



U.S. Department of State Directorate of Defense Trade Controls

Guidelines for Completion of a Form DSP-61 Application/License for Temporary Import of Unclassified Defense Articles

These guidelines are provided to assist registered applicants in accurately completing the Form DSP-61 in compliance with the International Traffic in Arms Regulations (ITAR, 22 CFR 120-130). Submission of a complete and compliant application will provide the Directorate of Defense Trade Controls (DDTC) with the necessary information to perform a timely review. Applications that are submitted that do not meet the regulatory requirements or provide adequate details/documentation may be Returned Without Action (RWA).

Prior to completing this application, determine:

1. That you are registered with the Department of State, DDTC. An applicant who is not a manufacturer or in the business of exporting defense articles may seek relief from registration (see 22 CFR 122).
2. An ITAR-empowered official (see 22 CFR §120.67) has been identified to sign the application.
3. All required documentation is available (22 CFR §123.1) for submission with the request.
4. The eligibility requirements of 22 CFR §120.16 and §126.13 can be satisfied. If they cannot be satisfied, you are not eligible to apply for a license without requesting an exception to policy.
5. The U.S. Munitions List (USML) covers the commodity(s) that are the subject of the request (see 22 CFR 121). Should a doubt exist regarding agency export controls jurisdiction for any commodity(s) see 22 CFR §§ 120.3, 120.4, 120.12(a), and 120.31 and DDTC's website for assistance. Should a commodity jurisdiction determination be required, go to DDTC's website (www.pmddtc.state.gov, look for CJ guidelines) for assistance.
6. A review of 22 CFR §123.4 has been completed to determine that the transaction is not subject to an ITAR exemption.

Documentation Requirements. Documentation should only be submitted when the pertinent information cannot be included on the application or in an attachment(s) and the information in the document adds to the content of the application or a requirement has been imposed by DDTC. You will be asked to identify the documents that you submit with your request. While you may

submit any document you deem necessary to assist in the review, the types of documents identified on the Form DSP-61 include:

- a) Firearms and Ammunitions Import Permit
- b) Firearms and Ammunitions Letter of Explanation, when necessary
- c) Other amplifying data (e.g., briefing, proposal)
- d) Precedent (identical/similar) cases
- e) Product brochures
- f) Supplementary explanation of transaction (e.g., white paper)
- g) Technical drawings, schematics, or blue prints
- h) Transaction exception request
- i) ITAR 126.13 Eligibility Letter
- j) Manufacturer Unknown Letter of Explanation

General Instructions:

1. All blocks with an asterisk must be completed with the requested information.
2. Provide complete names. Do not use post office boxes or other general addressees.
3. Supporting documentation/attachments are required to be submitted with the original submission.
4. For exports in transit should include a document that verifies the purchase and clearly indicate the foreign end use, user, quantity and price.
5. Firearms (special requirements for temporary imports).
 - a) All requests for the temporary import of firearms that are transiting the U.S. to another foreign destination must provide an import permit or have written verification that no document is issued by the foreign government. In those instances where a foreign government does not issue import permits, the applicant must provide with the application the written verification from the foreign destination that the importing country does not require such import permits.
 - b) A request must provide a letter of explanation for a transaction (e.g., reason/rationale for the temporary export) stating a) "Applicant has verified that the country to which these firearms are being exported does not issue an import certificate. Enclosed is written verification" or b) "Applicant has submitted an import permit with this request."
 - c) **Requests for trade shows or for motion pictures.** The temporary import of firearms destined for a foreign destination for use in a trade show or for a motion picture must include a letter that provides the details of the security arrangements in the foreign country (e.g., access, storage, accountability).
 - d) A license for firearms will only be valid for the period of the import permit minus one day.

Specific Instructions/Guidelines:

***Block 1. Date Prepared.** When submitting electronically, the date the application is prepared is automatically entered (month/day/year). The date is updated each time the application is opened until submission to DDTC, at which time the application is digitally signed.

***Block 2. PM/DDTC Applicant/Registrant Code.** Enter your PM/DDTC Applicant/Registration code, including the pre-fix letter (e.g., M-2278). Please note that it is not appropriate for a broker to be an applicant for export license or agreement. Brokers who are seeking licenses should also be registered as exporters/manufacturers. Ensure your registration is valid. No application will be processed unless your registration is current, or you are exempt or have been provided relief from registration (see 22 CFR § 122.1(b)). When you do not have a registration code or evidence of relief from registration STOP and contact DDTC. Prior to contacting DDTC you may wish to review registration requirements in 22 CFR 122 and guidance provided on DDTC's website (www.pmdtdc.state.gov).

***Block 3. Foreign Country from Which Shipped.** Enter the country *from* which the article will actually be shipped into the United States.

***Block 4. U.S. Port of Import.** Enter the known or expected United States Customs Port where the defense articles will arrive for import.

Block 5. Foreign Country of Ultimate Destination. Enter the country where the article will actually be used or reside (e.g., the ultimate destination). This is not necessarily the country from which the article is shipped.

***Block 6. U.S. Port of Export.** Enter the known or expected United States Customs Port from which the defense articles will be exported.

***Block 7. Name, agency and telephone number of U.S. Government personnel familiar with the application.** The individual shown in this field must be an employee of a U.S. Government entity (i.e., the military service or agency most familiar with the defense article/defense program). It cannot be an employee of DDTC. This information will assist in the processing and review of your request.

Block 8. Applicant's Name and Address. Check the appropriate field indicating applicant business (Government, Manufacturer, and Exporter). Enter the applicant's complete name and address, including ZIP code. If a subsidiary is applying for a license, provide the registered company's (the entity that has been assigned the PM/DDTC Applicant Code) name, address and telephone number in Block 5. Check the "Subsidiary" box and enter the subsidiary name, address and telephone number. State the complete telephone number, including the area code.

Block 9. Applicant Contact. List individual(s) familiar with the transaction who can respond to questions from DDTC staff or from other government agencies. The individual(s) should be prepared to answer procedure and/or technical questions. You may list more than one individual and provide the area of expertise (e.g., June Day – technical, Erick Richards -

regulatory/process). Please do not list an individual who is not familiar with the transaction and thus unable to respond. Do not list U.S. Government personnel.

Block 10. Description of Transaction. Providing history of approvals and denials can assist in adequate and timely processing of your request. Information that the defense article was approved to the country on your current application, for example, may eliminate the need for DDTC to seek interagency recommendations. Select all that apply and provide the case number. Select and provide the applicable case number(s)

10(a). Identical commodity was licensed to the country in Block 3

10(b). Identical commodity was licensed to another country(s)

10(c). Identical commodity was denied to the country in Block 3

10(d). Identical commodity was never licensed for this applicant

10(e). This transaction is in furtherance of an agreement

10(f). This transaction is in support of an agreement

***Block 11. Quantity.** Enter the quantity (e.g., number/amount) of each end item, major component and system that is identified in Block 10 (e.g., 1 GR Radio, 2 UTR-1 Rifles). Then select the appropriate unit type in the "Unit Type" field. Select terms such as "lots" only when deemed appropriate (e.g., another unit of measure does not apply). "Lot" is generally used for minor components or parts; however, an itemized list may be required.

***Block 12. Commodity, type, and purpose for which it is intended.** Complete Blocks 12(a), (b) and (c).

Block 12(a) Commodity. Enter a complete description to include model number, part number, military designation, etc.

Block 12(b) The Commodity is. Select/Enter whether the commodity(s) is end item, major component, minor component, accessory/attachment, part, firmware, software or system (see 22 CFR §120.40).

Block 12(c). Identify the commodity for which it is intended. Select none or provide a complete concise description of the intended use of the commodity being requested.

***Block 13. U.S. Munitions List (USML) Category and Commodity Code.** The USML, 22 CFR § 121.1, will assist you in identification of the category and sub-category for the commodity(s) stated on the application. If more than one commodity is identified in Block 12, list the USML category and DDTC Commodity Code for each commodity.

***Block 14. Value.** Enter a unit price. When submitting electronically, the software will calculate and enter the line item total. For paper submissions the applicant must do the calculation. Enter the value in U.S. whole dollars.

***Block 15. Total Value.** For electronic submissions the software will calculate the value of all the line item totals. For paper submissions, the applicant must calculate the value of all the line item totals.

***Block 16. Name and address of owner/end user commodity in foreign country from which shipped.** Identify by name and address the owner/end-user of the commodity(s) to be

temporarily imported. The owner/end user and the address will generally be the country in Block 3 (i.e., the foreign country from which the commodity(s) in Block 12 was shipped).

***Block 17. Manufacturer of Commodity.** When there are multiple manufacturers of the commodity identified in Block 12, provide the name and address of each manufacturer, to include the applicant and unknown, if applicable. When the applicant is the only manufacturer select “Same as Block 8.” When all of the manufacturers are “Unknown” and the request is for the import of parts, components, accessories and attachments, select “Unknown.” Provide letter of explanation as to why the manufacturer is unknown. When selecting unknown, the applicant must exercise due diligence to determine the manufacture, such as requesting the source to provide the name(s) of the manufacturer(s).

Notes:

1. It is recommended that the applicant seek to determine, when the source is a manufacturer, that the manufacturer is registered with DDTC as required by the Arms Export Control Act.
2. The applicant is also responsible for ensuring, at the time of import/export, that all parties to the transaction are eligible to engage in the transaction. For example, relief from identifying the manufacturer(s) granted by DDTC to assist an applicant who, at the time of submission, was unable to determine who the specific manufacturer(s) of the minor components and parts would be, does not relieve the applicant from ensuring that the transaction does not involve persons who have lost their licensing privileges.

***Block 18. Name and address of consignor in foreign country from which shipped.** Enter the name and address of the entity in the foreign country that will actually be shipping the commodity(s) to the United States.

***Block 19. Source of Commodity.** When there are multiple sources of the commodity, provide the name and address of each source, to include the applicant and manufacturer(s) if applicable, from whom the commodities were procured. When the source is only the applicant, select “Same as Block 8.” When the source is the same as the manufacturer(s) select “Same as Block 17.”

***Block 20. Name and address of foreign intermediate consignee.** Select none or enter the name and address of the foreign intermediate consignee who will receive the goods for onward movement to or from the foreign end user. A foreign intermediate consignee may be an agency or entity in a country other than the country of ultimate destination, such as a freight forwarder who will be moving the commodity(s) through a country en-route to a destination but will not be taking title/possession of the defense articles. International carriers need not be included. Do not include banks or common carriers unless there is a bill of lading involved that specified “To Order of (the bank or carrier).”

***Block 21. Name and address of U.S. intermediate consignee.** If the applicant is the only intermediate, select “Same as Block 8.” If there are multiple intermediate consignees, to include the applicant, provide the name and address of each intermediate consignee. Also, when appropriate elaborate on the role of the each consignee(s) in Block 23.

***Block 22. Name and address of consignee in foreign country of ultimate destination.**

Select none or enter the name and address the foreign consignee in the country listed in Block 5 who will receive the commodity(s). Do not include banks or common carriers unless a bill of lading is involved that specified "To Order of (the bank or carrier)." More than one entry may be made.

***Block 23. Specific purpose for which the material is temporarily imported.** Provide details regarding the specific purpose of the proposed transaction by making the appropriate selection.

23a. Select all that apply: overhaul/repair; modification/upgrade; other (provide details).

23b. Select one. Return to the foreign country in block 16, or transshipment to a third country.

***Block 24. Name and address of end user in foreign country of ultimate destination.** When identical to the owner/end user identified in block 16 select "Same as Block 16" or enter the name and address the entity in the country identified in Block 5.

***Block 25. Applicant's Statement.**

Electronic submissions. Type the name of the individual who will digitally sign the request and check the boxes that apply.

Paper submissions. Type the name of the individual who will sign the license application, sign the application and check the boxes that apply.

Note:

Applications must be signed by either an ITAR empowered official (see 22 CFR § 120.67) or an official of a foreign government entity. Applications signed by another individual or "for" another company or person are in violation of the ITAR.

22 CFR 126.13 Certification. Select one. When selecting 2, 3, or 4 ensure that the additional documentation is submitted with your request.

Block 26. License to be sent to. FOR PAPER SUBMISSIONS ONLY. Provide the complete name, address and phone number. DO NOT PUT "SAME AS BLOCK 3."