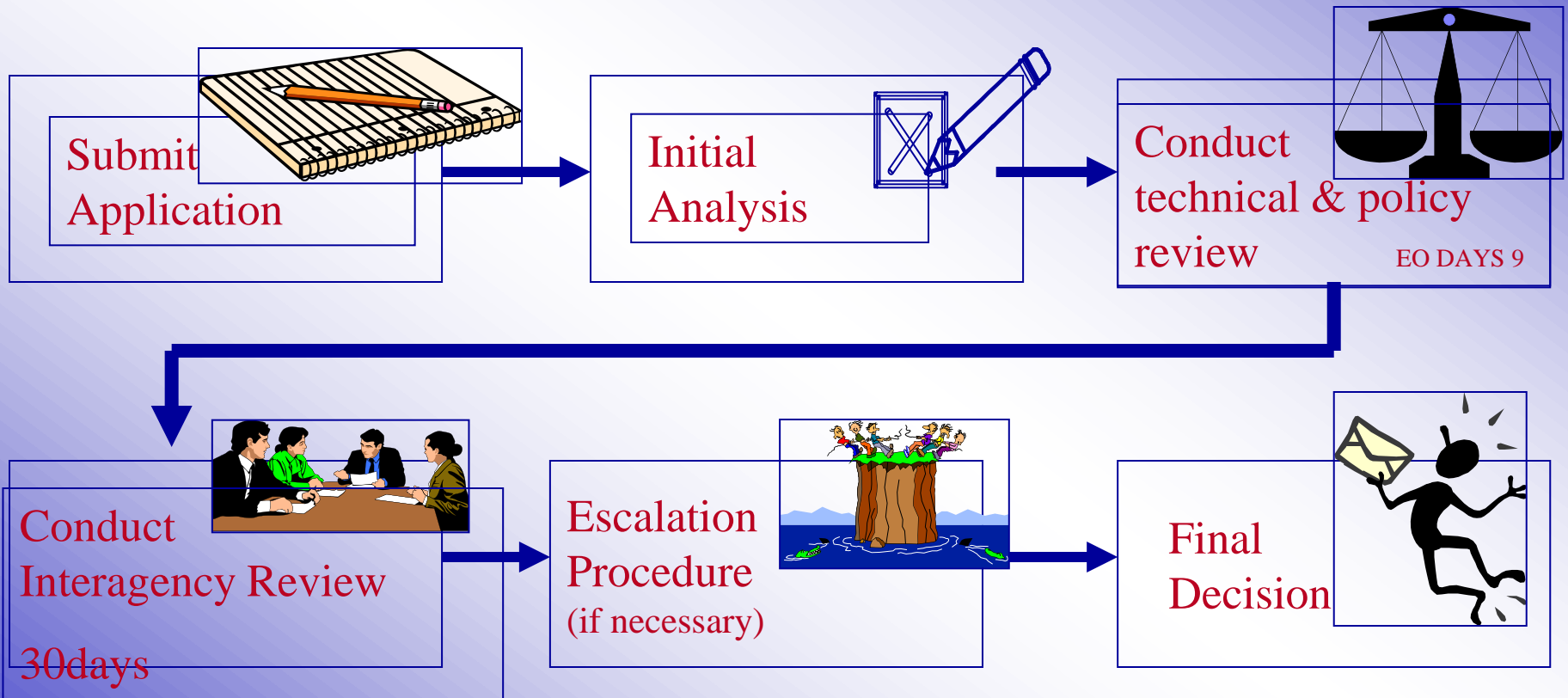


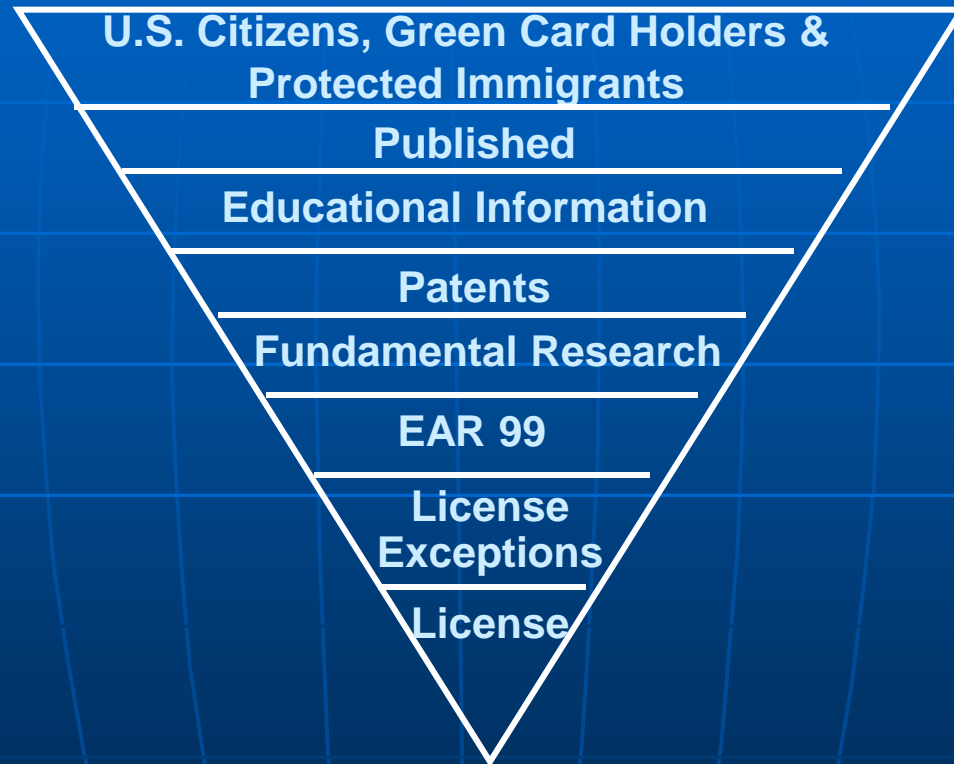
Processing of Deemed Export License Application

Robert Juste
Electronics and Materials Division

License Application Process



Sequence of Analysis



The Deemed Export License Application

- SNAP-R (Simplified Network Application Process Redesigned)
- BIS Form-748P
- Support Documentation
 - Letter of Explanation
 - Foreign National Resume
 - Technology Control Plan
 - Valid Work Visa

Letter of Explanation

- Identities of all parties to the transaction
- Exact project location (where the technology or software will be used)
- Type of technology and scope
- Availability abroad of comparable foreign technology or software
- Form in which the technology will be released and the uses for which the technology will be employed.
- Applicant's internal technology control plan

Foreign National's Resumé

- Include all educational institutions attended beyond high school, with street addresses and degrees and/or certificates received.
- All job positions held, with employers' names and street addresses, and brief description of work done.
- All time from high school graduation should be accounted for and presented in month/year format, with no gaps greater than 30 consecutive days.
- Include brief abstracts of all scientific and technical papers published, and presentations at scientific and technical conferences.

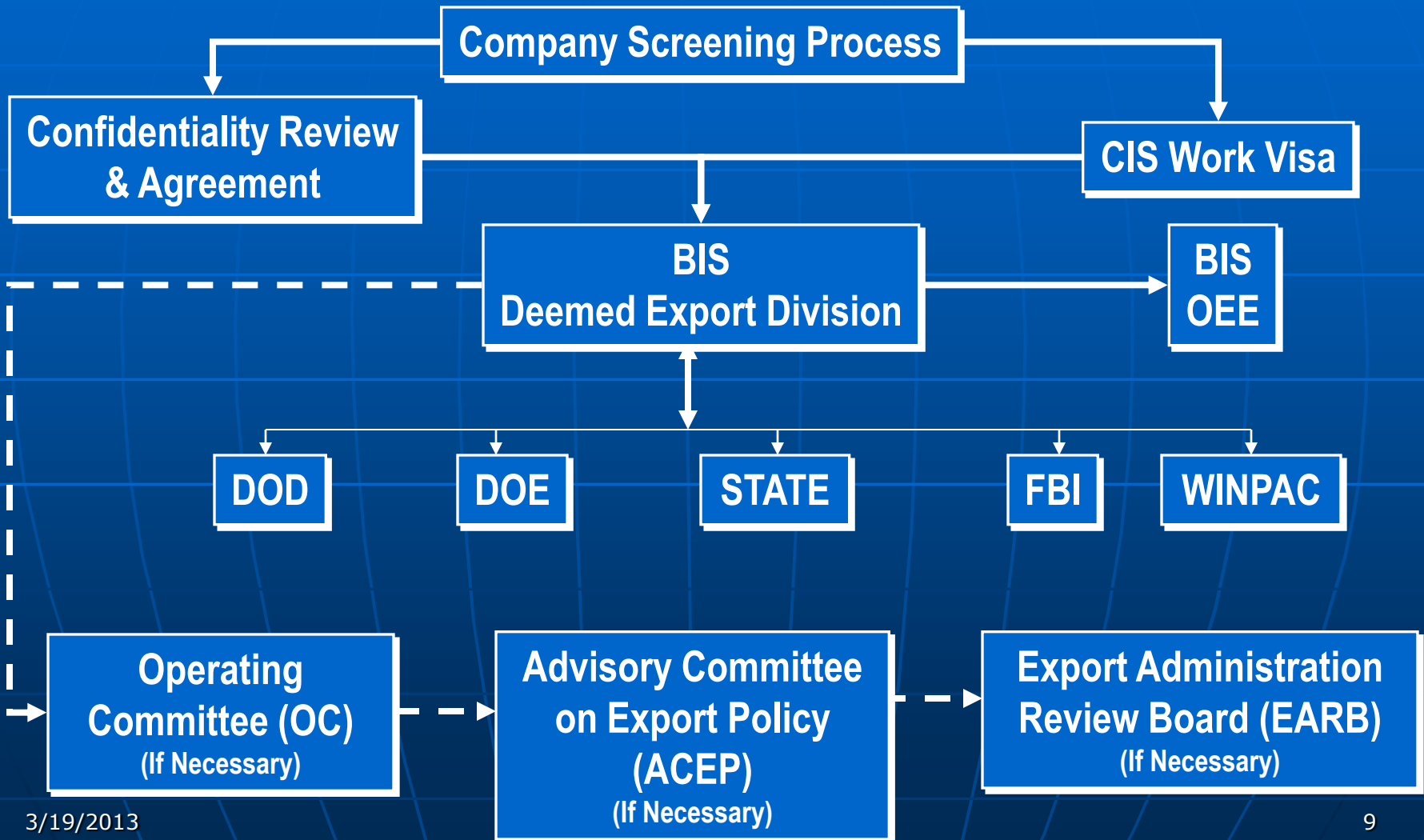
Technology Control Plan (TCP)

- TCPs are a standard condition found in deemed export and technology exports licenses
- A TCP should contain the following essential elements:
 - Corporate commitment to export compliance
 - Physical security plan
 - Information security plan
 - Personnel screening procedures
 - Training and awareness program
 - Self evaluation program
- *TCPs are a good practice for all holders of export controlled technology*

Working Visas or Employment Authorization from DHS

- B-1, L-1, J, F-1, H-1B, O ETC.
- Employment authorization card
- F-1 student visa: I-20/CPT curricular practical training
- Issue the license to match the validity period of the visa

Review and Escalation Process



BIS - Application Review

- Verify classification of technology
- Review licensing requirements & license exceptions based on home country
- Assess appropriateness of job description, responsibility, title
- Assess appropriateness of education level and field to technology & end-use
- Determine reasons for control for correct interagency referrals
- Verify work visa status (Need only to see valid copy for verification)

Interagency Referrals & Intraoffice Referrals

- Interagency referrals are made based on the commodity reason of control - 30 days review
- DOD referral is always required.
- NP control reason - DOE, State/ISN/NESS Nuclear Energy Safety & Security
- NS control reason - State/ISN/CATR Conventional Arms Threat Reduction
- MT control reason - DOE, State/ISN/MTR Missile Threat Reduction
- CB control reason - DOE, State/ISN/CB Chemical & Biological
- State/EB/TFS (Terrorism & Financial Sanctions) For Foreign Nationals from embargoed countries – North Korea, Iran, Syria, Cuba, Sudan !!!

BIS Deemed Export Security Evaluation

- Deemed export licenses receive a thorough and security intensive review.

Security Review:



Scope and Conditions

- You can only do what you said you were going to do.
- Specific technology requested is granted
- The scope is further restricted by standard conditions for foreign nationals
- Continuation of valid visa, compliance of license conditions & effective TCP
- Two year license validity period

Additional Deemed Export Resources

- Visit the BIS website www.bis.doc.gov
- **Licensing**
 - Deemed Exports**
 - Deemed Exports FAQ
 - Deemed Export Process Improvements and Guidance on
 - Renewals and Upgrades
 - Guidelines for Preparing Export License Applications Involving Foreign Nationals
 - Certification Pertaining to the release of Controlled Technology of
 - Technical Data to Foreign Persons in the US. See Revised Form I-129
- **Advisory opinions**

Electronics and Materials Division

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