

ITAR DEFINITIONS

§120.4 Commodity jurisdiction:

(a) The commodity jurisdiction procedure is used with the U.S. Government if doubt exists as to whether an article or service is covered by the U.S. Munitions List. It may also be used for consideration of a redesignation of an article or service currently covered by the U.S. Munitions List. The Department must provide notice to Congress at least 30 days before any item is removed from the U.S. Munitions List. Upon electronic submission of a Commodity Jurisdiction (CJ) Determination Form (Form DS-4076), the Directorate of Defense Trade Controls shall provide a determination of whether a particular article or service is covered by the U.S. Munitions List. The determination, consistent with §§120.2, 120.3, and 120.4, entails consultation among the Departments of State, Defense, Commerce, and other U.S. Government agencies and industry in appropriate cases.

§120.6 Defense article:

Defense article means any item or technical data designated in §121.1 of this subchapter. The policy described in §120.3 is applicable to designations of additional items. This term includes technical data recorded or stored in any physical form, models, mockups or other items that reveal technical data directly relating to items designated in §121.1 of this subchapter. It also includes forgings, castings, and other unfinished products, such as extrusions and machined bodies, that have reached a stage in manufacturing where they are clearly identifiable by mechanical properties, material composition, geometry, or function as defense articles. It does not include basic marketing information on function or purpose or general system descriptions.

§120.7 Significant military equipment:

(a) *Significant military equipment* means articles for which special export controls are warranted because of their capacity for substantial military utility or capability.

(b) Significant military equipment includes:

- (1) Items in §121.1 of this subchapter which are preceded by an asterisk; and
- (2) All classified articles enumerated in §121.1 of this subchapter.

§120.15 U.S. person:

U.S. person means a person (as defined in §120.14 of this part) who is a lawful permanent resident as defined by 8 U.S.C. 1101(a)(20) or who is a protected individual as defined by 8 U.S.C. 1324b(a)(3). It also means any corporation, business association, partnership, society, trust, or any other entity, organization or group that is incorporated to do business in the United States. It also includes any governmental (federal, state or local) entity. It does not include any foreign person as defined in §120.16 of this part.

§120.16 Foreign person:

Foreign person means any natural person who is not a lawful permanent resident as defined by 8 U.S.C. 1101(a)(20) or who is not a protected individual as defined by 8 U.S.C. 1324b(a)(3). It also means any foreign corporation, business association, partnership, trust, society or any other entity or group that is not incorporated or organized to do business in the United States, as well as international organizations, foreign governments and any agency or subdivision of foreign governments (e.g., diplomatic missions).

§120.17 Export:

(a) Except as set forth in §126.16 or §126.17, *export* means:

(1) An actual shipment or transmission out of the United States, including the sending or taking of a defense article out of the United States in any manner;

(2) Releasing or otherwise transferring technical data to a foreign person in the United States (a “deemed export”);

(3) Transferring registration, control, or ownership of any aircraft, vessel, or satellite subject to the ITAR by a U.S. person to a foreign person;

(4) Releasing or otherwise transferring a defense article to an embassy or to any of its agencies or subdivisions, such as a diplomatic mission or consulate, in the United States;

(5) Performing a defense service on behalf of, or for the benefit of, a foreign person, whether in the United States or abroad; or

(6) A launch vehicle or payload shall not, by reason of the launching of such vehicle, be considered an export for purposes of this subchapter. However, for certain limited purposes (see §126.1 of this subchapter), the controls of this subchapter may apply to any sale, transfer or proposal to sell or transfer defense articles or defense services.

(b) Any release in the United States of technical data to a foreign person is deemed to be an export to all countries in which the foreign person has held or holds citizenship or holds permanent residency.

§120.18 Temporary import:

Temporary import means bringing into the United States from a foreign country any defense article that is to be returned to the country from which it was shipped or taken, or any defense article that is in transit to another foreign destination. Temporary import includes withdrawal of a defense article from a customs bonded warehouse or foreign trade zone for the purpose of returning it to the country of origin or country from which it was shipped or for shipment to another foreign destination. Permanent imports are regulated by the Attorney General under the direction of the Department of Justice's Bureau of Alcohol, Tobacco, Firearms, and Explosives (see 27 CFR parts 447, 478, 479, and 555).

§120.19 Reexport:

(a) *Reexport*, except as set forth in §126.16 or §126.17, means:

(1) An actual shipment or transmission of a defense article from one foreign country to another foreign country, including the sending or taking of a defense article to or from such countries in any manner;

(2) Releasing or otherwise transferring technical data to a foreign person who is a citizen or permanent resident of a country other than the foreign country where the release or transfer takes place (a “deemed reexport”); or

(3) Transferring registration, control, or ownership of any aircraft, vessel, or satellite subject to the ITAR between foreign persons.

(b) Any release outside the United States of technical data to a foreign person is deemed to be a reexport to all countries in which the foreign person has held or holds citizenship or holds permanent residency.

§120.25 Empowered Official:

(a) *Empowered Official* means a U.S. person who:

(1) Is directly employed by the applicant or a subsidiary in a position having authority for policy or management within the applicant organization; and

(2) Is legally empowered in writing by the applicant to sign license applications or other requests for approval on behalf of the applicant; and

(3) Understands the provisions and requirements of the various export control statutes and regulations, and the criminal liability, civil liability and administrative penalties for violating the Arms Export Control Act and the International Traffic in Arms Regulations; and

(4) Has the independent authority to:

(i) Inquire into any aspect of a proposed export, temporary import, or brokering activity by the applicant;

(ii) Verify the legality of the transaction and the accuracy of the information to be submitted; and

(iii) Refuse to sign any license application or other request for approval without prejudice or other adverse recourse.

(b) For the purposes of a broker who is a foreign person, the empowered official may be a foreign person who otherwise meets the criteria for an empowered official in paragraph (a) of this section.

§120.41 Specially designed:

(a) Except for commodities or software described in paragraph (b) of this section, a commodity or software (see §120.45(f)) is specially designed if it:

(1) As a result of development, has properties peculiarly responsible for achieving or exceeding the controlled performance levels, characteristics, or functions described in the relevant U.S. Munitions List paragraph; or

(2) Is a part (see §120.45 (d)), component (see §120.45(b)), accessory (see §120.45(c)), attachment (see §120.45(c)), or software for use in or with a defense article.

(b) For purposes of this subchapter, a part, component, accessory, attachment, or software is not specially designed if it:

(1) Is subject to the EAR pursuant to a commodity jurisdiction determination;

(2) Is, regardless of form or fit, a fastener (e.g., screws, bolts, nuts, nut plates, studs, inserts, clips, rivets, pins), washer, spacer, insulator, grommet, bushing, spring, wire, or solder;

(3) Has the same function, performance capabilities, and the same or “equivalent” form and fit as a commodity or software used in or with a commodity that:

(i) Is or was in production (*i.e.*, not in development); and

(ii) Is not enumerated on the U.S. Munitions List;

(4) Was or is being developed with knowledge that it is or would be for use in or with both defense articles enumerated on the U.S. Munitions List and also commodities not on the U.S. Munitions List; or

(5) Was or is being developed as a general purpose commodity or software, *i.e.*, with no knowledge for use in or with a particular commodity (e.g., a F/A-18 or HMMWV) or type of commodity (e.g., an aircraft or machine tool).

§120.51 Retransfer:

(a) *Retransfer*, except as set forth in §126.16 or §126.17, means:

(1) A change in end use or end user, or a temporary transfer to a third party, of a defense article within the same foreign country; or

(2) A release of technical data to a foreign person who is a citizen or permanent resident of the country where the release or transfer takes place.

(b) [Reserved]

ABC CO. SHIPPER'S LETTER OF INSTRUCTIONS (SLI)

Password: SLI

1. USPPI Name: ABC CO.		3. Freight Location Company Name: ABC Chicago Branch		5. Forwarding Agent: XYZ Forwarders	
2. USPPI Address Including Zip Code: 0001 Somewhere Drive Somewhere, TX 07000		4. Freight Location Address (if not box #2): 0001 Somewhere else Drive Chicago, IL 06000		123 5th Avenue New York, NY 10000	
6. USPPI EIN (IRS) No: 36-100000	7. Related Party Indicator (select one): <input type="checkbox"/> Related <input checked="" type="checkbox"/> Non-Related				
8. USPPI Reference#: 10	9. Routed Export Transaction (select one): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
10. Ultimate Consignee Name & Address: The Government of Taiwan Someplace in Taiwan Drive Taipei, TW 20000		11. Ultimate Consignee Type (select one): <input type="checkbox"/> Direct Consumer <input checked="" type="checkbox"/> Government Entity <input type="checkbox"/> Reseller <input type="checkbox"/> Other/Unknown		12. Intermediate Consignee Name & Address: Nominated Foreign Customs Broker Taipei, Taiwan	
13. State of Origin: IL	16. In-Bond Code:		19. TIB / Carnet? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
14. Country of Ultimate Destination: Taiwan	17. Entry Number:				
15. Hazardous Material: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	18. FTZ Identifier:				

INSTRUCTIONS TO FORWARDER: Ocean Freight Quote#: XYZ00001 Yes No

20. Gross Weight (kilos) 890	21. SOLAS Certification <input checked="" type="checkbox"/>	By checking the Box 21 certification, I am certifying that the full shipment weight shown in box 20 is the Certified Gross Weight which may be added to the container tare weight and used as the Verified Gross Mass (VGM) under the Method 2 of the SOLAS VGM regulation which becomes effective July 1, 2016.
---------------------------------	--	---

22. Domestic or Foreign (D/F)	23. Schedule B / HTS Number and Commercial Commodity Description <small>For Vehicles: VIN/Year, Make, Model and Vehicle Title Number are required</small>	24. Quantity in Schedule B / HTS Units	25. DDTC Quantity and DDTC Unit of Measure	26. Shipping Weight (in Kilos)	27. ECCN, EAR99 or USML Category No.	28. S M E (Y/N)	29. Export License No., License Exception Symbol, DDTC Exemption No., DDTC ACM No. or NLR	30. Value at the Port of Export (US Dollars)	31. License Value by item (if applicable) (US Dollars)
D	Defense Item (Article)	1 Unit	1 Unit	200	VI	Y	050000000	\$100,000	\$100,000
D	Defense Item A	1 Unit	1 Unit	100	VI	N	050000000	\$48,000	\$48,000
D	Defense Item B & C	2 Lots	2 Lots	100	VI	N	050000000	\$165	\$165
D	Defense Item D	1 Lot	1 Lot	50	VI	N	050000000	\$80	\$80
D	Defense Item E	1 Lot	1 Lot	50	VI	N	050000000	\$100	\$100

32. DDTC Applicant Registration Number: M-0000	33. Eligible Party Certification:
34. <input type="checkbox"/> Check here if there are any remaining non-licensable Schedule B / HTS Numbers that are valued \$2500.00 or less and that do not otherwise require AES filing.	

35. Check here if the USPPI authorizes the above named forwarder to act as its true and lawful agent for purposes of preparing and filing the Electronic Export Information ("EEI") in accordance with the laws and regulations of the United States.

36. I certify that the statements made and all information contained herein are true and correct. I understand that civil and criminal penalties, including forfeiture and sale, may be imposed for making false and fraudulent statements herein., failing to provide the requested information or for violation of U.S. laws on exportation (13 U.S.C. Sec . 305; 22 U.S.C. Sec. 401, 18 U.S.C. Sec 1001, 50 U.S.C. app. 2410).

37. USPPI E-mail Address: mrिताrexpporter.com	38. USPPI Telephone No.: 000-123-6789
39. Printed Name of Duly authorized officer or employee: Mr. ITAR Exporter	
40. Signature:	41. Title: SHIPPING MANAGER
	42. Date: 11/21/2019

43. Check here to validate Electronic Signature. Electronic signatures must be typed in all capital letters in Box 39 in order to be valid.



APPROVE WITH PROVISOS

License Number: 050000000	Date Issued: 05/05/2019	Months Valid: 48
-------------------------------------	-----------------------------------	----------------------------

License is hereby granted to the applicant for the commodity described in the attached application to be permanently exported from the United States. This license may be revoked , suspended, or amended by the Secretary of State without prior notice whenever the Secretary deems such action advisable.

The United States Government position on this case consists of this 4 page decision memo and the attached 9 page application. Both must be present for the USG position to be valid.

The POC for this USG action is Captain Jack Sparrow, 202-100-7000, Csparrow@state.gov.

PROVISOS:

(U)This license replaces 050100000 which is now invalid and may not be utilized/shipped against. The provisions of 123.22(c)1-5 as applicable to the precedent authorization. A written statement confirming the applicant's understanding of this requirement must be uploaded into the case file of the precedent case.

(U) If this license contains redacted information below (e.g., Classified Text Removed), a complete copy of this license containing all provisos will be mailed under separate cover.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

(U)d. Txt discussions with Japan ARE authorized.

(U)e. Txt discussions with Singapore, Taiwan, and Thailand ARE NOT authorized. (Original from 050100000)

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

Classified Text Removed.

(U)12. The Defense item MUST be offered via FMS. (Original from 050100000)

(U)13. Release MUST be limited to this type of item. (Original from 050100000)

(U)14. The applicant MUST NOT offer, discuss, or release certain techniques/technique parameters. The applicant MAY release the ability/capability. (Original from 050100000)

(U)15. A plan MUST be submitted to the DoD no later than (NLT) 60 days prior to contract award. Written DoD (or designee) approval of the plan MUST be obtained prior to contract award.

(U)16. An updated plan that was delivered prior to the contract signature MUST be provided to the DoD (or designee) not later than 60 days after contract award.

(U)17. Testing MUST be completed NLT 120 days prior to the item being exported. Written DoD (or designee) concurrence of satisfactory testing MUST be obtained prior to system export.

(U)18. The following MUST NOT be discussed, offered or released:

(U)a. A certain capability of the defense item.

(U)b. The range of the defense item.

(U)c. Optimization of the defense item.

(U)d. Techniques and capabilities of the defense item.

(U)e. Multi-capabilities.

(U)f. Technical details on how the defense item functions.

(U)19. The applicant MUST inform the customer/end user that the system WILL NOT be sold as DCS.

(U)20. The applicant MUST NOT:

(U)a. Offer to training, advice, or assistance with the technicalities of this Defense Item.

(U)b. Offer training beyond operator and maintenance training.

(U)21. The Special Defense Article enumerated in line item no. 1 of this license is to be shipped via Air freight only. The item is not allowed to be exported via ocean carrier due to its sensitivity.

(U)22. The sensitivity of any system capable of the detection, interception, and/or recognition of the Special Defense Item No. 1 MUST NOT be discussed, offered, or released.

(U)23. The capability based upon the analysis of the sensitive characteristics MUST NOT be discussed, offered, or released. The restriction includes but is not limited to the following functions:

(U)a. Feature extraction: Any automated capability

(U)b. Feature matching: Any automated capability to match sensitivity

(U)c. Library augmentation: Any capability to record sensitivity

(U)24. The applicant MUST NOT discuss, offer, or release water sensor capabilities. Sensor applies to techniques designed to automatically combine information from two or more sensors for the purpose of supporting data.

(U)a. No improvement of the quality of the measurement results from the Special Defense item. No tampering with the Special Defense item. Item must return to the U.S. for any repair or upgrade.

(U)b. The combination of two or more on-board or off-board sensor's data to improve the sensitivity performance beyond that of either sensor. This combination is further subdivided in the following three categories: (Original from 050100000)

(U) 1. Transfer-The combination of established sensor tracks to improve sensitivity accuracy, sensor maintenance track interference reduction, or resistance to foreign item interference. (Original from 05100000)

(U) 2. Combined information-The combination of identification features from multiple sources to enhance to probability of correct sensitivity. (Original from 050100000)

(U) 3. Raw sensitivity-The combination of measurement data from two or more sensor to improve overall detection range or track performance. (Original from 050100000)

(U)c. Sensor management -The use of one sensor's data to improve another sensor or improve the process.
(Original from 050100000)

(U)d. Process management -The process use of tracking raw data to provide guidance information to an item or the use of an external item on a separate platform to provide control data to a system. (Original from 050100000)

(U)25. The applicant MUST NOT offer, discuss, or release Ranges and/or Coordinated Ranges. The applicant MUST NOT offer, discuss, or release techniques/technique parameters. (Original from 050100000)

(U)26. The applicant MUST NOT offer, discuss, or release any tactics, techniques, doctrine, rules of engagement/employment methods, and vulnerabilities MUST NOT be discussed, offered or released. (Original from 050100000)

(U)27. Software Source code, source level data and listings, software development manuals, software acceptance test procedures, and control documentation MUST NOT be discussed, offered or released. (Original from 050100000)

(U)28. Capabilities of the items and techniques, including the drawings, MUST NOT be discussed, offered or released.
(Original from 050100000)

(U)29. Depot-level maintenance MUST NOT be discussed, offered, or released. (Original from 050100000)

(U)30. Technical details on how the operational items work MUST NOT be discussed, offered or released. (Original from 050100000)

(U)31. Only final test reports on overall system effectiveness against foreign threats MAY be disclosed. Modeling, simulation or test data MUST NOT be disclosed. (Original from 050100000)

(U)32. Measurement accuracy MUST NOT be demonstrated, offered, or released. (Original from 050100000)

(U)33. The export of technology for paragraph x items is not permitted. (Original from 050100000)

(U)34. Certification is required in accordance with the Arms Transfer and Technology Release Senior Steering Group (ATTR SSG) Policy 2012-01, "Achieving and Maintaining Current Data Protection Certification of Exported Special Defense Articles". In the event that a Special Defense Article system is configured to prevent the acceptance of a US software download, as validated by the USG.

NSA, NSA may approve the sale in lieu of data protection validation and certification. The requirements in the Committee on National Security Systems Advisory Memorandum, Information Assurance 02-04 must be met.

UNITED STATES OF AMERICA DEPARTMENT OF STATE			
APPLICATION FOR PERMANENT EXPORT OF UNCLASSIFIED DEFENSE ARTICLES, RELATED TECHNICAL DATA, AND DEFENSE SERVICES			
1. Date Prepared	2. DDTC Registration Code	3. Country of Ultimate Destination	4. Probable Port of Exit from U.S.
03/05/2019	M-0000	SINGAPORE, THAILAND, TAIWAN, JAPAN	CHICAGO, IL
<p>5. Applicant</p> <p>Applicant Type: Manufacturer ABC Corporation</p> <p>Attention: Compliance Officer / EO</p> <p>0001 Somewhere Drive Somewhere, TX 07000 (000)123-4567 ext.123</p> <p>Subsidiary</p> <p>ABC Chicago Branch, Inc.</p> <p>Attention: Compliance Officer / EO</p> <p>0001 Somewhere else Street Chicago, IL 06000 (000)123-6789 ext. 0123</p>			
<p>6. U.S. Government Personnel (not PM/DDTC) Familiar with Commodity</p> <p>Captain Kirk USS Enterprise 500-123-4567 ext.</p>			
<p>7. Applicant Contact for Additional Information</p> <p>EmpoweredOfficial@ABC.com 000-123-4567 ext.</p>			
<p>8. Description of Transaction</p> <p>A. This Application represents only the unshipped balances under license 050100000</p> <p>B. This Application has related license # <input checked="" type="checkbox"/> was licensed to the country in Block 3 of the first page under license #</p>			

050100000

was licensed to other countries under license #

was returned without action under voided license #

was denied to the country in Block 3 of the first page under voided license #

C. This Application is in reference to agreement #

D. If the commodity is being financed under

Not Applicable

Foreign Military Sale

Foreign Military Financing

Grant Aid Program

E. This application is related to a disclosure filed with Defense Trade Controls Compliance No Yes

Item	9. Quantity	10. Commodity	11. USML Category	12. \$ Value
1	Quantity: 1 Unit Type: Unit	Special Defense Item Defense Article Type: Hardware	VI(f)5 Is a DSP-83 attached? Yes	\$100,000
2	Quantity: 10 Unit Type: Unit	Special Defense Item Part A Defense Article Type: Hardware	VI(f)6 Is a DSP-83 attached? No	\$50,000
3	Quantity: 1 Unit Type: Lots	Special Defense Item Part B Defense Article Type: Hardware	VI(f)6 Is a DSP-83 attached? No	\$100

4	Quantity: 1 Unit Type: Lots	Special Defense Item Part C Defense Article Type: Hardware	VI(f)6 Is a DSP-83 attached? No	\$100
5	Quantity: 1 Unit Type: Lots	Special Defense Item Part D Defense Article Type: Hardware	VI(f)6 Is a DSP-83 attached? No	\$100
6	Quantity: 1 Unit Type: Lots	Special Defense Item Part E Defense Article Type: Hardware	VI(f)6 Is a DSP-83 attached? No	\$100
7	Quantity: 1 Unit Type: Lots	Special Defense Item Part F Defense Article Type: Hardware	VI(x) Is a DSP-83 attached? No	\$100

8	Quantity: 1 Unit Type: Lots	Special Defense Item Part G Defense Article Type: Hardware	VI(f)6 Is a DSP-83 attached? No	\$100
13. Total Value				\$156,000
<p>14. Foreign End-User</p> <p>The Government of Singapore Someplace in Singapore Drive (this and all other locations) Singapore, SN 200000</p> <p>The Government of Taiwan Someplace in Taiwan Drive Taipei, TW 200000</p> <p>The Government of Thailand Someplace in Thailand Drive Bangkok, TH 000001</p>				
<p>15. Manufacturer of Commodity</p> <p>ABC Corporation 0001 Somewhere Drive Somewhere, TX 07000 (000)123-4567 ext.123</p>				
<p>16. Foreign Consignee</p> <p>XYZ Company Ltd. 6000 Somewhere Road District 12 Bangkok, TH 10000</p> <p>Mr. 2 Pac / System Engineer No.12, Ln. 000, Sec. 0, The Capitol, Taipei, TW 20000</p> <p>Foreign Company, Inc. 00/F -0, NO. 001 S. Road Sec. 1 Taipei, TW 20000</p> <p>Singapore Company 1 001 North Street Singapore, SN 30000</p>				

Mr. Bruce Banner / Scientist
 010 Genius Ave. Level 1
 Tokyo, JP 40000

Mrs. Ally McBeal / Legal Counsel
 001 Regulatory Road
 Singapore, SN 30000

Research Company 1 International, Inc.
 00th Floor Rd Sec. 1
 Tokyo, JP 40000

Everything Legal Law Firm
 Singapore Road
 Singapore, SN 30000

Mr. Spock / Engineer
 10 Beam Me Up Road
 Taipei, TW 20000

Stark Engineering Co.
 93rd Floor, Stark Tower, 01 Stark Industries Road
 Taipei, TW 20000

Taiwan Naval Forces
 Deep Sea Road, 201
 Taipei, TW 20000

Japan Naval Base
 10000 Leagues Under the Sea Road
 Okinawa, JP 40000

17. Source of Commodity

ABC Corporation
 0001 Somewhere Drive
 Somewhere, TX 07000
 (000)123-4567 ext.123

18. Foreign Intermediate Consignee

Nominated Foreign Customs Broker
 in each listed country.

19. U.S. Seller

ABC Corporation
 0001 Somewhere Drive
 Somewhere, TX 07000
 (000)123-4567 ext.123

20. Specific Purpose

- Off-Shore procurement
- Brokering (22 CFR 129)
- Request for Prior Approval (22 CFR 126.8)
- Other

This application is being submitted as a Proviso Reconsideration of DSP-5 License 0501000000. No changes have been made to this license application as this is a replacement authorization. The original purpose description of the license was for the Permanent Export of Unclassified Special Defense Article for testing in the named Vessel to various Asian Ministries of Defense in the various countries listed on this license.

21. U.S. Consignor/Freight Forwarder

Nominated Freight Forwarder (and all other U.S. offices)
0001 Popular Fwdr Avenue, Someplace, TN 90000

Another Freight Forwarder
12345 Some Road (and all other US offices)
Someplace, GA 20000

22. Applicant's Statement

I, The Co EO's Name, an empowered official (22 CFR 120.25) or an official of a foreign government entity in the U.S., hereby apply for a license to complete the transaction described above; warrant the truth of all statements made herein; and acknowledge, understand and will comply with the provisions of 22 CFR 120-130, and any conditions and limitations imposed.

I am authorized by the applicant to certify the following in compliance with 22 CFR 126.13:

(1) Neither the applicant, its chief executive officer, president, vice presidents, other senior officers or officials (e.g., comptroller, treasurer, general counsel) nor any member of its board of directors is:

(a) the subject of an indictment for or has been convicted of violating any of the U.S. criminal statutes enumerated in 22 CFR 120.27 since the effective date of the Arms Export Control Act, Public Law 94-329, 90 Stat. 729 (June 30, 1976); or

(b) ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from any agency of the U.S. Government;

(2) To the best of the applicant's knowledge, no party to the export as defined in 22 CFR 126.7(e) has been convicted of violating any of the U.S. criminal statutes enumerated in 22 CFR 120.27 since the effective date of the Arms Export Control Act, Public Law 94-329, 90 Stat. 729 (June 30, 1976); or is ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from any agency of the U.S. Government; and

22 CFR 126.13 Certification

- a. I am authorized by the applicant to certify that the applicant and all the parties to the transaction can meet in full the conditions of 22 CFR 126.13 as listed above.
- b. I am authorized by the applicant to certify to 22 CFR 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR 126.13 as listed above. A request for an exception to policy, as described in 22 CFR 127.11 of the ITAR, is attached.
- c. I am authorized by the applicant to certify to 22 CFR 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR 126.13 as listed above. However that party has met the conditions imposed by the Directorate of Defense Trade Controls in order to resume standard submission of applications, not requiring an exception to policy as described in 22 CFR 127.11 of the ITAR.
- d. I am not authorized by the applicant to certify the conditions of 22 CFR 126.13. The applicant and all the parties to the transaction can meet in full the conditions of 22 CFR 126.13 as listed above. Please see the attached letter from an official that is authorized by the applicant to certify to the conditions of 22 CFR 126.13.
- e. I am not authorized by the applicant to certify the conditions of 22 CFR 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR 126.13 as listed above. A request for an exception to policy, as described in 22 CFR 127.11 of the ITAR, and a letter from an official that is authorized by the applicant to certify to the conditions of 22 CFR 126.13 are attached.
- f. I am not authorized by the applicant to certify to 22 CFR 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR 126.13 as listed above. However that party has met the conditions imposed by the Directorate of Defense Trade Controls in order to resume standard submission of applications, not requiring an exception to policy as described in 22 CFR 127.11 of the ITAR. Please see the attached letter from an official that is authorized by the applicant to certify to the conditions of 22 CFR 126.13.

Compliance with 22 CFR 130

- This transaction does not meet the requirements of 22 CFR 130.2.
- This transaction meets the requirements of 22 CFR 130.2. The applicant or its vendors have not paid, nor offered, nor agreed to pay, in respect of any sale for which a license or approval is requested, political contributions, fees or commissions in amounts as specified in 22 CFR 130.9(a).
- The applicant or its vendors have paid, or offered, or agreed to pay, in respect of any sale for which a license or approval is requested, political contributions, fees or commissions in amounts as specified in 22 CFR 130.9(a). Information required under 22 CFR 130.10 is attached.
- I am not authorized by the applicant to certify the conditions of 22 CFR 130.9(a). Please see the attached letter for such certification.

CONDITIONS OF ISSUANCE

1. This license is issued under the conditions cited in 22 CFR 120-130, including the conditions and limitations as applicable, that:
 - A. It shall not be construed as implying U.S. Government approval or commitment to authorize future

exports of any defense article (hardware or technical data) on the U.S. Munitions List (USML), or a U.S. Government commitment with regard to any proposed manufacturing license, technical assistance or distribution agreement that may result from a license or other approval.

B. If a license is issued for technical data only, it does not authorize the export of any hardware; if a license is issued for hardware only, it does not authorize the export of any technical data, unless specifically authorized by an exemption.

C. The issuance of this license does not release the applicant, or anyone acting on their behalf, from complying with other requirements of U.S. law and regulations.

D. This transaction may be subject to end-use monitoring by the United States Government.

2. The prior written approval of the Department of State, Directorate of Defense Trade Controls, must be obtained before USML defense articles exported from the U.S. using a license or other approval, to include an ITAR exemption, may be resold, transferred, diverted, transshipped, re-exported to, or used in any country, or by any end user or for any end use, other than that described on the license or other approval.

DISPOSITION OF LICENSE

The final disposition of this license shall be in accordance with 22 CFR 123.22(c).

ENDORSEMENT

Indicate below which COMMODITY is BEING EXPORTED and maintain a CONTINUING BALANCE of the remaining value:

SHIPMENT DATE	QUANTITY	COMMODITY	SHIPMENT VALUE	XTN/ITN	INITIALS	PORT OF EXIT/ENTRY
TOTAL AUTHORIZED VALUE:						

REMAINING BALANCE:

NOTE: Continuation of additional shipments must be authenticated by use of continuation sheets in the U.S. Customs handbook.

EXAMPLE

COMMERCIAL INVOICE

ABC CO.	INVOICE NO.: 00000010	INVOICE DATE: 21-November-2019	SHIP DATE:
	SHIPMENT NO.: CHITPE123456	CURRENCY: USD	SHIPPING TO: TAIWAN
	Incoterms: FCA Chicago, IL	PAYMENT TERMS:	30 Days

SHIP FROM/SHIPPER: ABC Chicago Branch, Inc. 0001 Somewhere else Street Chicago, IL 06000 Contact Information : Name: Mr. ITAR Exporter Email: mritarexporter.com	SHIP TO/CONSIGNEE: The Government of Taiwan Someplace in Taiwan Drive Taipei, TW 200000 Contact Information : Name: Captain Marvel Email: Captainmarvel@govoftaiwan.com	Phone#: 000-123-6789 Mobile#:	Phone#: 123-456-78910 Mobile#:
--	---	--	---

FREIGHT FORWARDER/CARRIER: Nominated Freight Forwder 0001 Popular Fwdr Ave (and all other US locations) Someplace, TN, UNITED STATES, 90000 Carrier Tracking Number: ABCDEFG	FOREIGN CONSIGNEE: Mr. Nick Fury / Consultant Avengers Group Consulting Firm 456 Avengers Road Keelung, Taiwan 20000
---	---

NOTIFY PARTY: Nominated Foreign Customs Broker Taipei, Taiwan	INSTRUCTIONS: Air Freight Only
--	--

INV. ITEM:	DESCRIPTION/PART NUMBER:	HTS NUMBER:	QTY:	UOM:	UNIT PRICE:	LINE ITEM TOTAL:
1	Part No: XYZ123 Country of Origin: US Descr: Defense Item Part A	9020008000	1	UNIT	48000.00	48000.00
2	Part No: XYZ234 Country of Origin: US Descr: Defense Item Part B	6506100090	1	LOT	100.00	100.00
3	Part No: XYZ345 Country of Origin: TW Descr: Defense Item Part C	6506100090	1	LOT	65.00	65.00

DESTINATION CONTROL STATEMENT

These items are controlled by the U.S. Government and authorized for export only to the country of ultimate destination for use by the ultimate consignee or end-user(s) herein identified. They may not be resold, transferred, or otherwise disposed of, to any other country or to any person other than the authorized ultimate consignee or end-user(s), either in their original form or after being incorporated into other items, without first obtaining approval from the U.S. government or as otherwise authorized by U.S. law and regulations.

I declare that this Invoice shows the actual price of the goods described and that all particulars are true and correct.

COMMERCIAL INVOICE

ABC CO.	INVOICE NO: 00000010	INVOICE DATE: 21-November-2019	SHIP DATE:
	SHIPMENT NO.: CHITPE123456	CURRENCY: USD	SHIPPING TO: TAIWAN
	Incoterms: FCA Chicago, IL	PAYMENT TERMS:	30 Days

INV. ITEM:	DESCRIPTION/PART NUMBER:	HTS NUMBER:	QTY:	UOM:	UNIT PRICE:	LINE ITEM TOTAL:
4	Part No: XYZ456 Country of Origin: US Descr: Special Defense Article	6217900000	1	UNIT	100,00.00	100,00.00
5	Part No: XYZ567 Country of Origin: US Descr: Defense Item Part D	6211430000	1	LOT	80.00	80.00
6	Part No: XYZ678 Country of Origin: US Descr: Defense Item Part E	6211430000	1	LOT	100.00	100.00
7	Part No: XYZ789 Country of Origin: US Descr: Defense Item Part F	9020008000	5	LOT	20.00	100.00
8	Part No: XYZ890 Country of Origin: US Descr: Defense Item Part G	6216000900	1	LOT	100.00	100.00
9	Part No: XYZ901 Country of Origin: US Descr: Replacement Item Part H	6401927000	1	LOT	7550.00	7550.00
TOTAL INVOICE VALUE IN USD:					\$156,095.00	

DESTINATION CONTROL STATEMENT

These items are controlled by the U.S. Government and authorized for export only to the country of ultimate destination for use by the ultimate consignee or end-user(s) herein identified. They may not be resold, transferred, or otherwise disposed of, to any other country or to any person other than the authorized ultimate consignee or end-user(s), either in their original form or after being incorporated into other items, without first obtaining approval from the U.S. government or as otherwise authorized by U.S. law and regulations.

I declare that this Invoice shows the actual price of the goods described and that all particulars are true and correct.

Sensitive Information

Electronic Export Information

ITN: X20191121201901

XTN: 3600001000

Status: Draft

Filing Option: 2 - PREDEPARTURE

1a. U.S. PRINCIPAL PARTY (USPPI)		b. USPPI EIN (IRS) or ID Number	
c. RELATED PARTIES TO TRANSACTION		2a. DATE OF EXPORTATION	
b. ITN CREATED		c. ITN LAST UPDATED	
3. TRANSPORTATION REFERENCE NO.		EQUIPMENT NUMBER(S)	SEAL NUMBER(S)
4a. ULTIMATE CONSIGNEE NAME, ADDRESS AND TYPE ULTIMATE CONSIGNEE TYPE: b. INTERMEDIATE CONSIGNEE NAME AND ADDRESS		5a. FORWARDING AGENT NAME AND ADDRESS b. FILER NAME AND ADDRESS	
6. STATE OF ORIGIN/FTZ NO.		7. COUNTRY OF ULTIMATE DESTINATION	
8. METHOD OF TRANSPORTATION		9. EXPORTING CARRIER/CONVEYANCE NAME	
10. PORT OF EXPORT		11. PORT OF UNLADING	12. CONTAINERIZED (<i>Vessel Only</i>)
13. CARRIER IDENTIFICATION CODE		14. SHIPMENT REFERENCE NO.	
15. ENTRY NUMBER		16. HAZARDOUS MATERIALS	
17. IN BOND CODE		18. ORIGINAL ITN	
19. ROUTED EXPORT TRANSACTION			

20. SCH B/HTS DESCRIPTION of COMMODITIES

a. LINE SEQ NBR	b. D/F	c. SCHEDULE B/HTS NUMBER	d. QUANTITY - UNIT(S)	e. SHIPPING WEIGHT (KG)	f. VIN/PRODUCT NUMBER/VEHICLE TITLE NUMBER	g. VALUE (U.S. Dollars, omit cents) <i>Selling price or cost if not sold</i>
-----------------	--------	--------------------------	-----------------------	-------------------------	--	--

LINE	D/F	DESCRIPTION OF COMMODITY/HTS	QTY UNITS	KGS	PRODUCT NUMBER	VALUE (USD)
1.	D	<p>9mm GLOCK 9GS PISTOL</p> <p>EXPORT INFO CODE: OS HTS: 000145679</p> <p>LICENSE NUMBER: 0506000001 LICENSE VALUE: 700.00 LICENSE CODE: S5 LICENSE AGENCY CODE: DDTC REGISTRATION NUMBER: M-1234 QUANTITY: 1 UOM: PIECE USML CATEGORY CODE: II SIGNIFICANT MILITARY EQUIPMENT INDICATOR: Y</p> <p>EPA REQUIRED: NO</p>	1 PC	1 kg	SERIAL NO: 1234	\$ 700.00
2.	D	<p>9mm GUN CASE (PLASTIC)</p> <p>EXPORT INFO CODE: OS HTS: 000145678</p> <p>LICENSE NUMBER: NLR LICENSE VALUE: - LICENSE CODE: - LICENSE AGENCY CODE: - REGISTRATION NUMBER: - QUANTITY: 1 UOM: PIECE USML CATEGORY CODE: - SIGNIFICANT MILITARY EQUIPMENT INDICATOR: N</p> <p>EPA REQUIRED: NO</p>	1 PC	1 kg		\$ 40.00
3.		<p>EXPORT INFO CODE: OS HTS:</p> <p>LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: SIGNIFICANT MILITARY EQUIPMENT INDICATOR:</p> <p>EPA REQUIRED:</p>				
4.		<p>EXPORT INFO CODE: OS HTS:</p> <p>LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: SIGNIFICANT MILITARY EQUIPMENT INDICATOR:</p> <p>EPA REQUIRED:</p>				

Sample

Sample

LINE	%	DESCRIPTION OF COMMODITY / HTS	QTY UNITS	KGS	PRODUCT NUMBER	VALUE (USD)
5		EXPORT INFO CODE: OS HTS: LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: SIGNIFICANT MILITARY EQUIPMENT INDICATOR: EPA REQUIRED:				
6		EXPORT INFO CODE: OS HTS: LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: SIGNIFICANT MILITARY EQUIPMENT INDICATOR: EPA REQUIRED:				
7		EXPORT INFO CODE: OS HTS: LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: 14 SIGNIFICANT MILITARY EQUIPMENT INDICATOR: Y EPA REQUIRED: NO				
8		EXPORT INFO CODE: OS HTS: LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: SIGNIFICANT MILITARY EQUIPMENT INDICATOR: EPA REQUIRED:				

LINE	%	DESCRIPTION / HTS	QTY UNIT	Kgs	PRODUCT NUMBER	VALUE (USD)
9		<p>EXPORT INFO CODE: OS HTS:</p> <p>LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: SIGNIFICANT MILITARY EQUIPMENT INDICATOR:</p> <p>EPA REQUIRED:</p>				
10		<p>EXPORT INFO CODE: OS HTS:</p> <p>LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: SIGNIFICANT MILITARY EQUIPMENT INDICATOR:</p> <p>EPA REQUIRED:</p>				
11		<p>EXPORT INFO CODE: OS HTS:</p> <p>LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: SIGNIFICANT MILITARY EQUIPMENT INDICATOR:</p> <p>EPA REQUIRED:</p>				
12		<p>EXPORT INFO CODE: OS HTS:</p> <p>LICENSE NUMBER: LICENSE VALUE: LICENSE CODE: LICENSE AGENCY CODE: REGISTRATION NUMBER: QUANTITY: UOM: USML CATEGORY CODE: SIGNIFICANT MILITARY EQUIPMENT INDICATOR:</p> <p>EPA REQUIRED:</p>				

Sensitive Information

Do not submit printout to Customs



**TO: U.S CUSTOMS AND BORDER PROTECTION
ATTN: ATA CARNET DESK**

DATE: _____

CARNET#: _____

IT# / PORT / DATE: _____

MAWB: _____

HAWB: _____

VESSEL/FLT: _____

PCS/WEIGHT: _____

VALUE (USD): _____

LOCATION: _____

COMMODITY: _____

CUSTOMS RELEASED BY: _____

DATE OF RELEASE: _____


PREPARED BY: _____ **REFERENCE#:** _____


RETURN ORIGINAL CARNET TO:


A.T.A. CARNET/ CARNET A.T.A.


CARNET No./Carnet N°

US 89/08-SAMPLE

EXPORTATION	EXPORTATION	1. The goods described in the General List under Item No(s). Les marchandises énumérées à la liste générale sous le(s) N°(s) _____		have been exported. ont été exportées				
		2. Final date for duty-free re-importation Date limite pour la réimportation en franchise		<table border="1"> <tr> <td>year / année</td> <td>month / mois</td> <td>day / jour</td> <td>/</td> <td>/</td> </tr> </table>		year / année	month / mois	day / jour
year / année	month / mois	day / jour	/	/				
3. Other remarks* / Autres mentions*		7. 						
Counterfoil No. Souché N°		Signature and Stamp Signature et timbre						
1		4. Customs Office Bureau de douane	5. Place Lieu	6. Date (year/month/day) Date (année/mois/jour)				

REIMPORTATION	REIMPORTATION	1. The goods described in the General List under Item No(s). Les marchandises énumérées à la liste générale sous le(s) N°(s) _____		which were temporarily exported under cover of exportation voucher(s) No(s). exportées temporairement sous couvert du (des) volet(s) d'exportation N°(s) _____		of this Carnet have been re-imported*. du présent carnet ont été réimportées*	
		2. Other remarks* / Autres mentions*		6. 			
Counterfoil No. Souché N°		Signature and Stamp Signature et timbre					
1		3. Customs Office Bureau de douane	4. Place Lieu	5. Date (year/month/day) Date (année/mois/jour)			

EXPORTATION	EXPORTATION	1. The goods described in the General List under Item No(s). Les marchandises énumérées à la liste générale sous le(s) N°(s) _____		have been exported. ont été exportées				
		2. Final date for duty-free re-importation Date limite pour la réimportation en franchise		<table border="1"> <tr> <td>year / année</td> <td>month / mois</td> <td>day / jour</td> <td>/</td> <td>/</td> </tr> </table>		year / année	month / mois	day / jour
year / année	month / mois	day / jour	/	/				
3. Other remarks* / Autres mentions*		7. 						
Counterfoil No. Souché N°		Signature and Stamp Signature et timbre						
VOID		4. Customs Office Bureau de douane	5. Place Lieu	6. Date (year/month/day) Date (année/mois/jour)				

REIMPORTATION	REIMPORTATION	1. The goods described in the General List under Item No(s). Les marchandises énumérées à la liste générale sous le(s) N°(s) _____		which were temporarily exported under cover of exportation voucher(s) No(s). exportées temporairement sous couvert du (des) volet(s) d'exportation N°(s) _____		of this Carnet have been re-imported*. du présent carnet ont été réimportées*	
		2. Other remarks* / Autres mentions*		6. 			
Counterfoil No. Souché N°		Signature and Stamp Signature et timbre					
VOID		3. Customs Office Bureau de douane	4. Place Lieu	5. Date (year/month/day) Date (année/mois/jour)			

*If applicable/ *Si y a lieu

N2 (04/04)

DO NOT REMOVE FROM THE CARNET / NE PAS DÉTACHER DU CARNET

FOR USE BY U.S. CUSTOMS (COUNTRY OF TEMPORARY EXPORTATION) / RÉSERVÉ À LA DOUANE (PAYS D'EXPORTATION TEMPORAIRE)