

(v) BIS determines that urgent circumstances or circumstances beyond the filer's control require allowing paper filing in a particular instance.

(2) *Procedure for requesting authorization to file paper applications, notifications, or requests.* Include, in the Additional Information block on the BIS-748P Multipurpose Application Form, the criterion(ia) listed in paragraph (e)(1) of this section upon which the request is based. If you are relying upon paragraph (e)(1)(ii) or (v), explain why you lack access to the Internet or why you believe that urgent circumstances or circumstances beyond your control require allowing paper filing in this instance. If you need additional space, attach a plain sheet of paper with the additional explanation to the Form BIS-748P.

(3) *BIS decision.* If BIS authorizes or requires you to file using paper, it will process your application or request in accordance with Part 750 of the EAR. If BIS rejects your request to file using paper, it will return your Form BIS-748P and all attachments to you without action and will state the reason for the rejection.

9. In § 748.2, revise paragraph (c) to read as follows:

**§ 748.2 Obtaining forms; mailing addresses.**

\* \* \* \* \*

(c) Paper applications should be mailed or submitted using an overnight courier to one of the addresses preprinted on the application form. BIS will not accept applications sent C.O.D.

10. In § 748.3, revise paragraph (b) introductory text, add a sentence to the end of paragraph (b)(1), and revise paragraphs (b)(2) and (c)(2)(iii) to read as follows:

**§ 748.3 Classification requests, advisory opinions, and encryption review requests.**

\* \* \* \* \*

(b) *Classification requests.* You must submit your Classification Request electronically via SNAP+ unless BIS approves your request to use Form BIS-748P pursuant to § 748.1(e) of the EAR. See the instructions contained in supplement No. 1 to Part 748 to complete the fields or blocks identified for this type of request. Classification Requests submitted on Form BIS-748P must be sent to BIS at one of the addresses preprinted on the form. Related documents submitted in connection with these requests must be submitted as "PDF" files if the request is submitted via SNAP+. If the document contains text, the file must be text searchable.

(1) \* \* \* Unless BIS has authorized paper filing pursuant to § 748.1(e) of the

EAR, the documents must be in "PDF" format and, if they contain text, be text searchable.

(2) When submitting a Classification Request, you must provide the name of a contact person, telephone number, facsimile number, if available, and specify that you are seeking a Classification Request in the designated fields or blocks on the electronic form or the BIS-748P. You must provide a recommended classification in the designated field or block and explain the basis for your recommendation based on the technical parameters specified in the appropriate ECCN, if any, in the "additional information" field or block. Describe in the "additional information" field or block, any ambiguities or deficiencies that could affect the accuracy of your recommended classification.

(c) \* \* \*

(2) \* \* \*

(iii) The Export Control Classification Number or, if appropriate, EAR99 for each item; and

\* \* \* \* \*

11. In § 748.4, revise the third and fourth sentence of paragraph (b)(1), and revise paragraphs (b)(2)(ii) and (g) to read as follows:

**§ 748.4 Basic guidance related to applying for a license.**

\* \* \* \* \*

(b) *Disclosure of parties on license applications and the power of attorney.*

(1) *Disclosure of parties.* \* \* \* If there is any doubt about which persons should be named as parties to the transaction, the applicant must disclose the names of all such persons and the functions to be performed by each in the "additional information" field of the electronic application or block of the BIS-748P Multipurpose Application form. Note that when the foreign principal party in interest is the ultimate consignee or end-user, the name and address need not be repeated in the "additional information" field or block. See "Parties to the transaction" in § 748.5 of this part.

(2) \* \* \*

(i) \* \* \*

(ii) *Application.* Agents who are required to obtain a power of attorney or other written authorization under this section must select "Third Party" when registering to use the SNAP+ system. When completing applications, whether electronically or on the BIS-748P Multipurpose Application Form, the agent must select "other" in the "documents on file with applicant" field or block and insert "748.4(b)(2)" in the Additional Information field or block to indicate that the power of

attorney or other written authorization is on file with the agent. See § 758.3(d) of the EAR for power of attorney requirement, and see also part 762 of the EAR for recordkeeping requirements.

\* \* \* \* \*

(g) *Resubmission.* If a license application is returned without action to you by BIS or your application represents a transaction previously denied by BIS, and you want to resubmit the license application, a new license application must be completed in accordance with the instructions contained in Supplement No. 1 to part 748. Cite the Application Control Number on your original application in the "Resubmission Application Control Number" field or block on the new license application.

\* \* \* \* \*

12. In § 748.5, revise the introductory paragraph and paragraph (b) to read as follows:

**§ 748.5 Parties to the transaction.**

The following parties may be entered on the export license application or reexport license application. The definitions, which also appear in part 772 of the EAR, are set out here for your convenience to assist you in filling out your application correctly.

(a) \* \* \*

(b) *Other party authorized to receive license.* The person authorized by the applicant to receive the license. If a person and address are listed in "Other Party Authorized to Receive License" field or block of the SNAP+ data entry screen or the BIS-748P Multipurpose Application Form, the Bureau of Industry and Security will send the license to that person instead of the applicant. Designation of another party to receive the license does not alter the responsibilities of the applicant, licensee or exporter.

\* \* \* \* \*

13. In § 748.6, revise paragraphs (a), (e), and the last sentence of paragraph (g) to read as follows:

**§ 748.6 General instructions for license applications.**

(a) *Form and instructions.* An application for a license, whether to export or reexport, must be submitted electronically via the SNAP+ system or, if BIS authorizes paper filing pursuant to § 748.1(e) of the EAR, on Form BIS-748P, Multipurpose Application (revised June 15, 1996 or later), and Form BIS-748P-A, Item Appendix, and Form BIS-748P-B, End-User Appendix. Facsimiles or copies of these forms are not acceptable. Instructions for