

# Do I Need an Export License?

Introduction to Export Controls  
under the  
Export Administration Regulations  
(EAR, 15 CFR parts 730-774)



U.S. DEPARTMENT OF COMMERCE  
BUREAU OF INDUSTRY AND SECURITY

# Which Agencies Have Export Control Functions?



- State/DDTC administers defense articles export controls under the International Traffic in Arms Regulations (ITAR)
- Embassies conduct visa interviews



- BIS administers the Export Administration Regulations (EAR): dual-use and some munitions/military export controls



- Office of Foreign Assets Control (OFAC) for sanctions

Other agencies include the Nuclear Regulatory Commission and the Department of Energy.



U.S. DEPARTMENT OF COMMERCE  
BUREAU OF INDUSTRY AND SECURITY

New to the EAR?

Start here at:

[www.bis.doc.gov](http://www.bis.doc.gov)

Exporter Portal

**Bureau of Industry and Security**  
U.S. Department of Commerce  
*Where Industry and Security Intersect*

Home About BIS Regulations Licensing Enforcement Compliance & Training Policy Guidance Add'l Programs Reform

### Exporter Portal

[ Print ]

**Details**

- Export Control Basics**  
Introduction to Commerce  
Department Export Controls  
[Learn More >>](#)
- Lists to Check**  
Monitor any parties of concern  
[Learn More >>](#)
- Decision Tree Tools**  
Find out more specifics on exporting  
[Learn More >>](#)
- SNAP-R Login**  
Submit export and re-export applications, commodity classification requests, and more..  
[Learn More >>](#)
- eMail Notification**  
Receive important updates straight to your email  
[Learn More >>](#)
- Online Training Room**  
Explore multimedia online training  
[Learn More >>](#)
- STELA Login**  
Track your license application status  
[Learn More >>](#)
- Special Countries**  
Discover which countries have unique exporting criteria  
[Learn More >>](#)
- EAR**  
Find all about Export Administration Regulation  
[Learn More >>](#)
- Best Practices**  
Ensure your exports fully comply with statutory & regulatory reqs  
[Learn More >>](#)
- Red Flags**  
Familiarize yourself with red flags in export transactions  
[Learn More >>](#)
- BIS Calendar**  
Keep up-to-date on new seminars and events  
[Learn More >>](#)
- Regulations News**  
Learn about recent changes to the EAR  
[Learn More >>](#)
- BIS News**  
Review up-to-date news from BIS  
[Learn More >>](#)
- Contact Us**  
Get support for all your exporting needs  
[Learn More >>](#)
- BIS Forms**  
Find your form  
[Learn More >>](#)
- FAQs**  
Licensing FAQs  
[Learn More >>](#)
- Classification Information**  
Classification information table  
List provided by companies  
[Learn More >>](#)

# Basics of Licensing Requirements

What are  
you  
Exporting?

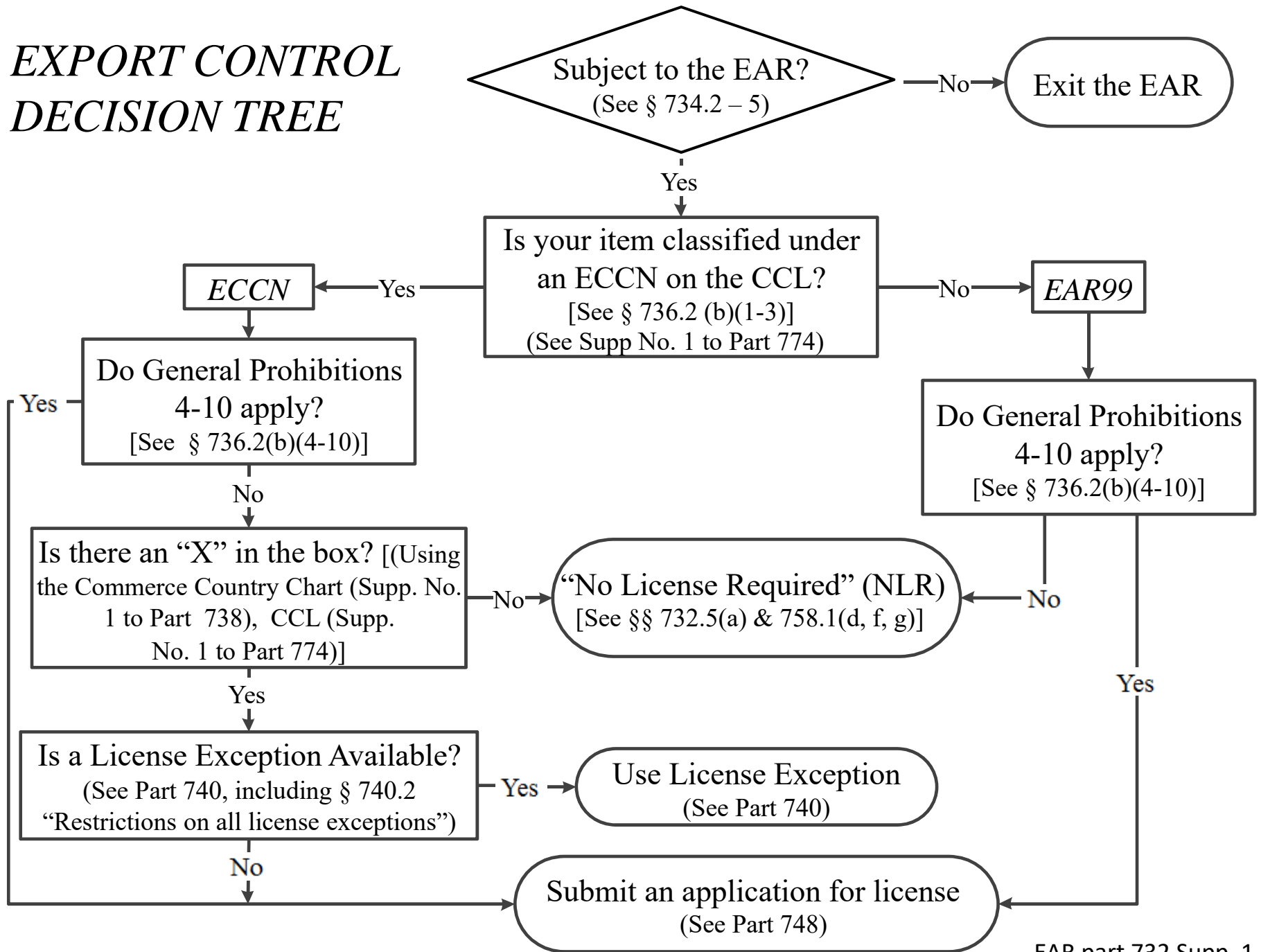
Where is it  
Going?

Who is  
Receiving  
It?

What is  
the End  
Use?



# EXPORT CONTROL DECISION TREE



# What is an ECCN?

Export Control Classification Number on the Commerce Control List

1

C

350

1

- Category

C

- Product Group

350

- Type of Control

Subject to the EAR but not listed on the CCL = EAR99



# Decision Tree Tools

<https://www.bis.doc.gov/index.php/licensing/2013-02-15-13-50-21>



**Bureau of Industry and Security**  
U.S. Department of Commerce  
*Where Industry and Security Intersect*

Home | About BIS | Regulations | Licensing | Enforcement | Compliance & Training | Policy Guidance | Add'l Programs | Reform | Data

## Reform

- Reform
- Export.Gov
- ECR Teleconference
- Decision Tree Tools
- ECR FAQs

## Decision Tree Tools

| Print |

### Details

#### CCL Order of Review

The CCL Order of Review Decision Tool will assist users in understanding the steps to follow in reviewing the Commerce Control List when determining the classification of their item. (See Supplement No. 4 to part 774 of the EAR)

#### Specially Designed

The "Specially Designed" Decision Tool will assist users in determining if an item is "specially designed" under the Export Administration Regulations. (See § 772.1 of the EAR)

#### STA

The Strategic Trade Authorization (STA) tool will help you determine if your item is eligible for License Exception STA (§ 740.20 of the EAR) and if you are prepared to meet the compliance requirements of License Exception STA.

Note: The STA tool is now updated for the 600 series and 9x515 ECCNs.

#### De minimis & Direct Product Rules

This tool will help you determine if your non-U.S.-made item, which is located outside the U.S., is subject to the EAR.

# Licensing Requirements due to a Country Sanction

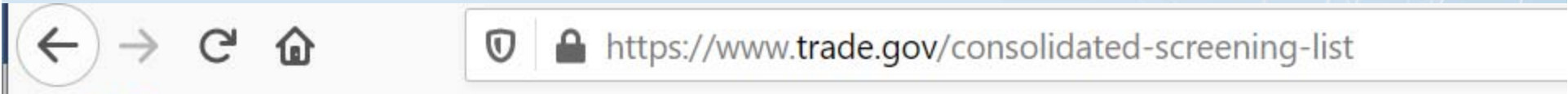
- Comprehensive Embargo
  - Iran – § 746.7 & § 742.8
  - Cuba – § 746.2
- Sanctioned
  - Syria – § 746.9 & Supp. No. 1 to part 736
  - N. Korea – § 746.4 & § 742.19
  - Russian – § 746.5
  - Crimea Region of Ukraine – § 746.6
- UN Arms Embargo – § 746.1(b)
- Iraq – § 746.3

**General Prohibition 6, part 736**





# Know Your Customer: Screen



INTERNATIONAL  
**TRADE**  
ADMINISTRATION

For U.S. Businesses ▾ For International Businesses ▾ About ITA Contact Us

Home | **Consolidated Screening List**

## Consolidated Screening List

Learn how to screen potential buyers and end-users to comply with U.S. Government regulations.



Use the [Consolidated Screening List Search Engine](#).

The Consolidated Screening List (CSL) is a list of parties for which the United States Government maintains records of items. Below, under "Tools" are links to the CSL search engine, downloadable CSL files, and the CSL A

# Licensing Requirements due to end use/end user controls

- Prohibited end uses and end users and controls on specific activities of U.S. Persons are in part 744 of the EAR
- Restrictions on ‘military end use’ or for a ‘military end user’ in Burma, China, Russia or Venezuela (§ 744.21) and ‘military-intelligence end uses or end users in the same four countries plus E:1 and E:2 countries (§ 744.22)
  - Supplement No. 2 to part 744 – List of Items Subject to the Military End-Use License Requirement of § 744.21
  - Supplement No. 7 to part 744 – ‘Military End-User’ List – not exhaustive

**General Prohibitions 5 and 7,  
part 736**



U.S. DEPARTMENT OF COMMERCE  
BUREAU OF INDUSTRY AND SECURITY

# Tips for the Commerce Control List

- The Order of Review (Supplement No. 4 to part 774) requires you to first confirm your item is not controlled under the International Traffic in Arms Regulations (ITAR).
- There is an Alphabetical Index to the Commerce Control List (CCL) – only on the BIS website; not exhaustive
- Licensing requirements beyond the CCL: based on destinations, parties to the transaction, activities, and knowledge of the end-use/end-user.
  - Check licensing requirements for sanctioned countries: General Prohibition 6, EAR part 736.
  - See “Know Your Customer” and “Red Flags” guidance (EAR part 732, Supplement 3)
  - Check licensing requirements based on end-use/end-user: General Prohibitions 5 and 7, EAR part 736 and part 744.



# Contact Information

- Office of Exporter Services:

Washington, D.C.

Counseling: (202) 482-4811

e-mail: ECDOEXS@bis.doc.gov

Western Regional Office, Irvine, CA

Counseling: (949) 660-0144

Northern California Branch, San Jose, CA

Counseling: (408) 998-8806

- Encryption Help Line: (202) 482-0707
- Export Enforcement Hotline: 1-800-424-2980

[www.bis.doc.gov](http://www.bis.doc.gov)

<https://www.export.gov/Legal-Considerations>

