



**Subject: Supplier ITAR Non-Disclosure Agreement Compliance**

Axiom Electronics, LLC anticipates your firm reviewing a solicitation from Axiom Electronics, LLC in the near future that contains technical information controlled under the United States International Traffic in Arms Regulation (ITAR), (22 CFR 120.10).

In order to confirm ITAR compliance, Axiom Electronics, LLC requests that you confirm the following:

(A) Your firm is a US firm incorporated under US law or your firm is a foreign firm that complies with U.S. cfr\_126.18(c)(2) and you can provide documentation showing that your firm is compliant in your country's national program. This is often referred to as an ITAR Dual National Rule.

(B) Your firm agrees to comply with all applicable U.S. export control laws and regulations, specifically including, but not limited to, the requirements of the Arms Export Control Act, 22 U.S.C.2751-2794, including the International Traffic in Arms Regulation (ITAR), 22 C.F.R. 120 et seq.; and the Export Administration Act, 50 U.S.C. app. 2401-2420, including the Export Administration Regulations, 15 C.F.R. 730-774; including the requirement for obtaining any export license or agreement, if applicable. Without limiting the foregoing, your firm agrees that it will not transfer any export controlled item, data, or services, to include transfer to foreign persons employed by or associated with, or under contract to your firm or your firm's lower-tier suppliers, without the authority of an export license, agreement, or applicable exemption or exception.

(C) Your firm shall immediately notify Axiom Electronics, LLC Procurement Representative if your firm is, or becomes, listed in any Denied Parties List or if your firm's export privileges are otherwise denied, suspended or revoked in whole or in part by any U.S. Government entity or agency.

(D) If your firm is engaged in the business of either exporting or manufacturing (whether exporting or not) defense articles or furnishing defense services, your firm represents that it is registered with the Office of Defense Trade Controls (ODTC), as required by the ITAR, and it maintains an effective export/import compliance program in accordance with the ITAR.

If not yet registered, to register your company with ODTC go to their website at <https://www.pmdotc.state.gov/>

The Contractor shall indemnify and hold Axiom Electronics, LLC harmless for all damages, costs, fines, penalties, attorney fees, and all other expenses arising from a U.S. Government claim or demand that your firm failed to comply with stated statutes and regulations.

You agree to comply with the above requirements for technical data provided during the solicitation and any resultant contract. In the event you are not awarded a contract, you agree that all technical data provided to you relative to this anticipated solicitation, including all copies thereof you make, will be returned or destroyed within (30) days of non-award notice to you by Axiom Electronics, LLC, and that you will make no further use or disclosure of such technical data.

Concurrence with the above becomes effective upon submittal of the Supplier Survey.