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Features

Technology Transfer Technical Assistance and Manufacturing License Agreements and Offshore Procurement	3
Blue Lantern Program End-Use Checks in the Licensing Process	10
Ombudsman Compliance Procedure A Program for Prevention	11
CDT/SIA Conference on Defense Trade Precedes Farnborough Air Show	12
Licenses for the Farnborough Air Show Time Is Running Out	13
How To Avoid Registration Problems Planning Ahead Is the Key to Success	13
Enforcement Action Revocation of Licenses and Approvals	14

Departments

U.S. Customs at DTC	16
Commodity Jurisdiction Determinations	17
Tips and Tidbits	19
Personnel Updates	20
Vessels in Which Specially Designated Nationals have an Interest	21
Training Form	25

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Reginald Bartholomew

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Politico-Military
Affairs**
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**Director of the Center
for Defense Trade**
Charles A. Duelfer

Executive Editor
Charles A. Ray

Managing Editor
Marsha S. Finley

Production Editor
Philip P. Schol

Layout Design
Paula M. Lorfano

Graphics Design
Richard E. Florence

Contributing Editors
Commodity Jurisdictions:
Major Gary Oncale
U.S. Customs at DTC:
Thomas R. Smith

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Technology Transfer

Technical Assistance and Manufacturing License Agreements and Offshore Procurement

Introduction to the Process. The Office of Defense Trade Controls (DTC) regularly addresses questions that arise from the emergence of new and highly complex technology. This article addresses Technical Assistance Agreements (TAA), Manufacturing License Agreements (MLA), and offshore procurement.

Agreements. American manufacturers or exporters who wish to export technical data to foreign companies or individuals, either through TAAs or MLAs must submit detailed documentation to DTC. To reduce industry's workload in preparing the documentation and to expedite DTC's agreement review process, all information required by the International Traffic in Arms Regulations (ITAR) can be provided by letters of transmittal. Suggested formats for TAA and MLA letters of transmittal can be found beginning on page 5.

Offshore Procurement. The export of unclassified technical data to foreign persons for procurement by U.S. persons in foreign countries (offshore procurement) must also be approved in advance by DTC. This authorization is conveyed by a permanent export license (DSP-5).

Defining our Terms. The official definitions of agreements and technical data can be found in Section 120 of the ITAR as indicated below. These definitions are used by Licensing officers when reviewing or deciding on technology transfer cases:

- Manufacturing License Agreement: (Section 120.14)
- Technical Assistance Agreement: (Section 120.20)
- Technical Data: (Section 120.21)

Submitting Agreements for Approval. Under the provisions of Part 124 of the ITAR, a U.S. company wishing to transfer technical

data pursuant to an agreement must obtain approval in advance by submitting the proposed agreement to DTC. The agreement cannot enter into force without DTC's **prior written approval** (Section 124.1(a)). Once this approval is obtained, and any provisos or limitations are adhered to, the defense services described in the agreement may generally be provided without further licensing under the provisions of Section 125.4(b)(2) of the ITAR. Hardware items that are to be exported in furtherance of the approved agreement, however, still require the appropriate export license (DSP-5 for unclassified articles, or DSP-85 for classified articles).

Section 124.12 of the ITAR requires applicants to submit eight copies of the proposed agreement, each under cover of a letter of transmittal. In addition, the applicant must include a Certification Letter as required by Section 126.13 and, if applicable, a Nontransfer and Use Certificate (DSP-83) and a Part 130 statement (pertaining to political contributions, fees, and commissions). Eight copies of descriptive literature or technical data, such as statements of work, memorandum of understanding, parts lists, or systems descriptions, should accompany the proposed agreement.

In order to be approved, proposed agreements must contain specific information and clauses as outlined in Sections 124.8 through 124.10 of the ITAR. The U.S. party to an agreement must file one copy of the signed agreement with DTC no later than 30 days after all parties have signed (Section 124.12(b)(3)). If the decision is made to terminate or not execute an approved agreement, DTC must be notified within 60 days of that decision.

For guidelines on putting together your agreement package for submission to DTC, see the box on page 9.

Amending an Agreement. Any substantial amendment to an agreement, including term

extensions, novations, and transfers of obligations to different business entities, must receive DTC's prior written approval before becoming effective (Section 124.1(b)). Do not submit amendments that only alter delivery or performance schedules or other minor administrative amendments that do not affect the duration or scope of the agreement or information that must be included in the agreement, for approval. One copy of all such minor amendments must be submitted to DTC within 30 days, however, after the amendment is signed or executed.

License Requirements for Offshore Procurement (Section 124.13). Using a DSP-5, U.S. persons may be authorized to export unclassified technical data to foreign persons for offshore procurement of defense articles provided all of the following conditions are met:

- The contract or purchase order for offshore procurement limits delivery of the defense articles to be produced only to the person in the U.S. or to an agency of the U.S. Government.
- The technical data of U.S. origin to be used in the foreign manufacture does not disclose the details of the design, development, production, or manufacture of defense articles.
- The contract or purchase order between the person in the United States and the foreign person:
 - limits the use of the technical data to the manufacture of the defense articles required by the contract or purchase order only;
 - prohibits the disclosure of the data to any other person except duly qualified subcontractors within the same country;

- prohibits the acquisition of any rights in the data by any foreign person;
- requires the foreign person, including subcontractors, to destroy or return to the person in the United States all of the technical data exported pursuant to the contract or purchase order upon fulfillment of their terms;
- requires delivery of the defense articles manufactured abroad only to the person in the United States or to an agency of the U.S. Government; and
- provides that any equipment manufacturing subcontracts between foreign persons in the approved country for delivery pursuant to the contract or purchase order contain all the aforementioned limitations.

- The person in the United States provides DTC with a copy of each contract, purchase order, or subcontract for offshore procurement at the time it is accepted. Each such contract, purchase order, or subcontract must clearly identify the article to be produced and must identify the license number or exemption under which the technical data was exported.
- Licenses issued pursuant to Section 124.13 of the ITAR must be renewed upon their expiration if offshore procurement is to extend beyond the period of validity of the license. If the technical data involved in an offshore procurement arrangement is otherwise exempt from the licensing requirements of Section 126.4 or Section 126.5, the DSP-5 is not required. The exporter must, however, comply with all other requirements of Section 124.13. ♦

Suggested Format for a Letter of Transmittal for a Technical Assistance Agreement

Instructions: Using letterhead stationery of the applicant, copy text in quotation marks (“..”) exactly. Insert appropriate wording wherever text is italicized in brackets ([...]). **Do not include the quotation marks or brackets in the final transmittal letter.** Include detailed pertinent background information wherever appropriate in the transmittal letter, as it might assist reviewers.

[Insert date]

“Mr. William B. Robinson
Director, Office of Defense Trade Controls
PM/DTC, SA-6, Room 200
U.S. Department of State
Washington, D.C. 20522-0602”

“Subject: Proposed Technical Assistance Agreement (TAA) between [Insert U.S. company name] and [Insert foreign party name and country].”

“Reference: [Insert information about all previous cases related to this TAA, including the original agreement, amendments, and licenses].”

“Dear Mr. Robinson:”

“Submitted herewith are seven copies of this letter and eight copies of a proposed Technical Assistance Agreement between [insert U.S. company name] and [insert foreign party name and country] for the transfer of certain technical information and services necessary for [state the purpose of the Agreement, and specify the commodity or technology to which it relates].”

“In accordance with 22 CFR 124.12, the following information is provided:”

“(a)(1) The DTC applicant code is [insert the applicant’s registration number].”

“(a)(2) The licensee is [insert foreign party], located in [insert country and specific location of facility]. The scope of this agreement entails [insert U.S. company name] performing defense services or disclosing technical data [insert specific details] to the licensee for the [identify the program, modernization, upgrade, integration, etc., or other tasks to be performed] of [identify the USML category, category title, manufacturer’s end item nomenclature, and military designation; e.g., Category VII—Aircraft, Spacecraft, and Associated Equipment; Sikorsky UH-60L, Blackhawk]. The agreement is desired to be valid through [insert the requested term expiration date].”

“(a)(3) [Identify relevant U.S. Government contract(s) under which equipment or technical data was generated, improved, or developed and supplied to the U.S. Government. State whether or not the equipment or technical data was derived from any bid or other proposal to the U.S. Government. If neither of the preceding statements applies, identify which branch of the U.S. military service is or might be cognizant of the program].”

“(a)(4) “The highest U.S. military security classification of the equipment or technical data to be transferred under the terms of this agreement is [insert the classification, e.g., Confidential, Secret. State the highest foreign military security classification, and identify the classifying agency and country].”

“(a)(5) [Insert a statement concerning patents as required by 22 CFR 124.12(a)(5)].”

“(a)(6) [Insert a statement indicating the actual or estimated value of the agreement. If the value is \$250,000 or greater, prepare a separate letter regarding the payment or nonpayment of political contributions, fees, or commissions as required by 22 CFR 130. Enclose the ‘Part 130 Statement’ as an attachment to this transmittal letter].”

“(a)(7) [State whether or not any Foreign Military Sales (FMS) credits or loan guarantees are or will be involved in financing the agreement, and include the FMS case number, if known].”

“(b)(1) If the agreement is approved by the Department of State, such approval will not be construed by [insert applicant’s name] as passing on the legality of the agreement from the standpoint of antitrust laws or other applicable statutes, nor will [insert applicant’s name] construe the Department’s approval as constituting either approval or disapproval of any of the business terms or conditions between the parties to the agreement.”

“(b)(2) The [insert applicant’s name] will not permit the proposed agreement to enter into force until it has been approved by the Department of State.”

“(b)(3) The [insert applicant’s name] will furnish the Department of State with one copy of the signed agreement within 30 days from the date that the agreement is executed, and will inform the Department of its termination not less than 30 days prior to the expiration and provide information on the continuation of any foreign rights or the flow of technical data to the foreign party. If a decision is made not to conclude the proposed agreement, the [insert applicant’s name] will so inform the Department within 60 days.”

“To facilitate U.S. Government consideration of this request, the agreement contains the following provisions currently required by the ITAR:”

“Pursuant to 22 CFR 124.8: CFR Section to Agreement Cross-Reference Index”

“124.8(a)” [List all ITAR clauses in alpha-numeric sequence. Next to each reference, insert the

“124.8(b)” specific location in this agreement where the required information is located.

“124.8(c)” Include article, section, paragraph, and page number.]

“124.8(d)”

“Pursuant to 22 CFR 124.9: CFR Section to Agreement Cross-Reference Index”

“124.9(a)” [List all ITAR clauses in alpha-numeric sequence. Next to each reference, insert the

“124.9(b)” specific location in this agreement where the required information is located.

“124.9(c)” Include article, section, paragraph, and page number.]

“124.9(d)”

“124.9(e)”

“124.9(f)”

“This agreement relates to the following U.S. Munitions List (USML) Categories: XVII—Technical Data, XIX—Defense Services, and [list all applicable USML Categories and Category Titles]. These categories [insert ‘are’ or ‘are not’] designated as Significant Military Equipment (SME).”

“A Nontransfer and Use Certificate, Form DSP-83, as required for SME, classified articles or classified technical data [insert ‘is’ or ‘is not’] attached in accordance with 22 CFR 124.11.”

[In accordance with 22 CFR 126.8, if applicable, insert a statement regarding ‘Prior Approval or Prior Notification’ and a history of licenses to export data and hardware related to this submission.]

“If you require additional information, please contact [insert the name of the applicant’s licensing point of contact] at telephone number [insert area code and number].”

[Insert the U.S. Government agencies, office symbols, names, and phone numbers of personnel who are familiar with the item and/or the business effort. Do not include PM/DTC personnel.]

“Sincerely,”

[Insert the Signature Block. The person who signs the letter must be a U.S. person who is an empowered official of the applicant.]

"Attachments:"

"Letter of Transmittal, original, and 7 copies"

"Proposed Agreement, 8 copies"

"Certification Letter, per 126.13"

[Insert "Part 130 Statement", if applicable]

[Insert "Form DSP-83", if applicable.]

Suggested Format for a Letter of Transmittal for a Manufacturing License Agreement

Instructions: Using letterhead stationery of the applicant, copy text in quotation marks ("..") exactly. Insert appropriate wording wherever text is italicized in brackets ([...]). **Do not include the quotation marks or brackets in the final transmittal letter.** Include detailed pertinent background information wherever appropriate in the transmittal letter, as it might assist reviewers.

[Insert date]

"Mr. William B. Robinson
Director, Office of Defense Trade Controls
PM/DTC, SA-6, Room 200
U.S. Department of State
Washington, D.C. 20522-0602"

"Subject: Proposed Manufacturing License Agreement (MLA) between [Insert U.S. company name] and [Insert foreign party name and country]."

"Reference: [Insert information about all previous cases related to this MLA, including the original agreement, amendments, and licenses]."

"Dear Mr. Robinson:"

"Submitted herewith are seven copies of this letter and eight copies of a proposed Manufacturing License Agreement between [insert U.S. company name] and [insert foreign party name and country] for the transfer of certain technical information for the manufacture of [insert the manufacturer's end item nomenclature and military designator]."

"In accordance with 22 CFR 124.12, the following information is provided:"

"(a)(1) The DTC applicant code is [insert the applicant's registration number]."

"(a)(2) The licensee is [insert foreign party], located in [insert country and specific location of facility]. The scope of this agreement entails [insert U.S. company name] providing production and manufacturing assistance or other assistance [insert summarized details of the proposed transfer] to the licensee for the production of [identify the USML category, category title, manufacturer's end item nomenclature, and military designation; e.g., Category VII—Aircraft, Spacecraft, and Associated Equipment; Sikorsky UH-60L, Blackhawk]. The agreement is desired to be valid through [insert the requested term expiration date]. The item will be sold to [identify the foreign end user]."

"(a)(3) [Identify relevant U.S. Government contract(s) under which equipment or technical data was generated, improved, or developed and supplied to the U.S. Government. State whether or not the equipment or technical data was derived from any bid or other proposal to the U.S. Government. If neither of the preceding statements applies, identify which branch of the U.S. military service is or might be cognizant of the program]."

"(a)(4) "The highest U.S. military security classification of the equipment or technical data to be transferred under the terms of this agreement is [insert the classification, e.g., Confidential, Se-

-
- cret. State the highest foreign military security classification, and identify the classifying agency and country.]”*
- “(a)(5) *[Insert a statement concerning patents as required by 22 CFR 124.12(a)(5)].”*
- “(a)(6) *[Insert a statement indicating the actual or estimated value of the agreement. If the value is \$250,000 or greater, prepare a separate letter regarding the payment or nonpayment of political contributions, fees, or commissions as required by 22 CFR 130. Enclose the ‘Part 130 Statement’ as an attachment to this transmittal letter.]”*
- “(a)(7) *[State whether or not any Foreign Military Sales (FMS) credits or loan guarantees are or will be involved in financing the agreement, and include the FMS case number, if known.]”*
- “(b)(1) *If the agreement is approved by the Department of State, such approval will not be construed by [insert applicant’s name] as passing on the legality of the agreement from the standpoint of antitrust laws or other applicable statutes, nor will [insert applicant’s name] construe the Department’s approval as constituting either approval or disapproval of any of the business terms or conditions between the parties to the agreement.”*
- “(b)(2) *The [insert applicant’s name] will not permit the proposed agreement to enter into force until it has been approved by the Department of State.”*
- “(b)(3) *The [insert applicant’s name] will furnish the Department of State with one copy of the signed agreement within 30 days from the date that the agreement is executed, will inform the Department of its termination not less than 30 days prior to the expiration, and provide information on the continuation of any foreign rights or the flow of technical data to the foreign party. If a decision is made not to conclude the proposed agreement, the [insert applicant’s name] will so inform the Department within 60 days.”*

“To facilitate U.S. Government consideration of this request, the agreement contains the following provisions currently required by the ITAR:”

“Pursuant to 22 CFR 124.8: CFR Section to Agreement Cross-Reference Index”

- “124.8(a)” *[List all ITAR clauses in alpha-numeric sequence. Next to each reference, insert the*
- “124.8(b)” *specific location in this agreement where the required information is located.*
- “124.8(c)” *Include article, section, paragraph, and page number.]*
- “124.8(d)”

“Pursuant to 22 CFR 124.9: CFR Section to Agreement Cross-Reference Index”

- “124.9(a)” *[List all ITAR clauses in alpha-numeric sequence. Next to each reference, insert the*
- “124.9(b)” *specific location in this agreement where the required information is located.*
- “124.9(c)” *Include article, section, paragraph, and page number.]*
- “124.9(d)”
- “124.9(e)”
- “124.9(f)”

“Pursuant to 22 CFR 124.10: CFR Section to Agreement Cross-Reference Index”

- “124.10(a)(1)” *[List all ITAR clauses in alpha-numeric sequence. Next to each reference, insert the*
- “124.10(a)(2)” *specific location in this agreement where the required information is located.*
- “124.10(a)(3)” *Include article, section, paragraph, and page number.]*
- “124.10(a)(4)”
- “124.10(a)(5)” *Customize the language of the (a)(5) and (a)(6) clauses to accurately reflect*
- “124.10(a)(6)” *this agreement—Do not copy these verbatim from the ITAR.]*
- “124.10(b)(1)” *[If Significant Military Equipment is involved, insert these two required clauses.]*
- “124.10(b)(2)”

"This agreement relates to the following U.S. Munitions List (USML) Categories: XVII—Technical Data, XIX—Defense Services, and [list all applicable USML Categories and Category Titles]. These categories [insert 'are' or 'are not'] designated as Significant Military Equipment (SME)."

"A Nontransfer and Use Certificate, Form DSP-83, as required for SME, classified articles, or classified technical data [insert 'is' or 'is not'] attached in accordance with 22 CFR 124.11."

[In accordance with 22 CFR 126.8, if applicable, insert a statement regarding 'Prior Approval or Prior Notification' and a history of licenses to export data and hardware related to this submission.]

"If you require additional information, please contact [insert the name of the applicant's licensing point of contact] at telephone number [insert area code and number]."

[Insert the U.S. Government agencies, office symbols, names, and phone numbers of personnel who are familiar with the item and/or the business effort. Do not include PM/DTC personnel.]

"Sincerely,"

[Insert the Signature Block. The person who signs the letter must be a U.S. person who is an empowered official of the applicant.]

"Attachments:"

"Letter of Transmittal, original, and 7 copies"

"Proposed Agreement, 8 copies"

"Certification Letter, per 126.13"

[Insert "Part 130 Statement", if applicable]

[Insert "Form DSP-83", if applicable.] ♦

Guidelines to Facilitate Processing Agreements

THE TRANSMITTAL LETTER

In the Reference Section, cite all related prior agreements and all concurrently submitted DSP-5s or other applications.

Ensure that the 'CFR Section to Agreement Cross-Reference Index' section lists the ITAR clauses in numerical sequence, regardless of location in the agreement. Include specific location for each clause by article, section, paragraph, and page number in the main body of the agreement.

THE MAIN BODY OF THE AGREEMENT

For ITAR Section 124.8(d) information, clearly identify the end user (for TAAs) or the sales territory (for MLAs).

Except as noted in other areas of these guidelines, use 124.9 and 124.10 clauses verbatim; do not "bend" the wording.

In MLAs, ITAR Section 124.10(a)(4) clause, insert the specific location in the agreement instead of the ITAR language. Ensure that the paragraphs cited are numbered from the agreement, not from the ITAR.

In MLAs, ITAR Section 124.10(A)(5) clause, specify which party (either the applicant or the licensee) will provide the annual report.

In MLAs, ITAR Section 124.10(a)(6) clause, specify the licensee and the country (or countries) of ultimate designation or approved sales territory instead of the parenthetical phrase. EXCEPTION: When numerous countries are involved, include a statement with the mandatory clause: "The licensee agrees to customize the parenthetical phrase above on a transaction-by-transaction basis, showing explicitly the specific country or countries involved in each transaction (i.e., sale or other transfer)."

THE AGREEMENT SUBMISSION PACKET

Submit cases likely to require Congressional approval with agreements already signed by all parties.

When more than one country is involved, submit all basic (i.e., initial) agreements excluding territories COCOM (Coordinating Committee on Multilateral Export Controls) review. After the basic agreement is approved, submit an amendment to add COCOM territories.

Submit at least three additional complete packets of MLAs: with sales territory on more than three continents, or which require Congressional notification. ♦

Blue Lantern Program

End-Use Checks in the Licensing Process

End-Use Checks are a Licensing and Control Mechanism. Violations of arms export control laws and regulations are prejudicial to the security, foreign policy, and commercial interests of legitimate trading partners. As recent history makes clear, illicit trade in defense technology, goods, and services can pose a major threat to the U.S. and to friendly foreign countries. As one means of regulating U.S. commercial defense exports, and encouraging compliance with the Arms Export Control Act (AECA) and the International Traffic in Arms Regulations (ITAR), the Department of State initiates inquiries to establish the bona fides of export transactions occurring under its licensing jurisdiction.

Development of a Program. The applicant for a license or other written approval of a proposed transaction is responsible for the accuracy of all information contained on the application and its supporting documentation. Applicants must ascertain the specific end use and end user prior to submitting an application to the Office of Defense Trade Controls (DTC) or claiming an exemption.

End-use checks have been conducted for a number of years. As noted previously in *Defense Trade News* (Volume 2, Number 1, January 1991, pp. 12-13), DTC routinely identifies license applications for end-use checks if conditions exist that signal the possibility of illegal exports or diversions. These conditions, or warning flags, were listed in the aforementioned issue of *Defense Trade News*. In September 1990, using the cited and other criteria, the Department of State formally initiated a more systematic program, known as "Blue Lantern," designed to verify destinations and end -use of U.S.-origin defense articles and services. The program enlists the assistance of U.S. diplomatic posts, the cooperation of the U.S. Customs Service, and most importantly, foreign governments in the conduct of

pre-license checks (PLCs) and post-shipment verifications (PSVs) of defense exports.

Since the program's inception, several hundred end-use checks have been initiated, and DTC anticipates doing an increasing number each year. "Blue Lantern" is a global effort; no company, recipient country, or even commodity category is "singled out" for review. While some checks are random, the vast majority are triggered by an evolving list of export problem indicators, as previously stated.

Pre-License Check Purposes. A PLC is an effort to determine the reliability of overseas parties as recipients of U.S.-origin defense articles and services. Further, PLCs ensure that the proposed disposition of the commodity or technical data in question is consistent with the normal business of the recipients as well as with U.S. foreign policy and national security interests. We also use PLCs to ensure that the foreign party to an export understands its responsibilities in terms of U.S. law.

Post-shipment Verification Aims. A PSV is used to confirm that U.S. defense exports have, in fact, been received by the designated end user and that the exports are being used in accordance with the terms and provisions of the approved license.

Implementation of End-Use Checks. Designated personnel at U.S. diplomatic and consular posts are tasked to make end-use inquiries on behalf of the U.S. Government. They usually work directly with the host government. Where possible, and according to guidelines established by the host government, these U.S. officials also contact foreign private individuals and entities. Depending upon the nature of a given export problem, the scope of an inquiry might range from simple oral or written contact to verify the bona fides of a proposed transaction to physical inspection of the export.

Importance of End-Use Checks. End-use checks are a key component of the State Department's effort to prevent illegal defense exports and technology transfer. The "Blue Lantern" program has been highly successful in this regard. It has weeded out potential as well as flagrant violations of the AECA and the ITAR. Some cases have resulted in denial, suspension, or revocation of export licenses, and in the prosecution of individuals for violations of the AECA and the ITAR.

It is also noteworthy that "Blue Lantern" has been lauded by other governments. Most participants in the defense export process are fully committed to the resolution of problems and doubts regarding the end use of defense articles, technical data, or defense services. While DTC is committed to implementing a timely process, the need for thorough review sometimes causes delay in license processing. The "Blue Lantern" program is an invaluable mechanism in the U.S. Government's commitment to legitimate, fair, and competitive defense trade practices throughout the world. ♦

Ombudsman Compliance Procedure

A Program for Prevention

Voluntary Compliance Mechanisms Encouraged. Exporters are encouraged to implement procedures to ensure compliance with sections 38, 39, and 40 of the Arms Export Control Act (AECA) and the International Traffic in Arms Regulations (ITAR). One means is to develop a detailed export compliance manual (see *Defense Trade News*, Volume 2, Number 1, January 1991, pp. 14-15). Employment of an independent ombudsman is another compliance mechanism a firm can voluntarily institute.

Ombudsman Condition to Relief from Sanctions. In some cases, such as those involving debarred persons or persons no longer debarred but subject to ineligibility under Section 38(g)(4) of the AECA (*Defense Trade News*, Volume 3, Number 2, April 1992, pp. 14-16), an ombudsman may serve as an assurance that the transgressions have been adequately redressed. The Department of State, therefore, may recommend the ombudsman mechanism to such persons seeking reinstatement of their export privileges.

The Ombudsman Role. The ombudsman should include, at a minimum, the following features:

- The appointment of an experienced, independent attorney to serve as ombudsman

for company employees on issues pertaining to export control laws and as the arms export control compliance representative.

- The attorney and the attorney's firm should certify that they have no financial interest in or other relationship with the exporter except for the receipt of fees for professional services rendered pursuant to their duties as outside counsel.

- A publication should be prepared for general distribution to all employees which includes the name, address, and telephone number of the ombudsman. The company publication should advise employees that the ombudsman is available for consultation on any question the employee might have concerning issues pertaining to export control laws. Each employee will also be informed in that publication of the obligation to report to the ombudsman any information regarding any suspected violation of law or regulation.

- To facilitate the disclosure of information, the identity of the reporting individual will, at the individual's request, be held in strict confidence by the ombudsman, to the extent authorized by law and consistent with the attorney's professional ethical obligations.

- A notice should be prominently placed at the firm's job sites and offices announcing the ombudsman's name, telephone number, and the purpose of the program.

- An operating procedure should be developed pertaining to the information received by the ombudsman. When information received by the ombudsman, in his or her opinion, merits inquiry, the ombudsman may conduct an investigation or request that the company assist in the conduct of an investigation. At the conclusion of any such investiga-

tion, the ombudsman shall prepare a report for the company's president, detailing the substance of the allegations, the evidence revealed by the investigation, and the ombudsman's findings and recommendations.

- At least annually, the ombudsman is to conduct a review of the company's compliance with applicable export laws and regulations and the procedures of the company pertaining to the export of defense articles and furnishing defense services. A written report of his or her findings should be provided to the president of the company. ♦

CDT/SIA Conference on Defense Trade

Precedes Farnborough Air Show

The Center for Defense Trade and the Society for International Affairs will cosponsor the 1992 Conference on Defense Trade, "Security in the 1990s: Cooperation in Defense Trade" on Friday, September 4, in London. The conference will precede the Farnborough International Air Show, which will be held the week of September 6-13.

Organized as a separate but complementary event to Farnborough, the conference is a must for marketing, strategic planning, and compliance executives from companies engaged in trade with or from the United States. It will provide U.S. and foreign industry representatives with a better understanding of the export policies and controls governing U.S. goods, services, and technical data in today's ever changing global marketplace.

The conference is scheduled from 8:30 am to 5 pm at the London Marriott Hotel. During the course of the day there will be a number of panel discussions which will address such

topics as European Community (EC) 1992 and the Implications for U.S.-European Defense Trade; Changes in U.S. Defense Trade Regulations; and Nuclear and Missile Proliferation Policies. There will also be individual speakers giving talks on *New Policy Initiatives in Export Controls; Export Challenges in Eastern Europe and the Newly Independent States of the Former Soviet Union; and Technology Transfer, Foreign Investment, and the U.S. Defense Department's Role.*

Key U.S. Government officials responsible for formulating and implementing defense trade policy from the Departments of State, Commerce, and Defense and the Arms Control and Disarmament Agency will also be available throughout the conference to discuss issues on an individual basis.

Individuals with questions about the conference or who wish to register should contact Ms. Fae Daniels at (703) 765-1955. Her facsimile number is (703) 765-6759. ♦

Licenses for the Farnborough Air Show

Time Is Running Out

The Farnborough Air Show is rapidly approaching. This year the exhibition will be held from September 6 through 13. Companies planning to display equipment at the show should, by now, have submitted their requests for temporary export licenses (DSP-73). Any organizations intending to participate that have not as yet submitted applications should rush them (either handcarried by a company official or by courier service) to the Office of Defense Trade Controls (DTC).

*part of
air show
for DTC*

Because of the late date, no guarantees can be made about the timeliness of approvals. DTC will, however, make every effort to expedite processing and issuance of licenses.

In order to ensure rapid identification of requests in connection with the air show, all requests should indicate "FOR FARNBOROUGH AIR SHOW" in block 12 (Specific purpose of temporary export) of the DSP-73. ♦

How to Avoid Registration Problems

Planning Ahead Is the Key to Success

A First, Key Step. Registration is the first step in defense trade (22 CFR Part 122). All persons engaged in the U.S. in either manufacturing or exporting of defense articles, technical defense information, or defense services are required to register with the Office of Defense Trade Controls (DTC). Registration provides the U.S. Government with necessary information about defense manufacturing and exporting activities. It enables the U.S. Government to inform U.S. industry about major policies and procedures. Registration is generally a precondition to the issuance of any license or other approval under the international Traffic in Arms Regulations (22 CFR Section 122.1(c))

Registration at an early juncture will allow DTC the opportunity to respond in a timely manner to registration submissions and prevent subsequent delays in export licensing. With very few exceptions, only exporters who have registered with DTC may submit export license applications and receive approved export licenses. All questions about registration should be answered (e.g., what is my PM/DTC Company Code? Is my registration current or expired? How do we renew our registration?) by the applicant before submitting export license applications to DTC.

Helpful Hints. By planning ahead and following the helpful hints listed below, you can avoid spending precious time and money on solving registration problems and incurring lengthy licensing delays.

- Know and understand your PM/DTC Company Code number (e.g., 1292-0000). The first four digits indicate the month and year of expiration (in this case, December 1992). All registrations are valid through the last day of the month. Due to resource constraints, DTC does not normally notify registrants of their expired status. The final four digits of the code identify your firm.

- All registration records should be adequately maintained and made readily accessible to the people in your firm who are involved in the export licensing process.

- If possible, more than one person should be trained in the registration process. DTC receives a large volume of calls from individuals who have taken over registration duties from a person no longer with the company and who do not know how to register with DTC.

- Any person wishing to register with DTC must submit a Form DSP-9, a check or

money order for the desired registration period, documentation demonstrating authorization to do business in the U.S., and a transmittal letter signed by an authorized senior officer of the intending registrant containing the information outlined in section 122.2(b). Complete registration before submitting license applications. The license application form should contain the PM/DTC Company Code in block 2. Export licenses cannot be issued until the registration submission is complete and all documentation required under section 122.2 is received.

- To renew your registration with DTC, you must submit a completed Form DSP-9, a check made out to the Department of State, a transmittal letter pursuant to 122.2(b) of the ITAR, and documentation demonstrating that you are authorized to do business in the U.S. (e.g., a business license, state incorporation certificate, etc.) Please do not send a check without the above documents!

- If your company was not "in the business" of manufacturing or exporting defense articles or providing defense services from the date of your expiration to the day that you are renewing your registration, please make a statement to that effect in your 122.2(b) trans-

mittal letter (for more information, refer 122.3(b) of the ITAR).

- Pay particular attention to blocks 12 and 13 of the Form DSP-9. All corporate subsidiaries and corporate divisions in the business of manufacturing and/or exporting defense articles and services may not register separately unless they are required by law to file separate Federal income tax returns. If you file separate Federal income tax returns, this must be indicated in block 13.

Further Questions. You may direct any questions regarding registration to the Compliance Analysis Division (CAD), DTC at (703) 875-6650. Lengthy or complicated registration problems and questions should be submitted in writing to Mr. Clyde G. Bryant, Jr., Chief of CAD. Inquiries should be mailed not faxed to CAD. Please attach copies of all relevant documents to your letter. If you wish to receive a registration materials package, please fax your request to (703) 875-5663. Be sure to include the complete company name, address, and the name of an individual to contact. You can also request registration materials by letter to DTC, for the attention of CAD. See the inside back cover of this issue for complete mailing addresses. ♦

Enforcement Action

Revocation of Licenses and Approvals

Sanctions Imposed on South African Company. On March 19, 1992, the U.S. Department of Commerce revoked all export licenses and other written approvals in which A. Rosenthal (PTY) Ltd., with locations in Namibia and South Africa, and two of its employees, Karl Cording and Ian Ace, appear or participate in any manner or capacity. A. Rosenthal (PTY) Ltd., Karl Cording, and Ian Ace allegedly violated the Export Administration Regulations (codified at 15 C.F.R. Parts 768-799), issued pursuant to the Export Administration Act of 1979 as amended (codified at 50 U.S.C.A. app. 2401-2420). The defend-

ants are charged with violating the retransfer provisions of the Export Administration Regulations, in that they retransferred to South Africa from Namibia, Commerce Department-controlled shotguns by misrepresenting the shotguns' end user and ultimate destination.

Pursuant to the Arms Export Control Act (AECA)(22 U.S.C. 2778) and the implementation of the ITAR (22 C.F.R. Parts 120-130), it is the policy of the Department of State to deny all export license applications and other requests for approval directly or indirectly in-

volving the aforementioned entities. In accordance with the authority under the AECA and the ITAR, on March 19, 1992, the Department of State suspended all existing licenses and other approvals that authorize the export or transfer by, for, or to A. Rosenthal (PTY) Ltd. (located in Namibia and South Africa), Karl Cording, and Ian Ace, and their subsidiaries and associated companies, of defense articles and services. The suspension will remain in force until the Commerce Department denial order is lifted.

This action was taken pursuant to section 38(g)(4)(B) of the AECA (22 U.S.C. 2778(g)(4)(B)) and sections 126.7(a)(1), 126.7(a)(2), and 126.7(a)(6) of the ITAR (22 C.F.R. 126.7(a)(1), (2), and (6), and the Department of Commerce Order Denying Export Privileges to A. Rosenthal (PTY) Ltd. (located in Namibia and South Africa), and two of its employees, Karl Cording and Ian Ace (March 19, 1992).

In accordance with 126.3 and 126.7 of the ITAR, affected U.S. persons desiring review of this decision with regard to a particular export may petition the Director, Office of Defense Trade Controls. Exceptions to this suspension may be made on a case-by-case basis where warranted by U.S. foreign policy or security interests.

The suspension was published in the *Federal Register* (Volume 57, Number 73, Wednesday, April 15, 1992, page 13152) under Public Notice 1607.

Sanctions Imposed for Illegal Transfers to Iraq. On July 16, a grand jury in the District of Columbia returned a criminal indictment charging Delft Instruments N.V., a Dutch company, and four employees of subsidiary companies with conspiracy to export and the actual export to Iraq and Jordan of night vision devices containing U.S. components in violation of the Arms Export Control Act and related criminal statutes. The indictment alleges that Delft and employees of its subsidiaries conspired from 1988 to December 1990 to send to Iraq and Jordan two thermal-imaging system prototypes, including infrared detectors made by Hughes Aircraft Co., and scanners made by Litton Systems. The indictment alleges that the prototypes were exported to Iraq and Jordan in April and December 1990, and that a thermal night-sighting camera was exported to Iraq in December 1989, without approval from the Department of State. The Delft employees named in the indictment were Erick Vleeschdraager, Frederick Van Hulten, Wim Janssen, and Ben Keus.

On January 25, 1991, the Department of State suspended all licenses and other approvals to Delft and associated companies based on information that night vision equipment had been transferred to Iraq in violation of the Arms Export Control Act. The suspension remains in effect. ♦

DEPARTMENTS

**U.S.
Customs
at DTC**



Processing U.S. Customs Seizures

Upon seizure of merchandise for any export control violation (includes embargoed merchandise), U.S. Customs Fines, Penalties, and Forfeitures (FP&F) offices notify all interested parties of the seizure. Interested parties include the importer or exporter and often either the broker or freight forwarder involved in the transaction.

Release Pending Adjudication. In most cases, the importer/exporter, or agent on its behalf, may request the early release of the merchandise, pending Customs formal adjudication of the seizure/forfeiture case (where an investigation is ongoing, early release may be denied). The early release request should be made as soon as possible after the seizure of the merchandise, so as to preclude the accretion of storage charges. The request should be directed, either in writing or by telephone (with the telephone request followed up by a fax message), to the FP&F officer in the district office handling the seizure case.

If the value of the seized merchandise does not exceed \$100,000, the District Director has jurisdiction over the case and will grant or, in some cases, deny the early release request. The FP&F officer will then notify the importer/exporter or agent of the early release decision. Usually the early release of the merchandise will be conditioned upon the payment of a monetary deposit (which may be paid by any interested party), the submission

of a Hold Harmless Agreement and the payment of any accrued storage charges.

If the value of the seized merchandise exceeds \$100,000, the early release request must be transmitted to U.S. Customs headquarters, for decision by the International Trade Compliance Division, usually within the Penalties Branch, or the Department of the Treasury. The terms of the release will be communicated to the field FP&F officer who, in turn, will notify the importer/exporter or agent.

Early Release Decision Sometimes the Final Decision. In many cases, particularly those cases in which the violation is technical in nature and the deposit amount is \$1,000 or less, the early release decision will be the final decision in the case. An exporter/importer may petition for further relief in these cases, however, provided that new and different information or evidence is presented to Customs in the supplemental petition.

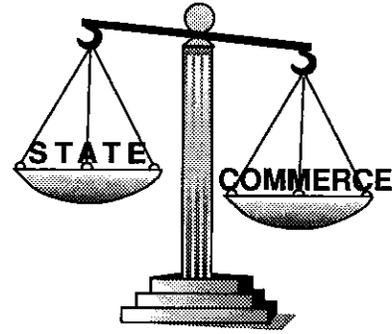
As in the case with early release decisions, the final decision in cases will be rendered by either the district office, Customs headquarters, or the Department of the Treasury, depending upon the value of the seized merchandise. The field has jurisdiction up to \$100,000, Customs headquarters up to \$500,000 (except for technical violations where headquarters jurisdiction is unlimited), and Treasury has jurisdiction in cases exceeding \$500,000.

Monetary Deposit/Forfeiture Guidelines.

The early release monetary deposit or final decision forfeiture remission amounts (generally referred to as "penalty amounts") are set forth in the EXP section of the current *Fines and Penalties Handbook*, which is available to the public.

Continued on page 18

Commodity Jurisdiction Determinations



The following chart provides selected commodity jurisdiction (CJ) determinations. The commodity descriptions are intentionally general to ensure the confidentiality of all proprietary information related to individual cases. These determinations apply only to the specific commodity reviewed in the CJ process. If you believe one of your products is similar to one of those listed as having been placed on the Commerce Department's Commerce Control List (CCL), please submit a CJ request letter (ITAR 120.5). Please refer to the articles "A Checklist for Preparing CJ Requests" in Vol. 1, No. 3, September 1990, and "Class and Multiple CJ Requests" in Vol. 3, No. 1, January 1992, for guidance in preparing the CJ request letter.

COMMODITY	JURISDICTION	COMMODITY	JURISDICTION
Turbine Engine Ignition System	CCL ECCN 6498F	Specially designed components for military vehicles	USML VII(h)
Ruggedized Video Recorders and Players	CCL ECCN 1572A	Helix Traveling Wave Tubes (TWT) Specially designed for military use	CCL **
Floating Drydock	CCL ECCN 6499G	Frequency greater than 18 GHz	USML XI
Accessories for Shotguns	CCL ECCN 6999G	Minimum peak power 2.1 kW	USML XI
Microwave Amplifiers for Navy fire control system	USML XII(c)	Minimum CW power 300 watts	USML XI
Computer equipment designed for military application	USML XI(a)	Instantaneous band with 1 octave or higher	USML XI
A rapid reloader for revolvers	USML III(b)	Multi-protocol Network Software using DES	
Transformers designed for missiles	USML IV(h)	Object Code	CCL **
Unmanned aerial vehicle	USML VIII(a)	Source Code	USML XIII(b)
Ruggedized chassis for commercial computers	CCL **	Solar Window Film and Thermal blanket material	CCL **
Rectifiers or Diodes	CCL ECCN 6599G	Intensified Multispectral Camera	USML XII(a)
Single Sapphire Crystals for use in tactical missiles	USML IV(h)	Accelerometers/Inertial Navigation Systems used in missile systems	USML VIII(g)
Miniature optical shaft encoders When designed for military equipment	CCL ECCN 6599G USML	Secure Telecommunications equipment	USML XIII(b)
Commercial radio equipment	CCL ECCN 6598F	Aircraft Constant Speed Drives and Electrical	CCL ECCN 6498F
Inflatable life vests	CCL ECCN 6499G	Turbo-Prop Military Trainer Aircraft	USML VIII(a)
Magnetic Cards and Terminals	CCL **	Specially designed parts and components	USML VIII(j)
Personal Identification Number Selector System	CCL **	Software used in designing propellant systems	USML IV(h)
Commercial modem	CCL ECCN 1527A	Movement Detection System	USML XI(c)
Access control software	CCL **	Airborne Communications System	USML XI(a)
Towed Aerial Targets	USML IX(a)	Telephone Switching Antenna	USML XII(a)
Signalling equipment used for fire and security alarms	CCL **	Rotary Control Ball Valve designed for U.S. Navy	USML VI(b)
Semi-finished forging for a space station model	USML XIII(d)	Heads-Up Display for civil aircraft	CCL ECCN 6398F
Target Radar Simulator	CCL ECCN 1501A	Management Software Program	CCL **
Data Base Management System	CCL **	Computer system for Acquisition and Logistics management	CCL **
Commercial Engines used by the Military	CCL **	Subscriber Television System	CCL **

COMMODITY	JURISDICTION	COMMODITY	JURISDICTION
Smart Cards with encryption Initialized and personalized	CCL **	Ruggedized Dot Matrix Printer with EMI capability	USML XI(e)
Not initialized and personalized	USML XIII(b)	Special daylight avionics switches	CCL ECCN 9A94F
Software program for specification electromagnetic analysis	CCL ECCN 3D96G	Transformers designed for Missiles	USML IV(h)
Cathode Ray Tubes	CCL ECCN 3A96G	Turbine Engine Ignition System	CCL ECCN 6498F
Multibeam bathymetric sonar system	CCL ECCN 6A01A	Turbo-Prop Military Trainer Aircraft Specially Designed Parts and Components	USML VIII(a) USML VIII(j)
Airborne weather radar	CCL ECCN 1501A	Voice Privacy Device for Telephones	CCL **
Reflectance spectrometer	CCL ECCN 6599G		

** A specific Export Commodity Classification Number (ECCN) was not provided by the Department of Commerce. For the ECCN number, please file a commodity classification request with the Bureau of Export Administration (BXA), Department of Commerce, P.O. Box 273, Washington, DC 20044.

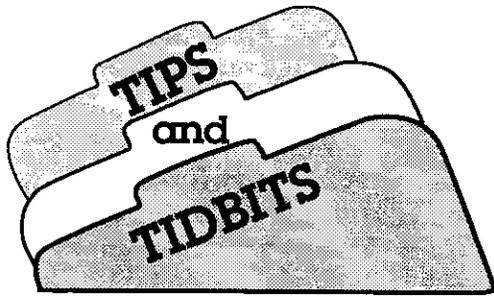
Continued from page 16

The amount decided upon is dependent, first, upon the nature of the violation. If the violation is procedural (i.e., involving a paperwork processing error or omission such as the failure to present a license where such license has been procured or the failure to validate the license) it is categorized as a "technical" violation, for which the monetary penalty amounts are generally in the \$250-\$3,000 range. If the violation involves the failure to obtain a license in advance of the exportation or importation, or the failure to secure a valid license, it is considered a "substantive" violation. A first substantive violation subjects the exporter/importer to a forfeiture remission amount in the \$250-\$2,500 range; a second violation to a remission amount in the \$500-\$5,000 range; and the third violation to a forfeiture remission amount equal to 10% or more of the value of the unlicensed merchandise, but not less than \$1,000. For violations

involving Bureau of the Census Foreign Trade Statistics Regulations (failure to file the SED or incorrect information on the SED), the forfeiture remission amount is in the \$150-\$1,000 range.

Interagency Coordination Can Affect Remission Amount. In many cases Customs may seek State, Commerce, Bureau of Alcohol and Firearms or Office of Foreign Assets Control advice and recommendation as to the forfeiture remission amount. This often results in a decision amount outside the guidelines. This amount is usually lower than the amount prescribed under the EXP guidelines. In certain cases, however, it might be higher than the prescribed amount, due to the presence of an extraordinarily aggravating factor in the case.

For additional information contact your local District Director of Customs Office. ♦



MARKING ATTACHMENTS

Attachments to license applications which a company wishes to have returned should be clearly marked "RETURN TO APPLICANT."

DTC IN-HOUSE TRAINING SEMINARS

The Office of Defense Trade Controls (DTC) offers in-house training seminars on export licensing policies and procedures for defense companies. The seminars can be specifically tailored to the needs of individual firms, or can provide general information for groups of companies. If there is sufficient demand, two seminars can be scheduled each month. Attendance is limited to 30 people per seminar. The sessions are held in the DTC conference room, 2d floor, 1701 N. Fort Myer Drive, Arlington, Virginia. For more information, complete and mail the tear-out Training Request Form on page 25.

ATTACHING PREVIOUS LICENSES

If, on a license application, a previous license is cited which might serve as a precedent for the current application, or for which the current application is an "unshipped balance," the applicant should attach a copy of the previous license, including any proviso letter. This will facilitate licensing and could prevent delays.

REGISTRATION EXPIRATION

Applicants are reminded to check the expiration date of their registration. The first four digits of the registration code indicates the month and year of expiration. The registration expires on the last day of the month indicated. For example, registrant code 1092-4444

indicates that the applicant's registration expires on October 31, 1992. Registrants should apply for renewal at least 60 days in advance of the expiration date.

PUBLICLY AVAILABLE DTC DOCUMENTS

The Department of State maintains a public reading room at the main State Department building at Room 1239, 2201 C Street, NW, Washington, D.C. The file regarding defense trade controls contains documents relating to debarments, consent agreements, and civil penalty orders. Also available are copies of comments submitted on proposed changes to the ITAR.

If you wish to visit the reading room and review the documents relating to munitions controls, the hours are from 8:15 am to 4 pm, Monday through Friday. In order to gain access to the Department, please call Mrs. Olga Luck at (202) 647-8484. You may also obtain copies of the documents at a cost of 25¢ per page.

For those individuals outside the Washington, D.C. area, copies of documents may be requested under the Freedom of Information Act. Your written request should be submitted to the Office of Freedom of Information, Department of State, Room 1239, Washington, D.C. 20520. The request must identify what documents you want.

PUBLIC HEARING ON REGULATION CHANGES

The Center for Defense Trade hosted an open forum at the State Department's Dean Acheson Auditorium in Washington, D.C., on June 29 to allow public comment on proposed changes to the International Traffic in Arms Regulations (ITAR). The meeting opened with remarks from Mr. Richard A. Clarke, Assistant Secretary of State for Politico-Military Affairs. Mr. Clarke pointed out for the attendees the difficult task faced by the team revising the regulations—balancing the need to ease controls to allow American industry to

be competitive, while at the same time, maintaining adequate controls of U.S. technology and sensitive munitions items. Approximately 60 representatives from various defense firms attended the forum. Comments from the audience mainly centered on clarification of previously submitted written comments on the proposed changes, and will be given full consideration by officials working on the revision.

FIRST MEETING OF DEFENSE TRADE ADVISORY GROUP HELD

The Defense Trade Advisory Group (DTAG)(see *Defense Trade News*, Volume 3, Number 2, April 1992, page 7) held its first meeting on July 10 at the State Department's Loy Henderson Auditorium. Nearly 80 people attended, 45 of them DTAG members affiliated with defense firms, academia, and other organizations. Richard A. Clarke, As-

sistant Secretary for Politico-Military Affairs, opened the session by outlining why the group was formed and the benefits that he hoped will result from its activity. William Schneider, Jr., President of International Planning Services was appointed Chairman of the Group. Ambassador James Woolsey of the law firm Shea & Gardner will serve as Vice Chairman. The DTAG will be made up of Policy, Regulatory, and Technical Working Groups. Mr. Schneider will head the Policy Group. The Regulatory Working Group will be chaired by Ramona Hazera, International Licensing Manager for Northrop Corporation, and John B. Walsh, Vice President of Boeing Defense & Space Group will head the Technical Working Group. A more detailed report of the group's membership, activities and plans will be provided in the October issue of *Defense Trade News*. ♦

Personnel Updates

LCDR Paul James reported to DTC on June 15, replacing LCDR Nelson Hines. LCDR James recently completed a tour of duty as the Combat Systems Officer on the guided missile destroyer *USS Chandler* (DDG-996), which included two deployments to the Persian Gulf in support of Operation Desert Shield/Storm. LCDR James has also had tours on board the *USS Vandegrift* (FFG-48),

USS Biddle (CG-34), *USS Blakely* (FF-1072) and *USS Mobile* (LKA-115). A weapons specialist, he brings extensive experience with guided missile, radar, and sonar systems. He is a 1980 graduate of Harvard University. As a Licensing Officer, he reviews Technical Assistance Agreements (TAAs) and Manufacturing Licensing Agreements (MLAs), and is involved in National Disclosure Policy issues. ♦



U.S. Department of the Treasury
Office of Foreign Assets Control

“Specially Designated Vessels”
Vessels in which Sanctioned Governments and/or
Specially Designated Nationals have an Interest

July 1992

This publication is designed as an unofficial reference tool listing "Specially Designated Vessels," i.e., Vessels in which Sanctioned Governments and/or Specially Designated Nationals (Cuba and Vietnam only) have an interest to assist the public in complying with the various programs administered by the Office of Foreign Assets Control. A list of vessels in which Iraq has an interest is published separately (56 FR 13584, April 3, 1991) and will appear at a later date in *Defense Trade News*. These lists are not intended as a substitute for official listings published in the *Federal Register*. New *Federal Register* notices with regard to Specially Designated Vessels may be published at any time. Users are advised to check the *Federal Register* routinely for additional names or other changes to these lists. Current information with regard to these lists may be obtained by calling the Office of Foreign Assets Control.

WARNING: Vessels identified on these lists are blocked property in which a sanctioned government has an interest and are subject to all the prohibitions applicable to that sanctioned government. This means that the vessels cannot be used in any manner by U.S. persons and that the vessels will be taken into custody if they enter U.S. waters.

For further information contact the:

OFFICE OF FOREIGN ASSETS CONTROL

U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, D.C. 20220

Phone: (202) 622-2420

Data Fax: (202) 622-1657

"Specially Designated Vessels"

April 21, 1992

Alphabetical listing of vessels in which Sanctioned Governments and/or Specially Designated Nationals (Cuba and Vietnam) have an interest:

ACECHILLY	Acechilly Navigation Co., Malta	CUBA
ACEFROSTY	Acefrosty Shipping Co., Malta	CUBA
AGATE	Agate Maritime, S.A., Panama	VIETNAM
ALEGRIA DE PIO	Naviera Maritima de Arosa, Spain	CUBA
ANA 1	Navigable Water Corp., Panama	CUBA
AVIS FAITH	Bradfield Maritime Corp. Inc., Panama	CUBA
CARIBBEAN PRINCESS	Caribbean Princess Shipping, Cyprus	CUBA
CARIBBEAN SALVOR	Antillana Salvage Co. Ltd., Malta	CUBA
CARIBBEAN QUEEN	Caribbean Queen Shipping, Cyprus	CUBA
CASABLANCA	Epamac Shipping Co., Ltd., Malta	CUBA
CICLON	Senanque Shipping Co., Ltd., Cyprus	CUBA
COTTY	Heywood Navigation Corp., Panama	CUBA
CRIOLLO	Senanque Shipping Co., Ltd., Cyprus	CUBA
EAST ISLANDS	East Island shipping co., Ltd., Cyprus	CUBA
EMERALD ISLANDS	Bettina Shipping Co., Ltd., Malta	CUBA
FLYING DRAGON	Flight Dragon Shipping Ltd., Malta	CUBA
FRIGO HISPANIA	Ace Indic Navigation Co., Malta	CUBA
GRACE L.	Elshippers Inc., Liberia	CUBA
GRETE	Grete Shipping Co., S.A., Panama	CUBA
HERMANN	Guamar Shipping Co., S.A., Panama; formerly owned by Hermann Shipping Corp., Inc., Panama	CUBA
HUNTSLAND	Huntsland Navigation Co., Ltd., Malta	CUBA
HUNTSVILLE	Huntsville Navigation Co., Ltd., Malta	CUBA
HURACAN	Senanque Shipping Co., Ltd., Cyprus	CUBA
HYALITE	Whiteswan Shipping Co., Ltd., Cyprus	CUBA
JADE STAR	Pearl Star Maritime, S.A., Panama	VIETNAM
KASPAR	Kaspar Shipping, S.A., Panama	CUBA
LAS COLORADOS	Naviera Maritima de Arosa, Spain	CUBA
LAURA	Aimoros Shipping Co., Malta	CUBA
LILAC ISLANDS	Valletta Shipping Corp., Panama	CUBA
LONG AN	Pearl Star Maritime, S.A., Panama	VIETNAM
LONG HAI	Pearl Star Maritime, S.A., Panama	VIETNAM
LONG THANH	Mercury Shipping Co., Ltd., Malta	VIETNAM
LOTUS ISLANDS	Wadena Shipping Corp., Liberia	CUBA
MAR AZUL	Senanque Shipping Co., Ltd., Cyprus	CUBA
NEPTUNE STAR	Great Neptune Star Shipping, S.A., Panama	VIETNAM
NEW PIONEER	Pioneer Shipping, Ltd., Malta	VIETNAM
NORTH ISLANDS	North Islands Shipping Co., Cyprus	CUBA
ONYX ISLANDS	Maryol Enterprises, Inc., Panama	CUBA
ORIENTAL JADE	Aquamarine Maritime, S.A., Panama	VIETNAM
PALMA MOCHA	Naviera Maritima de Arosa, Spain	CUBA
PAMIT C.	Pamit C. Shipping Co., Ltd., Cyprus	CUBA
PEONY ISLANDS	Peony Shipping Co., Ltd., Cyprus	CUBA
PINO DEL AGUA	Naviera Maritima de Arosa, Spain	CUBA

PIONEER	Tramp Pioneer Shipping Co., Ltd., Panama	CUBA
PRIMROSE ISLANDS	Piranha Navigation Co., Ltd., Cyprus	CUBA
QUARTZ	Quartz Maritime, S.A., Panama	VIETNAM
RAHIM 3	Pioneer Shipping Ltd., Malta	CUBA
RAVENS	Antamallo Shipping Co., Ltd., Malta	CUBA
REDESTOS	Redestos Shipping Co., Ltd., Cyprus	CUBA
ROSE ISLANDS	Shiplely Shipping Corp., Panama	CUBA
RUBY ISLANDS	Golden Comet Navigation Co., Ltd., Panama	CUBA
SENANQUE	Senanque Shipping Co., Ltd., Cyprus	CUBA
SOUTH ISLANDS	South Islands Co., Ltd., Cyprus	CUBA
STANDWEAR	Standwear Shipping Co., Ltd., Cyprus	CUBA
STAR 1	Canapel, S.A., Panama	CUBA
TIFON	Senanque Shipping Co., Ltd., Cyprus	CUBA
TULIP ISLANDS	Pocho Navigation Co., Cyprus	CUBA
VIOLET ISLANDS	Violet Navigation Co., Cyprus	CUBA
WEST ISLANDS	West Islands Shipping Co., Cyprus	CUBA

Training—Relief Is Just A Letter Away

Are export procedures giving you or your employees headaches? The Office of Defense Trade Controls (DTC) can design a seminar on export licensing policies and procedures with your specific needs in mind. Seminars are held in DTC's main conference room on the second floor at 1701 N. Fort Myer Drive, Arlington, VA.

DTC normally holds two seminars per month if demand warrants. Seating constraints limit attendance to 30 people per seminar. Normal training sessions are half-day, but they can be extended according to the needs of the participants. Small companies are encouraged to apply for these training sessions. We combine participants from different companies each month to make up a session. Larger companies might have enough personnel to take up all of the available spaces in a session, in which case, we will schedule a special session for that company.

In order to request a training seminar, please complete the application below and return it to DTC.

1. Type(s) of Training Desired

- | | |
|--|--|
| <input type="checkbox"/> Completion of Applications | <input type="checkbox"/> Registration Requirements |
| <input type="checkbox"/> Country Licensing Policies | <input type="checkbox"/> Congressional Requirements |
| <input type="checkbox"/> COCOM Requirements | <input type="checkbox"/> Agreement Requirements |
| <input type="checkbox"/> U.S. Customs EXODUS Program | <input type="checkbox"/> Commodity Jurisdiction Requests |
| <input type="checkbox"/> Processing of Requests | <input type="checkbox"/> Licensing Foreign Nationals |
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2. Number of individuals wishing to attend from your firm. _____

3. Please list the primary U.S. Munitions List category(ies) of defense articles, services, and/or technical data in which your firm usually deals.

1. _____ 2. _____ 3. _____ 4. _____

4. Name of Company/Individual _____

DTC Registration Code _____

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5. Would your company be interested in briefing DTC about your products or services?

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