

CLIENT ALERT

Helping Us Help You: DDTC Modernizes ITAR Exemption for Contractor's Supporting Government Agencies

April 22, 2019

On April 19, 2019, nearly four years after the initial proposal, DDTC issued a final rule modifying § 126.4 of the International Traffic in Arms (ITAR) to clarify and expand the exemption authorizing exports in support of the US Government, including US foreign assistance and cooperative programs. Most significantly, the revised exemption acknowledges the government's expanded use of contractor personnel in supporting USG missions often involving foreign parties. The exemption now expressly covers defense services and other exports by "persons or entities in a contractual relationship with the U.S. Government" where use of the defense article or performance of the defense service is within the scope of such contract and where any one of three specified conditions exist and assure government control and oversight of the transfer.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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