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UNITED STATES DEPARTMENT OF COMMERCE
Bureau of Industry and Security
Washington, D.C. 20230

May 6, 2003

Dear [redacted],

I am writing in response to your [redacted] letter requesting an advisory opinion concerning the export licensing requirements for remotely sensed imagery.

We have consulted with [redacted] of the U.S. Department of State, Office of Defense Trade Controls, and [redacted] has confirmed that the Department of State does not claim licensing jurisdiction on the data stream or resulting imagery from any current National Oceanic and Atmospheric Administration-licensed satellites. (Derived products and the technology to make them may be controlled.)

The Bureau of Industry and Security (BIS) does *not* consider remotely sensed imagery to be subject to the Export Administration Regulations (EAR). It is considered equivalent to the "...maps, hydrographical charts, atlases, gazetteers and globe covers..." described in §734.3(b)(2) of the EAR that are *not* subject to the EAR. Items *not* subject to the EAR may be exported to all destinations without a license from BIS.

Should you have any questions regarding this determination, please contact me at (202) 482-2984.

Sincerely,

Gene Christiansen
Acting Director
Strategic Trade Division

