



# **COMPLYING WITH ITAR CONTROLS**

## **LICENSE REVIEW PROCESS**

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# AGENDA



- Division Structure
- Case Assignment Process
- Review Criteria
- Referral Process
- Final Review and Issuance
- DDTC and Customs



# DDTC LICENSING DIVISIONS



**Division 3 (D3) – Space, Missile, and  
Sensor Systems**  
**Catherine Hamilton, Chief**

**IV, V, XII, XV**

**Division 4 (D4) – Electronic and  
Training Systems**  
**Angela Brown, Chief**

**IX, XI, XIII, XVI-XVIII,  
XXI**

**Division 5 (D5) – Sea, Land, and Air  
Systems**  
**Robert Warren, Chief**

**II, VI, VII, VIII, XIX, XX**

**Division 6 (D6) – Light Weapons and  
PPE Systems**  
**Chuck Schwingler, Chief**

**I, III, X, XIV**



# DIVISION STRUCTURE



## Division Chief

- Case Assignment
- Team Management

## Licensing Officers

- Case Adjudication
- Special Projects/Assignments



# CASE ASSIGNMENT



D-TRADE automatically assigns to a Division based on USML category

- Review all applicable ECR Federal Reg. Notices
- Be attentive in assigning USML category

Division Chief assigns to Licensing Officer for adjudication

- Administrative Review
- Regulatory Review



# REVIEW CRITERIA



## Administrative Review

- Support Documentation
  - Purchase Order, End-Use Statement, etc.
  - DSP-83 for SME
- Verify Registration Code – Subsidiary
- Verify USML category
- Part 130 statement/Eligibility
- No P.O. Boxes
- Seller/Applicant are the Same
- All Required Blocks are Filled



# REVIEW CRITERIA



## Regulatory Review

- Hold/No Hold
- Transaction Flow
  - Review Supporting Documentation
  - Match With Application – Possible RWA
    - Commodity - Quantity/Price
    - Foreign Parties
    - Destination Country – 126.1, Embargo.
    - Stated End-Use and End-User
  - Review Purpose For Explanation
  - Review Precedent Licenses
    - Important for Staffing Purposes

***Note: Precedent cases must have the same USML Category(ies)***



# REGULATORY REVIEW



## Regulatory Review (cont'd)

- Foreign Policy
- National Security
- Regional Stability
- Human Rights Policy
- Multilateral Regimes



# REFERRAL PROCESS



## Department of State

- Foreign Policy – Country Desk Office (e.g. EAP, NEA)
- Regional Stability – PM/RSAT
- Human Rights Policy – DRL

## Department of Defense (DoD)

- National Security
- Technical Review
- Regime Compliance (MTEC)



# REFERRAL PROCESS



## Other U.S. Government Agencies

- NASA – Space-related applications
- Department of Energy – Nuclear-related applications

## **Please note!**

- Referral points have 15 days to reply
- DoD has no time limit for review
- Check your case status at:  
<http://elisa.dtsa.mil/>



# REVIEW BENCHMARKS



## 45 Days

- Open cases reviewed weekly with Deputy Director of Licensing

## 60 Days

- Open cases briefed to the Director of Defense Trade Controls Licensing



# FINAL REVIEW AND ISSUANCE



Licensing Officer reviews case with recommendation of other agencies and determines final disposition of cases:

- Approve
- Approve with provisos
- Return Without Action (RWA)
- Deny



# DDTC AND CUSTOMS



Daily transfers to U.S. Customs and Border Protection (CBP) are provided on all approved applications

Automated Export System (AES) information is supplied to DDTC to track shipments



# HELPFUL LINKS



- Getting Started with Defense Trade:  
[http://www.pmdddtc.state.gov/documents/ddtc\\_getting\\_started.pdf](http://www.pmdddtc.state.gov/documents/ddtc_getting_started.pdf)
- Defense Trade FAQs:  
<http://www.pmdddtc.state.gov/faqs/index.html>
- License Review Checklists:  
[http://www.pmdddtc.state.gov/licensing/documents/License\\_Review\\_Ch\\_ecklists.pdf](http://www.pmdddtc.state.gov/licensing/documents/License_Review_Ch_ecklists.pdf)
- DDTC Staffing Acronyms:  
<http://www.pmdddtc.state.gov/documents/DDTC%20Acronyms%208-22-2011.pdf>
- Dtrade Data Entry Tips:  
[http://www.pmdddtc.state.gov/DTRADE/documents/Guidelines\\_CompletingDSPForms.pdf](http://www.pmdddtc.state.gov/DTRADE/documents/Guidelines_CompletingDSPForms.pdf)



# QUESTIONS?