Bureau of Export Administration

Offices of...
Chemical & Biological Controls and Treaty Compliance
and
Nuclear and Missile Technology Controls

Guidelines for Preparing Export License Applications for Chemical, Biological, Nuclear and Missile Technology Items

I. Introduction

The Office of Chemical & Biological Controls & Treaty Compliance and the Office of Nuclear & Missile Technology Controls have prepared this guide for exporters to use in submitting license applications involving chemical, biological, nuclear and missile technology items. You are encouraged to follow these guidelines to assist us in processing your license application more efficiently. Due to regulatory time limits for processing license applications, it is in the interest of each exporter to provide all information needed to analyze the transaction when the application is submitted.

II. Basic Information

In addition to the instructions included with the license application, form BXA-748P, we recommend the following when completing the form.

Block 2: Telephone	Provide the telephone extension of the person to be contacted.
Block 14: Applicant	No acronyms No P.O. Box numbers
Blocks 16, 17, 18, 19: Purchaser, Ultimate Consignee, Intermediate Consignee, End-user	No acronyms No P.O. Box numbers (geographical location may be used in lieu of the street address) Provide English translations of names.
Block 19: End-user	Endeavor to provide evidence that the end-user is a legitimate business, i.e., brochures, previous relations/licenses/orders

For chemical & biological items, only actual end-users, no distributors (Each distributor must be identified as the ultimate consignee on a separate application.)

List additional end-users on the End-User Appendix, Form BXA-748P-B.

Block 21: Specific End-Use — Specify the number of end-users, the type of enterprise and the relationship with the exporter.

Provide exact description of the end-use. For example, "for research purposes" is not sufficient. Explain the nature of the research.

Provide information about the appropriateness of the item for the end-use.

Block 22(j): Technical Description — Identify the item in Commerce Control List terms. For nuclear & missile technology items, use the trade name, if possible.

Provide the complete name of the item. Do not use acronyms.

List items having the highest level of control first.

List additional items on the Item Appendix, Form BXA-748P-A

Provide technical specifications, when appropriate.

Block 24: Additional Information — Provide additional background on persons and/or institutions involved in the end-use. Indicate if items are intended for resale.

III. Technical Information

Be sure to include the information listed for each commodity category below.

A. Chemical & Biological Controls

1. Chemical Precursors

* Name of compound
* Chemical Abstract Service Registry (C.A.S.) numbers
* Quantity in "liters" or "kilograms" only

* Statement about the reasonableness of quantity requested
* Weight percentage of each chemical in a mixture (Total weight percent of ingredients in the mixture must add up to 100%)

Note: The **Manufacturers Safety Data Sheet (MSDS)** is not acceptable because it does not disclose the proprietary input required for evaluation.

If the chemical is to be used in manufacturing an end-product, include:
* Input/output ratio of the controlled chemical to the end-product
* **Proprietary** manufacturing process
* Identification of all raw materials, by-products and end-products

2. Microorganisms and Toxins

* Any alternative names for the organism: For example, Variola virus is the same as smallpox, Lyssa virus is the same as rabies.

* A summary of current research activities of the institution when the organism is intended for use in research.

* For individual researchers, provide their name, date & place of birth, academic background, work experience, summary of research history, and recent publications.

* The specific department in which the item will be used, i.e., biology, pathology, radiology, etc.

3. Chemical and Biological Equipment

* Specific type of equipment as defined in Category 2 of the Commerce Control List, Export Control Classification Numbers 2B350, 2B351 and 2B352

* Technical parameters to describe the equipment in terms of the ECCN For example, for reactors controlled under ECCN 2B350 include their "total internal (geometric) volume."

* Surface materials that come into direct contact with chemicals, i.e., nickel, glass, zirconium, etc.

* Brochures for the equipment or a description on your letterhead describing the functional characteristics of the equipment

4. Technical Data and Software Related to Chemicals and Chemical and Biological Equipment

* Process flow chart for the main processing stages
* Description of manufacturing process relating to the flow chart
* Equipment, control systems and raw materials used in the process
* Output capacity of manufacturing plant
* Description of technical assistance and training of foreign nationals, if any
* Safeguards to prevent diversion of both the technology and the direct product to chemical or biological weapons use

You are encouraged to contact us to discuss the requirements with division staff on (202)482-3343 for technology related to chemicals, (202)482-5808 for technology related to biological agents, and (202)482-0855 for technology related to equipment.

B. Nuclear & Missile Technology Controls

1. Equipment and Components

* Statement about the reasonableness of the quantity requested
* Explanation of technical specifications if part number is different from the specification sheet

2. Materials

* Description of the materials in terms of dimension, weight, particle size, and percent of controlled material

3. Software

* Is it being provided in object code or source code?
* Does the software meet the provisions of the General Software Note (See Supplement 2 to Part 774 of the EAR)?
* Provide a brief functional description of the software
* Explain how software will be used in a specific application by the end-user

4. Technology

* Describe the manufacturing process, the “know-how” and “know-why” to be transferred
* Specify the equipment, control systems and raw materials to be used in the process; specify equipment to be exported, already there, and to be obtained from other sources
* Provide the output capacity of a manufacturing plant

* Describe technical assistance and training of foreign nationals
* Describe safeguards to prevent diversion of the technology or the direct product to missile or nuclear end uses

You are encouraged to contact us to discuss the requirements with division staff on (202)482-4188.

IV. Special Considerations

* Describe any special funding source, such as an international institution, i.e., World Bank.
* Indicate if the end-user is a U.S. subsidiary or a joint venture, or if there is some other relationship with the exporter, i.e., periodic servicing or on-site visitation.
* Provide information on licensing history, i.e., approvals, denials, RWA's and the reasons for RWA's.
* For items classified under EAR99, indicate the reason why the application is being submitted.

V. Application Checklist

* Double check your Export Control Classification Number (ECCN) determination and number.

* Review your application carefully to ensure that requirements in Sections II and III have been met.

* Are the quantities and dollar values correct?

* Have you properly noted supporting documentation in Blocks 6 and 7?

* Have you described the specific end-use in detail?

* Have you identified all end-users and provided appropriate background information?

* Make sure you sign the application.

* Include a letter of explanation if additional information is needed to adequately describe the transaction.

REMEMBER

An Application That Is Properly Prepared With All of The Necessary Information Is Less Likely to Be Returned Without Action.

Applicants That Take The Time to Do The Preliminary Research up Front Are More Likely to Receive Prompt Action on Their Applications. (Each time an application is returned without action, its processing time is delayed by a minimum two week delay.)