



# Preparing Successful Commodity Jurisdictions and CCATS Requests

July 25, 2021



**TORRES LAW**

INTERNATIONAL TRADE & NATIONAL SECURITY

# Agenda

- What are Commodity Jurisdiction requests and CCATS?
- Commodity Jurisdiction Determinations (CJ)
  - DECCS
  - Preparing DS-4076
  - Additional Documentation
  - Tracking CJs
- CCATS
  - Submitting via SNAP-R
  - “Specially Designed”
  - Tracking in STELA



# Who Controls My U.S. Exports?





# Who Controls My U.S. Exports?

- Product classification can be tough.
- If you have trouble determining which regulations apply, you can request assistance.
  - The DDTC issues Commodity Jurisdiction (CJ) determinations.
  - BIS also issues Commodity Classification Automated Tracking System (CCATS) determinations, which are binding product classifications (non-binding on DoS)





# CJs v. CCATS

## Commodity Jurisdiction (CJ)

- Used to determine whether an item or service is covered by the USML (IF manufacturer is unable to self-classify)
- Submitted to DDTC
- Registration with DDTC is *not* required

## Commodity Classification Automated Tracking System (CCATS)

- If you know your product is covered by the CCL, but not sure of which ECCN it falls under, you may submit a CCATS
- Submitted to BIS in SNAP-R
- Classification requests must be limited to six items



# Commodity Jurisdiction

- Making the right choice on commodity jurisdiction is critical.
  - If you believe it is controlled under Export Administration Regulations (EAR) but turns out to be ITAR, you face violations, penalties and other sanctions.
  - If you believe it is ITAR but turns out to be EAR you have created unnecessary work and administrative burden. You could also face BIS penalties.
- Two ways to determining which agency controls your product or technology:
  1. Self classification. Be sure to record your process and basis for classification.
  2. Obtain a CJ determination from DDTC.



# Jurisdiction

- Policy on designating a defense article/service on the USML (See §120.3(a))
  - Meets the criteria of a defense article or services on the USML; or
  - Provides the equivalent performance capabilities of a defense article on the USML.
- Importantly, per §120.3(b) a specific article shall be determined in the future as a defense article if it provides a critical military or intelligence advantage such that it warrants control under the ITAR.
  - Such articles not currently on the USML will be placed in USML Cat. XXI until the appropriate USML category has been amended.



# CJ Determination Step by Step

- Identify the desired (and reasonable) classification: review the products characteristics, function, composition and meet with technical personnel as needed to identify the possible controls applicable to the item.
- Assemble the CJ submission package:
  - Completed form DS-4076
  - Technical specifications for the product (including information regarding its capabilities and possible uses);
  - Marketing and technical brochures;
  - Historical information regarding the product's design and development;
  - Sales information (if available);
  - Information regarding any identical or similar products available overseas;
  - Any other information that may be useful.



# CJ Determination Step by Step

**Strategize**: Getting a favorable CJ determination can bring numerous benefits to your organization.

Every CJ request ought to have two aims:

- i) providing all relevant information regarding the product so the agencies can classify the item, and
- ii) make the case for your desired classification and explain why more restrictive classifications should not apply. Prepare a transmittal letter and tell your story!



# Home Page



U.S. DEPARTMENT OF STATE

## DECCS Industry Service Portal

Search | Derrick Kyle

Industry Portal Applications Learning Tools Support

### DS-4076

Commodity Jurisdiction (CJ)



Exit



Help

## CJ Request Launching Pad

### Estimated Burden: 4 Hours

\* PAPERWORK REDUCTION ACT STATEMENT: Public reporting burden for this collection of information is estimated to average 2 hours per response, including time required for searching existing data sources, gathering the necessary data, providing the information required, and reviewing the final collection.

Send comments on the accuracy of this estimate of the burden and recommendations for reducing it to: Department of State (T/PM/DDTC) Washington, D.C. 20520.

### OMB control number:

1405-0163

### Expiration date:

11/30/2022



### PLEASE NOTE

The new collection format for Commodity Jurisdiction form DS-4076 version 3.0 is now live. For users with existing forms in 'Draft' status, please review your entire form before submitting, to verify accuracy of the request. For previously submitted requests, a PDF version of the original submission and any associated supporting documentation are available in the 'Your Legacy CJ Requests' section below.



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# Block 1.1

## BLOCK 1

### Filer Information - Filer Type

Registered with PM DDTC?

#### FILER TYPE\*

- |   |   |
|---|---|
| <input type="checkbox"/> Exporter <a href="#">i</a>           | <input type="checkbox"/> Manufacturers Representative <a href="#">i</a> |
| <input type="checkbox"/> Foreign Government <a href="#">i</a> | <input type="checkbox"/> Other <a href="#">i</a>                        |
| <input type="checkbox"/> Manufacturer <a href="#">i</a>       | <input type="checkbox"/> U.S. Government <a href="#">i</a>              |

#### Company or Organization \*

Used 0 out of 150 characters

#### "Doing Business As" Name

Used 0 out of 40 characters

#### Address Line 1 \*

Used 0 out of 40 characters

#### Address Line 2

Used 0 out of 40 characters

#### City \*

Used 0 out of 40 characters

#### Country \*

#### State/Province \*

Used 0 out of 40 characters

#### Zip/Postal Code \*

Used 0 out of 10 characters

Save



# Block 1.2

## Filer Points of Contact

**First Name \***

Used 0 out of 60 characters

**Last Name \***

Used 0 out of 60 characters

**Telephone \***

Used 0 out of 20 characters

**Email \***

Used 0 out of 40 characters

**Save POC** **Cancel**



# Block 1.2

## Filer Technical Points of Contact

**First Name \***

Used 0 out of 60 characters

**Last Name \***

Used 0 out of 60 characters

**Telephone \***

Used 0 out of 20 characters

**Email \***

Used 0 out of 40 characters

**Save Technical POC** **Cancel**



# Block 1.2

## OEM

Company or Organization \*

Used 0 out of 200 characters

"Doing Business As" Name

Used 0 out of 126 characters

Address Line 1 \*

Used 0 out of 84 characters

Address Line 2

Used 0 out of 84 characters

City \*

Used 0 out of 42 characters

Country \*

# Block 1.2



## Third Party

Enter Third Party Information

**Company or Organization \***

Used 0 out of 200 characters

**"Doing Business As" Name**

Used 0 out of 126 characters

**Address Line 1 \***

Used 0 out of 84 characters

**Address Line 2**

Used 0 out of 84 characters

**City \***

Used 0 out of 42 characters

**Country \***



# Blocks 2 & 3

## CJ Determination Type

Determination Type \*

-- None --

Save

- New Submission
- Resubmission
- Related to a U.S. Government Request

## Commodity/Service Type

COMMODITY/SERVICE TYPE \*

- |  |   |
|--|---|
| <input type="checkbox"/> End Item <a href="#">i</a>        | <input type="checkbox"/> Accessory/Attachment <a href="#">i</a> |
| <input type="checkbox"/> Service <a href="#">i</a>         | <input type="checkbox"/> Part <a href="#">i</a>                 |
| <input type="checkbox"/> Component/Major <a href="#">i</a> | <input type="checkbox"/> Component/Minor <a href="#">i</a>      |
| <input type="checkbox"/> Firmware <a href="#">i</a>        | <input type="checkbox"/> Information <a href="#">i</a>          |
| <input type="checkbox"/> Software <a href="#">i</a>        | <input type="checkbox"/> System <a href="#">i</a>               |
| <input type="checkbox"/> Material <a href="#">i</a>        | <input type="checkbox"/> Other <a href="#">i</a>                |

Save

# Block 4



BLOCK 4

## Commodity/Service Basic Information

### SECTION A. COMMODITY/SERVICE INFORMATION RELEASED IN BLOCK 13

**Product Name \***

Used 0 out of 500 characters

**Generic Description \***

Used 0 out of 500 characters

**Model and Version Number \***

Used 0 out of 80 characters

**Part Number \***

Used 0 out of 255 characters



# Block 4

## SECTION B. ADDITIONAL COMMODITY/SERVICE INFORMATION NOT RELEASED IN BLOCK 13

**National Stock Number \***

Used 0 out of 80 characters

**Other Identifier \***

Used 0 out of 80 characters

**Military/Intelligence Specification \***

Used 0 out of 4000 characters

**Patent Information \***

Used 0 out of 4000 characters

**Cost Per Unit \***

**Manufacturer's Website \***

Used 0 out of 4000 characters

**Commodity/Service Website ⓘ**

Used 0 out of 4000 characters

**Explain if restricted for public release by the U.S. Government ⓘ \***

Used 0 out of 4000 characters

**Save Commodity**

**Cancel**



# Block 5

## Commodity/Service Detailed Description

Provide a detailed description of the item, software, information, or service. At a minimum, describe what it does, how it operates, the components and/or systems that are used in or with it, and identify the end use platform in which the item is to be integrated, incorporated, etc., if it is a minor component.

Commodity/Service Detailed Description \*

Used 0 out of 4000 characters

Save

# Block 6



## Special/Unique Characteristics and Capabilities

- Ballistic Protection
- Chemical, Biological Weapon
- Civil Applications
- Hard Points
- Intelligence Applications
- Low Observable/Counter-Low Observable
- Military Applications
- Radiation Hardened
- Surveillance or Intelligence Gathering Capability
- Space Applications
- TEMPEST Capability
- Thermal or Infrared Signature Reduction Capability
- Other



# Block 7

## Commodity Origin

Was or is this commodity being developed with knowledge for use in or with a particular commodity (e.g., F/A-18 or HMMWV)? [i](#) \*

Yes No

Was or is this commodity being developed with knowledge for use in or with a type of commodity (e.g., aircraft or machine tool)? [i](#) \*

Yes No

Was or is this commodity being developed with knowledge that it would be used in or with defense articles enumerated on the U.S. Munitions List? [i](#) \*

Yes No

Was or is this commodity being developed with knowledge that it would be used in or with commodities not on the U.S. Munitions List? [i](#) \*

Yes No

Regardless of form or fit, is this commodity a fastener, washer, spacer, insulator, grommet, bushing, spring, wire, or solder? [i](#) \*

Yes No

Does this commodity have the same function and performance capabilities as another commodity used in or with an item that is both (a) currently or formerly in production and (b) not enumerated on the U.S. Munitions List?

Same Function? [i](#) \*

Yes No Unknown

Same performance capabilities? \*

Yes No Unknown

Same or equivalent form and fit? \*

Yes No Unknown

Are identical or comparable products available through foreign means? [i](#) \*

Yes No Unknown

Save



# Blocks 8 & 9

## BLOCK 8

### Product Development Stage

What is the current stage of product development for this item? \*

-- None --

Save

## BLOCK 9

### Funding History

FUNDING HISTORY \*

U.S. Government (USG) Agency [i](#)

Foreign Government Agency [i](#)

U.S. or Foreign Contractor [i](#)

University Funded [i](#)

Self-funded [i](#)



Save



# Blocks 10 & 11

## Sales Information

Have there been any military sales in the past 5 years? \*

Yes No

Have there been any civil/commercial sales in the past 5 years? \*

Yes No

Save

## Export/Classification Info

Has this commodity been previously exported? \*

Yes No Unknown

Has this commodity been subject to a Department of Commerce Classification Request? \*

Yes No Unknown

Save




# Block 12

## Reason for CJ Request

Explanation  \*

Used 0 out of 4000 characters

Suggested U.S. Munitions List (USML) category and/or subcategory: (if applicable) 

Used 0 out of 4000 characters

Suggested Export Administration Regulations, Export Control Classification Number (ECCN): (if applicable) 

Used 0 out of 4000 characters

Rationale for recommended classifications, to include specially designed analysis: (if applicable) 

Used 0 out of 4000 characters



# Blocks 13 & 14

## Publication

The Directorate of Defense Trade Controls reserves the right to post a description of the commodity and final DDTC action on its website to provide the public access to the information in Block 4a and any other descriptive information provided below. If you believe that any information contained in Block 4a is proprietary, please specifically identify the information below and provide a summarized rationale for DDTC to consider withholding the information from public notice.

Publication \*

Used 0 out of 4000 characters

Save

## Other

Please provide any other information that should be considered and is not otherwise included in this form

Other Information

Used 0 out of 4000 characters

Save

# Block 15



## Supporting Documents

Upload a Supporting Document  
Maximum file Size is 35MB | Allowed File Types [i](#)

**Browse for a File**

Descriptor: \*

Description: \*

Used 0 out of 200 characters

**Save Supporting Document** **Cancel**



# Block 16: Certification

## Applicant/Submitter's Certification

Under Penalty According to Federal Law (See 22 CFR 127, 22 U.S.C. 2778, and 18 U.S.C. 1001), I am the authorized employee of the company cited in Block 1, or a third party as described in Block 1 authorized to submit on behalf of the company in Block 1, and certify as to the accuracy and completeness of the information provided and have not knowingly omitted information that could have an impact on the final determination issued by the U.S. Department of State. Furthermore, I have specific authority to release for publication the text contained in Block 4.

Signature \*

Used 0 out of 250 characters

Title \*

Used 0 out of 250 characters

Date \*



## Privacy Act Statement

**AUTHORITIES:** The information is sought pursuant to Exec. Order No. 13637, 22 U.S.C. 2778, 22 CFR § 120.3, 22 CFR § 120.4, and 22 CFR Part 121.

**PURPOSE:** The purpose of a commodity jurisdiction determination request is to provide the U.S. Government with information concerning the design, manufacture, export, brokering, and sale of certain defense articles which may or may not be controlled under the United States Munitions List (USML, 22 CFR Part 121) and are therefore subject to the export licensing jurisdiction of the Department of State. This information will be used to determine the correct classification of items under the USML.

**ROUTINE USES:** The information supplied on this form is made available to appropriate agencies for law enforcement or pursuant to a court order. It may also be used to send required reports to Congress about certain defense transactions. More information on the Routine Uses for the system can be found in the System of Records Notice State-42, Munitions Records.

**DISCLOSURE:** Providing this information is voluntary and designed to assist individuals and companies to properly determine the classification of certain defense articles. Failure to provide the information requested on this form may result in adverse determinations by the U.S. Government as regards the proper classification of defense articles manufactured, sold, or brokered by the respondent.

Save

Back

Certify & Submit



# Additional Documentation

- Helpful additional documentation includes:
  - Technical specifications for the product (including information regarding its capabilities and possible uses);
  - Marketing and technical brochures;
  - Historical information regarding the product's design and development;
  - Sales information (if available);
  - Information regarding any identical or similar products available overseas; and
  - Any other information that may be useful.
  
- This information must be uploaded electronically (Block 15).



# Transmittal Letter

- Two aims of every CJ request:
  - 1) Provide all relevant information about the product or technology so that the agencies can make an accurate determination; and
  - 2) Make the case for your desired classification and demonstrate why other, more restrictive classifications should not occur
- The transmittal letter is most helpful in accomplishing the second aim of CJ requests.
  - The transmittal letter should be used to tell the story of the product or technology – its development and intended uses, its capabilities and limitations – and make the argument for the classification State should assign.

# Submitting on Behalf of Another



## SAMPLE AUTHORIZATION LETTER

ABC Company

(LETTERHEAD)

Month, Day, Year  
U.S. Department of State  
Directorate of Defense Trade Controls  
PM/DDTC SA-1, Room 1200  
2401 E Streets, NW  
Washington, DC 20037

SUBJECT: Letter for a Commodity Jurisdiction (CJ) Request authorizing XYZ Company to file on behalf of the ABC Company for the (Insert the product name)

Dear Sir or Madam:

The XYZ Company is authorized to submit a CJ request to the Directorate of Defense Trade Controls (DDTC) on behalf of the ABC Company for the following product (Insert the product name and provide brief details such as hardware, software, service, etc.). (Insert specific individuals at XYZ Company, if appropriate, who will be involved). (Insert and explain the nature of the relationship between the two companies, e.g., the ABC Company hired the XYZ Company to file on its behalf or, the ABC Company is a subsidiary of the XYZ Company or, joint production of the product or, the manufacturer has gone out of business or, XYZ Company sells item manufactured by ABC Company or, Companies ABC and XYZ have other specified business arrangement or relationship, etc.). (If the form does not list an Applicant or the Submitter does not include an Authorization letter from the Applicant, the letter should explain why such authorization has not been provided so that DDTC may determine if the CJ request may be processed.)

The ABC Company authorizes the release for general publication of the information contained in Block 4 of the DS-4076 Form, as prepared and submitted by the XYZ Company (this release applies specifically to the DS-4076 form).

(Closing Statement,)



# Best Practices in CJs

- List current and past uses
- Identify special characteristics
- Compare/contrast with other products
- Provide licensing history
- Beware of marketing hyperbole
- Remember the audiences (both technical and non technical)
- Quality of information is more important than quantity.



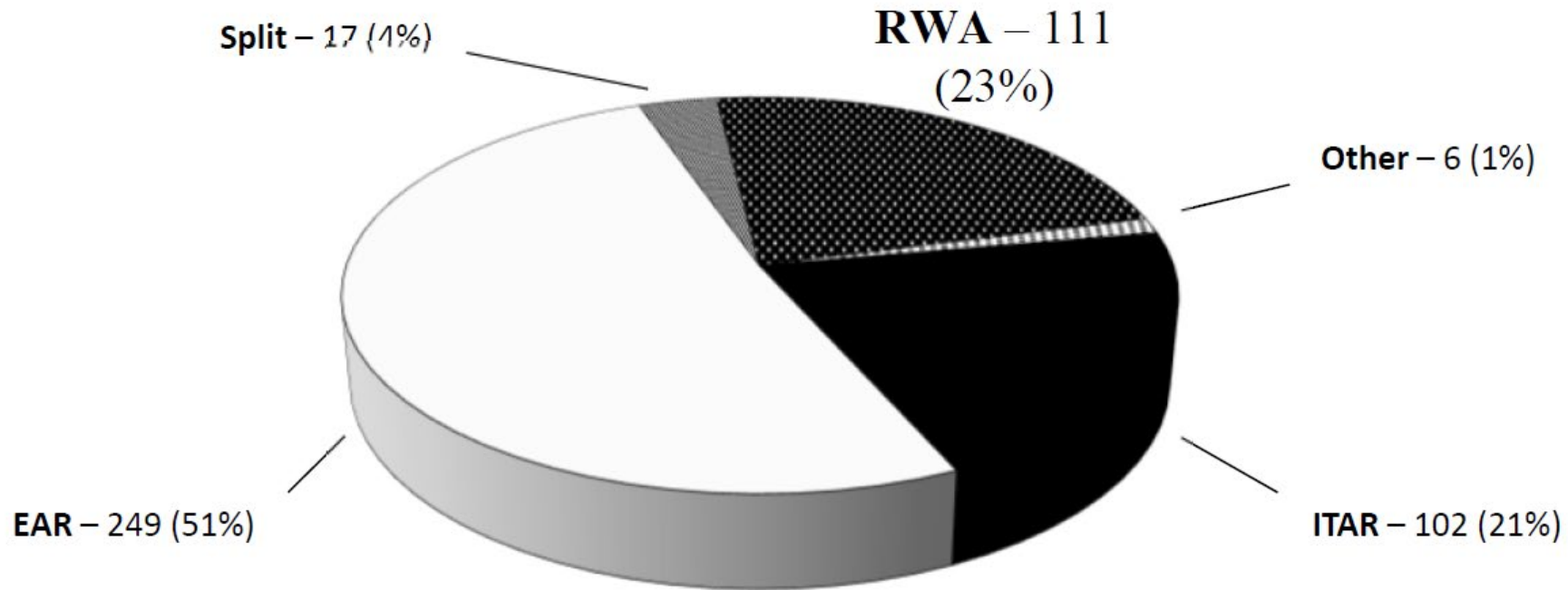
# Tracking CJ Requests

- Companies can track the progress of the request using DDTC's online CJ tracking system, ELISA.
- Follow up with DDTC if it appears the request has stagnated.



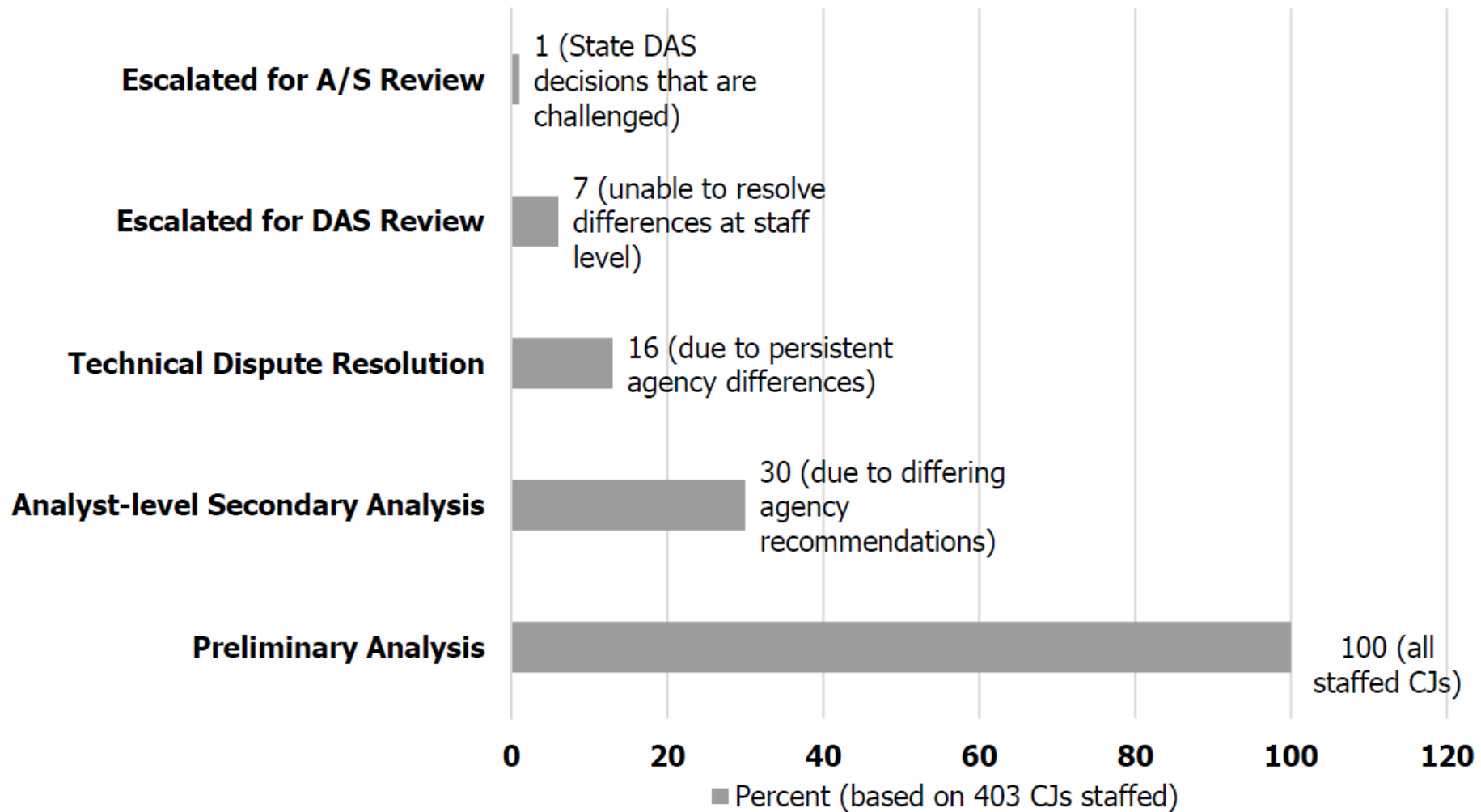


# CJ Statistics (2018)





# CJ Escalation (2018)





# Reconsideration

- An unfavorable CJ determination does not have to be the end of the process.
- If you believe the determination is in error or if there are aspects of the product or technology that it appears the agencies did not fully consider, you may request that DDTC reconsider.

## CJ Determination Type

Determination Type \*

-- None --

Save



# § 748 Classification Requests

**Commodity Classifications do NOT determine export control jurisdiction and are NOT determinations that the items described therein are “subject to the EAR”**

- Therefore, prior to submitting a commodity classification request you should have determined that the items at issue are **not** subject to the exclusive export control jurisdiction of one of the other U.S. Government agencies



# Classification of an Item

- Items “subject to the EAR” should be classified in the relevant entry on the CCL
- The exporter, reexporter, or transferor is responsible for the correct classification of the item(s) in an export transaction
- Failure to classify or have an item classified correctly does not relieve the responsible party of the obligation to obtain a license when one is required by the EAR



# BIS Classification

- You have a right to request BIS to provide you with the correct ECCN down to the paragraph (or subparagraph) level, and BIS has a duty to provide that classification to you.
- What do you get?
  - BIS will issue you a determination that each item identified in your request is either:
    - a) described by an ECCN in the CCL of the EAR or
    - b) not described by an ECCN and, therefore, an "EAR99" item.
  - However, only after the review of a properly completed application supported by all relevant facts and required documentation submitted electronically to BIS in SNAP-R.



# SNAP-R

- A commodity classification request (CCATS) can be submitted online through the Simplified Network Application Process-Redesign (SNAP-R)



## SNAP-R

- SNAP-R HOME
- CREATE WORK ITEM
- LIST WORK ITEMS
- SEARCH WORK ITEMS
- SEARCH DOCUMENTS
- VIEW MESSAGES
- MANAGE USER PROFILE
- HELP
- SCL HELP
- LOGOUT
- STELA

### Create Work Item

---

#### New Work Item [?](#)

Please select a Work Item type from the dropdown box, then click **Create**. [?](#)

Type [?](#)  ▼

Reference Number [?](#)  (Format: AAA9999)

---

#### Reuse Existing Work Item

Please click **Search to Reuse** to find a Work Item to copy. [?](#)





# Log-in

The screenshot shows a web browser window with the URL <https://snapr.bis.doc.gov/snapr/>. The page header features the U.S. Department of Commerce logo on the left, the text "SNAP- R" in large red letters in the center, and "Bureau of Industry and Security U.S. Department of Commerce" on the right. On the left side of the page, there are links: "About SNAP-R", "BIS Home", "SNAP-R FAQ", "NEWLY RELEASED!", and "STELA". The main content area is dominated by a warning message: "WARNING WARNING WARNING WARNING WARNING WARNING WARNING WARNING WARNING USE OF THIS SYSTEM IS RESTRICTED AND MONITORED !!!". Below this, a paragraph states: "You are accessing a U.S. Government information system, which includes: 1) this computer, 2) this computer network, 3) all computers connected to this network, and 4) all devices and storage media attached to this network or to a computer on this network. You understand and consent to the following: you may access this information system for authorized use only, you have no reasonable expectation of privacy regarding any communication of data transiting or stored on this information system; at any time and for any lawful Government purpose, the Government may monitor, intercept, and search and seize any communication or data transiting or stored on this information system; and any communications or data transiting or stored on this information system may be disclosed or used for any lawful Government purpose." Below the warning is another "WARNING WARNING WARNING WARNING WARNING WARNING WARNING WARNING WARNING" line. A login form titled "Login to SNAP-R" is centered, containing three input fields: "Login ID" with the value "george", "Password" with masked characters "\*\*\*\*\*", and "CIN (Applicant ID)" with the value "s668888". There are "Login" and "Clear" buttons below the fields. At the bottom of the page, there is a link: "Register online for a SNAP-R account".



# Create Work Items

The screenshot shows a web browser window with the URL <https://snapr.bis.doc.gov/snagr/exp/WorkItemCreateLoad>. The page header features the U.S. Department of Commerce logo on the left, the text "SNAP- R" in large red letters in the center, and "Bureau of Industry and Security U.S. Department of Commerce" on the right.

On the left side, there is a navigation menu with the following items: SNAP-R Home, CREATE WORK ITEMS, LIST WORK ITEMS, SEARCH WORK ITEMS, SEARCH DOCUMENTS, VIEW MESSAGES, MANAGE USER PROFILE, HELP, SCL HELP, LOGOUT, STELA, and SNAP-R SELF MANAGEMENT.

The main content area is titled "Create Work Item" and is divided into two sections:

- New Work Item**: This section contains the instruction "Please select a Work Item type from the dropdown box, then click [Create](#)". Below this is a "Type" dropdown menu that is open, showing the following options: "Export License Application" (highlighted), "Export License Application", "Re-Export License Application", "Agriculture License Exception Notice", "Commodity Classification Request", "Encryption Registration", and "Special Comprehensive License Application". Below the dropdown is a "Reference Number" input field.
- Reuse Existing Work Item**: This section contains the instruction "Please click [Search to Reuse](#) to find a Work Item to copy". Below this is a "Search to Reuse" button.

At the bottom of the page, there are links for [FOIA](#), [Disclaimer](#), [Privacy Policy Statement](#), [Information Quality](#), [Department of Commerce](#), and [Contact Us](#).



# Receive Messages and Respond

The screenshot shows the SNAP-R web application interface. At the top, there is a navigation bar with the SNAP-R logo and the text "Bureau of Industry and Security, U.S. Department of Commerce". Below this, a sidebar on the left contains various navigation options such as "SNAP-R Home", "Create Work Item", "List Work Items", "Search Work Items", "Search Documents", "View Messages", "Manage User Profile", "Help", "SCL Help", "Logout", "STELA", and "SNAP-R Self Management". The main content area is titled "All Messages" and contains a table of messages. The table has columns for "Subject", "Date", and "Status". Each row includes a "remove" button and a "mark new" button. Below the table are "Remove" and "Mark As NEW" buttons.

**All Messages**

The **Remove** button removes the selected messages from the message board. Messages are still accessible within their associated Work Items. The **Mark As New** button will mark the message as new.

9 Messages    Displaying 1 through 9

Subject	Date	Status		
<a href="#">Encryption Registration AEW0889 Accepted with ERN R101640</a>	11/13/2011	READ	<input type="checkbox"/> remove	<input type="checkbox"/> mark new
<a href="#">Request Received: I need you to confirm</a>	07/31/2009	READ	<input type="checkbox"/> remove	<input type="checkbox"/> mark new
<a href="#">Request Received: add document</a>	07/27/2007	READ	<input type="checkbox"/> remove	<input type="checkbox"/> mark new
<a href="#">Request Received: no document</a>	07/27/2007	READ	<input type="checkbox"/> remove	<input type="checkbox"/> mark new
<a href="#">Request Received: test pending</a>	07/27/2007	READ	<input type="checkbox"/> remove	<input type="checkbox"/> mark new
<a href="#">Request Closed: test v1.2</a>	07/27/2007	READ	<input type="checkbox"/> remove	<input type="checkbox"/> mark new
<a href="#">Request Received: test v1.2</a>	07/27/2007	READ	<input type="checkbox"/> remove	<input type="checkbox"/> mark new
<a href="#">Request Received: 2nd test request</a>	06/08/2007	READ	<input type="checkbox"/> remove	<input type="checkbox"/> mark new
<a href="#">Request Received: test request 6/8/07</a>	06/08/2007	READ	<input type="checkbox"/> remove	<input type="checkbox"/> mark new



# Properly Completed Application

- All classification requests and their accompanying documents must be filed via SNAP-R\*
  - Snap-R Blocks 1 through 5 (Contact Information)
  - Snap- R Block 14 ( Applicant ID )
- Limit submissions to six items (Exceptions per 748.3(b)(1))
- Attach PDF support files in SNAP-R submission with sufficient technical detail to enable classification

# SNAP-R



Commodity Classification Request  
Reference Number: FKE0001

Status: DRAFT

BIS-748P

## Edit Commodity Classification Request

Please click **Save Draft** to save your unfinished work. Required fields are marked with an asterisk (\*). The numbers [?] next to the fields are only for reference to the paper version of this form and do not need to be considered to complete this application.

To delete this Work Item: [Delete Work Item](#)

To grant or delete rights to others to view, edit, or submit this Work Item: [Manage User Rights](#) [?]

[ Collapse All ]

### Contact Information\*

Reference Number*(AAA9999) [?]	FKE0001
1. Contact Person (First, Last)* [?]	<input type="text"/>
2. Telephone Number* (999-999-9999) [?]	<input type="text"/>
3. Fax Number (999-999-9999) [?]	<input type="text"/>
Email [?]	derrick@torrestradelaw.com
4. Creation Date [?]	01/27/2017
5. Type Of Application	Commodity Classification Request

### License Information

9. Special Purpose [?]	<input type="text"/>	<input type="checkbox"/> Check here if you are submitting information about encryption required by 740.17 or 742.15 of the EAR [?]
------------------------	----------------------	--



# SNAP-R



Company Designation Information	
You are currently submitting as a First Party <input type="checkbox"/> <span style="float: right;">Switch to third party submission <input type="checkbox"/></span>	
Applicant Information * <input type="checkbox"/>	
* Required field	
14. CIN (Applicant ID)*	<input type="text"/>
Applicant*	Torres Law, PLLC
Address Line 1*	1201 Main St.
Address Line 2	1350
City*	Dallas
State/Province* (Required for US address)	Texas
Postal Code*	75202
Country*	UNITED STATES
EIN	<input type="text"/>
<input type="button" value="Save Draft"/>	
Other Party Information <input type="checkbox"/>	
* Required field (only if entering an Other Party). Otherwise leave blank.	
15. Other Party ID	<input type="text"/>
Other Party*	<input type="text"/>
Address Line 1*	<input type="text"/>
Address Line 2	<input type="text"/>
City*	<input type="text"/>
State/Province* (Required for US address)	<input type="text"/>
Postal Code*	<input type="text"/>
Country*	Please Select <input type="text"/>
Telephone or Fax*	<input type="text"/>
<input type="button" value="Save Draft"/>	
Purchaser Information <input type="checkbox"/>	
* Required field (only if entering a Purchaser). Otherwise leave blank.	
16. Purchaser*	<input type="text"/>
Address Line 1*	<input type="text"/>
Address Line 2	<input type="text"/>
City*	<input type="text"/>
Postal Code	<input type="text"/>
Country*	Please Select <input type="text"/>
Telephone or Fax	<input type="text"/>
<input type="button" value="Save Draft"/>	
Intermediate Consignee Information <input type="checkbox"/>	
* Required field (only if entering an Intermediate Consignee). Otherwise leave blank.	
17. Intermediate Consignee*	<input type="text"/>
Address Line 1*	<input type="text"/>



# SNAP-R

**Export Items\* 2** ☰

Enter information for a new Export Item

22. a. ECCN	<input type="text" value="Please Select"/>
b. APP(9.9999999)	<input type="text"/>
c. Product/Model Number	<input type="text"/>
d. CCATS Number	<input type="text"/>
i. Manufacturer	<input type="text"/>
j. Technical Description*	<input type="text"/>



# SNAP-R

**Additional Information**

24. Additional Information

**Documents attached to application**

To upload a new supporting document or view or delete attached supporting documents: [View and Manage Supporting Documents](#)

Title	Author	Type
There are no documents attached.		



# Not “Specially Designed”

- You may submit a request to confirm that a part, component, accessory, attachment, or software described in paragraph (a)(1) or (2) of the “specially designed” definition in § 772.1 is not “specially designed” if:
  - a) Such item does not meet the criteria of exclusion paragraph (b)(3) of the “specially designed” definition, but would meet the criteria if the minor changes in form or fit were determined to be insignificant by the U.S. Government.
  - b) The performance capabilities of such item are the same as those of an item that would meet the criteria of exclusion paragraph (b)(3) of the definition of “specially designed”
- Request must indicate in Block 24 or in a separate PDF attachment included with the CCATS submission how the item(s) meet (a) and (b) above



# Not “Specially Designed”

- Example: Minor aircraft part for F-16 that is very similar to a part for a commercial aircraft
- ECCN 9A610.x: “Parts,” . . . that are “specially designed” for . . . a defense article enumerated or otherwise described in USML Category VIII
- Analysis:
  - The minor F-16 part is “caught” in the specially designed definition because, per (a)(2), it is a “part . . . for use with a defense article enumerated or otherwise described on the USML”
  - Focus on (b)(3) of “specially designed”: The part is not “released” by (b)(3) because it does not have the “same or equivalent form and fit” as the part used with a commercial aircraft, but exporter believes changes in form and fit are insignificant.
  - The F-16 part has the same performance capabilities as the commercial aircraft part.
- If a CCATS is submitted with description of changes to form and fit, and the government agrees that the changes were insignificant, then the CCATS can confirm the part is not “specially designed.”



# Not “Specially Designed”

Commerce, State and Defense interagency review to ensure U.S. national security and foreign policy interests are protected. Reviewed on a case-by-case basis taking into account all the following:

- The insignificance of the changes in form and fit
- The overall role of the item in the performance capabilities of the described item that it is used in or with
- How substantively common it is to the other item that would meet the paragraph (b)(3) criteria;
- Consistency with U.S. Government multilateral export control regime commitments



# STELA

CCATS can be tracked via BIS' online System for Tracking Export License Applications (STELA).

You will need your BIS assigned application control numbers (ACN).

<https://snapr.bis.doc.gov/stela/>



# STELA

WARNING WARNING WARNING WARNING WARNING WARNING WARNING WARNING

USE OF THIS SYSTEM IS RESTRICTED AND MONITORED !!!

You are accessing a U.S. Government information system, which includes: 1) this computer, 2) this computer network, 3) all computers connected to this network, and 4) all devices and storage media attached to this network or to a computer on this network. You understand and consent to the following: you may access this information system for authorized use only; you have no reasonable expectation of privacy regarding any communication of data transiting or stored on this information system; at any time and for any lawful Government purpose, the Government may monitor, intercept, and search and seize any communication or data transiting or stored on this information system; and any communications or data transiting or stored on this information system may be disclosed or used for any lawful Government purpose.

Unauthorized use of the system is prohibited and subject to criminal and civil penalties.

WARNING WARNING WARNING WARNING WARNING WARNING WARNING WARNING

**Track Application Status**

ACN  or Case Number  :

**BIS provides STELA information for tracking purposes only.**

Please refer to SNAP-R, or the hard copy response, for the details of the final action made on your application submission.

Please direct any questions, comments, or concerns to the [Exporter's Inquiry Form](#)



# Factors That Cause Delays

- Submission lacks sufficient technical detail
- Applicant unresponsive to questions asked in SNAP-R
- Incorrect technical detail
- Incomplete part number/model number
- Ineffective “Subject to the EAR” analysis





# Reminder



A BIS classification may NOT be relied upon or cited as evidence that the U.S. Government has determined that the items described in the commodity classification determination are subject to the EAR



# Questions?

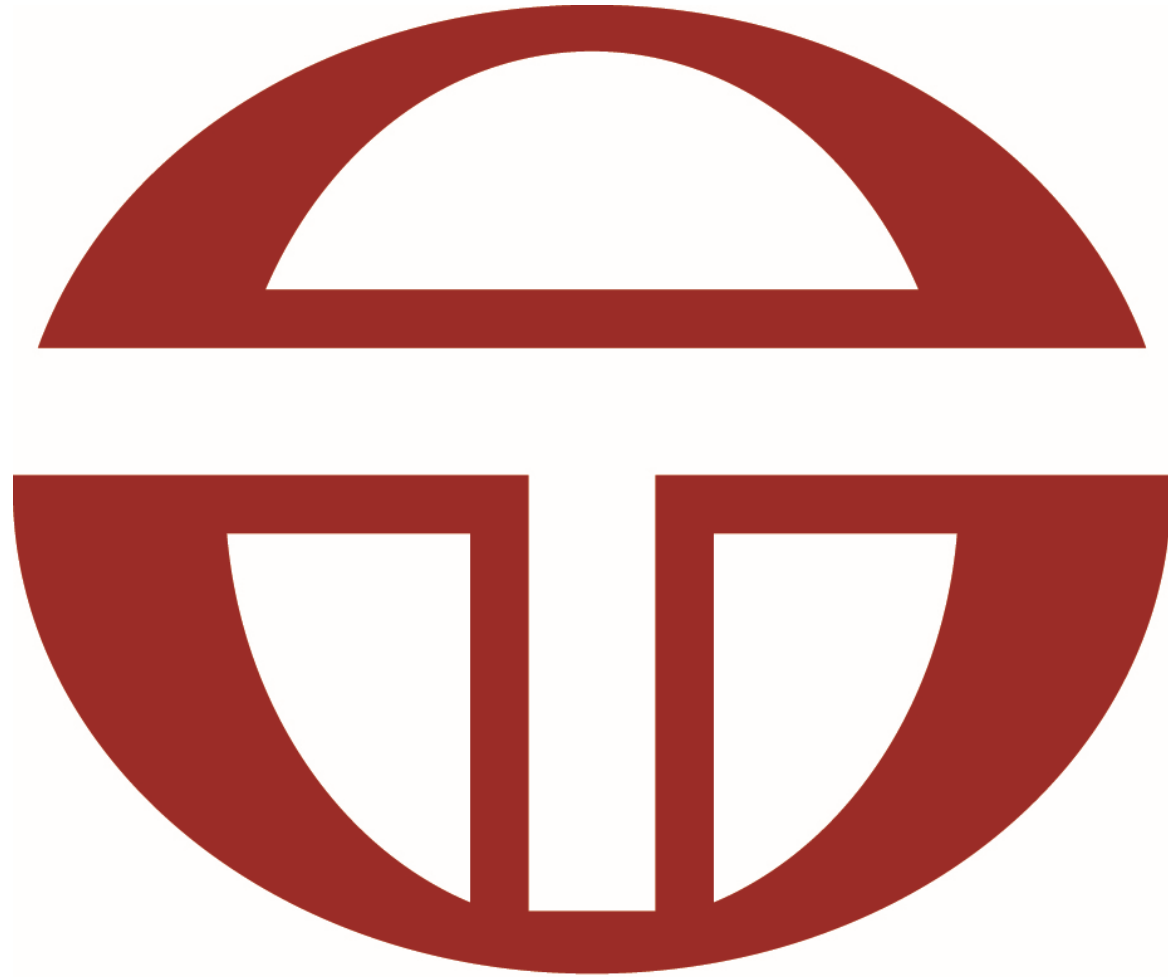


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