

Frequently Asked Questions (FAQs)

DSP-73 and DSP-61 License Applications – Supporting Documentation Requirements

Q: Why are we updating the guidance?

A: Due to some inadequacies in our case handling system, we are asking for this additional information in order to expedite the case review. We will fix this in our future upgrades to the system but in the interim, we are asking for your indulgence. A little more effort on your part up front will decrease the overall time until the approval is back to you.

Q: Why is a transmittal letter required if information already stated in application?

A: While the transmittal letter may re-state information already provided in the application, it will allow the applicant to provide further insight into the transaction as well as provide information not specifically required in the license application, i.e., related voluntary disclosure (VD), customs seizure. More importantly, DDTC is moving away from the “stand-alone” license application where no supporting documentation is provided. The inclusion of a transmittal letter re-stating the application information or providing further clarification of the transaction allows for a more robust license file.

Q: Why does the supporting documentation for a transshipment license have to be between the foreign entities?

A: Per 22 CFR 123.3(a)(2), a DSP-61 can be used for defense articles “in transit to a third country”. This statement implies, and DDTC interprets as such, that the transaction is originating in a foreign country and by means of routing will transit the U.S. en route to the country of ultimate destination. Therefore the supporting documentation should be the purchasing document between the selling country and the buying country. The applicant may be identified in the supporting documentation but it generally is not addressed to the applicant.

Q: Where is the applicant’s role identified on the DSP-61?

A: Block 21 requires the identification of the “U.S. Intermediate Consignee”. This block should include the U.S. entity acting as the transshipment agent or freight forwarder in the U.S. The U.S. entity performing the overhaul/repair, modification/upgrade, and/or who will maintain control of the foreign-manufactured goods at U.S. trade shows and demonstrations should be identified in this block. This information can be the same as Block 8 (applicant information) and should be re-entered here. There can be multiple entries in Block 21. The transmittal may be used to fully describe the roles of the various parties.