

**Export Control Notice and Acknowledgement**

(Reference CD-0036)

**Solicitation / Request for Proposal (RFP) / Request for Quote (RFQ) / Subcontract ID No.:****Information Category to Convey to Subcontractor**

The technical data, software, or assistance included in this solicitation or subcontract may be controlled under one or more U.S. export-control regimes, including but not limited to:

- The International Traffic in Arms Regulations (ITAR), 22 CFR Parts 120 through 130 – The technical data in the scope of work/specification attached to this solicitation have been designated as the ITAR controlled (22 C.F.R. 120 through 130) per Category XVI of the United States Munitions List (22 C.F.R. 121).
- The Export Administration Regulations (EAR), 15 CFR Parts 730 through 774.
- Other applicable U.S. export laws and regulations identified in Department of Energy Acquisition Regulation (DEAR) 970.5225-1.

**Acknowledgement and Certification**

I certify that I am a U.S. Person (as defined in 22 Code of Federal Regulations [CFR] 120.15, 8 U.S.C. 1101(a)(20), and 8 U.S.C. 1324b(a)(3)) and that I have read, understood, and shall comply with all United States export-control laws and regulations, including but not limited to the ITAR, EAR, and DEAR 970.5225-1, regarding protection and transfer of export-controlled information and materials associated with this procurement.

Only U.S. Persons may access or perform work involving export-controlled information unless both of the following are satisfied:

1. Required export license, exemption, or exception is obtained, and
2. PanTeXas Deterrence (PXD) security authorization has been granted.

**Foreign Person Restrictions**

The Seller shall obtain any required export licenses before employing or assigning foreign persons who may have access to export-controlled technical data or software in performance of this Agreement.

**Recordkeeping Requirements**

Seller must maintain all documentation required by U.S. export-control regulations, including records of any licenses, exemptions, exceptions, or foreign-person authorizations used in performance of this Agreement.

Seller shall provide access to all export-control documentation and, where feasible, to export-controlled items for PXD audit purposes. Any proposed modification to the scope of work that may introduce export-control implications must be reviewed and authorized in writing by the PXD Subcontract Administrator prior to implementation. This subcontract may be terminated if any required export license is denied or revoked by the U.S. Government.

**National Policy Reference**

Guidance concerning national policy on fundamental research and export control is provided in National Security Directive 189 and referenced in DEAR 970.5225-1.



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**Evidence of U.S. Citizenship**

To verify compliance with export-control restrictions, Seller shall maintain evidence of U.S. Person status for all employees (and subcontractors' employees) performing work under this procurement.

Acceptable evidence includes:

- Birth Certificate
- Certificate of Naturalization (INS Form N-550 or N-570)
- Certificate of U.S. Citizenship (INS Form N-560 or N-561)
- Report of Birth Abroad (Form FS-240)
- U.S. Passport

Copies attesting that the above are true and complete are acceptable and must be available for PXD review upon request.

**Acknowledgement**

I have read, understood, and agree to comply with the Export Control clause of this solicitation or subcontract, including the ITAR, EAR, and other applicable U.S. export laws.

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Signature:

Title:

Date:

Company Name:

Subcontract Number:

Physical Mailing Address: