

Justification for Non-Substantive Change

Miscellaneous Licensing Responsibilities and Enforcement

OMB Control Number: 0694-0122

This non-substantive change is needed to support publication of a proposed rule “Proposed Revisions to the Export Administration Regulations (EAR): Unverified List (UVL)” (RIN 0694-AF70).

This rule requires exporters to obtain a statement from UVL-listed persons before proceeding with exports, re-exports or transfers of items not subject to the Export Administration Regulations (EAR) and otherwise designated No License Required (NLR). The text of the statement is provided in new EAR paragraph 744.15(b), as follows:

[INSERT NAME OF UVL PERSON]:

(1i)(Ai) Agrees not to export, reexport or transfer (in-country) any items received to any destination, use or user prohibited by the United States Export Administration Regulations (EAR). The person(s) and country(ies) of ultimate destination receiving such export, reexport or transfer (in-country) is as follows: [INSERT NAME OF PERSON AND DESTINATION]; or

(iiB) Agrees not use any items received for any use prohibited by the United States Export Administration Regulations (EAR).

(2ii) Agrees to cooperate with end-use checks, including a Pre-License Check or a Post-Shipment verification, conducted by or on behalf of the Bureau of Industry and Security, U.S. Department of Commerce, for any item subject to the EAR. This cooperation includes facilitating the timely conduct of the check and providing full and accurate information concerning the disposition of items subject to the EAR; and

(iii3) Agrees to provide copies of this document and all other export, reexport or transfer (in-country) records (i.e., the documents described in Part 762 of the EAR) relevant to any items subject to the EAR to the U.S. Government as set forth in § 762.7 of the EAR.

It is estimated that this change will increase the burden in OMB 0694-0122 by 1 hour x 10 UVL-listed persons x 5 exports annually = 50 hours annually.