

BUREAU OF INDUSTRY AND SECURITY

UPDATE CONFERENCE ON EXPORT CONTROLS AND POLICY

MARCH 18-20, 2025



EAR Amendments and AES: What's New

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What to do Before Looking at Export Clearance

- You determined item is "subject to the EAR."
- You classified item using Commerce Control List (CCL) in supp. no. 1 to part 774 and CCL Order of Review in supp. No. 4 to part 774.
- You reviewed CCL-based license requirements and parts 744 and 746 license requirements and determined whether an EAR authorization is required or No license Required (NLR) designation is applicable.
- If authorization is required, you obtained BIS license, or will use another EAR authorization, such as license exception, VEU authorization, or Temporary General License (TGL); or use NLR if no authorization required.
- Only once 4 above are completed, should you look at export clearance.

Other Export Clearance Requirements

- Destination Control Statement and other information furnished to consignees under § 758.6.
- DCS required on commercial invoice under § 758.6(a)(1), and
- (a)(2), ECCN(s) required on commercial invoice for any 3A001.z, 3A090, 4A003.z, 4A004.z, 4A005.z, 4A090, 5A002.z, 5A004.z, 5A992.z, 9x515 or “600 series” “items” being shipped (*i.e.*, exported in tangible form). For seven ECCNs with .z paragraph, requirement to include classification only applies to commodities specified under .z paragraphs. If commodity is specified under any other paragraph in one of those ECCNs, then requirement is not applicable. For 3A090, identify commodity as either 3A090.a, .b, or .c.

Before Using EAR License Exceptions

- You determined item is "subject to EAR" and requires an EAR authorization.
- For list-based license exceptions, you reviewed Export Control Classification Number (ECCN), if applicable, to determine if list-based license exception(s) is available.
- You reviewed general restrictions under § 740.2 to determine if any of those restricted the use of the license exception; and
- You reviewed applicable terms and conditions of license exception you plan to use and determined export, reexport, or transfer (in-country) meets those requirements. ([See new License Exceptions and VEU Handout](#))

License & License Exemption Type Codes under BIS Jurisdiction

- C30 BIS License
- C33 No License Required (NLR); C60 .y 600 series/9x515 (DY6); C63 .y 0A501 items (YFA)
- C35-C77 License Exceptions
 - List Based Exceptions: C35 Limited Value Shipments (LVS) ; C36 Shipments to Group B Countries (GBS); C38 Technology Software and Restricted (TSR); C59 Strategic Trade Authorization (STA)

Automated Export System Trade Interface Requirements

Appendix F
License and License Exemption Type Codes and Reporting Guidelines

January 2025



**U.S. Customs and
Border Protection**



https://www.cbp.gov/sites/default/files/2025-01/Appendix_F_AESTIR_01282025_508_0.pdf

7 New License Exceptions and 2 New VEU Authorizations Created since Jan. 2024

- C69 License Exception Medical Devices (MED): See § 740.23 of the EAR.
- C70 Implemented Export Control (IEC): See §§ 740.24 and 740.2 of the EAR for additional restrictions.
- C71 High Bandwidth Memory (HBM): See §§ 740.25 and 740.2 of the EAR for additional restrictions.
- C72 Restricted Fabrication Facility (RFF): See § 740.26 of the EAR for additional restrictions.
- C73 Artificial Intelligence Authorization (AIA): See § 740.27(a).
- C74 Advanced Compute Manufacturing (ACM): See § 740.28.
- C75 Exception Low Processing Performance (LPP): See § 740.29.
- C76 Universal VEU (UVEU): See § 748.15(a)(2)(ii).
- C77 National VEU (NVEU): See § 748.15(a)(2)(iii).

License Exception NAC and
ACA: See § 740.8
C67 - Notified Advanced Computing
(NAC) (WITH notification required for
certain exports and reexports)
C68 - Advanced Computing Authorized
(ACA) (NO notification required)

Export Management & Compliance Division (EMCD) on AES Compliance

- Reviews Automated Export System (AES) records
- AES Internal Transaction Numbers (ITNs)
- Country of destination, value, ECCN, HTS description, etc.
- For certain ECCNs, EEI filings must include paragraph classification “or other control descriptor” in the commodity description (see § 758.1(g)(4)(ii) and (5)).

§ 758.1 The Electronic Export Information (EEI) filing to the Automated Export System (AES)

ITN	EXPORT DATE	DEST COUNTRY	ECCN	LICENSE TYPE	LICENSE NUMBER	COMMODITY DESCRIPTION	HSUSA
X20250317111111	3/17/2025	CA	0A501	C63	YFA	.y spare parts	9302.00.0090
X20250317111111	3/17/2025	CA	0A505	C30	D1234555	.a ammunition	9306.30.4120
X20250317111111	3/17/2025	CA	EAR99	C30	D1234555	tripod and springs	9620.00.0000

- Information to include in your filing with new license exceptions

Mandatory ECCN filing

Subparagraph in the commodity description

Add Line

Export Information Code ⓘ
Please Select

Schedule B or HTS Number ⓘ [Schedule B Search Engine]
Please Select

Commodity Description ⓘ

1st Quantity ⓘ

1st UOM ⓘ

2nd Quantity ⓘ

2nd UOM ⓘ

Value of Goods (whole US Dollars) ⓘ

Shipping Weight (whole Kilograms) ⓘ

Origin of Goods ⓘ
Please Select

License Type Code/License Exemption Code ⓘ
C33 - NLR NO LICENSE REQUIRED, OR ONLY CONT...

ECCN ⓘ
EAR99

Department of Commerce License

Exemption Code ⓘ
NLR

License Value ⓘ

Agriculture and Marketing Services (AMS) Permit Required ☐ Yes ☒ No

Environmental Protection Agency (EPA) Permit Required ☐ Yes ☒ No

Does the filing include used vehicles? ☐ Yes ☒ No

Clear Line

Close

Save changes

Change to AES to Better Identify Certain FMS Shipments with Creation of "Category 55"

- In AES, recently created "Category 55" refers to special code used to identify items exported under Foreign Military Sales (FMS) program that are not specifically listed on US Munitions List (USML) categories 1-21, meaning they would normally be considered under Export Administration Regulations (EAR) but are not subject to EAR controls when exported via FMS; essentially, it signifies "non-USML items exported under FMS authority."
- See section 734.3(e) and FMS FAQs on BIS website at <https://www.bis.doc.gov/index.php/documents/pdfs/2756-fms-faqs-dated-5-12-21/file>

Questions?



Thank you!

