



ITAR/EAR/EXPORT CONTROLLED DOCUMENTS FLOW DOWN TO SUPPLIERS

EC-4003 Rev. E
Date: 2023-07-10

ArmorWorks Enterprises, Inc. wishes to provide you from time to time the necessary technical data to quote work or perform work which may be export controlled by the US Government. Additionally, should a Purchase Order be placed, those items requiring Export Control will be accompanied by properly marked and protected technical data packages.

An example of an ITAR statement, which would be found on a customer drawing, is:

EXPORT CONTROLLED: THIS TECHNICAL INFORMATION MAY REQUIRE AN EXPORT LICENSE PRIOR TO DISSEMINATION TO FOREIGN PERSONS. IT IS CONTROLLED BY UNITED STATES INTERNATIONAL TRAFFIC IN ARMS REGULATIONS (ITAR) (22 C.F.R. PARTS 120-130). IT IS THE RESPONSIBILITY OF EACH INDIVIDUAL IN CONTROL OF THIS DATA TO ABIDE BY ALL EXPORT LAWS.

An example of an EAR statement, which would be found on a customer drawing, is:

WARNING: THIS DOCUMENT CONTAINS TECHNICAL DATA WHOSE EXPORT IS RESTRICTED BY THE EXPORT CONTROL REFORM ACT OF 2018 (50 U.S.C. 58) AND THE ADMINISTRATION REGULATIONS (15 C.F.R. PARTS 730-774) VIOLATIONS OF THESE EXPORT LAWS ARE SUBJECT TO SEVERE CIVIL AND/OR CRIMINAL PENALTIES. DISSEMINATE IN ACCORDANCE WITH PROVISIONS OF DOD DIRECTIVE 5230.25.

Or

THIS DOCUMENT CONTAINS TECHNICAL DATA THE EXPORT OF WHICH IS OR MAY BE RESTRICTED BY THE EXPORT CONTROL REFORM ACT OF 2018 AND THE EXPORT ADMINISTRATION REGULATIONS (EAR), 15 C.F.R. PARTS 730-774. DIVERSION CONTRARY TO U.S. LAW IS PROHIBITED.

Pursuant to those opportunities please read and certify the following export control notifications:

- 1) I (We) acknowledge that technical data to be received from ArmorWorks Enterprises, Inc., may be export- controlled by the United States under the International Traffic in Arms Regulations (ITAR) within the US State Department (see 22 CFR 121) or the Export Control Reform Act of 2018 and the Export Administration Regulations (EAR) within the US Commerce Department (see 15 CFR Parts 730-774) and will be clearly marked, when applicable.
- 2) I (We) acknowledge that technical data marked with an ITAR (see 22 CFR 120-130) or EAR (see 15 CFR 730-774) statement requires our Company and its staff to take special protections and precautions regarding this data.
- 3) I (We) acknowledge that export-controlled technical data requires our Company to prevent/prohibit any unauthorized foreign person from viewing and/or accessing the ITAR/EAR data.
- 4) I (We) acknowledge that should any breaches of export-controlled technical data occur, the U.S. Government may take action against the Company(s) as well as the individuals/staff responsible for ITAR/EAR breaches and such action may involve civil and/or criminal penalties.
- 5) I (We) acknowledge that export-controlled technical data that is subject to the ITAR may require the registration of manufacturers and exporters with the US Department of State, Directorate of Defense Trade Controls (DDTC) prior to any export from the United States (see 22 CFR 122).
- 6) I (We) acknowledge that technical data marked with the ITAR statement prior to export or temporary import, unless the export or temporary import qualifies for an exemption under the ITAR, require an export license or other approval from the DDTC prior to any export from the United States (see 22 CFR 123).
- 7) I (We) acknowledge that export-controlled technical data subject to the EAR may require a license or other approval from the Bureau of Industry and Security (BIS) prior to export, re-export, or transfer, unless the activity qualifies for an exception or No License Required under the EAR (see 15 CFR Parts 730-774).
- 8) I (We) acknowledge that the physical export of export-controlled commodities or technical data subject to the ITAR requires the filing of an Electronic Export Information filing in the Automated Export System (AES) in accordance with appropriate timelines (see 15 CFR Part 30).
- 9) I (We) acknowledge that physical exports of export-controlled commodities or technical data that are subject to a BIS license or that are not otherwise eligible for an Automated Export System (AES) filing exclusion or exemption require the filing of an Electronic Export Information filing in accordance with appropriate timelines (see 15 CFR Part 30)
- 10) I (We) acknowledge that export-controlled technical data subject to the ITAR or EAR, as described in the provisions above, will be exported, reexported, or otherwise transferred in accordance with current applicable US laws and regulations.



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I (We) certify, as an authorized representative, knowledge of the above listed items and will assume full responsibility for compliance with any United States export laws and regulations prior to any export from the United States of data/product(s) received from ArmorWorks Enterprises, Inc.

*SIGNATURE: _____

*COMPANY NAME: _____

*PRINT NAME: _____

*CITY/STATE/COUNTRY: _____

*TITLE: _____

*DATE SIGNED: _____

EMAIL: _____

*Required fields.

Company will immediately notify ArmorWorks Enterprises, Inc. of any changes in its status affecting this certification or affecting Company's standing with the US Government with regard to export/import compliance and/or debarment.

DEFINITIONS

"Bureau of Industry and Security" (BIS) is an agency under the United States Department of Commerce (DOC), with jurisdiction under the Export Administration Regulations (EAR) codified at 15 CFR Parts 730-774.

"Defense Article" means any item or Technical data relating to a military application or military related services designated in Part 121 of the ITAR. This terms includes Technical Data recorded or stored in any physical form, models, mock-ups or other items that reveal technical data directly relating to items designated in §121.1 of the ITAR, but does not include basic marketing information on function or purpose or general system descriptions. (See ITAR § 120.6) **"Dual Use"** means items that have both commercial and military or proliferation application. This term is used informally to describe items that are subject to the EAR, although certain purely commercial items are also subject to the EAR. (See EAR §772.1).

"The Directorate of Defense Trade Controls" (DDTC) is an agency under the United States Department of State (DOS), with jurisdiction under the International Traffic in Arms Regulations (ITAR) codified at 22 CFR Parts 120 through 130.

"Dual Use" means items that have both commercial and military or proliferation application. This term is used informally to describe items that are subject to the EAR, although certain purely commercial items are also subject to the EAR. (See EAR §772.1).

"EAR" means the Export Administration Regulations promulgated and implemented by the Bureau of Industry and Security and designed to regulate the export of Dual Use items.

"Foreign Person" is any person who is not a lawful permanent resident of the US and includes foreign governments and organizations.

"ITAR" means the International Traffic in Arms Regulations, as amended, (22 Code of Federal Regulations 120-130) which are promulgated and implemented by DOS and designed to regulate items on the US Munitions List, including Defense Articles and Defense Services and related Technical data.

"Technical Data" has specific meaning under different regulations and can include much more than the common definition would imply. When dealing with import/export compliance issues, Company should always refer to the specific definition in the relevant regulations. For example, the ITAR defines Technical Data to include: any (i) information, other than software as defined in §120.10(a)(4), which is required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of defense articles, including information in the form of blueprints, drawings, photographs, plans, instructions or documentation: (ii) classified information relating to defense articles and defense services: (iii) information covered by an invention secrecy order: (iv) software as defined in §121.8(f) directly related to defense articles.

"Term Validity" of this document is ten (10) years from the date of the above signature.

ArmorWorks Enterprises, Inc.
6677 W. Frye Road, Suite 24
Chandler, AZ 85226

P: (480) 598-5700
E: soday@armorworks.com
W: www.armorworks.com