

# IMPORTANT INFORMATION ABOUT EXPORT CONTROLS RELATED TO REDCOM PRODUCTS

*REDCOM maintains strict compliance with all United States Government export regulations*

## ***The Export of REDCOM Products is Regulated by the US Department of Commerce and the US Department of State***

The export of REDCOM's products is subject to regulations established by the US Department of Commerce and the US Department of State. The regulations set forth by the Department of Commerce are called the Export Administration Regulations<sup>1</sup> (EAR) and those set forth by the Department of State are called the International Traffic in Arms Regulations<sup>2</sup> (ITAR). If a product is considered a Defense Article pursuant to the US Munitions List<sup>3</sup> (USML) which is part of the ITAR, the ITAR applies; if not, the EAR applies.

### ***EAR Export Controls***

Most of REDCOM's products are export controlled under the EAR under classifications 5A002, 5D002, 5A991, 5D991, 5A992, 5D992, or EAR99. This is important to know if you are actively engaged in any exporting activity. In most situations involving REDCOM products, you can use an "export license exception" to avoid the need to obtain an export license. In the infrequent situations where an export license is required, you apply to the US Department of Commerce for this license. Note: there is no pre-registration requirement. For more information on the EAR, refer to the web site at: <http://www.bis.doc.gov>

### ***ITAR Export Controls***

A select few REDCOM products are export controlled under the ITAR under Category XIII of the USML. For these products, the matter is more complicated. Some considerations that apply:

- In order to export an item, you must either use a license exemption or apply for an export license from the US Department of State. In either case, you must first be registered with the US Department of State and have an ITAR export compliance program in place.
- If you manufacture a system which contains an ITAR-controlled element, the resulting system becomes export-controlled under the ITAR and you are considered a "manufacturer" of a "Defense Article." To export a Defense Article<sup>4</sup> requires one to first be registered with the US Department of State and have an ITAR export compliance program in place.
- Even if there is no intention of exporting, all "manufacturers" of "Defense Articles" (including systems which contain REDCOM elements which are themselves Defense Articles), must<sup>5</sup> first be registered with the US Department of State and have an ITAR export compliance program in place.

- One of the requirements for handling a Defense Article on the USML is that you must have methods and procedures in place to prevent persons (including your own employees) who are not either a US Citizen or a Permanent Resident of the United States from being exposed to ITAR-controlled Defense Articles or Technical Data<sup>6</sup> related to an ITAR-controlled Defense Article. This is because their exposure to an ITAR-controlled item or technical data, even in the United States, constitutes an export.

For more information on the ITAR, refer to the web site at: <http://www.pmddtc.state.gov>

## Further Information

For questions about REDCOM products and the applicable export control laws and regulations, please contact REDCOM at: [exportcompliance@redcom.com](mailto:exportcompliance@redcom.com)

### Footnotes

1. 15 CFR 730 to 774
2. 22 CFR 120 to 130
3. 2 CFR 121.1 is the location where the USML is codified
4. 22 CFR 120.6 defines Defense Article
5. 22 CFR 122.1 codifies the registration requirement for manufacturers of Defense Articles, even absent an intention to export.
6. 22 CFR 120.10 defines Technical Data. Loosely defined, Technical Data is anything more complicated than standard marketing literature. Technical Data includes engineering drawings and software; it also includes operations manuals.

### REDCOM Export Controls contacts (ITAR Empowered Officials):

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REDCOM is registered with the United States State Department as manufacturer and exporter of ITAR-controlled commodities.