

Specific Instructions for filling out form

DD FORM 2345

MILITARILY CRITICAL TECHNICAL DATA AGREEMENT

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DD FORM 2345

MILITARILY CRITICAL TECHNICAL DATA AGREEMENT

Purpose of Agreement and Specific Instructions

Certification is required per DoDD 5230.25 if you need to handle/access DoD/DND unclassified export controlled technical data for the following purposes:

1. DoD solicitations that involve access to export-controlled data
2. Conference/meeting attendance with export-controlled material/data
3. Export-controlled technical data exchange between vendors
4. Obtain Request for Proposal (RFP) details with export-controlled data
5. DoD Research/Development projects involving export-controlled data
6. To participate in a Directly Arranged Visit (DAV) (Canada to U.S. or U.S. to Canada)

BLOCK 1 - TYPE OF SUBMISSION (CHECK ONLY ONE BOX)

BE ADVISED: Blocks 1 through 3 and 5 through 9 are the same for U.S. and Canadian vendors, except as noted. Block 4 is different for U.S. and Canadian Vendors as indicated in the instructions herein.

- **INITIAL SUBMISSION:**

- Check if this is the first time request for certification under the JCP.

- **REVISION:**

- Check if you are revising any information on an active application, to show revised information, such as:

- Name of the Entity(Block 2a)
- Address (Block 2b)
- CAGE/NCAGE Code(Block 2d)
- Data Custodian (Block 3a)

- Phone (Block 3b)
- Data Custodian Email (Block 3d)
- Relevant Business Activity(Block 4)
- Contractor Certification (Blocks 6a-6d)

NOTE: Any changes to your entity's status or data during the certification period, you must notify the JCP Office, by submitting a REVISION to your DD Form 2345, along with supporting documentation.

BE ADVISED: any time there is a change of data custodians, then "**Introduction to Proper Handling of DoD Export-Controlled Technical Data**", training must be completed by the new data custodian.

- **FIVE-YEAR RENEWAL:**

- Check this box only if the company's 5-year certification is going to expire or has expired.
- Renewal requests may be submitted **up to 120 days prior to certification expiration.**

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BLOCK 2 – ENTITY or INDIVIDUAL DATA

- **Block 2a [NAME] (MANDATORY)**

- This **must match exactly** as recorded in the CAGE/NCAGE database, and on the supporting documentation you will be providing with your completed form.
- **CAGE verification Link** (for U.S. companies): may be done at: <https://cage.dla.mil>
- **NCAGE verification Link** (for Canadian entities) may be done at: <https://eportal.nspa.nato.int/AC135Public/scage/CageList.aspx>
 - For Entities: enter the full legal business name or institution name.
 - For an Individual: enter your full name as it appears on your documentation.

- **Block 2b [ADDRESS] (MANDATORY)**

- The address entered **must be the physical address** of the company and has to match what is in CAGE.
- The address **must match exactly** your entity's address **as recorded in CAGE/NCAGE database** (See links above).
 - A P.O. Box cannot be used as a physical address
 - If used for mailing purposes, enter the mailing address separately, in Block 2b
- Submit **only one DD Form 2345 per CAGE CODE physical address**

- **Block 2c. Leave blank (UNLESS):**

- You are a university, college or higher learning institution applying for DOD export controlled technical data access for research/development purposes. This office must be the "Office of Research and Grants", or the office at the university, college or higher learning institution that performs this function.

- **Block 2d. [CAGE CODE] (MANDATORY)**

- Enter your entity's CAGE / NCAGE Code **as recorded in the CAGE/NCAGE database** for your location. CAGE website: <https://cage.dla.mil/search>
- Your CAGE Code **must reflect an active status** on the CAGE website prior to JCP submission
- The JCP Certification covers all employees working under that CAGE Code at that location - Company **must have a DUNS number**: **DUNS Link**: <https://www.dandb.com/product/companyupdate/companyupdateLogin?execution=e1s1>
- Entity **must have a current registration in System for Award Management (SAM)** prior to JCP submission
 - Please to **log into SAM and review your registration** information. **SAM Link**: <https://www.sam.gov/SAM/>
 - **Entities are responsible for ensuring that their information is current and correct in SAM** in accordance with paragraph (b) of Federal Acquisition Regulation (FAR) Subpart 4.11 System for Award Management or Title 2 of the Code of Federal Regulations Part 25 (2 CFR § 25.310 and Appendix A), as applicable, and should routinely review such information for accuracy.

BLOCK 3 – DATA CUSTODIAN or current EXPORT CONTROL SECURITY MANAGER

Entities or individuals applying for certification **must designate one (1) person by name to act as the Data Custodian or the current Export Control Security Manager** for the entity.

There can be **only one Data Custodian per physical location** of CAGE Code.

This person who will be the **sole individual responsible** for downloading, receiving, disseminating, or sharing any DoD unclassified export controlled technical data to qualified (certified) U.S. or Canadian contractors under the provisions of the DoD export control law.

- **Block 3a [NAME] (MANDATORY)**
 - There **must** be the name of the Data Custodian
- **Block 3b [TELEPHONE NUMBER] (MANDATORY)**
 - There **must** be a complete phone number where the Data Custodian can be reached.
- **Block 3c [TITLE] (MANDATORY)**
 - There **must** be a title for the Data Custodian listed in Block 3a. (A Canadian Citizen may not be a U.S. vendor's Data Custodian, nor may a U.S. Citizen be a Canadian vendor's Data Custodian)
- **Block 3d [EMAIL] (MANDATORY)**
 - There **must** be the email address of the individual in Block 3a where the Data Custodian will receive DOD unclassified controlled technical data and will be responsible for its further dissemination.

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BLOCK 4 – U.S. DESCRIPTION OF RELEVANT BUSINESS ACTIVITY

You must provide a CONCISE response to the items listed below concerning the entity listed in Block 2a. This will assist the U.S. or Canadian Government agency controlling the data in determining whether the DOD unclassified export controlled technical data you request is relevant to your stated business activity.

Include the following information in your resubmission:

(NOTE: Failure to provide this information may result in your JCP application being delayed or denied.)

Specifically address the following areas:

1. Indicate if you are a Prime Contractor or a Sub-Contractor (If applicable)

- Example: We are a Prime Contractor

2. If a Sub, we will need the Prime's CAGE Code

- Example: We are a Sub-Contractor to XXXXXXXXXXXXXXXX (CAGE#####)
- Example: We are neither a Prime Contractor nor Sub Contractor.

3. Describe what you do: (i.e.: I am a manufacturer, distributor, data broker, consultant, other)

- Example: We are a manufacturer, we are a distributor, I am a data broker, I am a consultant, we are a University, (If other – please specify)

4. Describe what type(s) of equipment/material/service do you manufacture/provide:

Include commodity, NAICS (North American Industry Classification System) or associated FSC (Federal Supply Class) if known.

- Examples:
 - We manufacture widgets related to NAICS ##### (XXXXXXXXXX)
 - We provide widgets related to NAICS ##### (XXXXXXXXXX)
 - We provide widget services related to NAICS ##### (XXXXXXXXXX)
 - We are a public research university, that is DOD funded (Grant #) to conduct research on widgets.

NOTE: You do not need to list ALL NAICS's or FSC's.

5. If you are a Non-manufacturer, please provide the CAGE and company name(s) of the manufacturer(s) that produces your product.

6. Is your equipment/material/service related to the United States Munitions List (USML) or Commerce Control List (CCL)?

If yes, state what category.

See United States Munitions List (USML) for list of categories

<https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=70e390c181ea17f847fa696c47e3140a&mc=true&r=PART&n=pt22.1.121>

- Examples:
 - Yes, our (equipment/material/service) is related to USML – Category (##)
 - Yes, our (equipment/material/service) is related to CCL – Category (##)
 - No, our (equipment/material/service) is not related to USML
 - No, our (equipment/material/service) is not related to CCL
 - No, our (equipment/material/service) is not related to USML or CCL

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7. Are you registered with DDTC?

If you provide or handle USML items you are required to register with Directorate of Defense Trade Controls (DDTC) per the ITAR.

If yes, state so and provide documentation in your submission. (Check link above for applicability)

If No, explain why not.

- Example: Yes, we have attached a copy of our DDTC registration letter.
- Example: No, we are not registered with Directorate of Defense Trade Controls.

Contact Department of State information regarding International Traffic in Arms Regulations (ITAR):

URL: <https://www.pmddtc.state.gov/>

8. Do you possess an Export Control License?

If yes, please state so and provide documentation in your resubmission.

If No, state why not

- Example: Yes, we have attached a copy of our current Export Control License
- Example: No, we do not have an Export Control License as we do not export our product to foreign entities

9. State your purpose for Export Control access:

(Bid on DOD solicitations, exchange of data, conference attendance, research and development, other?)

- Examples:
 - We wish to Bid on DOD Solicitations with export controlled technical data packages.
 - We need to exchange export controlled technical data with a XYZ Corp who is a JCP certified entity,
 - We wish to attend conferences/workshops/symposiums where export controlled technical data is shared,
 - We are required to perform DOD research and development on the XYZ project, grant #000000 (if other – please specify)
 - We plan to attend the Widget Conference on April 1, 2025 where export controlled technical data will be discussed/shared

10. State specifically what system you require access to:

(Beta.SAM.gov, DIBBS, DTIC other, none?) If DIBBS, provide your USER ID.

- Examples:
 - We require access to Beta.SAM.gov (Act No. #####) <https://beta.sam.gov/>
 - We do not require system access (or if something else – please specify)

11. Indicate who is requiring you to attain a JCP Certification (Prime, Subprime, Govt. Contract Specialist, Conference, etc.)

- Example: JCP Certification required by XXXXXXXXXXXXX, POC: XXXXXXXXXXXX, Phone: #####, Email: XXXXXXXXXXXX.

NOTE: This is not the entity applying for certification. If you have no Government Agency requestor, please state so

EXAMPLE OF BLOCK 4 ITEMS 1–11 modify as needed

We are a Prime Contractor. We manufacture items for the DOD related to NAICS #####. Yes, our (equipment/material/service) is related to USML–Category (##). Yes, we have enclosed a copy of our DDTC registration letter with our submission. Yes, we have attached a copy of our current Export Control License. We wish to Bid on DOD solicitations, or We need to exchange data with a JCP certified entity or We wish to attend DoD conferences / workshops / symposiums that discuss export controlled technical data, We need access to Beta.SAM.gov. JCP Certification is required by (List Government Agency, Point of Contact, Phone, and Email address)

EXAMPLE OF BLOCK 4 ITEMS 1 – 4 for University entity:

We are neither a Prime Contractor nor Sub Contractor. We are a public research university to participate in research through a federally funded grant program (List Program/Project Name, Grant #XXXXXX, POC).

NOTE: Items 5–11 will depend on the University and can be chosen from the list of examples (modify as needed).

All information must fit into the space provided in Block 4 on the form, attachments concerning Block 4 are not allowed.

BLOCK 4 – CANADIAN DESCRIPTION OF RELEVANT BUSINESS ACTIVITY

Specifically address the following areas:

1. Indicate if you are a Prime Contractor or a Sub-Contractor (If applicable)

- Example: We are a Prime Contractor

2. Describe what you do: (i.e.: I am a manufacturer, distributor, data broker, consultant, other)

- Example: We are a manufacturer, we are a distributor, I am a data broker, I am a consultant, we are a University, (If other – please specify)

3. Describe what type(s) of equipment/material/service do you manufacture/provide: (Include commodity, NAICS (North American Industry Classification System) or associated FSC (Federal Supply Class) if known).

- Examples:
 - We manufacture widgets related to NAICS ##### (XXXXXXXXXX)
 - We provide widgets related to NAICS ##### (XXXXXXXXXX)
 - We provide widget services related to NAICS ##### (XXXXXXXX)
 - We are a public research university, that is DOD funded (Grant #) to conduct research on widgets.

NOTE: You do not need to list ALL NAICS's or FSC's.

4. Canadian Vendors Only: (N/A for U.S. Vendors)

If a Canadian vendor are you registered with the Canadian Controlled Goods Program CCGP)?

If yes, state so and provide registration number.

- Example: Yes, we are registered with CCGP registration #####

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5. Is your equipment/material/service related to the United States Munitions List (USML) or Commerce Control List (CCL)?

If yes, state what category.

See United States Munitions List (USML) for list of categories

<https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=70e390c181ea17f847fa696c47e3140a&mc=true&r=PART&n=pt22.1.121>

- Examples:
 - Yes, our (equipment/material/service) is related to USML – Category (##)
 - Yes, our (equipment/material/service) is related to CCL – Category (##)
 - No, our (equipment/material/service) is not related to USML
 - No, our (equipment/material/service) is not related to CCL
 - No, our (equipment/material/service) is not related to USML or CCL

6. Do you possess an Export Control License?

If yes, please state so and provide documentation in your resubmission.

If No, state why not

- Example: Yes, we have attached a copy of our current Export Control License.
- Example: No, we do not have an Export Control License as we do not export our product to foreign entities

7. State your purpose for JCP Certification for Export Control access:

(Bid on DOD solicitations, exchange of data, conference attendance, research and development, other?)

- Examples:
 - We wish to Bid on DOD Solicitations with export controlled technical data packages
 - We need to exchange export controlled technical data with a XYZ Corp who is a JCP certified entity
 - We wish to attend conferences/workshops/symposiums where export controlled technical data is shared
 - We are required to perform DOD research and development on the XYZ project, grant #000000 (if other – please specify)
 - We plan to attend the Widget Conference on April 1, 2025 where export controlled technical data will be discussed/shared

8. State specifically what system you require access to:

(Beta.SAM.gov, DIBBS, DTIC other, none?) If DIBBS, provide your USER ID.

- Examples:
 - We require access to Beta.SAM.gov (Act No. #####) <https://beta.sam.gov/>
 - We do not require system access (or if something else – please specify)

9. Indicate who is requiring you to attain a JCP Certification (Prime, Subprime, Govt. Contract Specialist, Conference, etc.).

- Example: JCP Certification required by XXXXXXXXXXXX, POC: XXXXXXXXXXXX, Phone: #####, Email: XXXXXXXXXXXX.

NOTE: This is not the entity applying for certification. If you have no Government Agency requestor, please state so

NOTICE: Proprietary, Personal, or other Entity Sensitive information shall not be included in this statement

BLOCK 5 – CONTRACTOR CITIZENSHIP/RESIDENCY STATUS

AS A CONDITION OF RECEIVING DEPARTMENT OF NATIONAL DEFENSE (DND) OR DEPARTMENT OF DEFENSE (DOD) UNCLASSIFIED CONTROLLED TECHNICAL DATA, THE ENTITY CERTIFIES THAT:

- **Block 5a - MARK EITHER: (MANDATORY)**
 - UNITED STATES
 - CANADA
 - The individual named in Block 3a, may be either a Canadian or a U.S. citizen or a person admitted lawfully for permanent residence into Canada.
 - If the location of the entity is in the U.S., the individual named in Block 3 must be a U.S. citizen or a person admitted lawfully for permanent residence if the facility is located in the U.S
 - **A Canadian citizen may not be a U.S. vendor's Data Custodian, nor may a U.S. citizen be a Canadian vendor's Data Custodian.**
- **Block 5b**
 - The contractor agrees to use the data only in ways permitted by DoD Directive 5230.25 or the Technical Data Control Regulations (TDCR). The contractor must certify that it needs the technical data to bid on or perform a contract with an agency of the U.S. or Canadian Government or for other legitimate business purposes.
- **Block 5c**
 - They acknowledge their responsibility under all applicable export control laws and regulations both in Canada and in the U.S. and will not violate said laws or regulations. If an enterprise or individual violates the provisions of the agreement, the enterprise or individual's eligibility for access to DOD unclassified controlled technical data could be revoked. If an enterprise or individual exports the technical data without the benefit of license or other authorization, it may be in violation of export control laws and subject to severe civil and criminal penalties. A contractor violating the provisions of the agreement may be subject to administrative action by the contracting authority.
- **Block 5d**
 - Access to DOD unclassified controlled technical data will only be provided to their employees or eligible persons. The contractor must agree not to publicly disclose any unclassified technical data it receives under the agreement, unless specifically authorized by the controlling office, and to limit access to the data to individuals employed at its facility that meet U.S./Canadian citizenship requirements:
- **Block 5e**
 - They must ensure that no employees or eligible persons with access to the DOD unclassified controlled technical data have been debarred, suspended or are otherwise ineligible to perform on Canadian or U.S. government contracts or have violated Canadian or U.S. export control laws and regulations.
- **Block 5f**
 - They are also certifying that their organization is not presently or has not in the past, been debarred, suspended or otherwise ineligible from performing on Canadian or U.S. Government contracts or that they have not violated or contravened any Canadian or U.S. export control laws or regulations.

BLOCK 6 – CONTRACTOR CERTIFICATION

- **Block 6a – [TYPED NAME] (MANDATORY)**
 - Type or print the individual's name who can obligate the enterprise to a legally binding contract
- **Block 6b [TITLE] (MANDATORY)**
 - Type or print the individual's title identified in Block 6a
 - **For Universities** - this title must clearly show this individual's relationship to the Office of Research and Grants, or the office at the university, college or higher learning institution that performs this function.
- **Block 6c [SIGNATURE] (MANDATORY)**
 - The legal handwritten signature of the individual indicated in Block 6a, who can legally obligate the entity to a contract must sign.
 - Stamped or Digital signatures are currently NOT acceptable.
 - This individual is legally bound to abide by all terms and conditions listed in Blocks 5a-5f.
- **Block 6d [DATE] (MANDATORY)**
 - Type or print the date the form was signed.

BLOCK 7 – CERTIFICATION ACTION

- **Block 7a - For Joint Certification Program Office (JCO) use only.**
- **Block 7b - For Joint Certification Program Office (JCO) use only.**
- **Block 7c - For Joint Certification Program Office (JCO) use only.**

BLOCK 8 - DOD Official

- **For Joint Certification Program Office (JCO) use only.**

BLOCK 9 - CANADIAN Official

- **For Joint Certification Program Office (JCO) use only.**

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DATA CUSTODIAN TRAINING REQUIREMENT

The Joint Certification Program Office now requires Export Control Compliance training as part of the enhanced procedures for entities who intend to handle export controlled technical data.

This training is a **mandatory prerequisite** when obtaining JCP Certification **prior to export controlled technical data package access** to:

- Department of Defense (DOD) solicitations with export controlled technical data access
 - Conference attendance with export controlled technical data sharing or discussions
 - Symposiums participation with export controlled technical data sharing or discussions
 - Obtaining Request for Proposal (RFP) with export controlled technical data access
 - White paper submissions
 - Directly Arranged Visits (DAV) etc.
- This training course is located on the JCP Website at: <https://www.dla.mil/HQ/LogisticsOperations/Services/JCP/>, then by clicking Links/Resources and selecting DLA Requirements. Within the information, the link "DLA Introduction to Proper Handling of DoD Export-Controlled Technical Data Training" will launch the training.
 - Or at the following link: https://www.dla.mil/Portals/104/Documents/J3LogisticOperations/EnhancedValidation/J3_expctrltrainin_g_191004.pdf
 - Once the Data Custodian has reviewed and understood, they should fill out and print 'Certification Statement of Export Control Compliance', sign and scan to a .pdf file. Please ensure the proper box is checked in item # 4 (citizenship)

SUPPORTING DOCUMENTATION REQUIREMENT

Supporting documentation proving the legitimacy of the entity is no longer required for U.S. companies but is still required for Canadian companies. However, if a U.S. Company has an Export Controlled License please submit that along with the DD2345 submission

You will need to provide documentation proving the company is a registered business entity with a government agency.

The supporting documentation must have the entity name on the documentation as well as the name of the issuing state / province, county, or city.

W-9 FORMS are not acceptable as supporting documentation.

NOTE: Please do not send anything which contains personal information, such as a social security, passport, or bank account number, etc.

- Examples of proper supporting documentation would include one of the following:
 - Sales tax license
 - Business license
 - Filed articles of incorporation (with date stamp or including a letter noting the articles are on file at the state)

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DDTC/EXPORT LICENSE DOCUMENTATION

In accordance with 22 CFR §120-130, International Traffic in Arms Regulations, technical data available under the Joint Certification Program (JCP) may qualify as export controlled.

Under 22 CFR § 121.1, United States Munition List, some entities who manufacture or export defense articles or services, which may include associated technical data, you are required to register with the Directorate of Defense Trade Controls (DDTC).

Accordingly,

Is your equipment/material/service related to the United States Munitions List (USML) or Commerce Control List (CCL)?

If 'Yes', state what category in your resubmission.

Are you registered with Directorate of Defense Trade Controls (DDTC)?

If 'Yes', state so and provide registration code and expiration date in your submission.

Do you possess an Export Control License?

If 'Yes', please state so and provide documentation or license number and expiration date in your submission.

Providing this information will assist the Joint Certification Office in processing your DD Form 2345. Additionally, once JCP certified, this information will assist in identifying, for the controlling DOD office, what technical data is accessible under your JCP Certification.

Department of State:

https://www.pmdrtc.state.gov/?id=ddtc_public_portal_home_page

The United States Munitions List (§121.1):

In this part, articles, services, and related technical data are designated as defense articles or defense services pursuant to sections 38 and 47(7) of the Arms Export Control Act and constitute the U.S. Munitions List (USML)

<https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=70e390c181ea17f847fa696c47e3140a&mc=true&r=PART&n=pt22.1.121>

SUBMITTING THE DD FORM 2345

Once you have all of the appropriate supporting business/training document(s) please **EMAIL** the package with a new or revised DD Form 2345, with an original signature and the current date.

We are no longer accepting hard copy documents mailed via USPS, FedEx, or UPS.

Steps for emailing:

1. Complete the attached, fillable DD Form 2345. (Blocks 1 – Block 6b)
2. Save the form and print it.
3. Wet sign and Date the DD Form 2345. (Blocks 6c and 6d)
4. Scan the form and save form as a .pdf
5. Attach the DD Form 2345 .pdf file with your supporting documentation/ training completion certificate in an email
6. For expedited service, please send your email/submission to:
JCP-ADMIN@DLA.MIL and insert your CAGE and indicate New or Renewal on the subject line

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ONCE APPROVED

The person listed as the Data Custodian will receive the electronic copy of your form signed by the Canadian and U.S. representatives and bearing your certification number and a copy of the Approval Letter.

Unless specifically annotated in Block 7C, certification is valid for five years, unless otherwise specified.

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