§ 120.27  U.S. criminal statutes.

(a) For purposes of this subchapter, the phrase U.S. criminal statutes means:

1. Section 38 of the Arms Export Control Act (22 U.S.C. 2778);
2. Section 11 of the Export Administration Act of 1979 (50 U.S.C. app. 2110);
3. Sections 793, 794, or 798 of title 18, United States Code (relating to espionage involving defense or classified information) or § 2339A of such title (relating to providing material support to terrorists);
4. Section 16 of the Trading with the Enemy Act (50 U.S.C. 1701);
5. Section 206 of the International Emergency Economic Powers Act (relating to foreign assets controls; 50 U.S.C. 1705);
7. Chapter 105 of title 18, United States Code (relating to sabotage);
8. Section 4(b) of the Internal Security Act of 1950 (relating to communication of classified information; 50 U.S.C. 421);
9. Sections 57, 92, 101, 104, 222, 224, 225, or 226 of the Atomic Energy Act of 1946 (42 U.S.C. 1777, 2122, 2131, 2134, 2272, 2274, 2275, and 2276);
10. Section 601 of the National Security Act of 1947 (relating to intelligence identities protection; 50 U.S.C. 421);
11. Section 603(b) or (c) of the Comprehensive Anti-Apartheid Act of 1986 (22 U.S.C. 5113(b) and (c)); and
12. Section 371 of title 18, United States Code (when it involves conspiracy to violate any of the above statutes).
13. Sections 3, 4, 5, and 6 of the Prevention of Terrorist Access to Destructive Weapons Act of 2004, relating to missile systems designed to destroy aircraft (18 U.S.C. 2332g), prohibitions governing atomic weapons (42 U.S.C. 2122), radiological dispersal services (18 U.S.C. 2332h), and variola virus (18 U.S.C. 175b);
(b) [Reserved]

§ 120.28  Listing of forms referred to in this subchapter.

The forms referred to in this subchapter are available from the following government agencies:


1. Application/License for permanent export of unclassified defense articles and related technical data (Form DSP–5).
2. Application for registration (Form DSP–9).
3. Application/License for temporary import of unclassified defense articles (Form DSP–61).
4. Application/License for temporary export of unclassified defense articles (Form DSP–73).
5. Non-transfer and use certificate (Form DSP–83).
6. Application/License for permanent/temporary export or temporary import of classified defense articles and related classified technical data (Form DSP–85).
7. Authority to Export Defense Articles and Defense Services sold under the Foreign Military Sales program (Form DSP–94).

(b) Department of Commerce, Bureau of Industry and Security:

1. International Import Certificate (Form BIS–4522/DSP–53).
2. Shipper’s Export Declaration (Form No. 7525–V).

§ 120.29  Missile Technology Control Regime.

(a) For purposes of this subchapter, Missile Technology Control Regime (MTCR) means the policy statement between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the MTCR Annex, and any amendments thereto;