

SUPPORTING STATEMENT
U.S. Department of Commerce
Bureau of Industry and
Security
License Exceptions and Other
Authorizations
OMB CONTROL NO. 0694-0137

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

The Export Control Reform Act of 2018 (ECRA) (Title XVII, Subtitle B of Pub. L. 115-232), authorizes the President and the Secretary of Commerce to issue regulations to implement ECRA, including its provisions authorizing control of the export, reexport, or in-country transfer of items subject to U.S. jurisdiction, and of activities of U.S. persons related to certain nuclear, missile, chemical, biological, or foreign military intelligence activity, as well as its provision prohibiting U.S. persons from participating in certain foreign boycotts. Export control authority, including the authority to require and obtain information necessary to carry out ECRA, has been assigned directly to the Secretary of Commerce by the ECRA. This authority is administered by the Bureau of Industry and Security (BIS) through the EAR. As set forth in § 1768 of ECRA, all delegations, rules, regulations, orders, determinations, licenses, or other forms of administrative action that had been made, issued, conducted, or allowed to become effective under the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) (as in effect prior to August 13, 2018 and as had been continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or the Export Administration Regulations, and that were in effect as of August 13, 2018, continue in effect according to their terms until modified, superseded, set aside, or revoked under the authority of ECRA.

Under current regulations, an individual validated export license is required for U.S. companies to export, reexport, transfer (in-country), and export from abroad of certain commodities, technical data or software to specific destinations. Exporters are required to submit these license applications to the Department of Commerce under existing collection authority OMB Control No. 0694-0088, “Simplified Network Application Process and Multipurpose Application Form.”

Over the years, BIS has worked with other Government agencies and the affected public to identify areas where export licensing requirements may be relaxed without jeopardizing U.S. national security or foreign policy. Many of these relaxations have taken the form of licensing exceptions, as well as other types of authorizations or exclusions. Some of these license exceptions, other authorizations, and exclusions have a reporting or recordkeeping requirement to enable the Government to continue to monitor exports of these items. Exporters may choose to utilize the license exception and accept the reporting or recordkeeping burden in lieu of submitting a license application. These exceptions, other authorizations, and exclusions

have resulted in a large reduction of licensing burden in OMB Control No. 0694-0088 and allow exporters to ship less sensitive items quicker.

This table identifies reporting and notifications associated with the use of License Exceptions and other authorizations and estimates annual responses and hours per response for the different types of information collected by BIS under this information collection.

Control No. 0694	Collection Title	Responses	Hours	Exception/Exclusion
0694-0023	Written Assurances for Exports of Technical Data Under License Exception TSR	510	264	TSR
0694-0025	Short Supply – Unprocessed Western Red Cedar	35	35	WRC
0694-0029	License Exception TMP: Special Requirements	3	1	TMP
0694-0033	Humanitarian Donations	2	10	GFT
0694-0086	Report of Sample Shipments of Chemical Weapons Precursors	30	18	NLR
0694-0101	One-time Report For Foreign Technology Eligible For De Minimis Exclusion	237	5,925	De Minimis
0694-0104	ENC/ELA Semi-annual reports	200	4,000	ENC/ELA
0694-0104	Encryption Pre-Shipment Notification for publicly available encryption	57	10	
0694-0104	Encryption Key Length Increase	10	2	
0694-0104	TSU Notifications	235	39	TSU
0694-0104	Encryption Registration	360	120	
0694-0104	Annual Self-Classification Report	750	1,031	
0694-0106	Recordkeeping Requirements Under the Wassenaar Arrangement	840	84	LVS, GBS, APP, TSR, GOV, STA, VEU
0694-0106	Reporting under the Wassenaar Arrangement	420	35	LVS, GBS, APP, TSR, GOV, STA, VEU
0694-0123	Prior Notification of Exports Under License Exception AGR	167	161	AGR
	Prior Notifications/Reporting under License Exception NAC and RFF	76	76	NAC, RFF
	Temporary General License (TGL) in Supp No 1 to 736 recordkeeping, including General License under General Order no. 6 supp no. 1 to part 736: reporting and recordkeeping	2,153	2,153	TGL

	Strategic Trade Authorization (STA)	20,500	23,917	STA
	Specific recordkeeping requirement under License Exceptions (e.g., ACM, RFF)	200	200	
	Additional information associated with usage of license exceptions identified in 740 of the EAR (e.g., HBM Discrepancy Reports, SPP).	5,000	5,000	
	TOTALS	31,785	43,081	

The table also identifies information that was approved under different BIS information collections and initially consolidated under this IC in 2010; these collections can be identified with the previously approved 0694 Control number.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Exporters may take advantage of licensing exceptions and exclusions to avoid the time and expense of submitting an individual validated export license. If they elect to do this, the licensing requirement is replaced by a reporting and/or recordkeeping requirement. In most cases, the reporting is only periodic and the commodity or technology may be exported without the delays normally associated with obtaining an individual validated export license.

This information is used by BIS and other Governmental agencies to monitor patterns in the export of sensitive goods and technology to insure that each license exception and exclusion is being used appropriately and that the potential for diversion of these sensitive goods and technologies to inappropriate end users and uses is minimized.

There are no plans to disseminate this information to the public.

The Section 515 Information Quality Guidelines apply to this information collection and comply with all applicable information quality guidelines, i.e., OMB, Department of Commerce, and specific operating unit guidelines.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

In most cases, the reporting information may be submitted in electronic formats to the Bureau of Industry and Security. The Bureau allows parties in the export transaction to retain records in an electronic format.

4. Describe efforts to identify duplication.

The information required by this collection is unique to each company and each export transaction. The information is not duplicated anywhere else in Government nor is it available from any other source.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

The information required to exempt a company from export licensing requirements must be submitted by exporters regardless of size. This reporting and recordkeeping is necessary to monitor patterns in the export of sensitive goods and technology to insure that each license exception and exclusion is being used appropriately and that the potential for diversion of these sensitive goods and technologies to inappropriate end users and uses is minimized.

BIS maintains an active seminar and counseling program to help all businesses understand and comply with BIS requirements.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Submission of this information is voluntary and necessary for the parties in the export transaction to obtain the benefits of these license exceptions and exclusions. If this information is not submitted, a company may not utilize the license exception or exclusion and must continue to submit individual validated export licenses to the Department.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

There are no special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

8. Provide information for the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The notice requesting public comment was published in the Federal Register on September 2, 2025, 90 FR 42384. No public comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

There are no plans to provide payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Export licensing and other similar information submitted to or obtained by the Department is protected from release to the public under Section 1761(h) of the Export Control Reform Act of 2018.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

There are no questions of a sensitive nature.

12. Provide an estimate in hours of the burden of the collection of information.

The total estimated annual burden for this collection is 43,081 hours. Total annual cost is estimated to be \$1,637,078 (43,081 x \$38 hour).

The table in Question 1 summarizes the estimated number of responses and burden hours associated with license exceptions or other authorizations.

13. Provide an estimate of the total annual cost burden to the respondents or record- keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

No special equipment or software is required for these collections so there is no capitol cost to the respondents.

14. Provide estimates of annualized cost to the Federal government.

It is estimated that the annual cost to the Federal Government to review each of the 26,841 requests to be approximately \$1,127,322. This is based on an overall average of 1 hour per request at \$42 per hour.

15. Explain the reasons for any program changes or adjustments.

The table in Question 1 was updated to more accurately reflect the current license exceptions and authorizations available to the public. Based on the 3-year review of responses, the burden hours were also adjusted.

16. For collections whose results will be published, outline the plans for tabulation and publication.

There are no plans to publish information obtained under this collection.

17. If seeking approval to not display the expiration date for OMB approval of

the information collection, explain the reasons why display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement.

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not utilize statistical methods.