

## Department of State

## § 121.15

is not normally subject to disassembly without the destruction or the impairment of design use. (EXAMPLES: Rivets, wire, bolts, etc.)

(e) Firmware and any related unique support tools (such as computers, linkers, editors, test case generators, diagnostic checkers, library of functions and system test diagnostics) specifically designed for equipment or systems covered under any category of the U.S. Munitions List are considered as part of the end-item or component. *Firmware* includes but is not limited to circuits into which software has been programmed.

(f) *Software* includes but is not limited to the system functional design, logic flow, algorithms, application programs, operating systems and support software for design, implementation, test, operation, diagnosis and repair. A person who intends to export software only should, unless it is specifically enumerated in §121.1 (e.g., XIII(b)), apply for a technical data license pursuant to part 125 of this subchapter.

(g) A *system* is a combination of end-items, components, parts, accessories, attachments, firmware or software, specifically designed, modified or adapted to operate together to perform a specialized military function.

### § 121.9 [Reserved]

### § 121.10 Forgings, castings and machined bodies.

Articles on the U.S. Munitions List include articles in a partially completed state (such as forgings, castings, extrusions and machined bodies) which have reached a stage in manufacture where they are clearly identifiable as defense articles. If the end-item is an article on the U.S. Munitions List (including components, accessories, attachments and parts as defined in §121.8), then the particular forging, casting, extrusion, machined body, etc., is considered a defense article subject to the controls of this subchapter, except for such items as are in normal commercial use.

### § 121.11 Military demolition blocks and blasting caps.

Military demolition blocks and blasting caps referred to in Category IV(a) do not include the following articles:

- (a) Electric squibs.
- (b) No. 6 and No. 8 blasting caps, including electric ones.
- (c) Delay electric blasting caps (including No. 6 and No. 8 millisecond ones).
- (d) Seismograph electric blasting caps (including SSS, Static-Master, Vibrocap SR, and SEISMO SR).
- (e) Oil well perforating devices.

### §§ 121.12–121.14 [Reserved]

### § 121.15 Vessels of war and special naval equipment.

Vessels of war means vessels, waterborne or submersible, designed, modified or equipped for military purposes, including vessels described as developmental, “demilitarized” or decommissioned. Vessels of war in Category VI, whether developmental, “demilitarized” and/or decommissioned or not, include, but are not limited to, the following:

- (a) Combatant vessels: (1) Warships (including nuclear-powered versions):
  - (i) Aircraft carriers.
  - (ii) Battleships.
  - (iii) Cruisers.
  - (iv) Destroyers.
  - (v) Frigates.
  - (vi) Submarines.
- (2) Other Combatants:
  - (i) Patrol Combatants (e.g., including but not limited to PHM).
  - (ii) Amphibious Aircraft/Landing Craft Carriers.
  - (iii) Amphibious Materiel/Landing Craft Carriers.
  - (iv) Amphibious Command Ships.
  - (v) Mine Warfare Ships.
  - (vi) Coast Guard Cutters (e.g., including but not limited to: WHEC, WMEC).
- (b) Combatant Craft: (1) Patrol Craft (patrol craft described in §121.1, Category VI, paragraph (b) are considered non-combatant):
  - (i) Coastal Patrol Combatants.
  - (ii) River, Roadstead Craft (including swimmer delivery craft).
  - (iii) Coast Guard Patrol Craft (e.g., including but not limited to WPB).
- (2) Amphibious Warfare Craft: