



DEPARTMENT OF STATE

22 CFR Part 125 and 126

Public Notice: 13121

RIN 1400-AG31

International Traffic in Arms Regulations: Clarifying Policies of Denial, Updating the Major Non-NATO Ally List, and Minor Corrections; Corrections

AGENCY: Department of State.

ACTION: Correcting amendments.

SUMMARY: On September 18, 2026, the Department of State revised the International Traffic in Arms Regulations (ITAR) to clarify certain policy-of-denial provisions, update country policies for Ethiopia and Somalia, add Saudi Arabia and Peru to the list of major non-NATO allies, and make other miscellaneous corrections. That document included incorrect amendatory instructions resulting in the inadvertent removal of regulatory text. This document corrects the final regulations.

DATES: This rule is effective on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Mr. Ryan Haddad, Foreign Affairs Officer, Office of Defense Trade Controls Policy, U.S. Department of State, telephone 771-204-7878; email DDTCCustomerService@state.gov. ATTN: Regulatory Change, ITAR Section 126.1 Clarification.

SUPPLEMENTARY INFORMATION: This document makes corrections to a final rulemaking published in the *Federal Register* on September 18, 2026 (91 FR 59059). Due to an error in amendatory instruction 7 (90 FR 59061), § 125.4 paragraphs (b)(10)(i) through (iii) were inadvertently removed by the failure of the amendatory instruction to limit the revision to paragraph (b)(10) introductory text. Similarly, due to an error in amendatory instruction 9.a. (90

FR 59061), § 126.1 paragraphs (a)(2) and (3) were inadvertently removed by the failure of the amendatory instruction to limit the revision to paragraph (a) introductory text and paragraph (a)(1). The Department now issues this correction to the regulations and reinserts § 125.4 paragraphs (b)(1)(i) through (iii) and § 126.1 paragraphs (a)(2) and (3) at their prior locations.

List of Subjects

22 CFR Part 125

Arms and munitions, Classified information, Exports.

22 CFR Part 126

Arms and munitions, Exports, Reporting and recordkeeping requirements, Technical assistance.

Accordingly, 22 CFR parts 125 and 126 are corrected by making the following correcting amendments:

PART 125—LICENSES FOR THE EXPORT OF TECHNICAL DATA AND CLASSIFIED DEFENSE ARTICLES

1. The authority citation for part 125 continues to read as follows:

Authority: Secs. 2 and 38, Pub. L. 90-629, 90 Stat. 744 (22 U.S.C. 2752, 2778); 22 U.S.C. 2651a; E.O. 13637, 78 FR 16129.

2. Amend § 125.4 by revising paragraph (b)(10) to read as follows:

§ 125.4 Exemptions of general applicability.

* * * * *

(b) * * *

(10) Releases of unclassified technical data in the U.S. by U.S. institutions of higher learning to foreign persons who are their bona fide and full-time regular employees. This exemption is available only if:

(i) The employee's permanent abode throughout the period of employment is in the United States;

(ii) The employee is not a national of a country to which exports are prohibited pursuant to § 126.1 of this subchapter; and

(iii) The institution informs the individual in writing that the technical data may not be transferred to other foreign persons without the prior written approval of the Directorate of Defense Trade Controls;

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PART 126—GENERAL POLICIES AND PROVISIONS

3. The authority citation for part 126 continues to read as follows:

Authority: 22 U.S.C. 287c, 2651a, 2752, 2753, 2776, 2778, 2779, 2779a, 2780, 2791, 2797, 10423; sec. 1225, Pub. L. 108-375, 118 Stat. 2091; sec. 7045, Pub. L. 112-74, 125 Stat. 1232; sec. 1250A, Pub. L. 116-92, 133 Stat. 1665; sec. 205, Pub. L. 116-94, 133 Stat. 3052; and E.O. 13637, 78 FR 16129, 3 CFR, 2013 Comp., p. 223.

4. Amend § 126.1 by revising paragraph (a) to read as follows:

§ 126.1 Prohibited exports, imports, and sales to or from certain countries.

(a) *General.* It is the policy of the United States to deny licenses and other approvals for exports, reexports, retransfers, and temporary imports of defense articles and defense services destined for, or originating in, certain countries. (For brokering activities, see § 129.7 of this subchapter, which imposes restrictions similar to those contained in this section.) No transfer of defense articles or defense services may be made pursuant to an exemption provided in this subchapter to or from any proscribed countries, areas, or persons as described in this section, except as follows:

(1) Transfers pursuant to § 123.17, § 125.4(b)(13), § 126.6, or § 126.18(e) of this subchapter;

(2) Transfers by or for the U.S. Government pursuant to the following sections:

(i) Section 126.4(a)(1) or (3);

(ii) Section 126.4(b)(1); or

(iii) Section 126.4(a)(2) or (b)(2) when the export is destined for Russia and in support of government space cooperation; or

(3) When the recipient is a U.S. Government department or agency.

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