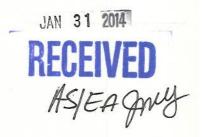


U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives



Assistant Director

Washington, DC 20226

www.atf.gov 01/15/2014

Kevin J. Wolf Assistant Secretary for Export Administration Department of Commerce 14th & Constitution Ave., N.W. Washington, DC 20230

Dear Mr. Wolf:

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is a joint issuer of the International Import Certificate (IIC), Form BIS-645/ATF 4522/DSP-53.

We understand that a Comment Request was recently published in the Federal Register and that the comment period had already closed on or about November 24, 2013. However, as the Department of Commerce (DOC) is the lead agency on this form, ATF respectfully submits some additional amendments to the IIC when the form is next renewed. The suggested amendments transmit updated information regarding ATF's alignment in the Department of Justice as well as updates statutory/regulatory citations throughout the document. This will alleviate confusion for the Imports industry we regulate:

- a. In the upper right hand block of the form, change the reference to the "U.S. Department of the Treasury" to the "U.S. Department of Justice." In the same block; change the reference to the "Bureau of Alcohol, Tobacco and Firearms" to the "Bureau of Alcohol, Tobacco, Firearms and Explosives".
- b. In the "For U.S. Government Use" block in the upper right-hand section of the form, change the reference from the "Treasury Department" to the "Justice Department".
- c. In the block at the bottom of the form that begins "No import certification may be obtained . .," change the reference to the "Department of the Treasury" to the "Department of Justice". Also change the reference to "27 C.F.R. §47" to "27 CFR §447".

Assistant Secretary for Export Administration

- d. In the last line of the form, change "Treasury Official" to "Justice Official".
- e. On the instruction page, in the opening paragraph, replace "Treasury" with "Justice; replace "U.S. Department of the Treasury" with "U.S. Department of Justice"; replace "Treasury Department Import Permit" with "Justice Department Import Permit."
- f. Under "General Instructions" on the instruction page, replace "Issuance by U.S. Department of the Treasury" with "Issuance by U.S. Department of Justice." In the paragraph below, replace "47" with "447"; replace "Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, Washington, D.C. 20226" with "Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, Martinsburg, West Virginia, 25405
- g. Under "Special Instructions" on the instruction page, item # 4, replace "Department of Treasury" with "Department of Justice" in both the first and second paragraphs.
- h. Reduce the size of the actual IIC form from its current 8.5 x 14 legal sized format to 8.5 x 11 letter-sized format.
- i. Extend the IIC's period of validity to 12 months from its current 6 months.

We hope you will consider these suggested amendments to the IIC for the next renewal the form. Should you have any questions regarding this submission please feel free to contact Alphonso Hughes, Chief, Firearms and Explosives Services Division at (304) 616-4588.

Respectfully,

forflike

Arthur Herbert Assistant Director

Office of Enforcement Programs and Services

General Instructions

The International Import Certificate, BIS-645P form is available on the BIS Web site. BIS requires only one signed copy to be submitted via mail. Once the IIC is signed with the authorized signature, the original and a copy(s) will be returned to you.

The IIC's, BIS-645P form should be mailed to the following address.

Via Courier or Regular mail: Bureau of Industry and Security U.S. Department of Commerce 14th Street and Pennsylvania Avenue, N.W. Room 2705

Washington, D.C. 20230 Attn: "IIC enclosed" Please disregard the P.O. Box address for the Department of Commerce listed on the back of the IIC Form.

Form Approved: OMB No. 0694-0017 - Modele approuvé: OMB No. 0694-0017

FORM BIS-645P/ATF-4522/DPS-53 (REV 8/02)

USCOMM DC 89-24414

INSTRUCTIONS FOR COMPLETION AND SUBMISSION OF FORM BIS-645P/ATF-4522/DSP-53, INTERNATIONAL IMPORT CERTIFICATE

In accordance with an agreement between the Departments of Commerce, State, and Treasury, Import Certificates issued to facilitate international cooperation in export control matters have been standardized. Under this standardization these agencies will use the same form. The U.S. Department of the Treasury issues the form for articles enumerated on the U.S. Munitions Import List in connection with the issuance of a Treasury Department Import Permit. The U.S. Department of State issues the form in connection with foreign transfer by a U.S. entity of U.S. Munitions List articles. The U.S. Department of Commerce issues the form for all other commodities subject to an Import Certificate requirement.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number.

Public reporting for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information, and an additional 1 minute per response for recordkeeping. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director of Administration, Bureau of Industry and Security, Room 3889, U.S. Department of Commerce, Washington, D.C. 20230; and to the Office of Management and Budget, Paperwork Reduction Project, Washington, D.C. 20503.

GENERAL INSTRUCTIONS

Submit this form in triplicate - 3 copies (submit in quadruplicate - 4 copies for "special nuclear material," "source material," "by-product material," "production or utilization facilities," and "nuclear equipment" and "nuclear material" as defined in the regulations of the Nuclear Regulatory Commission). The quadruplicate copy of this form should be retained by the importer for record purposes, and after the original is signed and numbered by the designated U.S. Commerce, State, or Treasury Department official, the International Import Certificate Number should be entered on the record copy. This will facilitate entering the correct International Import Certificate Number on a Delivery Verification Certificate if a delivery verification is requested by the foreign exporter. (If the form is required to be submitted in quadruplicate, the importer should use a separate blank form to provide his record copy.)

Import Certificates will be issued only when required by the government of a foreign country for the commodities specified above which are subject to the Atomic Energy Act, for the N.S.-controlled commodities on the Commodity Control List (Supplement No. 1 to 774 of the U.S. Department of Commerce Export Administration Regulations), and for articles enumerated on the U.S. Munitions List and U.S. Munitions Import List.

Issuance by U.S. Department of Commerce

Requests for certification and validation of Import Certificates or requests for amendments of Import Certificates may be filed with the Office of Exporter Services, P.O. Box 273, Washington, D.C. 20044.

(Blank forms are obtainable at the same offices or any other District Offices.)

(See Supplement No. 5 to Part 748 of the Export Administration Regulations, for Special instructions to be followed when foreign excess property is involved.)

Issuance by U.S. Department of the Treasury

In the case of articles enumerated in the U.S. Munitions Import List (27 Code of Federal Regulations 47) covering arms, ammunition, and implements of war, communicate with the Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, Washington, D.C. 20226.

Issuance by U.S. Department of State

In the case of foreign transfer by a U.S. entity of U.S. Munitions List articles (22 Code of Federal Regulations 121), communicate with the Office of Munitions Control, Department of State, Washington, D.C. 20520.

SPECIAL INSTRUCTIONS

Item 1 - The full name and the address of the U.S. importer or U.S. principal in the transaction must be shown. (The U.S. principal in the transaction is that person subject to the jurisdiction of the United States who is in a position to make the representation and undertakings set forth in Item 4.)

Item 2 - Name and full address of foreign exporter must be shown.

Item 3 - Description of goods must be shown in normal commercial terms, and should include composition, type, size, gauge, grade, horsepower, manufacturer's name, serial number, as well as brand or trade names, catalog numbers, or other trade characteristics which will aid in exact recognition of commodities. Indicate also status of equipment or material such as new or used.

The Tariff Schedules of the United States (TSUS) Annotated* number and the quantity must be shown in accordance with the Tariff Schedules and/or normal commercial terms.

Values must be shown in customary form of quotation, such as: f.o.b. (named port), c.i.f., or other form.

Item 4 - Where the representation is made that the commodities will be brought into the United States under a U.S. Consumption or Warehouse Entry, the temporary unlading of goods in a foreign trade zone which are intended for subsequent entry into the economy of the United States is not precluded. The U.S. Department of Commerce, Department of State, and/or Department of Treasury, shall be notified immediately of any changes of fact or intention set forth on this form. Such notification shall be in writing and should include the International Import Certificate Number. There must be shown in the name of firm or corporation on whose behalf this document is filed. If signed by an agent of the Importer, such agency must be indicated in the space marked "Type or Print Name and Title of Authorized Official."

Where the commodities are not imported into the U.S. under such Customs entries, permission to divert, transship or reexport the commodities must be

obtained from the Department of Commerce, Department of State, or Department of Treasury.

*TSUS-Tariff Schedules of the United States Annotated may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, local Customs Offices, or ITA District Offices located in principal cities.

REGULATIONS COVERING USE OF THIS FORM

(a) The Department of Commerce regulation covering U.S. Import Certificates and Delivery Verification Certificate is set forth in Supplement No. 5 to Part 748 of the Export Administration Regulations, which is available for reference at any ITA District Office.

(b) The Department of State regulation covering the foreign transfer by a United States entity of United States Munitions List equipment, previously exported from the United States under a license of the Department of State, to any country other than the country of ultimate destination as stated in the export license, is set forth in Part 123.10(b) of the International Traffic In Arms Regulations, which is available from the U.S. Government Printing Office.

PENALTIES AND SANCTIONS FOR VIOLATIONS

(a) Administrative - Provided in the Export Administration Regulations. The enforcement provisions of Part 764 of the Export Administration Regulations, the conduct of Business provisions of Supplement No. 2 to Part 736, and the denial or suspension of export privileges and imposition of civil penalties provisions of Part 766 shall apply to transactions involving imports into the United States covered by Supplement No. 2 to Part 736. The Export Administration Act provides a civil penalty not to exceed \$10,000 that may be imposed for each violation of the Export Administration Act or any regulation, order, or license issued under the Act either in addition to or instead of any liability or penalty which may be imposed. Violations involving national security controls imposed under Sections of the Export Administration Act are subject to a civil penalty not to exceed \$100,000 for each violation. Any provisions of Part 764 and Supplement No. 2 to Part 736 which by their terms relate to "exports" or "exports from the United States" are also deemed to apply and extend to imports into the United States, applications for International Import Certificates, International Import Certificates and Delivery Verifications, dealt with in Part 748. (A form BIS - 645P, International Import Certificate, when presented to the U.S. Department of Commerce for certification or validation, is an application for an International Import Certificate.)

Any person, either in the United States or abroad, who violates the Export Administration Act or any regulation, order, or license issued thereunder, including the provisions of Part 748, is subject to administrative action which may result in disqualification from eligibility to obtain a certified Import Certificate from the Office of Exporter Services, in suspension, revocation and denial of export privileges under the Export Administration Act; and in exclusion from practice before the Bureau of Industry and Security of the U.S. Department of Commerce on behalf of another, in connection with any export control matter, as provided in Part 766.

(b) Administrative - Provided in the International Traffic in Arms Regulations. Part 127 of the International Traffic in Arms Regulations provides that a violator of these regulations may, through administrative action described in Part 128, be debarred (prohibited) from exporting all U.S. Munitions List articles or technical data from the United States. Part 127 also subjects such a violator to a civil penalty not to exceed that authorized by law.

(c) Criminal. [1] The False Statements Act makes it a criminal offense to make a willfully false statement or conceal a material fact or knowingly use a document containing a false statement, in any matter within the jurisdiction of a United States department or agency. Maximum penalties under the provision are a \$10,000 fine or imprisonment for five (5) years, or both. [2] The Export Administration Act provides that whoever knowingly violates any provision of this Act or any regulation, order, or license issued thereunder, shall be fined not more than five (5) times the value of the exports involved or \$50,000, whichever is greater, or imprisoned not more than five (5) years, or both. (See also §764.3 of the Export Administration Regulations.) [3] For purposes of this paragraph, "controlled country" means any country described in section 620(f) of the Foreign Assistance Act of 1961. [4] Any person who willfully violates any provision of section 38 of the Arms Export Control Act, or any rule or regulation issued under that section is subject, upon conviction, to a maximum fine of \$100,000 or a maximum of two (2) years imprisonment or both (also see §127.01 et.seq. of the International Traffic In Arms Regulations).

NOTE

Applications for Import Certificates and Delivery Verifications, as specified in Part 748, are included within the definition of export control documents set forth in Part 772 of the *Export Administration Regulations*.



(The continental United States is defined in § 318.13-2 of the regulations as the 48 contiguous States, Alaska, and the District of Columbia.)

Section 318.13-4 contains a performance-based process for approving the interstate movement of commodities that, based on the findings of a pest risk analysis, can be safely moved subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section. Under that process, APHIS publishes a notice in the Federal Register announcing the availability of the pest risk analysis that evaluates the risks associated with the interstate movement of a particular fruit or vegetable. Following the close of the 60-day comment period, APHIS may begin allowing the interstate movement of the fruit or vegetable subject to the identified designated measures if: (1) No comments were received on the pest risk analysis; (2) the comments on the pest risk analysis revealed that no changes to the pest risk analysis were necessary; or (3) changes to the pest risk analysis were made in response to public comments, but the changes did not affect the overall conclusions of the analysis and the Administrator's determination of risk.

In accordance with that process, we published a notice 1 in the Federal Register on April 24, 2013 (78 FR 24155-24156, Docket No. APHIS-2013-0017), in which we announced the availability, for review and comment, of a pest risk analysis that evaluates the risks associated with the interstate movement of sapote fruit (Pouteria sapota) from Puerto Rico into the continental United States. We solicited comments on the notice for 60 days ending on June 24, 2013. We received no comments by that date.

Therefore, in accordance with the regulations in § 318.13-4, we are announcing our decision to begin allowing the interstate movement of sapote fruit from Puerto Rico into the continental United States subject to the following phytosanitary measures:

Inspection in Puerto Rico; and Movement of the sapote fruit as commercial consignments only.

These conditions will be listed in the Puerto Rico Manual, found on the Internet at http://www.aphis.usda.gov/ import export/plants/manuals/ports/ downloads/puerto rico.pdf. In addition to those specific measures, sapote fruit from Puerto Rico will be subject to the general requirements listed in § 318.133 that are applicable to the interstate movement of all fruits and vegetables from Puerto Rico.

Authority: 7 U.S.C. 7701-7772 and 7781-7786; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 18th day of October 2013.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2013-25003 Filed 10-23-13; 8:45 am] BILLING CODE 3410-34-P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of Industry and Security (BIS).

Title: International Import Certificate. OMB Control Number: 0694-0017. Form Number(s): BIS-645P.

Type of Request: Regular submission (extension of a current information collection).

Burden Hours: 52.

Number of Respondents: 195. Average Hours per Response: 16 minutes.

Needs and Uses: The United States and several other countries have increased the effectiveness of their respective controls over international trade in strategic commodities by means of an Import Certificate procedure. For the U.S. importer, this procedure provides that, where required by the exporting country, the importer submits an international import certificate to the U.S. Government to certify that he/she will import commodities into the United States and will not reexport such commodities, except in accordance with the export control regulations of the United States. The U.S. Government, in turn, certifies that such representations have been made.

Affected Public: Businesses and other for-profit organizations.

Frequency: On occasion.

Respondent's Obligation: Required to obtain benefits.

Copies of the above information collection proposal can be obtained by calling or writing Jennifer Jessup, Departmental Paperwork Clearance Officer, (202) 482-0336, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at IJessup@ doc.gov.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Jasmeet Seehra, OMB Desk Officer, by email to Jasmeet K. Seehra@ omb.eop.gov, or by fax to (202) 395-

Dated: October 18, 2013.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2013-24867 Filed 10-23-13; 8:45 am] BILLING CODE 3510-33-P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of Industry and

Security (BIS).

Title: Delivery Verification Procedure for Imports.

OMB Control Number: 0694-0016. Form Number(s): BIS-647P.

Type of Request: Regular submission (extension of a current information collection).

Burden Hours: 56.

Number of Respondents: 100. Average Hours Per Response: 31

Needs and Uses: Foreign governments, on occasions, require U.S. importers of strategic commodities to furnish their foreign supplier with a U.S. Delivery Verification Certificate validating that the commodities shipped to the U.S. were in fact received. This procedure increases the effectiveness of controls on the international trade of strategic commodities.

Affected Public: Businesses and other for-profit organizations.

Frequency: On occasion.

Respondent's Obligation: Required to obtain benefits.

Copies of the above information collection proposal can be obtained by calling or writing Jennifer Jessup, Departmental Paperwork Clearance Officer, (202) 482-0336, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the Internet at IJessup@ doc.gov.

Written comments and recommendations for the proposed

³ To view the notice and the pest risk analysis, go to http://www.regulations.gov/ #!docketDetail;D=APHIS-2013-0017.

Search: O Agenda O Reg Review @ ICR



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OMB Control Number History

OMB Control Number: 0694-0017

ICR Ref. No.	Request Type	Date Received By OIRA	Conclusion Date	Conclusion Action	
201309-0694-002	Extension without change of a currently approved collection	10/24/2013	11/25/2013	Approved without change	
201005-0694-001	Extension without change of a currently approved collection	09/21/2010	10/22/2010	Approved without change	
200612-0694-003	Extension without change of a currently approved collection	05/30/2007	09/21/2007	Approved without change	
200404-0694-001	Extension without change of a currently approved collection	04/06/2004	05/18/2004	Approved without change	
200102-0694-001	Extension without change of a currently approved collection	02/23/2001 05/16/2001		Approved without change	
199803-0694-005	Extension without change of a currently approved collection	03/16/1998	05/29/1998	Approved without change	
199502-0694-002	Revision of a currently approved collection	02/03/1995	05/05/1995	Approved without change	
199201-0694-006	Revision of a currently approved collection	01/29/1992	04/27/1992	Approved without change	
198908-0694-004	No material or nonsubstantive change to a currently approved collection	08/03/1989	08/03/1989	Approved with change	
198903-0694-001	Revision of a currently approved collection	03/14/1989	05/23/1989	Approved without change	
198806-0694-017	Emergency extension	02/10/1989	02/10/1989	Approved	
198806-0694-017	Revision of a currently approved collection	06/13/1988	06/13/1988	Approved without change	

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Display	additional information by clicki	ng on the following:	All Brief and ORA conclusion		
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76	*	View ICR - OIF	RA Conclusion		
OMB Control No: 0694-0	017		ICR Reference No: 198806-0694-017	· m	
Status: Historical Active	017	s	Previous ICR Reference No: 198603-0625-01	0	
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	lection: Revision of a currently ap	proved collection	Common Form ICR: No		
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	n; Approved without change		Conclusion Date: 06/13/1988		
Retrieve Notice of Action			Date Received in OIRA: 06/13/1988		
Terms of Clearance:					
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NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 06/13/1988

FROM: Department of Commerce

International Trade Administration

TO: Department of Commerce

Bureau of Industry and Security

FOR CERTIFYING OFFICIAL:

FROM:

TO:

FOR CLEARANCE OFFICER:

FROM:

TO:

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 06/13/1988

ACTION REQUESTED: <u>Transfer</u> TYPE OF REVIEW REQUESTED:

ICR REFERENCE NUMBER: 198603-0625-010: 198806-0694-017

TITLE: INTERNATIONAL IMPORT CERTIFICATE

OMB ACTION: Approved

OMB CONTROL NUMBER: 0694-0017

The agency is required to display the OMB Control Number and inform respondents of its legal significance in

accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 05/31/1989

DISCONTINUE DATE:

The following information collection has been transferred:

PRIOR TO TRANSFER

SUBSEQUENT TO TRANSFER

OMB Control No.

0625-0064

0694-0017

Agency/Sub Agency

Department of Commerce/International

Trade Administration

Department of Commerce/Bureau

of Industry and Security

OMB Authorizing Official:

James B. MacRae, Jr.

Deputy Administrator,

Office of Information and Regulatory Affairs

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Displa	y additional information by clicki	ing on the following: \Box	All Brief and OIRA conclusion			
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	8,533	8,533	0			
ime Burden (Hours)						

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NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 02/10/1989

Department of Commerce
Bureau of Industry and Security
FOR CERTIFYING OFFICIAL:
FOR CLEARANCE OFFICER:

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 02/10/1989

ACTION REQUESTED: Emergency extension

TYPE OF REVIEW REQUESTED:

ICR REFERENCE NUMBER: 198806-0694-017
TITLE: INTERNATIONAL IMPORT CERTIFICATE

OMB ACTION: Approved

OMB CONTROL NUMBER: 0694-0017

The agency is required to display the OMB Control Number and inform respondents of its legal

significance in accordance with 5 CFR 1320.5(b).

PREVIOUS EXPIRATION DATE: 05/31/1989

EXPIRATION DATE: 08/31/1989

DISCONTINUE DATE:

TERMS OF CLEARANCE: The Expiration Date has been changed to the new current expiration date noted above. The agency is reminded that it should have in place an internal planning process so that completion of the public notification and comment period required by 5 CFR 1320 occurs prior to an information collection's expiration date. Agencies should submit non-emergency extension requests sufficiently prior to expiration dates to allow for a 60-day period of OMB review. Other terms of your previous clearance remain in effect.

OMB Authorizing Official:

James B. MacRae, Jr. Deputy Administrator,

Office of Information and Regulatory Affairs