



## Export Compliance Policy

As one of the leading subcontract laser processing service providers, Micron Laser Technology (“MLT”) is committed to full compliance with all export control regulations administered by the U.S. Department of Commerce, the U.S. Department of State, and other U.S. regulatory agencies. MLT has implemented an export control policy and export compliance program to ensure that there is no illegal diversion of high technology commodities and technical data through the export or re-export of products or technology in violation of any U.S. law. The export control policy and compliance program has the full support of MLT’s senior management.

### Export Control Statement

Each export commercial invoice issued by MLT under the Export Administration Regulations (EAR) contains the following statement:

THESE COMMODITIES, TECHNOLOGY OR SOFTWARE WERE EXPORTED FROM THE UNITED STATES IN ACCORDANCE WITH THE EXPORT ADMINISTRATION REGULATIONS. DIVERSION CONTRARY TO U.S. LAW IS PROHIBITED.

Each export commercial invoice issued by MLT under the International Traffic in Arms Regulations (ITAR) includes the Destination Control Statement in accordance with 22CFR 123.9(b):

THESE COMMODITIES ARE AUTHORIZED BY THE U.S. GOVERNMENT FOR EXPORT ONLY TO \_\_\_\_\_(country)\_\_\_\_\_ FOR USE BY \_\_\_\_\_(End User)\_\_\_\_\_. THEY MAY NOT BE TRANSFERRED, TRANSSHIPPED ON A NON-CONTINUOUS VOYAGE, OR OTHERWISE BE DISPOSED OF IN ANY OTHER COUNTRY, EITHER IN THEIR ORIGINAL FORM OR AFTER BEING INCORPORATED INTO OTHER END-ITEMS, WITHOUT THE PRIOR WRITTEN APPROVAL OF THE U.S. DEPARTMENT OF STATE.

### Jurisdiction

The US Department of Commerce (DOC) and US Department of State (DOS) are the principal U.S. Government organizations that review and classify our customer’s products. The Export Administration Regulations (EAR) are administered by the DOC’s Bureau of Industry and Security (BIS). The EAR is available at <http://www.bis.doc.gov/>

The International Traffic In Arms Regulations (ITAR) are administered by the DOS Directorate of Defense Trade Control (DDTC). The ITAR is available at <http://www.pmdt.state.gov/>

MLT will request the classification of all customer supplied products to ensure proper classifications is identified. In addition, MLT will consult with subject matter experts, legal counsel or the U.S. Government to ensure that product classifications are up-to-date and correct. Export Classification Control Number (ECCN) and ITAR/USML Category will be identified for all regulated data and technology.

MLT makes no representation or warranty as to the accuracy or reliability of the above information. Any use or reliance on such classifications is at the user's own risk and without recourse to CPST. CPST is in no way responsible for any damages, whether direct, consequential, incidental, or otherwise, suffered by the user due to use or reliance on such classifications, for any purpose whatsoever.

## **Prohibitions**

### Embargoed/Sanctioned Nations:

The U.S. Department of Treasury, Office of Foreign Assets Control (OFAC) maintains the listing of nations under embargo or sanction. Please refer to the OFAC web address <http://www.treas.gov/offices/eotffc/ofac/>, for additional details.

Products or technology may not be exported to any country listed by OFAC unless specifically permitted by the U. S. Government under an official export document. Also refer to ITAR – Proscribed Countries List at 22CFR 126.1 available on the DDTC website [http://www.pmdtc.state.gov/embargoed\\_countries/index.html](http://www.pmdtc.state.gov/embargoed_countries/index.html).

### Prohibited Parties Listings:

The U.S. government regularly publishes and updates lists of persons and companies that are denied access to U.S. exports. These lists are accessible through the DOC/BIS web address <http://www.bis.doc.gov/>, under Exporter Resources – Lists to Check:

Denied Parties	DOC (BIS)
Unverified List	DOC (BIS)
Entity List	DOC (BIS)
Special Designated Nationals (SDN)	US Department of Treasury (OFAC)
Debarred List	DOS
Nonproliferation Sanctions	DOS
General Order 3 to Part 736	DOC

If an individual or company appears on any of these lists, MLT will not perform any services on any product to be exported by or to that individual or company, unless MLT receives U.S. government authorization for export or re-export.

### Limitations/Prohibitions:

The U.S. Government administers export controls on certain products to certain destinations for national security purposes. Exporters of such products may be required to obtain export licenses from the U.S. government prior to exportation. In addition, the

Government places limitations on the export of products that could be used in some of the following activities:

- Missile technology
- Foreign military applications
- Nuclear proliferation
- Drug trafficking
- Terrorism

Please refer to EAR Part 736 for more details at web address

[http://www.access.gpo.gov/bis/ear/ear\\_data.html](http://www.access.gpo.gov/bis/ear/ear_data.html)

### **Violations**

MLT's Export Controls Representative will report any known violations of U.S. export control regulations to the appropriate government agencies:

- Bureau of Industry and Security, Office of Export Enforcement (OEE),
- Department of Homeland Security, U.S. Customs and Border Protection (CBP),  
or
- U.S. Department of State. Directorate of Defense Trade Controls.

### **Customer Purchase Order Requirements**

All international customer purchase orders sent to MLT must include the following:

- End User Name (Address if available)
- End Use Country
- Clear (Foreign) Ship To Address (if goods are for export)

If the purchase order is for ITAR controlled equipment, a completed End User Certificate is required. End User Certificate form and instructions are attached.

Note: All Exports from the U.S. require a commercial invoice. MLT will not release shipments to freight forwarders or carriers without a MLT commercial invoice or drop ship document provided by the customer.

### **Questions/Contacts**

MLT's Export Controls Representative is available to respond to questions or concerns. Please address any correspondence or inquiries to the following empowered official:

Derek Jensen, Logistics Supervisor

Phone: 503-439-9000

Fax: 503-439-3365

Email: [derekj@micronlaser.com](mailto:derekj@micronlaser.com)

## Instructions for Completing End User Certificate

1. **Letterhead** – The End User Certificate must be reproduced on the customer's letterhead. The letterhead information must contain the company's complete name, address, phone, and fax numbers.
2. **Date** – Enter date of End User Certificate.
3. **Reference** – Enter your purchase order number and Micron Laser Technology quotation number (if applicable).
4. Enter your company name in 2 places in the text.
5. **Customer Part Number, ECCN / USML, Part Description, and Purchase Quantity** – Enter the complete part information of the commodity you have sent for outside processing at Micron Laser Technology and as it is listed on your purchase order and/or packing slip. Identify Export Classification Control Number (ECCN) or ITAR/USML Category.
6. **End User** – Enter the complete name and location of the commodity's End User.
7. **End Use** – Check either Civil or Military, and enter the program name if applicable, description of the system the commodity will be used in, and a detailed description of how the commodity will be used in the application.
8. **Consignees** – Foreign Consignee and Foreign Intermediate Consignee (if applicable) must be entered if the commodity will be exported.
9. **Signature** – This document must be signed by and authorized representative, and the representative's name and title printed on the appropriate line.

*(Insert your Company Letterhead here)*

Date:

Attention: Sales Department  
Micron Laser Technology Inc.  
22750 NW Wagon Way  
Hillsboro, OR 97124

Subject: END-USER / END-USE Certificate

Reference: Purchase Order Number: \_\_\_\_\_

MLT Quotation Number: \_\_\_\_\_

*(Insert your Company name here)* acknowledges that the following commodity / commodities, that have or will have outside laser services performed at Micron Laser Technology Inc., are subject to the Export Administration Regulations (EAR) and the U.S. Department of Commerce or subject to International Traffic in Arms Regulations, 22 CFR Chapter 1, Subchapter M (ITAR) and Significant Military Equipment (SME) Regulations. *(Insert your Company name here)* further agrees that export, re-export, resale, and transfer or to any party who is listed by the government of the United States as prohibited from receiving the commodity / commodities or other restrictions to any destination, end-user, or for any end-use prohibited by the laws of the United States, or any other applicable law where such law does not conflict with the laws of the United States, will not be violated.

Customer Part Number	Export Classification Control Number (ECCN) or ITAR/USML Category	Part Description	Purchase Quantity

End-User: *(enter complete name and location)*

End-Use *(one must be checked)*: Civil: \_\_\_\_, Military: \_\_\_\_

*(enter detailed end-use application - required)*

Foreign Consignee<sup>1</sup>: *(enter complete name and location)*

Foreign Intermediate Consignee<sup>2</sup>: *(enter complete name and location)*

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(signature of authorized representative)

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(please print name and title)

**“Foreign Consignee”** is the foreign purchaser who will receive the shipment for storage, modification, or for incorporation into another end-item, and for subsequent forwarding to the foreign end-user. There can be multiple foreign consignees in the transaction.

<sup>2</sup> **“Foreign Intermediate Consignee”** is the person who will receive the goods for onward movement to the foreign purchaser or foreign end-user and/or it is the party involved in the transaction including freight forwarders, custom brokers, agents or representatives, and brokers. There can be multiple foreign intermediate consignees in the transaction.