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INFORMATION ON MILITARY ITEMS

For the purposes of this document, "Military items" are:

1. Items (including software) that are listed on the United States Munitions List, ("USML" -- found in the ITAR). See the list of USML categories below¹.
2. "Militarily significant" items that are not found on the USML. This includes items that are:
 - a. specifically designed, developed, configured, adapted, or modified for a military application, and (i) do not have predominant civil applications, and (ii) do not have performance equivalent (defined by form, fit and function) to those of an article or service used for civil applications; OR
 - b. specifically designed, developed, configured, adapted, or modified for a military application, and have significant military or intelligence applicability such that control under the ITAR is necessary.²

More generally, military items are items designed to kill people or defend against death in a military setting (e.g., tank, fighter aircraft, nerve agent defensive equipment). This includes most space-related technology because of its application to missile technology. Some items are not so obvious, so "think outside the box."

¹ USML (ITAR) Categories (found at http://pmdtc.state.gov/regulations_laws/itar_consolidated.html - click on Part 121):

I. Firearms, Close Assault Weapons and Combat Shotguns; II. Guns and Armament; III. Ammunition/Ordnance; IV. Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs and Mines; V. Explosives and Energetic Materials, Propellants, Incendiary Agents and Their Constituents; VI. Vessels of War and Special Naval Equipment; VII. Tanks and Military Vehicles; VIII. Aircraft and Associated Equipment; IX. Military Training Equipment and Training; X. Protective Personnel Equipment and Shelters; XI. Military Electronics; XII. Fire Control, Range Finder, Optical and Guidance and Control Equipment; XIII. Auxiliary Military Equipment; XIV. Toxicological Agents, Including Chemical Agents, Biological Agents, and Associated Equipment; XV. Spacecraft Systems and Associated Equipment; XVI. Nuclear Weapons, Design and Testing Related Items; XVII. Classified Articles, Technical Data and Defense Services Not Otherwise Enumerated; XVIII. Directed Energy Weapons; XIX. [Reserved]; XX. Submersible Vessels, Oceanographic and Associated Equipment; XXI. Miscellaneous Articles

² 22 C.F.R. Section 120.3