

## D-Trade Defense Industry User Requirements

Use of D-Trade, the electronic arms export licensing system administered by the Directorate of Defense Trade Controls (DDTC), U.S. Department of State, is restricted only in terms of the factors noted below. Defense Industry Users, by seeking access to D-Trade, acknowledge and agree to the following conditions:

1. Use of D-Trade is limited to U.S. entities and persons registered with DDTC who keep their registration and required data current.
2. Any change that constitutes a material change in the information contained in the Registrant's Registration Statement must be submitted to DDTC pursuant to Section 122.4 of the International Traffic in Arms Regulations (ITAR).
3. Empowered Officials will exercise electronic licensing authorities per the responsibilities set out in Section 120.25 of the ITAR.
4. Users will not disclose technical or procedural information about D-Trade except as expressly authorized by DDTC.
5. Export licensing information provided by private sector users via D-Trade will enjoy all the protection from disclosure afforded by section 126.10 of the ITAR.
6. Export licensing case information, in order to be considered official and given full merit of U.S. Department of State consideration, must be submitted to DDTC directly via D-Trade
7. An electronic submission has the legal force and effect of a written submission under the ITAR, and is subject to all the provisions of the ITAR except as expressly provided herein.
8. Export authorization request forms to be used are currently limited to the Form DSP-5 (application for licenses for unclassified permanent exports), Form DSP-61 (application for licenses for unclassified temporary imports), and Form DSP-73 (application for licenses for unclassified temporary exports).
9. Acceptable file formats for D-Trade submissions are subject to DDTC approval. Approved forms (e.g., .TXT, WORD, .PDF, CAD, and .TIF) and approved versions for these forms will be identified in distributed software. **Searchable .PDF attachments will significantly facilitate the review of cases that are referred to the Department of Defense, thereby expediting final action.**

10. Export authorization requests submitted via D-Trade will be Public Key Infrastructure (PKI) protected. This protection will be provided via digital certificates issued by a General Services Administration Access Certificates for Electronic Services (ACES) contractor, and is subject to a charge established by the contract administrator. Users will adhere to user requirements of the relevant contracts.
11. While the PKI protection employs sophisticated encryption and authentication tools to protect the security of export licensing information, Users recognize that DDTC cannot guarantee or warrant the security of the information industry submits to the D-Trade web site, and that Users do so at their own risk. Users further agree to hold the U.S. Department of State harmless should there be a lapse in this security.
12. Users acknowledge that DDTC may, at its discretion, electronically refer export authorization requests via D-Trade to various U.S. Department of State bureaus as well as to other offices and agencies, such as the Department of Defense, for technical review, foreign policy-related input, and national security considerations.
13. In order to facilitate electronic licensing development, the DDTC Managing Director has approved the following modifications of otherwise applicable ITAR requirements **for D-Trade users only:**
  - Submission of the original, signed copy of Form DSP-83 (Nontransfer and Use Certificate) will not be required **if D-Trade is used.** An electronic version certified to be a true copy is required, and the original will be maintained by the User in accordance with the recordkeeping requirements of the ITAR.
  - Original copies of Non-Disclosure Agreements to support export authorization requests will be retained by the User in accordance with the recordkeeping requirements of the ITAR; electronic copies will be submitted via D-Trade.
  - Information required pursuant to Section 126.13 of the ITAR will be submitted electronically. When this information is incorporated as part of the export authorization request form, PKI digital signature certification will be used as verification.
  - Submission of multiple copies of information identified in section 123.1(c)(2) of the ITAR is not required.
  - Purchase orders, letters of intent, contracts, or other appropriate documentation regarding the commercial sale of defense articles will be submitted electronically; originals will be retained by the

applicant in accordance with the recordkeeping requirements of the ITAR.

- Required statements concerning payment of political contributions, fees and commissions that are triggered by the reporting thresholds of Part 130 of the ITAR will be submitted electronically, and signed originals will be retained by the applicant in accordance with the recordkeeping requirements of the ITAR.
14. Exports authorized from cases processed via D-Trade will be handled in accordance with all applicable regulations, including the ITAR, and U.S. Customs regulations, and those relating to the Automated Export System.
  15. All transactions that may be authorized, and records in support thereof, are subject to the recordkeeping requirements of the ITAR, including those of Section 122.5 of the ITAR. Users agree to cooperate in any audits of records that DDTC and/or Customs may initiate related to the use of the D-Trade system.
  16. DDTC reserves the right to revoke or suspend the use of D-trade, or Users' participation in the electronic licensing program, at any time upon written notification. If revocation or suspension should happen, pending cases will continue to be otherwise handled by DDTC in accordance with the Arms Export Act and the ITAR.
  17. Classified provisos, if applicable, will not be made part of the electronic authorization but will be forwarded to the applicant under separate cover in accordance with classified procedures.