

Determining if an Export License is Required Under the EAR

1. Determine whether the items to be exported are on the Commerce Control List
 - a. See <http://beta-www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl>
2. If item is listed, take note of the following:
 - a. ECCN number (e.g., 3A292)
 - b. Reason(s) for control (e.g., Nuclear Nonproliferation, NP; Anti-Terrorism, AT)
 - c. Whether each reason applies to the entire entry, or only to certain parts of the entry. (If it applies to certain parts, determine whether those parts pertain to your application)
 - d. Which column of the “country chart” to consult (e.g., NP Column 1)
 - e. License exceptions, if any
3. Consult the country chart to determine if there is an exemption for the item and country that you are exporting to
 - a. See http://beta-www.bis.doc.gov/index.php/forms-documents/doc_download/14-commerce-country-chart for country chart.

For example, if the item is being exported to Costa Rica, and is listed as NP Column 1, you DO need to apply for a license because that cell is marked with an X
 - b. If there are multiple reasons for control, be sure to check all of them. An “X” for ANY of the reasons means that a license (or license exception) is required.
4. If a license application is not required, submit the above analysis to Linda Morris (Coordinator, UCB Office of Research Integrity Export Controls) for verification
5. If a license is shown as being required, see if a license exception may apply
 - a. See <http://www.bis.doc.gov/policiesandregulations/ear/740.pdf> for full information
 - b. Some common exceptions are for:
 - i. Limited Value Shipments :see the maximum value listed under “LVS” in the item description
 - ii. Country Group ‘B’ Shipments (GBS). For a list of “Group B” countries, see <http://www.bis.doc.gov/policiesandregulations/ear/740.pdf#page=6>
 - iii. Civil End User (CIV): may apply if the item is intended for use only for civilian end users, in “Group D1” countries
(see <http://www.bis.doc.gov/policiesandregulations/ear/740.pdf#page=6>)
 - c. If an exception seems to apply, consult the Coordinator (Linda Morris) for verification
 - d. If no exception applies, see Linda Morris to begin the license application process

For more information on export license determination, see http://beta-www.bis.doc.gov/index.php/forms-documents/doc_view/142-eccn-pdf