

**SUBJECT: Annual International Traffic in Arms Section 129.9  
Brokering Report Reminder Notice**

Section 38(b)(1)(A)(ii) of the Arms Export Control Act (22 U.S.C. 2778) and Part 129 of the International Traffic in Arms Regulation (ITAR) provide that every person engaged in the business of brokering activities shall register and pay a registration fee and that no person may engage in the business of brokering activities without a license that is issued in accordance with the Act. Section 129.9 of the ITAR requires an annual report of brokering activities to be submitted to the Office of Defense Trade Controls Compliance, Compliance and Registration Division from any person required to register under Part 129. Letters requesting this report are being mailed to all brokers with valid registration codes during calendar year 2008.

This notice is a reminder that the report is due on **January 31, 2009**. This report is due for all those who had current registrations during 2008. This also serves as a reminder that those who have not yet renewed registrations expiring in 2008 should do so as soon as possible. If you are no longer in the business you must notify this Office in writing of your change in status.

The annual broker report must enumerate and describe your brokering activities by quantity, type, U.S. dollar value, purchaser(s) and recipient(s), license(s) numbers for approved activities and any exemptions utilized for other covered activities. Brokers should submit a report whether they have conducted brokering activities or not. Remember brokering activities may occur whether it results in a sale or not, or consideration has been paid.

When providing the information, please ensure that it is specific to your brokering activities and not the subsequent export activities that may have or will occur. The following is provided to assist you in preparing your report.

- Quantity and type of brokering activity. You should list the name(s) of the defense articles involved and applicable U.S. Munitions List (ITAR Section 121.1) category(ies) under which they are covered and the quantity and describe the nature of the defense articles or defense services involved.

- U.S. dollar value of brokering activity. You should state the U.S. dollar value of the consideration paid or to be paid to you and the basis for the amount paid for each brokering activity (e.g., 5% of the value of the defense articles sold or to be sold)) and, for clarification, list the person(s) on whose behalf you performed each brokering activity.
- Names and addresses of the purchaser(s) and recipient(s) involved in the brokering activity. You should list the names and addresses of the seller, transferor, manufacturer and/or provider of such defense articles and/or defense services involved in each brokering activity.
- The authority under which the brokering activities were conducted. If the authorization used was a license or other written authorization (see ITAR Sections 129.7(b)(1) or 129.7(b)(2)) issued by the Office of Defense Trade Controls Licensing (DTCL)) you should list the DTCL approval number and the date issued. If the authorization used for the brokering activity was an ITAR exemption, list the exemption citation that was used (e.g., ITAR Section 129.6(b)(2)).

Submit two copies of your report, under cover of a transmittal letter signed by an authorized senior officer that includes your registration code number. There is no specified format for this report at this time, provided all required information is included. Mail the report to:

Office of Defense Trade Controls Compliance  
Compliance & Registration Division  
Attention: 2008 Annual Brokering Report  
2401 E Street, NW, Suite 1304  
Washington, DC 20522

Please note that failure to provide the required report and making false statements in the report or omitting material facts may be subject to criminal and civil penalties. (See Sections 127.1(d), 127.2 and 127.3 of the ITAR and 18 U.S.C. 1001.) If you have any questions, please send a facsimile letter to (202) 261-8198, to the attention of BROKERING ANNUAL REPORT.