



Technology Control Plan

with
Facility Control Procedures





RSG Technology Control Plan

Employee Name: [type name]

Citizen of: [country]

I. SCOPE

The procedures contained in this plan apply to all elements of Rotorcraft Services Group, Inc. ("RSG"), 3901 North Main Street, Fort Worth, TX 76106.

Disclosure of classified or unclassified technical data to foreign persons, as defined by ITAR § 120.10, in the course of employment or on extended visitor status is considered an export under ITAR and is subject to a Department of State (DOS) license or agreement. (Note: there is no classified information at RSG at the present time.)

II. PURPOSE

The purpose of this Technology Control Plan is to delineate and inform employees and visitors of RSG the controls necessary to ensure that no transfer of technical information or data or a defense service (as defined in ITAR paragraphs § 120.10 & § 120.9) occurs unless authorized by the Directorate Defense RSG Trade Controls (DDTC).

III. BACKGROUND

As a comprehensive helicopter modification and completions center, provider of engineering, certification solutions and certified parts manufacturer; Rotorcraft Services Group, is an industry leader with over 40 years of dedicated service to the aviation industry. Our experience, thru collaboration with Original Equipment Manufacturers ("OEM's") has earned RSG the reputation for delivering complete solutions and leading-edge technologies to serve the needs of individuals/fleet owners/operators, domestic and foreign military governments with VIP, Law Enforcement, EMS and Special Missions equipment.

Rotorcraft Services Group, which is comprised of RSG Aviation, RSG AeroDesign and RSG Products, supports local, domestic and international projects that utilizes all three divisions' expertise and capabilities. Projects range from, but are not limited to; design, engineering, manufacturing, kitting, certification, installation (onsite and offsite), testing and product warranty and support. Program Managers at each division are capable of driving multiple projects from cradle to grave, regardless of their location.

IV. FOREIGN PERSONS

No Foreign Person will be given access to unclassified and/or classified material on any project or program that involves the disclosure of technical data as defined in ITAR paragraph 120.10 until that individual's license authority has been approved by the Department of State or Commerce, as appropriate.

RSG employees who have the supervisory responsibility for foreign persons must receive an export control/licensing briefing that addresses relevant ITAR requirements as they pertain to classified and controlled unclassified information.

Foreign persons employed by, assigned to (extended visit) or visiting RSG, shall receive a briefing that addresses the following items:

- Prior to the release of classified material or controlled unclassified information to a foreign person an export authorization issued by DTCL needs to be obtained by RSG.
- Ensure foreign persons adhere to the RSG's security rules, policies and procedures and in-plant personnel regulations.
- Outline the specific information that has been authorized for release to them.
- Address RSG's in-plant regulations for the use of facsimile, automated information systems and reproduction machines.
- Any classified information they are authorized to have access and need to forward overseas will be submitted to RSG's security department for transmission through government-to-government channels.
- Information received at RSG for the foreign national and information that the foreign national needs to forward from RSG shall be prepared in English.
- Violations of security procedures and in-plant regulations committed by foreign nationals are subject to RSG sanctions.

V. ACCESS CONTROLS FOR FOREIGN NATIONALS

RSG has devised a set of controls to ensure that foreign nationals do not obtain unauthorized access to any classified or controlled unclassified information. The principal features are:

- **Badges:** All visitors are required to wear a badge during their visit. Foreign-person badges shall be uniquely marked in Red. Foreign persons shall not be permitted access to restricted areas without security examination of this badge and visual verification that the badge belongs to the holder. Employees must be informed of the limitations and restrictions imposed for each different badge type.
- **Escorts:** It shall be the responsibility of the RSG host employee to escort, or arrange for an escort of a foreign person visiting RSG facilities at all times. The RSG escorting employee shall confirm with the Company Empowered Official the facility locations that the foreign person can visit and make sure that there shall be no exposure to controlled unclassified information. (NOTE: RSG supervisors of foreign persons shall ensure that foreign nationals are escorted in accordance with U.S. Government and RSG regulations.)
- **Segregated work area(s):** The segregated area at RSG is limited to a specially-prepared conference room near the main entrance, which offers secure guest WiFi access. At all locations, visitors shall sign the Visitor Log and display proof of US citizenship or permanent residency. There shall be no exceptions to this rule. All visitors shall be escorted at all times.

VI. EXPORT-CONTROLLED INFORMATION

The specific elements of unclassified information (there is no classified information at RSG at the present time) will involve technical information about any item that has been defined as an ITAR or controlled-for-export EAR item, and similar systems being

developed, including such items as Interface Control Documents, source code for defense article sensor drivers etc.

VII. NON-DISCLOSURE STATEMENT

All foreign persons shall sign a non-disclosure statement (specified by DTCL) that acknowledges that classified and controlled unclassified information will not be further disclosed, exported or transmitted by the individual to any foreign national or foreign country unless DDTIC authorizes such a disclosure and the receiving party is appropriately cleared in accordance with its government's personnel security system.

VIII. SUPERVISORY RESPONSIBILITIES

Supervisors of cleared personnel and foreign national employees and foreign national visitors shall ensure that the employees and visitors are informed of and cognizant of the following:

- Technical data or defense services that require an export authorization is not transmitted, shipped, mailed, hand-carried (or any other means of transmission) unless an export authorization has already been obtained by RSG and the transmission procedures follow U. S. Government regulations.
- Individuals are cognizant of all regulations concerning the handling and safeguarding of classified information and controlled unclassified information.
- Individuals execute a technology control plan (TCP) briefing form acknowledging that they have received a copy of the TCP and were briefed on the contents of the plan.
- U.S. citizen employees are knowledgeable of the information that can be disclosed or accessed by foreign nationals.

Point of contact for this TCP:

Signature: _____

Name & Date: _____ / ____ / ____

Senior Management Official:

Signature: _____

Name & Date: _____ / ____ / ____

IX. EMPLOYEE RESPONSIBILITIES

All RSG employees who interface with foreign nationals shall receive a copy of the TCP and a briefing that addresses the following:

- Documents under their jurisdiction that contain technical data are not released to or accessed by any employee, visitor, or subcontractor who is a foreign national unless an export authorization has been obtained by RSG in accordance with the ITAR or the Export Administration Regulations (EAR).
- If there is any question as to whether or not an export authorization is required, contact the Facility Security Officer promptly.

- Technical information or defense services cannot be forwarded or provided to a foreign national regardless of the foreign national's location unless an export authorization has been approved by DDTC and issued to RSG.

By signature below I certify that I have read the above Technology Control Plan and have been briefed on its contents, and I agree to abide by the stated terms and conditions to the best of my ability.

Employee:

**** Insert name**: Signature and Date: _____ / ____ / ____

Technology Control Plan Attachments

- TCP Attachment A: Facility Control Procedures
- TCP Attachment B: Foreign-Person Employee Non-Disclosure Agreement
- TCP Attachment C: Foreign-Person Employee Checklist & Briefing Record
- TCP Attachment D: Employee ITAR/EAR Out-Processing Form (for *all* employees)

TCP Attachment A: Facility Control Procedures

Change History

1.1 PURPOSE

This document provides procedures for protecting export-controlled items and data while in-house at Rotorcraft Services Group, Inc. ("RSG"), as well as guidelines for the marketing and sales of export-controlled items.

This Facility Control Procedures document (FCP) delineates and informs employees of the controls necessary to ensure that no export of controlled items occurs unless authorized by the appropriate authorities.

1.2 APPLICATION

The procedures contained in this FCP apply to all RSG work locations.

Responsibility

It is the responsibility of the Export Compliance Officer to maintain this document and to ensure it is adhered to.

The Export Compliance Officer (ECO) is responsible for implementation of this FCP and control of all export-related documents and forms. The ECO is also responsible for issuing keys, Access Cards, combinations and passwords to export-controlled areas of the facility.

All employees are responsible for understanding this FCP and for taking the necessary precautions to prevent disclosure of export-controlled items.

1.3 DEFINITIONS

The following definitions are applicable to this FCP.

Defense Article - Any item or technical data designated in the United States Munitions List (USML) (ITAR paragraph 121.1). It includes technical data recorded or stored in any physical form, models, mockups or other items that reveal technical data directly relating to items designated in the USML.

EAR - Export Administration Regulations

Export (according to the ITAR) - (1) sending or taking a defense article out of the U.S. in any manner, except by mere travel outside of the U.S. by a person whose personal knowledge includes technical data; or (2) transferring registration, control, or ownership to a foreign person of any aircraft, vessel, or satellite covered by the USML, whether in the U.S. or abroad; or (3) disclosing (including oral or visual disclosure) or transferring in the United States any defense article to an embassy, any agency or subdivision of a foreign government (e.g., diplomatic missions); or (4) disclosing (including oral or visual disclosure) or transferring technical data to a foreign person, whether in the U.S. or abroad; or (5) performing a defense service on behalf of, or for the benefit of, a foreign person, whether in the U.S. or abroad.

Export (according to the EAR) - actual shipment or transmission of items subject to the EAR out of the U.S., or release of technology or software subject to the EAR to a foreign person in the U.S.

Export-Controlled Item - any items subject to the controls of the ITAR or EAR.

Foreign Person - Any natural person who is not a US Citizen or a lawful permanent resident of the U.S. or who is not a protected individual (political asylee). It also means any foreign

corporation, business association, partnership, trust, society or any other entity or group that is not incorporated or organized to do business in the U.S., as well as international organizations, foreign governments and any agency or subdivision of foreign governments (e.g., diplomatic missions).

ITAR - International Traffic in Arms Regulations

Significant Military Equipment - Articles for which special export controls are warranted because of their capacity for substantial military utility or capability (see items in section 121.1 of the ITAR).

Technical Assistance Agreement (TAA) – U.S. State Department approved document that allows the export of technical information, services, and possibly some equipment.

Technical Data - information which is required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance, or modification of defense articles; classified information related to defense articles; information covered by an invention secrecy order; software directly related to defense articles.

U.S. Person - Any natural person who is US Citizen, a lawful permanent resident of the U.S. (Green Card holder), or who is a protected individual. It also means any corporation, business association, partnership, trust, society or any other entity, organization or group that is incorporated to do business in the U.S. It also includes any governmental (federal, state or local) entity.

1.4 REFERENCES

Export Administration Regulations (EAR)

Export Briefing Acknowledgement (in New Employee Orientation Checklist)

International Traffic in Arms Regulations (ITAR) (22 CFR 120-130)

1.5 PROCESS

1.5.1 INTERNAL PROCEDURES

1.5.1.1 PERSONNEL IDENTIFICATION

1.5.1.1.1 All RSG employees, on-site contractors and visitors are required to wear badges at all times while on RSG premises. Badges shall be displayed at the waist or above and be visible at all times so that identification is easily determined. A full escort is required while in a RSG ITAR/EAR restricted area. Please check with the Company Empowered Official.

1.5.1.1.2 A WHITE badge with facility access indicates that an individual is a RSG employee U.S. person as defined above. This badge allows for full access to ITAR/EAR controlled technical information relating to all projects.

1.5.1.1.3 A BLUE badge with NO facility access indicates that an individual is an RSG visitor U.S. person as defined above. This badge allows for full access to ITAR/EAR controlled technical information relating to all projects. Escort is still required while at RSG facilities.

1.5.1.1.4 A RED badge with NO facility access indicates that an individual is an RSG foreign-person visitor as defined above. This badge does not allow any access to ITAR/EAR controlled technical information and requires full escort while at RSG facilities.

1.5.1.1.5 A RED badge with facility access indicates that an individual is a RSG foreign-person employee. This badge allows access to ITAR/EAR controlled technical information only as specifically authorized by the Export Compliance Officer. The protocols for

implementing such ECO authorizations are the responsibility of the employee's direct manager, who in turn will document this oversight via the form at § 16.11 of this Manual. Please check with the Company Empowered Official.

1.5.1.2 VISITORS

All visitors are required to sign in upon arrival and obtain an appropriate badge from the reception desk. It is the responsibility of a visitor's host to ensure the visitor is a U.S. person prior to disclosing export-controlled information. Although the badge is assigned based on the citizenship indicated on the sign in card, the visit host or receptionist may request proof of citizenship and/or permanent resident status if deemed necessary. Visitors must be escorted at all times.

1.5.1.3 EXPORT-CONTROL DETERMINATION

The Export Compliance Manager, with guidance from Contracts Administration and the Project Manager, shall determine what, if any, export regulations are applicable to a project. This determination will be based on specific contract language and using the ITAR and EAR. Any engineering data or designs created from items determined to be export-controlled shall also be considered export-controlled.

1.5.1.4 FOREIGN PERSONS POLICY

Foreign persons will not be employed on any work that involves the disclosure of export-controlled information until license authority has been granted by the appropriate government agency.

1.5.1.5 NON-DISCLOSURE STATEMENT OF ACKNOWLEDGMENT

Foreign persons to whom technical data will be disclosed under license by DDTC, will be required to sign an appropriate non-disclosure statement. A signed and dated copy of that non-disclosure statement will be kept on file with the company empowered official, noting the referenced license number.

1.5.1.6 EMPLOYEE AWARENESS

Employees shall be briefed during the new employee orientation that some of the company's work is subject to export controls and unless there is an export license in place, this information shall not be disclosed to foreign persons.

All employees shall sign an export-briefing acknowledgement to indicate they understand the company policy on handling export-controlled items.

The Facility Security Officer and the Empowered Official are available as a resource to company employees for answering questions and clarifying this FCP, the ITAR and the EAR regulations.

1.5.1.7 WORK AREAS

Work on export-controlled items shall be performed in an area that excludes unauthorized foreign persons. Signs shall be posted stating that export-controlled work is in progress. If a foreign person needs to enter an export-controlled area, they shall coordinate with the project manager responsible for that area. The project manager shall ensure all export-controlled items are out of sight and all conversation relating to export-controlled items has ceased prior to allowing access to the foreign person.

1.5.1.8 TECHNICAL DATA**1.5.1.8.1 MARKING**

Each page of export-controlled technical data shall be marked with appropriate statements to indicate export-control sensitivity.

1.5.1.8.2 STORAGE AREAS

Areas used for storing export-controlled items shall be marked as such. These areas shall be protected from unauthorized personnel at all times.

1.5.1.8.3 NETWORK

Access to areas on RSG's network containing export-controlled information is limited to authorized personnel only. Permissions will be communicated by the company Empowered Official to RSG's IT department on a case-by-case basis.

1.5.1.9 RECEIPT OF EXPORT-CONTROLLED ITEMS

All incoming export-controlled items will be brought to the attention of the appropriate project manager. The project manager is responsible for maintaining/tracking export-controlled items related to his project. At the end of a project, retention/disposal of export-controlled items will be determined at contract closeout.

1.5.1.10 TRANSMITTAL OF EXPORT-CONTROLLED ITEMS

No employee or other person acting on behalf of RSG shall ship, mail, carry or transmit export-controlled items from the U.S. or within the U.S. with the knowledge or intent that the item/information will be shipped or transmitted from the U.S. to a foreign destination without proper government approvals/licenses. Obtaining appropriate governmental approval for all exports or disclosures shall be coordinated through the ECO.

1.5.1.11 BUSINESS DEVELOPMENT ACTIVITIES**1.5.1.11.1 PUBLICITY**

Publicity for RSG's technology comes in many forms - web-site postings, product information and presentations to customers, and air show data sheets, handouts, and the display booth. Technical data and pictures should be reviewed by the ECO prior to posting or dissemination.

Note that although RSG may be involved with programs that are not specifically classified or ITAR sensitive they may be competition sensitive or company proprietary. RSG must be cognizant of this and exercise conservatism where appropriate when making announcements, posting pictures on the web site, and preparing presentations.

1.5.1.11.2 PUBLIC SHOWS

Participation in public shows is an excellent opportunity to introduce RSG and their technology to a significant number of potential customers. In addition, relationships can be built and fostered in an environment not as formal. Competitor information can also be gathered, however, this is equally true for RSG's technology and product development activities.

In support of public shows, RSG may take product models or mock-ups to display and show potential customers. These models and mock-ups may be subject to export restrictions and procedures for carrying or sending these models/mock-ups out of the country must be followed. Any exports should be coordinated through the ECO.

1.5.1.11.3 SALES AND MARKETING

If any foreign company approaches RSG, discussions can take place, however it must be made clear that RSG's technology is subject to export restrictions and detailed technical discussions will only take place subsequent to approvals by the U.S. State Department under a DSP-5 or a Technical Assistance Agreement (TAA), as appropriate. Contact the ECO for details on obtaining a TAA.

1.5.1.12 VIOLATIONS

Any perceived violations of this FCP or other export-control regulations (ITAR, EAR) shall be immediately reported to the ECO, who will generate a report and provide it to the Export Compliance Officer for final disposition.

1.5.1.13 DOCUMENTATION

The ECO shall maintain all forms and documentation related to exporting activities.

TCP Attachment B: Non-Disclosure Agreement for Foreign-Person Employees**Access to ITAR-Controlled Defense Articles by Foreign Person Employees**

I, [name of foreign person], acknowledge and understand that any technical data related to a defense article covered by the U.S. Munitions List to which I have access per authorization by the U.S. Department of State, Directorate of Defense Trade Controls (DDTC) under [state relevant export license/authorization number]** and disclosed to me in my employment by Rotorcraft Services Group, Inc. ("RSG"), is subject to the export controls of the International Traffic in Arms Regulations (ITAR) (Title 22, Code of Federal Regulations, Parts 120-130), particularly the 22 CFR 124.8 clauses.

1. This authorization shall not enter into force, and shall not be amended or extended, without the prior written approval of the Department of State of the U.S. Government.
2. This authorization is subject to all United States laws and regulations relating to exports and to all administrative acts of the U.S. Government pursuant to such laws and regulations.
3. The parties to this authorization agree that the obligations contained in this authorization shall not affect the performance of any obligations created by prior contracts or subcontracts which the parties may have individually or collectively with the U.S. Government.
4. No liability will be incurred by or attributed to the U.S. Government in connection with any possible infringement or privately owned patent or proprietary rights, either domestic or foreign, by reason of the U.S. Government's approval of this authorization.
5. The technical data or defense services exported from the United States in furtherance of this authorization and any defense article which may be produced or manufactured from such technical data or defense service may not be transferred to a person in a third country or to a national of a third country except as specifically authorized in this authorization unless the prior written approval of the Department of State has been obtained.
6. All provisions in this authorization which refer to the United States Government and the Department of State will remain binding on the parties after the termination of the authorization.

During my employment with Rotorcraft Services Group, Inc. ("RSG"), I am authorized to interact and participate in discussions with other U.S. and foreign person, and disclose technical data as necessary, while performing my job duties covered under DDTC [**case number]. It will be the responsibility of my employer, RSG, to notify other U.S. and foreign persons of my status as a foreign national employee prior to my interaction.

I also acknowledge and understand that should I inadvertently receive technical data or defense articles for which I have not been granted access authorization by DDTC, or if I inadvertently export technical data or defense articles received during my employment to an unauthorized recipient, I will report such unauthorized transfer and acknowledge the transfer to be a violation of U.S. Government regulations.


In furtherance of the above, I hereby certify that all defense articles, including related technical data, to which I have access will not be used for any purpose other than that authorized by DDTC and will not be further exported, transferred, disclosed via any means (e.g., oral disclosure, electronic, visual access, facsimile message, telephone) whether in its original form, modified, or incorporated in any other form, to any other foreign person or any foreign country without the prior written approval of DDTC.

Signature – Foreign Person (Employee) Date _____

Signature – U.S Person (Employer) Date _____

****Please leave sufficient space to enter the DDTC case number once approval is received.****

TCP Attachment C: Foreign-Person Employee Checklist / Briefing Record

 <p>New Employee Orientation Checklist</p>	Name of Employee: _____ Signature: _____ Date: _____ <hr/> Name of Supervisor: _____
A Human Resources representative shall review the items on this checklist with the new employee on his/her first day at work. When all of the items on this checklist have been completed and checked, including QA and Safety, the signed original will be placed in the employee's personnel file.	
<input type="checkbox"/> Provide copy of the Employee Handbook including Drug Free Workplace Program and Equal Employment Policy	
<input type="checkbox"/> Intranet Tutorial ___ Company Management Procedures & Policies (MPPs), System Level Procedures ___ Corporate Information ___ Timesheets ___ Contacts/Schedules: Phone list, Telephone & Voicemail instructions ___ Human Resources: Benefit Summary Plan Descriptions, EAP, 401K, Payroll forms, Training Forms, Performance Review forms ___ Export Compliance: Dedicated Intranet ITAR/EAR training modules, new employee and annual updates	
<input type="checkbox"/> Explain the company procedure regarding the following:	
	Timesheets - completion on a daily basis
	Overtime
	How and to whom to report absences
	Vacation scheduling
	Early departures
	Signature Authority List (see Intranet)
<input type="checkbox"/> Explain Performance Reviews now include a focus on export compliance	
	Senior management with ITAR-related responsibilities: ITAR compliance is a critical element of review.
	All other employees involved in export compliance: ITAR compliance is considered in performance review.
<input type="checkbox"/> Explain hours of work:	
	Normal working hours
	Definition of Company workweek
<input type="checkbox"/> Lunch time:	
	Amount of time
	Time scheduled
<input type="checkbox"/> Introduce employee to mentor; explain mentor program	
<input type="checkbox"/> ITAR/EAR/Security Briefings _____ (signature Export Compliance Officer)	
Note: Special export compliance briefing for foreign-person officers, managers _____ (initials Export Compliance Officer)	
<input type="checkbox"/> Employee has read the Technology Control Plan provided by company, and has discussed the procedures with company, understands procedures and agrees to comply with its requirements.	
<input type="checkbox"/> Quality Assurance Briefing _____ (sig. Quality Systems rep)	
<input type="checkbox"/> Shop Safety Briefing (if applicable) _____ (sig. Director of Manufac.)	
The above was accomplished by _____ (HR Rep) on _____ (Date)	

TCP Attachment D: Employee ITAR/EAR Out-Processing Form (for all employees)



Date: _____ / _____ / 2019

ITAR / EAR Out-Processing Statement

RE: Employee Name: _____

I certify that I have returned to RSG any and all items belonging to RSG, specifically including technical data, in any form, regarding defense articles. I understand that I am still bound by rules of confidentiality after employment by RSG. Furthermore, I understand that the restrictions against unauthorized disclosure of technical data regarding defense articles are a function of U.S. law, not just of the Non-Disclosure Statement I signed with RSG. I have been advised that the International Traffic in Arms Regulations ("ITAR") and the Export Administration Regulations ("EAR") provide for civil and criminal sanctions for such unauthorized disclosures.

Signature: _____ Date: _____/_____/2019
Employee

Signature: _____ Date: _____/_____/2019
Fletcher Redwine
Company Empowered Official