
Great Idea Form

Requirement Summary

GIF #:	CSPO-GIF-960	Status:	Pending Review	Submit Date:	August 7, 2009
Title:	ACT-829-A2.4-Submitting ITAR Exemptions via ACE				

Origination

Requirement Initiator:	Stuart Schmidt
Initiator Email:	Schmidt.stuart@ups.com
Initiator Phone:	440-816-3930
Sponsor:	James Swanson

Source:

Source:
Trade Request

Business Sponsor

Business Office:	Office of Information and Technology
Executive Director for the Business	Lou Samenfink

Office:	
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CSPO Planning

Change to CSPO System?	
Change Planned?	Where/When Planned?
Assign to System: ACE	Assign to Release/Delivery: A2.4

Requirements Description

Business Area:	Cargo Release/Entry Summary
Request Type:	Process/Security Improvement
Impacts Trade?	Yes
Description of Change:	<p>The trade requests the ability to transmit International Trade in Arms Regulations (ITAR) exemptions via ACE cargo release and entry summary. This information should then be available to filers of Shippers Export Declarations when they reference the import entry number. Currently the broker is required to override a paperless release and submit documents to the port of entry to register the import exemption. If the goods are subsequently exported, the shipper must prove that the goods were in the US via the exemption by submitting copies of the import paperwork. This manual processing causes delays and unnecessary work for both the trade and CBP.</p> <p>The electronic submission of the exemption code would allow CBP to apply automated targeting to these data points. This would improve security and tracking of these items for both the importation and exportation of the goods.</p>

A list of the commonly used import exemptions is being provided for convenience. This list may not be all inclusive. The trade would like the ability to transmit the code only. For example, 22CFR123.4a1. CBP should allow for the field to be large enough to accept the correct format. Some of the regulations are case sensitive as shown above. A lower case "A" may appear as an upper case letter, and CBP will need to allow slight deviations from the actual citation due to the limitations. Also, the format may or may not include the parenthesis () separating the fields. If included, additional field space will need to be allocated.

DDTC ITAR Exemption Codes	DDTC ITAR EXEMPTION CODE DESCRIPTION
123.4A1	22 CFR 123.4 (a) (1) Temporary import of U. S. - origin defense items for servicing, inspection, testing, calibration, repair, overhaul, reconditioning, or one-to-one replacement of defective items.
123.4A2	22 CFR 123.4 (a) (2) Temporary import of U.S. - origin defense item to be enhanced, upgraded, or incorporated into another item which the permanent export has been authorized by Directorate of Defense Controls.
123.4A3	22 CFR 123.4 (a) (3) Temporary import of U.S. - origin defense items for demonstration or marketing.
123.4A4	22 CFR 123.4 (a) (4) Temporary import of U.S. - origin defense items which have been rejected for permanent import by Treasury.
123.4A5	22 CFR 123.4 (a) (5) Temporary import of U.S. - origin defense items approved for import under Foreign Military Sales Program.
123.4B	22 CFR 123.4 (b) Temporary import but not subsequent export of item incorporated into another article.
123.6	22 CFR 123.6 From the United States to foreign trade zone or Customs bonded warehouse.
123.9E	22 CFR 123.9 (e) Re-export or retransfer of U.S. - origin items incorporated into foreign defense article to a government of a NATO country or the governments of Australia or Japan.

123.16B2	22 CFR 123.16 (b) (2) Components or spare parts less than \$500.
123.16B3	22 CFR 123.16 (b) (3) Packing cases for defense articles.
123.16B4	22 CFR 123.16 (b) (4) Models and mock-ups.
123.17A	22 CFR 123.17 (a) Components and parts for Category I (a) firearms not exceeding \$100 wholesale.
123.18A2	22 CFR 123.18 (a) (2) Non-automatic firearms for personal use by member of U.S. Armed Forces or civilian employee of Department of Defense.
123.18A3	22 CFR 123.18 (a) (3) Non-automatic firearms for personal use by U.S. Government employees.
123.18B	22 CFR 123.18 (b) Not more than 1,000 cartridges of ammunition for personal use by U.S. Government employees.
123.19	22 CFR 123.19 Canadian and Mexican border shipments.
124.2A	22 CFR 124.2 (a) Training in basic operation and maintenance of defense articles authorized for export to the same recipient.
124.2B	22 CFR 124.2 (b) Defense services performed by U.S. persons drafted into military force of a foreign nation.
124.2C	22 CFR 124.2 (c) Maintenance training or performance training to NATO countries, Australia, Japan, and Sweden.
124.3A	22 CFR 124.3 (a) Unclassified technical data within scope of an approved manufacturing license or technical assistance agreement.
124.3B	22 CFR 124.3 (b) Classified technical data in furtherance of an approved manufacturing license or technical assistance agreement.
125.2B	22 CFR 125.2 (b) Technical data for foreign filing of patent application not exceeding its domestic patent filing.
125.4B1	22 CFR 125.4 (b) (1) Technical data pursuant to official written request or directive of Department of Defense.
125.4B2	22 CFR 125.4 (b) (2) Technical data in furtherance of agreement approved under 22 CFR Part 124.

125.4B3	22 CFR 125.4 (b) (3) Technical data in furtherance of contract between exporter and U.S. Government agency that does not disclose design, development, production, or manufacture details of defense article.
125.4B4	22 CFR 125.4 (b) (4) Copies of technical data previously authorized for export to same recipient.
125.4B5	22 CFR 125.4 (b) (5) Technical data regarding basic operations, maintenance, and training to same recipient of lawfully exported defense article.
125.4B6	22 CFR 125.4 (b) (6) Technical data related to firearms not in excess of .50 caliber and ammunition not in excess of .50 caliber, not including design, development, production, or manufacturing details.
125.4B7	22 CFR 125.4 (b) (7) Technical data being returned to original source of import.
125.4B8	22 CFR 125.4 (b) (8) Technical data directly related to classified information which has been previously authorized for export to same recipient, not including design, development, production, or manufacturing details.
125.4B9	22 CFR 125.4 (b) (9) Technical data sent by U.S. corporation to a U.S. person employed by that corporation overseas or to a U.S. Government agency.
125.4B10	22 CFR 125.4 (b) (10) Unclassified technical data in U.S. by U.S. institution of higher learning to full-time foreign employee.
125.4B11	22 CFR 125.4 (b) (11) Exporter granted written exemption from Directorate of Defense Trade Controls for technical data pursuant to arrangement with Department of Defense, Department of Energy, or NASA.
125.4B12	22 CFR 125.4 (b) (12) Technical data exempt under 22 CFR 126.
125.4B13	22 CFR 125.4 (b) (13) Technical data for public release by cognizant U.S. Government agency or Directorate for Freedom of Information and Security Review.
125.4C	22 CFR 125.4 (c) Defense services and unclassified technical data to nationals of NATO countries, Australia, Japan, and Sweden for responding to written request from Department of Defense for quote or bid proposal.

	125.5A	22 CFR 125.5 (a) Unclassified technical data during classified plant visit authorized by Directorate of Defense Trade Controls; approved government-to-government program; or U.S. Government agency having classification jurisdiction over classified defense article or classified technical data.
	125.5B	22 CFR 125.5 (b) Classified technical data during plant visit approved by appropriate U.S. Government agency.
	125.5C	22 CFR 125.5 (c) Unclassified technical data during plant visit approved by the Directorate of Defense Trade Controls.
	126.3	22 CFR 126.3 Exceptional or undue hardship.
	126.4A	22 CFR 126.4 (a) Temporary import or temporary export of defense article, technical data, or defense service by or for agency of U.S. Government.
	126.4C	22 CFR 126.4 (c) Temporary import, temporary export, or permanent export of defense article, technical data, or defense service for end-use by U.S. Government agency in foreign country.
	126.5A	22 CFR 126.5 (a) Temporary import and return to Canada of unclassified defense articles originating from Canada.
	126.5B	22 CFR 126.5 (b) Permanent or temporary export of certain defense articles, related technical data, and defense services for end-use in Canada.
	126.5C	22 CFR 126.5 (c) Defense service or technical data to Canada.
	126.6A	22 CFR 126.6 (a) Defense article or technical data sold, leased, or loaned by Department of Defense to a foreign country or international organization.
	126.6B	22 CFR 126.6 (b) Foreign military aircraft or naval vessel.
	126.6C	22 CFR 126.6 (c) Defense article, technical data, or defense service sold, leased, or loaned by Department of Defense under Foreign Military Sales Program.
Benefit of Change:	This GIF would benefit both the stated goals of trade facilitation and security. Trade would be improved by allowing for uniform port handling of these types of commodities. Security would be improved by providing a	

	uniform data element to target for both imports and exports along with a relationship to both.
Impact Assessment:	Unknown at time of entry in tool.

System/Subsystem

System:	ACE	Cargo Business Area:	Import
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Implementation Requirements

Needed By Date:	A2.2	Change Urgency:	
Level of Effort:		Cost Estimate:	

Sponsor Recommendation

Sponsor Recommendation:	
Sponsor Comments:	

Board Disposition

Date:	Disposition:	Comments:

Next Steps:

Next Steps:

Reasons for

Return/Deferral/Withdrawn/Rejection/Forward to PO

Reason for Return:	
Reason for Deferral:	
Reason for Withdrawal:	
Reason for Rejection:	
Reason for Forward to PO:	

Secretary Comments:

Comments:
original sponsor = Don Yando, changed to John Leonard

Related Items:

CR#:	CR Name:
PTR#:	PTR Name:

Attachments

Attachments:	
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Action Descriptions

Document History

Action History

Date:	User Name:	Note:

Update History

Date:	User Name:	Note:
10-OCT-2006 13:38:39	Heather Firth	Related Design Part CSPO:CSPO.A;1
10-OCT-2006 13:40:57	Heather Firth	Change document attribute(s) updated
10-OCT-2006 13:51:21	Heather Firth	Change document attribute(s) updated
