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United States Department of State

*Bureau of Political-Military Affairs
Directorate of Defense Trade Controls*

Washington, D.C. 20522-0112

MAY 29 2009

In Reply Refer to
DDTC Case CJ 442-08

YOUR LETTER DATED: October 22, 2008

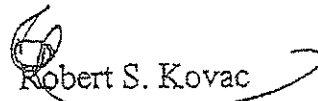
**COMMODITY JURISDICTION DETERMINATION FOR:
Phase I Nadcap Audits**

Your commodity jurisdiction (CJ) request was referred to the Departments of Commerce and Defense for review and recommendations. These audits are designed to manage a cost-effective consensus approach to special processes and products and provide continual process improvement within the aerospace industry, for both civil and military end users. Phase I audits constitute the data review phase pursuant to which a supplier's compliance against the relevant task group's requirement is reviewed; they do not include data or hardware subject to the International Traffic in Arms Regulations. You may wish to seek a separate determination regarding Phase II Nadcap audits, which are not covered by this determination.

The Department of State has determined that **Phase I Nadcap Audits** are not subject to the licensing jurisdiction of the Department of State. The Department of Commerce (DOC) advises they are designated EAR99. Please consult the DOC Office of Exporter Services at 202 482-4811 to determine requirements prior to export.

Should you require further assistance on this matter, please contact Peter R. Keller at kellerpr@state.gov or 202 663-2847.

Sincerely,


Robert S. Kovac
Managing Director

Arshad Hafeez
Performance Review Institute, Inc.
161 Thorn Hill road
Warrendale, PA 15086