

Use of USML Category XXI

Effective immediately, all license submissions which identify USML **Category XXI – Miscellaneous Articles** must include an attached copy of one of the following two documents authorizing use of Cat XXI or the application will be subject to Return Without Action:

- A copy of a DDTC Commodity Jurisdiction determination letter identifying the commodity as controlled under the USML at Cat XXI;
- Or an official letter from the Director, Office of Defense Trade Controls Policy granting permission to use Cat XXI.

This policy is necessary to enforce the requirement of 22 CFR Part 121.1 Category XXI(a). DDTC has observed a recent increase in the use of Cat XXI for items which should be properly categorized under a well defined USML category. The incorrect use of Cat XXI results in the license application being directed to the incorrect licensing team at DDTC and DTSA, which significantly slows down the adjudication of the request. Additionally, if a properly categorized commodity is designated as SME, the incorrect use of Cat XXI also incorrectly identifies the commodity as non-SME.

If you are unsure if your commodity is controlled by the USML, you should seek a Commodity Jurisdiction determination (see 22 CFR 120.4). Please follow the guidelines at http://www.pmdtc.state.gov/commodity_jurisdiction/index.html. If you have determined your commodity is USML but are unsure of the correct category, contact the DDTC Response Team at 202-663-1282 or PM-DDTC-Response-Team-DL@state.gov.

Any other questions or concerns regarding the use of Category XXI should be directed to the DDTC Response Team at 202-663-1282 or PM-DDTC-Response-Team-DL@state.gov.