

Tuskegee Aeronautical Engineering, INC. *ITAR COMPLAINE MANUAL*

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Tuskegee Aeronautical Engineering, INC. *ITAR COMPLAINE MANUAL*



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CORPORATE POLICY STATEMENT

Tuskegee Aeronautical Engineering, Inc. is committed to conducting its business with honesty and integrity, and in full compliance with U.S laws and regulations that control exports and govern international business activities. The management of Tuskegee Aeronautical Engineering, Inc. directs every officer, director, agent, employee and contractor of Tuskegee Aeronautical Engineering, Inc. to understand the basic elements of such laws and always comply with them. Tuskegee Aeronautical Engineering, Inc.'s compliance with these laws is a critical component of the Company's reputation and success.

It is Tuskegee Aeronautical Engineering express policy to fully comply with all applicable export controls. Failure to comply could result in civil or criminal penalties, including but not limited to, fines, imprisonment, loss of export privileges, debarment, and revocation of previously approved licenses, seizure, and forfeiture of goods. Such penalties may be imposed on Tuskegee Aeronautical Engineering, individuals employed by or otherwise affiliated with Tuskegee Aeronautical Engineering or any combination thereof.

Employees or partners who knowingly violate such controls or compliance policy will be subject to appropriate disciplinary action.

Tuskegee Aeronautical Engineering Inc. encourages its partners, as well as its employees, to report any actions that may be in violation of the law or any of Tuskegee Aeronautical Engineering. other regulations and policies. Because of the fundamental importance of complying with all applicable export controls. Tuskegee Aeronautical Engineering, Inc., for its part, has an obligation to investigate and address reported concerns. Tuskegee Aeronautical Engineering, Inc. does not retaliate against individuals for asking questions, raising concerns about compliance issues, or reporting possible misconduct.

Sound export control practices underscore Tuskegee Aeronautical Engineering, Inc's commitment to ethical business behavior and compliance with applicable laws and regulations.



ITAR COMPLIANCE MANUAL

Tuskegee Aeronautical Engineering, Inc. ("TAE, Inc.") ITAR Compliance Manual (the "Manual") provides guidance for complying with U.S. defense trade controls, specifically the *State Department's International Traffic in Arms Regulations* ("ITAR"). ITAR controls export and other activities concerning military commodities, technical data, and services. The Manual describes U.S. defense trade controls applicable to Tuskegee Aeronautical Engineering, Inc. and identifies procedures that Tuskegee Aeronautical Engineering, Inc. personnel must follow to ensure compliance with these controls.

As for stated, it is Tuskegee Aeronautical Engineering, Inc.'s. corporate policy to comply with not only the letter, but also the spirit and intent of U.S. laws governing international business transactions. Under no circumstances may an export, re-export or import (whether of a service, a commodity or technical data) or any other transaction be made contrary to relevant laws and regulations or to policies and procedures relating to U.S. export controls, including defense trade controls. All transactions involving defense articles or services must be properly screened and licensed before they occur, to ensure compliance. Failure to comply with U.S. defense trade controls can result in criminal sanctions, civil fines, debarment from government contracting, the loss of U.S. export/import privileges, and imprisonment. These penalties can be levied against the corporation and against individuals. Noncompliance by Tuskegee Aeronautical Engineering, Inc. personnel will be met with appropriate disciplinary action, up to and including termination of employment.

To ensure Tuskegee Aeronautical Engineering, Inc. commitment to compliance and to assist you as you pursue your day-to-day responsibilities, the Tuskegee Aeronautical Engineering, Inc. ITAR compliance Officer (ICO) is charged with establishing and maintaining the policies and procedures that are necessary to ensure that Tuskegee Aeronautical Engineering, Inc. maintains compliance. Management is also responsible for providing training opportunities for Tuskegee Aeronautical Engineering, Inc.'s personnel and providing other compliance resources.

Tuskegee Aeronautical Engineering, Inc. expects all our employees, officers, agents, and directors, wherever located, to adhere to the Company's commitment to compliance. Every Tuskegee Aeronautical Engineering, Inc. employee's responsibility to understand U.S. defense trade controls, know the requirements of compliance procedures where applicable to your duties; and seek appropriate guidance in a timely manner.

Tuskegee Aeronautical Engineering, Inc's Personnel are encouraged to discuss any questions they have concerning these laws and regulations or Tuskegee Aeronautical Engineering, Inc's policies and procedures with the Tuskegee Aeronautical Engineering, Inc. **ICO**. Thank you in advance for your support and cooperation in this important effort.



1. INTRODUCTION

A. Overview of the Laws

U.S. laws and regulations bar transactions and trade with certain countries; restrict exports and re-export of U.S.-origin goods, technology and, in some instances, services, restrict exports, imports and other activities related to defense articles and services; and prohibit U.S. companies and their subsidiaries from complying with certain foreign boycotts. The primary U.S. laws and restrictions affecting international transactions U.S. persons and U.S. companies (including foreign branches and often subsidiaries of U.S. companies) are:

The **International Traffic in Arms Regulations (the "ITAR")**, are administered by the **Directorate of Defense Trade Controls ("DDTC")**, *Department of State ("State")*. The ITAR restrict exports and other activities concerning military-related commodities, technical data, and services. These regulations also impose certain registration requirements as well as reporting requirements on fees and commissions paid to agents in promotion of defense contracts subject to the ITAR.

The **Export Administrations Regulations (the "EAR")** are administered by the **Bureau of Industry and Security ("BIS")**, *Department of Commerce ("Commerce")*. The EAR Restrict the export and re-export of U.S.-origin commercial and dual-use goods and technology, including goods or data incorporated in non-U.S.-origin goods.

U.S. economic sanctions are largely administered by the **Office of Foreign Assets Control ("OFAC")** *Department of the Treasury (Treasury)*. These rules restrict trade, investment, and financial transactions by U.S. citizens, companies, foreign branches of US. Companies, and, in some instances, U.S.-owned or controlled subsidiaries with certain countries and certain individuals and entities.

The anti-boycott laws, which are designed principally to counter Arab country boycotts of Israeli and Israeli goods, require U.S. firms to refuse to participate in foreign boycotts. Both the Treasury and Commerce Departments administer anti-boycott laws. These laws apply directly to U.S.-owned or controlled subsidiaries.

B. Scope of the Manual

This Manual and the policies and procedures referenced in it focus on U.S. defense trade controls. Specifically, this Manual provides guidance for *compliance with the ITAR*, which controls exports and other activities concerning military-related commodities, technical data, and services as well as commercial satellites. This Manual applies to all Tuskegee Aeronautical Engineering, Inc. employees, contractors, and vendors. Furthermore, it contains procedures applicable to Tuskegee Aeronautical Engineering, Inc. products, technology, parts, components, and services subject to ITAR controls. This Manual will be updated as appropriate to reflect changes to the applicable laws or Tuskegee Aeronautical Engineering, Inc. personnel or procedures.

C. Objectives of this Manual

The objectives of this Manual are to:

- Summarize the policies and procedures that are applicable to compliance with ITAR controls.
- Identify and communicate compliance responsibilities of individual and functional organizations within Tuskegee Aeronautical Engineering, Inc. for ITAR products.



- Provide the necessary information to identify, track, and license transactions that are covered by ITAR; and
- establish internal recordkeeping, training, and auditing procedures in support of the company's compliance obligations and objectives.

To accomplish these objectives, this Manual provides an overview of key ITAR areas relevant to Tuskegee Aeronautical Engineering, Inc. operations and sets forth procedures for, classifying products and technology for export purpose, determining the appropriate license requirements, and applying for licenses or other authorizations; preparing and maintaining appropriate documentation and records; training; and auditing compliance with the Company.

D. Organizational Structure of Tuskegee Aeronautical Engineering, Inc.'s ITAR Business

Tuskegee Aeronautical Engineering, Inc. is a commercial company that focuses on both commercial and dual-use products and technology. Pressure is the business unit within Tuskegee Aeronautical Engineering, Inc. that is operating in areas that are ITAR controlled and, as result, requires policies, procedure and controls that differ from or are in addition to those that apply to Tuskegee Aeronautical Engineering, Inc. The procedures, as a whole, identified herein are applicable to Tuskegee Aeronautical Engineering, Inc. Pressure as well as any individual with corporate functions that support Tuskegee Aeronautical Engineering, Inc., Pressure's business or require access to ITAR controlled technical data.

II. RESPONSIBILITIES OF EXPORT COMPLIANCE PERSONNEL

Tuskegee Aeronautical Engineering, Inc.'s export compliance program is managed by the Export Control Compliance Officer, currently Cedric E. Barfield, Jr., In-House Counsel, and who is also the ITAR Compliance Officer (ICO) and develop and oversees all aspects of Tuskegee Aeronautical Engineering, Inc.'s Pressure's ITAR compliance program. The person responsible for ITAR compliance at Tuskegee Aeronautical Engineering, Inc.'s Pressure is Cedric E. Barfield, Jr. ICO. Contact information for Tuskegee Aeronautical Engineering, Inc. Pressure's as well as other responsible persons within Tuskegee Aeronautical Engineering, Inc.'s Pressure is provided as Appendix A to this Manual. In addition, Administration, Sales, and Marketing. Engineering functions all have key export compliance functions. The responsibilities of the ICO and key departments are outlined below.

A. ITAR Compliance Offer

The **ICO** is responsible for overseeing Tuskegee Aeronautical Engineering, Inc.'s Pressure's ITAR compliance program and taking necessary and reasonable steps to ensure the company's full compliance with relevant U.S export control laws. The ICO's responsibilities include:

- Implementing maintaining and auditing the **ITAR** compliance program.
- Providing leadership in the development, communication, and enforcement of the **ITAR** Technology Control Plan ("**TCP**");
- Maintaining access to current versions of the **ITAR**, **EAR**, and lists of restricted parties' lists, including the Debarred Parties List, Denied Parties List, the Entity List, Unverified List and the list of Specially Designated Nationals.
- determining whether an export license or other authorization is required or if a license exemption applies.



- Processing export licenses and other authorizations.
- distributing approval export licenses and other official documents as appropriate.
- Maintaining and updating this manual and any other export control materials as necessary.
- Contact outside export compliance counsel when appropriate.
- Acting as the point of contact for Tuskegee Aeronautical Engineering, Inc. with the Directorate of Defense Trade Controls (**DDTC**);
- Maintaining records of all export license and other relevant documentations.
- Reporting, on a regular basis, to senior management on **ITAR** practices and compliance.
- Developing and administering **ITAR** training and awareness programs to company employees; and
- Promptly investigating any suspected violations of U.S. export regulations by any employee of Tuskegee Aeronautical Engineering, Inc. and reporting such violations to senior management and U.S Government authorities, as required.

B. Management

The senior management of any group within Tuskegee Aeronautical Engineering, Inc. engaged in development, marketing, sales, manufacturing, or support of **ITAR** controlled products or programs are required to do the following:

- Publicly reinforce to their teams Tuskegee Aeronautical Engineering, Inc's corporate commitment to compliance with U.S export laws and regulations.
- Attend internal training on U.S. export laws and regulations at least once a year and maintain a general awareness of the penalties for violations.
- Allocate adequate financial, human, and other resources to support the objectives and policies set forth in this Manual and to ensure that the **ICO** and his/her personnel can fulfill their responsibilities set forth in this manual.

C. Human Resources

Human Resources personnel supporting Tuskegee Aeronautical Engineering, Inc. have the following export compliance responsibilities:

- Understand U.S. export regulation and control on "deemed export" as applied to Tuskegee Aeronautical Engineering, Inc. Pressure's business operation.
- Comply with all policies and procedures governing employment restriction for individuals requiring access to ITAR-controlled defense products and programs.
- Determine the immigration or citizenship status of all candidates and review with the hiring manager whether or not the position will require access to ITAR- controlled products programs.
- Ensure that a Foreign Person is hired only after the necessary procedures are followed.



- Consult the ICO before hiring Foreign Person from countries subject to embargo. A list of such countries is included in Appendix B;
- Comply with the ITAR TCP (Appendix C).

D. Engineering

Engineering has the following export compliance duties.

Project manager (PM) or his/her designee:

- Be the main interface with the **ICO**
- Identify key persons who will, together with the **ICO**, coordinate training on export control laws and compliance procedures, and who may act instead of the PM/designee when required.
- Notify the **ICO** in advance of any potential transfer of technical data to Foreign Persons or foreign companies.
- Review and, as appropriate, approve all exports of technical data. Exports can occur through various means, such as e-mail, technical discussions, or visual inspection by Foreign Persons during visits to the facility.
- Coordinate with the ICO to determine whether the export of technical data requires a license or other authorization or qualifies for a license exemption.

1 For purpose of ITAR controls, a “Foreign Person” is an individual who is not a U.S. citizen, a U.S. permanent resident (i.e. green holders) or “Protected individual: (i.e. admitted asylee or admitted refugee). For example, an HIB visa holder is a “Foreign Person”

- If an ITAR license is required, provide the required technical data, such as drawings, specifications, and manuals, to the **ICO** for submission to the **DDTC**.
- Refrain from assigning Foreign Persons job responsibilities involving **ITAR**-controlled products or program until a license or other authorization from **DDTC** is issued. Understand and comply with the scope of any Foreign Person License or exceptions.



Other Engineering employee:

- Always comply with the ITAR TCP (Appendix C)

Identify any outsourcing transaction that involves the release of drawings, diagrams, software, or any other form of technical data, to ensure compliance with U.S. export laws and regulations. Keep in mind that sending technical information via e-mail or storing it via cloud computing is considered an export if leaves the U.S at any point.

- Ensure that all employees involved in the handling of **ITAR** controlled products or programs, including those that deal with suppliers in the United States, receive training from the **ICO**;
- Provide the names of all potential suppliers for international transactions to the **ICO** or his/her designee so that they may be screened against U.S government prohibited parties lists.
- Work with the **ICO** to ensure that NDAs, RFQs and Purchase Orders released to U.S. suppliers clearly indicate that Tuskegee Aeronautical Engineering, Inc Pressure must be notified if outsourcing overseas is involved, and that technical data shall not be exported without first obtaining the necessary U.S. export approvals.
- If a decision is made to procure from foreign sources, procurement must coordinate with the **ICO** to determine if any technical data to be exported (which may be in the form of drawings, diagrams, software, etc.) is controlled under the **ITAR** or the **EAR** and if any U.S. government authorization is required to proceed with the transaction; and
- Retain all global outsourcing records for a period of five years from the date if export.

E. Marketing and Sales

Marketing and Sales personnel have the following export compliance responsibilities.

- If you are involved in **ITAR** controlled products or programs, be familiar with the terms “export”, “technical data”, “technical assistance”, and” defense services”. Familiarity with U.S. export laws and regulations will enable you to know when to contact the **ICO** to obtain export approvals and help avoid inadvertent transfers of technical information during marketing presentations.



- If you are involved in **ITAR** controlled products or programs, follow all policies and procedures with respect to the hand-carrying of defense articles overseas as specified in the Tuskegee Aeronautical Engineering, Inc. Pressure **ITAR TCP** and be familiar with the list of prohibited countries under the **ITAR** and **EAR**. (See Appendix B).
- If you are involved in **ITAR** controlled products or programs, coordinate with the **ICO** before traveling overseas to ensure all the appropriate export approvals are in place, This includes participation in trade shows;
- Submit all marketing presentations related to **ITAR** controlled products or programs to the **ICO** for review and approval prior to presentation.
- If you are involved in **ITAR** controlled products or programs, be aware that all new customers and other parties to an **ITAR** transaction must be screened against the U.S. government prohibited parties list and
- Work with the **ICO** to understand licensing requirements for all potential customers.

F. Information Technology

- Set up and maintain the necessary computing resources and data restrictions designed to accommodate **ITAR** controlled information pursuant to the Pressure **ITAR TCP**;
- Restrict access to the Tuskegee Aeronautical Engineering, Inc Pressure computing resources and data to U.S Persons and Foreign Persons duly authorized pursuant to a license or license exception, and coordinate with the **ICO** to validate the status of all those who request access to the Tuskegee Aeronautical Engineering, Inc. Pressure computing resources and data.
- Establish standard desktop requirements for all users of Tuskegee Aeronautical Engineering, Inc Pressure computing resources and data to ensure protection of **ITAR** information.
- Provide only U.S Persons and contact the **ICO** before assigning Foreign Persons to administer the **ITAR** network or provide desktop support to users who access the network; and
- Inform the **ICO** if any unauthorized Foreign Person requests access or otherwise attempts to access any Tuskegee Aeronautical Engineering, Inc Pressure computer resource or data.

G. Other Employees

All Tuskegee Aeronautical Engineering, Inc Pressure personnel that have not been tasked with specific responsibilities above must, nonetheless, comply with these procedures whenever particular situations bring them into contact with export transactions. The **ICO** will provide, from time to time, information to non-export personnel concerning U.S export regulations and general export matters of which all personnel should be aware.



III. U.S. DEFENSE TRADE CONTROL FRAMEWORK

A. Arms Export Control Act (AECA)

The AECA, 22 U.S.C. & 2751 et seq. is legal foundation of the U.S defense trade controls. 22 U.S.C & 2778 provides broad authority to designate defense articles and services and subject them to control. The AECA charges the President to exercise this authority, which has been delegated to the Secretary of State.

B. International Traffic in Arms Regulations (“ITAR”)

The **ITAR**, 22 C.F.R. Part 21, implements the AECA. It contains the United States Munitions List (“USML”), which sets forth the categories of items subject to defense trade controls. The **ITAR** controls exports and temporary imports of USML items by, among the other things, requiring licenses or other authorizations and the registration of persons who engage in manufacturing, brokering, or exporting defense items or defense services.

C. Directorate of Defense Trade Controls (“DDTC”)

The **DDTC** is the office within the Department of State’s Bureau of Political-Military Affairs that administers and enforces the **ITAR**. The **DDTC** processes registrations and license applications for defense trade transactions and handles all matters relating to defense trade compliance, enforcement, and reporting.

D. Department of Defense (“DOD”)

The **DOD** is an important player in the regulation of defense trade. The **DOD**, along with the State Department, determines which commodities are covered by the **USML**. The **DDTC** frequently refers applications for licenses or other authorizations to the **DOD** for comments and recommendations. All export license applications for defense articles that are designated on the **USML** as Significant Military Equipment (‘SME’) are referred to the **DOD**, which provides technical evaluation of such approvals and consults with various policy desks at the Department of State.

IV. OVERVIEW OF ITAR

A. United States Munition List (“USML”)

The USML designates a broad range of articles such as arms, ammunition, commercial satellites and related items and technology and implements of war, all of which are subject to strict export licensing requirement. See 22 C.F.R Parts 121 and 123. The USML is divided into 21 “Categories.” Some USML categories consist of broadly defined types of articles that can include a wide range of commodities; other categories are more specifically enumerated lists. USML Category XXI-Miscellaneous Articles is a “catch all” category, which covers any defense article, and related technical data and defense services, not specifically designed elsewhere on the USML.



B. “Defense Articles” Defined

Defense article” means any item designed on the USML. “Defense article” also includes technical data stored in any physical form, models, mock-ups, or other items that reveal technical data directly relating to items of the USML. An item may also be determined to be a defense article if that item is:

- Specifically designed, developed, configured, adapted, or modified for military application:
And
- Does not have a predominant civil application

C. Technical Data Defined

Technical data include:

- Technology or information required to design, develop, produce, manufacture, assemble, operate, repair, test, maintain, or modify defense articles;
- Blueprints, drawings, photographs, plans instructions and other documentation relating to defense articles
- Classified information relating to defense articles, services, or dual-use items;
- Software directly related to defense articles; and
- Technical assistance, including instruction, skills building, training, and working knowledge relating to defense articles.

Technical data generally does not include information concerning general scientific, mathematical, or engineering principals commonly taught in schools, college, and universities or “information in the public domain” (See definition below). It, also, does not include basic marketing information on function or purpose or general system description of defense articles. The **ICO** should be consulted when considering whether information may qualify as basic marketing materials or “public domain” information.

D. Information in the Public Domain

Information in the public domain, or information concerning general scientific, mathematical, or engineering principles commonly taught in schools, colleges, and universities, is not considered “Technical data” under the ITAR and is therefore not subject to any restriction or licensing requirement. The ITAR defines information in the public domain as information, which is published, and which is generally accessible to the public through:

- Sales at newsstands and bookstores:
- Subscriptions that are available without restriction to any individual who wishes to obtain or purchase the published information



- Libraries open to the public or from which the public can obtain documents;
- Patents available at any patent office.
- Unlimited distribution at a conference, meeting, seminar, trade show, or exhibition, generally accessible to the public, in the United States;
- Fundamental research in science and engineering at accredited institution of higher learning in U.S where the information is ordinarily published and shared broadly in the scientific community;
- Public release after approval by the relevant U.S Government agency or department; or
- Second class mailing privileges granted by the U.S Government.

Please note that information published on the internet *is not necessarily* considered to be in the public domain. If you have any questions regarding whether information is in the public domain for the purposes of the ITAR, please contact the **ICO**.

E. Defense Services Defined

The **ITAR** also regulate services involving defense articles, called “**defense services**”.

Defense services include:

- Furnishing assistance, including training, to foreign persons, whether in the United States or abroad, in the repair, maintenance, design, development, engineering, manufacturing, production, assembly, operation, modification, operation, demilitarization, destruction, processing, or use of defense articles;
- Furnishing any controlled technical data to foreign persons, whether in the United States or abroad; and
- Military training of foreign units and forces, including informal instruction of foreign persons, whether in the United States or abroad.

F. Export of Defense Articles (including Technical Data)

1. What is an Export?

The **ITAR**'s definition of “export” is broad and includes the following activities;

- Sending or taking a defense article (including technical data) out of the United States.
- Disclosing or transferring in the United States any defense article (including technical data) to an Embassy, agency or subdivision of a *Foreign Government*;
- Disclosing, releasing, or transferring technical data or information to a *Foreign Person* in the United States or abroad; and



- Performing a defense service on behalf or for the benefits of a Foreign Person in the United States or abroad.

This list makes clear that shipments of products, technology, parts, and components outside the United States constitute an *export*. In addition to traditional shipments, virtually any exchange of information-including telephone conversations, e-mail communications, technical proposals, fax communications, the sharing of computer database, briefings, training sessions, and question and answer exchanges – may involve and export of technical data. The release of technical data to a company outside the United States constitutes an export, even if the data is released to a U.S.- citizen employee of a foreign company

Furthermore, the release of technical data to a Foreign Person in the United States, including Tuskegee Aeronautical Engineering, Inc. employees that are Foreign Persons, constitutes an export to the recipient’s home country. This “deemed export” rule applies to any disclosure of technical data to any Foreign Person in the United States, including not only Foreign Person employees of U.S. companies who reside in the United States, but also visiting Foreign Persons such as customers or prospective customers.

2. How Do Exports Occur?

In addition to physical shipments from the United States to a foreign country, exports many occur in several ways, including the following:

- Telephone conversations;
- E-mails, online chats, desktop sharing;
- Technical proposals, briefings, training sessions, question and answer exchanges;
- Fax communications;
- The sharing of computer databases; and
- Plant tours involving Foreign Persons.

G. Re-export/Re-transfer of Defense Articles (including Technical Data)

Like the **EAR**, the **ITAR** also regulate “re-exports. “The **ITAR** define re-exports as the transfer of defense articles or defense services to an end user or destination not previously authorized. In other words, if an **ITAR**-controlled item is exported to Country A and then shipped to Country B. the shipment to Country B is a re-export and a license or other authorization under the **ITAR** is required.

Similarly, the **ITAR** also control “re-transfers” of defense article. A re-transfer occurs when a defense article exported to a particular end-user in Country A is then shipped or given to a different end-user also located in Country A. Re-transfers are also subject to licenses or other authorization under the **ITAR**.



H. Export Licenses and Other Authorizations

Licenses and/or other authorizations are required from **DDTC** for all export transactions involving defense articles, the release of related technical data, and the provision of defense services. The types of **ITAR** licenses are listed in Section Part X.A. below.

ITAR Part 126 states a policy of denial of licenses relating to certain countries. The current list of countries subject to the policy of licensing denial is included in Appendix B. The **ITAR** contains a license exemption for certain exports to certain Canadian companies (“Canadian exemption”). See 22 C.F.R. & 126.5 It is not a blanket exemption from **ITAR** licensing requirements. It only applies to certain categories of defense articles and technical data, and the terms of the Canadian exemption must be followed.

I. Fee and Commission Reporting

ITAR Part 130 imposes certain reporting requirements on certain payments relating to sales of defense articles and defense services. This includes fees and commission that are broadly defined as “any loan, gift, donation, or other payment of \$1,000 or more made, or offered or agreed to be made directly or indirectly...for solicitation or promotion or otherwise to secure the conclusion of a sale of defense articles or defense service to or for the use of the armed forces of a foreign country or international organization.” C.F.R & 130.5(a). Included are payments not only by the applicant but by any person; regardless of nationality, whether or not affiliated or employed by the applicant--including supplies and vendors.

J. Registration of Manufacturers, Exporters and Brokers

Any person who engages, in the U.S, in the business of either manufacturing, exporting, or brokering defense articles or service is required to register with **DDTC**. See 22 C.F.R Part 122. This includes subcontractors, service providers, and broker.

V. CLASSIFICATION UNDER THE ITAR AND EAR

A. General Principles

As describe above, U.S export laws restrict exports and re-exports of U.S – origin products. The critical first step in learning what types of restrictions apply to a product is determining how a particular item is “classified” for export purposes. This is essentially a two-step process. First, the exporter must determine whether the item is subject to the State Department’s **ITAR** or the Commerce Department’s **EAR**. This step is often referred to as the “commodity jurisdiction” determination. Second, once the commodity jurisdiction determination has been made, the item must be properly classified under either the **ITAR**’s **USML** or the **EAR**’s Commerce Control List (“**CCL**”).

Both layers of analysis call for technical judgements, which will usually require input from engineers or other appropriate technical personnel. In addition, there are formal government procedures for obtaining official rulings for the relevant agencies with respect to both the commodity jurisdiction process and the **CCL** classification exercise. While not always required, it is often prudent to obtain formal government commodity jurisdiction or classification rulings, particularly for



new products or technologies and for items that do not fall squarely into an established regulatory category, If uncertainties exists, the **ICO** should consider obtaining formal government commodity jurisdiction or classification determinations.

B. Commodity Jurisdiction (ITAR vs EAR)

Determining which set of export rules applies is sometimes difficult. From a compliance standpoint, the **ICO** along with the Project Manager and/or other appropriate Engineering personnel must always first confirm whether a product or technology to be classified falls under the **ITAR's USML**. As noted above, the commodity jurisdiction determination requires a sound technical understanding of the item in question, as well as knowledge of whether it is specifically designed or modified for military use.

In many cases, it is prudent to secure an official commodity jurisdiction ruling from the **DDTC**. Such a ruling will establish definitively whether an item falls under the **USML** and, if so, which **USML** category applies. If an item does not fall on the **USML**, it will be subject to the Commerce Department's **EAR**. Commodity jurisdiction request must be handled by the **ICO** with assistance from outside counsel as necessary.

C. Steps for Classifying Items

The **ICO**, with assistance from the Project Manager or his/her designee, is responsible for classifying all products and technology that Tuskegee Aeronautical Engineering, Inc. Pressure exports or re-exports, regardless of manufacturer or country of origin, as follows:

- Determine whether items to be exported or re-exported, including products and technology produced by other companies, fall under the **ITAR** or the **EAR**. (Note: In situations involving products sourced from third parties, it is often possible to secure classification information commodity jurisdiction and classification information from the vendor. The **ICO** will determine whether the classification information provided by third parties is reliable or whether further action is needed.)
- Classify for export control purposes all products, including software, and technology exported or re-exported by Tuskegee Aeronautical Engineering, Inc. (including items produced by other companies) under the appropriate USML or CCL category.
- If the **ICO** cannot make a commodity jurisdiction or **ITAR** classification determination, request an official ruling from the **DDTC**.
- Unless and until items have been properly classified for export purposes, Tuskegee Aeronautical Engineering, Inc. Pressure personal shall assume that a license is required.

VI FOREIGN PERSONS

A. Employment of Foreign Persons

As described above, the **ITAR** have defined *export* and *re-export* to include not only the physical



transmission of items out of the U.S but also the release of technology software and the discourse ---either visual or oral---defense-related technical data to Foreign Persons, even if in the U.S. These are known as “deemed exports”. When hiring employees to work at Tuskegee Aeronautical Engineering, Inc. Pressure or to support **ITAR** controlled products, Tuskegee Aeronautical Engineering, Inc. must ensure that it follows all employment eligibility policies and procedures, including the **TCP**. Tuskegee Aeronautical Engineering, Inc. must also ensure compliance when Foreign Persons are promoted within the Company, as new job responsibility may entail exposure to controlled technical data or products.

The hiring of Foreign Persons in all areas of the Tuskegee Aeronautical Engineering, Inc. business, including those subject to **EAR** controls, must comply with the **TCP**.

B. Release of Technical Data

All Tuskegee Aeronautical Engineering, Inc. Pressure employees must understand the requirements of the export compliance program outlined in this manual and ensure that they do not deliver, transmit, demonstrate, or hand carry any controlled technical data, hardware, or software to Foreign Persons or outside the U.S. without an export license or other authorization. All Tuskegee Aeronautical Engineering, Inc. employees who have contact with customers, in particular Company engineers, must take care not to release **ITAR** –controlled technical data to Foreign Persons in the course of their work without first obtaining a license or other authorization.

C. Demonstration Marketing and Plant Tours

Tuskegee Aeronautical Engineering, Inc. will, occasionally, conduct marketing and demonstration activities outside the U.S or for Foreign Persons inside the U.S. including plant tours. To ensure compliance with the **ITAR**, the **ICO** must be informed of all such activities, to determine whether the activities require a license. If Tuskegee Aeronautical Engineering, Inc. Pressure must release technical data to respond to a bid request or potential customer inquiry, the **ICO** must be consulted first to determine whether the data is subject to the **ITAR** or whether it is exempt from the licensing requirement.

If a license is needed for the export or re-report of a product or service, the **ICO**, with assistance from inside counsel as necessary, will determine whether a license is required, available and useable for multiple marketing activities.

VII. TECHNOLOGY CONTROL PLAN (TCP)

- A. The Pressure Technology Control Plan (PTCP) is an internal compliance document that supplements the guidelines set forth in this manual as “Appendix C”. The TCP is designed ensure that any disclosure, transfer, or release of **ITAR**-controlled technical data to Foreign Persons complies with **ITAR** controls, including employees and subcontractors.

VIII LICENSES PROCEDURES

A. Type of ITAR Licenses

U.S law requires prior **DDTC** approval for the following transfers of **ITAR** controlled items:

1. Export of defense articles (Form DSP-5);



2. Export of technical data for marketing, including offshore procurement activity and plant visits by foreign persons (Form DSP-5);
3. Manufacturing License Agreements (MLAs.), Technical Assistance Agreements (TAAs) and Warehousing & Distribution Agreements (submit written request on letterhead);
4. Temporary import for repair/modification (DSP-61 for other than routine transactions);
5. Classified defense articles/technical data (Form DSP-85);
6. Minor amendments to licenses (Form DSP-119);
7. Temporary export for marketing demonstrations to customers and air shows (Form DSP-73);
And
8. Re-export Authorizations (submit written request on letterhead).

DSP-5 licenses for the export of hardware are issued for only one country of ultimate destination. However, DSP-5 licenses for the export of technical data or DSP-73 licenses for the temporary export of equipment for demonstration can be obtained for multiple countries and multiple consignees in each country.

B. The Scope of an Export Authorization

As explained above, once an authorization or approval has been obtained, Tuskegee Aeronautical Engineering, Inc. Pressure personnel must understand the scope of the authorization so that actions in furtherance of the authorized project whether an export of products, technology, services, or data – are administered properly. The scope of an authorization may be restricted in three ways:

1. By the description of the products, technology, services or data to be exported that was provided in the license application;
2. By any provisos, limitation or requirements appended to the approval by the U.S. Government; and/or
3. By regulation and law.

Examples of the types of limitation that may be appended to the approval by the U.S, Government include:

1. Limitation on the period during which an export may occur;
2. Limitation on who may receive the product or technology;
3. Limitations on how the product or technology may be used;
4. Limitation on a Foreign Person employee's or a foreign customer's access to technical data or the facility;



5. Requirement that a U.S. Government agency such as the Defense Threat Reduction Agency/Site Survey Team ("DTRA/SST") review technical data prior to release;
6. Requirement that non-disclosure agreements or end-user certifications be obtained prior to export;
7. Requirement that executed agreements and certifications be remitted to regulatory agencies;
8. Reporting requirements;
9. Requirement that a TCP be put in place to control access to licensed technology; and
10. Limitations on the shipment of hardware, services, data, information, and documentation associated with the approved export
All Tuskegee Aeronautical Engineering, Inc. personnel acting in furtherance of a project that is governed by an export authorization must act solely within the scope of the authorization. Any action outside the scope of such authorization, or otherwise in contravention of law or regulations, is prohibited. The U.S Government interprets export authorizations strictly, leaving no room for inferences regarding the scope of an authorization. For example, under U.S. law, an authorization to ship controlled electronics equipment to a company at an address in Calais, France cannot be interpreted as authorization to ship the same equipment to the same or a different company at another address in France. Similarly, an authorization to ship electronics equipment cannot be interpreted as permission to export associated services or technical data. Such an authorization is strictly limited to the specified equipment or data, regarding the limits of any authorization should be addressed to the ICO.

C. Compliance with Provisos and Conditions

Once an export or re-export license is granted, it will often contain provisos and conditions issued by **DDTC**. The **ICO** will submit any documentation required by those provisos and conditions to **DDTC** and educate the relevant technical staff on the project as to the scope of the limitations and provisos.

D. ITAR Licenses Exemption

Although **DDTC** approval is required for various transactions listed above, there are numerous license exceptions authorized under various parts of the **ITAR**. These exemptions are complicated and construed narrowly by the **DDTC**. Accordingly, before relying on any of these exemptions, contact the **ICO** for a determination of whether the exemption applies.

IX. EXPORT LOGISTICS

A. Exporting Under a License

When exporting under an **ITAR** license the following steps must be completed;

- Confirm that affirmative provisos have been met;
- Review articles, quantity, value, parties and purpose to ensure that export is in compliance with the license;
- Screen all parties to the transaction;
- File Authorized Export System (**AES**) record (see X.B below) and/or report export to **DDTC** as required; and



- Include Destination Control Statement on appropriate shipping documents (See Section X.A.4)
- Below.

B. Exporting Under an Agreement

When exporting under a **TAA** or **MLA**, the Project Manager or his/her designee, in coordination with the **ICO**, must:

- File an executed copy of Agreement with **DDTC**;
- Confirm all other affirmative provision have been met;
- Review scope, parties and purpose to make sure transfer/assistance is in compliance with Agreement;
- Screen all parties to the transaction;
- Report initial export of technical data and defense service to **DDTC**;
- Mark relevant documents as **ITAR** controlled technical data; and
- Include Destination Control Statement on appropriate documents (See Section X.A.4 below).

C. Exporting under an Exemption

When exporting under license exemption, the Project manager or his/her designee, in coordination with the **ICO**, must:

- Review **ITAR** criteria for use of exemption;
- Obtain approval from the **ICO** to use exemption
- Document rationale for eligibility to use exemption;
- Screen all parties to the transaction;
- File **AES** record, when required;
- Report exemption use with **DDTC**, as required;
- Mark relevant documents as **ITAR**-controlled technical data; and
- Include Destination Counsel Statement on appropriate documents (See Section X.A.4 below)

X. EXPORT DOCUMENTATION

The following documents are generally required for all export transactions:

A. Commercial Invoice



Commercial invoices are used by the importing country to identify goods received and assess duties. Commercial invoices should contain the following:

1. Bill to/Ship to address.
2. Complete description of goods shipped. **NOTE:** Letter of Credit shipments must conform to the description of goods in the **L/C**.
3. Value. This is the amount to be invoiced **OR** the value of the goods if shipped at no charge.
4. Designation of authorization for export (i.e, No License Required, License Exception, or License Number).

Every commercial invoice issued by Tuskegee Aeronautical Engineering, Inc. for ITAR items must contain the following statement:

THESE COMMODITIES ARE AUTHORIZED BY THE U.S GOVERNMENT FOR USER]. THEY MAY NOT BE TRANSFERRED, TRANSHIPPED ON A NON-CONTINUOUS VOY AGE, OR OTHER WISE BE DISPOSED OF IN ANY OTHER COUNTRY, EITHER IN THEIR ORIGINAL FORM OR AFTER BEING INCORPORATED INTO OTHER END-ITEMS, WITHOUT THE PRIOR WRITTEN APPROVAL OF THE U.S DEPARTMENT OF STATE. (See 22 C.F.R. & 123.9 (b))

B. Shipper's Export Declaration/Automated Export System Record

A Shipper's Export Declaration ("**SED**") is U.S. government document that declares the basis for export authorization and is used by the U.S. Census Bureau to determine quantities of U.S goods exported for trade purposes. All **SEDs** must be filed electronically through the Automated Export System ("**AES**"). The **AES** exemption for low-value shipment cannot be used for shipments of items that require a Commerce Department export license or are subject to the **ITAR**, even if the item can be exported under an exemption. In order words, an **SED** must be filed for such shipments, regardless of value. An **SED** is generally not required for the export of technical data. However, a log of all exports of technical data must be maintained by the **ICO** for a period of five years from the date of export. The **AES** record for export of **USML** items must include the following data elements:

- **DDTC** Export License Number or **DDTC** Exemption Number;
- **DDTC** Registration Number;
- **DDTC** Significant Military Equipment Indicator;
- **DDTC** Eligible Party Certification Indicator;
- **USML** Category Code;



- **DDTC** Unit of Measure Code; and
- **DDTC** Quantity.

C.. Shipping Documents

Shipping documents (e.g. express delivery international shipping forms and air waybills) must, at a minimum, contain the following information:

1. Commodity description and
2. Destination Control Statement (see Section X.A.4 above).

Tuskegee Aeronautical Engineering, Inc. prepares the **AES** record, **bill of lading**, and **packing list** and forwards these documents to the freight forwarder. The freight forwarder is responsible for preparing the airway bill.

XI RECORDKEEPING

Tuskegee Aeronautical Engineering, Inc. must maintain accurate, complete, and consistent records of all exports for at least five years, as required by U.S. law, and must be able to provide access to such records to U.S government agencies upon request. The export records that must be retained for at least five years include:

- Licenses, including any riders, terms and conditions, narrative statements, license applications, and letters of explanation;
- Records of transactions regarding any products, software, or technology shipped under any license exception, including memoranda, contracts, invitations to bid, notes, correspondence, books of account, and financial records. Records include the full name and address of the customer, a full description of each product sold or re-exported, units of quantity and value of each product sold or re-exported, and the date of sale or re-exported;
- Export control documents relating to these transactions, including license amendments, applications for international import certificates and supporting documents, and delivery verification certificates;
- AES records, dock receipts or bills of lading, commercial invoices, packing lists, shipping documents including printed copies of electronic export, and customs documents; and
- Customer destination control certificate.

XII. VIOLATIONS AND FENALTIES

A. Penalties for Non-Compliance



Compliance with U.S defense trade controls is a shared responsibility. Every Tuskegee Aeronautical Engineering, Inc. employee, contractor, manager, and officer is expected to do his or her part to ensure full compliance with applicable laws and company procedures. Acts in violation of U.S defense trade controls may subject, Tuskegee Aeronautical Engineering, Inc. its directors, officers, employees, and/or agents, to severe civil and criminal penalties. Civil violations may result in fines of up to \$500,000 for each violation. Criminal violations may result in fines of up to \$1,000,000 per violation, imprisonment for up to 10 years, or both. In addition, a company or individual found in violation of U.S defense trade controls may be debarred from engaging in any further defense trade.

B. Internal Reporting

Tuskegee Aeronautical Engineering, Inc. employee have a duty to internally report violations of U.S. laws or Tuskegee Aeronautical Engineering, Inc. export compliance policy and procedures, Specifically, Tuskegee Aeronautical Engineering, Inc. pressure employees must report suspicious activities of suspected violations to the **ICO** or senior management. Upon receiving such a report, the **ICO** will conduct an internal investigation to determine if a violation took place and, if so, seek advice.

C. External Reporting

U.S government agencies that administer and enforce various export control regimes, including the DDTC, have disclosure programs under which disclosure may be considered as a mitigating factor in determining the remedy for a violation of relevant laws and regulations. In order to be considered “Voluntary” disclosure must be made before the government obtains knowledge of either the same or substantially similar information. “Voluntary” disclosures must be made with the full knowledge and authorization of senior management. All disclosures to the U.S government will be submitted by the **ICO**.

XIII TRAINING

To ensure that all employees in export-related functions at Tuskegee Aeronautical Engineering, Inc. Pressure are familiar with export controls and compliance procedures, the **ICO** will coordinate, on a regular basis, training sessions for relevant personnel on U.S export laws and regulations and Tuskegee Aeronautical Engineering, Inc. procedures. In addition, the **ICO** will participate in and coordinate the training sessions and activities discussed below. The training program reinforce obligations and responsibilities and ensures continued compliance with U.S exports regulations in consideration of changes of employee roles and responsibilities and new hires. The components of the training program are as follows:

- The **ICO** will receive continuing education in the form of at least one outside seminar on an annual basis.
- The **ICO** will, in turn, provide orientation training to all relevant Tuskegee Aeronautical Engineering, Inc. pressure employees and retain all course materials and attendance list for this training.
- The **ICO** will, as required, distribute periodic bulletins and updates on export control laws and regulations to relevant personnel. The **ICO** will review and disseminate information memoranda received from outside counsel in the same manner, as appropriate.



- The **ICO** will provide additional training sessions or refresher course to relevant personnel on an annual basis.
- The **ICO** will conduct in-depth training, as needed, for new employees assigned to export- related areas.

XIV. COMPLIANCE AUDIT

The ICO will coordinate and conduct periodic audits to ensure that all Tuskegee Aeronautical Engineering, Inc. Pressure employee understand the export compliance program outlined in this manual and that all procedures contained in the program are being followed. The **ICO** will document the results of such audit.

APPENDIX A
Contact Information for ITAR-Related Personnel

NAME	TITLE	PHONE	E-MAIL
	In-House Counsel ITAR Compliance		
	General Manager		
	Project Manager		

APPENDIX B

Embargoed and Restricted Countries



(GENERAL Policy of Licenses Denial) This page QTY 6

Afghanistan*

Belarus

Burma

China

Cote d'Ivoire

Cuba

APPENDIX B (Continued) This page QTY 19

Democratic Republic of the Congo*

Eritrea

Fiji

Haiti

Iran

Iraq*

Kyrgyzstan

Liberia

Libya

North Korea

Rwanda*

Sri Lanka

Somalia

Sudan

Syria



Venezuela

Vietnam

Yemen

Zimbabwe

*Special Exceptions

APPENDIX C

Tuskegee Aeronautical Engineering, Inc.

ITAR Technology Control Plan

General

The International Traffic Arms Regulations (ITAR) are U.S State Department regulations that govern the export of restricted defense articles and technology to foreign destinations. Disclosure of **ITAR**-controlled technical data to foreign persons, for example in the course of employment or through facility visits, is considered an export under the **ITAR** and is subject to U.S Government license. The State Department Directorate of Defense trade Controls (**DDTC**) regulates exports of defense articles and technical data under the **ITAR**.

Tuskegee Aeronautical Engineering, Inc. (“TAE, INC. “) have adopted this plan to delineate the policies and controls necessary to ensure there are no transfers to foreign persons of **ITAR**-controlled technical data beyond that approved by a **DDTC** license of **ITAR** exemption.

Foreign National Policy

Under the **ITAR**, a foreign national is any natural person who is not a lawful permanent resident as defined by 8 U.S.C. & 1101(a)(20) or who is not a protected individual as defined by 8 U.S.C. & 1324b(a)(3). **ITAR**-controlled technical data will not be disclosed to such foreign persons until authority therefore has been granted by a **DDTC** license or license exemption. The following controls and procedures will assure compliance with **ITAR** requirements related to the control of technical data. Adherence to these controls and procedures is a condition of employment for all Tuskegee Aeronautical Engineering, Inc. staff and is required of all visitors granted facility access.

Rules and Controls Governing Access to Technical Data by Employees Policy



Employee of Tuskegee Aeronautical Engineering, Inc. have been briefed in those areas of export control and export licensing, as set forth in the guidelines provided by DDTC and other U.S. agencies, which are pertinent to their activities. In addition, copies of this Technology Control Plan will be issued to all involved personnel as well as all employees who potentially interact with foreign nationals, calling attention to the rationale of Plan and their responsibilities regarding possible technology transfer. All foreign persons will be briefed in those areas of export control and export licensing which are pertinent to their activities.

Tuskegee Aeronautical Engineering, Inc. employees are responsible for understanding their obligations under the **ITAR**.

Unclassified Technical Data

Unclassified data may be accessed by foreign persons only to the extent necessary to fulfil designated duties in accordance with the job description submitted with a **DSP-5** application. The necessary unclassified data to be accessed will be controlled by the supervisor to whom the foreign person reports, unless that person is also a foreign person, in which case the technical data will be controlled by a U.S. person in a similar position.

Foreign persons will not have access to any technical data contrary to the terms of any U.S. Government contract nor any ITAR-controlled technical data beyond that authorized by a **DDTC** license or **ITAR** exemption.

Unclassified technical data will be stored electronically in such a way that foreign persons who are not licensed through a **DSP-5** application will not have access to such data. This may include certain employees of Tuskegee Aeronautical Engineering, Inc. This will be implemented using software security with levels of access and password protection. Files are restricted to specific users and servers are kept in locked server rooms and connected to the corporate wide area network, but only accessible to relevant employees of Tuskegee Aeronautical Engineering, Inc., including that group's local IT staff, as well as IT system administrators from other parts of Tuskegee Aeronautical Engineering, Inc. Foreign persons who are not authorized to have access to controlled technology will not have access to these servers.

No Tuskegee Aeronautical Engineering, Inc. employees with laptop PCs have access to **ITAR** data, nor will they be given access to ITAR data unless the additional security provision indicated in the following paragraph are implemented. The Tuskegee Aeronautical Engineering, Inc employees who, as part of their job responsibilities, access **ITAR** data on their desktop PC system will have their *PC system secured to desks with lock cables*. When working on **ITAR** data, employees must lock their computer display when leaving their computer unattended.

All Tuskegee Aeronautical Engineering, Inc. (IT department) employees who have access to **ITAR** data and have laptop PCs issued to them will have whole disk encryption software installed to secure data from the consequences of laptop loss of theft. No such employee may remove their laptop from the United States unless/until it is confirmed that no **ITAR** data exists on the laptop.



Classified Technical Data

Tuskegee Aeronautical Engineering, Inc. does not have classified technical data. However, if Tuskegee Aeronautical Engineering, Inc. obtains classified technical data in the future, foreign persons will not receive any classified information nor will they have access to any areas where classified work is in process in the future, unless explicitly authorized by **DDTC**.

Foreign Persons- New Employee Indoctrination

Foreign persons will be informed that an export license is required from the U.S Government before they may have access to any **ITAR**- controlled products or technical data. Further, foreign persons will be informed that they must treat all technical information obtained during their employment as company proprietary. Foreign persons will be made aware of, and made responsible for adherence to, facility security rules, policy. and procedures relating to **ITAR**-controlled products and technical data.

Nondisclosure Statement

All persons to whom technical data will be disclosed will be required to sign a Nondisclosure Statement (see Attachment A),

Employee Termination

Upon termination, all persons will be required to execute a statement certifying that the person has not given nor disclosed, and will not give nor disclose, to any unauthorized person **ITAR**-controlled technical data.

Facility Visitors

Tuskegee Aeronautical Engineering, Inc. is a secure facility. Access to the facility is limited to employees with security badges. All visitors are required to sign in at the front office upon arrival. The sign in sheet requires them to identify whether or not they are U.S citizens. Visitors to the facility will not be provided access to areas where there is controlled technology until it is determined whether they are foreign persons. Foreign person visitors must be escorted to avoid access to designated **ITAR**-controlled areas.

Other Controls

No employee or other person acting on behalf of Tuskegee Aeronautical Engineering, Inc. shall, without prior approval, ship, mail, hand carry, or transmit **ITAR**-controlled products or technical data out of the United States or within the United States with the knowledge or intent that the data will be shipped or transmitted to a foreign destination or a foreign person. Approval for all export of **ITAR**-controlled products or technical data is the responsibility of the **ITAR** Compliance Officer charged with overseeing Tuskegee Aeronautical Engineering, Inc. **ITAR** Compliance Program.

Summary



Tuskegee Aeronautical Engineering, Inc. believes sufficient control and supervision exists with all employees, including foreign persons, regarding handling of **ITAR**-controlled products, technology transfer and release of technical know-how. It is Tuskegee Aeronautical Engineering, Inc. policy to protect its company proprietary and sensitive information. Our standard operating procedures regarding Tuskegee Aeronautical Engineering, Inc. proprietary and sensitive information will serve as an additional safeguard against inadvertent or unintentional transmission of **ITAR**-classified technical information.

All supervisors are responsible for ensuring that employees in their activities are properly instructed in handling of Tuskegee Aeronautical Engineering, Inc. proprietary and sensitive information and that such information is disclosed only to persons with a confirmed need to know.

Access to restricted areas by visitors are controlled by assigning an escort upon arrival of the visitor. Employees and visitors who do not have authorization for access to controlled products or technology will be denied access to these areas. In addition, when an employee or visitor requires access to areas of the plant for tours, service calls, etc., all **ITAR** products and data are removed to a secure, restricted area.

ATTACHMENT A

NON-DISCLOSURE STATEMENT

I, _____ acknowledge and understand that any *defense articles on the U.S Munitions List and any technical data or defense services related to defense articles on the U.S Munitions List*, to which I have access to or which is disclosed to me in the course of my employment by Tuskegee Aeronautical Engineering, Inc. is subject to export control under the International Traffic in Arms Regulations (Title 22, code of Federal Regulations, Part 120-130). I hereby certify that such articles, data and services will not be further disclosed, exported, or transferred in any manner to any foreign national or any foreign country without prior written approval of the Office of Defense Trade Controls, U.S Department of State and in accordance with U.S government security (National Industrial Security Program Operating Manual) and customs regulations.

Print Name

Signature



Date

ATTACHMENT B

TECHNOLOGY CONTROL PLAN ACKNOWLEDGEMENT

I, _____ acknowledge that I have received a copy of the Technology Control Plan for Tuskegee Aeronautical Engineering, Inc. Accordingly. I understand the procedures as contained in this plan and agree to comply with all Tuskegee Aeronautical Engineering, Inc's policies and U.S government regulations as those policies and regulations pertain to the control of defense articles and technical data.

Name of Individual

Name of ITAR Compliance Officer

Signature of Individual

Signature of ITAR Compliance Officer



Date

Date

ATTACHMENT C
TERMINATION STATEMENT

I, _____ acknowledge and understand that I have not given nor disclosed, and will not give nor disclose, to any unauthorized person **ITAR**-controlled technical data or Tuskegee Aeronautical Engineering, Inc. proprietary information.

Print Name



Page **32** of **32**

Signature

Date

