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Subscription and Address Changes: Firms registered with the Office of Defense Trade Controls automatically receive this publication at their registered address in the name of the registrant in Block 14 of Form DSP-9. To change a mailing address, registrants **must** notify the Office of Defense Trade Controls in writing, citing the applicant code, and amending their Form DSP-9 (ITAR 122.4), since these addresses actually change the registration information.

The editorial staff maintains a separate list for other interested persons and organizations. These mailing labels have an asterisk (*) in the first line. Readers on this mailing list may simply contact the Managing Editor, via mail or datafax (703-875-6647), for addition to or address changes. Mailing to other associated U.S. Government offices is also done via the editorial mailing list (e.g. to all U.S. Customs Regional and District offices, to all Defense Investigative Service (DIS) offices, etc).

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Revised ITAR Published

International Traffic in Arms Regulations Amended

New ITAR Finalized. The Final Rule amending 22 C.F.R. Parts 120-130, the International Traffic in Arms Regulations (ITAR), appeared in the Federal Register on Thursday, July 22, 1993 as Part II, Vol. 58, No. 139, pages 39279 thru 39326. This major amendment, the first since 1984, represents the culmination of a two-year commitment by the Department of State to the U.S. exporting community to make defense trade regulations clearer and easier to follow. This commitment was part of an overall effort to modernize the defense trade function at State. Designed to retain the Department's ability to control defense exports for national security or foreign policy purposes, the new ITAR does not ease the controls governing exports of major weapons systems, Significant Military Equipment (SME), or proliferation-related items. The new regulations do, however, incorporate many industry suggestions which clarify and simplify the previous version.

Substantive Changes. Some key changes to the ITAR include:

- The validity period of a munitions license for exports and temporary imports has been increased from three to four years.
- U.S. Munitions List (USML) items controlled for Missile Technology Control Regime (MTCR) purposes are enumerated
- The criteria for defining defense articles in the future will take into consideration the amount of civilian application and fundamental equivalence to civil goods.
- The section on Commodity Jurisdiction (CJ) is amended to establish (1) specific criteria which the Department of State will use to determine export licensing jurisdiction and (2) a specific time line for appeals of CJ decisions.
- New exemptions from licensing require-

ments apply to the export and import of certain unclassified defense articles. These include exemptions for:

- Defense articles exported in furtherance of a DTC-approved Manufacturing License Agreement, Technical Assistance Agreement, or Distribution Agreement, provided the articles are specifically identified in the agreement.
 - Components or spare parts valued at less than \$500, when the components or spare parts are going to a previously-approved end-user for the support of a previously-approved export of a defense article, and the articles do not enhance the capability of the defense article.
 - Temporary imports of a U.S.-origin article if the article is unclassified and serviced without being enhanced in any manner, and is subsequently returned to the original foreign country.
 - Temporary imports of articles to be incorporated into other items approved by DTC for permanent export, and items for temporary exhibition in the U.S.
 - Temporary exports of minor components or parts to a subsidiary, affiliate or facility owned or controlled by a U.S. person.
 - Articles previously licensed for exhibition at a trade or air show for which a valid DTC license exists. Exemptions do not apply to prohibited destinations.
- Re-transfers of defense articles which are not Significant Military Equipment (SME), which do not meet the threshold dollar value for Congressional notification, and are not controlled for purposes of the Missile Technology Control Regime would be exempt from prior approval for retransfer to the governments of NATO countries, Japan, and Australia.

- The definition of 'public domain' is expanded to exempt from control certain fundamental research.

- In addition to the Director of the Office of Defense Trade Controls (DTC), PM's Assistant Secretary and Deputy Assistant Secretary for Defense Trade are identified as having the authority to approve licenses.

Ordering Information. DTC does not have copies of the revised ITAR available for general distribution. The Bureau of Political Military Affairs is making an initial distribution of the new regulations to U.S. Government agencies and offices which are routinely involved in the defense trade

process. Other agencies and the public may purchase copies from the Government Printing Office (GPO). See the GPO order form on page 33 for further instructions.

Questions about the ITAR. Please direct substantive written questions regarding the revised ITAR to:

PM/DTC, SA-6, Room 200
ATTN: ITAR
Office of Defense Trade Controls
Bureau of Political Military Affairs
Washington, DC 20522-0602

To expedite, fax your correspondence to:
(703) 875-6647 or (703) 875-5663. ♦

Meeting with DTC Director

Companies Encouraged to Meet Face-to-Face

Mr. William B. Robinson, Director of the Office of Defense Trade Controls (DTC), maintains an 'open door' policy to industry. Company representatives are encouraged to arrange face-to-face meetings with him to

discuss their pending cases and/or present information on new products or product improvements. Appointments may be arranged by calling Ms. Sandra Glenn at (703) 875-7050. ♦

What Our Readers Say

Summary of 1993 Readers' Questionnaire

To determine the effectiveness of our service, we published our annual reader questionnaire in the January / April issue of *Defense Trade News* (Vol 1, Nos. 1&2). Due to distribution problems, many readers were late receiving this issue. Despite this, responses to our questions have begun to arrive. Following is a preliminary summary of the responses we've received to date which will be updated as more questionnaires are received.

Overall View. We are pleased to learn that the majority of our early respondents think that we do a good job.

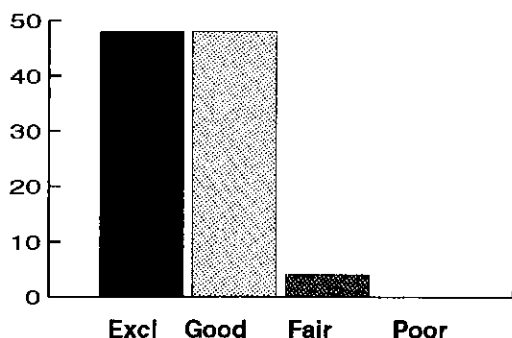


Fig. 1 Overall Quality

The overall quality of the publication is rated as "excellent" by 48% of respondents and "good" by 48%. Four percent of the respondents rated *Defense Trade News* as "fair".

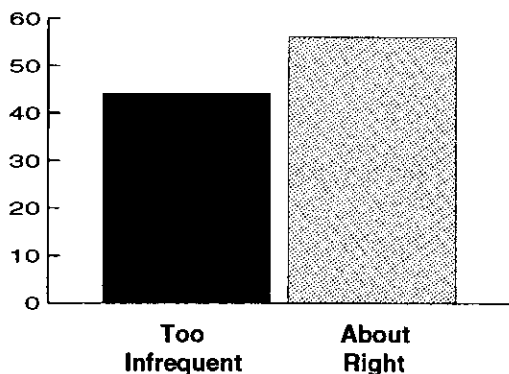


Fig. 2 Frequency

Although 44% of the readers think that we don't publish often enough, 56% agree that a quarterly publication schedule is adequate.

Some readers would prefer a monthly publication, even if it were smaller. Writing style and content were "excellent" for 44 and 30% respectively, and "good" for 52 and 62%. Four and eight percent respectively rated these areas as "fair".

Usefulness. Respondents generally agreed that *Defense Trade News* is a useful publication that serves as a valuable link between defense industry and the foreign policy community. 88% of the surveys received to date indicate that articles are both useful and interesting, and 62% of the respondents indicated that they read a hundred percent of each issue. Articles are considered to be appropriately targeted by 96% of the respondents, but four percent indicated that articles are too simple.

Widely Read Publication. Preliminary survey results indicate that each issue of *Defense Trade News* gets passed around.

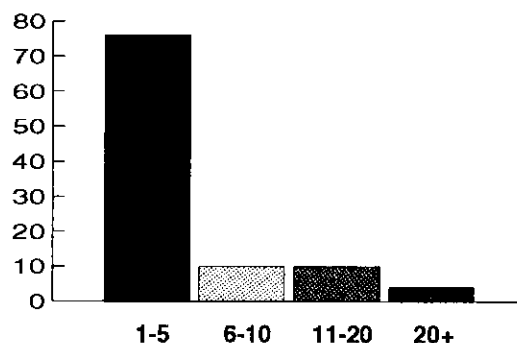


Fig. 3 Readers for each copy

76% of the respondents thus far stated that each issue is read by from one to five persons; ten percent said that six to ten people read it; ten percent said there are 11 to 20 readers; and four percent indicated that each issue is read by more than 20 persons. Survey respondents have included manufacturers, exporters, and consultants, as well as other individuals involved either directly or indirectly with defense exporting.

We have reprinted this survey on page 27 to enable more of our 'multiple' readers to express their views. ♦

New Defense Trade Actions

Armour of America, Burma, Guatemala, Zaire and Angola Subject to New U.S. Policies

Armour of America Suspended

On December 31, 1992, the Office of Defense Trade Controls suspended all existing licenses and other approvals (including manufacturing license agreements, technical assistance agreements, and retransfer authorizations), granted pursuant to § 38 of the Arms Export Control Act (AECA) that authorized the export or transfer of defense articles or services by, for, or to Armour of America, Inc., Los Angeles, California (Armour) and any of its subsidiaries or associated companies, and Arthur G. Schreiber, President and Chief Executive Officer of Armour.

In addition, it shall be the policy of the Department of State to deny all export license applications and other requests for approval involving, directly or indirectly, Armour and Arthur G. Schreiber. Also, these persons are precluded from using any exemption from license or other approval included in the International Traffic in Arms Regulations (ITAR).

These actions were taken because the Department of State has a reasonable basis to believe that Armour and/or Arthur G. Schreiber have violated § 38 of the AECA and its implementing regulations, the ITAR, by attempting to export from the United States defense articles without the requisite approval of the Department of State and/or by using an export control document containing a false statement or misrepresenting or omitting a material fact for the purpose of exporting defense articles. Notice regarding this suspension action was published in the *Federal Register* (Vol. 58, No. 9, January 14, 1993), page 4450, Public Notice 1753.

Denial for Items to Burma

Commercial Exports. *Federal Register*, Vol. 58, June 16, 1993, page 33293, provides public notice announcing the State Department's post-1988 policy of denial for export to Burma of all U.S. Munitions Lists items. The U.S. Government continues its policy of denying all applications for licenses and other approvals to export or otherwise transfer defense articles and defense services to Burma.

Further, all licenses and all previously issued authorizations and other approvals to export or otherwise transfer defense articles or defense services to Burma continue to be suspended. This includes manufacturing license agreements, technical assistance agreements, technical data, and commercial military exports of any kind subject to the Arms Export Control Act. This action also precludes the use in connection with Burma of any exemption from licensing or other approval requirements included in the International Traffic in Arms Regulations (ITAR).

Security Assistance, including FMS. All U.S. Security Assistance to Burma, including government-to-government cash sales and Foreign Military Sales (FMS), have been suspended since 1988. This policy will remain in effect until further notice.

Review for Exports to Guatemala

Effective July 8, 1993, it is the policy of the U.S. Government to review all licenses and approvals authorizing the export or other transfer of defense articles or defense services to Guatemala, including the armed forces of Guatemala, on a case-by-case basis.

Zaire

Effective April 29, 1993, all licenses and other approvals to export or otherwise transfer defense articles or defense services to Zaire are suspended until further notice. It is the policy of the U.S. Government to deny all license applications and other approvals to export or otherwise transfer defense articles or defense services to Zaire. This action also precludes using any exemption from licensing or other ITAR approval requirement in connection with Zaire. Please see *Federal Register* Notice, Vol. 58, No. 81, page 26024, on April 29, 1993, for further information.

Termination of Arms Embargo Against Angola

Effective July 2, 1993, the Department of State has terminated the domestic arms embargo against Angola. Section 126.1(a) of the ITAR is being amended to reflect this change in policy with respect to the commercial export of defense articles and services to Angola. Effective July 2, 1993, it is the policy of the U.S. Government to review all licenses and approvals authorizing the export or other transfer of defense articles or defense services to Angola on a case-by-case basis, with a

presumption of denial for lethal articles. Approvals for export of defense articles or defense services bound for Angola will be considered for non-lethal defense articles or services. For the purpose of this policy, "non-lethal defense articles" means an article that is not a weapon, ammunition, or other equipment or material that is designed to inflict serious bodily harm or death (See, e.g., 10 U.S.C. section 2547). Please see *Federal Register* Notice, Vol. 58, No. 126, page 35864, on July 2, 1993, for further information.

Point of Contact . For further information about any of these policies, contact:

Clyde G. Bryant, Jr., Chief,
Compliance and Enforcement Branch,
Compliance Division
Office of Defense Trade Controls
Bureau of Political Military Affairs
U.S. Department of State,
Washington, D.C. 20522-0602

Phone (703) 875-6650
Fax (703) 875-5663 ♦

State Department Plans Appeal Mechanism

DTAG Recommends State Appeal Review Process (SARP)

DTAG Recommendation. As a result of a suggestion made by the Defense Trade Advisory Group (DTAG), the Department of State has agreed to establish a standardized, informal appeal procedure when the licensing review process has determined that a denial of an application is anticipated.

The SARP. Tentatively called the State Appeal Review Process (SARP), the new system will provide industry with a pre-denial mechanism to submit information that, upon further review, could result in reconsideration of an application. Details of the system will be published in a future edition of *Defense Trade News*. ♦

Specially Designated Nationals List Expands

Treasury Department Publishes Lists for Yugoslavia and Haiti

U.S. persons are prohibited from doing business or engaging in other transactions with any entity or individual identified as a Blocked Entity or Specially Designated Nationals (SDNs) by the Treasury Department's Office of Foreign Assets Control (OFAC). Since *Defense Trade News* last reported on SDNs, two more economic sanctions programs have been imposed by the President.

Yugoslavia. On July 6, 1992, OFAC released an initial list of Blocked Entities and Specially Designated Nationals (BE/SDNs) of the Federal Republic of Yugoslavia (Serbia and Montenegro). Since that time a series of General Notices from OFAC has increased the number to nearly 800 names of entities and individuals on the BE/SDN list, plus 55 blocked merchant vessels, located in more than 50 countries. These involve nine international business networks of the former Yugoslavia as well as its shipping fleet and their front companies and includes banking, trading firms, and other businesses. Entities in the United States have been closed. The list is being shared with other U.N. members as part of the United States' continuing efforts to bring as much pressure as possible to bear against the former Yugoslavia and to close off its international financial and business connections. OFAC expects to publish many more names under the Yugoslavia program.

Haiti. Since the September 30, 1991 military overthrow of the democratically elected president of Haiti, The U.S. has supported UN, OAS, and other international efforts to restore the duly elected regime. In response to the President's orders, On June 4, 1993, OFAC released a list of 83 individuals and 35 entities that were determined to be SDNs of the defacto regime in Haiti.

Since that occurred, steady progress has been made toward restoration of democracy in Haiti; and the UN Security Council, the OAS, and the United States have now suspended the economic sanctions against Haiti. As a result, all 83 individuals and the Banque de l'Union Haitienne have been removed from the SDN list. Remaining on the Haiti SDN list are 34 Government of Haiti entities with which trade and transactions can now occur, but whose blocked assets will be unfrozen on a case-by-case basis.

General. OFAC administers economic sanctions, including SDN programs, against Cuba, Haiti, Iraq, Libya, North Korea, Vietnam, and Yugoslavia (Serbia & Montenegro). The import prohibitions affecting Iran do not involve an SDN program. A revised, comprehensive list of all BE/SDNs in those seven sanctions programs will be published in the Federal Register later in the fall.

Point of Contact. To obtain these lists and to report any additional information, contact:

Office of Foreign Assets Control
U.S. Department of the Treasury
Washington, D.C. 20220
Phone (202) 622-2420 Fax: (202) 622-1657

Editors note: Previous articles about Specially Designated Nationals (SDNs) include: "Publications for Exporters - List of Iraqi Vessels" (Vol. 3, No. 4, Oct 1992, pgs. 31-37); "Vessels in Which Specially Designated Nationals Have an Interest" (Vol. 3, No. 3, July 1992, Pgs 21-24) ; and "Sanctioned Governments" and "Publications for Exporters - Prohibited Sources and Business Entities" (Vol. 3, No. 2, April 1992, pgs 10-11 and 23 - 38 respectively.) ♦

Registration: The First Step in Defense Trade

Guidelines for Registration

New DSP-9, Statement of Registration.

The Office of Management and Budget (OMB) recently approved a revised Form DSP-9, Statement of Registration. A copy of this new form (designated series 11-92 in the lower left-hand corner) appears on page 25, and can be photocopied for registrants' use. This new form should reduce the burden on industry while enabling government to more efficiently perform its legally mandated functions.

High volume of registrations. Each year, the Office of Defense Trade Controls (DTC) processes approximately 350 first-time registrations, and 900 renewals. About 100 (or 15%) of the renewals are from firms which have allowed their registration to lapse, and require reinstatement as well as renewal.

In the past, registration statements were returned because intending registrants did not provide complete information in Block 7 (information regarding principal officers, partners, and owners) of the old form (DSP series 1-85). Form revisions have reduced the number of submissions that must be returned, thereby speeding up the registration process.

Common mistakes. Processing of registrations often cannot be completed for one of two principal reasons:

- ◆ Intending registrants fail to include documents which authorize them to do business in the United States. (See 'Helpful Hints' below.)
- ◆ Intending registrants do not submit the letter required by § 122.2 of the International Traffic in Arms Regulations (ITAR.) Frequently, the letter submitted is the one required by § 126.13, which is the certification required for license applications. These two letters are **not** interchangeable.

Relief - getting it right the first time. DTC has taken two aggressive steps to improve registration submissions. Redesigning the form was the first step. In addition, DTC published a booklet, *Registration: The First Step in Defense Trade*, and began its distribution, with a copy of the ITAR, in July 1992. The booklet contains both background information and registration instructions. The appendix contain transmittal letter instructions and format, a reproducible copy of the Form DSP-9, and samples of a completed DSP-9 and § 122.2 letter. Many firms still have the booklet with the old appendices. Since the main body of the booklet is still valid, we ask that you remove the old appendices and insert the revised appendices on pages 19 thru 26.

Helpful Hints. The following helpful hints will assist you in completing your registration package correctly.

- ◆ Carefully follow these instructions when completing the Form DSP-9, Statement of Registration. These instructions amplify the instructions printed on the back of the Form DSP-9. Review the sample form DSP-9 in Appendix A before completing your DSP-9.
- ◆ In addition to the completed DSP-9, provide three copies of **one** of the following documents that authorizes you to do business in the United States. Acceptable documents include your **current**:
 - State Incorporation Certificate;
 - State Certificate of Good Standing;
 - State, County, or City Business License;
 - Federal Firearms License (FFL) issued by the Bureau of Alcohol, Tobacco, and Firearms (BATF) of the Department of the Treasury (DOT);
 - State Articles of Incorporation (include only the pages with your firm's name and the official State Seal).
- ◆ Review the sample Transmittal Letter before preparing the letter required by 22 CFR 122.2 (See discussion on Transmittal Letter).

♦ Apply the corporate seal to all addendum pages. If you do not have a seal, type or print "CORPORATE SEAL N/A" in the bottom right-hand corner of all pages of the Continuation Sheet.

♦ Enclosed a check made payable to the Department of State for the appropriate registration fee (See fee schedule in ITAR § 122.3 or on back of form DSP-9).

Preparing the § 122.2 Transmittal Letter.

Section 122.2(b) of the ITAR requires that a Transmittal Letter accompany the completed DSP-9 Statement of Registration. This transmittal letter is frequently called a "122.2" letter, referring to the ITAR section that requires it.

Note: The 122.2 transmittal letter differs significantly from a 126.13 letter. The 126.13 letter accompanies only export license applications and is not acceptable with the Form DSP-9, Registration Statement.

Please note that the § 122.2 Transmittal Letter contains the following information:

- ♦ A statement as to whether the intending registrant or any senior company officer has been indicted for or convicted of violating any of the U.S. criminal statutes listed in ITAR 120.27. If such indictments or convictions exist, a detailed explanation is appropriate.
- ♦ A statement as to whether the intending registrant or any senior company officer is ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from, any agency of the U.S. Government.
- ♦ A statement as to whether the intending registrant is owned or controlled by foreign persons (see ITAR § 122.2(c) for definitions of foreign ownership or control). If the intending registrant is owned or controlled by foreign persons, the letter shall also state whether the intending registrant is incorporated or otherwise authorized to engage in business in the United States.

The person signing the Transmittal Letter should be a senior officer listed in Block 7 who has been empowered by the intended registrant to sign such a document. See the appendix for the Transmittal Letter Format and a Sample § 122.2 Transmittal Letter.

Mailing Your Registration

Mail your registration materials and fee to the following address:

PM/DTC, SA-6, Room 200
ATTN: REGISTRATION
Office of Defense Trade Controls
Bureau of Political Military Affairs
U.S. Department of State
Washington, DC 20522-0602

Note: Instructions printed on the back of previous editions of the Form DSP-9 directed you to mail your fee to the Cashier's Office of the Department of State. This procedure is no longer in effect. Mail your fee with the Form DSP-9, Statement of Registration, and 122.2 letter.

Whom Do I Contact for Additional Information? Mrs. Wendy Payne, the Compliance Operation Specialist in DTC, personally handles all registration submissions. Her phone number is (703) 875-6653. Please address requests for the booklet, or any other facsimile transmission about registration, to:

**Registration
Compliance and Enforcement Branch
Compliance Division
Office of Defense Trade Controls
PM/DTC/CEB
(703) 875-5563 ♦**

The Final Review

The Registration Checklist



Have you **carefully read and followed** all instructions in this manual? Have you **reviewed the samples** in the Appendices ?



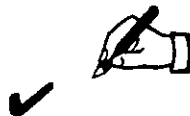
Have you included the **Full Name, Date and Place of Birth, and Social Security Number** for each principal and senior officer listed in **Block 7** of the Form DSP-9, Statement of Registration?



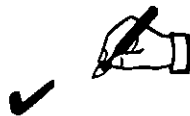
Has a **principal officer** listed in **Block 7** **signed** the Form DSP-9, Statement of Registration?



Have you **imprinted your corporate seal** on the Form DSP-9 and Form DSP-9 Continuation Sheet(s), or typed "Corporate Seal N/A" on both these documents?



Have you enclosed **three copies of one of your authorizations** to do business in the United States ?



Have you **prepared and enclosed** a completed transmittal letter following § 122.2(b) of the ITAR?



Has an individual listed in **Block 7** of the Form DSP-9, Statement of Registration, **signed** the § 122.2 Transmittal Letter?



Have you enclosed a **check** made out to the "Department of State" in the correct amount?

Company Export Procedures Manual

A Suggested 'Table of Contents' for an Internal Operations Manual

To avoid unauthorized exports and any resultant penalty that might be imposed, each person and company engaged in business exporting defense articles and services should have a compliance program. *Defense Trade News* has published articles about specific elements that should be included in a compliance program: "Company Export Procedures Manuals" (Vol. 2, No. 1, Jan 1991, pages 14-15) and "Ombudsman Compliance Procedure" (Vol. 3, No. 3, July 1992, pages 11-12).

One very important element of a compliance program is an export procedures manual. To assist industry in preparing such a manual, a sample Table of Contents for a U.S. company's compliance procedures manual is provided. Your manual should include these topics and related procedures.

Point of Contact. DTC would be pleased to assist companies to ensure that their compliance manuals adequately address U.S. Export concerns. The point of contact for information contained in this article is:

Mary Sweeney
Compliance and Enforcement Branch
Compliance Division
Office of Defense Trade Controls
Bureau of Political Military Affairs
U.S. Department of State,
Washington, D.C. 20522-0602

Phone (703) 875-6650 or Fax (703) 875-5663

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XI. Retransfers

- A. Definition - Procedure Utilized to Obtain Written U.S. Department of State Approval Prior to the Retransfer of an Item/Technical Data/Defense Service that was Exported and Subject to ITAR Controls
- B. U.S. Person May Submit Request to Office of Defense Trade Controls for Prior Written Approval
- C. Foreign End-User May Submit Request to Office of Defense Trade Controls for Prior Written Approval

XII. Advisory Opinions, 22 C.F.R. § 126.9

XIII. Prohibited Exports and Sales to Certain Countries

- A. Countries addressed at 22 C.F.R. § 126.1
- B. Specific Country Suspension/Revocation noticed in the *Federal Register*

XIV. Criteria for Denial of License Applications and Other Written Requests for Approval, 22 C.F.R. § 126.7

XV. Awareness of Possible Illegal Exportation of Defense Articles and Related Technical Data and Defense Services

- A. High Risk Standards to Combat Illegal Exportation of Defense Articles, Related Technical Data and Defense Services (53 Federal Register 37382, September 26, 1988)
- B. Report suspicious illegal export activity to U.S. Customs Service or Office of Defense Trade Controls, U.S. Department of State
- C. 'Voluntary Disclosure of Unauthorized Exports of Defense Articles, Related Technical Data and Defense Services,' (*Defense Trade News*, Volume 3, Number 2, April 1992, pgs 12-13)

XVI. Company Training Program

- A. Internal Company Training Program for Employees Concerning Laws, Regulations, and Company Policies and Procedures Applicable to the Export of Defense Articles and Defense Services
- B. External Sources of Training for Employees Concerning Laws, Regulations, and Company Policies and Procedures Applicable to the Export of Defense Articles and Defense Services
- C. Procedures to Update Training for Employees to be Knowledgeable about Changes in Laws, Regulations, and Company Policies and Procedures Applicable to the Export of Defense Articles and Defense Services

XVII. Violations and Penalties, 22 C.F.R. Part 127

- A. AECA-Related Violations in General, Civil and Criminal
- B. Misrepresentation and Omission of Fact
- C. Civil and Criminal Monetary Penalties
- D. State Department Sanctions
 - 1. Suspension
 - 2. Statutory Debarment after AECA-Related Conviction
 - 3. Administrative Proceeding, 22 C.F.R. Part 128
- E. U.S. Customs Authority - Seizures and Forfeitures

ROBB - The Electronic Assistant

A Review of the Features of the Remote Electronic Bulletin Board

The Office of Defense Trade Controls (DTC) has available for each registered individual and company an electronic licensing status system and a message bulletin board. It is called the Remote On-line Bulletin Board, better known as ROBB.

Licensing information available Information available from ROBB licensing status systems includes:

- License/Application type and number
- Referral status
- Dollar value of Application/License
- Date application prepared
- Country of ultimate destination
- Licensing Officer
- Date sent to the Congress
- Date of final action by Licensing Officer
- Date transmitted to outside agencies for recommendation
- Date referral response returned to DTC
- Status (A = Approved, D = Denied, R = Returned Without Action, P = Approved with Provisos, X = Pending, W = Withdrawn by Applicant)
- Agencies to which case has been referred
- Date of referral
- Date of final action by DTC

Information on the Bulletin Board. The message bulletin board provides information on the publication of *Federal Register* Notices dealing with licensing, country policy, and procedures. There is no fee for signing up or using ROBB. Since the ROBB program operates on a WANG Minicomputer, subscribers must possess Terminal Emulation Software (TES) in order to reach the system from PCs. TES can be installed either on dual-floppy systems or hard disk systems with an internal or external 2400 baud modem. The M/H Group's VsCom (version 7.4 or higher) software will permit proper hook-up to ROBB. DTC will provide specific information about VsCom in the sign-up package.

For information on ROBB, or to request access to the system, contact Jim DePalma, DTC Computer Systems Manager by mail, fax or phone:

Office of Defense Trade Controls
ATTN: Jim DePalma
PM/DTC, Room 200, SA-6
Department of State
Washington, DC 20520-0602

Phone (703) 875-7391
Datafax (703) 875-5663 ♦

Appendices

Registration:

The First Step in Defense Trade

Updated Edition, as published in
Defense Trade News, July 1993

Transmittal Letter Instructions

Please adapt the format of the transmittal letter to fit your business situation (e.g., individual, partnership, corporation, etc.)

The intending registrant must include **two** statements in the Transmittal Letter:

1. A statement as to whether the chief executive officer, president, vice president(s), other senior officers or officials (e.g., comptroller, treasurer, general counsel) or any member of the board of directors;

(i) has ever been indicted or convicted of violations of any of the U.S. Criminal Statutes enumerated in 22 CFR § 120.24 of the ITAR; or

(ii) is ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from, any agency of the U.S. Government.

★ *NOTE: If your business has been indicted or convicted of any of the above stated violations of the ITAR, or has an ineligible situation to declare, please provide full details in the text of your Transmittal Letter.*

2. In the last paragraph of the Transmittal Letter, the intending registrant must declare whether the firm is owned or controlled by foreign persons (as defined in 22 CFR § 122.2(c)).

"Ownership" means that more than 50 percent of the outstanding voting securities of the firm are owned by one or more foreign persons.

"Control" means that one or more foreign persons have the authority or ability to establish or direct the general policies or day-to-day operations of the firm. Control is presumed to exist where foreign persons own 25 per cent (25%) or more of the outstanding voting securities if no U.S. persons control an equal or larger percentage.

★ *NOTE: Please include in your statement the words "owned" and "controlled". If these words are missing from your declaration, your transmittal letter is not complete. Additionally, if your company is owned and/or controlled by foreign persons, you should state whether or not you are incorporated or otherwise authorized to do business in the United States.*

Transmittal Letter Format

[Instructions: All instructions are in brackets and italicized. Items in quotations, " ", can be copied verbatim.

- 1. Prepare the transmittal letter on your company letterhead.*
- 2. The suggested format will satisfy the requirements of 22 CFR § 122.2(b) when there is no conviction, indictment, or ineligibility to declare. If any such considerations apply, however, their full particulars must be provided in the body of the letter. Adapt this format to suit your situation.*
- 3. Type the signature block of an authorized senior official as listed in Block 7 of the Form DSP-9. Have the official review and sign the Transmittal Letter.]*

"Mr. William B. Robinson
Director, Office of Defense Trade Controls (PM/DTC)
Room 200, SA-6
Department of State
Washington, DC 20522-0602"

"Dear Mr. Robinson:"

"In compliance with 22 CFR § 122.2(b)(1) and (b)(2), I hereby state that I am an authorized senior officer of *[insert the intended registrant's name as listed in Block 1 of the Form DSP-9]*. Furthermore, I state that:"

"Neither the intended registrant, chief executive officer, president, vice-presidents, other senior officers or officials (e.g., comptroller, treasurer, general counsel) nor any member of the board of directors:"

"(i) has ever been indicted for or convicted of violating any of the U.S. criminal statutes enumerated in 22 CFR § 120.24; or"

"(ii) is ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from, any agency of the U.S. Government."

"In accordance with CFR § 122.2(b)(2), I state that *[insert the intended registrant's name as listed in Block 1 of the Form DSP-9]* is neither owned nor controlled by foreign persons (as defined in CFR § 122.2(c))."

[Signature of Senior Officer]

*[Signature Block of Senior Official
in Block 7 of Form DSP-9.
Include Full Name and Official Title]*

Sample Transmittal Letter

Prepared by the American Widget Corporation on letterhead to accompany the Sample Form DSP-9. Letter is signed by a senior official from Block 7 who also signed the Form DSP-9 Applicant's Statement in Block 14.

American Widget Corporation

1233 Sunrise Blvd., PO Box 9999

Phone (123) 456-7890

Ourtown, US 12345-6789

Datafax (123) 456-7777

March 24, 1993

Mr. William B. Robinson
Director, Office of Defense Trade Controls (PM/DTC)
Room 200, SA-6
Department of State
Washington, DC 20522-0602

Dear Mr. Robinson:

In compliance with 22 CFR § 122.2(b)(1) and (b)(2), I hereby state that I am an authorized senior officer of American Widget Corporation. Furthermore, I state that:

Neither the intended registrant, chief executive officer, president, vice-presidents, other senior officers or officials (e.g., comptroller, treasurer, general counsel) nor any member of the board of directors:

(i) has ever been indicted for or convicted of violating any of the U.S. criminal statutes enumerated in 22 CFR § 120.24; or

(ii) is ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from any agency of the U.S. Government.

In accordance with CFR § 122.2(b)(2), I state that American Widget Corporation is neither owned nor controlled by foreign persons (as defined in CFR § 122.2(c)).

John S. Doe
President
American Widget Corporation



**UNITED STATES OF AMERICA
DEPARTMENT OF STATE**

STATEMENT OF REGISTRATION

(INSTRUCTIONS ON REVERSE SIDE)

FOR U.S. GOVERNMENT USE ONLY
PM/DTC DATE RECEIVED

NEW REGISTRANT CODE

<p>1. Registrant's name and address:</p> <p>American Widget Corporation 1233 Sunrise Boulevard PO Box 9999 Ourtown, US 12345-6789</p> <p>Telephone number: (123) 456-7890</p>	<p>2. Current registrant code: 1234-5678</p> <p>3. \$ 250.00 enclosed for (1) 2 3 4 5 (circle one) years' registration.</p> <p>4. Registrant is: <input type="checkbox"/> individual <input type="checkbox"/> partnership <input type="checkbox"/> company <input checked="" type="checkbox"/> corporation</p> <p>5. Registrant is: <input type="checkbox"/> manufacturer and/or <input checked="" type="checkbox"/> exporter of Munitions List articles and/or <input type="checkbox"/> exporter of defense services.</p> <p>6. Incorporation or commencement of business: date October 1, 1959 in Ourtown, OurCounty, US (City, county, and state)</p>																														
<p>7. Principal executive officers, partners, owners:</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>NAME (Last, First, Middle Initial)</th> <th>POSITION</th> <th>DATE AND PLACE OF BIRTH</th> <th>SOCIAL SECURITY NUMBER</th> <th>HOME ADDRESS</th> <th>CITIZENSHIP</th> </tr> </thead> <tbody> <tr> <td>John S. Doe</td> <td>President</td> <td>5/1/44 Ourtown, US</td> <td>150-45-6700</td> <td>150 Walker Rd, Ourtown, US</td> <td>USA</td> </tr> <tr> <td>Mary A. Doe</td> <td>Vice-Pres</td> <td>9/20/48 Ourtown, US</td> <td>395-88-2244</td> <td>150 Walker Rd, Ourtown, US</td> <td>USA</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		NAME (Last, First, Middle Initial)	POSITION	DATE AND PLACE OF BIRTH	SOCIAL SECURITY NUMBER	HOME ADDRESS	CITIZENSHIP	John S. Doe	President	5/1/44 Ourtown, US	150-45-6700	150 Walker Rd, Ourtown, US	USA	Mary A. Doe	Vice-Pres	9/20/48 Ourtown, US	395-88-2244	150 Walker Rd, Ourtown, US	USA												
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<p>9. Names and addresses of registrant's wholly and partially-owned U.S. subsidiaries (if any):</p> <p>G.U.N. Corporation 2500 Sunset Boulevard Sacramento, CA 90005-0234</p>	<p>10. Names and addresses of registrant's wholly and partially-owned foreign subsidiaries (if any):</p> <p>Armored Vehicles 602 Parker Street Montreal, Quebec 1Y163 Canada</p>																														
<p>11. Name, address and telephone number of registrant's business representative (if any):</p> <p>George Sanders 1400 Pennsylvania Avenue, N.W. Washington, DC 20008-9876 (202) 998-5599</p>	<p>12. Name, address and telephone number of registrant's parent company (if any):</p> <p>Flanders Firearms Corporation 200 American Way Anyplace, US 30013-0001 (123) 444-5555</p>																														
<p>13. Does registrant submit Federal income tax forms separately from company in Block 12? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p>																															
<p>14. Registrant's statement:</p> <p>Under penalty according to Federal law (see 22 CFR 127; 22 USC 2778; 18 USC 1001)</p> <p>I, <u>John S. Doe</u>, warrant the truth of all statements made herein. (Typed Full Name)</p> <p>_____ (Signature)</p> <p><u>3/24/93</u> (Date)</p> <p><u>President</u> (Title/position)</p>																															
<p>15. Corporate or Notary Seal:</p> <div style="text-align: center;"> </div>																															

INSTRUCTIONS

STATEMENT OF REGISTRATION

1. Complete all items. If "none" applies to an item, so state. If more space is required to complete an item, use plain white paper.
 2. **Item 1.** Show the business name, home office address and telephone number of the parent company, as it appears on Federal income tax forms.
 3. **Item 2.** If you have been in the past, or are currently registered with the Office of Defense Trade Controls (DTC), give your DTC registrant code number.
 4. **Item 3.** Circle the number of years required and enter the amount of fee enclosed. Fee Schedule:

1 year	\$250
2 years	\$500
3 years	\$700 (\$50 savings)
4 years	\$850 (\$150 savings)
5 years	\$1,000 (\$250 savings)
- You are encouraged to register for the maximum period of five years to reduce administrative overhead and take advantage of the reduced fees. **DO NOT SEND CASH.** Make your check or money order payable to "Department of State."
5. **Item 4.** Give the most applicable organizational description.
 6. **Item 5.** Indicate the nature of your business.
 7. **Item 6.** Enter the date, city, county and state where your organization commenced doing business.
 8. **Item 7.** Enter the name, title, date and place of birth, SSN, residential address, and country of citizenship for all principal executive officers.
 9. **Item 8.** Enter U.S. Munitions List (USML) category (§121 of the International Traffic In Arms Regulations (ITAR)), generic name, and U.S. Government agency (if applicable) for which manufactured.
 10. **Item 9.** List U.S. subsidiaries manufacturing and/or exporting USML articles or services.
 11. **Item 10.** List foreign subsidiaries manufacturing and/or exporting USML articles or services.
 12. **Item 11.** Give complete address of your official business representative, as this entity will be added to the DTC's mailing list.
 13. **Items 12 and 13.** Company or corporate divisions or subsidiaries may **not** register separately unless they are required by law to file separate Federal tax returns
 14. **Item 14.** The individual signing this form must be a senior official empowered by the intending registrant. Violations and penalties are explained in §127 of the ITAR.
 15. **Item 15.** All additional pages must bear the corporate seal. If there is no corporate seal, enter "N/A" in this block.
 16. DTC will acknowledge in writing receipt of your application and fee, and assign a new registrant code number
 17. **IMPORTANT:** Changes in the information contained in this application must be reported promptly to:

Compliance Division (Registration)
Office of Defense Trade Controls
Room 200, SA-6
U.S. Department of State
Washington, D.C. 20522-0602

* Public reporting burden for this collection of information is estimated to average 1 hour per response, including time required for searching existing data sources, gathering the necessary data, providing the information required, and reviewing the final collection. Send comments on the accuracy of this estimate of the burden and recommendations for reducing it to: Department of State (OIS/RA/DR) Washington, D.C. 20520-0264, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (1405-0002), Washington, D.C. 20503.



UNITED STATES OF AMERICA
DEPARTMENT OF STATE
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FOR U.S. GOVERNMENT USE ONLY
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7. Principal executive officers, partners, owners:		DATE AND				
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_____	_____	_____	_____	_____	_____	
_____	_____	_____	_____	_____	_____	
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_____	_____	_____	_____	_____	_____	
_____	_____	_____	_____	_____	_____	

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CATEGORY	COMMODITY/SERVICE	PURCHASING U.S. GOVERNMENT AGENCY (if Applicable)

9. Names and addresses of registrant's wholly and partially-owned U.S. subsidiaries (if any): 	10. Names and addresses of registrant's wholly and partially-owned foreign subsidiaries (if any):
11. Name, address and telephone number of registrant's business representative (if any): 	12. Name, address and telephone number of registrant's parent company (if any):

13. Does registrant submit Federal income tax forms separately from company in Block 12? <input type="checkbox"/> yes <input type="checkbox"/> no	15. Corporate or Notary Seal:
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Reader Questionnaire

Dear Reader,

DTC would like to get a sense of how we at *Defense Trade News* are doing and what you'd like to see us do in the future. Please complete this survey and return as soon as possible.

1. The agency /organization receiving this publication is (Check all that apply):
☐ Manufacturing ☐ Exporter ☐ Attorney ☐ Consultant ☐ Freight Forwarder ☐ U.S. Embassy
☐ U.S. Customs ☐ U.S. Armed Forces ☐ Other U.S. Government Agency ☐ Foreign Gvnt Agency
☐ Other (Please specify) _____

2. Your position or title within the agency/organization: _____

3. Approximate number of people who read this copy of *Defense Trade News*: (Check only one)

☐ 1 - 5 ☐ 6 - 10 ☐ 11 - 20 ☐ 20 +

4. How many articles do you read in each issue?

☐ 100 % ☐ 75 % ☐ 50 % ☐ 25 % ☐ Less than 25 %

5. Article length is generally: ☐ Too long ☐ About right ☐ Too short

6. Article content is generally: ☐ Too complex ☐ About Right ☐ Too simple

7. Articles are generally: ☐ Useful and interesting ☐ Useful but not interesting
☐ Interesting but not useful ☐ Neither interesting or useful

8. Publication frequency is: ☐ Too often ☐ About right ☐ Too infrequent

Note: This is a quarterly publication (Jan., Apr., July, Oct.).

9. If *Defense Trade News* were only available by GPO subscription, would your agency/organization pay a modest fee? ☐ Yes ☐ No ☐ Don't know

10. If you subscribed, how many copies would your agency/organization require? _____ copies.

11. Please score the following topics or columns according to your interest:

1 Very Interested	2 Somewhat interested	3 Slightly interested	4 Not interested
<input type="checkbox"/> Defense Trade Policy	<input type="checkbox"/> Trade Legislation	<input type="checkbox"/> Compliance Cases & Tips	
<input type="checkbox"/> DTC Procedures	<input type="checkbox"/> Licensing Procedures	<input type="checkbox"/> Federal Register Notices	
<input type="checkbox"/> US Customs at DTC	<input type="checkbox"/> Personnel Updates	<input type="checkbox"/> Tips & Tidbits	
<input type="checkbox"/> Publications for Exporters	<input type="checkbox"/> Commodity Jurisdiction Determinations	<input type="checkbox"/> Summaries of Prosecuted Court Cases	

☐ OTHER (Please Specify) _____

12. Rate *Defense Trade News* on each of the following categories:

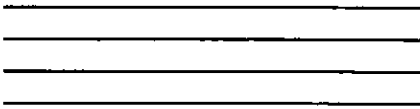
	Excellent	Good	Fair	Poor
Overall Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Writing Style	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Content	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appearance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13. On what subject (s) would you like to see future articles? _____

ADDITIONAL COMMENTS: _____

Tape Edge Before Mailing

Fold



Place
Return
Postage
Here

Editor, Defense Trade News

PM/DTC, SA-6, Room 200

Office of Defense Trade Controls

Bureau of Political Military Affairs

U.S. Department of State

Washington, D.C. 20522-0602

Training—Available at DTC

The Office of Defense Trade Controls (DTC) can design a seminar on export licensing policies and procedures with your specific needs in mind. Seminars are held in DTC's main conference room on the second floor at 1701 N. Fort Myer Drive, Arlington, VA.

DTC normally holds two seminars per month as demand warrants. Seating constraints limit attendance to 30 persons per seminar. Normal training sessions are half-day, but they can be extended according to the needs of the participants. Small companies are encouraged to apply for these training sessions. We combine participants from different companies each month to make up a session. Larger companies might have enough personnel to take up all of the available spaces in a session, in which case, we will schedule a special session for that company.

In order to request a training seminar, please complete the application below and return it to DTC.

1. Type(s) of Training Desired:

- | | |
|---|--|
| <input type="checkbox"/> Completion of Applications | <input type="checkbox"/> Registration Requirements |
| <input type="checkbox"/> Country Licensing Policies | <input type="checkbox"/> Congressional Requirements |
| <input type="checkbox"/> COCOM Requirements | <input type="checkbox"/> Agreement Requirements |
| <input type="checkbox"/> US Customs EXODUS Program | <input type="checkbox"/> Commodity Jurisdiction Requests |
| <input type="checkbox"/> Processing of Requests | <input type="checkbox"/> Licensing Foreign Nationals |

(Fold on this line)

Other subject areas you wish covered: _____

2. Number of individuals wishing to attend from your firm. _____

3. Please list the primary U.S. Munitions List category(ies) of defense articles, services, and/or technical data in which your firm usually deals.

1. _____ 2. _____ 3. _____ 4. _____

4. Name of Company / Individual _____

DTC Registration Code _____ - _____

Address _____

City & State, ZIP _____

Point of Contact _____

Phone () _____ - _____ () _____ - _____

Direct Line

DataFax

5. Would your company be interested in briefing DTC about your products or services?

_____ Yes _____ No

Tape Edge Before Mailing

Place
Return
Postage
Here

Training Seminars

PM/DTC, SA-6, Room 200

Office of Defense Trade Controls

Bureau of Political Military Affairs

U.S. Department of State

Washington, D.C. 20522-0602

GPO Order Form

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Press 1, 6

Datafax (24 hours)

(202) 512-2250

Superintendent of Documents Publications and Subscriptions Order Form

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***7143**

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To fax your orders and inquiries—(202) 275-0019

PUBLICATIONS

Please Type or Print (Form is aligned for typewriter use.)

QTY	Stock Number	Title	Price Each	Total Price
1	021-602-000-01-9	Catalog—Bestselling Government Books	FREE	FREE
	069-001-000-58-1	International Traffic in Arms Regulations (ITAR)	\$ 4.50	
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