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IBM, a U.S. headquartered company with a global presence, must comply with all applicable export control laws and regulations, including the U.S. Export Administration Regulations administered by the Bureau of Industry and Security under the U.S. Department of Commerce. In order to ensure compliance with these requirements, IBM may need to obtain information from our Suppliers the export classification and related restrictions on any hardware, software or technology being transferred to IBM. IBM must rely on you, our supplier, to provide us with the export classifications and related export restrictions for hardware, software or technology you supply to IBM.

All forty Wassenaar participating countries (see below web link), including the United States, have an export classification system covering a common list of goods and technology. Under the U.S. system, the export classification is referred to as an "ECCN," or Export Control Classification Number. Other countries may use different terms to describe their export classification numbers. IBM, as a U.S. headquartered company, usually requires an ECCN from our Suppliers in order to understand the export controls that apply to the hardware, software or technology that is being transferred. Suppliers may also be requested to provide additional information for products that contain encryption components.

Please submit to IBM, upon request, the export classification for the hardware, software or technology that will be transferred to IBM. You must also notify IBM, prior to sale, if any items sourced by your company and sold to IBM are controlled as a defense article under the International Traffic in Arms Regulations (ITAR) or any other country's laws or regulations. Failure to notify us of such controls could detrimentally affect the compliance posture of IBM as well as your company.

For your reference, below please find the following links:

U.S. Department of Commerce – Bureau of Industry and Security: <http://www.bis.doc.gov/>

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

ECCN NUMBERS: For more information on determining your part ECCN numbers: [http://www.bis.doc.gov/licensing/do\\_i\\_needaneccn.html](http://www.bis.doc.gov/licensing/do_i_needaneccn.html)

Wassenaar Participating Countries: <http://www.wassenaar.org/participants/index.html>

IBM external export webpage: <http://www-03.ibm.com/products/exporting/index.shtml>

International Traffic in Arms Regulations (ITAR): <http://www.pmdtc.state.gov/>

We thank you for your partnership in the subject of export compliance. Our joined diligence and watchfulness over US export issues, as they relate to our business, will help ensure compliance.

Sincerely,

William Fanning  
IBM Global Procurement  
Director, Procurement Policy and Practice