

PREPARATION OF A COMMODITY JURISDICTION REQUEST (CJR)

A Commodity Jurisdiction Request (CJR) is a Defense Trade Controls (DTC) process used to determine one or more of the following:

- If an article is covered by the US Munitions List (USML)
- If an article can be removed USML coverage
- To ask DTC to reconsider of a previous commodity jurisdiction determination.
- To request for a change to the USML Category designation assigned to an article or to confirm the USML Category designation

You do not need to be registered with DTC to file a CJR or Excelerate would be pleased to file it for you. If Excelerate files the CJR then we will need a letter of authorization indicating that Excelerate is acting on your company's behalf and includes the contact information and signature of a senior company representative. We can provide a draft of the authorization letter if you require.

The response from DTC to a commodity jurisdiction request will determine if the item is controlled by DTC. If it is then the item will require a DTC export license before being delivered to or used by a foreign national within or outside the USA. If the item is NOT controlled by DTC then it may be controlled by the Commerce Department which would be the next step in determining exportability. It is important to understand that the CJR is not a license for export but a decision on who has jurisdiction to control the export – DTC or Commerce.

The other point to make is that the CJR is for a single item or service only. A company catalog can not be submitted for review. Typically, the CJR is used to determine if a product can be configured as a commercial export rather than a defense export. Understand that obtaining this approval may not be easy and requires a well thought out description of why the commercial intended article is "safe" to export. Excelerate has successfully done many CJR's so we will help.

The following section is the information we will need to complete your CJR.

CJR REQUIRED INFORMATION CHECKLIST

1. An authorization letter if Excelerate is submitting the CJR.
2. Is your company registered with DTC? If so, what is your registration number?

3. A point of contact in your organization of someone that is involved with the CJR. It is helpful if this person also understands the technical aspects of the commodity. We will need the name, phone and fax numbers, and email address.
4. Product name and model and part numbers if appropriate.
5. Has the commodity been specifically designed for a military application? Yes or No
6. Has the commodity been specifically adapted for a military application? Yes or No
7. Was the commodity a military article modified or adapted for commercial use? Yes or No
8. Important: Define the specific modifications, adaptations, limitations, etc. that were made to the commodity for commercial use. This is a very important part of the CJR process. We can attach additional material and information if appropriate. Always remember your reader may not understand your commodity. We will work with you to achieve the proper balance between insight and depth of detail.
9. Important: Describe the product's use (what it does, how it works, and the components/end items/systems in which it is used) and identify any special characteristics/capabilities. State whether the article is a component and if so, specifically of what. If the commodity jurisdiction determination request is for a service, provide comparable information that explains the service. Include, as appropriate, any military standards or military specifications that the article is designed to meet. Describe any special characteristics of the item, e.g., radiation-hardening, ballistic protection, hard points, TEMPEST capability, thermal or infrared signature reduction capability, and surveillance or intelligence gathering capability. If the item uses image intensification tubes, for example, give the level of technology (Gen II, Gen III, etc.). If the item is a commercial item modified for military applications, we recommend that you designate a new nomenclature and model number in order to differentiate this item from the commercial product line. Be sure to specify the distinct differences between the product after it was modified or adapted for a military application and the original commercial product before changes were made. If the commodity jurisdiction determination request is for a service, provide comparable information that explains the service.
10. Who was the funding source(s) of the commodity? Army, Navy, Air Force, NASA, Private, Homeland Security, DARPA, NSA, Manufacturer, other US Government Source.
11. Provide the U.S. Government program(s) that provided funds and the U.S. Government point of contact for each program. Include name, agency, phone, and email if possible.

12. The existing markets for the commodity are? Commercial, Military, Produced but no market yet, or in development.
13. Identify the number of units sold in the past 10 years to – Commercial and Military separate. Include the year and the number of units individually.
14. What are the current uses of the commodity?
15. Has the commodity been sold internationally? Yes or No
16. Provide any additional supporting information that will make the case for the commodity jurisdiction request. Brochures, pictures, data, etc. Help us plead your case.

There are a number of other questions and information that encompass the CJR but those can be asked individually if we do not know the information already. The CJR processing time is one to two months as with other applications to DTC and we will be able to track the progress on line.

Just like anything, success in gaining the desired CJR results outcome is based on experience in preparing the CJR package. Excelerate has that experience. Let us know if you have any questions and we look forward to working with you.