



## DEFENSE SECURITY COOPERATION AGENCY

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3 MAR 2023

MEMORANDUM FOR DEPUTY UNDER SECRETARY OF THE AIR FORCE FOR  
INTERNATIONAL AFFAIRS  
DEPUTY ASSISTANT SECRETARY OF THE ARMY FOR  
DEFENSE EXPORTS AND COOPERATION  
DEPUTY ASSISTANT SECRETARY OF THE NAVY FOR  
INTERNATIONAL PROGRAMS  
DIRECTOR, DEFENSE CONTRACT MANAGEMENT AGENCY  
DIRECTOR, DEFENSE INFORMATION SYSTEMS AGENCY  
DIRECTOR, DEFENSE LOGISTICS AGENCY  
DIRECTOR, DEFENSE THREAT REDUCTION AGENCY  
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AGENCY  
DIRECTOR FOR SECURITY ASSISTANCE, DEFENSE FINANCE  
AND ACCOUNTING SERVICE – INDIANAPOLIS  
OPERATIONS  
DIRECTOR OF CYBERSECURITY DIRECTORATE AND DEPUTY  
NATIONAL MANAGER FOR NATIONAL SECURITY  
SYSTEMS, NATIONAL SECURITY AGENCY

SUBJECT: Security Cooperation and Security Assistance Advisory on the use of United States Munition List Category XXI in the Automated Export System for Other Services Data. Defense Security Cooperation Policy 23-30.

Beginning 7 March 2023, Automated Export System (AES) users utilizing the Automated Commercial Environment (ACE) database system will receive a warning if United States Munitions List (USML) Category XXI is improperly entered when submitting Electronic Export Information (EEI). Subsequently, but no earlier than 30 April 2023, entering Category XXI without a State-issued validation code will result in a fatal error in EEI submissions.

The Department of State (State) notified the Department of Defense (DoD) of instances where DoD is not following proper procedure when submitting requests for export of articles and services using Category XXI of CFR Title 22, Chapter I, Subchapter M, Part 121, <https://www.ecfr.gov/current/title-22/chapter-I/subchapter-M/part-121>, “the United States Munitions List (USML).” State has identified instances where Category XXI is being used in EEI submissions to the Census Bureau’s Automated ACE as part of the AES when another category would be more appropriate or when the item does not fall under the USML.

The correct use of USML Category XXI – Articles, Technical Data, and Defense Services not Otherwise Enumerated is set forth below:

- (a) Any article not enumerated on the U.S. Munitions List may be included in this category until such time as the appropriate U.S. Munitions List category is amended. The decision on whether any article may be included in this category, and the designation of the defense article as not Significant Military Equipment, shall be made by the Director, Office of Defense Trade Controls Policy.
- (b) Technical data (<https://www.ecfr.gov/current/title-22/chapter-I/subchapter-M/part-120/subpart-C/section-120.33>) and defense services (<https://www.ecfr.gov/current/title-22/chapter-I/subchapter-M/part-120/subpart-C/section-120.32>) directly related to the defense articles covered in paragraph (a) of this category.

DSCA is investigating the improper use of USML Category XXI in Military Articles and Services List (MASL) materiel and services identifiers. Guidance for correcting MASLs that incorrectly include Category XXI is in development and will be issued at a later date.

If you have any questions concerning this guidance, please contact Mr. Todd Hughes, DSCA (Office of Strategy, Plans, and Policy, Execution Policy and Analysis Directorate (SPP/EPA)), [todd.w.hughes4.civ@mail.mil](mailto:todd.w.hughes4.civ@mail.mil), (703) 697-9068, or Mr. Jason Evans, DSCA (SPP/EPA), [jason.l.evans8.civ@mail.mil](mailto:jason.l.evans8.civ@mail.mil), (703) 697-2661.



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