

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

BLOCK 1

Application for Permanent/Temporary Export or Temporary Import of Classified Defense Articles and Classified Technical Data

***Transaction Number**

Enter the internal submission company identifier for this application.

Classified Information must NOT be included, or referred to, in the form.

Classified information must be sent separately to the Directorate of Defense Trade Controls (DDTC) in accordance with Defense Counterintelligence and Security Agency (DCSA) guidelines. For issues that may pertain to classified information, contact the DDTC Response Team.

- ☐ The applicant is sending classified information under separate cover.
Select this field if sending classified information that is pertinent to the application under separate cover to the DDTC in accordance with the DCSA guidelines.

Upload Document

Document Type

BLOCK 2

DDTC Registration Code

Select the applicant's registration code. If no codes are displayed, confirm the applicant has an active registration code prior to submitting a license application.

***Registration Code**

Select registration code for this application.

BLOCK 3

Application Type

Application Type

- ☐ Permanent Export
 - ☐ Temporary Export
 - ☐ Temporary Import
-

BLOCK 4

Country of Ultimate Destination or Temporary Sojourn

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

Enter the country or countries of ultimate destination or temporary sojourn. All countries of ultimate destination must be listed and must match the countries listed in Block 17. If the application relates to an agreement, the country of ultimate destination should be the country where the foreign licensee/s are located.

***Destination Country** (drop down menu)

BLOCK 5 *(only available if "Temporary Import" is selected in Block 3)*
Foreign Country from Which Shipped

Foreign Country from Which Shipped (drop down menu)

BLOCK 6
Applicant

Provide all applicant information. If the applicant is a subsidiary, provide the parent company's information in the fields below and check the Subsidiary checkbox to provide the required information.

Applicant Is

Select the applicant's business type. Select either Exporter, Freight Forwarder, Government, or Manufacturer.

☐ **Subsidiary**

Select if the applicant/requester is a subsidiary of the DDTC registered entity to which the DDTC registration code belongs. Note that the subsidiary must be listed on the registered entity's DDTC registration to apply for the license.

Name (read-only)

****The Registrant's name is auto populated based on the registration****

***Attention**

Enter the first and last name of the person who is responsible for this application for the applicant.

Address

Enter the applicant full address.

Incomplete/imprecise addresses or use of P.O. boxes will result in the request being Returned Without Action.

City

State

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

Zip Code

***Telephone**

Extension

***FCL CAGE Code**

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility clearance (FCL) code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter "Application pending". Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

***Clearance Level**

***Date of Clearance**

****If Subsidiary is checked, then the following options show up****

Subsidiary Information

The Subsidiary Information fields (Name, Attention, Address, City, State, Zip Code, Telephone Number and Extension) become required when the applicant selects the Subsidiary checkbox. When field becomes required, a response must be identified.

***Select a Subsidiary**

Select a subsidiary to populate the form below.

Name

****Subsidiary's name is auto populated based on the registration****

***Attention**

Enter the first and last name of the person who is responsible for this application for the applicant.

Address

Enter the subsidiary full address.

Incomplete/imprecise addresses or use of P.O. boxes will result in the request being Returned Without Action.

City

State

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

Zip Code

***Telephone**

Extension

*** FCL CAGE Code**

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility clearance (FCL) code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter "Application pending". Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

***Clearance Level**

***Date of Clearance**

BLOCK 7

Classifying Agency and U.S. Government Point of Contact

Select the government agency responsible for the classification of the hardware or technical data. If the commodity is classified by a U.S. government agency not found in the dropdown menu, or if it is classified by a foreign government, select "Other" and enter the agency or foreign government.

Agency

- (Dropdown options: Air Force, Army, Energy, NASA, Navy, NSA, Other. "Other" will result in a text-fillable block)

U.S. Government Personnel

Provide contact information of the program manager or other responsible official at the government agency. To enter one or more U.S. Government personnel, click the "Add Entry" button.

Name

Telephone

Extension

BLOCK 8

Applicant Point of Contact

BLOCK 7

Applicant Point of Contact

Provide all information for individuals who are familiar with the transaction and who can respond to questions from DDTC or other government agencies. The individual(s) should be prepared to answer procedural and/or technical questions. Provide at least one applicant point of contact. To enter one or more applicant points of contact, click the "Add Entry" button.

***Name**

***Telephone**

Extension

***Email**

BLOCK 9

Description of Transaction

Provide any related license numbers that apply to the sections below. When a previous license or agreement (Approved, Disapproved or Returned Without Action) is identified, please provide a copy of the license/application/relevant pages of agreement, including any provisos issued with the application. An electronic copy of the previous license, agreement or case can be attached to the "Precedent (identical/similar) Cases" document type.

***A. This application represents**

Select whether this transaction is a completely new shipment, the unshipped balance under a previously issued license that expired or is about to expire, or a replacement license.

- ☐ ONLY a completely new shipment
- ☐ ONLY the unshipped balance under license number

***Enter applicable previous license number**

- ☐ ONLY a replacement license for license number

***Enter applicable previous license number**

*** B. The IDENTICAL commodity**

NOTE: First select the appropriate check boxes under this section to add license number(s).

☐ **Was licensed to the country in Block 4 under license numbers**

Select if there were previous licenses for the defense article(s) to the country(ies) in Block 4.

***Related license number**

☐ **Was licensed to other countries under license numbers**

Select if there were previous licenses for the defense article(s) to country(ies) not listed in Block 4.

***Related license number**

DSP-85 - Application for Permanent/Temporary Export or Temporary Import of Classified Defense Articles and Classified Technical Data

☐ **Was Returned Without Action under voided license numbers**

Select if a license was Returned Without Action due to a voided license.

***Related license number**

☐ **Was denied to the country in Block 4 under voided license numbers**

Select if there were previous licenses denied due to a voided license for the defense article(s) to the country(ies) in Block 4.

***Related license number**

☐ **Was never licensed for this applicant**

Select if a license for this applicant has never been approved, approved with proviso(s) or denied for the defense article(s).

*** C. This application is related to an agreement**

☐ Not Applicable

☐ In furtherance of agreement number

***Related agreement number**

☐ In support of agreement numbers

***Related agreement number**

***D. The commodity is being financed under**

☐ **Foreign Military Sale**

Enter the applicable Foreign Military Sale case number(s). To enter additional case numbers, click the 'Add Case Number(s)' button.

***Case number**

☐ **Foreign Military Financing**

Enter the applicable Foreign Military Financing case number(s). To enter additional case numbers, click the 'Add Case Number(s)' button.

***Case number**

☐ **Grant Aid Program**

Enter the applicable Grant Aid Program case number. To enter additional case numbers, click the 'Add Case Number(s)' button.

***Case number**

☐ **International Military Education and Training**

Enter the applicable International Military Education and Training case number. To enter additional case numbers, click the 'Add Case Number(s)' button.

***Case number**

☐ **U.S. Government Loan**

Enter the applicable U.S. Government Loan case number. To enter additional case numbers, click the 'Add Case Number(s)' button.

***Case number**

☐ **U.S. Government Guarantee**

Enter the applicable U.S. Government Guarantee case number. To enter additional case numbers, click the 'Add Case Number(s)' button.

***Case number**

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

☐ **Not Applicable**

**E. This application is related to a disclosure filed with Office of Defense Trade Controls
Compliance (DTCC)**

Yes/No

***Enter DTCC Disclosure Number**

BLOCK 10-15

Commodities

Provide all required commodity information. At least one commodity must be identified. To enter one or more commodities, click the “Add Commodity” button.

Commodity

Quantity Information

***Quantity**

Enter the exact number for each particular item or major component. If this application is for an unshipped balance (as indicated in Block 9A), the quantity, commodity, and values listed must reflect only the unshipped balance from the previous license.

Unit Type (drop down menu)

Select the appropriate unit of measure for the quantity of the commodity. Do not use terms like “lot” unless deemed appropriate and fully explained in the commodity description. “Lot” is generally only acceptable when used as a quantity for minor components or parts.

Commodity Description

Commodity

Provide a complete description to include model number, part number, military designation, etc. If the commodities are components or spare parts, identify the major end-item with which they are associated. When possible, indicate whether the commodity is new or used, and whether it is U.S. government surplus. If the commodity is technical data or defense services, include/list the U.S. Munitions List (USML) hardware categories and subcategories that are related to the technical data and/or defense services.

Defense Article Type

Select defense article type of the commodity. If hardware is being exported, a separate application is required for each country of ultimate destination.

- ☐ Technical Data
- ☐ Hardware

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

Item is Major Defense Equipment (MDE)

Yes/No

Classification Level

Select the classification level for the commodity and the originating country of the commodity. If the commodity is not U.S. classified, select the classification used by the originating country. The originating country must match the country entered as the classifying agency in the “Other” field in Block 7.

- ☐ Top Secret
- ☐ Secret
- ☐ Confidential
- ☐ Unclassified
- ☐ Other [text fillable block]

Country (drop down menu)

USML Category

Select the USML category and sub-category for the commodity. The USML, Part 121.1 in the ITAR, will assist the applicant to identify the category and sub-category for the commodity stated on the application.

***USML Category** (drop down menu)

***USML Sub-Category** (drop down menu)

Value

Enter the unit price in U.S. dollars. Only enter the numeric value. Do not include currency symbols or commas. The “Line-Item Total” field is auto calculated based on quantity and unit price.

***Unit Price**

Line-Item Total

Total Value

This field is auto calculated based on the sum of all line-item totals.

BLOCK 16

Source of Commodity

Provide at least one source of the commodity. More than one source can be listed. To enter one or more sources, click the “Add Entry” button.

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

☐ **Same as Block 6**

Select “Same as Block 6” if the source is the same as the applicant. When the “Same as Block” checkbox is selected, any data entered will be removed and updated with the information provided from the “Same as Block.”

***Name**

Enter the full legal name of the source of commodity. Do not include “subsidiary of” statements, partial address or location clarifiers, or go-by names in the Name field, unless those are part of the legal name.

***Address**

Enter the source of commodity full address.

Incomplete/imprecise addresses or use of P.O. boxes will result in the request being Returned Without Action.

***City**

***Country**

*** *State and Zip only appear when country is United States* ***

***State**

***Zip Code**

***FCL CAGE Code**

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility clearance (FCL) code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter “Application pending”. Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

***Level**

***Date of Clearance**

BLOCK 17

Manufacturer of Commodity

Provide at least one manufacturer of the commodity. More than one manufacturer can be listed. To enter one or more manufacturers, click the “Add Entry” button.

☐ **Same as Block 6**

Select “Same as Block 6” if the manufacturer is the same as the applicant. When the

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

"Same as Block" checkbox is selected, any data entered will be removed and updated with the information provided from the "Same as Block."

☐ **Same as Block 16**

Select "Same as Block 16" if the manufacturer is the same as the source. When the "Same as Block" checkbox is selected, any data entered will be removed and updated with the information provided from the "Same as Block."

***Name**

Enter the full legal name of the manufacturer of commodity. Do not include "subsidiary of" statements, partial address or location clarifiers, or go-by names in the Name field, unless those are part of the legal name.

***Address**

Enter the manufacturer of commodity full address.

Incomplete/imprecise addresses or use of P.O. boxes will result in the request being Returned Without Action.

***City**

***Country**

**** State and Zip only appear when country is United States ****

***State**

***Zip Code**

***FCL CAGE Code**

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility clearance (FCL) code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter "Application pending". Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

***Level**

***Date of Clearance**

BLOCK 18

Foreign End-User

Provide at least one foreign end-user. If there are multiple countries of ultimate destination (Block 3), there must be at least one foreign end-user for each country listed. However, if this

DSP-85 - Application for Permanent/Temporary Export or Temporary Import of Classified Defense Articles and Classified Technical Data

request includes the export of hardware, only one end-user may be entered. To enter one or more foreign end-users, click the 'Add Entry' button.

***Name**

Enter the full legal name of the foreign end-user. Do not include "subsidiary of" statements, partial address or location clarifiers, or go-by names in the Name field, unless those are part of the legal name. The end-user is the entity that will take final possession of the commodity, regardless of foreign purchaser(s) and foreign intermediate consignee(s).

Note that foreign government entities must be identified, at a minimum, to the ministry-level equivalent (e.g., "Ministry of Defense of Lilliput"). Applications that only state "Government of (Country)" may be Returned Without Action.

***Address**

Enter the foreign end-user full address.

Incomplete/imprecise addresses or use of P.O. boxes will result in the request being Returned Without Action.

***City**

***Country**

FCL CAGE Code

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility clearance (FCL) code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter "Application pending". Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

Level

Date of Clearance

***End-User Type:**

Select one of the following for entity type.

- ☐ Foreign Government Entity (e.g., a foreign armed force)
- ☐ U.S. Government Entity (e.g., a U.S. Embassy overseas)
- ☐ Non-Government Entity (e.g., a commercial entity or private individual)
- ☐ Other (if the entity does not fall under one of the other categories)

BLOCK 19

U.S. Seller

DSP-85 - Application for Permanent/Temporary Export or Temporary Import of Classified Defense Articles and Classified Technical Data

Enter the U.S. seller. Note that in most cases the applicant will be the U.S. seller and only one U.S. seller may be provided. To enter a U.S. seller other than the applicant, click the “Add Entry” button.

☐ **Same as Block 6**

Select “Same as Block 6” if the U.S. seller is the same as the applicant. When the “Same as Block” checkbox is selected, any data entered will be removed and updated with the information provided from the “Same as Block.”

***Name**

Enter the full legal name of the U.S. seller. Do not include “subsidiary of” statements, partial address or location clarifiers, or go-by names in the Name field, unless those are part of the legal name.

***Address**

Enter the U.S. seller full address.

Incomplete/imprecise addresses or use of P.O. boxes will result in the request being Returned Without Action.

***City**

***State**

***Zip Code**

FCL CAGE Code

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility clearance (FCL) code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter “Application pending”. Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

Level

Date of Clearance

BLOCK 20

Foreign Consignee

Provide at least one foreign consignee. More than one foreign consignee can be listed. To enter one or more foreign consignees, click the “Add Entry” button.

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

☐ **Same as Block 18**

Select "Same as Block 18" if the foreign consignee is the same as the foreign end-user. When the "Same as Block" checkbox is selected, any data entered will be removed and updated with the information provided from the "Same as block."

***Name**

Enter the full legal name of the foreign purchaser who will receive the shipment for storage, modification or for incorporation into another end-item, and for subsequent forwarding to the foreign end-user. Do not include "subsidiary of" statements, partial address or location clarifiers, or go-by names in the Name field, unless those are part of the legal name. The foreign consignee may be in a country other than the foreign end-user.

Note that foreign government entities must be identified, at a minimum, to the ministry-level equivalent (e.g., "Ministry of Defense of Lilliput"). Applications that only state "Government of (Country)" may be Returned Without Action.

***Address**

Enter the foreign consignee full address.

Incomplete/imprecise addresses or use of P.O. boxes will result in the request being Returned Without Action.

***City**

***Country**

FCL CAGE Code

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility security clearance (FCL) CAGE code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter "Application pending". Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

Level

Date of Clearance

BLOCK 21

Foreign Intermediate Consignee

If applicable, list all foreign intermediate consignees that may receive the goods for onward movement to the foreign consignee or foreign end-user. Otherwise select the "None" checkbox. All foreign intermediate consignees (entities listed in this block) must also be listed in the

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

transportation plan (see ITAR §126.6(c)(5)(iii)). To enter one or more foreign intermediate consignees, click the 'Add Entry' button.

☐ **None**

If there are no foreign intermediate consignees, select the 'None' check box. If the 'None' check box is selected, the 'Add Entry' button becomes inactive.

Name

Enter the full legal name of the foreign intermediate consignee. Do not include "subsidiary of" statements, partial address or location clarifiers, or go-by names in the Name field, unless those are part of the legal name. A foreign intermediate consignee is an entity who will receive the goods for onward movement to the foreign consignee or foreign end-user without taking title to the goods. This includes foreign freight forwarders, customs brokers, agents or representatives, and brokers as defined in 22 CFR 129(a). A foreign intermediate consignee may be an agency or entity in a country other than the country of ultimate destination.

Note that foreign government entities must be identified, at a minimum, to the ministry-level equivalent (e.g., "Ministry of Defense of Lilliput"). Applications that only state "Government of (Country)" may be Returned Without Action.

Address

Enter the foreign intermediate consignee full address.

Incomplete/imprecise addresses or use of P.O. boxes will result in the request being Returned Without Action.

***City**

***Country**

FCL CAGE Code

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility security clearance (FCL) CAGE code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter "Application pending". Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

Level

Date of Clearance

Role

Enter a description of the role the foreign intermediate consignee has in this transaction.

BLOCK 22

U.S. Consignor/Freight Forwarder

Provide at least one U.S. consignor/freight forwarder. More than one U.S. consignor/freight forwarder can be listed. If this is a for a temporary import, enter the U.S. party taking control of the commodities. To enter one or more U.S. consignors/freight forwarders, click the “Add Entry” button.

☐ **Same as Block 6**

Select “Same as Block 6” if the U.S. consignor/freight forwarder is the same as the applicant. When the “Same as Block” checkbox is selected, any data entered will be removed and updated with the information provided from the “Same as Block.”

***Name**

Enter the full legal name of the U.S. consignor/freight forwarder. Do not include “subsidiary of” statements, partial address or location clarifiers, or go-by names in the Name field, unless those are part of the legal name.

***Address**

Enter the U.S. consignor/freight forwarder full address.

Incomplete/imprecise addresses or use of P.O. boxes will result in the request being Returned Without Action.

***City**

***State**

***Zip Code**

FCL CAGE Code

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility clearance (FCL) code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter “Application pending”. Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

Level

The date and level of security clearance for each facility MUST be listed.

Date of Clearance

BLOCK 23

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

Specific Purpose

A. *Select One

- ☐ Licensing of Foreign Persons Employed by a U.S. Person
- ☐ Furnishing of Limited Defense Services
- ☐ Other

*Details

Provide a complete account of the specific purpose of the requested export. Simply stating, "For use in production of military aircraft" or "for resale" is inadequate. To provide rationale for the review and final U.S. Government determination, the specific details in this block should describe the intended uses, end-users, and end-use platforms of the commodities involved in the transaction. If applicable, list the Returned Without Action license number.

B. *End-Use System/Platform

List the systems and/or platforms for which the commodity will be used on, in, or with (as described in the Details section of this block). All intended end-use systems and/or platforms must be identified. If the commodity is a system, identify the end-use platforms. If the commodity is a component or part, then identify both the end-use system and platform. For example, if the commodity is a component/part going into a remote weapons system (RWS), which will in turn be installed on an armored vehicle, then both the RWS and the vehicle must be listed. If a commodity itself is the end-use platform (e.g., a night vision goggle), then list the commodity.

BLOCK 24

Cognizant DCSA Security Office

Provide the name and address of the DCSA (Defense Counterintelligence and Security Agency) security office responsible for administering the government-to-government transfer at the location where the classified hardware or technical data is packaged for shipment. Foreign governments are not required to complete this block; however certain situations may require explanation which may be provided on an attachment and if that is the case, the foreign government should enter "See Attached Letter" or similar. To enter one or more cognizant DCSA security office, click the "Add Entry" button.

Name

Address

Enter the Cognizant DCSA Security Office full address.
Incomplete/imprecise addresses or use of P.O. boxes will result in your request being Returned Without Action.

City

State

Zip Code

BLOCK 25

Complete Address to which License should be Mailed

All information must be entered completely. Do not state "Same as Block XX" or other similar statements. The FCL information MUST be completed. "Hold for Pickup" box marked only if the license will be picked up.

☐ **Hold for Pickup**

Name

Address

Enter the complete address to which license should be mailed.

Incomplete/imprecise addresses or use of P.O. boxes will result in your request being
Returned Without Action.

City

Country

State

Zip Code

FCL CAGE Code

Each entity that will have access, title, custody, or control of classified defense articles must provide a facility clearance (FCL) code or foreign country equivalent. This information is not required for foreign governments but must be provided for all non-government entities. Non-government foreign parties must provide the information as it would appear in their country. If an entity does not yet have a FCL CAGE code, enter "Application pending". Note that if the FCL CAGE code information is not received when the application is ready for final review, it will be Returned Without Action.

Level

Date of Clearance

BLOCK 26

Applicant's Statement

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

I, _____, an empowered official (22 CFR 120.67) or an official of a foreign government entity in the U.S., hereby apply for a license to complete the transaction described above; warrant the truth of all statements made herein; and acknowledge, understand and will comply with the provisions of 22 CFR 120-130, and any conditions and limitations imposed.

I am authorized by the applicant to certify the following in compliance with 22 CFR 126.13:

1. Neither the applicant, its chief executive officer, president, vice presidents, other senior officers or officials (e.g., comptroller, treasurer, general counsel) nor any member of its board of directors is:
 - a. the subject of an indictment for or has been convicted of violating any of the U.S. criminal statutes enumerated in 22 CFR 120.6 since the effective date of the Arms Export Control Act, Public Law 94-329, 90 Stat. 729 (June 30, 1976); or
 - b. 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;
2. To the best of the applicant's knowledge, no party to the export as defined in 22 CFR 120.68(a) has been convicted of violating any of the U.S. criminal statutes enumerated in 22 CFR 120.6 since the effective date of the Arms Export Control Act, Public Law 94-329, 90 Stat. 729 (June 30, 1976); or 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; and

22 CFR 126.13 Certification

- a. I am authorized by the applicant to certify that the applicant and all the parties to the transaction can meet in full the conditions of 22 CFR 126.13 as listed above.
- b. I am authorized by the applicant to certify to 22 CFR 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR 126.13 as listed above. A request for an exception to policy, as described in 22 CFR 127.11 of the ITAR, is attached.
- c. I am authorized by the applicant to certify to 22 CFR 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR 126.13 as listed above. However that party has met the conditions imposed by the Directorate of Defense Trade Controls in order to resume standard submission of applications, not requiring an exception to policy as described in Section 127.11 of the ITAR.
- d. I am not authorized by the applicant to certify the conditions of 22 CFR 126.13. The applicant and all of the parties to the transaction can meet in full the conditions of 22 CFR 126.13 as listed above. Please see the attached letter from an official that is authorized by the applicant to certify to the conditions of 22 CFR 126.13.
- e. I am not authorized by the applicant to certify the conditions of 22 CFR 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR 126.13 as listed above. A request for an exception to policy, as described in 22 CFR 127.11 of the ITAR, and a letter from an official that is authorized by the applicant to certify to the conditions of 22 CFR 126.13 are attached.
- f. I am not authorized by the applicant to certify to 22 CFR 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR 126.13 as listed above. However that party has met the conditions imposed by the Directorate of Defense Trade Controls in order to resume standard submission of applications, not

DSP-85 - Application for Permanent/Temporary Export or Temporary Import
of Classified Defense Articles and Classified Technical Data

requiring an exception to policy as described in 22 CFR 127.11 of the ITAR. Please see the attached letter from an official that is authorized by the applicant to certify to the conditions of 22 CFR 126.13.

Compliance with 22 CFR 130

- This transaction does not meet the requirements of 22 CFR 130.2.
- This transaction meets the requirements of 22 CFR 130.2. The applicant or its vendors **have not** paid, nor offered, nor agreed to pay, in respect of any sale for which a license or approval is requested, political contributions, fees or commissions in amounts as specified in 22 CFR 130.9(a).
- The applicant or its vendors **have** paid, or offered, or agreed to pay, in respect of any sale for which a license or approval is requested, political contributions, fees or commissions in amounts as specified in 22 CFR 130.9(a). Information required under 22 CFR 130.10 is attached.
- I am not authorized by the applicant to certify the conditions of 22 CFR 130.9(a). Please see the attached letter for such certification.

Privacy Act Statement

AUTHORITIES: The information is sought pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.), the International Traffic in Arms Regulations (22 CFR Parts 120-130) and Executive Order 13637.

PURPOSE: The principal purpose of this information collection is to allow the Directorate of Defense Trade Controls (DDTC) to process Applications/Licenses for Defense Articles or Services in accordance with the Arms Export Control Act and the International Traffic in Arms Regulations.

ROUTINE USES: The information collected may be made available to appropriate agencies for law enforcement or pursuant to a court order. They may also be used to send required reports to Congress about certain defense transactions. More information on the Routine Uses for the system can be found in the System of Records Notice State-42, Munitions Control Records.

DISCLOSURE: Disclosure of this information is required to obtain benefits. Failure to provide the information requested on this form may result in delays in considering an application or in an application not receiving full consideration.