

Guidelines for Preparing Agreements (Revision 4.4b)

(3) Will defense services or technical data related to gas turbine engine electronics controls (e.g., Full Authority Digital Engine Controls (FADECs), Digital Electronic Engine Controls (DEECs)) be exported? If yes, explain in detail.

(4) Will engine deck models be exported? If yes, explain in detail.

(5) Will defense services or technical data related to engine survivability, vulnerability, EMI/EMV/EME, Low Observable technology, signature characteristics, performance limitations or deficiencies be exported? If yes, explain in detail.

b. This does not obviate the need for a detailed narrative description of the contemplated exports in accordance with ITAR licensing requirements. Applicants must specifically address these questions within the body of their license submittal. License applications received by DoD which lack responses to these questions will be returned without action.

Note: Applicants are cautioned not to alter the wording of the above within the narrative or apply other company definitions such as “advanced technology.”

18.4 Low Observable/Counter-Low Observable or Critical Program Information

Export of technical data, hardware, and/or defense services related to Low Observable and/or Counter-Low Observable (LO/CLO) technologies as defined in DoD Manual S-5230.28 and/or containing Critical Program Information (CPI) as defined in DoD Instruction 5200.39 requires in depth DoD review. In keeping with the direction of National Security Policy Directive (NSPD) 56, the following procedures have been implemented. In order to obtain a consistent level of detail in license applications and to preclude misinterpretation of release authorizations related to LO/CLO technology and CPI, DoD requires all State Department license requests include either of the following statements in the cover letter, that the contemplated exports do not include technologies addressed by DoD Manual S-5230.28 or CPI,

"The export contemplated herein does NOT involve the discussion, offer, or release of systems, techniques, technologies, or capabilities described in DoDM S-5230.28 nor the discussion, offer, or release of Critical Program Information (CPI). The export contemplated also does not include CPI modified or derived from a previous end item, nor was the export contemplated derived by removing CPI from a previous end item."

Note 1: Do NOT include this statement if the end item offered contained CPI in some previous derivation and has been removed.

or if the contemplated exports do include technologies addressed by DoD Manual S-5230.28 or CPI, then include the following statement and answers to the set of questions:

"The export contemplated herein does involve the discussion, offer or release of systems, techniques, technologies or capabilities described in DoDM S-5230.28 or the discussion, offer, or release of Critical Program Information (CPI). The export contemplated also does include CPI modified or derived from a previous end item, or the export contemplated was derived by removing CPI from a previous end item."

Note 2: Do include this statement if the end item offered contained CPI in some previous derivation and has been removed.

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1. When was the sponsoring service notified of this specific license request?
2. Did the sponsoring service recommend a LO/CLO or AT Executive Agent review? If not, attach a copy of the response.
3. Has this specific license request been briefed to the LO/CLO Tri-Service Committee (TSC), LO/CLO EXCOM or AT Executive Agent? If so, provide date(s). Also, provide contact info for a knowledgeable DoD POC.
4. Has the LO/CLO TSC, LO/CLO EXCOM or AT Executive Agent provided formal feedback regarding the contemplated export? If so, provide date(s). Also, provide contact info for a knowledgeable DoD POC."

Note 3: These procedures do not obviate the need for a detailed narrative description of the contemplated exports in accordance with ITAR licensing requirements. Applicants must specifically address these questions within the body of their license submittal.

Note 4: Applicants are cautioned to answer the questions as written and only provide "yes" or "no" answers, POC, and date so that the answers remain UNCLASSIFIED.

18.5 Software Documentation

Any export of U.S software source code, operating algorithms, signal processing algorithms, and/or program maintenance documentation must be compliant with DoD Guidelines for International Transfers of Software Documentation (including source code), dated 8 April 1997. The request **MUST** include a full description and explanation of all relevant software modules; identifying those proposed for release, as well as, those that will **NOT** be released. E-mail requests for the guidelines or questions to: dodsoftwareguidelines@dtsa.mil.