

**Business Development Procedures for  
ITAR Controlled Information.**

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**10/SEP/2020**  
**Rev. 00**

**FROM RFPINC'S WEBSITE:**

**INTERNATIONAL TRAFFIC IN ARMS REGULATIONS  
ASSISTANCE**

ITAR compliance is more than simply registration and annual renewal. The U.S. Government standards for ITAR have become more far-reaching and impact the manufacturing, exporting, and brokering of technology.

As experts, we understand how to ensure ITAR compliance in any stage of the program: from initial discussion, through detailed technical proposals, to the delivery of hardware and documentation. RF Products will work with you to ensure ITAR compliance adheres to standards. We know that ITAR can pose challenges to companies and governments. RF Products has the ITAR experience and resources for making international business convenient and straightforward.



Almost all of RF PRODUCTS, INC's (RFPinc's) products and information relating to same are ITAR controlled and on the United States Munitions List (USML). Also information on the products owned by other companies and waveforms whether owned by the US Government or NATO with which RFPinc's products must operate are also often ITAR controlled. Also note that not all information about a product such as a radio or all information about a waveform is ITAR controlled. RFPinc has for a long time been an ITAR registered/certified company and has handled many ITAR controlled products and information on many foreign military programs both with the end-user military and with foreign prime system integrators without incident.

RFPinc meets requirements as specified in the Federal Acquisition Regulation (FAR) or, more specifically the Defense Federal Acquisition Regulation Supplement (DFARS) and in the International Traffic in Arms Regulations (ITAR). These regulations provide guidance on how RFPinc stores, processes, generates and/or shares Covered Defense Information ("CDI") as part of new program proposals and as part of contract performance.

CDI is a term encompassing all Controlled Unclassified Information (CUI) and Controlled Technical Information (CTI). These three markings (CDI, CUI and CTI) are given to unclassified content that must be protected in a very specific manner both within and outside a government information system.

Everyone with which RFPinc shares USML data with must be U.S. persons, which includes citizens and green card holders and have a need to know. For all others, this procedure must be followed.

This document defines RFPinc's procedures for handling ITAR controlled information, whether generated by RFPinc, by other USA manufacturers, or by the US Government/Military.

RFPinc is registered with the Department of State as pursuant to the Arms Export Action (AECA) International Traffic in Arms Regulations (ITAR Part 122) The Registration is renewed annually

1. After each new introduction with a new foreign military, government or foreign company the result of which is a mutual desire to work together to define a new radio communications system design using RFPinc's products, the first step is to sign a mutual non-disclosure agreement (NDA) with the foreign companies. RFPinc does not generally sign NDA's with governments or military. However NDA's are required to be signed with any companies who are working "above the line" as consultants to the government/military.

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2. In parallel with the NDA signing process, RFPinc's Contracts Dept (which is responsible for ITAR filings and compliance) applies for a Sales and Marketing DSP-5 with the US State Dept, unless one already exists applicable to the new potential customer. This step enables technical proposal and firm pricing submittals to the foreign government, military, contractor up to contract award. A Sales and Marketing Licensee also includes the authorization to attend Trade Show in the country of the ultimate destination. Note: For most ITAR and/or classified information, RFPinc can obtain this information but not need to provide this information to the foreign customer. Almost all of the time, it is sufficient for RFPinc to state that its proposed products will be compliant to and compatible with the intended radio and/or waveform – again without providing the ITAR controlled or classified information to the foreign customer.
3. At contract award, RFPinc submits a Technical Assistance Agreement (TAA) to the Department of State for authorization to provide unclassified United States Munitions List (U.S.M.L) Category Xi(a)(5) defense articles, technical data and unclassified defense services to the parties associated with the agreement After approval (DSP 5) from the Department of State, all parties associated with the agreement must sign the agreement and then a fully executed copy will be submitted to the Department of State, Only after approval will any data or defense service be exported between the parties.
4. At contract award of hardware a DSP-5 will be submitted to the US State Department for permanent export of contracted hardware and information deliverables. After approval from the State Department, a Nontransfer and Use Certificate (DSP-83) will be generated and submitted to the foreign end user for signature. The Nontransfer and Use Certificate will be included in the documents at the time of exporting.
5. Transfer controlled information only to government, military and contractors with a need to know, who also must adhere to these same data protection requirements.
6. Fulfill Reporting Requirement: RFPinc keeps a record of all ITAR activities including, but not limited to, registration, manufacture, acquisition, disposition and minutes, notes, drawing, etc. These records are maintained in an organized and easily accessible fashion and available at all times for inspection by DDTC. (See 22 CFR 122.5 for details.)
7. RFPinc personnel tasked to handle and manage ITAR related articles attend available training sessions conducted by the Department of State or online training located in the Defense Export Control and Compliance System (DECCS).