

原协议: 车科

DUAL DEGREE AGREEMENT

BETWEEN

THE SCHOOL OF CIVIL ENGINEERING

AT

BEIJING JIAOTONG UNIVERSITY, HAIDIAN DISTRICT, BEIJING, P.R. CHINA

AND

THE COLLEGE OF ENGINEERING AND COMPUTING

AT

FLORIDA INTERNATIONAL UNIVERSITY, MIAMI, FLORIDA, USA

This **Dual Degree Agreement** is entered into this 20th day of June 2011, by and between the **School of Civil Engineering ("SCE") at Beijing Jiaotong University ("BJTU")**, whose business address is No. 3 of Shangyuan Residence, HaiDian District, Beijing, P.R. China and **The Florida International University Board of Trustees**, by and on behalf of the **College of Engineering and Computing at Florida International University ("FIU")**, whose business address is Modesto A. Maidique Campus, 11200 S.W. 8th Street, Miami, Florida 33199, USA.

NOW THEREFORE, in consideration of the mutual covenants provided herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by FIU and BJTU (hereafter known as the "**Parties**"), the Parties hereby agree as follows.

This document describes the terms under which BJTU can offer their undergraduate Engineering students an opportunity to conduct part of their studies at FIU and upon fulfilling all requirements obtain degrees from both institutions. The basic premise of this Agreement is that eligible students would be able to participate in the following program:

Commence their studies at BJTU in the **Bachelor of Science in Civil or Environment Engineering ("BE")** program and complete two (2) years of core and required courses; transfer to the **Bachelor of Science in Civil or Environmental Engineering ("BSCE/BSEnvE")** program of the FIU **College of Engineering and Computing ("CEC")** at FIU to earn at *least* 60 credits during two (2) consecutive years. Upon the satisfactory completion of the required credits and all other standard academic requirements, including FIU's **University Core Curriculum ("UCC")** requirements (**Appendix A**) and the completion of at least 60 credit hours of equivalent, appropriate, and transferable coursework, the students would receive a

Special Note: Credit hours at BJTU are equivalent to credit hours at FIU.

Upon the successful conclusion of his/her studies, the student would receive two (2) degrees: a BE from BJTU and a BS from CEC at FIU. In addition, BJTU students obtaining the BS degree would have the option to apply for a twelve-month **Optional Practical Training ("OPT")** at a US-based corporation, as long as he/she meets the minimum eligibility requirements described in **Appendix B**.

The program is described in greater detail in the following sections.

I. BS Dual Degree for Students from BJTU:

Participants in the dual degree program who start their studies at BJTU must first successfully complete all courses in addition to any other designated requirements listed in the FIU catalog for admission into the program. Students must meet the admission requirements of FIU and the admission requirements of CEC's Department of Civil and Environmental Engineering. In addition to the aforementioned requirements, transfer students must satisfy FIU's UCC requirements. These requirements are rooted in a broad, liberal arts curriculum that includes the following areas: English Composition, Humanities with Writing, Quantitative Reasoning, Social Inquiry, Societies and Identities, Natural Sciences, and Arts. (Students would need to take the English Composition and Humanities with Writing courses at FIU.) The UCC enables graduates to think critically, analytically, and creatively, and develop a passion to learn and the skills to assess and synthesize new knowledge and clearly express ideas.

A dual degree program *requires* that students transfer to FIU with all or the majority of UCC requirements met, as appropriate under each circumstance. A detailed transfer equivalency review between both institutions would be required to meet this aim. The review will also entail the participation of FIU's Undergraduate Education's Transfer and Transition Services. FIU's written approval of a student's program of study will occur on the basis of the equivalency review. The written approval will be communicated to BJTU. In case that any deficiency is identified as a result of the equivalency review, BJTU agrees to cure the deficiency within the span of two (2) semesters (*maximum*). In the case BJTU is unable to cure the deficiency, the student would need to take the course(s) at FIU. FIU maintains the prerogative of reexamining the courses (and related content) that fulfill the UCC requirements. For more specific course information, please refer to **Appendix A**.

Admission to the dual degree program is *not* guaranteed; students must individually apply to FIU and meet all FIU requirements, including those listed in **Appendix C**. If accepted, he/she would transfer to FIU where he/she must satisfactorily complete his/her last 60 credit hours of the FIU CEC degree requirements, including those courses listed in **Appendix D**, in order to earn the BS degree.

Entry into the dual degree program at FIU can take place at the start of any one of our three (3) annual university terms: the Fall term, usually beginning in late August; the Spring term, in early January; or the Summer term, beginning mid-May.

The general admission and graduation requirements include, but are not limited to the following (*these are also subject to modification*):

- Completion of an online Undergraduate Application for Admissions that can be obtained at admissions.fiu.edu by clicking on "Online Application."

- Applicants whose native language is not English must demonstrate proficiency in the English language by presenting a minimum score of 80 on the **Internet Based Test ("iBT")**, **Test of English as a Foreign Language ("TOEFL")**, or the equivalent minimum score of 550 on the paper-based version of the TOEFL. The **International English Language Testing System ("IELTS")** exam is accepted; students would need a minimum score of 6.5;
- Completion of all the UCC requirements and Engineering Lower Division requirements with a minimum 2.0 **grade point average ("GPA")**; and,
- Completion of the Engineering Lower Division Science and Math Common Prerequisites requirements with a grade of "C" or higher in each course.

Other terms include:

- All academic rules and requirements stated in the undergraduate catalog of FIU will govern the terms of student transfers from BJTU to FIU, unless otherwise stated in this Agreement. *University-level transcripts* require a course-by-course evaluation, with a calculated US equivalent GPA, through a member of the **National Association of Credential Evaluation Services ("NACES")** organization. Official evaluations must be forwarded directly to FIU from the evaluation service.
- Credits earned by students at BJTU are eligible for transfer to FIU as per The Florida International University Board of Trustees' regulations, policies and procedures. Students may transfer *up to 68* semester hours of credit to FIU (60 lower division credits and up to 8 upper division credits). The actual number of transfer credits will be evaluated by FIU on an individual basis. As stated in the preceding section, it is understood that students must fulfill FIU prerequisites for junior- and senior-level courses, satisfying the UCC requirements.
- All students seeking **bachelor of science ("BS")** degrees must meet the level of proficiency in communication and computation required by law. This requirement is met by obtaining the required scores in SAT or ACT, or the successful completion of specified courses in the subject areas.
- Only those BJTU courses completed with a grade of "C" or better will be eligible for transfer to FIU.

Scale 1	Scale 2	Grade Description	US Grade Equivalent
85-100	5	Excellent	A
75-84	4	Good	B
60-74	3	Average/Fair	C
0-59	2	Fail	F

- Courses taken at BJTU may be accepted as required courses or as elective courses according to the articulation.
- Only those courses that are taken at FIU will be used in calculating the FIU cumulative GPA. A student must earn a 2.0 GPA in the courses enrolled at FIU that are specifically required and/or apply towards his/her major.

- g. The graduation requirements applicable to FIU students shall be equally applicable to students transferring from BJTU. The curriculum details, including the core courses and the course requirements, will be established by FIU. The list of courses established are *subject* to revision, as and when needed, in order to comply with curricular changes at FIU and to meet accreditation and State of Florida requirements.
- h. BJTU will send once a year to FIU a copy of the syllabus (in English) of all courses that the CEC will use as transfer courses.
- i. Students pursuing the master's degree after completion of the BSCE/BSEnvE will be governed by all applicable FIU University Graduate School regulations for graduate studies.
- j. To satisfy the institutional accreditation requirements stated by the **Southern Association of Colleges and Schools Commission on Colleges** ("SACSCOC"), all faculty teaching any credits under this program must meet SACS Faculty Credentialing Standards which are included in **Appendix E**. BJTU *represents and warrants* that it has reviewed the qualifications of all BJTU faculty teaching credits that will be used in the FIU degree and certifies that all faculty are qualified under the guidelines of FIU. FIU is accredited by SACS and its guidelines represent commonly accepted good practice for the academic qualifications of faculty.

Fees and Related Expenses

A student participating in the BSCE or BSEnvE degree program pursuant to this Agreement will be charged USD 450 per credit hour for the courses in the program provided that at the time the student is taking the course(s) there are a minimum of ten (10) to a maximum of thirty-five (35) qualified BJTU students admitted and enrolled in a cohort in this degree program. If the student is taking a course and there are fewer than ten (10) students admitted and enrolled in a cohort in this degree program, the student will be charged tuition at the same rate that is charged to non-Florida residents for the course (currently USD 571.40 per credit hour). The Parties will renegotiate the per credit hour charges when the Agreement is reviewed at the one-and one-half (1 1/2) year evaluation time described below.

BJTU students participating in this program described in this Agreement will be responsible for paying all tuition and costs. Students enrolling at FIU pursuant to this Agreement will also be responsible for all expenses related to his/her course of study at FIU, including housing, transportation, health insurance and the like. Students must meet the financial criteria established by the University, the Florida Board of Governors, and U.S. Department of Homeland Security for international students. Students must also acquire the appropriate visa themselves in order to be enrolled.

II. OTHER PROGRAM CHARACTERISTICS AND CONDITIONS:

Internships and Career Services

All participants in the dual degree program will have access and full rights to the services provided by CEC's and BJTU's offices of career management services. Foreign students attending the FIU program who meet certain eligibility requirements may apply for the OPT program described in **Appendix B** enclosed hereto.

Use of Logos and Brands

Except as otherwise authorized in writing by CEC at FIU, BJTU shall do business in its own name and shall not trade upon the name or credit of CEC or FIU. All brochures, advertisements, website materials, or other solicitations for the program that include reference to FIU or its CEC, regardless of medium and language, shall be subject to FIU's prior written approval. All information posted on websites and promotional materials must be updated regularly and accurately to reflect the nature and requirements of the dual degree program. The Parties agree that upon FIU's request, any information presented by the other Party in its publications and advertisements, including website information that is inaccurate or not supported by facts, regardless of the language used, shall be immediately retracted and/or withdrawn. This Agreement confers no rights upon BJTU to use the logos, marks and likeness of FIU in any advertising except as authorized by FIU in writing.

Except as otherwise authorized in writing by BJTU, CEC at FIU shall do business in its own name and shall not trade upon the name or credit of BJTU. All brochures, advertisements, website materials, or other solicitations for the program that include reference to the BJTU shall be subject to BJTU's prior written approval. This Agreement confers no rights upon CEC to use the logos, marks and likeness of BJTU in any advertising other than for the dual degree program and in a manner consistent with the provisions of this paragraph.

Neither FIU nor BJTU may use **SACSCOC** logo in connection with this Agreement or otherwise. The use of this logo is reserved exclusively for SACSCOC.

BJTU must include in all literature/publications, website and other collateral marketing materials that inform the public about the dual degree the disclaimer provided below. BJTU's marketing statements are subject to FIU's prior approval to ensure conformance with the disclaimer. This provision applies irrespective of the language employed.

Additional Provisions

In an effort to develop standard criteria for students transferring into the dual degree program, each institution agrees to share course curriculum and faculty credentials with the other. The Parties must agree to notify the other institution should there be a change in curriculum that affects the ability of either institution to deliver this program.

Disclaimer Statement: FIU is accredited by SACSCOC to award undergraduate and graduate degrees. BJTU is not accredited by SACSCOC and the accreditation of FIU does not extend to, or include, BJTU or its students. Although FIU accepts certain coursework in transfer toward a credential from BJTU, or collaborates in other ways for generation of course credits or program credentials, other colleges and universities may or may not accept this work in transfer, even if it appears on a transcript from FIU. This decision is made by the institution subsequently considering the possibility of accepting such credits.

This Agreement shall be interpreted according to the laws of the State of Florida, including the provisions of Florida law regarding conflicts of law, regardless of where the obligations undertaken herein are to be performed. Students participating in the program under this Agreement must satisfy the laws of The People's Republic of China in order to receive the BE degree from BJTU.

The term of this Agreement shall be for three (3) years commencing on the latest date of execution by the Parties. The Agreement will be reviewed in one-and-a-half (1½) years to

assess results and enact improvements, as necessary. The Agreement may be renewed for additional periods of time and could be extended to other BS degree programs of CEC upon the mutual written consent of the Parties and subject to such terms and conditions as the Parties shall determine in writing. Such extension would require the amendment of the Agreement to incorporate the program's admissions and graduation requirements. The amendment would require the approval of authorities of the respective institutions.

If, as a result of an act of *force majeure*, including without limitation, travel warning issued by the US State Department, an act of God, war, internal unrest and upheaval, hurricane or natural disaster, hurricane warning or hurricane watch issued by the US National Weather Service, tropical storm watch or tropical storm warning issued by the US National Weather Service, riot, labor dispute, strike, threat thereof, intervention of a government agency or instrumentality or other occurrence beyond the reasonable control of either Party, either Party is hindered in performing its obligations under this Agreement, then, in such event, that Party shall have the right, upon notifying the other Party of the occurrence of *force majeure*, to suspend performance under the Agreement until the event of *force majeure* has passed. In the event that either Party is unable to perform for a period of excess of six (6) months, the other Party may, at its option, terminate this Agreement.

In the case that conditions improve and warrant the resumption of activities and deployment of educational programs and services, FIU would have at least one (1) month to coordinate the resumption of activities per this Agreement.

BJTU will be responsible for obtaining all necessary PRC governmental approvals required to implement this Agreement.

Any notice required or permitted under the provisions of this Agreement shall be effective when personally delivered or sent by first class mail, return receipt requested as follows:

If to BJTU:

Dr. Feng Chen, Vice President
Beijing Jiaotong University
No. 3 of Shangyuan Residence
HaiDian District, BeiJing, P.R. China

If to FIU:

Dr. Caesar Abi Shdid, Director of External Programs
College of Engineering and Computing
Florida International University
10555 W. Flagler Street, EC 2429
Miami, FL 33174 USA

The performance of this Agreement must comply with and is subject to the Constitution and laws of the United States of America and of the State of Florida and the regulations of the Florida Board of Governors and The Florida International University Board of Trustees. The Florida Sunshine and Public Records Law applies to all aspects of this Agreement.

All the provisions of this Agreement and any agreement to be derived therefrom must adhere to the requirements of Part 736 of the Export Control Administration regulations (15 CFR Part 736) attached to this Agreement as **Appendix F**, and as they may be amended in the future.

This Agreement may be terminated without cause by either Party upon six (6) months' advance written notice. Notwithstanding this provision, any students participating in existing programs would be allowed to complete their degree program.

In the event of a breach of this Agreement, the non-breaching Party shall provide thirty (30) days advance written notice of its intent to terminate this agreement. The breaching Party shall be given the opportunity to cure the breach within that time. If the breach is not cured or reasonable assurance of the ability to cure is not given or is not accepted, then the termination shall be effective at the end of the thirty (30) day period.

The Parties agree to provide equal enrollment opportunities to all persons regardless of race, color, religion, gender, age, national origin, disability or marital status during the term of the Agreement.

This Agreement is designed solely to facilitate the development of mutually beneficial and collaborative initiatives. Each Party shall bear any cost it may incur in the implementation of this Agreement.

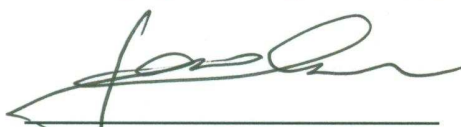
This Agreement constitutes the entire agreement between the Parties concerning the subject matter hereof, and supersedes all prior or contemporaneous discussions, agreements, and understandings, whether verbal or written.


This Agreement will be amended, as necessary, to comply with regulations or policies of FIU, the Florida Board of Governors and/or SACSCOC, as they might be revised from time to time.

The individuals signing this Agreement represent that they have the requisite authority to bind their respective bodies to this Agreement.

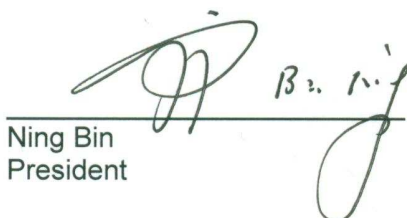
This Agreement is signed on June 20, 2011. This collaborative arrangement shall not be implemented prior to FIU's notification to SACSCOC of the existence of this Agreement.

For Beijing Jiaotong University:

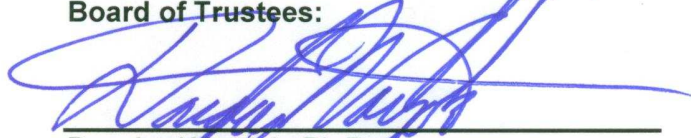

Feng Chen, Ph.D.
Vice President



Qingchao Wei, Ph.D.
Dean
School of Civil Engineering

Approved by:


Ning Bin
President

**For The Florida International University
Board of Trustees:**


Douglas Wartzok, Ph.D.
Provost and Executive Vice-President


Amir Mirmiran, Ph.D.
Dean
College of Engineering and Computing

Approved as to the Form and Legal
Sufficiency:


Elizabeth Marston, Esq.
Associate General Counsel

APPENDIX A

UNIVERSITY CORE CURRICULUM (UCC) REQUIREMENTS

Undergraduate education seeks to develop productive, creative, and responsible citizens who both shape society and lay the foundation for tomorrow. In addition to exploring areas of specialization, the University experience must provide a venue for investigating the origins and natures of cultures, ideas, and the physical universe and endow graduates with the ability to analyze critically, think sustainably, learn creatively, and express themselves clearly and cogently. Diversity and breadth of experience are essential characteristics of both education and success in our global community.

The **University Core Curriculum ("UCC")** provides the broad, well-defined curriculum that enables graduates to:

- think critically, analytically, and creatively, with a passion to learn and with the skills and ability to assemble, assess, incorporate, and synthesize new knowledge and information;
- organize and clearly express their knowledge and ideas; and
- determine the importance and relevance of new ideas through a synthesis of both broad and narrow contexts and the integration of seemingly disparate pieces into a meaningful whole.

The UCC rests upon the belief that a foundational curriculum, shared by students, fosters intellectual development and enhances personal, social, intellectual, and academic relations. Together with concentration in major fields of study, the UCC builds the base that makes future academic and professional excellence possible.

First-Year Experience (one one-credit course required):

The transition to a University environment is a unique one for first-time university students, and FIU's orientation course is designed to facilitate this transition. The First-Year Experience course provides a forum for integrating the FIU experience and for discussing issues promoting intellectual, personal, academic, and social growth and success as a member of the University community. The course introduces students to University policies, procedures, and services; addresses academic and career choices; and enhances study and time-management skills. All students entering the University with fewer than 30 transfer credits are required to take this one-credit course.

English Composition (two three-credit courses from either sequence required): These are Gordon Rule courses (Florida State Board of Education Rule 6A-10.030 - *Other Assessment Procedures for College-Level Communication and Computation Skills*) (must earn "C" or better) A foundation in the critical analysis of issues and texts, both discursive and creative, and in argumentation and persuasion is essential in all university courses. English Composition provides this foundation by encouraging the mastery of written and oral communication models, including the essay and research paper.

For students entering FIU with 30 or fewer credits and for all first-term-in-college students, ENC 1101, Freshman Composition and ENC 1102, Literary Analysis are required. For students entering FIU with more than 30 credits (who are not first-term-in-college students), ENC 2990, College Writing for Transfer Students and one of the following: ENC 3317, Writing Across the Curriculum; or ENC 3311, Advanced Writing and Research; or ENC 3213, Professional and Technical Writing are acceptable.

Humanities With Writing (two three-credit courses required, one of which must be a historically-oriented course): Pre-requisites, ENC 1101 and ENC 1102. These are Gordon Rule courses (must earn "C" or better).

In these courses students strengthen the critical reading and writing skills needed to succeed within the University and beyond. Students interact analytically with, and respond critically to, primary and secondary texts in the humanities and learn to integrate the ideas and words of others into their own writing. By writing informed essays, students develop the ability to present ideas logically and sequentially and to provide balanced exposition and critical examination of complex events, positions, arguments, or texts.

In these courses students learn to use writing as a form of inquiry in reflecting critically upon central topics in the humanities, such as the following: individual, moral, and social values; historical perspectives and events; culture and the arts; philosophy; and religious beliefs and practices. Students address themes centered on the traditions, shared values and myths, literary, artistic, historical, and philosophical traditions, and cultural standards and common values which underlie contemporary societies and their historical antecedents.

All international students who complete coursework at institutions outside the U.S. where English is not an official language must complete the UCC English Composition and Humanities w/Writing requirements at FIU

One course must be from the following list: (historically-oriented)

- ___ AFH 2000 African Civilizations (3 cr.)*
- ___ AMH 2041 Origins of American Civilization (3 cr.)*
- ___ AMH 2042 Modern American Civilization (3 cr.)*
- ___ ARC 2701 History of Architecture 1 (3 cr.)
- ___ EUH 2011 Western Civ.: Early European Civilization (3 cr.)*
- ___ EUH 2021 Western Civ.: Medieval to Modern Europe (3 cr.)*
- ___ EUH 2030 Western Civ.: Europe in the Modern Era (3 cr.)*
- ___ HUM 3214 Ancient Classical Culture & Civilization (3 cr.)*
- ___ HUM 3306 History of Ideas (3 cr.)*
- ___ LAH 2020 Latin American Civilization (3 cr.)*
- ___ PHH 2063 Classics in Phil.: Intro. to the History of Phil. (3 cr.)*
- ___ POT 3013 Ancient & Medieval Political Theory (3 cr.)*
- ___ WOH 2001 World Civilization (3 cr.)*

A second course may be selected from the following list:

- ___ ENG 2012 Approaches to Literature (3 cr.)*
- ___ IDS 3309 How We Know What We Know (3 cr.)* - **GL**
- ___ PHI 2011 Philosophical Analysis (3 cr.)*
- ___ PHI 2600 Introduction to Ethics (3 cr.)*
- ___ REL 2011 Religion: Analysis and Interpretation (3 cr.)*

Quantitative Reasoning (two three-credit courses required, at least one of which must be in mathematics): These are Gordon Rule courses (must earn "C" or better).

The requirement aims at preparing students to master concepts and ideas in logic, inductive and deductive reasoning, and abstract and quantitative thinking. Students will become proficient in the art of reasoning critically, solving problems, and analyzing data.

One course must be from the following mathematics list:

____ MAC 1114 Trigonometry (3 cr.) If taken after College Algebra, will be equivalent to Pre-calculus/MAC 2147.*

- ____ MGF 1106 Finite Math (3 cr.)
- ____ MGF 1107 Math of Soc. Choice and Decision-Making (3 cr.)
- ____ MAC 2147 Pre-calculus (3 cr.)*
- ____ MAC 2233 Calculus for Business (3 cr.)*
- ____ MAC 2311 Calculus I (4 cr.)*
- ____ MAC 2312 Calculus II (4 cr.)*
- ____ MAC 2313 Multivariable Calculus (4 cr.)*
- ____ MTG 1204 Geometry for Education (3 cr.)

A second course may be selected from the following list:

- ____ STA 2023 Statistics for Business and Economics (3 cr.)*
- ____ STA 2122 Introduction to Statistics I (3 cr.)*
- ____ STA 3111 Statistics I (3 cr.)*
- ____ STA 3145 Statistics for the Health Professions (3 cr.)*
- ____ COP 2210 Introduction to Programming (4 cr.)
- ____ COP 2250 Programming in Java (3 cr.)
- ____ PHI 2100 Introduction to Logic (3 cr.)
- ____ CGS 2518 Data Analysis (3 cr.)

Social Inquiry (six credits, three credits in each of the two sub-categories below):

In these courses students investigate social, political, and economic configurations; cultural and psychological features of human life; gender, race/ethnicity, and social class; consciousness and identity; social interactions with the natural environment; and local, national, and global aspects of the human world.

Foundations of Social Inquiry (one three-credit course):

Students learn theories and methodologies that underlie these areas of study and enhance their research and analytic skills.

- ____ AMH 3560 The History of Women in the US (3 cr.)
- ____ ANT 2000 Introduction to Anthropology (3 cr.)
- ____ CPO 2002 Introduction to Comparative Politics (3 cr.)
- ____ DEP 2000 Human Growth & Development (3 cr.)
- ____ ECO 2013 Principles of Macroeconomics (3 cr.)
- ____ ECO 2023 Principles of Microeconomics (3 cr.)
- ____ GEO 2000 Introduction to Geography (3 cr.)
- ____ INP 2002 Intro. Industrial/Organizational Psychology (3 cr.)
- ____ INR 2001 Introduction to International Relations (3 cr.)
- ____ INR 2002 Dynamics of World Politics (3 cr.)
- ____ POS 2042 American Government (3 cr.)
- ____ POT 3302 Political Ideologies (3 cr.)
- ____ PSY 2012 Introduction to Psychology (3 cr.)
- ____ SOP 3004 Introductory Social Psychology (3 cr.)
- ____ SOP 3015 Social and Personality Development (3 cr.)
- ____ SPC 3210 Communication Theory (3 cr.)
- ____ SYG 2000 Introduction to Sociology (3 cr.)
- ____ SYG 2010 Social Problems (3 cr.)
- ____ SYG 3002 Basic Ideas of Sociology (3 cr.)
- ____ WST 3015 Introduction to Women's Studies (3 cr.)

Societies & Identities (one three-credit course):

Students compare societies and cultures in local, national, or international contexts and in contemporary or historical perspective.

- ___ AFA 2000 African World--Intro (3 cr.)
- ___ ANT 3212 World Ethnographies (3 cr.)*
- ___ ANT 3241 Myth, Ritual and Mysticism (3 cr.)
- ___ ANT 3451 Anthropology of Race & Ethnicity (3 cr.)
- ___ COM 3461 Intercultural/Interracial Communication (3 cr.)
- ___ CPO 3103 Politics of Western Europe (3 cr.)
- ___ CPO 3304 Politics of Latin America (3 cr.)
- ___ ECS 3003 Comparative Economic Systems (3 cr.)*
- ___ ECS 3021 Women, Culture, and Economic Develop. (3 cr.)*
- ___ EDF 3521 Education in History (3 cr.)
- ___ EGN 1033 Technology, Human and Society (3 cr.)
- ___ EVR 1017 The Global Environment & Society (3 cr.)
- ___ GEA 2000 World Regional Geography (3 cr.)
- ___ IDS 3189 Int'l Nutr., Pub. Health and Eco. Devel. (3 cr.)* - **GL**
- ___ IDS 3315 Gaining Global Perspectives (3 cr.) - **GL**
- ___ INR 3081 Contemporary International Problems (3 cr.)
- ___ LBS 3001 Introduction to Labor Studies (3 cr.)
- ___ REL 3308 Studies in World Religions (3 cr.)
- ___ SYD 3804 Sociology of Gender (3 cr.)
- ___ SYP 3000 The Individual in Society (3 cr.)
- ___ WST 3641 Gay and Lesbian in America (3 cr.)

Natural Science (two three-credit courses, one in the life sciences and one in the physical sciences, and two corresponding one-credit labs):

Our technologically dependent world requires an understanding of the processes that led us here. Learning the basic concepts and ideas of scientific fields provides contact with not just those fields but with how science is done. In these courses students study the scientific method through examination of the foundational theories of modern scientific thought. Students apply scientific principles and theories to problem-solving, evaluate scientific statements, and incorporate new information within the context of what is already known.

Emphasizing the essential connection between theory and experiment, the hands-on laboratory experience provides the context for testing scientific theories.

Life Sciences (this requirement applies to the BSEnvE students only): (Lecture and Lab must be taken together)

- ___ BOT 1010 & BOT 1010L Introductory Botany (3,1 cr.)
- ___ BSC 1010 & BSC 1010L General Biology I (3,1 cr.)
- ___ BSC 1011 & BSC 1011L General Biology II (3,1 cr.)
- ___ BSC 2023 & BSC 2023L Human Biology (3,1 cr.)
- ___ CHS 3501 & CHS 3501L Survey of Forensic Science (3,1cr.)
- ___ EVR 3013 & EVR 3013L Ecology of South Florida (3,1 cr.)
- ___ GLY 1101 & GLY 1101L History of Life (3,1cr.)
- ___ HUN 2000 & HUN 2000L Found. of Nutritional Sci. (3,1 cr.)
- ___ IDS 3214 & IDS 3214L Coastal Env. from the Bay to the World (3,1 cr.)* - **GL**
- ___ MCB 2000 & MCB 2000L Intro. Microbiology (3,1 cr.)

- ___ OCB 2003 & OCB 2003L Introductory Marine Biology (3,1 cr.)
- ___ PCB 2061 & PCB 2061L Introductory Genetics and Lab (3,1 cr.)
- ___ PCB 2099 & PCB 2099L Found. of Human Physiol. (3,1 cr.)

Physical Sciences:

- ___ AST 2003 & AST 2003L Solar System Astronomy (3,1 cr.)
- ___ AST 2004 & AST 2004L Stellar Astronomy (3,1 cr.)
- ___ CHM 1032 & CHM 1032L Chemistry and Society (3,1 cr.)
- ___ CHM 1033 & CHM 1033L Survey of Chemistry (4,1 cr.)*
- ___ CHM 1045 & CHM 1045L General Chemistry I (3,1 cr.)*
- ___ EVR 1001 & EVR 1001L Intro. to Environ. Sciences (3,1 cr.)
- ___ EVR 3011 & EVR 3011L Environ. Resources & Poll. (3,1 cr.)
- ___ GEO 3510 & GEO 3510L Earth Resources (3,1 cr.)
- ___ GLY 1010 & GLY 1010L Intro. to Earth Sciences (3,1 cr.)
- ___ GLY 3039 & GLY 3039L Environmental Geology (3,1 cr.)
- ___ MET 2010 & MET 2010L Meteor. Atmos. Physics (3,1 cr.)
- ___ OCE 3014 & OCE 3014L Oceanography (3,1 cr.)
- ___ PHY 1020 & PHY 1020L Understanding the Physical World (3,1 cr.)
- ___ PHY 2048 & PHY 2048L Physics with Calculus I (4,1 cr.)*
- ___ PHY 2049 & PHY 2049L Physics with Calculus II (4,1 cr.)*
- ___ PHY 2053 & PHY 2048L Physics without Calculus I (4,1 cr.)*
- ___ PHY 2054 & PHY 2049L Physics without Calculus II (4,1 cr.)*
- ___ PHY 1037 & PHY 1037L Quarks & Black Holes (3,1 cr.)

Arts Requirement (three credit hours):

Art embodies human dreams, visions, and imagination and renders the human experience creatively in sound, movement, performance, design, language, color, shape, and space. Art responds critically to current events, changes in society, and the drama of human life.

In fulfilling this requirement, students will become acquainted with the fundamental aspects of the arts while developing a capacity to understand, appreciate, or experience particular forms. Students address universal themes central to the cultural traditions of the past and present as expressed through the perspectives of the arts

- ___ ARH 2050 Art History Survey I (3 cr.)
- ___ ARH 2051 Art History Survey II (3 cr.)
- ___ ART 2300C Beginning Drawing (3 cr.)
- ___ ART 2500C Beginning Painting (3 cr.)
- ___ ART 2750C Beginning Ceramics (3 cr.)
- ___ CRW 2001 Introduction to Creative Writing (3 cr.)*
- ___ DAA 1100 Modern Dance Techniques I (3 cr.)
- ___ DAA 1200 Ballet Techniques I (3 cr.)
- ___ DAN 2100 Introduction to Dance (3 cr.)
- ___ DAN 2140 Dance in Modern Amer. Culture: 1895-Pres. (3 cr.)
- ___ ENL 3504 British Literature to 1660 (3 cr.)*
- ___ ENL 3506 British Literature Since 1660 (3 cr.)*
- ___ IDS 3336 Artistic Expression in a Global Society (3 cr.) - **GL**
- ___ MUH 1011 Music Appreciation (3 cr.)
- ___ MUH 2116 Evolution of Jazz (3 cr.)
- ___ MUN 1100 Golden Panther Band (1 cr.) ♦
- ___ MUN 1210 Orchestra (1 cr.) ♦
- ___ MUN 1380 Master Chorale (1 cr.) ♦

____SPC 2608 Public Speaking (3 cr.)
____THE 2000 Theatre Appreciation (3 cr.)
____TPP 2100 Introduction to Acting (3 cr.)

**These courses have pre-requisites; please check the catalog or with an advisor.*

◆ These courses require an audition or permission from the instructor.

APPENDIX B
BS IN CIVIL ENGINEERING AND ENVIRONMENTAL ENGINEERING
OPTIONAL PRACTICAL TRAINING (OPT)

Eligibility for Employment:

A fundamental eligibility requirement for all types of employment (on or off campus) is for a student to **continuously maintain lawful F-1 status**. Maintaining lawful F-1 status includes, at a minimum, the following:

1. Student must have a valid passport at all times;
2. Student must hold a valid FIU I-20 properly processed either through FIU's **International Student and Scholar Services ("ISSS")** or by travel and re-entry;
3. Student must be registered full-time each academic semester. Under immigration regulations, "full-time enrollment" is defined as enrollment for **at least 12 undergraduate-level credits for undergraduate students**.
4. Student must also be in good academic standing and "make normal progress towards completion of degree," which means maintaining the minimum GPA of at least 2.0 for undergraduate students.

Practical training is employment that is directly related to a student's major or field of study. Students must have been on valid F-1 status for at least two consecutive semesters prior to application for practical training, although application is allowed 90 days prior to the conclusion of their studies.

OPT is limited to an aggregate total of 12 months. Authorization is granted by a Service Center of the **U.S. Immigration and Citizenship Service ("USCIS")**. An FIU ISSS advisor will recommend OPT for an FIU international student in F-1 status who has met **all eligibility requirements**. An application fee is charged by USCIS.

A student may choose to apply for OPT either before graduation (pre-completion of degree) or after graduation (post-completion of degree). Any period used before graduation is deducted from the 12 months available. **Students are required to attend a *Practical Training/Employment Workshop* in order to be eligible to apply for OPT.** More detailed information (application procedure, documents needed, etc.) is provided at the workshop. **Students must CHECK WITH ISSS FOR WORKSHOP SCHEDULE and APPLICATION DEADLINES.** These workshops are also offered online.

Students must have attended an ISSS Employment/Practical Training Workshop before they can apply for OPT through ISSS on an appointment basis. They must bring all applications forms and other required documents at the time of appointment with an ISSS advisor.

IMPORTANT: Students must obtain proper authorization before engaging in any off-campus employment (whether it is paid or non-paid). If a student falls out-of status at any time during his/her employment (i.e., drops a class and falls below the full-time requirement or his/her passport expires), then the student must stop working immediately. The requirements for maintaining F-1 visa status and being eligible for the OPT are subject to change based on US immigration law.

APPENDIX C

BACHELOR OF SCIENCE IN CIVIL ENGINEERING AND ENVIRONMENTAL ENGINEERING

ENTRANCE AND DEGREE REQUIREMENTS

The following pre-core class requirements must be met, along with the State of Florida and UCC requirements, *prior* to being admitted to the program:

- CHM 1045 General Chemistry
- CHM 1045L General Chemistry Lab
- MAC 2311 Calculus I
- MAC 2312 Calculus II
- MAC 2313 Multivariable Calculus
- MAP 2302 Differential Equations
- PHY 2048 Physics With Calculus I
- PHY 2049 Physics With Calculus II
- PHY 2049L General Physics Lab II
- CHM 1046 General Chemistry II
- CHM 1046L General Chemistry Lab II
- GLY 1010 Introduction to Earth Science
- GLY 1010L Introduction to Earth Science Lab

APPENDIX D

BACHELOR OF SCIENCE IN CIVIL ENGINEERING AND ENVIRONMENTAL ENGINEERING

ENTRANCE AND DEGREE REQUIREMENTS

D.I Civil Engineering Program

- a) Up to 68 credit hours can be transferred from BJTU to FIU. Those FIU courses, which are transferable, are given in the following table. The actual number of credits, which can be transferred into FIU program, will depend on the evaluation of course equivalency.

Course Number and Name		FIU Credits
1) First-Year Experience		1
SLS 1501	First-Year Experience*	
2) Social Inquiry I: Foundations		(1) 3
ECO 2013	Macroeconomics	(3)
or ECO 2023	Microeconomics	(3)
or INP 2002	Intro Industrial/Organization Psychology	(3)
or INR 2001	Intro to International relations	(3)
or GEO 2000	Intro to Geography	(3)
or SYG 2010	Social Problems	(3)
3) Social Inquiry II: Societies and Identities		3
EGN 1033	Technology, Humans, and Society	
4) Arts		3
CRW 2001	Creative Writing	(3)
or SPC 2608	Public Speaking	(3)
or MUH 1011	Music Appreciation	(3)
or TPP 2100	Intro to Acting	(3)
or THE 2000	Theatre Appreciation	(3)
or MUH 2116	Evolution of Jazz	(3)
5) Mathematics		18
MAC 2311	Calculus I	(4)
MAC 2312	Calculus II	(4)
MAC 2313	Multivariable Calculus	(4)
MAP 2302	Differential Equations	(3)
STA 3033	Intro to Probability & Statistics to CS	(3)
or EIN 3235	Evaluation of Engineering Data	(3)

6) Natural Sciences	21
CHM 1045 General Chemistry I	(3)
CHM 1045L General Chemistry I Lab	(1)
CHM 1046 General Chemistry II	(3)
CHM 1046L General Chemistry II Lab	(1)
PHY 2048 Physics with Calculus I	(4)
PHY 2048L General Physics Lab I	(1)
PHY 2049 Physics with Calculus II	(4)
GLY 1010 Intro to Earth Science	(3)
GLY 1010L Intro to Earth Science Lab	(1)
7) General Core Courses	4
EIN 3354 Engineering Economy	(3)
8) Computer Courses	6
EGN 1110 Engineering Drawing	(3)
CGN 2420 Computer Tools for CE	(3)
9) Engineering Sciences	17
EGN 3311 Statics	(3)
EGN 3321 Dynamics	(3)
CWR 3201 Fluid Mechanics	(3)
CWR 3201 Fluid Mechanics Lab	(1)
EEE 3110 Circuits Analysis	(3)
EGM 3520 Engineering Mechanics of Materials	(3)
EGM 3520L Engineering Mechanics of Materials Lab	

* All students entering the University with more than 30 transfer credits are not required to take this one-credit course.

- b) Up to 68 credit hours can be transferred from FIU to BJTU. Those transferable courses are given in the following table. The actual number of credits, which can be transferred into BJTU program, will depend on the evaluation of course equivalency.

Course Number and Name	FIU Credits
1) English Composition	6
ENC 1101 Writing & Rhetoric I	(3)
ENC 1102 Writing & Rhetoric II	(3)

2) Humanities With Writing		9
Humanities with Writing I	(3)	
Humanities with Writing II	(3)	
ENC 3211 Professional & Technical writing	(3)	
3) General Core Courses		1
EGN 2030 Ethics & Legal Aspects in Engineering	(1)	
4) Engineering Sciences		17
EGN 3311 Statics	(3)	
EGN 3321 Dynamics	(3)	
CWR 3201 Fluid Mechanics	(3)	
CWR 3201L Fluid Mechanics Lab	(3)	
EEE 3110 Circuits Analysis	(3)	
EGM 3520 Engineering Mechanics of Materials	(3)	
EGM 3520L Engineering Mechanics of Materials Lab	(1)	
5) Civil Engineering Courses		42
SUR 2101c Surveying	(3)	
CES 3100 Structure Analysis	(3)	
ENV 3001 Intro to Environmental Engineering	(3)	
ENV 3001L Environmental Lab I	(1)	
TTE 4201 Transportation & Traffic Engineering	(3)	
CEG 4011 Geotechnical Engineering	(3)	
CEG 4011L Geotechnical Engineering Lab	(1)	
CWR 3103 Water Resources Engineering	(3)	
CCE 4031 Project Planning for Civil Engineers	(3)	
CGN 4802 Civil Engineering Senior Design Project	(3)	
CGN 4980 Fundamentals of Engineering Seminar	(1)	
CE Elective	(3)	
CE Elective	(3)	
CE Elective	(3)	
CE Elective	(3)	

D.II. Environmental Engineering

- a) Up to 68 credit hours can be transferred from BJTU to FIU. Those FIU courses, which are transferable, are given in the following table. The actual number of credits, which can be transferred into FIU program, will depend on the evaluation of course equivalency.

Course Number and Name		FIU Credits
1) First-Year Experience		1
SLS 1501	First-Year Experience	
2) Social Inquiry I: Foundations		3
ECO 2013	Macroeconomics	(3)
or ECO 2023	Microeconomics	(3)
or INP 2002	Intro Industrial/Organization Psychology	(3)
or INR 2001	Intro to International relations	(3)
or GEO 2000	Intro to Geography	(3)
or SYG 2010	Social Problems	(3)
3) Social Inquiry II: Societies and Identities		3
EGN 1033	Technology, Humans, & Society	(3)
4) Arts		3
CRW 2001	Creative Writing	(3)
or MUH 1011	Music Appreciation	(3)
or SPC 2608	Public Speaking	(3)
or TPP 2100	Intro to Acting	(3)
or THE 2000	Theatre Appreciation	(3)
or MUH 2116	Evolution of Jazz	(3)
5) Mathematics		18
MAC 2311	Calculus I	(4)
MAC 2312	Calculus II	(4)
MAC 2313	Multivariable Calculus	(4)
MAP 2302	Differential Equations	(3)
STA 3033	Intro to Probability & Statistics to CS	(3)
6) Natural Sciences		21
CHM 1045	General Chemistry I	(3)
CHM 1045L	General Chemistry I Lab	(1)
CHM 1046	General Chemistry II	(3)
CHM 1046L	General Chemistry II Lab	(1)
PHY 2048	Physics with Calculus I	(4)
PHY 2048L	General Physics Lab I	(1)

PHY 2049	Physics with Calculus II	(4)	
BSC 1010	General Biology I	(3)	
BSC 1010L	General Biology I Lab	(1)	
7) General Core Courses			4
EIN 3354	Engineering Economy	(3)	
8) Computer Courses			6
EGN 1110	Engineering Drawing	(3)	
CGN 2420	Computer Tools for CE	(3)	
9) Engineering Sciences			16
EGN 3311	Statics	(3)	
EGN 3321	Dynamics	(3)	
EGN 3343	Thermodynamics I	(3)	
CWR 3201	Fluid Mechanics	(3)	
CWR 3201	Fluid Mechanics Lab	(1)	
EEE 3110	Circuits analysis	(3)	

- b) Up to 68 credit hours can be transferred from FIU to BJTU. Those transferable courses are given in the following table. The actual number of credits, which can be transferred into BJTU program, will depend on the evaluation of course equivalency.

Course Number and Name		FIU Credits
1) English Composition		6
ENC 1101	Writing & Rhetoric I	(3)
ENC 1102	Writing & Rhetoric II	(3)
2) Humanities With Writing		9
	Humanities with Writing I	(3)
	Humanities with Writing II	(3)
ENc 3211	Professional & Technical Writing	(3)
3) General core courses		1
EGN 2030	Ethics & Legal Aspects in Engineering	(1)
4) Engineering Sciences		17
EGN 3311	Statics	(3)
EGN 3321	Dynamics	(3)
EGN 3343	Thermodynamics I	(3)
CWR 3201	Fluid Mechanics	(3)

CWR 3201L Fluid Mechanics Lab	(1)	
EEE 3110 Circuits Analysis	(3)	
5) Environmental Engineering		42
CWR 3103 Water Resources Engineering	(3)	
ENV 3001 Intro to Environmental Engineering	(3)	
ENV 3001L Environmental Lab I	(1)	
ENV 4005L Environmental Lab II	(1)	
ENV 4513 Chemistry for Environmental Engineers	(3)	
ENV 4351 Solid Waste Management	(3)	
ENV 4101 Elements of Atmospheric Pollution	(3)	
ENV 4401 Water Supply Engineering	(3)	
ENV 4551 Sewerage & Wastewater Treatment	(3)	
ENV 4891 Environmental Engineering Senior Design Project	(3)	
Environmental Engineering Elective	(3)	
Environmental Engineering Elective	(3)	
Environmental Engineering Elective	(3)	
Earth Science Elective	(3)	
Earth Science Elective Lab	(1)	
Biology Science Elective	(3)	
Biology Science Elective Lab	(1)	

APPENDIX E

QUALIFIED FACULTY REQUIREMENTS

The institution employs competent faculty members qualified to accomplish the mission and goals of the institution. When determining acceptable qualifications of its faculty, the institution gives primary consideration to the highest earned degree in the discipline. The institution also considers competence, effectiveness, and capacity, including, as appropriate, undergraduate and graduate degrees, related work experience in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes.

Florida International University uses the following as credential guidelines when it defines faculty qualifications using faculty credentials:

- Faculty teaching general education courses at the undergraduate level: doctorate or master's degree in the teaching discipline or master's degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline).
- Faculty teaching baccalaureate courses: doctorate or master's degree in the teaching discipline or master's degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline).
- Faculty teaching graduate and post-baccalaureate course work: earned doctorate/terminal degree in the teaching discipline or a related discipline
- Graduate teaching assistants: master's in the teaching discipline or 18 graduate semester hours in the teaching discipline, direct supervision by a faculty member experienced in the teaching discipline, regular in-service training, and planned and periodic evaluations.

As a classified Carnegie Research Institution*, Florida International University additionally credentials its faculty based on national/international juried research productivity within the discipline. The institution documents a faculty member's research contributions to the discipline as evidence of the faculty qualifications.

In extremely limited circumstances a faculty member may be credentialed based on a combination of educational experience, productivity in the discipline and work experience. In these situations the practical experience in the discipline must be at an executive level with a broad scope of national/international reach.

* Research Universities (RU/H) (high research activity)

APPENDIX F

EXPORT CONTROL ADMINISTRATION REGULATION

PART 736—GENERAL PROHIBITIONS

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 22 U.S.C. 2151 note; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13020, 61 FR 54079, 3 CFR, 1996 Comp., p. 219; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13338, 69 FR 26751, 3 CFR, 2004 Comp., p. 168; Notice of August 12, 2010, 75 FR 50681 (August 16, 2010); Notice of November 4, 2010, 75 FR 68673 (November 8, 2010).

Source: 61 FR 12754, Mar. 25, 1996, unless otherwise noted.

§ 736.1 Introduction.

In this part, references to the EAR are references to 15 CFR chapter VII, subchapter C. A person may undertake transactions subject to the EAR without a license or other authorization, unless the regulations affirmatively state such a requirement. As such, if an export, reexport, or activity is subject to the EAR, the general prohibitions contained in this part and the License Exceptions specified in part 740 of the EAR must be reviewed to determine if a license is necessary. In the case of all exports from the United States, you must document your export as described in part 762 of the EAR regarding recordkeeping and clear your export through the U.S. Customs Service as described in part 758 of the EAR regarding export clearance requirements. Also note that for short supply controls all prohibitions and License Exceptions are in part 754 of the EAR.

(a) In this part we tell you:

(1) The facts that make your proposed export, reexport, or conduct subject to these general prohibitions, and

(2) The ten general prohibitions.

(b) Your obligations under the ten general prohibitions and under the EAR depend in large part upon the five types of information described in §736.2(a) of this part and upon the general prohibitions described in §736.2(b) of this part. The ten general prohibitions contain cross-references to other parts of the EAR that further define the breadth of the general prohibitions. For that reason, this part is not freestanding. In part 732, we provide certain steps you may follow in proper order to help you understand the general prohibitions and their relationship to other parts of the EAR.

(c) If you violate any of these ten general prohibitions, or engage in other conduct contrary to the Export Administration Act, the EAR, or any order, license, License Exception, or authorization issued thereunder, as described in part 764 of the EAR regarding enforcement, you will be subject to the sanctions described in that part.

§ 736.2 General prohibitions and determination of applicability.

(a) *Information or facts that determine the applicability of the general prohibitions.* The following five types of facts determine your obligations under the ten general prohibitions and the EAR generally:

(1) *Classification of the item.* The classification of the item on the Commerce Control List (see part 774 of the EAR);

(2) *Destination.* The country of ultimate destination for an export or reexport (see parts 738 and 774 of the EAR concerning the Country Chart and the Commerce Control List);

(3) *End-user.* The ultimate end user (see General Prohibition Four (paragraph (b)(4) of this section) and Supplement No. 1 to part 764 of the EAR for references to persons with whom your transaction may not be permitted; see General Prohibition Five (Paragraph (b)(5) of this section) and part 744 for references to end-users for whom you may need an export or reexport license).

(4) *End-use.* The ultimate end-use (see General Prohibition Five (paragraph (b)(5) of this section) and part 744 of the EAR for general end-use restrictions); and

(5) *Conduct.* Conduct such as contracting, financing, and freight forwarding in support of a proliferation project as described in part 744 of the EAR.

(b) *General prohibitions.* The following ten general prohibitions describe certain exports, reexports, and other conduct, subject to the scope of the EAR, in which you may not engage unless you either have a license from the Bureau of Industry and Security (BIS) or qualify under part 740 of the EAR for a License Exception from each applicable general prohibition in this paragraph. The License Exceptions at part 740 of the EAR apply only to General Prohibitions One (Exports and Reexports in the Form Received), Two (Parts and Components Reexports), and Three (Foreign-Produced Direct Product Reexports); however, selected License Exceptions are specifically referenced and authorized in part 746 of the EAR concerning embargo destinations and in §744.2(c) of the EAR regarding nuclear end-uses.

(1) *General Prohibition One—Export and reexport of controlled items to listed countries (Exports and Reexports).* You may not, without a license or License Exception, export any item subject to the EAR to another country or reexport any item of U.S.-origin if each of the following is true:

(i) The item is controlled for a reason indicated in the applicable Export Control Classification Number (ECCN), and

(ii) Export to the country of destination requires a license for the control reason as indicated on the Country Chart at part 738 of the EAR. (The scope of this prohibition is determined by the correct classification of your item and the ultimate destination as that combination is reflected on the Country Chart.)¹ Note that each License Exception described at part 740 of the EAR supersedes General Prohibition One if all terms and conditions of a given License Exception are met by the exporter or reexporter.

(2) *General Prohibition Two—Reexport and export from abroad of foreign-made items incorporating more than a de minimis amount of controlled U.S. content (U.S. Content Reexports).* (i) You may not, without a license or license exception, reexport or export from abroad foreign-made commodities that incorporate controlled U.S.-origin commodities, foreign-made commodities that are “bundled” with controlled U.S.-origin software, foreign-made software that is commingled with controlled U.S.-origin software, or foreign-made technology that is commingled with controlled U.S.-origin technology if such items require a license according to any of the provisions in the EAR and incorporate or are commingled with more than a *de minimis* amount of controlled U.S. content, as defined in §734.4 of the EAR concerning the scope of the EAR.

(A) It incorporates more than the *de minimis* amount of controlled U.S. content, as defined in §734.4 of the EAR concerning the scope of the EAR;

¹ See part 738 of the EAR for selected controls that are not specified on the Country Chart.

(B) It is controlled for a reason indicated in the applicable ECCN; and

(C) Its export to the country of destination requires a license for that control reason as indicated on the Country Chart. (The scope of this prohibition is determined by the correct classification of your foreign-made item and the ultimate destination, as that combination is reflected on the Country Chart.)

(ii) Each License Exception described in part 740 of the EAR supersedes General Prohibition Two if all terms and conditions of a given License Exception are met by the exporter or reexporter.

(3) *General Prohibition Three—Reexport and export from abroad of the foreign-produced direct product of U.S. technology and software (Foreign-Produced Direct Product Reexports) —(i)*

(i) *Country scope of prohibition.* You may not, without a license or license exception, reexport any item subject to the scope of this General Prohibition Three to a destination in Country Group D:1 or E:1 (See Supplement No. 1 to part 740 of the EAR).

(ii) *Product scope of foreign-made items subject to prohibition.* This General Prohibition 3 applies if an item meets either the Conditions defining the direct product of technology or the Conditions defining the direct product of a plant in paragraph (b)(3)(ii)(A) of this section:

(A) *Conditions defining direct product of technology.* Foreign-made items are subject to this General Prohibition 3 if they meet both of the following conditions:

(1) They are the direct product of technology or software that requires a written assurance as a supporting document for a license, as defined in paragraph (o)(3)(i) of supplement no. 2 to part 748 of the EAR, or as a precondition for the use of License Exception TSR at §740.6 of the EAR, and

(2) They are subject to national security controls as designated on the applicable ECCN of the Commerce Control List at part 774 of the EAR.

(B) *Conditions defining direct product of a plant.* Foreign-made items are also subject to this General Prohibition 3 if they are the direct product of a complete plant or any major component of a plant if both of the following conditions are met:

(1) Such plant or component is the direct product of technology that requires a written assurance as a supporting document for a license or as a precondition for the use of License Exception TSR in §740.6 of the EAR, and

(2) Such foreign-made direct products of the plant or component are subject to national security controls as designated on the applicable ECCN of the Commerce Control List at part 774 of the EAR.

(iii) *License Exceptions.* Each License Exception described at part 740 of the EAR supersedes this General Prohibition Three if all terms and conditions of a given exception are met by the exporter or reexporter.

(4) *General Prohibition Four (Denial Orders)—Engaging in actions prohibited by a denial order.*

(i) You may not take any action that is prohibited by a denial order issued under part 766 of the EAR, Administrative Enforcement Proceedings. These orders prohibit many actions in addition to direct exports by the person denied export privileges, including some transfers within a single country, either in the United States or abroad, by other persons. You are responsible for ensuring that any of your transactions in which a person who is denied export privileges is involved do

not violate the terms of the order. Orders denying export privileges are published in the Federal Register when they are issued and are the legally controlling documents in accordance with their terms. BIS also maintains compilations of persons denied export privileges on its Web site at <http://www.bis.doc.gov>. BIS may, on an exceptional basis, authorize activity otherwise prohibited by a denial order. See §764.3(a)(2) of the EAR.

(ii) There are no License Exceptions described in part 740 of the EAR that authorize conduct prohibited by this General Prohibition Four.

(5) *General Prohibition Five—Export or reexport to prohibited end-uses or end-users (End-Use End-User)*. You may not, without a license, knowingly export or reexport any item subject to the EAR to an end-user or end-use that is prohibited by part 744 of the EAR.

(6) *General Prohibition Six—Export or reexport to embargoed destinations (Embargo)*. (i) You may not, without a license or License Exception authorized under part 746, export or reexport any item subject to the EAR to a country that is embargoed by the United States or otherwise made subject to controls as both are described at part 746 of the EAR.

(ii) License Exceptions to General Prohibition Six are described in part 746 of the EAR, on Embargoes and Other Special Controls. Unless a License Exception or other authorization is authorized in part 746 of the EAR, the License Exceptions described in part 740 of the EAR are not available to overcome this general prohibition.

(7) *General Prohibition Seven—Support of proliferation activities (U.S. person proliferation activity)* —(i) *Support of proliferation activities (U.S. person proliferation activity)*.

(A) If you are a U.S. person as that term is defined in §744.6(c) of the EAR, you may not engage in any activities prohibited by §744.6(a) or (b) of the EAR, which prohibits the performance, without a license from BIS, of certain financing, contracting, service, support, transportation, freight forwarding, or employment that you know will assist in certain proliferation activities described further in part 744 of the EAR. There are no License Exceptions to this General Prohibition Seven in part 740 of the EAR unless specifically authorized in that part.

(B) If you are a U.S. person as that term is defined in §744.6(c) of the EAR, you may not export a Schedule 1 chemical listed in supplement no. 1 to Part 745 without first complying with the provisions of §§742.18 and 745.1 of the EAR.

(C) If you are a U.S. person as that term is defined in §744.6(c) of the EAR, you may not export a Schedule 3 chemical listed in supplement no. 1 to part 745 to a destination not listed in supplement no. 2 to Part 745 without complying with the End-Use Certificate requirements in §745.2 of the EAR that apply to Schedule 3 chemicals controlled for CW reasons in ECCN 1C350, ECCN 1C355, or ECCN 1C395.

(8) *General Prohibition Eight—In transit shipments and items to be unladen from vessels or aircraft (Intransit)* —

(i) *Unloading and shipping in transit*. You may not export or reexport an item through or transit through a country listed in paragraph (b)(8)(ii) of this section unless a License Exception or license authorizes such an export or reexport directly to such a country of transit, or unless such an export or reexport is eligible to such a country of transit without a license.

(ii) *Country scope*. This General Prohibition Eight applies to Armenia, Azerbaijan, Belarus, Cambodia, Cuba, Georgia, Kazakhstan, Kyrgyzstan, Laos, Mongolia, North Korea, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Vietnam.

(9) *General Prohibition Nine—Violation of any order, terms, and conditions (Orders, Terms, and Conditions).* You may not violate terms or conditions of a license or of a License Exception issued under or made a part of the EAR, and you may not violate any order issued under or made a part of the EAR. There are no License Exceptions to this General Prohibition Nine in part 740 of the EAR. Supplements Nos. 1 and 2 to this part provide for certain General Orders and Administrative Orders.

(10) *General Prohibition Ten—Proceeding with transactions with knowledge that a violation has occurred or is about to occur (Knowledge Violation to Occur).* You may not sell, transfer, export, reexport, finance, order, buy, remove, conceal, store, use, loan, dispose of, transport, forward, or otherwise service, in whole or in part, any item subject to the EAR and exported or to be exported with knowledge that a violation of the Export Administration Regulations, the Export Administration Act or any order, license, License Exception, or other authorization issued thereunder has occurred, is about to occur, or is intended to occur in connection with the item. Nor may you rely upon any license or License Exception after notice to you of the suspension or revocation of that license or exception. There are no License Exceptions to this General Prohibition Ten in part 740 of the EAR.

[61 FR 12754, Mar. 25, 1996]

Editorial Note: For Federal Register citations affecting §736.2, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

Supplement No. 1 to Part 736—General Orders

General Order No. 1 of September 16, 1998; Establishing a 24-month validity period on reexport authorizations issued without a validity period and revoking those exceeding that period.

(a) *Reexport authorizations issued within 24-months of the General Order.* All reexport authorizations issued with no validity period within the 24-months preceding September 16, 1998 shall be deemed to have an expiration date which shall be the date 24-months from the date of issuance of the reexport authorization or November 16, 1998, whichever is longer.

(b) *Reexport authorizations issued before the 24-month period preceding the General Order.* For reexport authorizations issued with no validity period before the 24-month period preceding September 16, 1998:

(1) Effective September 16, 1998, all such outstanding reexport authorizations for terrorist-supporting countries (see parts 742 and 746 of the EAR) are revoked.

(2) Effective November 16, 1998, all other such outstanding reexport authorizations are revoked.

(c) *Extensions.* If necessary, you may request extensions of such authorizations according to procedures set forth in §750.7(g) of the EAR.

(d) *Specific Notice from BIS.* If you have received, or should you receive, specific notice from BIS with regard to a reexport authorization covered by this General Order, informing you of a revocation, suspension, or revision (including validity period) of any such reexport authorization, then the terms of that specific notice will be controlling.

(e) *Definition of "authorization".* The term "authorization" as used in this General Order encompasses the range of reexport authorizations granted by BIS, which includes licenses, individual letters, and other types of notifications.

General Order No. 2 of May 14, 2004; sections 5(a)(1) and 5(a)(2)(A) of the Syria Accountability and Lebanese Sovereignty Act of 2003 (Public Law 108-175, codified as a note to 22 U.S.C. 2151) (the SAA), require (1) a prohibition on the export to Syria of all items on the Commerce Control List (in 15 CFR part 774)(CCL) and (2) a prohibition on the export to Syria of products of the United States, other than food and medicine. The President has also exercised national security waiver authority pursuant to Section 5(b) of the SAA for certain transactions. This Order is issued consistent with Executive Order 13338 of May 11, 2004, which implements the SAA.

(a) *License requirements.* Effective May 14, 2004, a license is required for export or reexport to Syria of all items subject to the EAR, except food and medicine classified as EAR99 (medicine is defined in part 772 of the EAR). A license is required for the "deemed export" and "deemed reexport," as described in §734.2(b) of the EAR, of any technology or source code on the Commerce Control List (CCL) to a Syrian foreign national. "Deemed exports" and "deemed reexports" involving technology or source code subject to the EAR but not listed on the CCL do not require a license to Syrian foreign nationals.

(b) *Revocation of Authority to Export under Existing Licenses.* Effective May 14, 2004, the authority to export or reexport to Syria under existing licenses is hereby revoked (see savings clause in paragraph (e) of this General Order). License conditions requiring written U.S. Government authorization for the reexport, transfer (in-country), or resale of items already exported or reexported remain in effect, and requests for BIS authorization to reexport, transfer (in-country), or sell such items will require interagency approval.

(c) *License Exceptions.* Effective May 14, 2004, no License Exceptions to the license requirements set forth in paragraph (a) of this General Order are available for exports or reexports to Syria, except the following:

- (1) TMP for items for use by the news media as set forth in §740.9(a)(2)(viii) of the EAR,
- (2) GOV for items for personal or official use by personnel and agencies of the U.S. Government as set forth in §740.11(b)(2)(i) and (ii) of the EAR,
- (3) TSU for operation technology and software, sales technology and software updates pursuant to the terms of §740.13(a), (b), or (c) of the EAR,
- (4) BAG for exports of items by individuals leaving the United States as personal baggage pursuant to the terms of §740.14 (a) through (d) only of the EAR, and
- (5) AVS for the temporary sojourn of civil aircraft reexported to Syria pursuant to the terms of §740.15(a)(4) of the EAR.

(d) *Licensing policy.* All license applications for export or reexport to Syria are subject to a general policy of denial. License applications for "deemed exports" and "deemed reexports" of technology and source code will be reviewed on a case-by-case basis. BIS may consider, on a case-by-case basis, license applications for exports and reexports of items necessary to carry out the President's constitutional authority to conduct U.S. foreign affairs and as Commander-in-Chief, including those exports and reexports of items necessary for the performance of official functions by the United States Government personnel abroad. BIS may also consider the following license applications on a case-by-case basis: items in support of activities, diplomatic or otherwise, of the United States Government (to the extent that regulation of such exportation or reexportation would not fall within the President's constitutional authority to conduct the nation's foreign affairs); medicine (on the CCL) and medical devices (both as defined in part 772 of the EAR); parts and components intended to ensure the safety of civil aviation and the safe operation of commercial passenger aircraft; aircraft chartered by the Syrian Government for the

transport of Syrian Government officials on official Syrian Government business; telecommunications equipment and associated computers, software and technology; and items in support of United Nations operations in Syria. The total dollar value of each approved license for aircraft parts for flight safety normally will be limited to no more than \$2 million over the 24-month standard license term, except in the case of complete overhauls. In addition, consistent with part 734 of the EAR, the following are not subject to this General Order: informational materials in the form of books and other media; publicly available software and technology; and technology exported in the form of a patent application or an amendment, modification, or supplement thereto or a division thereof (see 15 CFR 734.3(b)(1)(v), (b)(2) and (b)(3)).

(e) *Savings Clause*. Items that are on dock for loading, on lighter, laden aboard an exporting carrier or en route aboard a carrier to a port of export on May 14, 2004, shall be subject to the licensing rules applicable to such items as of May 13, 2004. Any such items not actually exported or reexported before midnight May 28, 2004, may be exported or reexported only if authorized pursuant to this General Order.

General Order No. 3 [Reserved]

General Order No. 4 of June 13, 2008, as amended on September 3, 2009, amending existing licenses for exports of consolidated gift parcels to Cuba due to changes in License Exception GFT.

(a) Section 740.12(a) of the EAR authorizes, among other things, certain exports of gift parcels to Cuba pursuant to a license exception. However, consolidated shipments of multiple gift parcels to Cuba require a license even if all of the individual items within the consolidated gift parcel would be eligible for this license exception if shipped alone.

(b) Notwithstanding any statements to the contrary on the license itself, licenses authorizing the export to Cuba of consolidated gift parcels described in paragraph (a) of this order that are valid on September 3, 2009 authorize the export of consolidated shipments to Cuba of gift parcels that comply with the requirements of License Exception GFT found in §740.12(a) of the EAR as of September 3, 2009.

(c) This General Order does not change any of the other terms (including total value of items that may be exported or expiration date) of the licenses it affects.

[63 FR 49426, Sept. 16, 1998, as amended at 65 FR 76562, Dec. 7, 2000; 69 FR 26768, May 14, 2004; 69 FR 42333, July 15, 2004; 69 FR 76843, Dec. 23, 2004; 71 FR 32273, June 5, 2006; 71 FR 52427, Sept. 6, 2006; 71 FR 53965, Sept. 13, 2006; 72 FR 31718, June 8, 2007; 73 FR 33673, June 13, 2008; 73 FR 54503, Sept. 22, 2008; 73 FR 68324, Nov. 18, 2008; 74 FR 45988, Sept. 8, 2009]

Supplement No. 2 to Part 736—Administrative Orders

Administrative Order One: Disclosure of License Issuance and Other Information. Consistent with section 12(c) of the Export Administration Act of 1979, as amended, information obtained by the U.S. Department of Commerce for the purpose of consideration of or concerning license applications, as well as related information, will not be publicly disclosed without the approval of the Secretary of Commerce. Shipper's Export Declarations also are exempt from public disclosure, except with the approval of the Secretary of Commerce, in accordance with §301(g) of Title 13, United States Code.

Administrative Order Two: Conduct of Business and Practice in Connection with Export Control Matters.

(a) Exclusion of persons guilty of unethical conduct or not possessing required integrity and ethical standards.

(1) *Who may be excluded.* Any person, whether acting on his own behalf or on behalf of another, who shall be found guilty of engaging in any unethical activity or who shall be demonstrated not to possess the required integrity and ethical standards, may be excluded from (denied) export privileges on his own behalf, or may be excluded from practice before BIS on behalf of another, in connection with any export control matter, or both, as provided in part 764 of the EAR.

(2) *Grounds for exclusion.* Among the grounds for exclusion are the following:

(i) Inducing or attempting to induce by gifts, promises, bribes, or otherwise, any officer or employee of BIS or any customs or post office official, to take any action with respect to the issuance of licenses or any other aspects of the administration of the Export Administration Act, whether or not in violation of any regulation;

(ii) Offering or making gifts or promises thereof to any such officer or employee for any other reason;

(iii) Soliciting by advertisement or otherwise the handling of business before BIS on the representation, express or implied, that such person, through personal acquaintance or otherwise, possesses special influence over any officer or employee of BIS;

(iv) Charging, or proposing to charge, for any service performed in connection with the issuance of any license, any fee wholly contingent upon the granting of such license and the amount or value thereof. This provision will not be construed to prohibit the charge of any fee agreed to by the parties; provided that the out-of-pocket expenditures and the reasonable value of the services performed, whether or not the license is issued and regardless of the amount thereof, are fairly compensated; and

(v) Knowingly violating or participating in the violation of, or an attempt to violate, any regulation with respect to the export of commodities or technical data, including the making of or inducing another to make any false representations to facilitate any export in violation of the Export Administration Act or any order or regulation issued thereunder.

(3) *Definition.* As used in this Administration Order, the terms "practice before BIS" and "appear before BIS" include:

(i) The submission on behalf of another of applications for export licenses or other documents required to be filed with BIS, or the execution of the same;

(ii) Conferences or other communications on behalf of another with officers or employees of BIS for the purpose of soliciting or expediting approval by BIS of applications for export licenses or other documents, or with respect to quotas, allocations, requirements or other export control actions, pertaining to matters within the jurisdiction of BIS;

(iii) Participating on behalf of another in any proceeding pending before BIS; and

(iv) Submission to a customs official on behalf of another of a license or Shipper's Export Declaration or other export control document.

(4) *Proceedings.* All proceedings under this Administrative Order shall be conducted in the same manner as provided in part 766 of the EAR.

(b) *Employees and former employees.* Persons who are or at any time have been employed on a full-time or part-time, compensated or uncompensated, basis by the U.S. Government are subject to the provisions of 18 U.S.C. 203, 205, and 207 (Pub. L. 87-849, 87th Congress) in connection with representing a private party or interest before the U.S. Department of Commerce in connection with any export control matter.

[61 FR 12754, Mar. 25, 1996, as amended at 70 FR 54628, Sept. 16, 2005; 70 FR 62238, Oct. 31, 2005]