



United States Department of State

*Bureau of Political Military Affairs  
Directorate of Defense Trade Controls*

*Washington, D.C. 20522-0112*

U.S. Customs and Border Protection  
Office of Field Operations  
Border Security and Facilitation  
Interdiction and Security (Outbound)  
1300 Pennsylvania Avenue, N.W.  
Room 5.4C  
Washington, D.C. 20229

JUL 26 2004

Dear Mr. Arthur A.E. Pitts:

The Directorate for Defense Trade Controls (DDTC) is extending the temporary waiver issued by the Office of Defense Trade Controls initially on September 22, 2001 and extended on May 24, 2002, June 30, 2003 and August 29, 2003 to the Department of Defense pertaining to the use of Government Bills of Lading (GBL) and the Shipper's Export Declaration (SED) filings required by 22 CFR Sections 126.4(a), (c) and (d). DoD has committed to comply with all other requirements of 126.4 during the waiver periods and will limit use of the waiver for DOD shipping activities and for DOD end-use only as long as the agreed substitute documentation (even in the case of urgent shipments) is provided to Customs and Border Protection (CBP).

The waivers have been necessary to allow DoD time to develop and implement a direct electronic interface between the DoD shipper systems and the Automated Export System (AES) presently required for the electronic reporting of export information.

DoD has requested a 60-day period to allow for change in procedures for using the waiver to file the Electronic Export Information (EEI) through the Automated Export System. During the 60 days, the DoD components will make every attempt to submit the EEI through AES. Only if the DoD components are not able to transmit the EEI, then will they use the existing waiver provisions to export DoD equipment.

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For shipments where the EEI has been submitted the transportation documents will include the complete External Transaction Number (XTN) on the bill of lading, invoice or other commercial documents.

For shipments where the DoD component cannot transmit the EEI through AES, the following language must be placed on the transportation documentation:

“This shipment contains defense articles controlled under the United States Munitions List and is for exclusive end-use by the DoD. Pursuant to a temporary waiver issued on August 29, 2003 the Directorate of Defense Trade Controls letter, DoD is authorized to provide alternate documentation to the requirements of ITAR Section 126.4 (a), (c), and (d) in shipments originating from DoD activities only. Any questions on this shipment should be directed to duty phone (insert telephone number here) during working hours, and duty phone (insert telephone number here) after hours.”

A 60-day extension of the waiver to DoD is hereby authorized, from August 1, 2004 to September 30, 2004, to allow a testing period of their electronic interface with AES.

Sincerely yours,



Susan M. Clark  
Deputy Director,  
Office of Defense Trade Controls Compliance

Cc: OSD/AT&L – Adam Yearwood