

FOREIGN SOURCES

IN THE EVENT THAT THE SUPPLIER ANTICIPATES SOLICITING FOREIGN SOURCES FOR ANY WORK UNDER THIS ORDER, THE SUPPLIER SHALL NOTIFY THE GEAE CONTRACT ADMINISTRATOR (C/A) 10 WORKING DAYS BEFORE EITHER APPLYING FOR AN EXPORT LICENSE UNDER INTERNATIONAL TRAFFIC IN ARMS REGULATION (ITAR), 22 CFR SECTIONS 121-128, OR BEFORE SOLICITATION OF THE FOREIGN SOURCES, WHICHEVER SHALL OCCUR FIRST. THIS NOTIFICATION SHALL INCLUDE A DETAILED DESCRIPTION OF THE DATA/EQUIPMENT TO BE EXPORTED AND A COPY OF THE APPLICATION FOR AN EXPORT LICENSE, IF SUCH APPLICATION HAS BEEN MADE. THIS NOTIFICATION TO THE C/A SHALL NOT BE CONSTRUED AS AN APPLICATION FOR AN EXPORT LICENSE, NOR SHALL IT IN ANY WAY BE INTERPRETED TO IMPEDE THE SUPPLIER'S RIGHT TO APPLY FOR AN EXPORT LICENSE. HOWEVER, IF THE C/A DISAGREES WITH THE APPLICATION, THE SUPPLIER WILL BE SO NOTIFIED.

FOREIGN NATIONALS

FOR THE PURPOSE OF THIS CLAUSE, FOREIGN NATIONALS ARE ALL PERSONS NOT CITIZENS OF, OR IMMIGRANT ALIENS TO, THE UNITED STATES. NOTHING IN THIS CLAUSE IS INTENDED TO WAIVE OR MODIFY ANY STATUTORY REQUIREMENT IMPOSED BY ANY U.S. GOVERNMENT AGENCY WITH RESPECT TO EMPLOYMENT OF FOREIGN NATIONALS OR EXPORT CONTROL.

THE SUPPLIER ACKNOWLEDGES THAT EQUIPMENT/TECHNICAL DATA GENERATED OR DELIVERED IN PERFORMANCE OF THIS ORDER IS CONTROLLED BY ITAR, SECTIONS 121-128, AND MAY REQUIRE AN EXPORT LICENSE BEFORE ASSIGNING ANY FOREIGN NATIONAL TO PERFORM WORK UNDER THIS ORDER OR BEFORE GRANTING ACCESS TO FOREIGN NATIONALS TO ANY EQUIPMENT/TECHNICAL DATA GENERATED OR DELIVERED IN PERFORMANCE OF THIS ORDER (SEE 22 CFR 125). THE SUPPLIER AGREES TO NOTIFY THE C/A 10 WORKING DAYS PRIOR TO ASSIGNING OR GRANTING ACCESS TO A FOREIGN NATIONAL TO ANY WORK, EQUIPMENT OR TECHNICAL DATA GENERATED OR DELIVERED IN PERFORMANCE OF THIS ORDER. THIS NOTIFICATION WILL INCLUDE THE NAME AND COUNTRY OF ORIGIN OF THE FOREIGN NATIONAL, THE SPECIFIC WORK, EQUIPMENT OR DATA TO WHICH THE PERSON WILL HAVE ACCESS, AND WHETHER THE FOREIGN NATIONAL IS CLEARED TO HAVE ACCESS TO TECHNICAL DATA (REFERENCE: SECTION 3 OF DOD 5220.22-M, "INDUSTRIAL SECURITY MANUAL FOR SAFE-GUARDING CLASSIFIED INFORMATION").

THE SUPPLIER ALSO AGREES THAT, IN ADDITION TO THE PROCEDURES ESTABLISHED BY ITAR, THE FOLLOWING LEGEND SHALL BE PLACED ON ALL TECHNICAL DATA GENERATED OR DELIVERED IN PERFORMANCE OF THIS ORDER:

WARNING

THIS DOCUMENT CONTAINS TECHNICAL DATA WHOSE EXPORT IS RESTRICTED BY THE ARMS EXPORT CONTROL ACT (TITLE 22, USC, SEC 2751, ET SEQ.) OR THE EXPORT ADMINISTRATION ACT OF 1979, AS AMENDED, TITLE 50, USC, APP. 2401, ET SEQ. VIOLATIONS OF THESE EXPORT LAWS AND ARE SUBJECT TO SEVERE CRIMINAL PENALTIES. DISSEMINATE IN ACCORDANCE WITH THE PROVISIONS OF AFR 80-34.

THE ABOVE REQUIREMENTS SHALL NOT BE CONSTRUED AS AN APPLICATION FOR AN EXPORT LICENSE NOR SHALL THEY IN ANY WAY BE INTERPRETED TO IMPEDE THE SUPPLIER'S RIGHT TO APPLY FOR AN EXPORT LICENSE. HOWEVER, IF THE C/A DISAGREES WITH THE APPLICATION, THE SUPPLIER WILL BE SO NOTIFIED.