SmartSuite

Framework / Supply Chain Security / Other

# International Traffic in Arms Regulations, 22 CFR Part 120: Purpose and Definitions

ITAR Part 120 (22 CFR Part 120) sets the State Department's authorities, registration and licensing policies and the definitions, from defense article to foreign person, for the whole ITAR.




## What it is

Part 120 of the International Traffic in Arms Regulations (22 CFR Part 120, Purpose and Definitions) is the U.S. Department of State regulation that sets out the authorities, general policies and defined terms used throughout the ITAR (22 CFR Parts 120 to 130), and it binds every person who manufactures, exports, temporarily imports or brokers defense articles or furnishes defense services. The consolidated Part 120 was published as an interim final rule on March 23, 2022 (87 FR 16396) and has been in effect since September 6, 2022; it has been amended several times since, most recently in 2026.

## At a glance

PUBLISHER
U.S. Department of State, Directorate of Defense Trade Controls (Bureau of Political-Military Affairs)

TYPE
Regulation

VERSION
22 CFR Part 120 as consolidated by 87 FR 16396 (2022), with later amendments through October 13, 2026

EFFECTIVE
September 6, 2022 (consolidated Part 120)

DOMAIN
Supply Chain Security

FAMILY
Other

REGION
United States

INDUSTRY
Aerospace & Defense

ADOPTION MODEL
Regulatory Compliance

IMPLEMENTATION COMPLEXITY
High

Source: ecfr.gov/current/title-22/chapter-I/subchapter-M/part-120

## Why it matters

- **One registration test (120.13)** Any person in the United States who manufactures, exports or temporarily imports defense articles, or furnishes defense services, registers with DDTC under Part 122; a single occasion is enough, and a non-exporting manufacturer must still register.
- **Jurisdiction before licensing (120.3, 120.4, 120.11)** An article or service is a defense article or defense service if it meets a U.S. Munitions List entry or provides equivalent performance; the commodity jurisdiction procedure resolves doubt, and the order of review shows how to classify.
- **Deemed exports named in the text (120.50)** Export includes releasing technical data to a foreign person in the United States, transferring ownership of an aircraft, vessel or satellite to a foreign person, and performing a defense service for a foreign person.
- **A safe harbor for encrypted data (120.54)** Sending or storing unclassified technical data secured with end-to-end encryption that meets the section's conditions is not an export, reexport, retransfer or temporary import.

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## How SmartSuite supports ITAR Part 120

### Registration and Renewal (120.13)

Track the DDTC registration under Part 122, its renewal date, the registered entities and the 120.67 signatories named for each, with reminders ahead of expiry.

### Jurisdiction and Classification Decisions

Record each order-of-review classification (120.11), USML category and commodity jurisdiction request and determination (120.4, 120.12) with the analysis and reviewer attached.

### License and Exemption Register

Log every DDTC license or approval and every exemption used, with the 120.15(e) transaction records: article or data description, end user, responsible person, end use and date.

### Technical Data and Foreign Person Access

Inventory where 120.33 technical data lives, who holds it and which users are foreign persons under 120.63, so that a release that would be a deemed export under 120.50(a)(2) is caught before it happens.

### Section 120.67 Signatory Review

Route license applications and other requests for approval to the 120.67 signatory for sign-off, with the authority to inquire, verify and refuse recorded in the workflow.

### Disclosures, Blue Lantern and Remediation

Manage suspected violations, the disclosure 120.19(b) encourages, end-use monitoring checks under 120.17 and corrective actions, with Third Party Risk Management covering freight forwarders, brokers and foreign consignees.

## Common framework mappings

CMMC 2.0 | ISO 27001:2022 | NIST 800-171 Rev. 3 | NIST 800-53 Rev.5 | SOC 2

## Official resources

### International Traffic in Arms Regulations (ITAR) – Part 120

Defines key terms and definitions for compliance with ITAR regulations.

ecfr.gov/current/title-22/chapter-I/subchapter-M/part-120

### Directorate of Defense Trade Controls (DDTC) portal

The U.S. Department of State office that administers the ITAR: registration, licensing, commodity jurisdiction and compliance guidance.

pmddtc.state.gov/ddtc_public/ddtc_public?id=ddtc_public_portal_homepage

### ITAR Compliance Guidelines

Outlines compliance responsibilities for organizations managing export-controlled items.

pmddtc.state.gov/ddtc_public?id=ddtc_kb_article_page&sys_id=ff32c47fdb75d300d0a370131f961989

### Defense Trade Controls Overview

Describes the framework and structure of U.S. Defense Trade Controls.

pmddtc.state.gov/ddtc_public?id=ddtc_kb_article_page&sys_id=6753ac47db15d300d0a370131f9619bb

## Frequently asked questions

### What does ITAR Part 120 cover, and who administers it?

Part 120 is the Purpose and Definitions part of the International Traffic in Arms Regulations. Subpart A states the authority (section 38 of the Arms Export Control Act, delegated to the Secretary of State and administered by the Directorate of Defense Trade Controls under 120.1) and the policy for designating defense articles and services (120.3, 120.4); Subpart B sets the general policies on registration, licenses, exemptions, eligibility and penalties (120.10 to 120.23); Subpart C defines the terms used in Parts 120 to 130 (120.30 to 120.69).

### Who has to register with DDTC under section 120.13?

Any person who engages in the United States in the business of manufacturing, exporting or temporarily importing defense articles, or furnishing defense services, must register under Part 122, and a single occasion counts as engaging in the business. A manufacturer that never exports must still register. Brokers register under Part 129 (120.13(b)), and 120.15(a) requires registration before any exemption can be used.


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### What is a deemed export under the ITAR?

Section 120.50(a)(2) defines export to include releasing or otherwise transferring technical data to a foreign person in the United States, and 120.50(b) treats that release as an export to every country in which the foreign person holds or has held citizenship or permanent residency. A foreign person under 120.63 is any natural person who is not a lawful permanent resident or protected individual, plus foreign entities, foreign governments and international organizations. A release abroad to a third-country national is a deemed reexport under 120.51(a)(2).

### How do defense article, defense service and technical data differ?

A defense article (120.31) is any item or technical data designated on the U.S. Munitions List in 121.1, including recorded technical data and identifiable forgings and castings. A defense service (120.32) is assistance or training furnished to foreign persons on defense articles, the furnishing of controlled technical data to foreign persons, or military training of foreign forces. Technical data (120.33) is the information required to design, produce, operate, repair or modify defense articles and related software, excluding public domain information (120.34) and general scientific principles taught in schools.

### How does a company find out whether an item is controlled by the ITAR or the EAR?

Section 120.3 makes an article or service a defense article or defense service if it meets a USML entry in Part 121 or provides equivalent performance capabilities, and 120.11 gives the order of review for matching an item to a category and entry. Where doubt remains, 120.4 provides the commodity jurisdiction procedure, requested under 120.12. Items the procedure places under another agency are not defense articles (120.3(c)); those subject to the Export Administration Regulations (120.58) are controlled by the Department of Commerce, although 120.5 lets them travel on a State license when shipped with a defense article.

License included / downloadable: Yes The ITAR is a U.S. federal regulation published free of charge in the Code of Federal Regulations, on the eCFR and on the DDTC site; the platform links to the official text.

Full framework page and mappings: smartsuite.com/frameworks/us-itar-part-120-limited-scope-international-traffic-arms-regulations

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