

**GUIDELINES FOR COMPLETING APPLICATIONS
FOR THE PERMANENT EXPORT, TEMPORARY
EXPORT, AND TEMPORARY
IMPORT OF
FIREARMS AND AMMUNITION**



U.S. MUNITIONS LIST CATEGORIES I AND III

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I. GENERAL INFORMATION

A. **DIRECTORATE OF DEFENSE TRADE CONTROLS:** Section 38 of the Arms Export Control Act (22 U.S.C. 2778) authorizes the President to control the export and import of defense articles and defense services. By virtue of delegations of authority, the regulations relevant to the control of the export and import of defense articles are primarily administered by the Deputy Assistant Secretary for Defense Trade Controls and the Managing Director of the Directorate of Defense Trade Controls (DDTC), Bureau of Political Military Affairs, Department of State. The regulations are codified in the Code of Federal Regulations (CFR), Title 22, Foreign Relations. The *International Traffic in Arms Regulations* (ITAR) includes Parts 120-130 of 22 CFR.

B. **STATE DEPARTMENT FORMS***

1) **FORMS:**

DS-2032 Statement of Registration

DSP-5 Application/License for permanent export of unclassified defense articles and related technical data.

DSP-83 Non-transfer and Use Certificate.

DSP-73 Application/License for temporary export of unclassified defense articles.

DSP-61 Application/License for temporary import of unclassified defense articles.

* FORMS MAY BE REQUESTED ON-LINE (www.pmdtc.org) OR BY SENDING A REQUEST BY FAX TO (202) 261-8264.

2) **COPIES OF SUPPORTING DOCUMENTS:**

When submitting an application for any license, the applicant must provide four sets of all supporting documentation (one original set and three complete copies), with each set collated and stapled.

C. **REGISTRATION:** Any person who engages in the United States in the business of either manufacturing or exporting defense articles, defense services, or related technical data is required to register with the U.S. Department of State. Therefore, both manufacturers and exporters of U.S. defense articles and related technical data and furnishers of defense services must register with the DDTC (ITAR Part 122). Registration does not confer any export rights or privileges, but it is a

precondition to the issuance of any license or other approval for export. To register or renew your registration complete a Form DS-2032.

D. EXEMPTIONS: Certain exemptions from licensing and registration requirements may apply. See Section V.

E. ON-LINE RESOURCES: A number of documents, services, and links are now available on-line at the DDTC website, www.pmdtc.org. Forms may be ordered under the heading "Licensing," and various web pages presenting information, guidelines, and fact sheets may be viewed.

II. PERMANENT EXPORT OF FIREARMS/AMMUNITION

A. REQUIRED DOCUMENTATION: All applicants must submit an ORIGINAL Form DSP-5 to DDTC to seek authorization to permanently export firearms (U.S. Munitions List Category I) and ammunition (U.S. Munitions List Category III) unless an exemption applies. A firm purchase order and an Import Authorization issued by the foreign government authorizing the import must accompany the DSP-5. In some cases a DSP-83 is required (see below).

1) DSP-5: Instructions for completion of the application are provided on the front page of the DSP-5. Instructions provided here are supplemental. These instructions take precedence if there are any differences with the DS.P-5 instructions. Failure to comply with the instructions provided below will result in the application being returned without action. Please note the following requirements:

a) Block 10: Please specify the type of firearm, make/model and caliber. Identify whether the firearm is automatic or semiautomatic, if applicable. Include the import authorization number in this block.

b) Block 21: A responsible official empowered by the applicant must sign in Block 21 and check the appropriate box under block 21. On the reverse side of the first page of the application, the official must check the appropriate boxes. Any individuals applying for a license for personal use serve as their own empowered officials and should check the appropriate boxes.

c) Validity Period of the DSP-5 License: An approved DSP-5 license authorizing the permanent export of Category I and III items (firearms, components, and ammunition) shall be valid for four years or less. In cases where the Import Authorization validity period is less than four years, the approved license will include an attachment limiting the validity of the DSP-5 application to coincide with the Import Authorization expiration date.

2) **PURCHASE ORDER/FIRM ORDER:** A copy of a purchase order from the foreign end user, specifying the type of firearm, caliber, quantity, dollar value, make/model, end-use and end-user of the article must accompany each application. U.S. company invoices/pro forma invoices are not acceptable. English translations must be provided for foreign language documents. The information on the purchase order must match the information listed on the permanent export application DSP-5 and the Import Authorization. Using a purchase order more than once is unacceptable. Letters of intent or blanket orders are not acceptable.

3) **IMPORT AUTHORIZATION:** An ORIGINAL Import Authorization, comprised of either an original permit or an original certificate issued by the foreign government authorizing the import of specified items, must accompany each application. An Import Authorization document normally contains an official signature, government seal, and the validity period of the transaction. This is not to be confused with a business license issued by the foreign government to firearms dealers or with a government authorization for individuals to own or carry a firearm.

This information is to be supplied as an original document or certified copy of a duly-issued Import Authorization. "Certified Copy" means a copy of an original document certified by a competent official that bears the statement "certified copy," an original signature, seal of the certifier, and date of certification. Import Authorizations and purchase orders may only be used once. The complete authorization must be fulfilled in one-license application. The information on the Import Authorization should match the information listed on the permanent export application DSP-5 and the purchase order. A written explanation is required for any application that does not include an Import Authorization (e.g., letter from importing government stating that the item does not require an Import Authorization; end-user statement that no Import Authorization is required).

English translations must be provided.

NOTE: All applications for OAS countries must have an Import Authorization. See Attachment A for import documentation requirements and a list of OAS countries.

4) **DSP-83 NON-TRANSFER AND USE CERTIFICATE:** In signing the DSP-83 *Non-Transfer and Use Certificate*, the foreign consignee, end-user, and foreign government certify that they will not re-export, resell, or otherwise dispose of the commodity listed outside of the country listed in block 3. Under the International Traffic in Arms Regulations (ITAR) all firearms are designated Significant Military Equipment (SME) and thus require a completed DSP-83. However, DDTC has waived this requirement for less than 50 of certain types of firearms and less than 100,000 rounds of ammunition. Please see the DSP-83 Guidelines below for more information by type of firearm on when to submit a DSP-83.

Block 8 of the DSP-83 needs to be completed ONLY when FOREIGN GOVERNMENT is the end-user of a commodity. The applicant MUST sign page 2, Item 9. Quantity, articles, and

value should be listed on the DSP-83 and should be consistent with the license application.
ONLY ORIGINAL SIGNATURES WILL BE ACCEPTED.

a) A Completed DSP-83 is Required for the Following:

- **Fully Automatic Weapons** - Submit a DSP-83. The appropriate end-user for these items should be the military or police. No commercial sales.
NOTE: Licenses for automatic weapons will only be approved when the end-user is the military or police.
- **Rifles Fifty Caliber or more** – Submit a DSP-83 signed by the individual ultimate end-user. No commercial warehousing or stockpiling.
- **Fifty or more firearms of any type** – Submit a DSP-83 signed by ultimate end-user or foreign dealer.
- **Fifty or more SME parts** – Submit a DSP-83 signed by the ultimate end-user or foreign dealer.
- **One hundred thousand or more rounds of ammunition of any type** - Submit a DSP-83 signed by ultimate end-user or foreign dealer.

NOTE: At the discretion of a licensing officer, a DSP-83 may be required for any firearm, component, or ammunition.

III. TEMPORARY EXPORT OF FIREARMS/AMMUNITION

A. REQUIRED DOCUMENTATION: DDTC may issue a license for the temporary export of unclassified defense articles. Such licenses are valid only if (1) the article will be exported for a period of less than four years and will be returned to the U.S. (2) transfer of title will not occur during the period of temporary export. All applicants must submit an ORIGINAL DSP-73 to DDTC to seek authorization to temporarily export firearms and ammunition unless an exemption applies.

- 1) **DSP-73:** Instructions for completion of the application are provided on the front page of the DSP-73. Instructions provided here are supplemental. These instructions take precedence if there are any differences with the DSP-73 instructions. Failure to comply with the instructions

provided below will result in the application being returned without action. Please note the following requirements:

a) Block 13: Please specify the type of firearm, make/model and caliber. Identify whether the firearm is automatic or semiautomatic, if applicable. Include the Import Authorization number in this block.

b) Block 30: A responsible official empowered by the applicant must sign in block 30 and check the appropriate box under block 30. On the reverse side of the first page of the application, the official must check the appropriate boxes. Any individuals applying for a license for personal use serve as their own empowered officials and should check the appropriate boxes.

c) Block 21: A specific purpose for the temporary export must be delineated in Block 21.

2) IMPORT AUTHORIZATION: An ORIGINAL Import Authorization, comprised of either an original permit or an original certificate issued by the foreign government authorizing the import of specified items, must accompany each application. An Import Authorization document normally contains an official signature, government seal, and the validity period of the transaction. This is not to be confused with a business license issued by the foreign government to firearms dealers or with a government authorization for individuals to own or carry a firearm.

This information is to be supplied as an original document or certified copy of a duly-issued Import Authorization. "Certified Copy" means a copy of an original document certified by a competent official that bears the statement "certified copy," an original signature, seal of the certifier, and date of certification. Import Authorizations and purchase orders may only be used once. The complete authorization must be fulfilled in one-license application. The information on the Import Authorization should match the information listed on the permanent export application DSP-5 and the purchase order. A written explanation is required for any application that does not include an Import Authorization (e.g., letter from importing government stating that the item does not require an Import Authorization; end-user statement that no import Authorization is required).

English translations must be provided.

NOTE: Applications for firearms that are being temporarily exported from the U.S. for functions such as trade shows, movies, etc., must have an accompanying letter detailing the arrangements made to safeguard the firearms while they are located at the foreign destination. This letter also must provide the date when the firearms will return to the U.S.

IV. TEMPORARY IMPORT OF FIREARMS/AMMUNITION

A. REQUIRED DOCUMENTATION: All applicants must submit an ORIGINAL Form DSP-61 to DDTC to seek authorization to temporarily import firearms (U.S. Munitions List Category I) and ammunition (U.S. Munitions List Category III). For temporary imports that are in transit through the U.S. to another country a purchase order and Import Authorization are required. In certain circumstances a DSP-83 may be required.

1) **DSP-61:** Temporary imports require a completed DSP-61. Instructions for completion of the application are provided on the front page of the DSP-6 1. Instructions provided here are supplemental. These instructions take precedence if there are any differences with the DSP-61 instructions. Failure to comply with the instructions provided below will result in the application being returned without action. Please note the following requirements:

a) **Block 12:** Please specify the type of firearm, make/model and caliber. Identify whether the firearm is automatic or semiautomatic, if applicable. Include the Import Authorization number in this block.

b) **Block 23:** A responsible official empowered by the applicant must sign in Block 23 and check the appropriate box under Block 23. On the reverse side of the first page of the application, the official must check the appropriate boxes. Any individuals applying for a license for personal use serve as their own empowered officials and should check the appropriate boxes.

NOTE: Applications for firearms that are being temporarily imported into the U.S. must have an accompanying letter detailing the arrangements made to safeguard the firearms while they are within the country. This letter also must specify the time period the firearms will be in the U.S.

B. TEMPORARY IMPORTS IN TRANSIT TO A THIRD COUNTRY: In addition to the completed DSP-6 1, imports that are in transit to a third country need the following:

1) **PURCHASE ORDER/ FIRM ORDER:** A copy of a purchase order from the foreign end user, specifying the type of firearm, caliber, quantity, dollar value, make/model, end-use, and end-user of the article must accompany each application. U.S. company invoices/pro forma invoices are not acceptable. English translations must be provided for foreign language documents. The information on the purchase order must match the information listed on the permanent export application DSP-5 and the Import Authorization. Using a purchase order more than once is unacceptable. Letters of intent and blanket orders are not acceptable.

2) **IMPORT AUTHORIZATION:** An ORIGINAL Import Authorization, comprised of either an original permit or an original certificate issued by the foreign government authorizing the import of specified items, must accompany each application. An Import Authorization document

normally contains an official signature, government seal, and the validity period of the transaction. This is not to be confused with a business license by the foreign government to firearms dealers or with a government authorization for individuals to own or carry a firearm.

This information is to be supplied as an original document or certified copy of a duly issued Import Authorization. "Certified Copy" means a copy of an original document certified by a competent official that bears the statement "certified copy," an original signature, seal of the certifier, and date of certification. Import Authorizations and purchase orders may only be used once. The complete authorization must be fulfilled in one-license application. The information on the Import Authorization should match the information listed on the permanent export application DSP-5 and the purchase order. A written explanation is required for any application that does not include an Import Authorization (e.g., letter from importing government stating that the item does not require an Import Authorization; end-user statement that no Import Authorization is required).

English translations must be provided.

NOTE: All applications for OAS countries must have an Import Authorization. See Attachment A for import documentation requirements and a list of OAS countries.

3) DSP-83 NON-TRANSFER AND USE CERTIFICATE: In signing the DSP-83 *Non-Transfer and Use Certificate*, the foreign consignee, end-user, and foreign government certify that they will not re-export, resell, or otherwise dispose of the commodity listed outside of the country listed in block 3. Under the International Traffic in Arms Regulations (ITAR) all firearms are designated Significant Military Equipment (SME) and thus require a completed DSP-83. However, DDTC has waived this requirement for less than 50 of certain types of firearms and less than 100,000 rounds of ammunition. Please see the DSP-83 Guidelines below for more information by type of firearm on when to submit a DSP-83.

Block 8 of the DSP-83 needs to be completed ONLY when a FOREIGN GOVERNMENT is the end-user of a commodity. The applicant MUST sign item 9 on page 2. Quantity, articles, and value should be listed on the DSP-83 and should be consistent with the license application. ONLY ORIGINAL SIGNATURES WILL BE ACCEPTED.

a) A Completed DSP-83 is Required for the Following:

- **Fully Automatic Weapons** - Submit a DSP-83. The appropriate end-user for these items should be the military or police. No commercial sales.
NOTE: Licenses for automatic weapons will only be approved when the end-user is the military or police.

- **Rifles Fifty Caliber or more** – Submit a DSP-83 signed by the individual ultimate end-user. No commercial warehousing or stockpiling.
- **Fifty or more firearms of any type** – Submit a DSP-83 signed by ultimate end-user or foreign dealer.
- **Fifty or more SME parts** – Submit a DSP-83 signed by the ultimate end-user or foreign dealer.
- **One hundred thousand or more rounds of ammunition of any type** - Submit a DSP-83 signed by ultimate end-user or foreign dealer.

NOTE: At the discretion of a licensing officer, a DSP-83 may be required for any firearm, component, or ammunition.

V. EXEMPTIONS

A. LICENSING EXEMPTIONS: The International Traffic in Arms Regulations (ITAR) provides for certain exemptions relative to the licensing of firearms and ammunition. Listed below are the exemptions: (Please be sure to read the complete applicable section of the ITAR)

- **123.17(b) Obsolete firearms and models** - Non-automatic firearms that were manufactured in or before 1898, as well as replicas of such firearms, are exempt.
- **123.17(c) Temporary export of firearms and ammunition for personal use** - U.S. persons may export temporarily not more than three non-automatic firearms and not more than 1,000 cartridges of ammunition provided that this is for the person's exclusive use and not for re-export or other transfer of ownership (i.e., firearms for use on hunting trips).
- **123.17(a) Minor components** - Components and parts for Category I firearms are exempt from licensing requirements when the total value does not exceed \$100 wholesale in any single transaction. Barrels, cylinders, receivers (frames), or complete breech mechanisms require a license.
- **123.18 Firearms for personal use for members of the U.S. armed forces and civilian employees of the U.S. Government** - Non-automatic firearms may be exported for personal use and not for resale or transfer of ownership if the firearms

are accompanied by written authorization from the commanding officer or Chief of the U.S. Diplomatic Mission.

- **123.19 Canadian and Mexican border shipments** - A shipment originating in Canada or Mexico that incidentally transits the U.S. en route to a delivery point in that same country is exempt from the requirement for an in-transit license.

B. REGISTRATION EXEMPTIONS:

- U.S. persons that are not in the business of manufacturing or exporting defense articles, related technical data, or furnishing defense services as defined in the ITAR may receive a one-time exemption from the registration requirements.
- U.S. persons seeking a one-time exemption to permanently export firearms and ammunition should submit a letter (see Attachment B) requesting the one-time exemption, along with a completed DSP-5. All other required documentation must also accompany the DSP-5.
- U.S. persons seeking a one-time exemption for a temporary import should submit a letter (see Attachment C) requesting the one-time exemption, along with a completed DSP-61. All other required documentation must also accompany the DSP-61.

VI. ATTACHMENTS

ATTACHMENT A

OAS IMPORT AUTHORIZATION REQUIREMENTS LIST

ATTACHMENT B

SAMPLE LETTER FOR ONE-TIME EXEMPTION FOR PERMANENT EXPORT

ATTACHMENT C

SAMPLE LETTER FOR ONE-TIME EXEMPTION FOR TEMPORARY IMPORT

ATTACHMENT A

OAS IMPORT AUTHORIZATION REQUIREMENTS

As agreed to by members of the OAS, the U.S. Government now requires the following information on all Import Authorizations for firearms and ammunition:

- A. Domestic Import Authorization number, unique to country of issuance (e.g., authorization number).
- B. Country of issuance.
- C. Date of issuance.
- D. Authorizing agency identification (name of agency, address, telephone and fax numbers, signing officer's name and signature).
- E. Importer identification (name, address, telephone and fax numbers, country of residence, representative's name if commercial or governmental body, citizenship and signature).
- F. Final recipient identifications, if different from importer (name, address, telephone and fax numbers, country of residence, representative's name if commercial or governmental body, citizenship and signature).
- G. Importation authorized for the total quantity of firearms or parts and components or ammunition (with description to include barrel length, overall length, action, number of shots, caliber and type of ammunition, identification of manufacturer, model, and country of manufacture).
- H. Import Authorization expiration date (date by which total quantity authorized must be imported under import authorization or date of expiration of import authorization). Maximum validity is one year.
- I. Export information (name of exporter and country of export).
- J. Import Authorization cancellation information, applicable when authorization is canceled or revoked (name of agency, address, telephone and fax numbers, signing officer and signature).

*OAS = Organization of American States. OAS countries are as follows: Antigua and Barbuda, Argentina, The Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.

ATTACHMENT B

SAMPLE LETTER FOR ONE-TIME EXEMPTION FOR PERMANENT EXPORT

Ms. Jane Doe
1234 Fairway Lane
Arlington, VA 56789

Director
Office of Defense Trade Controls Licensing
Directorate of Defense Trade Controls
U.S. Department of State
SA-1, 13th Floor
2401 E. Street, N.W.
Washington, D.C. 20522

Dear Director:

I am seeking a one-time exemption to the registration requirements of the International Traffic in Arms Regulations (ITAR) for a permanent export license. I certify that I am not in the business of either manufacturing or exporting defense articles, related technical data, or furnishing defense services as defined in the ITAR. I also am not in the business of brokering in accordance with ITAR Part 129. My proposed export is a one-time requirement [give reason - e.g., gift giving, etc.] for the use of [state end-user and intended end-use - e.g., collection, target shooting, hunting].

My proposed export is the following:

Type of Firearm: (i.e., handgun, revolver, rifle)

Caliber:

Quantity:

Dollar Value:

Manufacturer:

Make/Model:

[NOTE: If the firearm(s) will be a gift to the end-user, the application must include a letter from the end-user acknowledging that he/she will be receiving the firearm(s) and identifying the end-use(s).]

Sincerely,

(Signature)

Applicant's name

Enclosures:

1. DSP-5
2. Import Authorization
3. Purchase order (or letter from end-user)
4. DSP-83 (if applicable)

ATTACHMENT C

SAMPLE LETTER FOR ONE-TIME EXEMPTION FOR TEMPORARY IMPORT

Ms. Jane Doe
1234 Fairway Lane
Arlington, VA 56789

Director
Office of Defense Trade Controls Licensing
Directorate of Defense Trade Controls
U.S. Department of State
2401 E. Street, N.W.
Washington, D.C. 20522

Dear Director:

I am seeking a one-time exemption to the registration requirements of the International Traffic in Arms Regulations (ITAR) for a temporary import license. I certify that I am not in the business of either manufacturing or exporting defense articles, related technical data or furnishing defense services as defined in the ITAR. I also am not in the business of brokering in accordance with ITAR Part 129. My import is a one-time requirement [give reason – e.g., transshipment to a third country, seizure of munitions at U.S. port of entry by U.S. Customs during transshipment, importing munitions for demonstration or display, testing and examination, etc.].

My proposed temporary import is the following:

Type of Firearm: (i.e., handgun, revolver, rifle)

Caliber:

Quantity:

Dollar Value:

Manufacturer:

Make/Model:

[NOTE: If the commodity was seized by U.S. Customs, provide written documentation from U.S. Customs detailing the seizure. Also, provide a purchase order identifying the end-use and end-user and an Import Authorization, if required.]

Sincerely,

(Signature)
Applicant's name

Enclosures:

1. DSP-61 (complete the front and reverse sides)
2. Import Authorization (if required)
3. Purchase order (if required)
4. U.S. Customs documentation (if munitions seized)
5. Written documentation from temporary end-user (if required)