



# US/UK DEFENSE TRADE COOPERATION TREATY (DTCT)

## Freight Forwarding / Intermediate Consignees

UK Industry Event

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# US/UK DTCT

## Freight Forwarding/Intermediate Consignees

US Senate Resolution of Ratification (Sep 10)

*“It is the understanding of the United States that any intermediate consignee of an Export from the United States under the Treaty must be a member of the Approved Community or otherwise approved by the United States Government “*

Current ITAR license requirement (DSP-5, 61, 73 and 85) - 22 CFR § 126.13(b)

“...All applications for license must include the complete name and address of all U.S. consignors/freight forwarders and all foreign consignees and foreign intermediate consignees involved in the transaction...”

Intermediate consignees...

entities or persons who receive defense articles, including technical data, for the sole purpose of effecting onward movement to members of the Approved Community, but who do not have access to such defense articles.



# US/UK DTCT

## Freight Forwarding/Intermediate Consignees

- Unclassified exports may only be handled by:
  - U.S. intermediate consignees who are:
    - Exporters registered with the Directorate of Defense Trade Controls and eligible;
    - Licensed customs brokers who are subject to background investigation and have passed a comprehensive examination administered by U.S. Customs and Border Protection;
    - Commercial air freight and surface shipment carriers, freight forwarders, or any other parties not exempt from registration under Section 129.3(b)(3) that are identified at the time of export as being on the list of Authorized U.S. Intermediate Consignees, which is available on the Directorate of Defense Trade Controls' Website.
  - UK intermediate consignees who are:
    - Members of the United Kingdom Community; or
    - Freight forwarders, customs brokers, commercial air freight and surface shipment carriers, or other UK parties that are identified at the time of export as being on the list of Authorized UK Intermediate Consignees.
- Classified exports must comply with the security requirements of the National Industrial Security Program Operating Manual (NISPOM) (DoD 5220.22-M and supplements or successors).



## Freight Forwarding/Intermediate Consignees

Eligibility criteria for UK intermediate consignees *will be* as follows:

- The overall baseline requirements for the carriage and handling of Protectively Marked material are contained in the Cabinet Office, Security Policy Framework - “The Government Protective Marking System and Asset Control”.
- Arrangements for the carriage and handling of Protectively Marked material, including consideration of the eligibility of any intermediate consignee’s, are determined by the level of security classification of the material concerned and the associated security requirements necessary to ensure the protection of that material.
- Further guidance and any additional carriage and handling requirements are included in individual contract documentation, as specific contractual requirements.
- The entity is licensed or authorised under UK law to provide the service being provided.
- The entity must have at least 12 months of continuous service equivalent to the service being provided.



# US/UK DTCT

## Freight Forwarding/Intermediate Consignees

- US provided with initial list (Jun 10)
  - Air & Surface Freight Forwarders
- Proposal is to place details on US DoD DTrade2 website  
[www.pmddtc.state.gov](http://www.pmddtc.state.gov)
- Movement of Treaty Articles: therefore part of the Approved Community, therefore...
- Capture FF/IC as part of the AC process
  - Field Team facility check
- Ensure FF/IC company is placed on the 'list'

For the future?

- EAEO

Questions?



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