is not approved, Form BIS-752 will be returned to the SCL holder with a letter explaining the reason for denial.

(4) If a particular destination is not approved, it will be removed from the appropriate Form BIS-752-A.

(c) Return without action

BIS may determine to return the SCL application without action. Under such circumstances, the application and all related documents will be returned to you along with a letter stating the reason for return of the license application, explaining the deficiencies or additional information required for reconsideration, or advising you to apply for a license described in part 748 of the EAR. BIS may return your entire application or merely documents pertaining to a specific consignee request.

§ 752.10 CHANGES TO THE SCL

(a) General information

Certain changed circumstances regarding the SCL require prior approval from BIS before you make such changes, while others require only notification to BIS. Changes and notifications of license holder information must be initiated by submitting Form BIS-748P. Changes and notifications of consignee information must be initiated by submitting Form BIS-752.

(b) Changes requiring prior written approval from BIS

The following circumstances require prior written approval by BIS. Such requests must be submitted by the SCL holder, and changes are not effective until BIS approves the request. Upon approval of a change described in this paragraph, BIS will return to the SCL holder a validated copy of the request, indicating any changes that may have been made to your request, or any special conditions that may have been imposed.

(1) Change of SCL holder company name. You must submit to BIS Form BIS-748P, Multipurpose Application, for any change in the name of the SCL holder company. Complete Blocks 1, 2, 3, and 4. Mark "Special Comprehensive License" in Block 5, and "other" in Block 8. In Block 9, include your SCL number. Briefly indicate the purpose of the change in Block 24 (i.e., a change in company name). Enter the new information in the relevant Blocks, and complete Block 25. The SCL holder must send a copy of the validated Form BIS-748P to each approved consignee, and advise them to attach the copy of the validated form to their validated Form BIS-752.

(2) Change in consignee name or address. You must submit to BIS Form BIS-752, Statement by Consignee in Support of Special Comprehensive License, when requesting a change in consignee name, or if the consignee moves out of the country. The consignee must complete Block 3, mark "change an existing

consignee" and provide the new consignee information in Block 4. In Block 9, explain change of address from "Address A" to "Address B". Also, complete Block 10 and the SCL holder signature Block information.

(3) Addition of new consignee. You must submit to BIS Form BIS-752 for requests to add consignees to an SCL. Complete Form BIS-752 in accordance with the instruction in Supplement No. 3 to this part, marking "Add a New Consignee" in Block 3. Use Block 9 to describe the proposed consignee's role in the activities authorized by the SCL. Form BIS-752 is not required if the proposed new consignee is a foreign government agency and the items will not be reexported. If Form BIS-752 is not required, the SCL holder may submit the request to add the foreign government agency to the SCL on company letterhead. You must include the proposed consignee's complete street address.

(4) Change in reexport territories. You must submit to BIS Form BIS-752 and Form BIS-752-A to add a country to a consignee's approved reexport territory. Upon approval of change in reexport territory, BIS will return to the SCL holder two validated copies of Form BIS-752 and Form BIS-752-A, Reexport Territories, along with any special conditions that may have been imposed.

(i) *Form BIS-752*. Complete Block 3 by marking "change an existing consignee". In Block 4, enter the consignee name and consignee number. In Block 5, enter the SCL number. In Block 9, enter "to add a country to the reexport territory". Complete Block 10 and the SCL holder signature block information.

(ii) *Form BIS-752-A.* Complete Blocks 2 and 3. Mark each country that you are adding to your reexport territory.

(5) Adding items to your SCL. The following procedures apply to requests to add items to your SCL. Upon approval, BIS will send you a validated Form BIS-748P and, if applicable, Form BIS-748P-A. The SCL holder must send a copy of each validated form to all applicable consignees and attach a copy to their Form BIS-752.

(i) *Adding one item*. You must submit to BIS Form BIS-748P to request the addition of a single item to your SCL. Complete Blocks 1, 2, 3, and 4. Mark an "x" in the "Special Comprehensive License" box in Block 5, and "other" in Block 8. Include your SCL number in Block 9. In Block 24, enter "add ECCN". Complete items (a) and (j) in Block 22 and in Block 25.

(ii) *More than one item.* You must submit to BIS Form BIS-748P and Form BIS-748P-A to request to add more than one item to your SCL. Complete Form BIS-748P according to the instructions in paragraph (b)(5)(i) of this section. In Block 24, insert the phrase "add ECCNs on attached Form BIS-748P-A. Complete Block 1 on Form BIS-748P-A by including the "Application Control Number" (found on Form BIS-748P). Complete Block 21 and 24, if needed, to describe any special circumstances (i.e., the new item will only be exported to specific consignees and will not be reexported).

(6) Changes to end-users. You must submit to BIS Form BIS-752 and Form BIS-748P-B to add or change end-users to consignee authorizations. When you request multiple "types of requests" (i.e., additions or changes) on a single Form BIS-752; you must specify in Block 9, the type of request for each end-user. Example: end-user XXX is to be "added" and end-user AAA is to be "changed" from "end-user AAA" to "end-user ABA".

(i) *Form BIS-752*. On Form BIS-752, complete Block 3.B, "change an existing consignee". Include the consignee number in Block 4. Include the SCL number in Block 5. In Block 9 insert the phrase "to add an end-user"

or the phrase "to change an end-user". Complete Block 10 and include the SCL holder signature block information.

(ii) *Form BIS-748P-B.* On Form BIS-748-B, complete Blocks 1 and 19. In Block 21, cite the end-user requirement or condition (i.e., end-user XXX is requested in compliance with §752.5(c)(8)(ii) of this part, which requires prior authorization to reexport chemicals under the SCL). Also, list the items (by ECCN and by description) that each end-user will receive and for what purpose, if approved by BIS.

(c) Changes that do not require prior approval from BIS

The following changes regarding your SCL do not require prior approval from BIS, however, such changes must be submitted on the appropriate forms no later than 30 days after the change has occurred. BIS will validate the forms, and return one copy to you for your records.

(1) Change of SCL holder address, export contact information, or total value of license. You must submit to BIS Form BIS-748P, Multipurpose Application, for any change in the SCL holder's address, export contact information, or total value of the license. Complete Blocks 1, 2, 3, and 4. Mark "Special Comprehensive License" in Block 5, and "other" in Block 8. In Block 9, include your SCL number. Briefly indicate the purpose of the change in Block 24. Enter the new information in the relevant Blocks. Complete Block 25. The SCL holder must send a copy of the validated Form BIS-748P to each approved consignee, and advise each approved consignee to attach the copy of the validated form to their validated Form BIS-752.

(2) Deletion of consignees. You must submit to BIS Form BIS-752 if you remove a consignee from your SCL. Complete Block 3.C. Indicate your consignee number in Block 4 and your SCL case number in Block 5. Explain the reason for the action in Block 9. Complete Block 10 and the SCL holder signature information. You must notify all remaining consignees if any consignee is no longer eligible to receive items under the SCL.

(3) Changes in ownership or control of the SCL holder or consignee.

(i) *SCL holder.* You must notify BIS of changes in ownership or control by submitting to BIS Form BIS-748P. Complete Blocks 1, 2, 3 and 4, mark "Special Comprehensive License" in Block 5. Mark and "x" in "other" in Block 8 and indicate the SCL number in Block 9. Include the SCL holder information number in Block 14, and describe the change in Block 24, indicating the circumstances necessitating the change (i.e., mergers), and changes in persons who have official signing authority. Also complete Block 25.

(ii) *Consignee.* You must notify BIS of changes in ownership or control of the consignee company by submitting to BIS Form BIS-752. Complete Block 1. Mark and "x" in "change an existing consignee" in Block 3.B, and complete Blocks 4 and 5. In Block 9, describe the change, indicating the circumstances necessitating the change (i.e., mergers), and changes in persons who have official signing authority. Complete Block 10 and the SCL holder signature block information.

(iii) *Transfers and SCLs after control changes.* Note that under section 750.10(a) of the EAR you may not transfer a license—including a Special Comprehensive License—except with the prior written approval of BIS. In addition, BIS reserves the right to modify, revoke, or suspend an SCL in the event of a change in control of the previously approved SCL holder or consignee(s). In reviewing requests to transfer an SCL or consignee authority under an SCL and in reviewing changes in control of an

SCL holder or approved consignee, BIS will consider the reliability of the new parties.

(4) Remove reexport territories. If you remove a country from a consignee's approved reexport territory, you must submit to BIS Form BIS-752 and Form BIS-752-A. You cannot add and delete countries on the same forms. Upon review of the change in reexport territory, BIS will return to the SCL holder two validated copies of Form BIS-752 and Form BIS-752-A.

(i) *Form BIS-752*. Complete Block 1. Complete Block 3 by marking "change an existing consignee". In Block 4, enter the consignee name and consignee number. In Block 5, enter the SCL number. Complete Block 10 and the SCL holder signature block information.

(ii) *Form BIS-752-A*. Complete Blocks 1, 2, 3, and 5. Mark each country that you are removing from the reexport territory with an "x". Mark an "x" in "Other Specify" and insert "delete".

(5) Remove items from your SCL. The following procedures apply if you remove an item from your SCL. After review of the change by BIS, BIS will send you a validated Form BIS-748P and Form BIS-748P-A, if applicable. The SCL holder must send a copy of each validated form to all applicable consignees and attach a copy to their BIS-752.

(i) *Removing one item*. You must submit to BIS Form BIS-748P if you remove a single item from your SCL. Complete Blocks 1, 2, 3 and 5. Mark "Special Comprehensive License" in Block 5 and mark "other" in Block 8. Include your SCL number in Block 9. State "delete ECCN" in Block 24. Complete items (a) and (j) in Block 22 and Block 25.

(ii) *Removing more than one item.* You must submit to BIS Form BIS-748P and Form BIS 748P-A if you remove more than one item from your SCL. Complete Form BIS-748P according to the instructions in paragraph (a)(5)(i) of this section, except in Block 24, state "delete ECCNs on attached BIS-748P-A". Complete Form BIS 748P-A by including the "application control number" (found on Form BIS-748P) in Block 1. Complete items (a) and (j) in Block 22 for each item you are removing from you SCL.

(6) Remove end-users from your SCL. You must submit to BIS Form BIS-752 if you remove end-users from consignee authorizations. (Use Form BIS-748P-B, if additional space is needed.) After review by BIS, BIS will return to the SCL holder two validated copies of Form BIS-752 and Form BIS-748P-B, which will include any special instructions that may be necessary. You must send one copy of Forms BIS-752 and BIS-748P to the relevant consignee.

(i) *Form BIS-752.* On Form BIS-752, complete Block 1 and 3.B, "change an existing consignee". Include the consignee number in Block 4. Include the SCL case number in Block 5. In Block 9, include the phrase "to remove an end-user(s)" followed by the name/address information. Complete Block 10 and the SCL holder signature Block information.

(ii) *Form BIS-748P-B.* If there was not enough space on Form BIS-752, Block 9, you may continue the information on Form BIS-748P-B, in Block 24. Complete the information in Block 1. Do not complete Block 19. Block 19 is only used to add end-users.

(d) Changes made by BIS

If BIS revises or adds an ECCN to the CCL, or a country's eligibility already covered by the SCL changes, BIS will publish the change in the *Federal Register*. The SCL holder is responsible for immediately complying with any changes to the scope of the SCL.

§ 752.11 INTERNAL CONTROL PROGRAMS

(a) Scope

(1) Introduction. It is through Internal Control Programs (ICPs) that the SCL holder and the consignee assure that exports and reexports are not made contrary to the EAR. The elements of your ICP will reflect the complexity of the activities authorized under the SCL, the countries and items involved, and the relationship between the SCL holder and the approved consignees.

(2) General requirements. Prior to making any exports and reexports under an SCL, you and your consignees, when required, must implement an ICP that is designed to ensure compliance with the SCL and the EAR. This section provides an overview of the elements that comprise an ICP. You may obtain from BIS at the address found in §752.17 of this part guidelines to assist you in developing an adequate ICP. You must submit with your application for an SCL a copy of your proposed ICP, along with any consignee ICPs, when required, incorporating the elements described in this section, as appropriate. BIS may require you to modify your ICP depending upon the activities, items, and destinations requested on your application for an SCL.

(b) Requirements

You may not make any shipments under an SCL until you and your consignees, when appropriate, implement all the elements of the required ICP. If there are elements that you consider inapplicable, you must explain the reasons for this determination at the time of application for an SCL. Existence of a properly constructed ICP will not relieve the SCL holder of liability for improper use or failure to comply with the requirements of the EAR.

(c) Elements of an ICP

Following is a list of ICP elements. The specific elements that should be included in your ICP depend upon the complexity of the activities authorized under your SCL, the countries and items involved, and the relationship between the SCL holder and the approved consignees.

(1) A clear statement of corporate policy communicated to all levels of the firm involved in exports and reexports, traffic, and related functions, emphasizing the importance of SCL compliance;

(2) Identification of positions (and maintenance of current list of individuals occupying the positions) in the SCL holder firm and consignee firms responsible for compliance with the requirements of the SCL procedure;

(3) A system for timely distribution to consignees and verification of receipt by consignees of regulatory materials necessary to ensure compliance with the EAR;

(4) A system for screening transactions to prevent violations of orders denying export privileges under the EAR;

(5) A system for assuring compliance with items and destination restrictions, including controls over reexports by consignees and direct exports to consignee customers;

(6) A compliance review program covering the SCL holder and extending to all consignees;

(7) A system for assuring compliance with controls on exports and reexports of nuclear items and to nuclear end-uses described in §§ 742.3 and 744.2 of the EAR;

(8) An on-going program for informing and educating employees responsible for processing transactions involving items received under the SCL about applicable regulations, limits, and restrictions of the SCL;

(9) A program for recordkeeping as required by the EAR;

(10) An order processing system that documents employee clearance of transactions in accordance with applicable elements of the company ICP;

(11) A system for monitoring in-transit shipments and shipments to bonded warehouses and free trade zones;

(12) A system for notifying BIS promptly if the SCL holder knows that a consignee is not in compliance with terms of the SCL;

(13) A system to screen against customers who are known to have, or are suspected of having, unauthorized dealings with specially designated regions and countries for which nonproliferation controls apply;

(i) The signs of potential diversion that you should take into consideration include, but are not limited to, the following:

(A) The customer or purchasing agent is reluctant to offer information about the end-use (or end-user) of a product.

(B) The product's capabilities do not fit the buyer's line of business; for example, a small bakery places an order for several sophisticated lasers.

(C) The product ordered is incompatible with the technical level of the country to which the product is being shipped. For example, semiconductor manufacturing equipment would be of little use in a country without an electronics industry.

(D) The customer has little or no business background. For example, financial information unavailable from normal commercial sources and corporate principals unknown by trade sources.

(E) The customer is willing to pay cash for a very expensive item when the terms of the sale call for financing.

(F) The customer is unfamiliar with the product's performance characteristics but still wants the product.

(G) Routine installation, training or maintenance services are declined by the customer.

(H) Delivery dates are vague, or deliveries are planned for out-of-the-way destinations.

(I) A freight forwarding firm is listed as the product's final destination.

(J) The shipping route is abnormal for the product and destination.

(K) Packaging is inconsistent with the stated method of shipment or destination.

(L) When questioned, the buyer is evasive or unclear about whether the purchased product is for domestic use, export, or reexport.

(M) Customer uses only a "P.O. Box" address or has facilities that appear inappropriate for the items ordered.

(N) Customer's order is for parts known to be inappropriate, or for which the customer appears to have no legitimate need (e.g., there is no indication of prior authorized shipment of system for which the parts are sought).

(O) Customer is known to have, or is suspected of having unauthorized dealings with parties and/or destinations in ineligible countries.

(ii) When any of the above characteristics have been identified, but through follow-up inquiries or investigation have not been

satisfactorily resolved, the consignee should not transact any business with the customer under the SCL. Apply for a license according to part 748 of the EAR. You should explain the basis for the concern regarding the proposed customer, and state that you are an SCL consignee. Also, cite the SCL number, and your consignee number;

(14) A system for assuring compliance with controls over exports and reexports for missile-related end-uses and end-users described in §744.3 of the EAR; and

(15) A system for assuring compliance with control over exports and reexports of chemical precursors and biological agents and related items and end-uses described in §§ 742.2 and 744.4 of the EAR.

§ 752.12 RECORDKEEPING REQUIREMENTS

(a) SCL holder and consignees

In addition to the recordkeeping requirements of part 762 of the EAR, the SCL holder and each consignee must maintain copies of manuals, guidelines, policy statements, internal audit procedures, reports, and other documents making up the ICP of each party included under an SCL and all regulatory materials necessary to ensure compliance with the SCL, such as relevant changes to the EAR, product classification, additions, deletions, or other administrative changes to the SCL, transmittal letters and consignee's confirmations of receipt of these materials. Each SCL holder and each consignee must maintain a record of its procedures for screening transactions to prevent violations of orders denying export privileges.

(b) SCL holder

The SCL holder is responsible for complying with the special reporting requirements for exports of certain commodities, software and technology under the Wassenaar Arrangement as described in §743.1 of the EAR.

(c) Consignees

All consignees must retain all records of the types of activities identified in §752.2(a)(3) of this part. Records on such sales or reexports must include the following:

(1) Full name and address of individual or firm to whom sale or reexport was made;

(2) Full description of each item sold or reexported;

(3) Units of quantity and value of each item sold or reexported; and

(4) Date of sale or reexport.

§ 752.13 INSPECTION OF RECORDS

(a) Availability of records

You and all consignees must make available all of the records required by §752.12 of this part and §762.2 of the EAR for inspection, upon request, by BIS or by any other representative of the U.S. Government, in accordance with part 762 of the EAR.

(b) Relationship of foreign laws

Foreign law may prohibit inspection of records by a U.S. Government representative in the foreign country where the records are located. In that event, the consignee must submit with the required copies of Form BIS-752 an alternative arrangement for BIS to review consignee activities and determine whether or not the consignee has complied with U.S. export control laws and regulations, which must be approved by BIS.

(c) Failure to comply

Parties failing to comply with requests to inspect documents may be subject to orders denying export privileges described in part 764 of the EAR or to the administrative actions described in part 766 of the EAR.

§ 752.14 SYSTEM REVIEWS

(a) Post-license system reviews

BIS may conduct system reviews of the SCL holder as well as any consignee. Generally, BIS will give reasonable notice to SCL holders and consignees in advance of a system review. The review will involve interviews with company officials, the inspection of records, and the review of ICPs. BIS may conduct special unannounced system reviews if BIS has reason to believe an SCL holder or consignee has improperly used or has failed to comply with the SCL.

(b) Other reviews

BIS may require an SCL holder or consignee to submit to its office a list of all sales made under the SCL during a specified time-frame. Also, BIS may request from any consignee a list of transactions during a specified period involving direct shipments of items received under SCLs to customers of other consignees and sales to customers in reexport territories authorized by BIS on the consignee's validated Form BIS-752.

§ 752.15 EXPORT CLEARANCE

(a) Shipper's Export Declaration (SED) or Automated Export System (AES) record

The SED or AES record covering an export made under an SCL must be prepared in accordance with requirements of the Foreign Trade Statistics Regulations (15 CFR part 30) and §758.1 of the EAR.

(1) Item descriptions. Item descriptions on the SED or AES record must indicate specifically the ECCN and item description conforming to the applicable CCL description and incorporating any additional information where required by Schedule B (*e.g.*, type, size, name of specific item, *etc*.).

(2) Value of shipments. There is no value limitation on shipments under the SCL; however, you must indicate the value of each shipment on the SED or AES record.

(3) SCL number. The SED or AES record must include the SCL number followed by a blank space, and then the consignee number identifying the SCL's approved consignee to whom the shipment is authorized.

(b) Destination control statement

The SCL holder and consignees must enter a destination control statement on all copies of the bill of lading or air way-bill, and the commercial invoice covering exports under the SCL, in accordance with the provisions of §758.6 of the EAR. Use of a destination control statement does not preclude the consignee from reexporting to any of the SCL holder's other approved consignees or to other countries for which specific prior approval has been received from BIS. In such instances, reexport is not contrary to U.S. law and, therefore, is not prohibited. Another destination control statement may be required or approved by BIS on a case-by-case basis.

§ 752.16 ADMINISTRATIVE ACTIONS

***(a)*(1)** If BIS is not satisfied that you or other parties to the SCL are complying with all conditions and requirements of the SCL, or that ICPs employed by parties to such licenses are

not adequate, BIS may, in addition to any enforcement action pursuant to part 764 of the EAR, take any licensing action it deems appropriate, including the following:

(i) Suspend the privileges under the SCL in whole or in part, or impose other restrictions;

(ii) Revoke the SCL in whole or in part;

(iii) Prohibit consignees from receiving items authorized under the SCL, or otherwise restrict their activities under the SCL;

(iv) Restrict items that may be shipped under the SCL;

(v) Require that certain exports, reexports, or transfers (in-country) be individually authorized by BIS;

(vi) Restrict parties to whom consignees may sell under the SCL; and

(vii) Require that an SCL holder provide an audit report to BIS of selected consignees or overseas operations.

(2) Whenever necessary to protect the national interest of the U.S., BIS may take any licensing action it deems appropriate, without regard to contracts or agreements entered into before such administrative action, including those described in paragraphs (a)(1)(i) through (vii) of this section.

(b) Appeals

Actions taken pursuant to paragraph (a) of this section may be appealed under the provisions of part 756 of the EAR.

§ 752.17 BIS ADDRESS

You should use the following address when submitting to BIS applications, reports, documentation, or other requests required in this part 752, via courier:

Bureau of Industry and Security,
U.S. Department of Commerce,
14th and Pennsylvania Ave., NW.
Room 2099B
Washington, DC 20230
"Attn: Special Licensing and Compliance Division"

You may also reach the Special Licensing and Compliance Division by phone at (202) 482-0062 or by fax at (202) 501-6750.

SUPPLEMENT NO. 1 TO PART 752 - INSTRUCTIONS FOR COMPLETING FORM BIS-748P, "MULTIPURPOSE APPLICATION" FOR REQUESTS FOR SPECIAL COMPREHENSIVE LICENSES

All information must be legibly typed within the lines for each Block or box, except where a signature is required. Where there is a choice of entering a telephone or telefacsimile number, and you chose a telefacsimile number, identify the number with the letter "F" immediately following the number.

Complete Blocks 1, 2, 3, and 4 according to the instructions in Supplement No. 1 to part 748 of the EAR.

Block 5: **Type of Application.** Enter an "x" in the Special Comprehensive License box.

Block 6: **Documents Submitted with Application.** Enter an "x" in the appropriate boxes to indicate which forms are attached.

Block 7: **Documents on File with Applicant.** Leave blank.

Block 8: **Special Comprehensive License.** Complete by entering an "x" in the appropriate boxes to indicate which forms are attached.

Block 9: **Special Purpose.** This block should only be completed when requesting changes to an approved SCL.

Block 10: **Resubmission Application Control Number.** Leave blank.

Block 11: **Replacement License Number**. This Block should be completed by previous special license holders. If you have had a special license in the past, enter that license number (i.e., V #, SS #, DL #, or SF #). A new SCL number will be assigned upon approval of your SCL application.

Block 12: **Items Previously Exported.** Leave blank.

Block 13: **Import/End-User Certificate**. Leave blank.

Block 14: **Applicant.** Complete according to the instructions in Supplement No. 1 to part 748 of the EAR.

Block 15: **Other Party Authorized to Receive License.** Complete, if applicable, according to the instructions in Supplement No. 1 to part 748 of the EAR.

Block 16: **Purchaser**. Leave blank.

Block 17: **Intermediate Consignee**. Leave blank.

Block 18: **Ultimate Consignee.** Leave blank.

Block 19: **End-User.** Leave blank.

Block 20: **Original Ultimate Consignee**. Leave blank.

Block 21: **Specific End-Use.** Leave blank.

Block 22: For one item, complete sub-blocks (a) through (j). For multiple items, complete Form BIS 748P-A.

Block 23: **Total Application Dollar Value.** Enter the projected total dollar value of all transactions you anticipate making throughout the entire validity period of the SCL.

Block 24: **Additional Information.** Enter additional data pertinent to the transaction.

Block 25: **Signature.** Complete according to the instructions in Supplement No. 1 to part 748 of the EAR.

SUPPLEMENT NO. 2 TO PART 752 - INSTRUCTIONS FOR COMPLETING FORM BIS-748P-A, "ITEM ANNEX"

All information must be legibly typed within the lines for each block or box.

Block 1: **Application Control No.** Enter the application control number found on Form BIS-748P.

Block 2: **Subtotal.** Leave blank.

Block 21: **Continuation of Specific End-Use Information.** Complete as necessary to fully describe the transaction(s).

Block 22:
(a) **ECCN.** Enter the Export Control Classification Number that corresponds to the item you wish to export or reexport under the SCL.

(b) **CTP.** You must enter the "Adjusted Peak Performance" ("APP") in this block if you intend to export or reexport a computer or equipment that contains a computer. Instructions on calculating the APP are contained in a Technical Note at the end of Category 4 in the CCL.

(c) - (i): Leave blank.

(j) **Manufacturer's Description.** Enter a detailed description of the item proposed for export or reexport. Brochures or product literature may be supplied at the option of the applicant. However, such information may expedite review and processing of your application.

Block 24: **Continuation of Additional Information.** Enter any identifying information that defines the scope of items you are requesting to export or reexport under the SCL. For example, "4A004 except items controlled for MT reasons".

SUPPLEMENT NO. 3 TO PART 752 - INSTRUCTIONS ON COMPLETING FORM BIS-752 "STATEMENT BY CONSIGNEE IN SUPPORT OF SPECIAL COMPREHENSIVE LICENSE"

All information must be legibly typed within the lines for each Block or Box, except where a signature is required.

Block 1: **Application Control No.** Enter the "Control No." that is pre-printed on Form BIS-748P, Multipurpose Application. You may obtain this information from the applicant.

Block 2: **Consignee ID Number.** Leave blank.

Block 3: **Type of Request.** For new applications, leave blank.

Block 4: **Consignee Information.** Enter the complete address where the consignee is located. A Post Office (P.O.) Box alone is NOT acceptable, but may be included in this Block 4 for mailing purposes, along with a complete address. If records required by §752.12 of this part and part 762 of the EAR are maintained/stored at a separate address, indicate the address in Block 9. In the absence of a complete address, Form BIS-752 will be returned without action.

Block 5: **Exporter Information.** Enter the complete address of the exporter. Leave the SCL Case No. box blank for new applications and enter the SCL Case No. for "change" actions.

Block 6: **Description of Items.** Provide a summary description of the items proposed for import and reexport under the SCL. Firms that will not receive the entire range of items under a particular ECCN identified on Form BIS-748P-A should describe only the items they will receive under the SCL. In some instances, consignee approval will be contingent on the nature of the item requested.

Block 7: **Consignee's Business and Relationships.**

(i) Item (a): Identify the nature of your company's principal business as it affects the disposition of items to be imported and reexported under this license by including the appropriate letter choice(s) from the following: (a) manufacturer, (b) distributor, (c) assembler, (d) sales agent, (e) warehouse, (f) service facility, or (g) other. For other, provide an explanation in Block 9.

(ii) Item (b): Indicate the relationship between your company and the applicant's company by providing the appropriate letter choice(s) from the following: (a) wholly-owned subsidiary, (b) independent company, (c) joint venture company, (d) controlled-in-fact affiliate, (e) contractor/subcontractor, or (f) other. For other, provide an explanation in Block 9.

(iii) Item (c): Enter the number of years of relationship between your company and the applicant company.

(iv) Item (d): Enter the estimated dollar volume of sales or other transactions with the SCL holder during the last twelve month period before submission of the application for an SCL.

(v) Item (e): Enter an estimated dollar volume proposed under this application for the validity period of the SCL.

Block 8: **Disposition or Use of Items.**

(i) Item (a): Complete this Block if your company is requesting involvement in end-user activities that involves importing items for the company's own use (e.g., as capital equipment).

(ii) Item (b): Complete this Block if your company is requesting involvement in end-user activities that incorporates items received under the SCL into a new end-product that results in a change of identity of the U.S.-item (e.g., U.S.-origin semiconductor devices are included in a foreign-origin test instrument). Under Block 9, Additional Information, describe the new end-product more specifically and state how and to what extent the U.S.-origin items will be used. Complete and attach Form BIS-752-A, Reexport Territories.

(iii) Item (c): Complete this Block if your company is requesting authorization to reexport items for service and/or repair. Complete and attach Form BIS-752-A. If you plan to reexport to end-users that require prior approval by BIS, also complete and attach Form BIS-748P-B, End-User Appendix.

(iv) Item (d): Complete this Block if your company plans to transfer or resell within the country of import. State the end-use of your customers. If you plan to transfer to end-users that require prior approval by BIS, complete and attach Form BIS-748P-B, End-User Appendix.

(v) Item (e): Complete this Block if your company plans to reexport. Complete and attach Form BIS-752-A. If you plan to reexport to end-users that require prior approval by BIS, complete and attach Form BIS-748P-B, End-User Appendix.

(vi) Item (f): This item should be completed for "other" activities that are not defined in Blocks 8 paragraphs (a) through (e). Describe the proposed activities fully in Block 9 or in a letter submitted with this Form, and complete and submit Form BIS-752-A, indicating the countries to which the products derived from these activities will be exported.

Block 9: **Additional Information.** In addition to any information that supports other Blocks, indicate whether your company is an active consignee under any other license issued by BIS. Indicate the license and consignee numbers.

Block 10: **Signature of Official of Ultimate Consignee.** Include an original signature. The authority to sign Form BIS-752 may not be delegated to any person whose authority to sign is not inherent in his/her official position with the company. The signing official must include their official title with their signature. All copies must be co-signed by the applicant in the SCL holder signature block and submitted with the application to BIS.

SUPPLEMENT NO. 4 TO PART 752 - INSTRUCTIONS FOR COMPLETING FORM BIS-752-A, "REEXPORT TERRITORIES"

All information must be legibly typed within the lines for each Block or Box.

Block 1: **Application Control No.** Insert the application control No. from the relevant Form BIS-748P.

Block 2: **SCL License No**. Leave blank for new SCL applications. For changes to existing SCLs, include the original SCL number.

Block 3: **Consignee No.** Leave blank for new SCL applications. For changes to existing SCLs, include the consignee number that was provided on the original license.

Block 4: **Continuation of BIS-752 Question No.** Mark an "x" in the box next to each country you wish to select. See §752.4 of this part for countries that are not eligible for the SCL. You may request a country that is not included on Form BIS-752-A by marking an "x" in the "other" box and including the country name.

SUPPLEMENT NO. 5 TO PART 752 - INSTRUCTIONS FOR COMPLETING FORM BIS-748P-B, "END-USER APPENDIX"

All information must be legibly typed within the lines for each Block or Box.

Block 1: **Application Control No.** Insert the application control No. from the relevant Form BIS-748P.

Block 19: **End-user.** Enter each end-user's complete name, street address, city, country, postal code and telephone or facsimile number. Post Office (P.O.) Boxes are not acceptable.

Block 21: **Continuation of Specific End-Use Information**. Include any additional information that may help BIS in reviewing and making a determination on your application, such as the special safeguards that will be implemented to prevent diversion.

Block 24: **Continuation of Additional Information.** Enter additional data pertinent to the transaction as required by part 752. Enter the consignee name and complete address of the consignee responsible for the end-user(s) (i.e., recordkeeping and ICP screening, etc.).