

## **DSP-61 – LICENSE FOR TEMPORARY IMPORT**

The following points are intended to provide an understanding of the Temporary Import License (DSP-61) defined by the International Traffic in Arms Regulations (ITAR). Of course, these points do not replace the regulations defined by the ITAR. The ITAR is controlled and executed by Defense Trade Controls (DTC) which is a directorate under the State Department.

- A Temporary Import License (DSP-61) is for the temporary import of unclassified articles or hardware as found in the United State Munitions List which is defined by ITAR.
- DSP-61 can also be used for unclassified defense articles or hardware in transit to a third country through the U.S., but must include a document that verifies the purchase and clearly indicates the foreign end use, user, and price.
- For transactions relating to the temporary import of foreign-manufactured defense articles for trade shows and demonstrations, the license application must be supported by documentation from the U.S. entity responsible for the defense articles, and documentation from the U.S. party requesting the demonstration.
- To submit a DSP-61 your company must be registered with DTC and the empowered official must sign the application.
- If the temporary import is for classified articles a DSP-85 must be submitted instead of a DSP-61.
- The applicant maintains the temporary import license while it is active. The license should be returned to DTC when all items have returned to the county of origin, or when the license will not be needed or when it expires.
- All exits and entries of articles or hardware must be made when the license is valid. DTC must be contacted if the material will remain inside the U.S. past the license validity date.
- Supporting documentation must be submitted with the initial application.
- If a DSP-61 is already submitted and updates are needed, it can be amended by use of DSP-62.
- DTC can make three choices regarding the initial license application and subsequent amendments: Approval, Denial, or Return Without Action (RWA). Of course if a denial or RWA is received we can resubmit to correct the issues.

- Plan on an approximate time of 2 months for the DSP-61 approval once it is submitted to DTC.
- The DSP-61 does not allow for the transfer of Technical or Manufacturing information or data.
- It is the responsibility of the company to inform employees of the scope and purpose of the DSP-61. The transfer of Technology, Data / Information or Manufacturing know how to foreign nationals are covered under separate Technology Assistance or Manufacturing License Agreements that are also administered by DTC. This applies to employees, sub-contractors, and consultants coming in contact with foreign nationals within the U.S. or abroad.
- Section 120 of the ITAR gives the definitions for items like technical data, a US person, a foreign person, an import, etc. One important point is that a U.S. person working for a foreign employer must be considered a foreign person, and that a foreign person working for a U.S. company is also considered a foreign person.
- Excelerate, Inc. can not guarantee approval of your DSP-61. We will use our experience to prepare the proper documentation based on the facts you provide.

## **THE PROCESS**

Below is the basic process for preparing a DSP-61

1. Is the company registered with DTC? Register the company if necessary.
2. Obtain the necessary DSP-61 information and complete the checklist.
3. Excelerate prepare the DSP-61 and provide e-file for your review.
4. Customer Empowered Official signs and submits DSP-61 to DTC.
5. Customer track DSP-61 progress through Elle Net.
6. Customer receives approved DSP-61 and follows the provisos if any.
7. Return license to DTC upon completion.

Note - Please contact Excelerate at any time to assist in DTC inquiries that may occur or in the event of RWA or denial. Excelerate will revise the DSP-61 as necessary for re-submittal to DTC.

## **DSP-61 INFORMATION CHECKLIST**

The attached Checklist is a rundown of information that is usually required. Give us a single point of contact or the names of people within your company and we will track down all of the information needed for the application.

- Country Shipment Originating From
- Country of Final Destination
- Manufacturer of Commodity – name and address
- Source of Commodity – name and address
- Article / System – PN, description, quantity, value
- Internal Project Reference Name and Number
- Your Company Defense Trade Controls Registration Number
- Will there be more than one U.S. entry and exit for the articles or hardware
- Name and address of your company DTC registered Empowered Official
- Name and address of subsidiary company making temporary import is applicable
- Probable U.S. Customs port of entry
- Probable U.S. Customs port of exit
- Probable date of first entry into U.S.
- Probable date of final exit from U.S.
- Name , Telephone, and E-Mail of company individuals familiar with application
- Name , Telephone, and E-Mail of U.S. Government Personnel familiar with application
- Name and address of owner/end-user of commodity in foreign country from which shipped
- Name and address of consignor in foreign country from which shipped:
- Name and Address of Source of Commodity:

- Name and Address of foreign intermediate consignee:
- Name and Address of U.S. Intermediate consignee:
- Name and address of consignee in foreign country of ultimate destination:
- Name and Address of end-user in foreign country of ultimate destination
- Specific Purpose of Temporary Import: